

103RD CONGRESS
1ST SESSION

H. R. 2401

AMENDMENTS

In the Senate of the United States,

October 6 (legislative day, September 27), 1993.

Resolved, That the bill from the House of Representatives (H.R. 2401) entitled “An Act to to authorize appropriations for fiscal year 1994 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 1994, and for other purposes”, do pass with the following

AMENDMENTS:

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE.***

2 *This Act may be cited as the “National Defense Au-*
3 *thorization Act for Fiscal Year 1994”.*

4 ***SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF***
5 ***CONTENTS.***

6 *(a) DIVISIONS.—This Act is organized into three divi-*
7 *sions as follows:*

8 *(1) Division A—Department of Defense Author-*
9 *izations.*

10 *(2) Division B—Military Construction Author-*
11 *izations.*

12 *(3) Division C—Department of Energy National*
13 *Security Authorizations and Other Authorizations.*

- 1 (b) *TABLE OF CONTENTS.*—*The table of contents for*
 2 *this Act is as follows:*

- Sec. 1. Short title.*
Sec. 2. Organization of Act into divisions; table of contents.
Sec. 3. Congressional defense committees defined.

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 AUTHORIZATIONS***

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- Sec. 101. Army.*
Sec. 102. Navy and Marine Corps.
Sec. 103. Air Force.
Sec. 104. Defense Agencies.
Sec. 105. Defense Inspector General.
Sec. 106. Reserve components.
Sec. 107. Chemical demilitarization program.

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- Sec. 111. Modified M113 carriers and AGT-1500 turbine engines.*
Sec. 112. Nuclear, biological, and chemical protective masks.
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Sec. 122. B-2 bomber aircraft program.
Sec. 123. Access by Comptroller General to information on heavy bomber programs.
Sec. 124. C-17 aircraft program.
Sec. 125. Joint primary aircraft training system.
Sec. 126. Solid rocket motor upgrade program.
Sec. 127. Live-fire survivability testing of the C-17 aircraft.

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- Sec. 131. ALQ-135 jammer device.*
Sec. 132. Funding for certain tactical intelligence programs.
Sec. 133. Global Positioning System.
Sec. 134. Sense of Congress on expediting sealift procurement.
Sec. 135. Permanent authority to carry out AWACS memoranda of understanding.
Sec. 136. Ring laser gyro navigation systems.
Sec. 137. Operational support aircraft.

***TITLE II—RESEARCH, DEVELOPMENT, TEST, AND
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Sec. 215. Medical countermeasures against biowarfare threats.
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Sec. 217. Limitations regarding federally funded research and development centers.

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Sec. 222. Funding of certain ballistic missile defense programs.
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Sec. 226. Report on acquisition streamlining to accelerate deployment of initial ABM system.
Sec. 227. Funding for ballistic missile defense programs.
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- Sec. 231. Nuclear testing.*
Sec. 232. One-year delay in transfer of management responsibility for naval mine countermeasures program to the Director, Defense Research and Engineering.
Sec. 233. Termination, reestablishment, and reconstitution of an advisory council on semiconductor technology.
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- Sec. 306. Transfer authority.*
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- Sec. 311. Extension of authority for use of the Defense Business Operations Fund.*
- Sec. 312. Implementation of the Defense Business Operations Fund.*
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- Sec. 322. Clarification of authority for energy conservation programs at military installations.*
- Sec. 323. Clarification of funding for environmental restoration activities at installations to be closed or realigned.*
- Sec. 324. Annual report on environmental restoration activities of the Department of Defense.*
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- Sec. 335. Contracts to perform workloads previously performed by depot-level activities of the Department of Defense.*
- Sec. 336. Promotion of civilian marksmanship.*
- Sec. 337. Amendments regarding pilot program to use National Guard personnel in medically underserved communities.*
- Sec. 338. Assistance to local educational agencies that benefit dependents of members of the Armed Forces and Department of Defense civilian employees.*
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- Sec. 411. *End strengths for Selected Reserve.*
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Subtitle C—Military Training Student Loads

- Sec. 421. *Authorization of training student loads.*

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- Sec. 431. *Authorization of appropriations for military personnel.*

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- Sec. 511. *Limited delegation of Presidential authority to order Selected Reserve to active duty.*
 Sec. 512. *Two-year extension of certain reserve officer management authorities.*
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- Sec. 531. *Teacher and teacher aide program for separated members of the Armed Forces.*

- Sec. 532. Extension of personnel management and benefits transition authorities.*
Sec. 533. Technical and conforming amendments relating to transition authorities.

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- Sec. 541. Assignments of women members of the Armed Forces.*
Sec. 542. Reduction in the maximum number of years to be on temporary disability retired list.
Sec. 543. Clarification of punitive UCMJ article regarding drunken driving.
Sec. 544. Authority to reduce active duty service obligation incurred in connection with advanced education assistance.
Sec. 545. Award of Purple Heart to members killed or wounded in action by friendly fire.
Sec. 546. Policy concerning homosexuality in the Armed Forces.
Sec. 547. Employment of retired members by foreign governments.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

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- Sec. 601. Military pay raise for fiscal year 1994.*

Subtitle B—Bonuses, Special Pay, and Incentive Pay

- Sec. 611. Modification of authority relating to payment of certain Selected Reserve bonuses.*
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- Sec. 652. Losses incurred and gains realized in connection with housing members in private housing abroad.*
- Sec. 653. Postponement of performance of certain tax-related acts for certain persons serving in contingency operations.*
- Sec. 654. Benefits for dependents of members of the Armed Forces pending loss of right to retired pay as a result of a court-martial.*
- Sec. 655. Sense of Senate relating to excess leave and permissive temporary duty for certain members of the Armed Forces.*

TITLE VII—HEALTH CARE PROVISIONS

- Sec. 701. Extension and revision of specialized treatment facility program authority.*
- Sec. 702. Codification of CHAMPUS Peer Review Organization program procedures.*
- Sec. 703. Flexible deadline for commencement of CHAMPUS Reform Initiative in Hawaii and California.*
- Sec. 704. Delay of termination of status of certain facilities as uniformed services treatment facilities.*
- Sec. 705. Exclusion of experienced military physicians from medicare definition of new physician.*
- Sec. 706. Enrollment in the dependents' dental program by certain members returning from overseas assignments.*
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Subtitle F—Matters Relating to Allies and Other Nations

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- Sec. 1052. Defense conversion and reinvestment; export loan guarantees.
- Sec. 1053. Findings regarding defense cooperation between the United States and Israel.
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- Sec. 1062. Report on personnel requirements for control of transfer of certain weapons.
- Sec. 1063. National Guard Civilian Youth Opportunities Pilot Program amendments.
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- Sec. 1065. Administrative improvements in Goldwater Scholarship and Excellence in Education Program.
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- Sec. 1077. Sense of Congress relating to the proliferation of space launch vehicle technologies.
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- Sec. 1079. Effective date for changes in Servicemen's Group Life Insurance Program.
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Sec. 2856. Disposition of real property at missile sites to adjacent landowners.

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- Sec. 3127. Funds available for all national security programs of the Department of Energy.*
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- Sec. 3131. Use of funds for payment of penalty assessed against Hanford project.*
- Sec. 3132. Office of Tritium Production and Plutonium Disposition.*
- Sec. 3133. Authority to transfer certain Department of Energy property.*
- Sec. 3134. Reauthorization and expansion of authority to loan personnel and facilities.*
- Sec. 3135. Inclusion of analysis of Nevada Test Site in environmental assessment of reconfiguration of Department of Energy nuclear weapons complex.*

- Sec. 3136. Department of Energy management.*
Sec. 3137. Training programs for management of hazardous materials and of hazardous materials emergency response activities.
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- Sec. 3141. Short title.*
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Sec. 3143. Competitiveness amendment to the Department of Energy Organization Act.
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Sec. 3302. Revision of authority to dispose of certain materials authorized for disposal in fiscal year 1993.
Sec. 3303. Authorized uses of stockpile funds.

Subtitle B—Programmatic Changes

- Sec. 3311. Stockpiling principles.*
Sec. 3312. Period of limitation for changing annual materials plan.
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Sec. 3314. Uses of the National Defense Stockpile Transaction Fund.
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- Sec. 3401. Authorization of appropriations.*

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Sec. 3505. Labor-management relations.

Sec. 3506. Effective date.

1 **SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES DEFINED.**

2 *For purposes of this Act, the term “congressional de-*
3 *fense committees” means the Committees on Armed Services*
4 *and the Committees on Appropriations of the Senate and*
5 *House of Representatives.*

6 **DIVISION A—DEPARTMENT OF**
7 **DEFENSE AUTHORIZATIONS**

8 **TITLE I—PROCUREMENT**

9 **Subtitle A—Funding Authorizations**

10 **SEC. 101. ARMY.**

11 *Funds are hereby authorized to be appropriated for fis-*
12 *cal year 1994 for procurement for the Army as follows:*

13 *(1) For aircraft, \$1,249,539,000.*

14 *(2) For missiles, \$1,083,810,000.*

15 *(3) For weapons and tracked combat vehicles,*
16 *\$1,009,679,000.*

17 *(4) For ammunition, \$621,049,000.*

18 *(5) For other procurement, \$2,864,575,000.*

19 **SEC. 102. NAVY AND MARINE CORPS.**

20 *(a) NAVY.—Funds are hereby authorized to be appro-*
21 *priated for fiscal year 1994 for procurement for the Navy*
22 *as follows:*

23 *(1) For aircraft, \$5,755,166,000.*

24 *(2) For weapons, \$3,000,614,000.*

1 (3) For shipbuilding and conversion,
2 \$4,264,647,000.

3 (4) For other procurement, \$2,820,931,000.

4 (b) MARINE CORPS.—Funds are hereby authorized to
5 be appropriated for fiscal year 1994 for procurement for
6 the Marine Corps in the amount of \$480,521,000.

7 **SEC. 103. AIR FORCE.**

8 Funds are hereby authorized to be appropriated for fis-
9 cal year 1994 for procurement for the Air Force as follows:

10 (1) For aircraft, \$4,041,664,000.

11 (2) For missiles, \$4,245,404,000.

12 (3) For other procurement, \$7,610,888,000.

13 **SEC. 104. DEFENSE AGENCIES.**

14 Funds are hereby authorized to be appropriated for fis-
15 cal year 1994 for procurement for the Defense Agencies in
16 the amount of \$2,044,971,000.

17 **SEC. 105. DEFENSE INSPECTOR GENERAL.**

18 Funds are hereby authorized to be appropriated for fis-
19 cal year 1994 for procurement for the Inspector General of
20 the Department of Defense in the amount of \$600,000.

21 **SEC. 106. RESERVE COMPONENTS.**

22 Funds are hereby authorized to be appropriated for fis-
23 cal year 1994 for procurement of aircraft, vehicles, commu-
24 nications equipment, and other equipment for the reserve
25 components of the Armed Forces as follows:

1 (1) For the Army National Guard, \$85,000,000.

2 (2) For the Air National Guard, \$285,000,000.

3 (3) For the Army Reserve, \$65,000,000.

4 (4) For the Naval Reserve, \$55,000,000.

5 (5) For the Air Force Reserve, \$50,000,000.

6 (6) For the Marine Corps Reserve, \$20,000,000.

7 (7) For reserve component simulation equip-
8 ment, \$75,000,000.

9 (8) For National Guard aircraft replacement
10 and modernization, \$150,000,000.

11 **SEC. 107. CHEMICAL DEMILITARIZATION PROGRAM.**

12 There is hereby authorized to be appropriated for fiscal
13 year 1994, \$442,947,000 for—

14 (1) the destruction of lethal chemical agents and
15 munitions in accordance with section 1412 of the De-
16 partment of Defense Authorization Act, 1986 (50
17 U.S.C. 1521); and

18 (2) the destruction of chemical warfare material
19 of the United States that is not covered by section
20 1412 of such Act.

21 **Subtitle B—Army Programs**

22 **SEC. 111. MODIFIED M113 CARRIERS AND AGT-1500 TUR-**
23 **BINE ENGINES.**

24 (a) *ADDITIONAL AUTHORIZATION OF APPROPRIA-*
25 *TIONS.*—In addition to the funds authorized to be appro-

1 *priated in section 101, funds are authorized to be appro-*
2 *priated for the Army for procurement of modified M113*
3 *carriers and AGT-1500 turbine engines in the amount of*
4 *\$148,000,000.*

5 *(b) LIMITATION.—None of the funds appropriated pur-*
6 *suant to the authorization in subsection (a) may be obli-*
7 *gated during fiscal year 1994.*

8 **SEC. 112. NUCLEAR, BIOLOGICAL, AND CHEMICAL PROTEC-**
9 **TIVE MASKS.**

10 *Of the unobligated balance of the funds appropriated*
11 *for the Army for fiscal year 1993 for other procurement,*
12 *\$9,300,000 shall be available, to the extent provided in ap-*
13 *propriations Acts, for procurement of M40/M42 nuclear, bi-*
14 *ological, and chemical protective masks.*

15 **SEC. 113. CHEMICAL AGENT MONITORING PROGRAM.**

16 *Funds appropriated for the Army for fiscal year 1993*
17 *for other procurement may not be obligated after the date*
18 *of the enactment of this Act for the Improved Chemical*
19 *Agent Monitor (ICAM) program.*

20 **SEC. 114. CLOSE TACTICAL TRAINER QUICKSTART PRO-**
21 **GRAM.**

22 *Authority to reprogram funds for the Close Combat*
23 *Tactical Trainer Quickstart Program. Subject to existing*
24 *reprogramming procedures, the Secretary of the Army is*
25 *authorized to reprogram funds in fiscal year 1994 to pro-*

1 *cure long lead component hardware items to accelerate the*
2 *Close Combat Tactical Trainer Quickstart Program.*

3 ***Subtitle C—Air Force Programs***

4 ***SEC. 121. MODERNIZATION OF THE HEAVY BOMBER FORCE.***

5 *(a) FUNDING.—Of the amount authorized to be appro-*
6 *priated under section 103—*

7 *(1) not more than \$37,400,000 shall be available*
8 *for procurement of B-52 bomber aircraft; and*

9 *(2) not more than \$177,355,000 shall be avail-*
10 *able for the B-1B bomber aircraft program.*

11 *(b) LIMITATIONS ON FUNDING.—Of the total amount*
12 *made available pursuant to subsection (a) for the programs*
13 *referred to in such subsection—*

14 *(1) none of such amount may be obligated or ex-*
15 *pended until all of the requirements set forth in sec-*
16 *tion 152 of the National Defense Authorization Act*
17 *for Fiscal Year 1993 (Public Law 102-484; 106 Stat.*
18 *2340) have been met; and*

19 *(2) not more than 50 percent of such amount*
20 *may be expended before the commencement of flight*
21 *testing in accordance with the test plan required by*
22 *section 152(a) of such Act.*

23 ***SEC. 122. B-2 BOMBER AIRCRAFT PROGRAM.***

24 *(a) AMOUNT FOR PROGRAM.—Subject to subsection*

25 *(b), of the amount appropriated to the Air Force pursuant*

1 *to section 103(1) for fiscal year 1994 for procurement of*
2 *aircraft, not more than \$626,200,000 may be obligated for*
3 *the B-2 bomber aircraft program.*

4 (b) *LIMITATIONS ON OBLIGATION.—(1) None of the*
5 *funds made available for fiscal year 1994 for the B-2 bomb-*
6 *er aircraft program may be obligated until the Secretary*
7 *of Defense has submitted to the congressional defense com-*
8 *mittees the certifications and reports described in section*
9 *151(d)(1) of the National Defense Authorization Act for Fis-*
10 *cal Year 1993 (Public Law 102-484; 106 Stat. 2339).*

11 (2) *Of the unobligated balances of funds authorized to*
12 *be appropriated for procurement of B-2 aircraft for fiscal*
13 *years 1992, 1993, and 1994, none of such funds may be*
14 *obligated until—*

15 (A) *the Secretary of the Air Force—*

16 (i) *has entered into a definitized production*
17 *contract with the prime contractor for air vehi-*
18 *cles 17 through 21; or*

19 (ii) *has submitted to the congressional de-*
20 *fense committees a report setting forth the rea-*
21 *sons that a definitized contract cannot be entered*
22 *into; and*

23 (B) *the Secretary of Defense has submitted to*
24 *such committees a certification that the Department*
25 *of the Air Force is in full compliance with the B-2*

1 *correction-of-deficiency requirements set forth in sec-*
2 *tion 117(d) of Public Law 101-189 (103 Stat. 1376)*
3 *in all aspects of deficiency correction.*

4 (c) *TOTAL PROGRAM LIMITATIONS.—(1) Notwith-*
5 *standing any other provision of law, funds available for the*
6 *Department of Defense pursuant to authorizations of appro-*
7 *priations in this or any other Act may not be expended*
8 *for acquisition of more than 20 fully operational B-2 bomb-*
9 *er aircraft that meet the Block 30 requirements (as defined*
10 *by the Secretary of the Air Force as of August 1, 1993),*
11 *plus one test aircraft.*

12 (2) *The total amount obligated on or after the date*
13 *of the enactment of this Act for research, development, test,*
14 *and evaluation for, and acquisition, modification and ret-*
15 *rofitting of, the 20 B-2 bomber aircraft (and the one test*
16 *aircraft) referred to in paragraph (1) and for paying the*
17 *costs associated with termination of the B-2 bomber air-*
18 *craft program upon completion of the acquisition of such*
19 *20 aircraft (and the one test aircraft) may not exceed*
20 *\$28,968,000,000 (in fiscal year 1981 constant dollars).*

21 (3) *The Congress declares that it will consider enacting*
22 *legislation to increase the amount of the limitation specified*
23 *in paragraph (2) if—*

24 (A) *for any fiscal year beginning after Septem-*
25 *ber 30, 1994, the Secretary of Defense has requested*

1 *funds for the B-2 bomber aircraft program in the*
2 *documents submitted to Congress by the Secretary in*
3 *connection with the budget submitted to Congress pur-*
4 *suant to section 1105 of title 31, United States Code,*
5 *for that fiscal year;*

6 *(B) obligation of the total amount of the funds*
7 *so requested would not have violated the limitation;*
8 *and*

9 *(C) the requested funds—*

10 *(i) have not been made available for such*
11 *fiscal year as requested; or*

12 *(ii) have been made available for such fiscal*
13 *year but have not been obligated in such fiscal*
14 *year by reason of any limitation or restriction*
15 *on the obligation of such funds that is contained*
16 *in an Act enacted after the date of the enactment*
17 *of this Act.*

18 **SEC. 123. ACCESS BY COMPTROLLER GENERAL TO INFOR-**
19 **MATION ON HEAVY BOMBER PROGRAMS.**

20 *The Secretary of Defense shall take all actions that are*
21 *necessary to ensure that the Comptroller General of the*
22 *United States and employees of the General Accounting Of-*
23 *fice designated by the Comptroller General have full, free,*
24 *and prompt access to data, reports, and analyses generated*
25 *by or on behalf of the Department of the Air Force (includ-*

1 *ing by Air Force contractors) that relate to operation,*
2 *maintenance, repair, and modernization of heavy bombers,*
3 *and the plans of the Air Force for operation, maintenance,*
4 *repair, and modernization of heavy bombers in the future.*

5 **SEC. 124. C-17 AIRCRAFT PROGRAM.**

6 (a) *FISCAL YEAR 1994 LIMITATION.*—None of the
7 funds appropriated for the Department of Defense for fiscal
8 year 1994 may be made available for procurement of C-
9 17 aircraft until—

10 (1) *all limitations and requirements set forth in*
11 *subsections (b), (c), (d), (f), and (g) of section 134 of*
12 *the National Defense Authorization Act for Fiscal*
13 *Year 1993 (Public Law 102-484; 106 Stat. 2335) are*
14 *satisfied; and*

15 (2) *the Secretary of Defense submits to the con-*
16 *gressional defense committees a report on the C-17*
17 *acquisition program that contains—*

18 (A) *the results of the special Defense Acqui-*
19 *sition Board review of the program;*

20 (B) *a discussion of the corrective actions to*
21 *be taken by the Air Force with regard to such*
22 *program;*

23 (C) *a discussion of the corrective actions to*
24 *be taken by the contractor with regard to such*
25 *program; and*

1 (D) the findings and recommendations of
2 the special Defense Science Board group result-
3 ing from the investigation of the program by
4 that group.

5 (b) *FISCAL YEAR 1995 LIMITATION.*—None of the
6 funds appropriated for the Department of Defense for fiscal
7 year 1995 that are made available for the C-17 aircraft
8 program (other than funds for advance procurement) may
9 be obligated before the Secretary of Defense submits to the
10 congressional defense committees a report containing a re-
11 view of the airlift requirements of the Armed Forces. The
12 review shall—

13 (1) be based on an analysis by a federally funded
14 research and development center; and

15 (2) reflect consideration of—

16 (A) the changes in total airlift requirements
17 resulting from the disintegration of the Warsaw
18 Pact and Soviet Union that eliminate any major
19 trans-Atlantic airlift requirement for Europe;

20 (B) the change in airlift requirements from
21 requirements for airlift of large quantities of
22 outsize cargo for reinforcement of the North At-
23 lantic Treaty Organization (NATO) forces to re-
24 quirements for airlift in connection with such
25 lesser regional contingencies and humanitarian

1 *operations as Operation Desert Shield, Oper-*
2 *ation Desert Storm, and Operation Restore*
3 *Hope;*

4 (C) *the potential contribution that planned*
5 *strategic sealift improvements can make*
6 *toward—*

7 (i) *reducing the total demand for air-*
8 *lift; and*

9 (ii) *changing the type of cargo that*
10 *airlift aircraft must carry;*

11 (D) *the declining demand for conducting*
12 *airlift operations in austere airfield environ-*
13 *ments; and*

14 (E) *the trade-off between purchasing the*
15 *type of additional capability that the C-17 air-*
16 *craft can provide and purchasing and employing*
17 *additional support equipment that would in-*
18 *crease the cargo airlift capability of commercial*
19 *cargo aircraft.*

20 (c) *LIMITATION ON ACQUISITION OF MORE THAN 5*
21 *AIRCRAFT.—Funds appropriated for the Department of De-*
22 *fense for fiscal years after fiscal year 1993 that are made*
23 *available for the C-17 aircraft program (other than funds*
24 *for advance procurement) may not be obligated to produce*

1 *more than 5 C-17 aircraft until the program meets the fol-*
2 *lowing milestones:*

3 (1) *Clearance of flight envelope with respect to*
4 *altitude and speed.*

5 (2) *Takeoff of aircraft at a gross weight of*
6 *580,000 pounds and 160,000 pounds payload within*
7 *a critical field length of 8500 feet at sea level and 90*
8 *degrees Fahrenheit day conditions (or equivalent re-*
9 *sults under other conditions).*

10 (3) *Backing aircraft up a two degree slope with*
11 *a gross weight of 510,000 pounds.*

12 (4) *Unassisted 180 degree turn of aircraft on a*
13 *paved runway of load classification group IV in less*
14 *than 90 feet, using three maneuvers.*

15 (5) *Completion of static article ultimate load*
16 *(150 percent of design limit load) test condition S.P.*
17 *5030 for wing up bending.*

18 (6) *Completion of electromagnetic radiation,*
19 *electromagnetic compatibility, and lightening tests.*

20 (7) *Low velocity air drop of 5,000-pound, 8-foot*
21 *length platform.*

22 (8) *Sequential air drop of multiple simulated*
23 *paratroop dummies from both paratroop doors.*

24 (9) *A minimum unit equivalent assembly rate of*
25 *6.0 assemblies per year, as measured by the ratio of*

1 *annualized standard hours earned to that required to*
2 *assemble one aircraft from the beginning of assembly*
3 *to the completion of assembly prior to movement to*
4 *the ramp at the prime contractor's facilities.*

5 *(10) For all aircraft scheduled for delivery in the*
6 *prior 6-month period, delivery of each aircraft within*
7 *one month of scheduled delivery date.*

8 *(d) LIMITATION ON ACQUISITION OF MORE THAN 8*
9 *AIRCRAFT.—Funds appropriated for the Department of De-*
10 *fense for fiscal years after fiscal year 1993 that are made*
11 *available for the C-17 aircraft program (other than funds*
12 *for advance procurement) may not be obligated to produce*
13 *more than 8 aircraft until the program meets the following*
14 *additional milestones:*

15 *(1) Clearance of flight envelope with respect to*
16 *loads.*

17 *(2) Estimate of payload meets 95 percent of the*
18 *requirement provided in the full-scale development*
19 *contract for the key performance parameters for pay-*
20 *load-to-range systems performance.*

21 *(3) Operational clearance for aircraft to be air*
22 *refueled from operational KC-10 and KC-135 air-*
23 *craft at standard Air Force refueling speeds for the*
24 *specific tanker in a single receiver formation.*

1 (4) *Demonstration of combat offload with two*
2 *463L pallets using the air delivery system rails.*

3 (5) *Airdrop of 70 paratroopers on one pass,*
4 *using both paratroop doors.*

5 (6) *Low velocity air drop of 30,000-pound, 24-*
6 *foot length platform.*

7 (e) *LIMITATION ON ACQUISITION OF MORE THAN 10*
8 *AIRCRAFT.—Funds appropriated for the Department of De-*
9 *fense for fiscal years after fiscal year 1993 that are made*
10 *available for the C-17 aircraft program (other than funds*
11 *for advance procurement) may not be obligated to produce*
12 *11 or 12 aircraft until the program meets the following ad-*
13 *ditional milestones:*

14 (1) *Estimate of payload meets 97.5 percent of the*
15 *requirement provided in the full-scale development*
16 *contract for the key performance parameters for pay-*
17 *load-to-range systems performance.*

18 (2) *Landing of aircraft with a payload of*
19 *160,000 pounds and fuel necessary to fly 300 nautical*
20 *miles on a 3,000-foot long, 90-foot wide, and load*
21 *classification group IV runway at sea level, 90 de-*
22 *grees Fahrenheit day conditions (or equivalent results*
23 *under other conditions).*

24 (3) *Low altitude parachute extraction system de-*
25 *livery of a 20,000-pound cargo.*

1 (4) *Simultaneous and sequential container deliv-*
2 *ery system airdrop of 30 bundles.*

3 (5) *Low velocity air drop of 42,000-pound plat-*
4 *form.*

5 (6) *Satisfactory completion of one lifetime of*
6 *testing of durability article.*

7 (7) *Air vehicle mean time between removal at*
8 *cumulative flying hours to date of measurement indi-*
9 *cates that the mature requirement established in the*
10 *full-scale development contract will be met.*

11 (f) *FUNDING OUT OF NATIONAL DEFENSE STRATEGIC*
12 *LIFT FUND.—Funds appropriated for the Department of*
13 *Defense for fiscal year 1994 may be made available for pro-*
14 *curement of the C-17 aircraft only in accordance with sec-*
15 *tion 2218 of title 10, United States Code.*

16 ***SEC. 125. JOINT PRIMARY AIRCRAFT TRAINING SYSTEM.***

17 *No funds appropriated for the Department of Defense*
18 *pursuant to an authorization contained in this Act or any*
19 *Act enacted after the date of the enactment of this Act may*
20 *be obligated or expended to procure Joint Primary Aircraft*
21 *Training System aircraft until the Secretary of Defense cer-*
22 *tifies to the congressional defense committees that the cock-*
23 *pit and ejection seat of such aircraft have been designed*
24 *for safe and effective operation of the aircraft and ejection*

1 *system by at least 95 percent of the male pilot trainees and*
2 *95 percent of the female pilot trainees.*

3 **SEC. 126. SOLID ROCKET MOTOR UPGRADE PROGRAM.**

4 *(a) PROHIBITION ON USE OF FUNDS.—Funds appro-*
5 *priated to the Department of Defense may be used for im-*
6 *plementing a supplemental agreement described in section*
7 *9164 of Public Law 102–396 only under the authorities in*
8 *subsection (b).*

9 *(b) ACTIONS AUTHORIZED.—The Secretary of Defense*
10 *may—*

11 *(1) restructure the provisions of contract*
12 *F04701–85–C–0019 (hereafter in this subsection re-*
13 *ferred to as the “prime contract”) and enter into an*
14 *agreement to reimburse the subcontractor for the Solid*
15 *Rocket Motor Upgrade (SRMU) subcontract under*
16 *such prime contract (hereafter in this subsection re-*
17 *ferred to as the “SRMU subcontract”) for the costs*
18 *incurred by the subcontractor for development and*
19 *tooling related to the subcontract;*

20 *(2) reimburse the SRMU subcontractor for work-*
21 *ing capital expenses related to the subcontract only*
22 *after consultation with the Comptroller General of the*
23 *United States regarding whether such expenses are al-*
24 *lowable under applicable laws;*

1 (3) settle claims arising from disputes between
2 the SRMU subcontractor and prime contractor;

3 (4) transfer funds to reimburse the subcontractor
4 in accordance with paragraphs (1), (2) and (3);

5 (5) if the Secretary enters into an agreement to
6 pay the SRMU subcontractor in accordance with
7 paragraphs (1), (2) and (3), take such actions as are
8 necessary to ensure that competitive procedures are
9 used for awarding contracts in any future procure-
10 ments of solid rocket motors for the Titan IV launch
11 system;

12 (6) take such actions as are necessary to reduce
13 or eliminate concurrency in the Solid Rocket Motor
14 Upgrade program;

15 (7) change the type of the subcontract used for
16 the Solid Rocket Motor Upgrade production sub-
17 contract and adjust the ceiling price for the prime
18 contract accordingly, but only with respect to the
19 Solid Rocket Motor Upgrade production subcontract;
20 and

21 (8) if the Secretary decides to reimburse the
22 SRMU subcontractor for development costs, tooling,
23 and claims resulting from the termination or modi-
24 fication of the subcontract, terminate the Solid Rocket
25 Motor Upgrade production subcontract or modify

1 (1) *To complete EP-3 Aries conversion-in-lieu-*
2 *of-procurement for the remainder of the EP-3 Aries*
3 *aircraft fleet.*

4 (2) *To upgrade communications of the EP-3*
5 *Aries aircraft fleet to permit dissemination of col-*
6 *lected data.*

7 (3) *To complete standardization of the RC-135*
8 *Rivet Joint aircraft fleet to Block III Baseline 6 con-*
9 *figuration.*

10 **SEC. 133. GLOBAL POSITIONING SYSTEM.**

11 (a) *PROGRAM STUDY REQUIRED.*—(1) *The Secretary*
12 *of Defense shall provide for an independent study to be con-*
13 *ducted on the management and funding of the Global Posi-*
14 *tioning System program for the future.*

15 (2) *With the agreement of the National Academy of*
16 *Sciences and the National Academy of Public Administra-*
17 *tion, the study shall be conducted jointly by those organiza-*
18 *tions.*

19 (3) *Of the amounts authorized to be appropriated to*
20 *the Department of Defense for fiscal year 1994 and made*
21 *available for procurement of Global Positioning System*
22 *user equipment, for procurement of spacecraft, or for oper-*
23 *ations and maintenance, \$5,000,000 may be used for carry-*
24 *ing out the study required by paragraph (1).*

1 (b) *LIMITATION ON PROCUREMENT OF SYSTEMS NOT*
2 *GPS EQUIPPED.*—Funds may not be obligated after Sep-
3 *tember 30, 2000, to modify or procure any Department of*
4 *Defense aircraft, ship, armored vehicle, or indirect fire*
5 *weapon system that is not equipped with a Global Position-*
6 *ing System receiver.*

7 (c) *REPORTING REQUIREMENT.*—Not later than May
8 *1, 1994, the Secretary of Defense, in coordination with the*
9 *Director of Central Intelligence, shall submit to the congres-*
10 *sional defense committees, the Select Committee on Intel-*
11 *ligence of the Senate, and the Permanent Select Committee*
12 *on Intelligence of the House of Representatives a report on*
13 *the following questions:*

14 (1) *What, if any, threats to the health and safety*
15 *of United States military forces, allied military*
16 *forces, and the United States and allied civilian pop-*
17 *ulations, and what, if any, threats of damage to prop-*
18 *erty within the United States and allied countries,*
19 *will result by the year 2000 from Global Positioning*
20 *System navigation signals, local and wide-area dif-*
21 *ferential navigation correction signals, kinematic dif-*
22 *ferential correction signals, and commercially avail-*
23 *able map products based on the Global Positioning*
24 *System?*

1 (2) *What, if any, threat to civil aviation and*
2 *other transportation operations will result by the year*
3 *2000 from the signal jamming, deception, and other*
4 *disruptive effects of Global Positioning System navi-*
5 *gation signals?*

6 (3) *What, if any, actions can be taken to elimi-*
7 *nate or mitigate such threats?*

8 (4) *What, if any, modifications of the Global Po-*
9 *sitioning System and derivative systems can be made*
10 *to eliminate or significantly reduce such threats, or to*
11 *increase the ability of the Department of Defense to*
12 *mitigate such threats, without interfering with au-*
13 *thorized and peaceful uses of the Global Positioning*
14 *System?*

15 **SEC. 134. SENSE OF CONGRESS ON EXPEDITING SEALIFT**

16 **PROCUREMENT.**

17 (a) *FINDINGS.—The Congress makes the following*
18 *findings:*

19 (1) *The Joint Chiefs of Staff have verified the ur-*
20 *gent need for increased sealift.*

21 (2) *The Persian Gulf war provided graphic evi-*
22 *dence of the United States longstanding need for in-*
23 *creased sealift.*

24 (3) *The Congress has appropriated funds for a*
25 *sealift program in each of the past four fiscal years.*

1 (4) *The United States shipbuilding industry and*
2 *its supplier base would benefit, economically and*
3 *through sustained employment, from increased ship*
4 *conversion as well as from new ship construction.*

5 (5) *Maintaining or increasing ship conversion*
6 *and construction helps to preserve the industrial base*
7 *required for effective national defense.*

8 (6) *Enhanced sealift capacity is a vital require-*
9 *ment for the national security of the United States.*

10 (b) *EXPEDITED PROCUREMENT.—It is the sense of the*
11 *Congress that the Secretary of the Navy should move expedi-*
12 *tiously to award sealift conversion and construction con-*
13 *tracts that represent a fair price to the taxpayer.*

14 **SEC. 135. PERMANENT AUTHORITY TO CARRY OUT AWACS**

15 **MEMORANDA OF UNDERSTANDING.**

16 *Section 2350e of title 10, United States Code, is*
17 *amended by striking out subsection (d).*

18 **SEC. 136. RING LASER GYRO NAVIGATION SYSTEMS.**

19 *Notwithstanding any other provision of law, none of*
20 *the funds authorized for appropriations in fiscal years*
21 *1994, 1993, and 1992 for the Navy shall be obligated or*
22 *expended for the procurement of ring laser gyro navigation*
23 *systems for surface ships under a sole source contract.*

1 **SEC. 137. OPERATIONAL SUPPORT AIRCRAFT.**

2 *None of the funds appropriated for the Department of*
3 *Defense for fiscal year 1994 may be obligated for a procure-*
4 *ment of any operational support aircraft without full and*
5 *open competition (as defined in section 2302(3) of title 10,*
6 *United States Code), unless—*

7 *(1) the procurement is within an exception set*
8 *forth in section 2304(c) of title 10, United States*
9 *Code;*

10 *(2) the justification and certification require-*
11 *ments of section 2304(f) of such title are satisfied; and*

12 *(3) the Under Secretary of Defense for Acquisi-*
13 *tion certifies to the congressional defense committees*
14 *that the procurement is within an exception set forth*
15 *in section 2304(c) of such title.*

16 **TITLE II—RESEARCH, DEVELOP-**
17 **MENT, TEST, AND EVALUA-**
18 **TION**

19 **Subtitle A—Authorizations**

20 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

21 *Funds are hereby authorized to be appropriated for fis-*
22 *cal year 1994 for the use of the Armed Forces for research,*
23 *development, test, and evaluation as follows:*

24 *(1) For the Army, \$5,303,738,000.*

25 *(2) For the Navy, \$8,338,931,000.*

26 *(3) For the Air Force, \$12,681,597,000.*

1 (4) *For the Defense Agencies, \$9,775,951,000, of*
2 *which—*

3 (A) *\$252,592,000 is authorized for the ac-*
4 *tivities of the Deputy Director, Defense Research*
5 *and Engineering (Test and Evaluation); and*

6 (B) *\$12,650,000 is authorized for the Direc-*
7 *tor of Operational Test and Evaluation.*

8 **SEC. 202. AMOUNT FOR BASIC RESEARCH AND EXPLOR-**
9 **ATORY DEVELOPMENT.**

10 (a) *FISCAL YEAR 1994.—Of the amounts authorized*
11 *to be appropriated by section 201, \$4,549,445,000 shall be*
12 *available for basic research and exploratory development*
13 *projects.*

14 (b) *BASIC RESEARCH AND EXPLORATORY DEVELOP-*
15 *MENT DEFINED.—For purposes of this section, the term*
16 *“basic research and exploratory development” means work*
17 *funded in program elements for defense research and devel-*
18 *opment under Department of Defense category 6.1 or 6.2.*

19 **SEC. 203. STRATEGIC ENVIRONMENTAL RESEARCH AND DE-**
20 **VELOPMENT PROGRAM.**

21 *Of the amounts authorized to be appropriated by sec-*
22 *tion 201, \$200,000,000 shall be available for the Strategic*
23 *Environmental Research and Development Program.*

1 **SEC. 204. FUNDING FOR DEFENSE CONVERSION AND REIN-**
2 **VESTMENT RESEARCH AND DEVELOPMENT**
3 **PROGRAMS.**

4 (a) *Of the amounts authorized to be appropriated*
5 *under section 201—*

6 (1) *\$10,000,000 shall be available for the na-*
7 *tional defense program for analysis of the technology*
8 *and industrial base under section 2503 of title 10,*
9 *United States Code;*

10 (2) *\$150,000,000 shall be available for defense*
11 *dual-use critical technology partnerships established*
12 *under section 2511 of such title;*

13 (3) *\$100,000,000 shall be available for commer-*
14 *cial-military integration partnerships established*
15 *under section 2512 of such title;*

16 (4) *\$100,000,000 shall be available for assistance*
17 *of regional technology alliances under section 2513 of*
18 *such title;*

19 (5) *\$30,000,000 shall be available for defense ad-*
20 *vanced manufacturing technology partnerships estab-*
21 *lished under section 2522 of such title;*

22 (6) *\$100,000,000 shall be available for support of*
23 *defense manufacturing technology extension programs*
24 *under section 2523 of such title;*

1 (7) \$25,000,000 shall be available for defense
2 manufacturing engineering education grants under
3 section 2196 of such title;

4 (8) \$10,000,000 shall be available for support of
5 manufacturing experts in the classroom program
6 under section 2197 of such title;

7 (9) \$30,000,000 shall be available for the ad-
8 vanced materials synthesis and processing partner-
9 ship program; and

10 (10) \$50,000,000 shall be available for the agile
11 manufacturing/enterprise integration program.

12 (b) Of the amounts authorized to be appropriated
13 under section 201, \$10,000,000 shall be available, in addi-
14 tion to the amounts specified in subsection (a), for the pro-
15 grams, projects, and activities described in subsection (a).

16 **Subtitle B—Program Requirements,**
17 **Restrictions, and Limitations**

18 **SEC. 211. KINETIC ENERGY ANTISATELLITE PROGRAM.**

19 (a) *CONVERSION OF PROGRAM.*—The Secretary of De-
20 fense shall convert the Kinetic Energy Antisatellite (KE-
21 ASAT) Program to a tactical antisatellite technologies pro-
22 gram.

23 (b) *LEVEL FUNDING.*—Of the amounts authorized to
24 be appropriated in this title, \$10,000,000 shall be available

1 for fiscal year 1994 for engineering development under the
2 program.

3 (c) *DEVELOPMENT OF MOST CRITICAL TECH-*
4 *NOLOGIES.*—The amount referred to in subsection (b) shall
5 be available for engineering development of the most critical
6 antisatellite technologies.

7 (d) *LIMITATION PENDING SUBMISSION OF REPORT.*—
8 No funds appropriated to the Department of Defense for
9 fiscal year 1994 may be obligated for the Kinetic Energy
10 Antisatellite (KE-ASAT) program until the Secretary of
11 Defense submits to Congress the report required by section
12 1363 of the National Defense Authorization Act for Fiscal
13 Year 1993 (Public Law 102-484; 106 Stat. 2560) that con-
14 tains, in addition to the matter required by such section,
15 the Secretary's certification that there is a requirement for
16 an antisatellite program.

17 **SEC. 212. JAVELIN MISSILE PROGRAM.**

18 (a) *LIMITATION.*—Of the funds authorized to be appro-
19 priated in section 201(1), not more than \$34,937,000 may
20 be obligated for the Javelin missile program until the Sec-
21 retary of Defense certifies to the congressional defense com-
22 mittees that the Under Secretary of Defense for
23 Acquisition—

24 (1) has conducted a thorough review of such pro-
25 gram;

1 (2) *has determined that the cost problems with*
2 *the Javelin missile development and production are*
3 *under control;*

4 (3) *has completed a cost-effectiveness evaluation*
5 *and determined that the Javelin missile should enter*
6 *production; and*

7 (4) *has approved an enhanced producibility plan*
8 *developed by the Army.*

9 (b) *COST GROWTH REPORT.*—*The Secretary of Defense*
10 *shall submit to Congress a report on the total extent of the*
11 *increase in the cost of the Javelin program. The Secretary*
12 *shall include in the report the Secretary’s assessment of the*
13 *extent of the contractor’s liability for the increased cost and*
14 *the actions being taken by or on behalf of the United States*
15 *to obtain compensation for the contractor’s share of the re-*
16 *sponsibility for the increased cost.*

17 **SEC. 213. PLAN FOR TESTING NEW ELECTRONIC COUNTER-**
18 **MEASURES SYSTEM FOR B-1B BOMBERS.**

19 (a) *REQUIREMENT FOR PLAN.*—*The Secretary of De-*
20 *fense shall develop a plan for testing the new electronic*
21 *countermeasures system being developed for the B-1B bomb-*
22 *er.*

23 (b) *CONTENT OF PLAN.*—*The plan shall contain—*

24 (1) *a detailed description of plans for devel-*
25 *opmental testing and for operational testing, includ-*

1 *ing early operational testing by the Director of Oper-*
2 *ational Test and Evaluation; and*

3 *(2) a full description of the range of test param-*
4 *eters, including B-1B bomber flight conditions, indi-*
5 *vidual threat systems against which countermeasures*
6 *will be tested, and testing of countermeasures in the*
7 *presence of multiple threats.*

8 *(c) SUBMISSION OF PLAN.—(1) The Secretary shall*
9 *submit the plan to the congressional defense committees.*

10 *(2) The Secretary shall provide a copy of the plan to*
11 *the Director of Operational Test and Evaluation.*

12 *(d) REVIEW AND COMMENT.—The Director of Oper-*
13 *ational Test and Evaluation shall review the plan and sub-*
14 *mit any comments on the plan to the Secretary and directly*
15 *to the congressional defense committees.*

16 *(e) SCOPE OF REVIEW.—The review required under*
17 *subsection (d) shall include—*

18 *(1) the adequacy of the test plan to permit meas-*
19 *urement of the extent to which the new electronic*
20 *countermeasures system, if procured and installed in*
21 *all B-1B bombers, would improve the survivability of*
22 *B-1B bombers;*

23 *(2) the adequacy of available threat simulators*
24 *to characterize threats that the B-1B bomber is likely*
25 *to encounter on conventional bombing missions;*

1 (3) *the contribution of the new electronic countermeasures system to the effectiveness of the employment of B-1B bombers on conventional bombing missions if the new electronic countermeasures system were installed on all B-1B bomber aircraft; and*

2 (4) *such other matters as the Director of Operational Test and Evaluation considers significant.*

3 (f) *AVAILABILITY OF AUTHORIZED FUNDS.—Of the amount authorized to be appropriated under section 201(3), not more than \$43,500,000 shall be available for the new electronic countermeasures system under the B-1B bomber aircraft program.*

4 (g) *LIMITATIONS.—(1) None of the funds made available pursuant to subsection (f) may be obligated until all of the requirements set forth in section 152 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102-484; 106 Stat. 2340) have been met.*

5 (2) *Of the amount made available pursuant to subsection (f), not more than \$20,000,000 may be obligated until the plan required by subsection (a) has been submitted to the congressional defense committees.*

6 **SEC. 214. SPACE LAUNCH PLAN.**

7 (a) *PLAN REQUIRED.—The Secretary of Defense shall develop a space launch plan that contains clearly defined priorities, goals, and milestones regarding new space*

1 *launch vehicles and technology. The Secretary shall submit*
2 *the plan to Congress at the same time that he submits to*
3 *Congress the future years defense program in 1994 pursu-*
4 *ant to section 221 of title 10, United States Code.*

5 *(b) SELECTION OF LAUNCH VEHICLE OPTIONS.—Of*
6 *the amount authorized to be appropriated in section 201(3)*
7 *and to be made available for research, development, test,*
8 *and evaluation of new space launch systems and technology,*
9 *the Secretary of Defense shall allocate not less than 75 per-*
10 *cent of such amount to one of the following options for a*
11 *space launch system:*

12 *(1) A comprehensive demonstration of high-risk,*
13 *far-term launch technology, such as reusable single-*
14 *stage-to-orbit and air-breathing propulsion.*

15 *(2) A competitive acquisition program for a du-*
16 *rable and inexpensive expendable or reusable launch*
17 *vehicle with an initial operational capability date*
18 *early in the next decade.*

19 *(3) A program to modify existing launch vehicles*
20 *to achieve decreased cost and increased responsiveness.*

21 *(c) LIMITATION.—Not more than one-third of the*
22 *amount authorized to be appropriated in section 201(3)*
23 *and to be made available for research, development, test,*
24 *and evaluation of new space launch systems and technology*
25 *may be obligated until the Secretary certifies to the congres-*

1 *sional defense committees that the option selected for fund-*
2 *ing in accordance with subsection (b) is fully funded in the*
3 *future years defense program referred to in subsection (a).*

4 (d) *USE OF FOREIGN LAUNCH VEHICLES.—(1) The*
5 *Secretary of Defense shall conduct one or more studies to*
6 *determine the potential for using space launch vehicles of*
7 *foreign countries to launch United States national security*
8 *payloads. The studies shall be conducted with the goal of*
9 *determining whether the use of such launch vehicles would*
10 *result in reduced costs for launches of national security*
11 *payloads, increased competition in the furnishing of space*
12 *launch vehicles for launching such payloads, and a reduc-*
13 *tion in the excessive United States space launch industrial*
14 *base.*

15 (2) *Of the funds authorized to be appropriated under*
16 *section 201(3) and to be made available for research, devel-*
17 *opment, test, and evaluation of new space launch systems*
18 *and technology, the Secretary of Defense shall allocate up*
19 *to \$5,000,000 for conducting studies described in paragraph*
20 *(1).*

21 (e) *REQUIREMENT REGARDING DEVELOPMENT OF*
22 *NEW LAUNCH VEHICLES.—If the Secretary of Defense se-*
23 *lects an option referred to in paragraph (1) or (2) of sub-*
24 *section (b) for full funding in the future years defense plan*
25 *referred to in subsection (a), the Secretary shall explore in-*

1 *novative government-industry funding, management, and*
2 *acquisition strategies to minimize the cost and time in-*
3 *olved.*

4 *(f) REQUIREMENT REGARDING MODIFICATION OF EX-*
5 *ISTING LAUNCH VEHICLES.—If the Secretary of Defense se-*
6 *lects the option referred to in paragraph (3) of subsection*
7 *(b) for full funding under the future years defense plan re-*
8 *ferred to in subsection (a), the Secretary's plan shall pro-*
9 *vide for Department of Defense use of one medium-lift*
10 *launch vehicle for satellite payloads instead of three me-*
11 *dium-lift launch vehicles. The Secretary shall use competi-*
12 *tive procedures to select the supplier of medium-lift launch*
13 *vehicles.*

14 *(g) COST REDUCTION REQUIREMENT.—The plan shall*
15 *provide for reducing the cost of producing existing launch*
16 *vehicles at current and projected production rates below the*
17 *current estimates of the costs for such production rates.*

18 **SEC. 215. MEDICAL COUNTERMEASURES AGAINST**
19 **BIOWARFARE THREATS.**

20 *(a) FUNDING.—Of the amounts appropriated pursuant*
21 *to section 201 for fiscal year 1994, not more than*
22 *\$108,300,000 shall be available for the medical component*
23 *of the Biological Defense Research Program (BDRP) of the*
24 *Department of Defense.*

1 (b) *LIMITATIONS.—(1) Funds appropriated or other-*
2 *wise made available for the Department of Defense for fiscal*
3 *year 1994 may be obligated and expended for product devel-*
4 *opment, and for research, development, testing, and evalua-*
5 *tion, of medical countermeasures against biowarfare threat*
6 *agents only in accordance with this section.*

7 (2) *Of the funds made available pursuant to subsection*
8 *(a), not more than \$10,000,000 may be obligated or ex-*
9 *pended for research, development, test, or evaluation of med-*
10 *ical countermeasures against far-term validated biowarfare*
11 *threat agents.*

12 (3) *Of the funds made available pursuant to subsection*
13 *(a), other than funds made available pursuant to para-*
14 *graph (2) for the purpose set out in that paragraph—*

15 (A) *not more than 80 percent may be obligated*
16 *and expended for product development, or for re-*
17 *search, development, test, or evaluation, of medical*
18 *countermeasures against near-term validated*
19 *biowarfare threat agents; and*

20 (B) *not more than 20 percent may be obligated*
21 *or expended for product development, or for research,*
22 *development, test, or evaluation, of medical counter-*
23 *measures against mid-term validated biowarfare*
24 *threat agents.*

1 (c) *DEFINITIONS.*—In this section, the terms “vali-
2 dated biowarfare threat agent”, “near-term validated
3 biowarfare threat agent”, “mid-term validated biowarfare
4 threat agent”, and “far-term validated biowarfare threat
5 agent” have the meanings given such terms, respectively,
6 in section 241(c) of the National Defense Authorization Act
7 for Fiscal Year 1993 (Public Law 102–484, 106 Stat.
8 2359).

9 **SEC. 216. BASELINE REPORT FOR THE ARROW TACTICAL**
10 **BALLISTIC MISSILE DEFENSE SYSTEM.**

11 (a) *BASELINE REPORT REQUIRED.*—Not later than
12 April 1, 1994, the Secretary of Defense shall submit to the
13 congressional defense committees a baseline report on the
14 Arrow tactical ballistic missile defense system of Israel. The
15 Secretary shall design the report to provide such committees
16 with the information the committees need to perform their
17 oversight function.

18 (b) *CONTENT OF REPORT.*—At a minimum, the report
19 shall include the following matters:

20 (1) *The development and procurement schedules*
21 *for the program.*

22 (2) *The estimated total cost of the program.*

23 (3) *The estimated total cost to the United States*
24 *of involvement in the program, including funding*

1 *provided through foreign military sales financing*
2 *under the Arms Export Control Act.*

3 *(4) The same or similar kinds of information*
4 *that are included for a major defense acquisition pro-*
5 *gram in a Selected Acquisition Report submitted pur-*
6 *suant to section 2432 of title 10, United States Code,*
7 *to the extent that the Secretary can adapt the infor-*
8 *mation requirements of that section for application to*
9 *the Arrow tactical ballistic missile defense system.*

10 *(5) An assessment of the performance of the*
11 *Arrow system.*

12 *(6) An evaluation of the development and pro-*
13 *duction risks under the program.*

14 *(7) Alternatives to the Arrow system for meeting*
15 *the tactical ballistic missile defense needs of Israel, in-*
16 *cluding providing Israel with an existing or planned*
17 *United States weapon system.*

18 *(8) For each such alternative—*

19 *(A) an assessment of the cost effectiveness of*
20 *undertaking the alternative;*

21 *(B) the technology transfer implications;*
22 *and*

23 *(C) the weapon proliferation implications.*

24 *(c) FORMS OF REPORT.—The Secretary shall submit*
25 *the report in classified and unclassified versions.*

1 **SEC. 217. LIMITATIONS REGARDING FEDERALLY FUNDED**
 2 **RESEARCH AND DEVELOPMENT CENTERS.**

3 (a) *LIMITATIONS.*—(1) *Funds appropriated or other-*
 4 *wise made available for the Department of Defense for fiscal*
 5 *year 1994 pursuant to an authorization of appropriations*
 6 *in section 201 may be obligated for procuring work from*
 7 *any federally funded research and development center*
 8 *named in the table in paragraph (2) subject to the limita-*
 9 *tions set forth for such center in that table.*

10 (2) *The table referred to in paragraph (1) is as follows:*

Federally funded research and development center:	Type of work for which funds may be obligated:	Maximum amount that may be obligated:	Maximum number of MTS-years that may be procured:
<i>Center for Naval Analysis.</i>	<i>(unspecified)</i>	<i>\$45,400,000</i>	<i>230</i>
<i>Institute for Defense Analysis.</i>	<i>Systems and engineering in connection with operational test and evaluation.</i>	<i>\$13,500,000</i>	<i>76</i>
	<i>Research and development in connection with command, control, communications, and intelligence.</i>	<i>\$33,500,000</i>	<i>136</i>
	<i>Studies and analysis.</i>	<i>\$56,000,000</i>	<i>300</i>
<i>Rand Project Air Force.</i>	<i>(unspecified)</i>	<i>\$24,000,000</i>	<i>116</i>
<i>National Defense Research Institute.</i>	<i>(unspecified)</i>	<i>\$23,200,000</i>	<i>115</i>
<i>Arroyo Center.</i>	<i>(unspecified)</i>	<i>\$21,000,000</i>	<i>104</i>
<i>Logistics Management Institute.</i>	<i>(unspecified)</i>	<i>\$25,690,000</i>	<i>96</i>
<i>Aerospace Corporation.</i>	<i>(unspecified)</i>	<i>\$376,770,000</i>	<i>2,165</i>
<i>MIT Lincoln Laboratory.</i>	<i>(unspecified)</i>	<i>\$299,300,000</i>	<i>994</i>
<i>Mitre</i>	<i>(unspecified)</i>	<i>\$399,700,000</i>	<i>2,357</i>
<i>Software Engineering Institute.</i>	<i>(unspecified)</i>	<i>\$34,590,000</i>	<i>190</i>
<i>Institute for Advanced Technology.</i>	<i>(unspecified)</i>	<i>\$0</i>	<i>0</i>

1 (b) *AUTHORITY TO WAIVE LIMITATIONS.*—The Sec-
2 retary of Defense may waive a limitation regarding a max-
3 imum amount or a maximum number of MTS-years that
4 applies under subsection (a) to a federally funded research
5 and development center if—

6 (1) the Secretary has notified the congressional
7 defense committees of the proposed waiver and the
8 reasons for the waiver, and the 60-day period that be-
9 gins on the date of the notification has elapsed; or

10 (2) the Secretary determines that it is essential
11 to the national security that funds be obligated for
12 work in excess of that limitation within 60 days and
13 notifies the congressional defense committees of that
14 determination and the reasons for the determination.

15 (c) *REPORT ON ALLOCATIONS FOR CENTERS.*—Not
16 later than 30 days after the date of the enactment of this
17 Act, the Secretary of Defense shall submit to the congres-
18 sional defense committees a report containing the following
19 information:

20 (1) The proposed funding level and the estimated
21 personnel level for fiscal year 1994 for each federally
22 funded research and development center.

23 (2) The funding source for that funding level, by
24 program element, and the amount transferred or to be

1 *transferred from that source to each federally funded*
2 *research and development center.*

3 *(d) LIMITATION PENDING SUBMISSION OF REPORT.—*
4 *Notwithstanding any other provision of this section, no*
5 *funds appropriated or otherwise made available for the De-*
6 *partment of Defense for fiscal year 1994 may be obligated*
7 *to obtain work from any federally funded research and de-*
8 *velopment center until the Secretary of Defense has submit-*
9 *ted the report required by subsection (c).*

10 *(e) LIMITATION REGARDING EMPLOYEE COMPENSA-*
11 *TION.—(1) Except as provided in paragraph (2), during*
12 *fiscal year 1994 no appropriated funds may be used to pay*
13 *an employee of a federally funded research and development*
14 *center named in the table in subsection (a)(2) at a higher*
15 *rate of compensation than the rate of compensation that*
16 *the center paid such employee during fiscal year 1993.*

17 *(2) The Secretary of Defense may waive the applicabil-*
18 *ity of the limitation in paragraph (1) to any federally fund-*
19 *ed research and development center that certifies to the Sec-*
20 *retary of Defense that the total expenditures of the center*
21 *for fiscal year 1994, including any increases and planned*
22 *increases in the rates of compensation for employees of the*
23 *center, will be less than the amount equal to 94 percent*
24 *of the maximum amount set forth for such center in the*
25 *table in subsection (a)(2).*

1 (f) *DEFINITION.*—*In this section:*

2 (1) *The term “MTS-year” means a member of*
3 *technical staff-year, as defined by the Secretary of De-*
4 *fense.*

5 (2) *The term “technical staff”, with respect to a*
6 *federally funded research and development center,*
7 *means the following employees of the center:*

8 (A) *Researchers.*

9 (B) *Mathematicians.*

10 (C) *Programmers.*

11 (D) *Analysts.*

12 (E) *Economists.*

13 (F) *Scientists.*

14 (G) *Engineers.*

15 (H) *Other employees of the center who per-*
16 *form professional level technical work primarily*
17 *in any of the following fields:*

18 (i) *Studies and analyses.*

19 (ii) *System engineering and integra-*
20 *tion.*

21 (iii) *Systems planning.*

22 (iv) *Program and policy planning and*
23 *analysis.*

24 (v) *Basic and applied research.*

1 (g) *FUNDING.*—(1) *Of the amounts authorized to be*
2 *appropriated to the Department of Defense for research, de-*
3 *velopment, test, and evaluation for fiscal year 1994 pursu-*
4 *ant to section 201, not more than \$1,352,650,000 may be*
5 *obligated for procuring services from the federally funded*
6 *research and development centers listed in the table in sub-*
7 *section (a)(2).*

8 (2) *None of the funds authorized to be obligated under*
9 *paragraph (1) may be obligated for the procurement of serv-*
10 *ices from the Institute for Advanced Technology.*

11 (h) *UNDISTRIBUTED REDUCTION.*—*The total amount*
12 *authorized to be appropriated for research, development,*
13 *test, and evaluation in section 201 is hereby reduced by*
14 *\$200,000,000.*

15 **Subtitle C—Missile Defense** 16 **Programs**

17 **SEC. 221. REVISION OF THE MISSILE DEFENSE ACT OF 1991.**

18 (a) *TERMINOLOGY AMENDMENTS.*—*The Missile De-*
19 *fense Act of 1991 (10 U.S.C. 2431 note) is amended—*

20 (1) *in section 234(c)(1)—*

21 (A) *by striking out “Strategic Defense Ini-*
22 *tiative Organization (SDIO)” and inserting in*
23 *lieu thereof “Ballistic Missile Defense Organiza-*
24 *tion (BMDO)”;* and

1 (B) by striking out “Strategic Defense Ini-
2 tiative Organization’s” and inserting in lieu
3 thereof “Ballistic Missile Defense Organiza-
4 tion’s”;

5 (2) in section 235—

6 (A) in the section heading, by striking out
7 **“STRATEGIC DEFENSE INITIATIVE”** and in-
8 serting in lieu thereof **“BALLISTIC MISSILE**
9 **DEFENSE PROGRAM”**; and

10 (B) in the text of such section, by striking
11 out “Strategic Defense Initiative” each place it
12 appears and inserting in lieu thereof “Ballistic
13 Missile Defense program”;

14 (3) in the heading of section 236, by striking out
15 **“SDI”** and inserting in lieu thereof **“BMD”**; and

16 (4) in sections 234, 235, and 236, by striking out
17 “Strategic Defense Initiative Organization” each
18 place it appears and inserting in lieu thereof “Ballis-
19 tic Missile Defense Organization”.

20 (b) *REPEAL OF FUNDING, REPORTING, AND TRANSFER*
21 *PROVISIONS.*—(1) Section 237 of such Act is repealed.

22 (2) Such Act is amended by redesignating sections 238,
23 239, and 240 as sections 237, 238, and 239, respectively.

1 **SEC. 222. FUNDING OF CERTAIN BALLISTIC MISSILE DE-**
2 **FENSE PROGRAMS.**

3 (a) *FUNDING FOR CERTAIN BALLISTIC MISSILE*
4 *RDT&E.*—*If a decision is not made before February 28,*
5 *1994, to proceed into engineering and manufacturing devel-*
6 *opment under a weapon system program referred to in sub-*
7 *section (b), the funds appropriated pursuant to the author-*
8 *ization of appropriations in section 201 that are available*
9 *for engineering and manufacturing development for such a*
10 *program shall be available for research, development, test,*
11 *and evaluation of the Patriot PAC-3 Missile program.*

12 (b) *COVERED WEAPON SYSTEM PROGRAMS.*—*For pur-*
13 *poses of subsection (a) the weapon system programs referred*
14 *to in this subsection are as follows:*

- 15 (1) *The Patriot Multimode Missile Program.*
16 (2) *The Extended Range Interceptor (ERINT)*
17 *missile program.*

18 **SEC. 223. REQUIREMENT FOR REVIEW OF BALLISTIC MIS-**
19 **SILE DEFENSE SYSTEMS AND COMPONENTS**
20 **FOR COMPLIANCE WITH ABM TREATY.**

21 (a) *FINDINGS.*—*Congress makes the following findings:*

- 22 (1) *That section 232(a)(1) of the Missile Defense*
23 *Act of 1991 (10 U.S.C. 2431 note) establishes a goal*
24 *for the United States to comply with the ABM Treaty*
25 *(including any protocol or amendment thereto) and*
26 *not develop, test, or deploy any ballistic missile de-*

1 *fense system, or component thereof, in violation of*
2 *that treaty (as modified by any protocol or amend-*
3 *ment thereto) while deploying an anti-ballistic missile*
4 *system capable of providing a highly effective defense*
5 *of the United States against limited attacks of ballis-*
6 *tic missiles.*

7 *(2) That the Department of Defense has con-*
8 *ducted no formal compliance reviews of any of the*
9 *components or systems scheduled for early deployment*
10 *as part of either the Theater Missile Defense Initiative*
11 *or the initial limited defense system to be located at*
12 *Grand Forks, North Dakota.*

13 *(3) That the Department of Defense is continu-*
14 *ing to obligate hundreds of millions of dollars during*
15 *fiscal year 1993 for the development and testing of*
16 *systems or components of ballistic missile defense sys-*
17 *tems prior to a determination that, if successfully de-*
18 *veloped, tested, or deployed, those systems and compo-*
19 *nents would be in compliance with the ABM Treaty.*

20 *(4) That the Department of Defense is requesting*
21 *the authorization and appropriation of additional*
22 *funds for continued development of such systems and*
23 *components during fiscal year 1994.*

24 *(5) That the United States and its allies face ex-*
25 *isting and expanding threats from ballistic missiles*

1 *capable of being utilized as theater weapon systems*
2 *that are presently possessed by, being developed by, or*
3 *being acquired by a number of countries such as Iraq,*
4 *Iran, North Korea, and others.*

5 *(6) That some theater ballistic missiles presently*
6 *deployed or being developed (such as the Chinese-*
7 *made CSS-2) have capabilities equal to or greater*
8 *than missiles which had been determined to be strate-*
9 *gic missiles 20 years earlier under the U.S.-USSR*
10 *SALT I Interim Agreement of 1972.*

11 *(7) That the ABM Treaty was not intended to,*
12 *and does not, apply to or limit research, development,*
13 *testing, or deployment of missile defense systems, sys-*
14 *tem upgrades, or system components that are designed*
15 *to counter modern theater ballistic missiles regardless*
16 *of their capabilities, unless such systems, system up-*
17 *grades, or system components are tested against or*
18 *have demonstrated capabilities to counter modern*
19 *strategic ballistic missiles.*

20 *(8) That it is a national security priority of the*
21 *United States to develop and deploy highly effective*
22 *theater missile defense systems capable of countering*
23 *the existing and expanding threats posed by modern*
24 *theater ballistic missiles, as soon as is technically pos-*
25 *sible.*

1 (9) That it is essential that the Secretary of De-
2 fense immediately undertake and complete compliance
3 reviews of proposed theater missile defense systems,
4 system upgrades, and system components so as to not
5 delay the development and deployment of such highly
6 effective theater missile defense systems.

7 (10) That the Secretary of Defense should imme-
8 diately report to the Congress on any issue which
9 arises during the course of such compliance reviews
10 which appears to indicate that any provision of the
11 ABM Treaty may limit research, development, test-
12 ing, or deployment by the United States of highly ef-
13 fective theater missile defense systems capable of coun-
14 tering modern theater ballistic missiles.

15 (b) *REQUIRED COMPLIANCE REVIEW.*—(1) The Sec-
16 retary of Defense shall review the program for each system
17 and system upgrade specified in paragraph (2), and the
18 system components, to determine whether the development,
19 testing, and deployment of that system or system upgrade
20 complies with the ABM Treaty.

21 (2) The systems and system upgrades to be reviewed
22 pursuant to paragraph (1) are as follows:

23 (A) The Patriot Multimode Missile.

24 (B) The Extended Range Interceptor (ERINT).

1 (C) *The Ground-Based Radar for theater missile*
2 *defenses (GBR-T).*

3 (D) *The Theater High Altitude Area Defense in-*
4 *terceptor missile (THAAD).*

5 (E) *The Brilliant Eyes space-based sensor sys-*
6 *tem.*

7 (F) *Upgrades to the AEGIS/SPY radar system of*
8 *the Navy.*

9 (G) *Upgrades to the Standard Missile-2 (SM-2)*
10 *interceptor of the Navy.*

11 (c) *REPORT REQUIRED.—(1) For each system and sys-*
12 *tem upgrade specified in paragraph (2) of subsection (b),*
13 *the Secretary shall submit to the congressional defense com-*
14 *mittees a report on the results of the review required by*
15 *that subsection. A report may include the results of the re-*
16 *views of more than one system and system upgrade.*

17 (2) *With regard to the Brilliant Eyes space-based sen-*
18 *sor, the Secretary shall include in the report findings on*
19 *each of the following issues:*

20 (A) *Would the current baseline configuration of*
21 *the Brilliant Eyes space-based sensor comply with the*
22 *ABM Treaty if the system were used in conjunction*
23 *with the planned ground-based radar system and its*
24 *ground-based interceptors at Grand Forks, North Da-*
25 *kota?*

1 (B) *If not, can design changes or operational*
2 *changes be made to the Brilliant Eyes space-based*
3 *sensor that—*

4 (i) *will result in the usability of the sensor*
5 *in conjunction with the planned ground-based*
6 *radar system and its ground-based interceptors*
7 *being in compliance with the ABM Treaty; and*

8 (ii) *will not prevent the system from per-*
9 *forming its strategic defense missions with a*
10 *high degree of effectiveness?*

11 (C) *If not, can the Brilliant Eyes space-based*
12 *sensor be made, through design changes or operational*
13 *changes, for use only with theater missile defense sys-*
14 *tems and be in compliance with the ABM Treaty?*

15 (D) *If so, to what extent would the Brilliant*
16 *Eyes space-based sensor enhance the capability of*
17 *upper-tier theater defense systems and lower-tier thea-*
18 *ter defense systems, respectively?*

19 (d) *LIMITATIONS ON FUNDING.—(1) Not more than*
20 *one-half of the funds reported pursuant to section 227(c)*
21 *to be allocated for fiscal year 1994 for a system or system*
22 *upgrade specified in subsection (b)(2) of this section may*
23 *be obligated for that system or system upgrade, or any of*
24 *its components, until the Secretary has completed the com-*
25 *pliance review of such system or system upgrade required*

1 *by subsection (b) and has submitted to the congressional*
2 *defense committees the report on the results of the compli-*
3 *ance review of that system or system upgrade as required*
4 *by subsection (c). The preceding sentence does not apply*
5 *with respect to the Brilliant Eyes space-based sensor sys-*
6 *tem.*

7 (2) *Not more than \$50,000,000 may be obligated for*
8 *the Brilliant Eyes space-based sensor until the Secretary*
9 *has completed the compliance review of such system re-*
10 *quired by subsection (b) and has submitted to the congres-*
11 *sional defense committees the report required under sub-*
12 *section (c) for that system.*

13 (e) *ABM TREATY COMPLIANCE OF THEATER MISSILE*
14 *DEFENSE SYSTEMS.—The Secretary of Defense has assured*
15 *the Congress in the January 1993 Report to Congress on*
16 *the Strategic Defense Initiative and in the June 1993 Re-*
17 *port to Congress on the Theater Missile Defense Initiative*
18 *that all programs, projects, and activities under both initia-*
19 *tives that are planned for execution in fiscal year 1994 fully*
20 *comply with the ABM Treaty.*

21 (f) *DEFINITION.—In this section, the term “ABM*
22 *Treaty” has the meaning given such term in section 239*
23 *of the Missile Defense Act of 1991 (10 U.S.C. 2431 note).*

1 **SEC. 224. THEATER MISSILE DEFENSE MASTER PLAN.**

2 (a) *MASTER PLAN REQUIRED.*—(1) *Not later than*
3 *March 1, 1994, the Secretary of Defense shall submit to*
4 *Congress a report containing an updated master plan for*
5 *theater missile defenses.*

6 (2) *The plan shall include the following matters:*

7 (A) *A description of the mission and scope of*
8 *theater missile defense.*

9 (B) *A description of the role of each of the*
10 *Armed Forces in theater missile defense and an expla-*
11 *nation of how those roles interact and complement*
12 *each other.*

13 (C) *An evaluation of the cost and relative effec-*
14 *tiveness of each interceptor and sensor under develop-*
15 *ment as part of a theater missile defense system by*
16 *the Ballistic Missile Defense Organization.*

17 (D) *A detailed acquisition strategy for theater*
18 *missile defenses, including an analysis and compari-*
19 *son of the projected life-cycle costs of each theater mis-*
20 *sile defense system intended for production, showing*
21 *the component costs for—*

22 (i) *research, development, test, and evalua-*
23 *tion;*

24 (ii) *procurement;*

25 (iii) *operation and maintenance; and*

26 (iv) *personnel for each system.*

1 (E) *The baseline production rate for each system*
2 *for each year of the program through completion of*
3 *procurement.*

4 (F) *An estimate of the unit cost and capabilities*
5 *of each element.*

6 (G) *A description of the current and planned*
7 *testing program for theater missile defenses, including*
8 *a description of demonstration targets to be tracked*
9 *and engaged by multiple interceptors, target discrimi-*
10 *nation from decoys, and a shoot-look-shoot capability.*

11 (H) *A description of how any projected theater*
12 *missile defense program will conform to existing Anti-*
13 *Ballistic Missile Treaty and Intermediate Nuclear*
14 *Forces Treaty regimes, indicating clearly any poten-*
15 *tial noncompliance with either treaty regime, when*
16 *such noncompliance would occur, and the position of*
17 *the Secretary of Defense as to whether provisions of*
18 *either treaty regime would have to be renegotiated*
19 *within that regime in order to address future contin-*
20 *gencies.*

21 (I) *A description of planned theater missile de-*
22 *fense doctrine, training, tactics, and force structure.*

23 (b) *OBJECTIVES OF PLAN.—In preparing the master*
24 *plan the Secretary shall—*

1 (1) seek to maximize the use of existing tech-
2 nologies (such as AEGIS, Patriot, and THAAD) rath-
3 er than develop new systems;

4 (2) seek to maximize integration and compatibil-
5 ity among the systems, roles, and missions of the
6 military departments; and

7 (3) seek to promote cross-service use of existing
8 equipment (such as development of Army equipment
9 for the Marine Corps or ground utilization of an air
10 or sea system).

11 **SEC. 225. EXTENSION OF AUTHORITY FOR TRANSFER OF**
12 **RESPONSIBILITY FOR FAR-TERM FOLLOW-ON**
13 **TECHNOLOGIES.**

14 Section 234(d)(2) of the National Defense Authoriza-
15 tion Act for Fiscal Year 1993 (Public Law 102-484; 106
16 Stat. 2357; 10 U.S.C. 2431 note) is amended—

17 (1) in subparagraph (A)—

18 (A) by striking out “1993” and inserting in
19 lieu thereof “1994”;

20 (B) by striking out “(A)”; and

21 (C) by redesignating clauses (i) and (ii) as
22 subparagraphs (A) and (B), respectively; and

23 (2) by striking out “(B) For purposes of sub-
24 paragraph (A),” and all that follows.

1 **SEC. 226. REPORT ON ACQUISITION STREAMLINING TO AC-**
2 **CELERATE DEPLOYMENT OF INITIAL ABM**
3 **SYSTEM.**

4 (a) *FINDINGS.*—*The Congress makes the following*
5 *findings:*

6 (1) *The Missile Defense Act of 1991 (10 U.S.C.*
7 *2431 note) calls for the deployment of an ABM Trea-*
8 *ty-compliant anti-ballistic missile system capable of*
9 *providing a highly effective defense of the United*
10 *States against limited attacks by ballistic missiles.*

11 (2) *That Act directed the Secretary of Defense to*
12 *structure a development program with the objective of*
13 *deploying such systems by the earliest date allowed by*
14 *the availability of appropriate technology and the*
15 *completion of adequate integrated testing of all sys-*
16 *tems components.*

17 (3) *Since 1983, in excess of \$30,000,000,000 has*
18 *been provided for research and development of ballis-*
19 *tic missile defense capabilities.*

20 (4) *Notwithstanding this huge expenditure of*
21 *funds on missile defense technologies, the Secretary of*
22 *Defense has proposed deployment of such a system no*
23 *sooner than 2004.*

24 (5) *It is incredible that the initial deployment of*
25 *a limited defense capability requires another 11 years*

1 to accomplish within the congressionally mandated
2 guidance.

3 (b) *REVIEW REQUIRED.*—The Secretary of Defense
4 shall conduct an intensive and extensive review of opportu-
5 nities to streamline the weapon systems acquisition process
6 applicable to the development, deployment, and testing of
7 ballistic missile defenses with the objective of reducing the
8 cost of deployment and accelerating the schedule for deploy-
9 ment without significantly increasing programmatic risk
10 or concurrency. In conducting the review, the Secretary
11 shall obtain recommendations and advice from the Defense
12 Science Board, the faculty of the Industrial College of the
13 Armed Forces, and federally funded research and develop-
14 ment centers supporting the Office of the Secretary of De-
15 fense.

16 (c) *REPORT REQUIRED.*—Not later than May 1, 1994,
17 the Secretary shall submit to the congressional defense com-
18 mittees a report on his findings resulting from the review
19 together with his recommendations for legislation, if any.
20 The Secretary shall submit the report in unclassified form,
21 but may also submit a classified version of the report if
22 he considers it necessary to classify any of the information
23 in his findings or recommendations or any related informa-
24 tion.

1 **SEC. 227. FUNDING FOR BALLISTIC MISSILE DEFENSE PRO-**
2 **GRAMS.**

3 (a) *TOTAL AMOUNT.*—Of the amounts appropriated
4 pursuant to section 201 for fiscal year 1994, or otherwise
5 made available to the Department of Defense for research,
6 development, test and evaluation for fiscal year 1994, not
7 more than \$2,684,535,000 may be obligated for programs
8 managed by the Ballistic Missile Defense Organization, of
9 which—

10 (1) *not more than 48 percent of the total amount*
11 *may be obligated for Theater Missile Defense;*

12 (2) *not more than 32 percent of the total amount*
13 *may be obligated for the Limited Defense System;*

14 (3) *not more than 9 percent of the total amount*
15 *may be obligated for Other Follow-On Systems;*

16 (4) *not more than 10 percent of the total amount*
17 *may be obligated for Research and Other Support Ac-*
18 *tivities; and*

19 (5) *not more than 1 percent of the total amount*
20 *may be obligated for Small Business Innovation Re-*
21 *search program and the Small Business Technology*
22 *Transfer program.*

23 *Notwithstanding paragraphs (1), (2), (3), and (4), the Sec-*
24 *retary of Defense may obligate for a ballistic missile defense*
25 *initiative or program element referred to in any such para-*
26 *graph a total amount that exceeds by not more than 10*

1 *percent the maximum amount determined under that para-*
2 *graph, except that the total amount obligated for all pro-*
3 *grams managed by the Ballistic Missile Defense Organiza-*
4 *tion may not exceed the total amount authorized in the*
5 *matter above paragraph (1).*

6 *(b) LIMITATION ON NUMBER OF TMD PROGRAMS.—*

7 *(1) Subject to paragraph (2), the amount authorized to be*
8 *obligated for Theater Missile Defense may be obligated only*
9 *for—*

10 *(A) the Patriot PAC-3 Missile program;*

11 *(B) not more than 2 other lower-tier theater mis-*
12 *sile defense programs;*

13 *(C) not more than 2 upper-tier theater missile*
14 *defense programs; and*

15 *(D) not more than 2 boost-phase intercept thea-*
16 *ter missile defense programs.*

17 *(2) The President may waive the limitation in para-*
18 *graph (1) to the extent that the President determines appro-*
19 *priate in the national security interest of the United States.*

20 *(c) FUNDS NOT TO BE MADE AVAILABLE FOR BRIL-*
21 *LIANT EYES.—None of the funds authorized to be obligated*
22 *under subsection (a) may be obligated for the Brilliant Eyes*
23 *space-based sensor program.*

24 *(d) REPORTING REQUIREMENT.—Not later than 60*
25 *days after the date of the enactment of this Act, the Sec-*

1 *retary of Defense shall submit to the congressional defense*
2 *committees a report on the allocation of funds appropriated*
3 *for the ballistic missile defense program for fiscal year 1994.*
4 *The report shall specify the amount of such funds allocated*
5 *for each program, project, and activity managed by the Bal-*
6 *listic Missile Defense Organization and shall list each bal-*
7 *listic missile defense program, project, and activity under*
8 *the appropriate program element.*

9 **SEC. 228. TESTING OF NATIONAL MISSILE DEFENSE PRO-**
10 **GRAM PROJECTS.**

11 (a) *ADVANCE REVIEW AND APPROVAL OF PROPOSED*
12 *DEVELOPMENTAL TESTS.*—*No developmental test may be*
13 *conducted under the limited missile defense program ele-*
14 *ment of the Ballistic Missile Defense Program until the Di-*
15 *rector of the Ballistic Missile Defense Organization has no-*
16 *tified the Secretary of Defense of the test and the Secretary*
17 *has reviewed and approved (or approved with changes) the*
18 *test plan.*

19 (b) *INDEPENDENT MONITORING OF TESTS.*—(1) *The*
20 *Secretary shall provide for monitoring of the implementa-*
21 *tion of each test plan referred to in subsection (a) by a*
22 *group composed of independent persons who—*

23 (A) *by reason of education, training, or experi-*
24 *ence, are qualified to monitor the testing covered by*
25 *the plan; and*

1 (B) are not assigned or detailed to, or otherwise
2 performing duties of, the Ballistic Missile Defense Or-
3 ganization and are otherwise independent of such or-
4 ganization.

5 (2) The monitoring group shall submit to the Secretary
6 its analysis of, and conclusions regarding, the conduct and
7 results of each test monitored by the group.

8 **Subtitle D—Other Matters**

9 **SEC. 231. NUCLEAR TESTING.**

10 (a) *LIMITATIONS.*—(1) None of the funds appropriated
11 pursuant to an authorization in this or any other Act may
12 be obligated to support underground explosions of nuclear
13 weapons, or devices, for testing of the effects of nuclear
14 weapon explosions, including the so-called “Mighty Uncle”
15 test.

16 (2) Funds available for the so-called “Mighty Uncle”
17 test may not be obligated until the Secretary of Defense sub-
18 mits to the congressional defense committees a detailed
19 spending plan for underground nuclear weapon testing that
20 is consistent with the provisions of section 507 of Public
21 Law 102–377 (106 Stat. 1343).

22 (b) *CERTAIN ACTIONS AUTHORIZED.*—The Secretary
23 of Defense may proceed with underground nuclear test tun-
24 nel deactivation and environmental cleanup and may ex-

1 *pend funds for infrastructure activities not prohibited by*
2 *subsection (a).*

3 *(c) FUNDING.—Of the funds authorized to be appro-*
4 *priated pursuant to section 201, not more than \$38,000,000*
5 *may be used for activities described in subsection (b).*

6 *(d) TERMINATION OF SAFEGUARD C PROGRAM.—The*
7 *atmospheric test readiness program known as “Safeguard*
8 *C” is hereby terminated.*

9 **SEC. 232. ONE-YEAR DELAY IN TRANSFER OF MANAGEMENT**
10 **RESPONSIBILITY FOR NAVAL MINE COUNTER-**
11 **MEASURES PROGRAM TO THE DIRECTOR, DE-**
12 **FENSE RESEARCH AND ENGINEERING.**

13 *Section 216(a) of the National Defense Authorization*
14 *for Fiscal Years 1992 and 1993 (Public Law 102–190; 105*
15 *Stat. 1317) as amended by section 215(l) of the National*
16 *Defense Authorization Act for Fiscal Year 1993 (Public*
17 *Law 102–484; 106 Stat. 2352) is amended by striking out*
18 *“fiscal years 1994 through 1997” and inserting in lieu*
19 *thereof “fiscal years 1995 through 1999”.*

20 **SEC. 233. TERMINATION, REESTABLISHMENT, AND RECON-**
21 **STITUTION OF AN ADVISORY COUNCIL ON**
22 **SEMICONDUCTOR TECHNOLOGY.**

23 *(a) TERMINATION OF ADVISORY COUNCIL ON FEDERAL*
24 *PARTICIPATION IN SEMATECH.—The Advisory Council on*
25 *Federal Participation in Sematech established by section*

1 273 of the National Defense Authorization Act for Fiscal
2 Years 1988 and 1989 (15 U.S.C. 4603) is hereby termi-
3 nated.

4 (b) SEMICONDUCTOR TECHNOLOGY COUNCIL.—Section
5 273 of the National Defense Authorization Act for Fiscal
6 Years 1988 and 1989 (15 U.S.C. 4603) is amended by strik-
7 ing out the heading and subsections (a) through (c) and
8 inserting in lieu thereof the following:

9 **“SEC. 273. SEMICONDUCTOR TECHNOLOGY COUNCIL.**

10 “(a) ESTABLISHMENT.—There is established the Semi-
11 conductor Technology Council.

12 “(b) PURPOSES AND FUNCTIONS.—(1) The purposes of
13 the Council are—

14 “(A) to seek ways to respond to the technology
15 challenges for semiconductors by increasing efficiency,
16 promoting creativity and entrepreneurship, and fos-
17 tering precompetitive cooperation among industry,
18 government, and academia; and

19 “(B) to make available judgments, assessments,
20 insights, and recommendations that relate to the op-
21 portunities for new research and development efforts
22 and the potential to better rationalize and align on
23 a national basis semiconductor research and develop-
24 ment.

25 “(2) The Council shall—

1 “(A) advise Sematech and the Secretary of De-
2 fense on appropriate technology goals for the research
3 and development activities of Sematech;

4 “(B) review the technology developments and
5 core technology challenges for semiconductors and ex-
6 plore opportunities for improved coordination among
7 industry, government, and academia;

8 “(C) exchange views regarding the competitive-
9 ness of the semiconductor technology base and new or
10 emerging semiconductor technologies that could affect
11 national economic and security interests;

12 “(D) exchange and update information and
13 identify overlaps and gaps regarding the efforts of in-
14 dustry, government, and academia in semiconductor
15 research and development;

16 “(E) assess technology progress relative to the
17 semiconductor technology roadmap;

18 “(F) make recommendations regarding the scope
19 and content of semiconductor technology development
20 supported by Federal departments and agencies;

21 “(G) appoint subgroups as necessary in connec-
22 tion with updating and implementing the semi-
23 conductor technology roadmap; and

24 “(H) publish an annual report addressing the
25 semiconductor technology challenges and developments

1 *for industry, government, and academia and the rela-*
2 *tionship among the challenges and developments for*
3 *each, with particular emphasis on the role of*
4 *Sematech.*

5 “(c) *MEMBERSHIP.*—*The Council shall be composed of*
6 *14 members as follows:*

7 “(1) *The Under Secretary of Defense for Acquisi-*
8 *tion, who shall be Cochairman of the Council.*

9 “(2) *The Under Secretary of Energy responsible*
10 *for science and technology matters.*

11 “(3) *The Under Secretary of Commerce for Tech-*
12 *nology.*

13 “(4) *The Director of the Office of Science and*
14 *Technology Policy.*

15 “(5) *The Assistant to the President for Economic*
16 *Policy.*

17 “(6) *The Director of the National Science Foun-*
18 *dition.*

19 “(7) *Eight members appointed by the President*
20 *as follows:*

21 “(A) *Four individuals who are eminent in*
22 *the semiconductor device industry, one of whom*
23 *shall be Cochairman of the Council.*

1 “(B) Two individuals who are eminent in
2 the semiconductor equipment and materials in-
3 dustry.

4 “(C) One individual who is eminent in the
5 semiconductor user industry.

6 “(D) One individual who is eminent in an
7 academic institution.”.

8 (c) *CONFORMING AMENDMENTS.*—Part F of title II of
9 such Act is amended—

10 (1) in section 271(c) (15 U.S.C. 4601(c)), by
11 striking out paragraph (1) and inserting in lieu
12 thereof the following:

13 “(1) The terms ‘Semiconductor Technology
14 Council’ and ‘Council’ mean the advisory council es-
15 tablished by section 273.”;

16 (2) in section 272(b)(1)(B) (15 U.S.C.
17 4602(b)(1)(B)), by striking out “Advisory Council on
18 Federal Participation in Sematech” and inserting in
19 lieu thereof “Semiconductor Technology Council”; and

20 (3) in section 273 (15 U.S.C. 4603)—

21 (A) in the first sentence of subsection (d)—

22 (i) by striking out “(c)(6)” and insert-
23 ing in lieu thereof “(c)(7)”; and

24 (ii) by striking out “two shall be ap-
25 pointed for a term of two years” and insert-

1 *ing in lieu thereof “three shall be appointed*
2 *for a term of two years”;*

3 *(B) in the first sentence of subsection (e), by*
4 *striking out “(c)(6)” and inserting in lieu there-*
5 *of “(c)(7)”;* and

6 *(C) in subsection (f), by striking out “Seven*
7 *members” and inserting in lieu thereof “Nine*
8 *members”.*

9 *(d) AUTHORITY TO CALL MEETING.—Section 273(g)*
10 *of such Act (15 U.S.C. 4603(g)) is amended by striking out*
11 *“the Chairman or a majority of its members” and inserting*
12 *in lieu thereof “a Cochairman”.*

13 *(e) SOURCE OF SUPPORT FOR SEMATECH.—Section*
14 *273 of such Act (22 U.S.C. 4603) is amended by adding*
15 *at the end the following new subsection:*

16 *“(j) SUPPORT FOR COUNCIL.—The Council shall uti-*
17 *lize Sematech as needed for general and administrative sup-*
18 *port in accomplishing the Council’s purposes.”.*

19 *(f) FIRST MEETING OF NEW COUNCIL.—The first*
20 *meeting of the Semiconductor Technology Council shall be*
21 *held not later than 45 days after the date of the enactment*
22 *of this Act.*

23 *(g) REFERENCE TO COUNCIL.—A reference in any pro-*
24 *vision of law to the Advisory Council on Federal Participa-*
25 *tion in Sematech shall be deemed to refer to the Semi-*

1 conductor Technology Council established by section 273 of
2 the National Defense Authorization Act for Fiscal Years
3 1988 and 1989, as amended by subsection (b).

4 **SEC. 234. AUTHORITY TO ACQUIRE NAVY LARGE CAVITA-**
5 **TION CHANNEL, MEMPHIS, TENNESSEE.**

6 (a) *AUTHORITY TO ACQUIRE.*—The Secretary of the
7 Navy may acquire all right, title, and interest of any party
8 in and to a parcel of real property, including improvements
9 thereon, consisting of approximately 88 acres and located
10 on President's Island, Memphis, Tennessee, the site of the
11 Navy Large Cavitation Channel.

12 (b) *FUNDING.*—To the extent provided in appropria-
13 tions Acts, amounts appropriated pursuant to section
14 201(2) for the Navy shall be available for the acquisition
15 of real property authorized under subsection (a).

16 (c) *DESCRIPTION OF PROPERTY.*—The exact acreage
17 and legal description of the real property to be acquired
18 under subsection (a) shall be determined by a survey that
19 is satisfactory to the Secretary.

20 (d) *ADDITIONAL TERMS AND CONDITIONS.*—The Sec-
21 retary may require any additional terms and conditions
22 in connection with the acquisition under subsection (a) that
23 the Secretary considers appropriate to protect the interests
24 of the United States.

1 **SEC. 235. STRATEGIC ENVIRONMENTAL RESEARCH COUN-**
2 **CIL.**

3 (a) *MEMBERSHIP.*—Section 2902(b) of title 10, United
4 States Code, is amended—

5 (1) by striking out paragraph (1);

6 (2) by redesignating paragraphs (2), (3), and
7 (4), as paragraphs (1), (2), and (3), respectively;

8 (3) by inserting after paragraph (3), as so redesi-
9 gnated, the following new paragraph (4):

10 “(4) The Deputy Under Secretary of Defense re-
11 sponsible for environmental security.”; and

12 (4) by striking out paragraph (6) and inserting
13 in lieu thereof the following new paragraph (6):

14 “(6) The Assistant Secretary of Energy respon-
15 sible for environmental restoration and waste man-
16 agement.”.

17 (b) *EXTENSION OF AUTHORITY TO ESTABLISH EM-*
18 *PLOYEE PAY RATES.*—Section 2903(d)(2) of title 10, Unit-
19 ed States Code, is amended by striking out “November 5,
20 1992” and inserting in lieu thereof “September 30, 1995”.

21 **SEC. 236. SENSE OF THE SENATE ON METALCASTING IN-**
22 **DUSTRY.**

23 *It is the Sense of the Senate that—*

24 (1) *The health and viability of the metalcasting*
25 *industry of the United States are a serious risk, and*

1 (2) *The Secretary of Defense should seriously*
2 *consider providing funds, from within the funds made*
3 *available pursuant to section 204, for metalcasting*
4 *industry research and development activities, includ-*
5 *ing the following activities:*

6 (A) *Development of casting technologies and*
7 *techniques.*

8 (B) *Improvement of technology transfer*
9 *within the metalcasting industry in the United*
10 *States.*

11 (C) *Improvement of training for the*
12 *metalcasting industry workforce.*

13 **SEC. 237. INTERIM RECONNAISSANCE PROGRAM.**

14 (a) *Of the funds authorized to be appropriated in sec-*
15 *tion 201 for the Joint Program Office for Unmanned Aerial*
16 *Vehicles, up to \$40,000,000 may be obligated and expended*
17 *for the purposes of initiating a long-endurance, unmanned*
18 *reconnaissance aerial vehicle program, subject to the condi-*
19 *tions outlined in subsection (b) and subsection (c).*

20 (b) *The funds may be obligated only to procure, inte-*
21 *grate, test and evaluate non-development airframes, sensors,*
22 *communication equipment, mission planning equipment*
23 *and ground stations.*

24 (c) *None of the funds may be obligated until the De-*
25 *partment identifies the programs within the jurisdiction of*

1 *the Joint Program Office that will be terminated or de-*
2 *ferred, consistent with normal reprogramming procedures.*

3 ***Subtitle E—Programs in Support of***
4 ***the Prevention and Control of***
5 ***Proliferation of Weapons of Mass***
6 ***Destruction***

7 ***SEC. 241. SHORT TITLE.***

8 *This subtitle may be cited as the “Prevention and Con-*
9 *trol of the Proliferation of Weapons of Mass Destruction Act*
10 *of 1993”.*

11 ***SEC. 242. SENSE OF CONGRESS.***

12 *It is the sense of Congress that—*

13 *(1) the United States should have the ability to*
14 *counter effectively potential threats to United States*
15 *interests that arise from the proliferation of such*
16 *weapons;*

17 *(2) the Department of Defense, the Department*
18 *of Energy, and the Intelligence Community have an*
19 *important role in preventing the proliferation of*
20 *weapons of mass destruction and dealing with the*
21 *consequences of any proliferation of such weapons;*

22 *(3) the Department of Defense, the Department*
23 *of Energy, and the Intelligence Community have*
24 *unique capabilities and expertise that can enhance*
25 *the effectiveness of United States and international*

1 *nonproliferation efforts, including capabilities and ex-*
2 *pertise regarding—*

3 *(A) detection and monitoring of prolifera-*
4 *tion of weapons of mass destruction;*

5 *(B) development of effective export control*
6 *regimes;*

7 *(C) interdiction and destruction of weapons*
8 *of mass destruction and related weapons mate-*
9 *rial; and*

10 *(D) carrying out international monitoring*
11 *and inspection regimes that relate to prolifera-*
12 *tion of such weapons and material;*

13 *(4) the Department of Defense, the Department*
14 *of Energy, and the Intelligence Community have*
15 *unique capabilities and expertise that directly con-*
16 *tribute to the ability of the United States to imple-*
17 *ment United States policy to counter effectively the*
18 *threats that arise from the proliferation of weapons of*
19 *mass destruction, including capabilities and expertise*
20 *regarding—*

21 *(A) responses to terrorism, theft, or acci-*
22 *dents involving weapons of mass destruction;*

23 *(B) conduct of intrusive international in-*
24 *spections for verification of arms control treaties;*

1 (C) direct and discrete counterproliferation
2 actions that require use of force; and

3 (D) development and deployment of active
4 military countermeasures and protective meas-
5 ures against threats resulting from arms pro-
6 liferation, including defenses against ballistic
7 missile attacks; and

8 (5) in a manner consistent with the non-
9 proliferation policy of the United States, the Depart-
10 ment of Defense, the Department of Energy, and the
11 Intelligence Community should continue to maintain
12 and improve their capabilities to identify, monitor,
13 and respond to the proliferation of weapons of mass
14 destruction and delivery systems for such weapons.

15 **SEC. 243. JOINT COMMITTEE FOR REVIEW OF NON-**
16 **PROLIFERATION PROGRAMS OF THE UNITED**
17 **STATES.**

18 (a) *ESTABLISHMENT.*—(1) In support of the non-
19 proliferation policy of the United States, there is hereby es-
20 tablished a Non-Proliferation Program Review Committee
21 composed of the following members:

22 (A) The Secretary of Defense.

23 (B) The Secretary of Energy.

24 (C) The Director of Central Intelligence.

1 (D) *The Director of the United States Arms Control Disarmament Agency.*

3 (E) *The Chairman of the Joint Chiefs of Staff.*

4 (2) *The Secretary of Defense shall chair the committee.*

5 (3) *A member of the committee may designate a representative to perform routinely the duties of the member.*
6
7 *A representative shall be in a position of Deputy Assistant*
8 *Secretary or a position equivalent to or above the level of*
9 *Deputy Assistant Secretary. A representative of the Chair-*
10 *man of the Joint Chiefs of Staff shall be a person in a grade*
11 *equivalent to that of Deputy Assistant Secretary of Defense.*

12 (4) *The Secretary of Defense may delegate to the Under*
13 *Secretary of Defense for Acquisition the performance of the*
14 *duties of the Chairman of the committee.*

15 (5) *The members of the committee shall first meet not*
16 *later than 30 days after the date of the enactment of this*
17 *Act. Upon designation of working level officials and rep-*
18 *resentatives, the members of the committee shall jointly no-*
19 *tify the appropriate committees of Congress that the com-*
20 *mittee has been constituted. The notification shall identify*
21 *the representatives designated pursuant to paragraph (3)*
22 *and the working level officials of the committee.*

23 (b) *PURPOSES OF THE COMMITTEE.*—*The purposes of*
24 *the committee are as follows:*

1 (1) *To optimize funding for, and ensure the de-*
2 *velopment and deployment of—*

3 (A) *highly effective technologies and capa-*
4 *bilities for the detection, monitoring, collection,*
5 *processing, analysis, and dissemination of infor-*
6 *mation in support of United States nonprolifera-*
7 *tion policy; and*

8 (B) *disabling technologies in support of*
9 *such policy.*

10 (2) *To identify and eliminate undesirable*
11 *redundancies or uncoordinated efforts in the develop-*
12 *ment and deployment of such technologies and capa-*
13 *bilities.*

14 (c) *DUTIES.—The committee shall—*

15 (1) *identify and review existing and proposed*
16 *capabilities (including counterproliferation capabili-*
17 *ties) and technologies for support of United States*
18 *nonproliferation policy with regard to—*

19 (A) *intelligence;*

20 (B) *battlefield surveillance;*

21 (C) *passive defenses;*

22 (D) *active defenses;*

23 (E) *counterforce capabilities;*

24 (F) *inspection support; and*

25 (G) *support of export control programs;*

1 (2) as part of the review pursuant to paragraph
2 (1), review all directed energy and laser programs for
3 detecting, characterizing, or interdicting weapons of
4 mass destruction, their delivery platforms, or other
5 orbiting platforms with a view to the elimination of
6 redundancy and the optimization of funding for the
7 systems not eliminated;

8 (3) prescribe requirements and priorities for the
9 development and deployment of highly effective capa-
10 bilities and technologies to support fully the non-
11 proliferation policy of the United States;

12 (4) identify deficiencies in existing capabilities
13 and technologies;

14 (5) formulate near-term, mid-term, and long-
15 term programmatic options for meeting requirements
16 established by the committee and eliminating defi-
17 ciencies identified by the committee; and

18 (6) in carrying out the other duties of the com-
19 mittee, ensure that all types of counterproliferation
20 actions are considered.

21 (d) *ACCESS TO INFORMATION.*—The committee shall
22 have access to information on all programs, projects, and
23 activities of the Department of Defense, Department of En-
24 ergy, and the intelligence community that are pertinent to
25 the purposes and duties of the committee.

1 (e) *BUDGET RECOMMENDATIONS.*—The committee
2 may submit to the officials referred to in subsection (a) any
3 recommendations regarding existing or planned budgets as
4 the committee considers appropriate to encourage funding
5 for capabilities and technologies at the level necessary to
6 support United States nonproliferation policy.

7 **SEC. 244. REPORT ON NONPROLIFERATION AND**
8 **COUNTERPROLIFERATION ACTIVITIES AND**
9 **PROGRAMS.**

10 (a) *REPORT REQUIRED.*—Not later than May 1, 1994,
11 the Secretary of Defense shall submit to Congress a report
12 on the findings of the committee on nonproliferation activi-
13 ties established pursuant to section 243.

14 (b) *CONTENT OF REPORT.*—The report shall include
15 the following matters:

16 (1) A complete list, by program, of the existing,
17 planned, and proposed capabilities and technologies
18 reviewed by the committee, including all directed en-
19 ergy and laser programs reviewed pursuant to section
20 243(c)(2).

21 (2) A complete description of the requirements
22 and priorities established by the committee.

23 (3) A comprehensive discussion of the near-term,
24 mid-term, and long-term programmatic options for-
25 mulated by the committee for meeting requirements

1 *prescribed by the committee and eliminating defi-*
2 *ciencies identified by the committee, including the an-*
3 *annual funding requirements and completion dates es-*
4 *tablished for each such option.*

5 (4) *An explanation of the recommendations*
6 *made pursuant section 243(e) and a full discussion of*
7 *the actions taken on such recommendations, including*
8 *the actions taken to implement the recommendations.*

9 (5) *A discussion of the existing and planned ca-*
10 *pabilities of the Armed Forces of the United States—*

11 (A) *to detect and monitor clandestine pro-*
12 *grams for the acquisition or production of weap-*
13 *ons of mass destruction;*

14 (B) *to respond to terrorism or accidents in-*
15 *volving such weapons and thefts of materials re-*
16 *lated to any weapon of mass destruction; and*

17 (C) *to assist in the interdiction and destruc-*
18 *tion of weapons of mass destruction, related*
19 *weapons materials, and advanced conventional*
20 *weapons.*

21 (6) *A description of—*

22 (A) *the extent to which the Secretary of De-*
23 *fense has incorporated nonproliferation and*
24 *counterproliferation missions into the overall*

1 *missions of the unified combatant commands;*
2 *and*

3 *(B) how the special operations command es-*
4 *tablished pursuant to section 167(a) of title 10,*
5 *United States Code, might support the com-*
6 *manders of the other unified combatant com-*
7 *mands and the commanders of the specified com-*
8 *batant commands in the performance of such*
9 *overall missions.*

10 *(c) FORMS OF REPORT.—The report shall be submitted*
11 *in both unclassified and classified forms, as appropriate.*

12 **SEC. 245. DEFINITIONS.**

13 *In this subtitle:*

14 *(1) The term “appropriate congressional com-*
15 *mittees” means the following:*

16 *(A) The Committee on Armed Services, the*
17 *Committee on Appropriations, and the Select*
18 *Committee on Intelligence of the Senate.*

19 *(B) The Committee on Armed Services, the*
20 *Committee on Appropriations, and the Perma-*
21 *nent Select Committee on Intelligence of the*
22 *House of Representatives.*

23 *(2) The term “intelligence community” has the*
24 *meaning given such term in section 3 of the National*
25 *Security Act of 1947 (50 U.S.C. 401a).*

1 **TITLE III—OPERATION AND**
2 **MAINTENANCE**

3 **Subtitle A—Authorization of Appropriations**

4 **SEC. 301. OPERATION AND MAINTENANCE FUNDING.**

5 *Funds are hereby authorized to be appropriated for fis-*
6 *cal year 1994 for the use of the Armed Forces and other*
7 *activities and agencies of the Department of Defense for ex-*
8 *penses, not otherwise provided for, for operation and main-*
9 *tenance in amounts as follows:*

10 (1) *For the Army, \$15,194,036,000.*

11 (2) *For the Navy, \$19,081,792,000.*

12 (3) *For the Marine Corps, \$1,790,489,000.*

13 (4) *For the Air Force, \$18,932,246,000.*

14 (5) *For Defense Agencies \$9,523,283,000.*

15 (6) *For the Defense Health Program,*
16 *\$9,303,447,000.*

17 (7) *For the Army Reserve, \$1,096,190,000.*

18 (8) *For the Naval Reserve, \$782,800,000.*

19 (9) *For the Marine Corps Reserve, \$83,100,000.*

20 (10) *For the Air Force Reserve, \$1,356,078,000.*

21 (11) *For the Army National Guard,*
22 *\$2,216,944,000.*

23 (12) *For the Air National Guard,*
24 *\$2,717,733,000.*

1 (13) For the National Board for the Promotion
2 of Rifle Practice, \$2,483,000.

3 (14) For the Defense Inspector General,
4 \$127,001,000.

5 (15) For Drug Interdiction and Counter-Drug
6 Activities, Defense-wide, \$1,168,200,000.

7 (16) For the Court of Military Appeals,
8 \$6,055,000.

9 (17) For Environmental Restoration, Defense,
10 \$2,369,400,000.

11 (18) For Humanitarian Assistance, \$48,000,000.

12 (19) For support for the 1996 Summer Olym-
13 pics, \$2,000,000.

14 (20) For support for the 1994 World Cup Games,
15 \$12,000,000.

16 (21) For Former Soviet Union Threat Reduc-
17 tion, \$400,000,000.

18 **SEC. 302. WORKING CAPITAL FUNDS.**

19 There is hereby authorized to be appropriated for fiscal
20 year 1994 for the use of the Armed Forces and other activi-
21 ties and agencies of the Department of Defense for providing
22 capital for the Defense Business Operations Fund,
23 \$1,161,095,000.

1 **SEC. 303. FUNDING NATIONAL DEFENSE STRATEGIC LIFT**
2 **REQUIREMENTS.**

3 (a) *RENAMING FUND.*—Section 2218 of title 10, Unit-
4 *ed States Code, is amended—*

5 (1) *by striking out the section heading and in-*
6 *serting in lieu thereof the following:*

7 **“§2218. National Defense Strategic Lift Fund”;**

8 *and*

9 (2) *by striking out “National Defense Strategic*
10 *Sealift Fund” each time it appears and inserting in*
11 *lieu thereof “National Defense Strategic Lift Fund”.*

12 (b) *FUND PURPOSES.*—Subsection (c)(1) of such sec-
13 *tion is amended—*

14 (1) *by striking out “and” at the end of subpara-*
15 *graph (C);*

16 (2) *by striking out the period at the end of sub-*
17 *paragraph (D) and inserting in lieu thereof “; and”;*
18 *and*

19 (3) *by adding at the end the following new sub-*
20 *paragraph:*

21 *“(E) construction, purchase, alteration, and con-*
22 *version of Department of Defense strategic airlift air-*
23 *craft.”.*

24 (c) *DEPOSITS IN THE FUND.*—Subsection (d)(1) of
25 *such section is amended—*

1 (1) by striking out “and” at the end of subpara-
2 graph (C);“

3 (2) by striking out the period at the end of sub-
4 paragraph (D) and inserting in lieu thereof “; and”;
5 and

6 (3) by adding at the end the following new sub-
7 paragraph:

8 “(E) construction, purchase, alteration, and
9 conversion of Department of Defense strategic
10 airlift aircraft.”.

11 (d) *CONTENT OF BUDGET REQUESTS.*—Subsection (h)
12 of such section is amended—

13 (1) by striking out “and” at the end of para-
14 graph (3);

15 (2) by striking out the period at the end of para-
16 graph (4) and inserting in lieu thereof “; and”; and

17 (3) by adding at the end the following new para-
18 graph:

19 “(5) the amount requested for programs, projects,
20 and activities for construction, purchase, alteration,
21 and conversion of Department of Defense strategic
22 airlift aircraft.”.

23 (e) *STRATEGIC AIRLIFT AIRCRAFT DEFINED.*—Sub-
24 section (k) of such section is amended by adding at the end
25 the following new paragraph:

1 “(4) The term ‘strategic airlift aircraft’ means
2 any cargo aircraft owned, operated, controlled, or
3 chartered by the Department of Defense that has
4 intercontinental range.”.

5 (f) *AUTHORIZATION OF APPROPRIATIONS.*—Funds are
6 hereby authorized to be appropriated for fiscal year 1994
7 for the use of the Department of Defense for the National
8 Defense Strategic Lift Fund in the amount of
9 \$2,669,100,000.

10 **SEC. 304. ARMED FORCES RETIREMENT HOME.**

11 There is hereby authorized to be appropriated for fiscal
12 year 1994 from the Armed Forces Retirement Home Trust
13 Fund the sum of \$61,918,000 for the operation of the Armed
14 Forces Retirement Home, including the United States Sol-
15 diers’ and Airmen’s Home and the Naval Home.

16 **SEC. 305. NATIONAL SECURITY EDUCATION TRUST FUND**
17 **OBLIGATIONS.**

18 During fiscal year 1994, \$24,000,000 is authorized to
19 be obligated from the National Security Education Trust
20 Fund established by section 804(a) of the David L. Boren
21 National Security Education Act of 1991 (Public Law 102–
22 183; 50 U.S.C. 1904(a)).

23 **SEC. 306. TRANSFER AUTHORITY.**

24 (a) *AUTHORITY.*—The Secretary of Defense, to the ex-
25 tent provided in appropriations Acts, may transfer funds

1 *as provided in this section during fiscal year 1994. Funds*
2 *so transferred are in addition to the funds authorized to*
3 *be appropriated in section 301.*

4 (b) *FROM THE DEFENSE BUSINESS OPERATIONS*
5 *FUND.—(1) Subject to paragraph (2), not more than*
6 *\$3,035,300,000 may be transferred from the Defense Busi-*
7 *ness Operations Fund to appropriations for operations and*
8 *maintenance for fiscal year 1994 in amounts as follows:*

9 (A) *For the Army, \$880,200,000.*

10 (B) *For the Navy, \$1,092,700,000.*

11 (C) *For the Marine Corps, \$121,000,000.*

12 (D) *For the Air Force, \$941,400,000.*

13 (2) *Amounts may be transferred under this subsection*
14 *only to the extent that the Fund contains cash balances suf-*
15 *ficient for such transfers.*

16 (c) *FROM THE NATIONAL DEFENSE STOCKPILE*
17 *TRANSACTION FUND.—Not more than \$500,000,000 may be*
18 *transferred from the National Defense Stockpile Trans-*
19 *action Fund to appropriations for operation and mainte-*
20 *nance for fiscal year 1994 in amounts as follows:*

21 (1) *For the Army, \$150,000,000.*

22 (2) *For the Navy, \$150,000,000.*

23 (3) *For the Air Force, \$200,000,000.*

24 (d) *TREATMENT OF TRANSFERS.—Amounts trans-*
25 *ferred under this section—*

1 (1) shall be merged with and be available for the
2 same purposes and the same period as the amounts
3 in the accounts to which transferred;

4 (2) shall be deemed to increase the amount au-
5 thorized to be appropriated for the account to which
6 the amount is transferred by an amount equal to the
7 amount transferred; and

8 (3) may not be expended for an item that has
9 been denied authorization of appropriations by Con-
10 gress.

11 (e) *RELATIONSHIP TO OTHER TRANSFER AUTHOR-*
12 *ITY.*—An increase under subsection (d)(2) in an amount
13 authorized to be appropriated is in addition to an increase
14 in that amount that results from a transfer of an authoriza-
15 tion of appropriations pursuant to section 1001.

16 (f) *RELATIONSHIP TO APPROPRIATED FUNDS.*—Funds
17 made available by transfer under this section shall be in
18 addition to funds made available pursuant to an authoriza-
19 tion of appropriations in section 301.

20 **SEC. 307. FUNDS FOR CLEARING LANDMINES.**

21 Of the funds authorized to be appropriated in section
22 301, not more than \$10,000,000 is authorized for activities
23 to support the clearing of landmines for humanitarian pur-
24 poses (as determined by the Secretary of Defense), including

1 *the clearing of landmines in areas in which refugee repatri-*
2 *ation programs are on-going.*

3 **Subtitle B—Defense Business Operations**

4 **Fund**

5 **SEC. 311. EXTENSION OF AUTHORITY FOR USE OF THE DE-**
6 **FENSE BUSINESS OPERATIONS FUND.**

7 *Section 316(a) of the National Defense Authorization*
8 *Act for Fiscal Years 1992 and 1993 (Public Law 102–190;*
9 *10 U.S.C. 2208 note) is amended by striking out “April*
10 *15, 1994” and inserting in lieu thereof “December 31,*
11 *1994”.*

12 **SEC. 312. IMPLEMENTATION OF THE DEFENSE BUSINESS**
13 **OPERATIONS FUND.**

14 *Section 316 of the National Defense Authorization Act*
15 *for Fiscal Years 1992 and 1993 (Public Law 102–190; 10*
16 *U.S.C. 2208 note) is amended by striking out subsections*
17 *(d), (e), and (f) and inserting in lieu thereof the following*
18 *new subsections:*

19 “(d) *COMPREHENSIVE MANAGEMENT PLAN.—(1) Not*
20 *later than 30 days after the date of the enactment of the*
21 *National Defense Authorization Act for Fiscal Year 1994,*
22 *the Secretary of Defense shall submit to the congressional*
23 *defense committees a comprehensive management plan for*
24 *the Defense Business Operations Fund. The Secretary shall*
25 *identify in the plan the actions the Department of Defense*

1 *will take to improve the implementation and operation of*
2 *the Defense Business Operations Fund.*

3 *“(2)(A) The plan should also include the following*
4 *matters:*

5 *“(i) The specific tasks to be performed to address*
6 *the serious shortcomings that exist in the Fund’s im-*
7 *plementation and operation.*

8 *“(ii) Milestones for starting and completing each*
9 *task.*

10 *“(iii) A statement of the resources needed to com-*
11 *plete each task.*

12 *“(iv) The specific organizations within the De-*
13 *partment of Defense that are responsible for accom-*
14 *plishing each task.*

15 *“(v) Department of Defense plans to monitor the*
16 *implementation of all corrective actions.*

17 *“(B) The plan should also address the following spe-*
18 *cific areas:*

19 *“(i) The management and organizational struc-*
20 *ture of the Fund.*

21 *“(ii) The development and implementation of the*
22 *policies and procedures, including internal controls,*
23 *applicable to the Fund.*

24 *“(iii) Management reporting, including finan-*
25 *cial and operational reporting.*

1 “(iv) *Accuracy and reliability of cost accounting*
2 *data.*

3 “(v) *Development and use of performance indica-*
4 *tors to measure the efficiency and effectiveness of*
5 *Fund operations.*

6 “(vi) *The status of efforts to develop and imple-*
7 *ment new financial systems for the Fund.*

8 “(e) *PROGRESS REPORT ON IMPLEMENTATION.—Not*
9 *later than February 1, 1994, the Secretary of Defense shall*
10 *submit to the Congress a report on the progress made in*
11 *implementing the comprehensive management plan re-*
12 *quired by subsection (d). The report should describe the*
13 *progress made in reaching the milestones established in the*
14 *plan and provide an explanation for the failure to meet*
15 *any of the milestones. The Secretary shall submit a copy*
16 *of the report to the Comptroller General of the United States*
17 *at the same time that he submits the report to Congress.*

18 “(f) *RESPONSIBILITIES OF THE COMPTROLLER GEN-*
19 *ERAL.—(1) The Comptroller General of the United States*
20 *shall monitor and evaluate the progress of the Department*
21 *of Defense in developing and implementing the comprehen-*
22 *sive management plan required by subsection (d).*

23 “(2) *Not later than March 1, 1994, the Comptroller*
24 *General shall submit to the Congress a report containing*
25 *the following:*

1 “(A) *The findings and conclusions of the Comptroller General resulting from the monitoring and*
2 *evaluation conducted under paragraph (1).*

4 “(B) *An evaluation of the progress report submitted to Congress by the Secretary of Defense pursuant to subsection (e).*

7 “(C) *Any recommendations for legislation or administrative action concerning the Fund that the Comptroller General considers appropriate.*”

10 **SEC. 313. LIMITATION ON OBLIGATIONS AGAINST THE DE-**
11 **FENSE BUSINESS OPERATIONS FUND.**

12 (a) *LIMITATION.—(1) The Secretary of Defense may*
13 *not incur obligations against the supply management divi-*
14 *sions of the Defense Business Operations Fund of the De-*
15 *partment of Defense during fiscal year 1994 in a total*
16 *amount in excess of 65 percent of the total amount derived*
17 *from sales from such divisions during that fiscal year.*

18 (2) *For purposes of determining the amount of obliga-*
19 *tions incurred against, and sales from, such divisions dur-*
20 *ing fiscal year 1994, the Secretary shall exclude obligations*
21 *and sales for fuel, commissary and subsistence items, retail*
22 *operations, repair of equipment, and the cost of operations.*

23 (b) *EXCEPTION.—The Secretary of Defense may waive*
24 *the limitation described in subsection (a) if the Secretary*
25 *determines that such waiver is necessary in order to main-*

1 *tain the readiness and combat effectiveness of the Armed*
2 *Forces. The Secretary shall immediately notify Congress of*
3 *any such waiver and the reasons for such waiver.*

4 ***Subtitle C—Environmental Provisions***

5 ***SEC. 321. AUTHORITY FOR MILITARY DEPARTMENTS TO***
6 ***PARTICIPATE IN WATER CONSERVATION PRO-***
7 ***GRAMS.***

8 *(a) AUTHORITY.—Chapter 169 of title 10, United*
9 *States Code, is amended by adding at the end the following:*

10 ***“§ 2866. Water conservation at military installations***

11 *“(a) WATER CONSERVATION ACTIVITIES.—(1) The*
12 *Secretary of Defense shall permit and encourage each mili-*
13 *tary department, Defense Agency, and other instrumental-*
14 *ity of the Department of Defense to participate in programs*
15 *conducted by any water utility for the management of water*
16 *or for water conservation.*

17 *“(2) The Secretary of Defense may authorize any mili-*
18 *tary installation to accept any financial incentive (includ-*
19 *ing an agreement to reduce the amount of a future water*
20 *bill), goods, or services generally available from a water*
21 *utility to adopt technologies and practices that the Sec-*
22 *retary determines are cost effective for the Federal Govern-*
23 *ment.*

24 *“(3) Subject to paragraph (4), the Secretary of Defense*
25 *may authorize the Secretary of a military department hav-*

1 *ing jurisdiction over a military installation to enter into*
2 *agreements with water utilities to design and implement*
3 *cost-effective demand and conservation incentive programs*
4 *(including water management services, facilities, alter-*
5 *ations, and the installation and maintenance of water sav-*
6 *ing devices and technologies by the utilities) to address the*
7 *requirements and circumstances of the installation.*

8 “(4)(A) *If an agreement under paragraph (3) provides*
9 *for the utility to advance financing costs for the design or*
10 *implementation of a program referred to in that paragraph*
11 *to be repayed by the United States, the cost of such advance*
12 *may be recovered by the utility under terms no less favor-*
13 *able than those applicable to its most favored customer.*

14 “(B) *Subject to the availability of appropriations, re-*
15 *payment of costs advanced under subparagraph (A) shall*
16 *be made from funds available to a military department for*
17 *the purchase of utility services.*

18 “(C) *An agreement under paragraph (3) shall provide*
19 *that title to any water-saving device or technology installed*
20 *at a military installation pursuant to the agreement shall*
21 *vest in the United States. Such title may vest at such time*
22 *during the term of the agreement, or upon expiration of*
23 *the agreement, as determined to be in the best interests of*
24 *the United States.*

1 “(b) *USE OF WATER COST SAVINGS.*—Water cost sav-
2 ings realized under this section shall be utilized in accord-
3 ance with section 2865(b) of this title.

4 “(c) *WATER CONSERVATION CONSTRUCTION*
5 *PROJECTS.*—(1) The Secretary of Defense may carry out
6 a military construction project for water conservation, not
7 previously authorized, using funds appropriated or other-
8 wise made available for water conservation.

9 “(2) Section 2865(e)(2) of this title shall apply to a
10 project to be carried out under the authority of paragraph
11 (1).

12 “(d) *DEFINITION.*—In this section, the term ‘water
13 utility’ means any publicly or privately owned entity (in-
14 cluding a municipal or regional authority or water district)
15 that delivers potable water to a military installation
16 through a transmission or distribution system.”.

17 (b) *CLERICAL AMENDMENT.*—The table of sections at
18 the beginning of such chapter is amended by adding at the
19 end the following:

“2866. Water conservation at military installations.”.

20 **SEC. 322. CLARIFICATION OF AUTHORITY FOR ENERGY**
21 **CONSERVATION PROGRAMS AT MILITARY IN-**
22 **STALLATIONS.**

23 (a) *USE OF SAVINGS.*—Subsection (b)(2) of section
24 2865 of title 10, United States Code, is amended to read
25 as follows:

1 “(2) Of the total amount that remains available for
2 obligation under paragraph (1) and section 2866(b) of this
3 title—

4 “(A) one-half of such amount shall be used for
5 the implementation of additional energy conservation
6 measures and for water conservation activities at such
7 buildings, facilities, or installations of the Depart-
8 ment of Defense as may be designated (in accordance
9 with regulations which the Secretary of Defense shall
10 prescribe) by the head of the department, agency, or
11 instrumentality that realized the savings referred to
12 in paragraph (1) or referred to in section 2866(b) of
13 this title; and

14 “(B) one-half of such amount shall be allocated
15 among the installations that realized such savings in
16 the same proportions as such savings were realized at
17 such installations and the amount so allocated to an
18 installation shall be utilized at such installation for—

19 “(i) improvements to existing military fam-
20 ily housing units;

21 “(ii) any unspecified minor construction
22 project that will enhance the quality of life of
23 personnel; or

24 “(iii) any morale, welfare, or recreation fa-
25 cility or service.”.

1 (b) *COVERED UTILITIES*.—Subsection (d) of such sec-
2 tion 2865 is amended by adding at the end the following:

3 “(5) In this subsection, the terms ‘gas utility’ and ‘elec-
4 tric utility’ mean any publicly or privately owned entity
5 (including a municipal or regional authority or Federal
6 power marketing agency) that deliver natural gas or elec-
7 tricity, respectively, to a military installation through a
8 transmission or distribution system.”.

9 **SEC. 323. CLARIFICATION OF FUNDING FOR ENVIRON-**
10 **MENTAL RESTORATION ACTIVITIES AT IN-**
11 **STALLATIONS TO BE CLOSED OR REALIGNED.**

12 Section 2906(e) of the Defense Base Closure and Re-
13 alignment Act of 1990 (part A of title XXIX of Public Law
14 101–510; 10 U.S.C. 2687 note) is amended—

15 (1) by inserting “(1)” before “Except for”;

16 (2) in paragraph (1), as so designated, by insert-
17 ing “and except as provided in paragraph (2)” in the
18 first sentence after “subsection (a)”; and

19 (3) by adding at the end the following:

20 “(2) Funds in the Defense Environmental Restoration
21 Account established under section 2703(a) of title 10, Unit-
22 ed States Code, may be used for obligations incurred for
23 purposes described in section 2905(a)(1)(C)—

1 “(A) in fiscal year 1994 for installations ap-
2 proved for closure or realignment under this part in
3 1993; and

4 “(B) in fiscal year 1996 for installations ap-
5 proved for closure or realignment under this part in
6 1995.”.

7 **SEC. 324. ANNUAL REPORT ON ENVIRONMENTAL RESTORA-**
8 **TION ACTIVITIES OF THE DEPARTMENT OF**
9 **DEFENSE.**

10 (a) *REPORT ON IMPLEMENTATION OF PROGRAMS.*—
11 Paragraph (2) of section 2706(a) of title 10, United States
12 Code, is amended—

13 (1) by redesignating subparagraph (D) as sub-
14 paragraph (E);

15 (2) by striking out subparagraph (C) and insert-
16 ing in lieu thereof the following new subparagraphs
17 (C) and (D):

18 “(C) The estimated cost of carrying out response
19 actions at each facility on the National Priorities
20 List for each of the 5 fiscal years following the fiscal
21 year in which the report is submitted.

22 “(D) The costs incurred for response actions at
23 each facility on the National Priorities List during
24 the fiscal year preceding the fiscal year in which the
25 report is filed.”; and

1 (3) by adding at the end the following:

2 “(F) The estimated cost of carrying out response
3 actions at facilities other than facilities on the Na-
4 tional Priorities List for each of the 5 fiscal years fol-
5 lowing the fiscal year in which the report is submit-
6 ted.”.

7 (b) *TIMING OF REPORT.*—Such section 2706(a) is fur-
8 ther amended by adding at the end the following:

9 “(3) The Secretary shall submit the annual report re-
10 quired under this subsection no later than April 15 of each
11 year.”.

12 **SEC. 325. EXTENSION OF PERIOD OF APPLICABILITY OF RE-**
13 **QUIREMENT FOR REIMBURSEMENT OF THE**
14 **FEDERAL GOVERNMENT FOR CERTAIN LI-**
15 **ABILITIES ARISING UNDER CONTRACTS RE-**
16 **LATING TO HAZARDOUS WASTE.**

17 Section 2708(b)(1) of title 10, United States Code, by
18 striking out “and 1993” and inserting in lieu thereof
19 “through 1996”.

20 **SEC. 326. PROHIBITION ON THE PURCHASE OF SURETY**
21 **BONDS AND OTHER GUARANTIES FOR THE**
22 **DEPARTMENT OF DEFENSE.**

23 No funds appropriated or otherwise made available to
24 the Department of Defense for fiscal year 1994 may be obli-
25 gated or expended for the purchase of surety bonds or other

1 *guaranties of financial responsibility in order to guarantee*
2 *the performance of any direct function of the Department*
3 *of Defense.*

4 ***SEC. 327. CLARIFICATION OF SCOPE OF INDEMNIFICATION***
5 ***OF TRANSFEREES OF CLOSING DEFENSE***
6 ***PROPERTY.***

7 *(a) INDEMNIFICATION FOR PETROLEUM PRODUCTS.—*
8 *Subsection (a)(1) of section 330 of the National Defense Au-*
9 *thorization Act for Fiscal Year 1993 (Public Law 102-484;*
10 *10 U.S.C. 2687 note) is amended by striking out “or pollut-*
11 *ant or contaminant” and inserting in lieu thereof “; pollut-*
12 *ant or contaminant, any petroleum product, or any other*
13 *derivative of petroleum”.*

14 *(b) ACTIVITIES SUBJECT TO INDEMNIFICATION.—Such*
15 *subsection (a)(1) is further amended by inserting “(includ-*
16 *ing defense activities carried out by a contractor or sub-*
17 *contractor under a contract with the Department of Defense*
18 *or a military department)” after “Department of Defense*
19 *activities”.*

20 *(c) STATE OWNERSHIP OR CONTROL.—Subsection*
21 *(a)(2)(A) of such section is amended by inserting “(includ-*
22 *ing a leasehold interest)” after “or control”.*

23 *(d) RELATIONSHIP TO OTHER AUTHORITIES.—Sub-*
24 *section (e) of such section is amended—*

1 (1) by striking out “RELATIONSHIP TO OTHER
2 LAW.—” and inserting in lieu thereof “RELATION-
3 SHIP TO EXISTING LAW AND CONTRACTS.—”; and

4 (2) by striking out “in any way” and inserting
5 in lieu thereof “in any way—

6 “(1) section 120(h) of the Comprehensive
7 Environmental Response, Compensation, and Li-
8 ability Act of 1980 (42 U.S.C. 9620(h)), any
9 other provision of law, or any regulation; or

10 “(2) any provision of a contract of the De-
11 partment of Defense or a military department,
12 or any provision of a subcontract under such a
13 contract, that provides the Department of De-
14 fense or the military department with a right of
15 contribution against the contractor or sub-
16 contractor, as the case may be.”.

17 **SEC. 328. SHIPBOARD PLASTIC AND SOLID WASTE CON-**
18 **TROL.**

19 (a) *SHORT TITLE.*—This section may be cited as the
20 “Act to Prevent Pollution from Ships Amendments of
21 1993”.

22 (b) *DEADLINE FOR COMPLIANCE BY SHIPS OWNED OR*
23 *OPERATED BY THE DEPARTMENT OF THE NAVY WITH CER-*
24 *TAIN POLLUTION CONTROL CONVENTIONS.*—Subsection
25 (b)(2)(A) of section 3 of the Act to Prevent Pollution from

1 *Ships (33 U.S.C. 1902) is amended by striking out “after*
2 *5 years” and all that follows and inserting in lieu thereof*
3 *“, subject to subsection (f) of this section, as follows:*

4 “(i) After December 31, 1993, to all ships re-
5 ferred to in paragraph (1)(A) of this subsection other
6 than those owned or operated by the Department of
7 the Navy.

8 “(ii) Except as provided in subsection (c) of this
9 section, after December 31, 1998, to all ships referred
10 to in paragraph (1)(A) of this subsection other than
11 submersibles owned or operated by the Department of
12 the Navy when such submersibles are engaged in non-
13 commercial service.

14 “(iii) Except as provided in subsection (c) of this
15 section, after December 31, 2008, to all ships referred
16 to in paragraph (1)(A) of this subsection.”.

17 (c) *SPECIAL AREA DISCHARGES.*—Section 3 of such
18 *Act is amended—*

19 (1) *by redesignating subsections (c) and (d) as*
20 *subsections (d) and (g), respectively; and*

21 (2) *by inserting after subsection (b) the following*
22 *new subsection (c):*

23 “(c) *DISCHARGES IN SPECIAL AREAS.*—(1) *Not later*
24 *than December 31, 2000, all surface vessels owned or oper-*
25 *ated by the Department of the Navy, and not later than*

1 *December 31, 2008, all submersibles owned or operated by*
2 *the Department of the Navy, shall comply with the special*
3 *area requirements of Regulation 5 of Annex V of the Con-*
4 *vention.*

5 “(2) *Not later than 3 years after the date of the enact-*
6 *ment of the Act to Prevent Pollution from Ships Amend-*
7 *ments of 1993, the Secretary of the Navy, shall, in consulta-*
8 *tion with the Secretary of State, the Secretary of Commerce,*
9 *the Secretary of Transportation, and the Administrator of*
10 *the Environmental Protection Agency, submit to the Con-*
11 *gress a plan for the compliance by all vessels owned or oper-*
12 *ated by the Department of the Navy with the requirements*
13 *set forth in paragraph (1) of this subsection. Such plan*
14 *shall be submitted after opportunity for public participa-*
15 *tion in its preparation, and for public review and comment.*

16 “(3) *If the Navy plan for compliance demonstrates that*
17 *compliance with the requirements set forth in paragraph*
18 *(1) of this subsection is not technologically feasible in the*
19 *case of certain vessels under certain circumstances, the plan*
20 *shall include information describing—*

21 “(A) *the ships for which full compliance with the*
22 *requirements of paragraph (1) of this subsection is*
23 *not technologically feasible;*

24 “(B) *the technical and operational impediments*
25 *to achieving such compliance;*

1 “(C) a proposed alternative schedule for achiev-
2 ing such compliance as rapidly as is technologically
3 feasible; and

4 “(D) such other information as the Secretary of
5 the Navy considers relevant and appropriate.

6 “(4) Upon receipt of the compliance plan under para-
7 graph (2) of this subsection, the Congress may modify the
8 applicability of paragraph (1) of this subsection, as appro-
9 priate.”.

10 (d) *COMPLIANCE MEASURES.*—Such section 3 is
11 amended by inserting after subsection (d), as redesignated
12 by subsection (c)(1), the following new subsection:

13 “(e) *COMPLIANCE BY EXCLUDED VESSELS.*—(1) The
14 Secretary of the Navy shall develop and, as appropriate,
15 support the development of technologies and practices for
16 solid waste management aboard ships owned or operated
17 by the Department of the Navy, including technologies and
18 practices for the reduction of the waste stream generated
19 aboard such ships, that are necessary to ensure the compli-
20 ance of such ships with Annex V to the Convention on or
21 before the dates referred to in subsections (b)(2)(A) and
22 (c)(1) of this section.

23 “(2) Notwithstanding any effective date of the applica-
24 tion of this section to a ship, the provisions of Annex V
25 of the Convention with respect to the disposal of plastic

1 *shall apply to ships equipped with plastic processors re-*
2 *quired for the long-term collection and storage of plastic*
3 *aboard ships of the Navy upon the installation of such proc-*
4 *essors in such ships.*

5 “(3)(A) *Within 12 months after the date of the enact-*
6 *ment of the Act to Prevent Pollution from Ships Amend-*
7 *ments of 1993, the Secretary of the Navy shall promulgate*
8 *regulations applicable to ships referred to in subsection*
9 *(b)(1)(A) of this section owned or operated by the Depart-*
10 *ment of the Navy. The regulations shall be consistent with*
11 *operational requirements of such ships and shall be revised*
12 *from time to time in accordance with this subsection.*

13 “(B) *The regulations promulgated under subpara-*
14 *graph (A) of this paragraph shall include the following re-*
15 *quirements:*

16 “(i) *That compacted trash discharged from*
17 *submersibles be negatively buoyant and contain the*
18 *minimum amount practicable of plastic.*

19 “(ii) *That plastics contaminated by substances*
20 *other than food not be discharged overboard from any*
21 *ship during the last 20 days before the ship enters*
22 *port.*

23 “(iii) *That plastics contaminated by food not be*
24 *discharged overboard from any ship during the last 3*
25 *days before the ship enters port.*

1 “(4)(A) *The Secretary of Defense shall publish in the*
2 *Federal Register a report setting forth the names of ships*
3 *provided with equipment enabling such ships to comply*
4 *with Annex V to the Convention and describing the amount*
5 *and nature of the discharges in special areas during the*
6 *preceding year from ships referred to in subsection (b)(1)(A)*
7 *of this section owned or operated by the Department of the*
8 *Navy.*”

9 (e) *WAIVER AUTHORITY.—Such section 3, as amended*
10 *by subsection (d), is further amended by inserting after sub-*
11 *section (e) the following new subsection:*

12 “(f) *WAIVER AUTHORITY.—The President may waive*
13 *the effective dates of the requirements set forth in subsections*
14 *(b)(2)(A) and (c) of this section and in subsection (f) of*
15 *the Act to Prevent Pollution from Ships Amendments of*
16 *1993 if the President determines it to be in the paramount*
17 *interest of the United States to do so. Any such waiver shall*
18 *be for a period not in excess of 1 year. The President shall*
19 *submit a report to the Congress each January on all waiv-*
20 *ers from the requirements of this section granted during the*
21 *preceding calendar year, together with the reasons for*
22 *granting such waivers.*”

23 (f) *OTHER ACTIONS.—(1) Not later than October 1,*
24 *1994, the Secretary of the Navy shall release a request for*
25 *proposals for equipment (hereinafter in this subsection re-*

1 *ferred to as “plastics processor”) required for the long-term*
2 *collection and storage of plastic aboard ships of the Navy.*

3 *(2) Not later than July 1, 1996, the Secretary shall*
4 *install the first production unit of the plastics processor on*
5 *board a Navy ship.*

6 *(3) Not later than July 1, 1997, the Secretary shall*
7 *complete the installation of plastics processors on board not*
8 *less than 50 percent of the ships of the Navy that require*
9 *such processors in order to comply with the provisions of*
10 *section 3 of the Act to Prevent Pollution from Ships, as*
11 *amended by subsections (b), (c), and (d) of this section.*

12 *(4) Not later than July 1, 1998, the Secretary shall*
13 *complete the installation of plastics processors on board not*
14 *less than 75 percent of the ships of the Navy that require*
15 *such processors in order to comply with such provisions.*

16 *(5) Not later than December 31, 1998, the Secretary*
17 *shall complete the installation of plastics processors on*
18 *board all ships of the Navy that require such processors in*
19 *order to comply with such provisions.*

20 *(g) DEFINITION.—Section 1(a) of the Act to Prevent*
21 *Pollution from Ships (33 U.S.C. 1901(a)) is amended by*
22 *adding at the end the following:*

23 *“(10) ‘submersible’ means a submarine, or any*
24 *other vessel designed to operate under water.”.*

1 **Subtitle D—Other Matters**

2 **SEC. 331. REPEAL OF AN EXCEPTION TO A LIMITATION ON**
3 **THE PERFORMANCE OF DEPOT-LEVEL MAIN-**
4 **TENANCE OF MATERIEL.**

5 *Section 2466(a) of title 10, United States Code, is*
6 *amended—*

7 (1) *by striking out paragraph (2); and*

8 (2) *in paragraph (1), by striking out “(1) Ex-*
9 *cept as provided in paragraph (2), the” and inserting*
10 *in lieu thereof “The”.*

11 **SEC. 332. MAINTENANCE AND REPAIR OF PACIFIC BATTLE**
12 **MONUMENTS.**

13 (a) *AUTHORITY.—The Commandant of the Marine*
14 *Corps may perform necessary minor maintenance and re-*
15 *pairs of Pacific battle monuments until, by agreement be-*
16 *tween the Commandant and the Secretary of the American*
17 *Battle Monuments Commission, the American Battle Monu-*
18 *ments Commission undertakes the responsibility for main-*
19 *tenance and repair of such battle monuments.*

20 (b) *FUNDING.—(1) In each fiscal year that the Com-*
21 *mandant performs maintenance and repair activities pur-*
22 *suant to the authority in subsection (a), the Commandant*
23 *may expend for such activities not more than \$15,000 of*
24 *the amount made available to the Marine Corps for such*
25 *fiscal year for operation and maintenance.*

1 (2) *Of the amounts available to the Marine Corps for*
2 *fiscal year 1993 for operation and maintenance, \$150,000*
3 *may, to the extent provided in appropriations Acts, be made*
4 *available for the repair and relocation of a monument lo-*
5 *cated on Iwo Jima that commemorates the sacrifice of*
6 *American military personnel during World War II.*

7 (c) *DEFINITION.—In this section, the term “Pacific*
8 *battle monument” means a monument on an island in the*
9 *Pacific Ocean that commemorates combat actions of any*
10 *of the Armed Forces.*

11 **SEC. 333. PURCHASE OF ITEMS NOT EXCEEDING \$100,000.**

12 *Funds appropriated pursuant to the authorization of*
13 *appropriations in section 301 may be used to purchase*
14 *items not exceeding \$100,000 for each item.*

15 **SEC. 334. EXTENSION OF AUTHORITY FOR AVIATION DE-**
16 **POTS AND NAVAL SHIPYARDS TO ENGAGE IN**
17 **DEFENSE-RELATED PRODUCTION AND SERV-**
18 **ICES.**

19 *Section 1425(e) of the National Defense Authorization*
20 *Act for Fiscal Year 1991 (Public Law 101–510) is amended*
21 *by striking out “September 30, 1993” and inserting in lieu*
22 *thereof “September 30, 1994”.*

1 **SEC. 335. CONTRACTS TO PERFORM WORKLOADS PRE-**
2 **VIOUSLY PERFORMED BY DEPOT-LEVEL AC-**
3 **TIVITIES OF THE DEPARTMENT OF DEFENSE.**

4 *Section 2469 of title 10, United States Code, is*
5 *amended—*

6 (1) *by inserting “(a) REQUIREMENT FOR COM-*
7 *PETITION.—” before “The Secretary of Defense”;*

8 (2) *by striking out “threshold”;*

9 (3) *by striking out “unless” and all that follows*
10 *and inserting in lieu thereof “to performance by a*
11 *contractor unless the Secretary uses competitive pro-*
12 *cedures for the selection of the contractor to perform*
13 *such workload.”; and*

14 (4) *by adding at the end the following new sub-*
15 *section:*

16 *“(b) INAPPLICABILITY OF OMB CIRCULAR A-76.—Of-*
17 *fice of Management and Budget Circular A-76 does not*
18 *apply to a performance change to which subsection (a) ap-*
19 *plies.”.*

20 **SEC. 336. PROMOTION OF CIVILIAN MARKSMANSHIP.**

21 *Section 4308(c) of title 10, United States Code, is*
22 *amended by adding at the end the following: “Notwith-*
23 *standing any other provision of law, such amounts shall*
24 *remain available until expended.”.*

1 **SEC. 337. AMENDMENTS REGARDING PILOT PROGRAM TO**
2 **USE NATIONAL GUARD PERSONNEL IN MEDI-**
3 **CALLY UNDERSERVED COMMUNITIES.**

4 (a) *AGREEMENT WITH DISTRICT OF COLUMBIA.*—Sec-
5 *tion 376 of the National Defense Authorization Act for Fis-*
6 *cal Year 1993 (Public Law 102–484; 106 Stat. 2386; 32*
7 *U.S.C. 501 note) is amended by adding at the end of sub-*
8 *section (a) the following: “In the case of an agreement with*
9 *the District of Columbia, the agreement shall be with the*
10 *commanding general of the District of Columbia National*
11 *Guard.”.*

12 (b) *NATIONAL GUARD TRAINING AUTHORIZED TO IN-*
13 *CLUDE THE PROVISION OF HEALTH CARE.*—Section 376 of
14 *such Act is amended by striking out subsection (b) and in-*
15 *serting in lieu thereof the following new subsection (b):*

16 “(b) *TRAINING AUTHORIZED TO INCLUDE PROVISION*
17 *OF HEALTH CARE.*—Training conducted pursuant to sec-
18 *tion 270 of title 10, United States Code, and section 502*
19 *of title 32, United States Code, may include, as an activity*
20 *conducted in the course of and incident to required or addi-*
21 *tional National Guard training, the provision of health care*
22 *under an agreement entered into pursuant to subsection*
23 *(a).”.*

24 (c) *FUNDING, SAVINGS, AND DEFINITION PROVI-*
25 *SIONS.*—Section 376 of such Act is amended—

1 (1) by redesignating subsection (f) as subsection
2 (i); and

3 (2) by inserting after subsection (e) the following
4 new subsections:

5 “(f) *FUNDING AND USE OF OTHER RESOURCES.*—
6 *Funds appropriated for operation and maintenance of the*
7 *National Guard may be used for supplies and equipment*
8 *necessary for the provision of health care to medically un-*
9 *derserved communities under an agreement entered into*
10 *pursuant to subsection (a). Supplies and equipment fur-*
11 *nished by a State, a department or agency of the Federal*
12 *Government, or any private organization or individual*
13 *may also be used for the provision of health care to medi-*
14 *cally underserved communities under such an agreement.*

15 “(g) *RETIREMENT CREDIT FOR FISCAL YEAR 1993*
16 *SERVICE.*—*Service under an agreement entered into pursu-*
17 *ant to subsection (a) that was performed by National Guard*
18 *personnel before October 1, 1993 (the effective date of an*
19 *amendment of subsection (b) to clarify the status of service*
20 *under such an agreement as training), shall be counted as*
21 *service under section 502 of title 32, United States Code,*
22 *for the purpose of computing years of service for entitlement*
23 *to retired pay under subparagraph (A) or (B) of section*
24 *1332(a)(2) of title 10, United States Code.*

25 “(h) *DEFINITIONS.*—*In this section:*

1 “(1) The term ‘health care’ includes medical and
2 dental care services.

3 “(2) The term ‘State’ includes the Common-
4 wealth of Puerto Rico, a territory (as defined in sec-
5 tion 101(1) of title 32, United States Code), and the
6 District of Columbia.”.

7 (b) *EFFECTIVE DATE.*—The amendments made by this
8 section shall take effect on October 1, 1993.

9 **SEC. 338. ASSISTANCE TO LOCAL EDUCATIONAL AGENCIES**
10 **THAT BENEFIT DEPENDENTS OF MEMBERS**
11 **OF THE ARMED FORCES AND DEPARTMENT**
12 **OF DEFENSE CIVILIAN EMPLOYEES.**

13 (a) *ELIGIBLE LOCAL EDUCATIONAL AGENCIES.*—Sec-
14 tion 386(c) of the National Defense Authorization Act for
15 Fiscal Year 1993 (Public Law 102-484; 106 Stat. 2395;
16 20 U.S.C. 238 note) is amended—

17 (1) by striking out “or” at the end of paragraph
18 (1);

19 (2) by redesignating paragraph (2) as para-
20 graph (3);

21 (3) by inserting after paragraph (1) the follow-
22 ing new paragraph (2):

23 “(2) there has been a significant increase, as de-
24 termined by the Secretary of Defense, in the number
25 of military dependent students in average daily at-

1 *tendance in the schools of that agency as a result of*
2 *a relocation of Armed Forces personnel or civilian*
3 *employees of the Department of Defense or as a result*
4 *of a realignment of one or more military installa-*
5 *tions; or”;* and

6 (4) *in paragraph (3), as redesignated by para-*
7 *graph (2), by inserting “or (2)” before the period at*
8 *the end.*

9 (b) *TECHNICAL CORRECTION.*—*Section 386 of such Act*
10 *is amended by—*

11 (1) *by redesignating the second subsection (e), re-*
12 *lating to definitions, as subsection (h); and*

13 (2) *by transferring such subsection, as so redesign-*
14 *ated, to the end of such section.*

15 (c) *EFFECTIVE DATE OF AMENDMENTS.*—*The amend-*
16 *ments made by subsections (a) and (b) shall take effect as*
17 *of October 23, 1992, as if section 386 of Public Law 102–*
18 *484 had been enacted as amended by such subsections.*

19 (d) *FUNDING.*—*Of the amounts authorized to be ap-*
20 *propriated pursuant to section 301(5)—*

21 (1) *\$50,000,000 shall be available for providing*
22 *assistance to local educational agencies under sub-*
23 *section (b) of section 386 of Public Law 102–484; and*

1 (2) \$8,000,000 shall be available for making
2 payments to local educational agencies under sub-
3 section (d) of such section.

4 (e) NOTIFICATION AND DISBURSAL.—(1) The Sec-
5 retary shall notify on or before June 30, 1994, each local
6 educational agency eligible for assistance under subsections
7 (b) and (d) of section 386 of Public Law 102–484 for fiscal
8 year 1994 of such agency’s eligibility for such assistance
9 and the amount of such assistance.

10 (2) The Secretary shall disburse the funds made avail-
11 able pursuant to subsection (d) no later than 30 days after
12 notification to eligible local education agencies.

13 **SEC. 339. ANNUAL ASSESSMENT OF FORCE READINESS.**

14 (a) ANNUAL ASSESSMENT REQUIRED.—Not later than
15 March 1 of each of 1994, 1995, and 1996, the Chairman
16 of the Joint Chiefs of Staff shall submit to Congress an as-
17 sessment of—

18 (1) the readiness and capability of the Armed
19 Forces of the United States to carry out the full range
20 of the missions assigned to the Armed Forces; and

21 (2) the associated level or degree of risk for the
22 Armed Forces in responding to current and antici-
23 pated threats to national security interests of the
24 United States.

1 (b) *CONTENT OF ASSESSMENT.*—Each assessment shall
2 include, for the 5-year period described in subsection (c),
3 the following matters:

4 (1) An unclassified description of the current
5 and projected readiness and capability of the Armed
6 Forces of the United States taking into consideration
7 each of the following areas:

8 (A) *Personnel.*

9 (B) *Training and exercises.*

10 (C) *Logistics, including equipment mainte-*
11 *nance and supply availability.*

12 (D) *Equipment modernization.*

13 (E) *Installations, real property, and facili-*
14 *ties.*

15 (F) *Munitions.*

16 (G) *Mobility.*

17 (H) *Wartime sustainability.*

18 (2) *The personal assessment of the Chairman of*
19 *the Joint Chiefs of Staff regarding the readiness and*
20 *capabilities of the Armed Forces together with the*
21 *Chairman's personal judgment on whether there are*
22 *significant problems or risks regarding the capabili-*
23 *ties and readiness of the Armed Forces.*

24 (3) *Any factors that the Chairman or any other*
25 *member of the Joint Chiefs of Staff believes may lead*

1 **“§ 227. Recruiting costs**

2 *“The Secretary shall include in the budget justification*
3 *documents submitted to Congress each year in connection*
4 *with the submission of the budget pursuant to section 1105*
5 *of title 31 the following matters:*

6 *“(1) The amount requested for the recruitment of*
7 *persons for enlistment, appointment, or induction*
8 *into the armed forces, including—*

9 *“(A) the personnel costs for Department of*
10 *Defense personnel whose duties include—*

11 *“(i) recruitment;*

12 *“(ii) the management of Department of*
13 *Defense personnel performing recruitment*
14 *duties; or*

15 *“(iii) supporting Department of De-*
16 *fense personnel in the performance of duties*
17 *referred to in clause (i) or (ii);*

18 *“(B) the cost of providing support for such*
19 *personnel for the performance of those duties;*

20 *“(C) operation and maintenance costs asso-*
21 *ciated with recruitment, including the costs of*
22 *paid advertising and facilities;*

23 *“(D) the costs of incentives, including—*

24 *“(i) amounts paid under sections 302d,*
25 *308a, 308c, 308f, 308g, 308h (for a first en-*

1 *listment), and 308i of title 37, relating to*
2 *bonuses and other incentives;*

3 *“(ii) amounts deposited in the Depart-*
4 *ment of Defense Education Benefits Fund*
5 *pursuant to section 2006(g) of this title;*
6 *and*

7 *“(iii) payments under the provisions of*
8 *chapters 105, 107, and 109 of this title and*
9 *chapter 30 of title 38; and*

10 *“(E) costs associated with military entrance*
11 *processing;*

12 *“(2) the appropriation accounts from which such*
13 *costs are to be paid; and*

14 *“(3) the estimated average total annual cost of*
15 *recruiting a person for enlistment, appointment, or*
16 *induction into the armed forces for the fiscal year*
17 *covered by the budget justification documents, deter-*
18 *mined and reported separately for—*

19 *“(A) each armed force;*

20 *“(B) the active component of each armed*
21 *force;*

22 *“(C) each of the reserve components of each*
23 *armed force; and*

24 *“(D) for all of the armed forces.”.*

1 (b) *TABLE OF SECTIONS.*—*The table of sections at the*
2 *beginning of such chapter is amended by adding at the end*
3 *the following new item:*

 “227. *Recruiting costs.*”.

4 **SEC. 341. REVISION OF AUTHORITIES ON NATIONAL SECURITY**
5 **EDUCATION TRUST FUND.**

6 (a) *CREDITING OF GIFTS TO THE NATIONAL SECURITY*
7 *EDUCATION TRUST FUND.*—*Section 804(e) of the David L.*
8 *Boren National Security Education Act of 1991 (50 U.S.C.*
9 *1904(e)) is amended by adding at the end the following:*

10 “(3) *Any gifts of money shall be credited to and form*
11 *a part of the Fund.*”.

12 (b) *REPEAL OF AUTHORIZATION REQUIREMENT.*—
13 *Section 804(b) of such Act is amended—*

14 (1) *by striking out paragraph (2);*

15 (2) *by striking out “(1)”;* and

16 (3) *by redesignating subparagraphs (A) and (B)*
17 *as paragraphs (1) and (2), respectively.*

18 **TITLE IV—MILITARY PERSONNEL**
19 **AUTHORIZATIONS**

20 **Subtitle A—Active Forces**

21 **SEC. 401. END STRENGTHS FOR ACTIVE FORCES.**

22 *The Armed Forces are authorized strengths for active*
23 *duty personnel as of September 30, 1994, as follows:*

24 (1) *The Army, 540,000, of whom not more than*
25 *84,414 shall be commissioned officers.*

1 (2) *The Navy, 480,800, of whom not more than*
2 *62,747 shall be commissioned officers.*

3 (3) *The Marine Corps, 177,000, of whom not*
4 *more than 17,851 shall be commissioned officers.*

5 (4) *The Air Force, 424,400, of whom not more*
6 *than 80,632 shall be commissioned officers.*

7 **SEC. 402. TEMPORARY VARIATION OF PERMANENT END**
8 **STRENGTH LIMITATIONS FOR CERTAIN**
9 **GRADES OF OFFICERS IN THE MARINE**
10 **CORPS.**

11 (a) *VARIATION IN PERMANENT LIMITATIONS.—Not-*
12 *withstanding the items relating to majors and lieutenant*
13 *colonels of the Marine Corps in the table in section*
14 *523(a)(1) of title 10, United States Code, in the administra-*
15 *tion of the limitation in such section for a fiscal year re-*
16 *ferred to in the table in subsection (b) of this section with*
17 *respect to commissioned officers of the Marine Corps serving*
18 *on active duty in the grades of major and lieutenant colonel,*
19 *the numbers applicable to such commissioned officers shall*
20 *be the numbers set forth for such fiscal year in the table*
21 *in subsection (b).*

22 (b) *TABLE.—The table referred to in subsection (a) is*
23 *as follows:*

“Fiscal year:	Number of officers who may be serving on active duty in the grade of:
----------------------	--

Major

*Lieutenant
colonel*

1994	3,023	1,577
1995	3,081	1,610
1996	3,139	1,643
1997	3,196	1,677."

1 **Subtitle B—Reserve Forces**

2 **SEC. 411. END STRENGTHS FOR SELECTED RESERVE.**

3 (a) *IN GENERAL.*—The Armed Forces are authorized
 4 *strengths for Selected Reserve personnel of the reserve com-*
 5 *ponents as of September 30, 1994, as follows:*

6 (1) *The Army National Guard of the United*
 7 *States, 410,000.*

8 (2) *The Army Reserve, 260,000.*

9 (3) *The Naval Reserve, 127,000.*

10 (4) *The Marine Corps Reserve, 42,200.*

11 (5) *The Air National Guard of the United*
 12 *States, 119,760.*

13 (6) *The Air Force Reserve, 81,500.*

14 (7) *The Coast Guard Reserve, 10,500.*

15 (b) *WAIVER AUTHORITY.*—The Secretary of Defense
 16 *may vary an end strength authorized by subsection (a) by*
 17 *not more than 2 percent above or below that authorized end*
 18 *strength.*

19 (c) *ADJUSTMENTS.*—The end strengths prescribed by
 20 *subsection (a) for the Selected Reserve of any reserve compo-*
 21 *nent shall be reduced proportionately by—*

22 (1) *the total authorized strength of units orga-*
 23 *nized to serve as units of the Selected Reserve of such*

1 *component which are on active duty (other than for*
2 *training) at the end of the fiscal year, and*

3 *(2) the total number of individual members not*
4 *in units organized to serve as units of the Selected*
5 *Reserve of such component who are on active duty*
6 *(other than for training or for unsatisfactory partici-*
7 *pation in training) without their consent at the end*
8 *of the fiscal year.*

9 *Whenever such units or such individual members are re-*
10 *leased from active duty during any fiscal year, the end*
11 *strength prescribed for such fiscal year for the Selected Re-*
12 *serve of such reserve component shall be proportionately in-*
13 *creased by the total authorized strengths of such units and*
14 *by the total number of such individual members.*

15 **SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE**
16 **DUTY IN SUPPORT OF THE RESERVE COMPO-**
17 **NENTS.**

18 *Within the end strengths prescribed in section 411(a),*
19 *the reserve components of the Armed Forces are authorized,*
20 *as of September 30, 1994, the following number of Reserves*
21 *to be serving on full-time active duty or, in the case of mem-*
22 *bers of the National Guard, full-time National Guard duty*
23 *for the purpose of organizing, administering, recruiting, in-*
24 *structing, or training the reserve components:*

1 (1) *The Army National Guard of the United*
2 *States, 24,180.*

3 (2) *The Army Reserve, 12,542.*

4 (3) *The Naval Reserve, 20,415.*

5 (4) *The Marine Corps Reserve, 2,285.*

6 (5) *The Air National Guard of the United*
7 *States, 9,517.*

8 (6) *The Air Force Reserve, 648.*

9 **SEC. 413. TEMPORARY VARIATION OF PERMANENT END**
10 **STRENGTH LIMITATIONS FOR AIR FORCE**
11 **PERSONNEL SERVING ON ACTIVE DUTY IN**
12 **CERTAIN GRADES IN SUPPORT OF THE RE-**
13 **SERVE COMPONENTS.**

14 (a) *SENIOR ENLISTED MEMBERS.*—Notwithstanding
15 *the items relating to pay grades E-8 and E-9 of the Air*
16 *Force in the table in section 517(b) of title 10, United States*
17 *Code, in the administration of the limitation in such sec-*
18 *tion for fiscal year 1994 with respect to enlisted members*
19 *of the Air Force serving on active duty in pay grades E-*
20 *8 and E-9 for duty referred to in that section, the numbers*
21 *applicable to such enlisted members are as follows:*

22 (1) *Grade E-8, 840.*

23 (2) *Grade E-9, 328.*

24 (b) *CERTAIN OFFICER GRADES.*—Notwithstanding the
25 *items relating to lieutenant colonels and colonels of the Air*

1 Force in the table in section 524(a) of such title, in the
2 administration of the limitation in such section for fiscal
3 year 1994 with respect to commissioned officers of the Air
4 Force serving on active duty in the grades of lieutenant
5 colonel and colonel for duty referred to in that section, the
6 numbers applicable to such commissioned officers are as fol-
7 lows:

8 (1) Lieutenant colonel, 636.

9 (2) Colonel, 274.

10 **Subtitle C—Military Training**
11 **Student Loads**

12 **SEC. 421. AUTHORIZATION OF TRAINING STUDENT LOADS.**

13 (a) *IN GENERAL.*—For fiscal year 1994, Armed Forces
14 are authorized average military training student loads as
15 follows:

16 (1) The Army, 75,220.

17 (2) The Navy, 45,269.

18 (3) The Marine Corps, 22,753.

19 (4) The Air Force, 33,439.

20 (b) *SCOPE.*—The average military training student
21 load authorized for an armed force under subsection (a) ap-
22 plies to the active and reserve components of that armed
23 force.

24 (c) *ADJUSTMENTS.*—The average military training
25 student loads authorized in subsection (a) shall be adjusted

1 *consistent with the end strengths authorized in parts A and*
2 *B. The Secretary of Defense shall prescribe the manner in*
3 *which such adjustments shall be apportioned.*

4 ***Subtitle D—Authorization of***
5 ***Appropriations***

6 ***SEC. 431. AUTHORIZATION OF APPROPRIATIONS FOR MILI-***
7 ***TARY PERSONNEL.***

8 *There is hereby authorized to be appropriated to the*
9 *Department of Defense for military personnel for fiscal year*
10 *1994 a total of \$70,711,000,000. The authorization in the*
11 *preceding sentence supersedes any other authorization of*
12 *appropriations (definite or indefinite) for such purpose for*
13 *fiscal year 1994.*

14 ***TITLE V—MILITARY PERSONNEL***
15 ***POLICY***

16 ***Subtitle A—Officer Personnel Policy***

17 ***SEC. 501. AWARD OF CONSTRUCTIVE SERVICE CREDIT FOR***
18 ***ADVANCED EDUCATION IN A HEALTH PRO-***
19 ***FESSION.***

20 *(a) CREDIT UPON ORIGINAL APPOINTMENT IN A REG-*
21 *ULAR COMPONENT.—Section 533(b)(1) of title 10, United*
22 *States Code, is amended—*

23 *(1) in subparagraph (A)—*

24 *(A) by inserting “(including advanced edu-*
25 *cation in a health profession)” in the first sen-*

1 *tence after “One year for each year of advanced*
2 *education”;*

3 *(B) by striking out “Except as provided in*
4 *clause (E), in” at the beginning of the second*
5 *sentence and inserting in lieu thereof “In”; and*

6 *(C) by striking out “postsecondary edu-*
7 *cation in excess of four that are” in the second*
8 *sentence and inserting in lieu thereof “advanced*
9 *education”;*

10 *(2) by striking out subparagraph (E); and*

11 *(3) by redesignating subparagraph (F) as sub-*
12 *paragraph (E).*

13 *(b) CREDIT UPON ORIGINAL APPOINTMENT AS RE-*
14 *SERVE OFFICER IN THE ARMY.—Section 3353(b)(1) of title*
15 *10, United States Code, is amended—*

16 *(1) in subparagraph (A)—*

17 *(A) by inserting “(including advanced edu-*
18 *cation in a health profession)” in the first sen-*
19 *tence after “One year for each year of advanced*
20 *education”;*

21 *(B) by striking out “Except as provided in*
22 *clause (E), in ” at the beginning of the second*
23 *sentence and inserting in lieu thereof “In”; and*

24 *(C) by striking out “postsecondary edu-*
25 *cation in excess of four that are” in the second*

1 *sentence and inserting in lieu thereof “advanced*
2 *education”;*

3 *(2) by striking out subparagraph (E); and*

4 *(3) by redesignating subparagraph (F) as sub-*
5 *paragraph (E).*

6 *(c) CREDIT UPON ORIGINAL APPOINTMENT AS OFFI-*
7 *CER IN NAVAL RESERVE OR MARINE CORPS RESERVE.—*
8 *Section 5600(b)(1) of title 10, United States Code, is*
9 *amended—*

10 *(1) in subparagraph (A)—*

11 *(A) by inserting “(including advanced edu-*
12 *cation in a health profession)” in the first sen-*
13 *tence after “One year for each year of advanced*
14 *education”;*

15 *(B) by striking out “Except as provided in*
16 *clause (E), in” at the beginning of the second*
17 *sentence and inserting in lieu thereof “In”; and*

18 *(C) by striking out “postsecondary edu-*
19 *cation in excess of four that are” in the second*
20 *sentence and inserting in lieu thereof “advanced*
21 *education”;*

22 *(2) by striking out subparagraph (E); and*

23 *(3) by redesignating subparagraph (F) as sub-*
24 *paragraph (E).*

1 (d) *CREDIT UPON ORIGINAL APPOINTMENT AS RE-*
2 *SERVE OFFICER IN THE AIR FORCE.*—Section 8353(b)(1)
3 *of title 10, United States Code, is amended—*

4 (1) *in subparagraph (A)—*

5 (A) *by inserting “(including advanced edu-*
6 *cation in a health profession)” in the first sen-*
7 *tence after “One year for each year of advanced*
8 *education”;*

9 (B) *by striking out “Except as provided in*
10 *clause (E), in” at the beginning of the second*
11 *sentence and inserting in lieu thereof “In”; and*

12 (C) *by striking out “postsecondary edu-*
13 *cation in excess of four that are” in the second*
14 *sentence and inserting in lieu thereof “advanced*
15 *education”;*

16 (2) *by striking out subparagraph (E); and*

17 (3) *by redesignating subparagraph (F) as sub-*
18 *paragraph (E).*

19 ***SEC. 502. ORIGINAL APPOINTMENT AS REGULAR OFFICERS***
20 ***CERTAIN RESERVE OFFICERS IN HEALTH***
21 ***PROFESSIONS.***

22 *Section 532 of title 10, United States Code, is amended*
23 *by adding at the end the following:*

24 “(e)(1) *An original appointment as a commissioned*
25 *officer (other than as a commissioned warrant officer) in*

1 *the Regular Army, Regular Navy, Regular Air Force, or*
2 *Regular Marine Corps may given to a person referred to*
3 *in paragraph (2) in accordance with subsection (a) without*
4 *regard to the requirement in paragraph (2) of such sub-*
5 *section.*

6 “(2) Paragraph (1) applies to a person who is a re-
7 serve commissioned officer of the Medical Corps, Medical
8 Specialist Corps, Nurse Corps, or Veterinary Corps of the
9 Army, a reserve commissioned officer in the Medical Corps
10 or Nurse Corps of the Navy, or a reserve commissioned offi-
11 cer of the Air Force designated as a medical officer, bio-
12 medical science officer, or Air Force nurse.”.

13 **SEC. 503. TEMPORARY AUTHORITY FOR INVOLUNTARY SEP-**
14 **ARATION OF CERTAIN REGULAR WARRANT**
15 **OFFICERS.**

16 (a) *IN GENERAL.*—Chapter 33A of title 10, United
17 States Code, is amended by inserting after section 580 the
18 following new section:

19 **“§580a. Enhanced authority for selective early dis-**
20 **charges**

21 “(a) The Secretary of Defense may authorize the Sec-
22 retary of a military department, during the two-year period
23 beginning on October 1, 1993, to take the action set forth
24 in subsection (b) with respect to regular warrant officers
25 of an armed force under the jurisdiction of that Secretary.

1 “(b) The Secretary of a military department may,
2 with respect to regular warrant officers of an armed force,
3 when authorized to do so under subsection (a), convene se-
4 lection boards under section 573(c) of this title to consider
5 for discharge regular warrant officers on the warrant officer
6 active-duty list—

7 “(1) who have served at least one year of active
8 duty in the grade currently held;

9 “(2) whose names are not on a list of warrant
10 officers recommended for promotion; and

11 “(3) who are not eligible to be retired under any
12 provision of law and are not within two years of be-
13 coming so eligible.

14 “(c)(1) In the case of an action under subsection (b),
15 the Secretary of the military department concerned may
16 submit to a selection board convened pursuant to that
17 subsection—

18 “(A) the names of all regular warrant officers
19 described in that subsection in a particular grade and
20 competitive category; or

21 “(B) the names of all regular warrant officers
22 described in that subsection in a particular grade and
23 competitive category who also are in particular year
24 groups or specialties, or both, within that competitive
25 category.

1 “(2) The Secretary concerned shall specify the total
2 number of warrant officers to be recommended for discharge
3 by a selection board convened pursuant to subsection (b).
4 That number may not be more than 30 percent of the num-
5 ber of officers considered—

6 “(A) in each grade in each competitive category;

7 or

8 “(B) in each grade, year group, or specialty (or
9 combination thereof) in each competitive category.

10 “(3) The total number of regular warrant officers de-
11 scribed in subsection (b) from any of the armed forces (or
12 from any of the armed forces in a particular grade) who
13 may be recommended during a fiscal year for discharge by
14 a selection board convened pursuant to the authority of that
15 subsection may not exceed 70 percent of the decrease, as
16 compared to the preceding fiscal year, in the number of
17 warrant officers of that armed force (or the number of war-
18 rant officers of that armed force in that grade) authorized
19 to be serving on active duty as of the end of that fiscal year.

20 “(4) A warrant officer who is recommended for dis-
21 charge by a selection board convened pursuant to the au-
22 thority of subsection (b) and whose discharge is approved
23 by the Secretary concerned shall be discharged on a date
24 specified by the Secretary concerned.

1 “(5) Selection of warrant officers for discharge under
2 this subsection shall be based on the needs of the service.

3 “(d) The discharge of any warrant officer pursuant to
4 this section shall be considered involuntary for purposes of
5 any other provision of law.”.

6 (b) *CLERICAL AMENDMENT.*—The table of sections at
7 the beginning of chapter 33A of such title is amended by
8 inserting after the item relating to section 580 the following
9 new item:

“580a. Enhanced authority for selective early discharges.”.

10 **SEC. 504. TWO-YEAR EXTENSION OF AUTHORITY FOR TEM-**
11 **PORARY PROMOTIONS OF CERTAIN NAVY**
12 **LIEUTENANTS.**

13 Effective as of September 29, 1993, section 5721(f) of
14 title 10, United States Code, is amended by striking out
15 “September 30, 1993” and inserting in lieu thereof “Sep-
16 tember 30, 1995”.

17 **Subtitle B—Reserve Components**

18 **SEC. 511. LIMITED DELEGATION OF PRESIDENTIAL AU-**
19 **THORITY TO ORDER SELECTED RESERVE TO**
20 **ACTIVE DUTY.**

21 (a) *AUTHORITY TO ORDER THE SELECTED RESERVE*
22 *TO ACTIVE DUTY.*—Section 673b(a) of title 10, United
23 States Code, is amended by striking out “when the Presi-
24 dent determines that it is necessary to augment the active

1 *forces for any operational mission, he” and inserting in lieu*
2 *thereof “the President”.*

3 *(b) MAXIMUM NUMBER SERVING ON ACTIVE DUTY*
4 *CONCURRENTLY.—Section 673b(c) of such title is amended*
5 *to read as follows:*

6 *“(c)(1) Except as provided in paragraph (2), the num-*
7 *ber of members of the Selected Reserve that are on active*
8 *duty at any one time under subsection (a) may not exceed*
9 *25,000.*

10 *“(2) When the President determines it necessary in*
11 *order to augment the active forces for an operational mis-*
12 *sion, the number of members of the Selected Reserve that*
13 *are on active duty at one time under subsection (a) may*
14 *exceed 25,000 but may not exceed 200,000.”.*

15 **SEC. 512. TWO-YEAR EXTENSION OF CERTAIN RESERVE OF-**
16 **FICER MANAGEMENT AUTHORITIES.**

17 *(a) GRADE DETERMINATION AUTHORITY FOR CERTAIN*
18 *RESERVE MEDICAL OFFICERS.—Sections 3359(b) and*
19 *8359(b) of title 10, United States Code, are amended by*
20 *striking out “September 30, 1993” and inserting in lieu*
21 *thereof “September 30, 1995”.*

22 *(b) PROMOTION AUTHORITY FOR CERTAIN RESERVE*
23 *OFFICERS SERVING ON ACTIVE DUTY.—Sections 3380(d)*
24 *and 8380(d) of title 10, United States Code, are amended*

1 *by striking out “September 30, 1993” and inserting in lieu*
2 *thereof “September 30, 1995”.*

3 *(c) YEARS OF SERVICE FOR MANDATORY TRANSFER*
4 *TO THE RETIRED RESERVE.—Section 1016(d) of the De-*
5 *partment of Defense Authorization Act, 1984 (10 U.S.C.*
6 *3360 note) is amended by striking out “September 30,*
7 *1993” and inserting in lieu thereof “September 30, 1995”.*

8 *(d) EFFECTIVE DATE.—(1) The amendments made by*
9 *this section shall take effect as of September 30, 1993.*

10 *(2) If the date of the enactment of this Act is after*
11 *September 30, 1993, the Secretary of the Army or the Sec-*
12 *retary of the Air Force, as appropriate, shall provide, in*
13 *the case of a Reserve officer appointed to a higher grade*
14 *on or after the date of the enactment of this Act under an*
15 *appointment described in paragraph (3), that the date of*
16 *rank of such officer under that appointment shall be the*
17 *date of rank that would have applied to the appointment*
18 *had the authority referred to in that paragraph not lapsed.*

19 *(3) An appointment referred to in paragraph (2) is*
20 *an appointment under section 3380 or 8380 of title 10,*
21 *United States Code, that (as determined by the Secretary*
22 *concerned) would have been made during the period begin-*
23 *ning on October 1, 1993, and ending on the date of the*
24 *enactment of this Act had the authority to make appoint-*
25 *ments under that section not lapsed during such period.*

1 **SEC. 513. CONSISTENCY OF TREATMENT OF NATIONAL**
2 **GUARD TECHNICIANS AND OTHER MEMBERS**
3 **OF THE NATIONAL GUARD.**

4 (a) *FEDERAL RECOGNITION QUALIFICATIONS FOR*
5 *TECHNICIANS.*—Section 709 of title 32, United States Code,
6 *is amended by adding at the end the following new sub-*
7 *section:*

8 “(i) *The Secretary concerned may not prescribe for*
9 *purposes of eligibility for Federal recognition under section*
10 *301 of this title special qualifications applicable to techni-*
11 *cians employed under subsection (a) that are not applicable*
12 *pursuant to that section to the other members of the Na-*
13 *tional Guard in the same grade, branch, position, and type*
14 *of unit or organization involved.*”.

15 (b) *MILITARY EDUCATION.*—(1) *Section 523 of the Na-*
16 *tional Defense Authorization Act, Fiscal Year 1989 (Public*
17 *Law 100–456; 102 Stat. 1918, 1974; 32 U.S.C. 709 note)*
18 *is repealed.*

19 (2) *Section 506 of the National Defense Authorization*
20 *Act for Fiscal Years 1990 and 1991 (Public Law 101–189;*
21 *103 Stat. 1438; 32 U.S.C. 709 note) is repealed.*

22 **SEC. 514. EXCEPTION TO REQUIREMENT FOR 12 WEEKS OF**
23 **BASIC TRAINING.**

24 *Section 671(b) of title 10, United States Code, is*
25 *amended—*

26 (1) *by inserting “(1)” after “(b)”;* and

1 (2) by adding at the end the following new para-
2 graph:

3 “(2)(A) Notwithstanding paragraph (1) and section
4 4(a) of the Military Selective Service Act (50 U.S.C. App.
5 454(a)), under regulations prescribed in accordance with
6 subparagraph (B), the Secretary concerned may establish
7 a period of basic training (or equivalent training) shorter
8 than 12 weeks for persons inducted, enlisted, or appointed
9 in an armed force who have developed skills in the civilian
10 sector that can be readily applied in the armed forces.

11 “(B) The Secretary of Defense shall prescribe regula-
12 tions governing the implementation of the authority pro-
13 vided in subparagraph (A). The regulations shall apply
14 uniformly to the military departments. The Secretary of
15 Transportation shall prescribe regulations governing the
16 implementation of the authority provided in subparagraph
17 (A) for the Coast Guard when it is not operating as a serv-
18 ice in the Navy.”.

19 **SEC. 515. NATIONAL GUARD MANAGEMENT INITIATIVES.**

20 (a) CLARIFICATION REGARDING FEMALE MEMBERS OF
21 THE MILITIA.—Section 311(a) of title 10, United States
22 Code, is amended by inserting “; warrant officers, or en-
23 listed members” after “female citizens of the United States
24 who are commissioned officers”.

1 (b) *REPEAL OF REQUIREMENTS FOR PHYSICAL EXAM-*
2 *INATION OF NATIONAL GUARD MEMBERS CALLED INTO*
3 *FEDERAL SERVICE.*—(1)(A) *Section 3502 of title 10, Unit-*
4 *ed States Code, is repealed.*

5 (B) *The table of sections at the beginning of chapter*
6 *341 of such title is amended by striking out the item relat-*
7 *ing to section 3502.*

8 (2)(A) *Section 8502 of title 10, United States Code,*
9 *is repealed.*

10 (B) *The table of sections at the beginning of chapter*
11 *841 of such title is amended by striking out the item relat-*
12 *ing to section 8502.*

13 (c) *INCREASED PERIOD FOR COMPLETION OF UNIT*
14 *TRAINING.*—*Section 502(b) of title 32, United States Code,*
15 *is amended by striking out “30 consecutive days” in the*
16 *second sentence and inserting in lieu thereof “90 consecutive*
17 *days”.*

18 (d) *EXCEPTIONS TO 30-DAY NOTICE FOR TERMI-*
19 *NATION OF EMPLOYMENT OF TECHNICIANS.*—*Subsection*
20 *709(e)(6) of title 32, United States Code, is amended by*
21 *inserting after “termination of employment as a technician*
22 *and” the following: “, unless the technician is serving under*
23 *a temporary appointment, is serving in a trial or proba-*
24 *tionary period, or has voluntarily ceased to be a member*

1 *of the National Guard when such membership is a condition*
2 *of employment.”.*

3 *(e) REPEAL OF LIMIT ON NUMBER OF TECHNICIANS*
4 *EMPLOYED CONCURRENTLY.—Subsection 709(h) of title 32,*
5 *United States Code, is repealed.*

6 *(f) PERSONNEL AUTHORIZED TO MAKE*
7 *UNSERVICEABILITY FINDINGS.—Subsection 710(f) of title*
8 *32, United States Code, is amended—*

9 *(1) by inserting “(1)” after “(f)”;*

10 *(2) in the first sentence, by striking out “of the*
11 *Regular Army or the Regular Air Force, as the case*
12 *may be,”; and*

13 *(3) by adding at the end the following new paragraph:*

14 *“(2) The Secretary shall designate a commissioned of-*
15 *ficer of the Regular Army, a commissioned officer of the*
16 *Army National Guard who is also a commissioned officer*
17 *of the Army National Guard of the United States, a com-*
18 *missioned officer of the Regular Air Force, or a commis-*
19 *sioned officer of the Air National Guard who is also a com-*
20 *missioned officer of the Air National Guard of the United*
21 *States to conduct inspections and make findings for pur-*
22 *poses of paragraph (1).”.*

1 **SEC. 516. FREQUENCY OF PHYSICAL EXAMINATIONS OF**
2 **MEMBERS OF THE READY RESERVE.**

3 *Section 1004(a)(1) of title 10, United States Code, is*
4 *amended by striking out “four years” and inserting in lieu*
5 *thereof “five years”.*

6 **Subtitle C—Service Academies**

7 **SEC. 521. CONGRESSIONAL NOMINATIONS.**

8 *Sections 4342(a), 6954(a), and 9342(a) of title 10,*
9 *United States Code, are amended—*

10 *(1) in the sentence following paragraph (9), by*
11 *striking out “a principal candidate and nine alter-*
12 *nates” and inserting in lieu thereof “10 persons”; and*

13 *(2) by inserting after such sentence the following:*
14 *“Nominees may be submitted without ranking, or*
15 *with a principal candidate and 9 ranked or unranked*
16 *alternates. Qualified nominees not selected for ap-*
17 *pointment under this subsection shall be considered*
18 *qualified alternates for the purposes of selection under*
19 *other provisions of this chapter.”.*

20 **SEC. 522. GRADUATION LEAVE.**

21 *Section 702(a) of title 10, United States Code, is*
22 *amended by striking out “regular” in the first sentence.*

23 **SEC. 523. MANAGEMENT OF FACULTIES.**

24 *(a) IN GENERAL.—(1) Title 10, United States Code,*
25 *is amended by inserting after chapter 111 the following new*
26 *chapter:*

1 **“CHAPTER 112—MANAGEMENT OF**
2 **FACULTIES OF THE SERVICE ACADEMIES**

“Sec.

“2000. Academy defined.

“2000a. Faculty management.

“2000b. Requirement to report misconduct.

3 **“§ 2000. Academy defined**

4 *“For purposes of this chapter, ‘Academy’ means the*
5 *United States Military Academy, the United States Naval*
6 *Academy, or the United States Air Force Academy.*

7 **“§ 2000a. Faculty management**

8 *“(a) AUTHORITY OF SECRETARY OF DEFENSE.—The*
9 *Secretary of Defense may, without regard to any other pro-*
10 *vision of law relating to the number, classification, or com-*
11 *pensation of employees—*

12 *“(1) establish such positions for civilian faculty*
13 *of an Academy as the Secretary considers necessary*
14 *to carry out the functions of the Academy;*

15 *“(2) appoint individuals to such positions; and*

16 *“(3) subject to section 5373 of title 5, fix the*
17 *compensation of such individuals for service in such*
18 *positions.*

19 *“(b) EXCLUSIVE AUTHORITY.—The authority of the*
20 *Secretary to take an action under subsection (a) is exclu-*
21 *sive.*

22 *“(c) INAPPLICABILITY OF CERTAIN CIVIL SERVICE*
23 *LAWS.—To provide for the effective and efficient manage-*

1 *ment of the civilian faculty of an Academy, such faculty*
2 *shall be exempt from the following provisions of title 5:*

3 “(1) Chapter 43, relating to performance ap-
4 praisals.

5 “(2) Chapter 51, relating to classification.

6 “(3) Chapter 53, relating to pay rates and sys-
7 tems.

8 “(4) Section 5542, relating to overtime pay
9 rates.

10 “(5) Chapter 61, relating to hours of work.

11 **“§ 2000b. Requirement to report misconduct**

12 “(a) *REQUIREMENT.*—Each officer and each civilian
13 *member of the teaching staff of an Academy shall report*
14 *to the Superintendent of the Academy, or the Superintend-*
15 *ent’s designee, any fact that tends to evidence the commis-*
16 *sion of hazing or any violation of an Academy regulation*
17 *by a cadet or midshipman.*

18 “(b) *FAILURE OF OFFICER TO REPORT.*—Any officer
19 *who willfully fails to make a report required by subsection*
20 *(a) shall be reassigned from duties involving the teaching*
21 *or supervision of cadets or midshipmen and, at the request*
22 *of the Superintendent, shall be reassigned from the Acad-*
23 *emy.*

24 “(c) *FAILURE OF CIVILIAN FACULTY MEMBER TO RE-*
25 *PORT.*—Subject to the approval of the Secretary of Defense,

1 *the Superintendent of an Academy shall remove any civil-*
 2 *ian member of the teaching staff of the Academy who will-*
 3 *fully fails to make a report required by subsection (a).”.*

4 (2) *The tables of chapters at the beginning of subtitle*
 5 *A of title 10, United States Code, and the beginning of part*
 6 *III of such subtitle are amended by inserting after the item*
 7 *relating to chapter 111 the following:*

“112. Management of faculties of the service academies 2000”.

8 (b) *REPEAL OF SUPERSEDED LAW.—(1) Section 6965*
 9 *of title 10, United States Code, is repealed.*

10 (2) *The table of sections at the beginning of chapter*
 11 *603 of such title is amended by striking the item relating*
 12 *to section 6965.*

13 ***Subtitle D—Force Reduction***
 14 ***Transition***

15 ***SEC. 531. TEACHER AND TEACHER AIDE PROGRAM FOR SEP-***
 16 ***ARATED MEMBERS OF THE ARMED FORCES.***

17 (a) *REVISED DEADLINE FOR APPLICATIONS.—Section*
 18 *1151(e)(1) of title 10, United States Code, is amended by*
 19 *striking out “before the date of the discharge or release” in*
 20 *the first sentence and inserting in lieu thereof “not later*
 21 *than one year after the discharge or release”.*

22 (b) *DISCRETIONARY AUTHORITY TO MAKE GRANTS TO*
 23 *FACILITATE PLACEMENTS.—Paragraphs (1) and (2) of sec-*
 24 *tion 1151(h) of title 10, United States Code, are amended*

1 *by striking out “shall offer” and inserting in lieu thereof*
2 *“may offer”.*

3 *(c) ELIGIBILITY OF MEMBERS NOT EDUCATIONALLY*
4 *QUALIFIED FOR TEACHER PLACEMENT ASSISTANCE.—Sec-*
5 *tion 1151 of title 10, United States Code, is amended—*

6 *(1) in subsection (c)—*

7 *(A) by redesignating paragraphs (2) and*
8 *(3) as paragraphs (3) and (4), respectively; and*

9 *(B) by inserting after paragraph (1) the fol-*
10 *lowing new paragraph (2):*

11 *“(2) For purposes of this section, a former member of*
12 *the armed forces who did not meet the minimum edu-*
13 *cational qualification criterion set forth in paragraph*
14 *(1)(B)(i) for teacher placement assistance before discharge*
15 *or release from active duty shall be considered to be a mem-*
16 *ber satisfying such educational qualification criterion upon*
17 *satisfying that criterion within 5 years after discharge or*
18 *release from active duty.”;*

19 *(2) in subsection (e)(1), as amended by sub-*
20 *section (a), by inserting before the period at the end*
21 *of the first sentence the following: “or, in the case of*
22 *an applicant becoming educationally qualified for*
23 *teacher placement assistance in accordance with sub-*
24 *section (c)(2), not later than one year after the appli-*
25 *cant becomes educationally qualified.”;*

1 (3) by redesignating subsection (k) as subsection
2 (l); and

3 (4) by inserting after subsection (j) the following
4 new subsection (k):

5 “(k) *IDENTIFICATION OF NCOs WITHOUT DEGREES*
6 *AS CANDIDATES FOR ASSISTANCE.*—The Secretary shall
7 *provide under the program for—*

8 “(1) *identifying, during each fiscal year in the*
9 *period referred to in subsection (c)(1)(A), noncommis-*
10 *sioned officers who, on or before the end of such fiscal*
11 *year, will have completed 10 or more years of contin-*
12 *uous active duty, who have the potential to perform*
13 *competently as elementary or secondary school teach-*
14 *ers, but who do not satisfy the minimum educational*
15 *qualification criterion under subsection (c)(1)(B)(i)*
16 *for teacher placement assistance; and*

17 “(2) *informing the noncommissioned officers so*
18 *identified of the opportunity to qualify in accordance*
19 *with subsection (c)(2) for teacher placement assistance*
20 *under the program.”.*

21 **SEC. 532. EXTENSION OF PERSONNEL MANAGEMENT AND**
22 **BENEFITS TRANSITION AUTHORITIES.**

23 (a) *RETIREMENT OF CERTAIN LIMITED DUTY OFFI-*
24 *CERS OF THE NAVY.*—Sections 633, 634, 6383(a)(5), and
25 *6383(i) of title 10, United States Code, are amended by*

1 *striking out “October 1, 1995” and inserting in lieu thereof*
2 *“October 1, 1998”.*

3 **(b) EARLY RETIREMENT AUTHORITY FOR CERTAIN**
4 *ACTIVE DUTY MEMBERS DURING ACTIVE FORCE*
5 *DRAWDOWN.*—Section 4403(i) of the National Defense Au-
6 *thorization Act for Fiscal Year 1993 (Public Law 102–484;*
7 *106 Stat. 2704; 10 U.S.C. 1293 note) is amended by strik-*
8 *ing out “October 1, 1995” and inserting in lieu thereof “Oc-*
9 *tober 1, 1998”.*

10 **(c) GUARD AND RESERVE TRANSITION INITIATIVES.**—
11 *Section 4411 of the National Defense Authorization Act for*
12 *Fiscal Year 1993 (Public Law 102–484; 106 Stat. 2712;*
13 *10 U.S.C. 1162 note) is amended by striking out “Septem-*
14 *ber 30, 1995” and inserting in lieu thereof “October 1,*
15 *1998”.*

16 **(d) WAIVER OF SERVICE REQUIREMENT FOR CERTAIN**
17 *RESERVISTS UNDER MONTGOMERY GI BILL.*—Section
18 *2133(b)(1)(B) of title 10, United States Code, and section*
19 *3012(b)(1)(B)(iii) of title 38, United States Code, are*
20 *amended by striking out “September 30, 1995,” and insert-*
21 *ing in lieu thereof in each instance “October 1, 1998”.*

22 **(e) PROGRAM OF EDUCATIONAL LEAVE RELATING TO**
23 *CONTINUING PUBLIC AND COMMUNITY SERVICE.*—Section
24 *4463(f) of the National Defense Authorization Act for Fiscal*
25 *Year 1993 (Public Law 102–484; 10 U.S.C. 1143a note)*

1 *is amended by striking out “September 30, 1995” and in-*
2 *serting in lieu thereof “October 1, 1998”.*

3 (f) *SPECIAL SEPARATION BENEFITS FOR CERTAIN*
4 *VOLUNTARILY SEPARATED MEMBERS.*—Section 1174a(h) of
5 *title 10, United States Code, is amended by striking out*
6 *“September 30, 1995” and inserting in lieu thereof “Sep-*
7 *tember 30, 1998”.*

8 (g) *VOLUNTARY SEPARATION INCENTIVES FOR CER-*
9 *TAIN VOLUNTARILY SEPARATED MEMBERS.*—Section 1175
10 *of title 10, United States Code, is amended—*

11 (1) *in subsections (d)(3) and (h)(6), by striking*
12 *out “September 30, 1995” each place it appears and*
13 *inserting in lieu thereof “September 30, 1998”; and*

14 (2) *in subsection (h)(7)(A), by striking out “fis-*
15 *cal year 1996” and inserting in lieu thereof “fiscal*
16 *year 1999”.*

17 (h) *UNIFORM PROCESS FOR IMPLEMENTING REDUC-*
18 *TIONS IN STRENGTHS.*—Section 402(a) of the National De-
19 *fense Authorization Act for Fiscal Year 1991 (Public Law*
20 *101–510; 104 Stat. 1544) is amended by striking out “five-*
21 *year period” each place it appears and inserting in lieu*
22 *thereof “eight-year period”.*

23 (i) *TRAVEL AND TRANSPORTATION ALLOWANCES AND*
24 *STORAGE OF BAGGAGE AND HOUSEHOLD EFFECTS FOR*
25 *CERTAIN MEMBERS BEING INVOLUNTARILY SEPARATED.*—

1 (1) Sections 404(c)(1)(C), 404(f)(2)(B)(v), 406(a)(2)(B)(v)
2 and 406(g)(1)(C) of title 37, United States Code, are
3 amended by striking out “five-year period” and inserting
4 in lieu thereof in each instance “eight-year period”.

5 (2) Section 503(c) of the National Defense Act Author-
6 ization Act for Fiscal Year 1991 (Public Law 101-510; 37
7 U.S.C. 406 note) is amended by striking out “five-year pe-
8 riod” and inserting in lieu thereof “eight-year period”.

9 (j) CONTINUED ENROLLMENT OF DEPENDENTS OF
10 CERTAIN INVOLUNTARILY SEPARATED MEMBERS IN DE-
11 FENSE DEPENDENTS’ EDUCATION SYSTEM.—Section
12 1407(c) of the Defense Dependents’ Education Act of 1978
13 (20 U.S.C. 926(c)) is amended by striking out “five-year
14 period” and inserting in lieu thereof “eight-year period”.

15 (k) REDUCTION OF TIME-IN-GRADE REQUIREMENT
16 FOR RETENTION OF GRADE UPON VOLUNTARY RETIRE-
17 MENT.—Section 1370(a)(2)(A) of title 10, United States
18 Code, is amended by striking out “five-year period” and
19 inserting in lieu thereof “eight-year period”.

20 (l) REQUIRED LENGTH OF COMMISSIONED SERVICE
21 FOR VOLUNTARY RETIREMENT AS AN OFFICER.—Sections
22 3911(b), 6323(a)(2), and 8911(b) of title 10, United States
23 Code, are amended by striking out “five-year period” and
24 inserting in lieu thereof “eight-year period”.

1 **SEC. 533. TECHNICAL AND CONFORMING AMENDMENTS RE-**
2 **LATING TO TRANSITION AUTHORITIES.**

3 (a) *RETENTION ON ACTIVE DUTY OF ENLISTED RE-*
4 *SERVES WITH BETWEEN 18 AND 20 YEARS OF SERVICE.—*
5 *Section 1176(b) of title 10, United States Code, is amended*
6 *to read as follows:*

7 “(b) *RESERVE MEMBERS.—(1) A reserve enlisted*
8 *member serving in an active status who is selected to be*
9 *involuntarily separated, or whose term of enlistment expires*
10 *and who is denied reenlistment, and who on the date on*
11 *which the member is to be discharged or transferred from*
12 *an active status is entitled to be credited with at least 18*
13 *but less than 20 years of service computed under section*
14 *1332 of this title, may not be discharged or transferred from*
15 *an active status without the member’s consent before the*
16 *earlier of the following:*

17 “(A) *If as of the date on which the member is*
18 *to be discharged or transferred from an active status*
19 *the member has at least 18, but less than 19, years*
20 *of service computed under section 1332 of this title—*

21 “(i) *the date on which the member is enti-*
22 *tled to be credited with 20 years of service com-*
23 *puted under section 1332 of this title; or*

24 “(ii) *the third anniversary of the date on*
25 *which the member would otherwise be discharged*
26 *or transferred from an active status.*

1 “(B) If as of the date on which the member is
2 to be discharged or transferred from an active status
3 the member has at least 19, but less than 20, years
4 of service computed under section 1332 of this title—

5 “(i) the date on which the member is enti-
6 tled to be credited with 20 years of service com-
7 puted under section 1332 if this title; or

8 “(ii) the second anniversary of the date on
9 which the member would otherwise be discharged
10 or transferred from an active status.

11 “(2) This subsection does not apply to members who
12 are discharged or transferred from an active status for
13 physical disability or for cause.”.

14 (b) *AUTHORITY TO ORDER EARLY RETIREES TO AC-*
15 *TIVE DUTY.*—Section 688(a) of title 10, United States Code,
16 is amended in the first sentence—

17 (1) by striking out “or” after “20 years of active
18 service.”; and

19 (2) by inserting “, or a member of the Retired
20 Reserve, the Fleet Reserve, or the Fleet Marine Corps
21 Reserve who has been retired under the provisions of
22 section 4403(b) of Public Law 102-484” after “Fleet
23 Marine Corps Reserve”.

1 **Subtitle E—Other Matters**

2 **SEC. 541. ASSIGNMENTS OF WOMEN MEMBERS OF THE**
 3 **ARMED FORCES.**

4 (a) *REPEAL OF STATUTORY RESTRICTION ON THE AS-*
 5 *SIGNMENT OF WOMEN IN THE NAVY AND MARINE CORPS.—*
 6 *Section 6015 of title 10, United States Code, is repealed.*

7 (b) *ARMY ASSIGNMENTS.—(1) Part II of subtitle B of*
 8 *title 10, United States Code, is amended by inserting after*
 9 *chapter 345 the following new chapter:*

10 **“CHAPTER 346—ADMINISTRATION**

“3591. Assignments of women members.

11 **“§ 3591. Assignments of women members**

12 *“Under regulations prescribed by the Secretary of De-*
 13 *fense, the Secretary of the Army may prescribe the kinds*
 14 *of duties which women members of the Army shall be as-*
 15 *signed and the military authority which such members shall*
 16 *exercise.”.*

17 (2) *The tables of chapters at the beginning of subtitle*
 18 *B of such title and of part II of such subtitle are amended*
 19 *by inserting after the item relating to chapter 345 the fol-*
 20 *lowing:*

“346. Administration 3591”.

21 (c) *NAVY AND MARINE CORPS ASSIGNMENTS.—(1)*
 22 *Chapter 555 of title 10, United States Code, is amended*

1 *by inserting after section 6014 the following new section*
2 *6015:*

3 **“§ 6015. Assignments of women members**

4 *“Under regulations prescribed by the Secretary of De-*
5 *fense, the Secretary of the Navy may prescribe the kinds*
6 *of duties which women members of the Navy and women*
7 *members of the Marine Corps shall be assigned and the*
8 *military authority which such members shall exercise.”.*

9 *(2) The table of sections at the beginning of such chap-*
10 *ter is amended by striking out the item relating to section*
11 *6015 and inserting in lieu thereof the following:*

“6015. Assignments of women members.”.

12 *(d) AIR FORCE ASSIGNMENTS.—(1) Part II of subtitle*
13 *D of title 10, United States Code, is amended by inserting*
14 *after chapter 845 the following new chapter:*

15 **“CHAPTER 846—ADMINISTRATION**

“3691. Assignments of women members.

16 **“§ 8591. Assignments of women members**

17 *“Under regulations prescribed by the Secretary of De-*
18 *fense, the Secretary of the Air Force may prescribe the kinds*
19 *of duties which women members of the Air Force shall be*
20 *assigned and the military authority which such members*
21 *shall exercise.”.*

22 *(2) The tables of chapters at the beginning of subtitle*
23 *D of such title and of part II of such subtitle are amended*

1 *by inserting after the item relating to chapter 845 the fol-*
2 *lowing:*

“846. Administration 8591”.

3 *(e) NOTIFICATION REQUIREMENTS.—(1)(A) The Sec-*
4 *retary of Defense shall transmit to the Committees on*
5 *Armed Services of the Senate and House of Representatives,*
6 *on a day during which Congress is in session, any regula-*
7 *tion that the Secretary proposes for the purposes of section*
8 *3591, 6015, or 8591 of title 10, United States Code, as*
9 *added by this section. The Secretary may not issue the pro-*
10 *posed regulation (or any modification of the proposed regu-*
11 *lation) as a final regulation within the 60-day period be-*
12 *ginning on the date on which the Secretary transmits the*
13 *proposed regulation to such committees.*

14 *(B) For purposes of subparagraph (A), Congress is in*
15 *session on a day during which either House of Congress*
16 *is in session.*

17 *(C) A day on which both Houses of Congress are not*
18 *in session shall not be counted in the computation of the*
19 *60-day period referred to in subparagraph (A).*

20 *(2) The Secretary of Defense shall transmit to the Com-*
21 *mittees on Armed Services of the Senate and House of Rep-*
22 *resentatives any regulation that the Secretary issues as a*
23 *final regulation for the purposes of section 3591, 6015, or*
24 *8591 of title 10, United States Code, as added by this sec-*
25 *tion. The final regulation may not become effective within*

1 *the 90-day period beginning on the date on which the Sec-*
2 *retary transmits the final regulation to such committees.*

3 **SEC. 542. REDUCTION IN THE MAXIMUM NUMBER OF YEARS**
4 **TO BE ON TEMPORARY DISABILITY RETIRED**
5 **LIST.**

6 (a) *IN GENERAL.*—(1) *Section 1210(b) of title 10,*
7 *United States Code, is amended by striking out “five years”*
8 *in the first sentence and inserting in lieu thereof “three*
9 *years”.*

10 (2) *Section 1210(h) of title 10, United States Code,*
11 *is amended by striking out “five years” and inserting in*
12 *lieu thereof “three years”.*

13 (b) *EFFECTIVE DATE.*—*The amendments made by this*
14 *section shall take effect on the date of the enactment of this*
15 *Act and shall apply to a member of the Armed Forces who*
16 *is placed on a temporary disability retired list on or after*
17 *such date.*

18 **SEC. 543. CLARIFICATION OF PUNITIVE UCMJ ARTICLE RE-**
19 **GARDING DRUNKEN DRIVING.**

20 (a) *CLARIFICATION.*—*Paragraph (2) of section 911 of*
21 *title 10, United States Code (article 111 of the Uniform*
22 *Code of Military Justice), is amended by inserting “or*
23 *more” after “0.10 grams” both places it appears.*

24 (b) *EFFECTIVE DATE.*—*The amendment made by sub-*
25 *section (a) shall take effect as if included in the amendment*

1 *to section 911 of title 10, United States Code, made by sec-*
2 *tion 1066(a)(1) of Public Law 102-484 on October 23,*
3 *1992.*

4 **SEC. 544. AUTHORITY TO REDUCE ACTIVE DUTY SERVICE**
5 **OBLIGATION INCURRED IN CONNECTION**
6 **WITH ADVANCED EDUCATION ASSISTANCE.**

7 *Section 2005 of title 10, United States Code, is amend-*
8 *ed by adding at the end the following new subsection:*

9 *“(g) The Secretary concerned, may at any time before*
10 *October 1, 1998, modify an agreement described in sub-*
11 *section (a) to reduce the active duty service obligation speci-*
12 *fied in the agreement if the Secretary determines that it*
13 *is in the best interests of the United States to do so. The*
14 *Secretary shall reduce the amount required to be reimbursed*
15 *to the United States proportionately with the reduction in*
16 *the period of obligated active duty service.”.*

17 **SEC. 545. AWARD OF PURPLE HEART TO MEMBERS KILLED**
18 **OR WOUNDED IN ACTION BY FRIENDLY FIRE.**

19 *(a) IN GENERAL.—Chapter 57 of title 10, United*
20 *States Code, is amended by adding at the end the following*
21 *new section:*

22 **“§ 1129. Purple Heart: members killed or wounded in**
23 **action by friendly fire**

24 *“(a) For purposes of the award of the Purple Heart,*
25 *the Secretary concerned shall treat a member of the armed*

1 *forces described in subsection (b) in the same manner as*
2 *a member who is killed or wounded in action as the result*
3 *of an act of an enemy of the United States.*

4 “(b) *A member described in this subsection is a mem-*
5 *ber who is killed or wounded in action by weapon fire while*
6 *directly engaged in armed conflict, other than as the result*
7 *of an act of an enemy of the United States, unless (in the*
8 *case of a wound) the wound is the result of willful mis-*
9 *conduct of the member.*

10 “(c) *This section applies to members of the armed*
11 *forces who are killed or wounded on or after December 7,*
12 *1941. In the case of a member killed or wounded as de-*
13 *scribed in subsection (b) on or after December 7, 1941, and*
14 *before the date of the enactment of this section, the Secretary*
15 *concerned shall award the Purple Heart under subsection*
16 *(a) in each case which is known to the Secretary before the*
17 *date of the enactment of this section or for which an appli-*
18 *cation is made to the Secretary in such manner as the Sec-*
19 *retary requires.”.*

20 (b) *CLERICAL AMENDMENT.—The table of sections at*
21 *the beginning of such chapter is amended by adding at the*
22 *end the following new item:*

“1129. Purple Heart: members killed or wounded in action by friendly fire.”.

1 **SEC. 546. POLICY CONCERNING HOMOSEXUALITY IN THE**
2 **ARMED FORCES.**

3 (a) *CODIFICATION.*—(1) Chapter 37 of title 10, United
4 States Code, is amended by adding at the end the following
5 new section:

6 **“§654. Policy concerning homosexuality in the armed**
7 **forces**

8 “(a) *FINDINGS.*—Congress makes the following find-
9 ings:

10 “(1) Section 8 of article I of the Constitution of
11 the United States commits exclusively to the Congress
12 the powers to raise and support armies, provide and
13 maintain a Navy, and make rules for the government
14 and regulation of the land and naval forces.

15 “(2) There is no constitutional right to serve in
16 the armed forces.

17 “(3) Pursuant to the powers conferred by section
18 8 of article I of the Constitution of the United States,
19 it lies within the discretion of the Congress to estab-
20 lish qualifications for and conditions of service in the
21 armed forces.

22 “(4) The primary purpose of the armed forces is
23 to prepare for and to prevail in combat should the
24 need arise.

25 “(5) The conduct of military operations requires
26 members of the armed forces to make extraordinary

1 *sacrifices, including the ultimate sacrifice, in order to*
2 *provide for the common defense.*

3 *“(6) Success in combat requires military units*
4 *that are characterized by high morale, good order and*
5 *discipline, and unit cohesion.*

6 *“(7) One of the most critical elements in combat*
7 *capability is unit cohesion, that is, the bonds of trust*
8 *among individual service members that make the*
9 *combat effectiveness of a military unit greater than*
10 *the sum of the combat effectiveness of the individual*
11 *unit members.*

12 *“(8) Military life is fundamentally different*
13 *from civilian life in that—*

14 *“(A) the extraordinary responsibilities of*
15 *the armed forces, the unique conditions of mili-*
16 *tary service, and the critical role of unit cohe-*
17 *sion, require that the military community, while*
18 *subject to civilian control, exist as a specialized*
19 *society; and*

20 *“(B) the military society is characterized by*
21 *its own laws, rules, customs, and traditions, in-*
22 *cluding numerous restrictions on personal behav-*
23 *ior, that would not be acceptable in civilian soci-*
24 *ety.*

1 “(9) *The standards of conduct for members of the*
2 *armed forces regulate a member’s life for 24 hours*
3 *each day beginning at the moment the member enters*
4 *military status and not ending until that person is*
5 *discharged or otherwise separated from the armed*
6 *forces.*

7 “(10) *Those standards of conduct, including the*
8 *Uniform Code of Military Justice, apply to a member*
9 *of the armed forces at all times that the member has*
10 *a military status, whether the member is on base or*
11 *off base, and whether the member is on duty or off*
12 *duty.*

13 “(11) *The pervasive application of the standards*
14 *of conduct is necessary because members of the armed*
15 *forces must be ready at all times for worldwide de-*
16 *ployment to a combat environment.*

17 “(12) *The worldwide deployment of United*
18 *States military forces, the international responsibil-*
19 *ities of the United States, and the potential for in-*
20 *volvement of the armed forces in actual combat rou-*
21 *tinely make it necessary for members of the armed*
22 *forces involuntarily to accept living conditions and*
23 *working conditions that are often spartan, primitive,*
24 *and characterized by forced intimacy with little or no*
25 *privacy.*

1 “(13) *The prohibition against homosexual con-*
2 *duct is a longstanding element of military law that*
3 *continues to be necessary in the unique circumstances*
4 *of military service.*

5 “(14) *The armed forces must maintain personnel*
6 *policies that exclude persons whose presence in the*
7 *armed forces would create an unacceptable risk to the*
8 *armed forces’ high standards of morale, good order*
9 *and discipline, and unit cohesion that are the essence*
10 *of military capability.*

11 “(15) *The presence in the armed forces of persons*
12 *who demonstrate a propensity or intent to engage in*
13 *homosexual acts would create an unacceptable risk to*
14 *the high standards of morale, good order and dis-*
15 *cipline, and unit cohesion that are the essence of mili-*
16 *tary capability.*

17 “(b) *POLICY.—A member of the armed forces shall be*
18 *separated from the armed forces under regulations pre-*
19 *scribed by the Secretary of Defense if one or more of the*
20 *following findings is made and approved in accordance*
21 *with procedures set forth in such regulations:*

22 “(1) *That the member has engaged in, attempted*
23 *to engage in, or solicited another to engage in a ho-*
24 *mosexual act or acts unless there are further findings,*
25 *made and approved in accordance with procedures set*

1 *forth in such regulations, that the member has dem-*
2 *onstrated that—*

3 “(A) *such conduct is a departure from the*
4 *member’s usual and customary behavior;*

5 “(B) *such conduct, under all the cir-*
6 *cumstances, is unlikely to recur;*

7 “(C) *such conduct was not accomplished by*
8 *use of force, coercion, or intimidation;*

9 “(D) *under the particular circumstances of*
10 *the case, the member’s continued presence in the*
11 *armed forces is consistent with the interests of*
12 *the armed forces in proper discipline, good order,*
13 *and morale; and*

14 “(E) *the member does not have a propensity*
15 *or intent to engage in homosexual acts.*

16 “(2) *That the member has stated that he or she*
17 *is a homosexual or bisexual, or words to that effect,*
18 *unless there is a further finding, made and approved*
19 *in accordance with procedures set forth in the regula-*
20 *tions, that the member has demonstrated that he or*
21 *she is not a person who engages in, attempts to en-*
22 *gage in, has a propensity to engage in, or intends to*
23 *engage in homosexual acts.*

1 “(3) *That the member has married or attempted*
2 *to marry a person known to be of the same biological*
3 *sex.*

4 “(c) *ENTRY STANDARDS AND DOCUMENTS.—(1) The*
5 *Secretary of Defense shall ensure that the standards for en-*
6 *listment and appointment of members of the armed forces*
7 *reflect the policies set forth in subsection (b).*

8 “(2) *The documents used to effectuate the enlistment*
9 *or appointment of a person as a member of the armed forces*
10 *shall set forth the provisions of subsection (b).*

11 “(d) *REQUIRED BRIEFINGS.—The briefings that mem-*
12 *bers of the armed forces receive upon entry into the armed*
13 *forces and periodically thereafter under section 937 of this*
14 *title (article 137 of the Uniform Code of Military Justice)*
15 *shall include a detailed explanation of the applicable laws*
16 *and regulations governing sexual conduct by members of the*
17 *armed forces, including the policies prescribed under sub-*
18 *section (b).*

19 “(e) *RULE OF CONSTRUCTION.—Nothing in subsection*
20 *(b) shall be construed to require that a member of the armed*
21 *forces be processed for separation from the armed forces*
22 *when a determination is made in accordance with regula-*
23 *tions prescribed by the Secretary of Defense that—*

1 “(1) the member engaged in conduct or made
2 statements for the purpose of avoiding or terminating
3 military service; and

4 “(2) separation of the member would not be in
5 the best interest of the armed forces.

6 “(f) DEFINITIONS.—In this section:

7 “(1) The term ‘homosexual’ means a person, re-
8 gardless of sex, who engages in, attempts to engage in,
9 has a propensity to engage in, or intends to engage
10 in homosexual acts, and includes the terms ‘gay’ and
11 ‘lesbian’.

12 “(2) The term ‘bisexual’ means a person who en-
13 gages in, attempts to engage in, has a propensity to
14 engage in, or intends to engage in homosexual and
15 heterosexual acts.

16 “(3) The term ‘homosexual act’ means—

17 “(A) any bodily contact, actively under-
18 taken or passively permitted, between members of
19 the same sex for the purpose of satisfying sexual
20 desires; and

21 “(B) any bodily contact which a reasonable
22 person would understand to demonstrate a pro-
23 pensity or intent to engage in an act described
24 in subparagraph (A).”.

1 (2) *The table of sections at the beginning of such chap-*
2 *ter is amended by adding at the end the following:*

“654. Policy concerning homosexuality in the armed forces.”.

3 (b) *REGULATIONS.—Not later than 90 days after the*
4 *date of enactment of this Act, the Secretary of Defense shall*
5 *revise Department of Defense regulations, and issue such*
6 *new regulations as may be necessary, to implement section*
7 *654 of title 10, United States Code, as added by subsection*
8 *(a).*

9 (c) *SAVINGS PROVISION.—Nothing in this section or*
10 *section 654 of title 10, United States Code, as added by*
11 *subsection (a) may be construed to invalidate any inquiry,*
12 *investigation, administrative action or proceeding, court-*
13 *martial, or judicial proceeding conducted before the effective*
14 *date of regulations issued by the Secretary of Defense to*
15 *implement such section 654.*

16 (d) *SENSE OF CONGRESS.—It is the sense of Congress*
17 *that—*

18 (1) *the suspension of questioning concerning ho-*
19 *mosexuality as part of the processing of individuals*
20 *for accession into the Armed Forces under the interim*
21 *policy of January 29, 1993, should be continued, but*
22 *the Secretary of Defense may reinstate that question-*
23 *ing with such questions or such revised questions as*
24 *he considers appropriate if the Secretary determines*
25 *that it is necessary to do so in order to effectuate the*

1 *policy set forth in section 654 of title 10, United*
2 *States Code, as added by subsection (a); and*

3 *(2) the Secretary of Defense should consider issu-*
4 *ing guidance governing the circumstances under*
5 *which members of the Armed Forces questioned about*
6 *homosexuality for administrative purposes should be*
7 *afforded warnings similar to the warnings under sec-*
8 *tion 831(b) of title 10, United States Code (article*
9 *31(b) of the Uniform Code of Military Justice).*

10 **SEC. 547. EMPLOYMENT OF RETIRED MEMBERS BY FOREIGN**

11 **GOVERNMENTS.**

12 *(a) FINDINGS.—The Congress makes the following*
13 *findings:*

14 *(1) It is in the national security interest of the*
15 *United States to promote democracy throughout the*
16 *world.*

17 *(2) The armed forces of newly democratic na-*
18 *tions often lack the democratic traditions that are a*
19 *hallmark of the Armed Forces of the United States.*

20 *(3) The understanding of military roles and mis-*
21 *sions in a democracy is essential for the development*
22 *and preservation of democratic forms of government.*

23 *(4) The service of retired members of the Armed*
24 *Forces of the United States in the armed forces of*
25 *newly democratic nations could lead to a better un-*

1 *derstanding of military roles and missions in a de-*
2 *mocracy.*

3 *(b) CONGRESSIONAL CONSENT.—(1) Chapter 53 of*
4 *title 10, United States Code, is amended by adding at the*
5 *end the following new section:*

6 ***“§ 1058. Military service of retired personnel with***
7 ***newly democratic nations***

8 *“(a) CONGRESSIONAL CONSENT.—(1) Subject to sub-*
9 *section (b), Congress consents to a retired member of the*
10 *uniformed services referred to in subsection (b)—*

11 *“(A) accepting employment by, or holding an of-*
12 *fice or position in, the armed forces of a newly demo-*
13 *cratic nation; and*

14 *“(B) accepting compensation associated with*
15 *such employment, office, or position.*

16 *“(b) DETERMINATIONS AND APPROVAL REQUIRED.—*
17 *(1) The Secretary concerned and the Secretary of State shall*
18 *jointly determine whether a nation is a newly democratic*
19 *nation for the purposes of this section.*

20 *“(2) The consent provided in subsection (a) for a re-*
21 *tired member of the uniformed services to accept employ-*
22 *ment or hold an office or position shall apply to a retired*
23 *member of the armed forces only if the Secretary concerned*
24 *and the Secretary of State jointly approve the employment*
25 *or the holding of such office or position.*

1 “(c) *CONTINUED ENTITLEMENT TO RETIRED PAY AND*
2 *BENEFITS.*—*The eligibility of a retired member of the uni-*
3 *formed services to receive retired or retainer pay and other*
4 *benefits arising from the retired member’s status as a re-*
5 *tired member of the uniformed services, and the eligibility*
6 *of dependents of such retired member to receive benefits on*
7 *the basis of such retired member’s status as a retired mem-*
8 *ber of the uniformed services, may not be terminated by*
9 *reason of employment or holding of an office or position*
10 *consented to in subsection (a).*

11 “(d) *RETIRED MEMBER DEFINED.*—*In this section,*
12 *the term ‘retired member of the uniformed services’ means*
13 *a member or former member of the uniformed services who*
14 *is entitled to receive retired or retainer pay.’’.*

15 (2) *The table of sections at the beginning of chapter*
16 *53 of such title is amended by adding at the end the follow-*
17 *ing:*

 “1058. *Military service of retired personnel with newly democratic governments.’’.*

18 (c) *EFFECTIVE DATE.*—*Section 1058 of title 10, Unit-*
19 *ed States Code, as added by subsection (a), shall take effect*
20 *as of January 1, 1993.*

1 **TITLE VI—COMPENSATION AND**
2 **OTHER PERSONNEL BENEFITS**
3 **Subtitle A—Pay and Allowances**

4 **SEC. 601. MILITARY PAY RAISE FOR FISCAL YEAR 1994.**

5 (a) *WAIVER OF SECTION 1009 ADJUSTMENT.*—Any
6 *adjustment required by section 1009 of title 37, United*
7 *States Code, in elements of compensation of members of the*
8 *uniformed services to become effective during fiscal year*
9 *1994 shall not be made.*

10 (b) *INCREASE IN BASIC PAY, BAS, AND BAQ.*—*Effec-*
11 *tive on January 1, 1994, the rates of basic pay, basic allow-*
12 *ance for subsistence, and basic allowance for quarters of*
13 *members of the uniformed services are increased by 2.2 per-*
14 *cent.*

15 **Subtitle B—Bonuses, Special Pay,**
16 **and Incentive Pay**

17 **SEC. 611. MODIFICATION OF AUTHORITY RELATING TO PAY-**
18 **MENT OF CERTAIN SELECTED RESERVE BO-**
19 **NUSES.**

20 (a) *BONUS FOR ENLISTMENT.*—*Section 308c(b) of title*
21 *37, United States Code, is amended—*

22 (1) *in paragraph (1), by striking out “one-half*
23 *of the bonus shall be paid” and inserting in lieu*
24 *thereof “an amount in excess of one-half of the bonus*
25 *may be paid”;* and

1 (2) in paragraph (2), by inserting “, if any,”
2 after “remainder”.

3 (b) *BONUS FOR ENTRY INTO AFFILIATION AGREEMENT.*—Section 308e(c)(2) of title 37, United States Code,
4 is amended—

6 (1) by inserting “(A)” after “(2)”;

7 (2) by designating the second sentence as sub-
8 paragraph (B);

9 (3) in subparagraph (B), as so designated, by
10 striking out “fifth anniversary” and inserting in lieu
11 thereof “sixth anniversary”; and

12 (4) by adding at the end the following:

13 “(C) The Secretary concerned may pay in monthly in-
14 stallments a bonus authorized to be paid in a lump sum
15 under this section. The Secretary concerned may determine
16 the amount of the monthly installments. The Secretary con-
17 cerned may pay a monthly installment authorized under
18 this subparagraph for a month only if the person’s service
19 in the Selected Reserve for that month was satisfactory (as
20 determined by such Secretary under regulations prescribed
21 by the Secretary of Defense). The entitlement of a person
22 to a portion of a bonus under this section that is not paid
23 for a month by reason of the preceding sentence shall
24 lapse.”.

1 **SEC. 612. EXTENSION OF AUTHORITY RELATING TO PAY-**
2 **MENT OF CERTAIN BONUSES, PAYMENT OF**
3 **OTHER SPECIAL PAY, AND REPAYMENT OF**
4 **CERTAIN EDUCATION LOANS.**

5 (a) *NURSE OFFICER CANDIDATE ACCESSION PRO-*
6 *GRAM.*—Section 2130a(a)(1) of title 10 United States Code,
7 is amended by striking out “September 30, 1993,” and in-
8 serting in lieu thereof “September 30, 1995,”.

9 (b) *ACCESSION BONUS FOR REGISTERED NURSES.*—
10 Section 302d(a)(1) of title 37, United States Code, is
11 amended by striking out “September 30, 1993,” and insert-
12 ing in lieu thereof “September 30, 1995,”.

13 (c) *INCENTIVE SPECIAL PAY FOR NURSE ANES-*
14 *THETISTS.*—Section 302e(a)(1) of title 37, United States
15 Code, is amended by striking out “September 30, 1993,”
16 and inserting in lieu thereof “September 30, 1995,”.

17 (d) *AVIATION OFFICER RETENTION BONUS.*—Section
18 301b(a) of title 37, United States Code, is amended by strik-
19 ing out “September 30, 1993” and inserting in lieu thereof
20 “September 30, 1995”.

21 (e) *SPECIAL PAY FOR ENLISTED MEMBERS OF THE*
22 *SELECTED RESERVE ASSIGNED TO CERTAIN HIGH PRIOR-*
23 *ITY UNITS.*—Section 308d(c) of title 37, United States
24 Code, is amended by striking out “September 30, 1993” and
25 inserting in lieu thereof “September 30, 1995”.

1 (f) *REENLISTMENT BONUS FOR ACTIVE MEMBERS.*—
2 Section 308(g) of title 37, United States Code, is amended
3 by striking out “September 30, 1993” and inserting in lieu
4 thereof “September 30, 1995”.

5 (g) *ENLISTMENT BONUS FOR CRITICAL SKILLS.*—Sec-
6 tion 308a(c) of title 37, United States Code, is amended
7 by striking out “September 30, 1993” and inserting in lieu
8 thereof “September 30, 1995”.

9 (h) *RESERVE ENLISTMENT AND REENLISTMENT*
10 *BONUS AUTHORITIES FOR RESERVE FORCES.*—Sections
11 308b(f), 308c(e), 308e(e), 308h(g) and 308i(i) of title 37,
12 United States Code, are amended by striking out “Septem-
13 ber 30, 1993” and inserting in lieu thereof “September 30,
14 1995”.

15 (i) *SPECIAL PAY FOR CRITICALLY SHORT WARTIME*
16 *HEALTH SPECIALIST IN THE SELECTED RESERVE.*—Sec-
17 tion 613(d) of the National Defense Authorization Act, Fis-
18 cal Year 1989 (37 U.S.C. 302 note) is amended by striking
19 out “September 30, 1993” and inserting in lieu thereof
20 “September 30, 1995”.

21 (j) *REPAYMENT OF EDUCATION LOANS FOR CERTAIN*
22 *HEALTH PROFESSIONALS WHO SERVE IN THE SELECTED*
23 *RESERVE.*—Section 2172(d) of title 10, United States Code,
24 is amended by striking out “October 1, 1993” and inserting
25 in lieu thereof “October 1, 1995”.

1 (k) *ARMY ENLISTMENT BONUS.*—(1) *Section 308f(c)*
2 *of title 37, United States Code, is amended by striking out*
3 *“September 30, 1992” and inserting in lieu thereof “Sep-*
4 *tember 30, 1995”.*

5 (2) *The amendment made by paragraph (1) shall take*
6 *effect as of September 30, 1992.*

7 ***Subtitle C—Travel and***
8 ***Transportation Allowances***

9 ***SEC. 621. REIMBURSEMENT OF TEMPORARY LODGING EX-***
10 ***PENSES.***

11 (a) *PERIODS COVERED.*—*Subsection (a) of section*
12 *404a of title 37, United States Code, is amended—*

13 (1) *in the second sentence, by striking out “four*
14 *days” and inserting in lieu thereof “10 days”; and*

15 (2) *in the third sentence, by striking out “two*
16 *days” and inserting in lieu thereof “five days”.*

17 (b) *REPEAL OF SUPERSEDED AUTHORITY.*—*Sub-*
18 *section (d) of such section is repealed.*

19 ***SEC. 622. TREATMENT OF ADVANCE PAY PAID TO MEMBERS***
20 ***EVACUATED FROM HOMESTEAD AIR FORCE***
21 ***BASE.***

22 *Notwithstanding any other provision of law, the ad-*
23 *vance payments of pay for permanent change of station that*
24 *were received by members of the uniformed services evacu-*
25 *ated in August, 1992, from Homestead Air Force Base,*

1 *Florida, because of Hurricane Andrew, shall be treated as*
2 *having been paid as evacuation advance pay under the au-*
3 *thority of section 1006(c) of title 37, United States Code.*

4 ***Subtitle D—Matters Related to Re-***
5 ***tired Pay and Separation Bene-***
6 ***fits***

7 ***SEC. 631. SPECIAL PAY FOR CERTAIN DISABLED MEMBERS.***

8 *(a) SPECIAL PAY FOR CERTAIN DISABLED MEM-*
9 *BERS.—A person who has a service-connected disability*
10 *rated as total may be paid a special pay under this section*
11 *if the person is entitled to emergency officers', regular, or*
12 *reserve retirement pay based solely on—*

13 *(1) the person's age;*

14 *(2) the length of the person's service in the uni-*
15 *formed services; or*

16 *(3) both the person's age and the length of such*
17 *service.*

18 *(b) AMOUNT OF SPECIAL PAY.—The amount of special*
19 *pay that may be paid a person under subsection (a) for*
20 *any month may not exceed the monthly amount of the com-*
21 *ensation that is paid such person under laws administered*
22 *by the Secretary of Veterans Affairs.*

23 *(c) FUNDING.—The cost of the special pay authorized*
24 *to be paid under this section shall be paid out of funds*
25 *available to the Department of Defense for travel of person-*

1 *nel of the Department of Defense in positions within the*
2 *Office of the Secretary of Defense, the Office of the Secretary*
3 *of the Army, the Office of the Secretary of the Navy, and*
4 *the Office of the Secretary of the Air Force.*

5 (d) *DEFINITIONS.—In this section, the terms “com-*
6 *pensation” and “service-connected” have the meanings*
7 *given such terms in section 101 of title 38, United States*
8 *Code.*

9 (e) *EFFECTIVE DATE.—(1) Except as provided in*
10 *paragraph (2), this section shall take effect on January 1,*
11 *1994.*

12 (2) *This section shall not take effect if, before January*
13 *1, 1994, the Secretary of Defense submits to the Committees*
14 *on Armed Services of the Senate and House of Representa-*
15 *tives the report required by section 641 of the National De-*
16 *fense Authorization Act for Fiscal Year 1993 (Public Law*
17 *102–484; 106 Stat. 2424).*

18 (f) *APPLICABILITY.—(1) Except as provided in para-*
19 *graph (2), this section shall apply to months that begin on*
20 *or after the effective date of this section.*

21 (2) *This section shall not be effective for months that*
22 *begin after September 30, 1994.*

1 **SEC. 632. STANDARDIZATION OF MINIMUM SERVICE RE-**
2 **QUIREMENT FOR ELIGIBILITY FOR CERTAIN**
3 **SEPARATION BENEFITS.**

4 *Section 1174(a)(1) of title 10, United States Code, is*
5 *amended by striking out “five” and inserting in lieu thereof*
6 *“six”.*

7 **SEC. 633. EXPANSION OF ELIGIBILITY FOR CERTAIN SEPA-**
8 **RATION BENEFITS.**

9 *(a) SPECIAL SEPARATION BENEFITS PROGRAMS.—*
10 *Section 1174a(c)(2) of title 10, United States Code, is*
11 *amended by striking out “before December 5, 1991”.*

12 *(b) VOLUNTARY SEPARATION INCENTIVE PROGRAM.—*
13 *Section 1175(d)(1) of title 10, United States Code, is*
14 *amended by striking out “before December 5, 1991”.*

15 **SEC. 634. APPLICABILITY TO COAST GUARD RESERVE OF**
16 **CERTAIN RESERVE COMPONENTS TRANSI-**
17 **TION INITIATIVES.**

18 *(a) IN GENERAL.—Subtitle B of title XLIV of the Na-*
19 *tional Defense Authorization Act for Fiscal Year 1993 (Pub-*
20 *lic Law 102-484; 106 Stat. 2712) shall apply to members*
21 *of the Coast Guard Reserve in the same manner and to the*
22 *same extent as that subtitle applies to the reserve compo-*
23 *nents of the Department of Defense. The Secretary of Trans-*
24 *portation shall implement the provisions of that subtitle*
25 *with respect to the Coast Guard Reserve.*

1 (1) by redesignating subsection (g) as subsection
2 (h); and

3 (2) by inserting after subsection (f) the following
4 new subsection (g):

5 “(g)(1) As used in the subsection, the term ‘prisoner
6 of war’ means any person appointed, enrolled, enlisted, or
7 inducted under competent authority as a member of the
8 Armed Forces of the United States who was held in cap-
9 tivity as a prisoner of war during any period declared by
10 the President or Congress to have been a period in which
11 the Armed Forces were involved in conflict with a force hos-
12 tile to the United States, except that such term does not
13 include any member who, at any time, voluntarily, know-
14 ingly, and without duress gave aid to, collaborated with,
15 or in any manner served such hostile force.

16 “(2)(A) The Commission may receive any claim re-
17 ferred to in subparagraph (B), determine the amount and
18 validity of such claim according to law, and provide for
19 payment of compensation for such claim.

20 “(B) A claim referred to in this subparagraph is any
21 claim filed by a prisoner of war for compensation for the
22 failure of a force hostile to the United States, or its agents,
23 while holding such person as a prisoner of war, to furnish
24 the prisoner of war with the quantity or quality of food

1 *prescribed for prisoners of war under the terms of the Gene-*
2 *va Convention of August 12, 1949.*

3 “(C) A claimant shall bear the burden of proving the
4 *allegations contained in the claim.*

5 “(D) Compensation shall be provided to any prisoner
6 *of war under this paragraph at the rate (as determined by*
7 *the Commission) of one-half the average of the subsistence*
8 *portion of the per diem rates paid worldwide by the Govern-*
9 *ment to members of the Armed Forces for each day that*
10 *the person was held as a prisoner of war and received food*
11 *that, in quantity or quality, did not meet the requirements*
12 *prescribed under the terms of the Geneva Convention.*

13 “(3)(A) The Commission may receive, determine ac-
14 *ording to law the amount and validity of, and provide for*
15 *the payment of any claim filed by any prisoner of war for*
16 *compensation—*

17 “(i) *for the failure of a force hostile to the United*
18 *States, or its agents, while holding such person as a*
19 *prisoner of war, to meet the conditions and require-*
20 *ments prescribed under part III, section III, of the*
21 *Geneva Convention of August 12, 1949, relating to*
22 *labor of prisoners of war; or*

23 “(ii) *for inhumane treatment of the prisoner of*
24 *war by the hostile force by which the prisoner of war*
25 *was held, or its agents.*

1 “(B) For purposes of subparagraph (A)(ii), the term
2 ‘inhumane treatment’ includes the failure of a force hostile
3 to the United States, or its agents, to meet the conditions
4 and requirements of one or more of the provisions of article
5 3, 12, 13, 14, 17, 19, 22, 23, 24, 25, 27, 29, 43, 44, 45,
6 46, 47, 48, 84, 85, 86, 87, 88, 89, 90, 97, or 98 of the Geneva
7 Convention of August 12, 1949.

8 “(C) Compensation shall be allowed to any prisoner
9 of war under this paragraph at a rate not to exceed an
10 amount equal to—

11 “(i) one-half of the average of the per diem rates
12 paid worldwide by the Federal Government to mem-
13 bers of the Armed Forces, minus

14 “(ii) one-half of the average of the subsistence
15 portion of the per diem rates paid worldwide by the
16 Federal Government to members of the Armed Forces,
17 for each day the person was held as a prisoner of war and
18 with respect to which the person proves (in a manner ac-
19 ceptable to the Commission) the failure by a hostile force,
20 or its agents to meet the conditions and requirements re-
21 ferred to in clause (i) of subparagraph (A) or proves (in
22 a manner acceptable to the Commission) the inhumane
23 treatment referred to in clause (ii) of such subparagraph
24 (A).

1 “(4) Any claim allowed by the Commission under this
2 subsection shall be certified to the Secretary of the Treasury
3 for payment out of funds appropriated pursuant to para-
4 graph (10). Such claim shall be paid by the Secretary of
5 the Treasury to the person entitled thereto, or, in the case
6 of the death of such person, to the persons, and in the order
7 of priority, established under subsection (d)(4).

8 “(5) Each claim filed under this subsection shall be
9 filed not later than 3 years after the later of—

10 “(A) the date on which the prisoner of war filing
11 the claim returns to the jurisdiction of the Armed
12 Forces of the United States; or

13 “(B) in the case of any prisoner of war who has
14 not returned to the jurisdiction of the Armed Forces
15 of the United States, the date on which the Secretary
16 of Defense makes a determination that the prisoner of
17 war has died or is presumed to be dead.

18 “(6)(A) The Commission shall make a determination
19 with respect to the validity of each claim filed under this
20 subsection at the earliest practicable date, but not later than
21 one year after the date on which the claim is filed.

22 “(B) The Commission shall notify the person submit-
23 ting a claim under this subsection of the determination of
24 the Commission with respect to the validity of the claim.

1 *Such notification shall be sent by certified or register mail,*
2 *return receipt requested.*

3 “(C) *The failure of the Commission to make a deter-*
4 *mination of the validity of a claim within the one year*
5 *period referred to in subparagraph (A), such be treated as*
6 *a final denial of the claim by the Commission on that date.*

7 “(7)(A) *A claimant whose claim under this section was*
8 *denied by the Commission (including a claimant whose*
9 *claim is treated as denied under paragraph (6)(C)) may*
10 *file in the United States Court of Federal Claims a com-*
11 *plaint, motion, petition, or other appropriate pleading with*
12 *the United States Court of Federal Claims alleging that the*
13 *denial of such complaint was wrongful.*

14 “(B) *The claimant shall file such complaint, motion,*
15 *petition, or other pleading not later than 2 years after the*
16 *date of such final denial.*

17 “(C) *The Attorney General of the United States may*
18 *arbitrate or settle by compromise or other settlement any*
19 *claim cognizable under this subsection. Any such settlement*
20 *is not competent evidence of liability or damages.*

21 “(D) *The amount of a settlement, judgment, or award*
22 *in favor of a claimant under this paragraph may not exceed*
23 *the amount sought by the claimant in the claim before the*
24 *Commission on which an action under this paragraph is*
25 *based unless the claimant alleges and proves facts not avail-*

1 *able or reasonably discoverable at the time of the determina-*
2 *tion of the validity of such claim by the Commission that*
3 *justify the award of an amount in excess of such amount.*

4 *“(E) Not more than 20 percent of the amount awarded*
5 *under this paragraph to a claimant may be paid by or on*
6 *behalf of the claimant to any attorney or agent for services*
7 *rendered in connection with a claim under this paragraph.*

8 *“(8) The acceptance by a person of compensation or*
9 *other award provided for or paid under this subsection shall*
10 *constitute a full and complete release of any claim of the*
11 *person against the United States by reason of any allega-*
12 *tion stated in the claim.*

13 *“(9) Any claim allowed under the provisions of this*
14 *subsection including claims allowed by the Court of Federal*
15 *Claims shall be paid from funds appropriated pursuant to*
16 *the authorization of appropriations in paragraph (10).*

17 *“(10) There are authorized to be appropriated such*
18 *amounts as may be necessary to carry out the purposes of*
19 *this subsection, including any amounts necessary for ad-*
20 *ministrative expenses of the Commission.”.*

21 **SEC. 642. MEMBERS ELIGIBLE FOR BENEFITS WHEN HELD**

22 **CAPTIVE BY TERRORISTS.**

23 *(a) IN GENERAL.—Section 559(a)(1) of title 37, Unit-*
24 *ed States Code, is amended by striking out “if Congress pro-*
25 *vides to such a member, in an Act enacted after August*

1 27, 1986, monetary payment in respect of such period of
2 captivity”.

3 (b) *CLERICAL AMENDMENTS.*—(1) The heading of sec-
4 tion 559 of such title is amended to read as follows:

5 **“§ 559. Benefits: members held as captives; victims of**
6 **terrorist acts”.**

7 (2) The table of sections at the beginning of chapter
8 10 of such title is amended by striking out the item relating
9 to section 559 and inserting in lieu thereof the following:

“559. Benefits: members held as captives; victims of terrorist acts.”.

10 **Subtitle F—Other Matters**

11 **SEC. 651. AUTHORITY TO LIMIT DIRECT PAYMENT OF PAY** 12 **AND ALLOWANCES TO CERTAIN MEMBERS** 13 **DURING WAR, HOSTILITIES, OR NATIONAL** 14 **EMERGENCY.**

15 (a) *IN GENERAL.*—(1) Chapter 19 of title 37, United
16 States Code, is amended by adding at the end the following:

17 **“§ 1015. Pay and allowances: limit on direct payment**
18 **during period of war, hostilities, or na-**
19 **tional emergency**

20 “(a) *AUTHORITY TO LIMIT DIRECT PAYMENT.*—The
21 Secretary concerned may limit the direct payment of pay
22 and allowances, or a portion thereof, to a member of the
23 uniformed services serving on active duty in an area des-
24 ignated by the Secretary of Defense for the purposes of this

1 *subsection during a war, hostilities, or a national emer-*
2 *gency declared by the President or Congress.*

3 “(b) *ALTERNATIVE PAYMENT AUTHORITY.*—Any
4 *amount of pay and allowances due a member described in*
5 *subsection (a) but not paid directly to such member by rea-*
6 *son of the exercise of the authority provided in such sub-*
7 *section may, as directed by the member pursuant to regula-*
8 *tions prescribed by the Secretary concerned—*

9 “(1) *be paid through allotments or assignments*
10 *made by the member; or*

11 “(2) *be credited to the account of the member*
12 *and paid to the member upon—*

13 “(A) *the end of the period referred to in*
14 *subsection (a); or*

15 “(B) *the departure of the member from an*
16 *area referred to in such subsection.*

17 “(c) *PROMPT PAYMENT REQUIREMENT.*—The *Sec-*
18 *retary concerned shall ensure prompt payment of any pay*
19 *and allowance due to be paid a member under subsection*
20 *(b)(2)(B).”*

21 (2) *The table of sections at the beginning of such chap-*
22 *ter is amended by adding at the end the following new item:*

“1015. Pay and allowances: limit on direct payment during period of war, hos-
tilities, or national emergency.”

23 (b) *CONFORMING AMENDMENT.*—Section 1005 of such
24 *title is amended by striking out “Members” and inserting*

1 *in lieu thereof “Except as provided in section 1015 of this*
2 *title, members”.*

3 **SEC. 652. LOSSES INCURRED AND GAINS REALIZED IN CON-**
4 **NECTION WITH HOUSING MEMBERS IN PRI-**
5 **VATE HOUSING ABROAD.**

6 (a) *PAYMENT OF LOSSES AND RECOUPMENT OF*
7 *GAINS.—Section 405(d) of title 37, United States Code, is*
8 *amended to read as follows:*

9 “(d)(1) *In the case of a member of the uniformed serv-*
10 *ices authorized to receive a per diem allowance under sub-*
11 *section (a), the Secretary concerned may, under such regu-*
12 *lations as such Secretary may prescribe, make a lump-sum*
13 *payment for nonrecurring expenses incurred by the member*
14 *in occupying private housing outside of the United States.*
15 *Nonrecurring expenses for which a member may be reim-*
16 *bursed under this paragraph include losses sustained by the*
17 *member on the refund of a rental deposit (or other deposit*
18 *made by the member to secure housing) as a result of fluc-*
19 *tuations in the relative value of the currencies of the United*
20 *States and the foreign country in which such housing is*
21 *located. Expenses for which payments are made under this*
22 *subsection may not be considered for purposes of determin-*
23 *ing the per diem allowance of the member under subsection*
24 *(a).*

1 “(2) *The Secretary concerned may recoup the full*
2 *amount of a refunded deposit referred to in paragraph (1)*
3 *that was paid by the United States, including any gain*
4 *resulting from a fluctuation in currency values referred to*
5 *in that paragraph.*”.

6 (b) *EFFECTIVE DATE.*—*The amendment made by sub-*
7 *section (a) shall take effect on October 1, 1993.*

8 ***SEC. 653. POSTPONEMENT OF PERFORMANCE OF CERTAIN***
9 ***TAX-RELATED ACTS FOR CERTAIN PERSONS***
10 ***SERVING IN CONTINGENCY OPERATIONS.***

11 *Section 7508(f) of the Internal Revenue Code of 1986*
12 *is amended to read as follows:*

13 “(f) *TREATMENT OF INDIVIDUALS PERFORMING CON-*
14 *TINGENCY OPERATION SERVICE.*—

15 “(1) *IN GENERAL.*—*Any individual who per-*
16 *forms contingency operation service (and the spouse of*
17 *such individual) shall be entitled to the benefits of*
18 *this section in the same manner as if such service*
19 *were service referred to in subsection (a).*

20 “(2) *CONTINGENCY OPERATION SERVICE.*—*For*
21 *the purposes of this subsection, the term ‘contingency*
22 *operation service’ means any service in the Armed*
23 *Forces or in support of the Armed Forces if—*

24 “(A) *such service is performed in an area*
25 *designated by the Secretary of Defense pursuant*

1 to regulations prescribed by the Secretary under
2 this paragraph as a contingency operation area;
3 and

4 “(B) such services are performed during a
5 contingency operation (as such term is defined
6 in section 101(a)(13) of title 10, United States
7 Code.”.

8 **SEC. 654. BENEFITS FOR DEPENDENTS OF MEMBERS OF**
9 **THE ARMED FORCES PENDING LOSS OF**
10 **RIGHT TO RETIRED PAY AS A RESULT OF A**
11 **COURT-MARTIAL.**

12 (a) *PAYMENT REQUIRED.*—Subsection (h) of section
13 1408 of title 10, United States Code, is amended—

14 (1) by redesignating paragraph (10) as para-
15 graph (11); and

16 (2) by inserting after paragraph (9) the follow-
17 ing new paragraph (10):

18 “(10)(A) For purposes of this subsection, in the case
19 of a member of the armed forces who has been sentenced
20 by a court-martial to receive a punishment that will termi-
21 nate the eligibility of that member to receive retired pay
22 if executed, the eligibility of that member to receive retired
23 pay shall be considered terminated effective upon the ap-
24 proval of that sentence by the court-martial convening au-
25 thority.

1 “(B) If each form of the punishment that would result
2 in the termination of eligibility to receive retired pay is
3 later remitted, set aside, or mitigated to a punishment that
4 does not result in the termination of that eligibility, a pay-
5 ment of benefits to the eligible recipient under this sub-
6 section that is based on the punishment so vacated, set
7 aside, or mitigated shall cease. The cessation of payments
8 shall be effective as of the first day of the first month follow-
9 ing the month in which the Secretary of the military de-
10 partment concerned notifies the recipient of such benefits
11 in writing that payment of the benefits will cease. The re-
12 cipient may not be required to repay the benefits received
13 before that effective date (except to the extent necessary to
14 recoup any amount that was erroneous when paid).”.

15 (b) ADMINISTRATION FOR THE COAST GUARD.—Sub-
16 section (h) of such section is amended—

17 (1) in paragraph (2)(A), by inserting after “Sec-
18 retary of Defense” the following: “or, for the Coast
19 Guard when it is not operating as a service in the
20 Navy, by the Secretary of Transportation”; and

21 (2) in paragraph (8), by inserting before the pe-
22 riod at the end the following: “or, in the case of the
23 Coast Guard, out of funds appropriated to the De-
24 partment of Transportation for payment of retired
25 pay for the Coast Guard”.

1 (c) *EFFECTIVE DATE.*—*The amendments made by this*
2 *section shall take effect as of October 23, 1992, and shall*
3 *apply as if the provisions of the paragraph (10) of section*
4 *1408(h) of title 10, United States Code, added by such sub-*
5 *section were included in the amendment made by section*
6 *653(a)(2) of Public Law 102–484 (106 Stat. 2426).*

7 ***SEC. 655. SENSE OF SENATE RELATING TO EXCESS LEAVE***
8 ***AND PERMISSIVE TEMPORARY DUTY FOR***
9 ***CERTAIN MEMBERS OF THE ARMED FORCES.***

10 (a) *SENSE OF SENATE.*—(1) *It is the sense of the Sen-*
11 *ate that the Secretary of Defense ensure that a member*
12 *whose home of record is outside the continental United*
13 *States and who is stationed inside the continental United*
14 *States at the time of the separation of the member be eligible*
15 *to receive the same amount of excess leave or permissive*
16 *temporary duty under section 1149 of title 10, United*
17 *States Code, as a member who is stationed overseas.*

18 (2) *In this subsection, the term “continental United*
19 *States” means the 48 contiguous States and the District*
20 *of Columbia.*

21 (b) *REPORT ON AREAS OF INEQUITABLE TREAT-*
22 *MENT.*—*Not later than 180 days after the date of the enact-*
23 *ment of this Act, the Secretary of Defense submit a report*
24 *to Congress—*

1 (1) *describing all provisions of law concerning*
2 *pay and allowances for members of the Armed Forces*
3 *in which members whose homes of record are outside*
4 *the continental United States receive different treat-*
5 *ment than members whose homes of record are in the*
6 *continental United States; and*

7 (2) *containing recommendations to equalize such*
8 *treatment.*

9 **TITLE VII—HEALTH CARE**
10 **PROVISIONS**

11 **SEC. 701. EXTENSION AND REVISION OF SPECIALIZED**
12 **TREATMENT FACILITY PROGRAM AUTHORITY.**

13 (a) *AUTHORITY.*—(1) *Section 1105 of title 10, United*
14 *States Code, is amended to read as follows:*

15 **“§ 1105. Specialized treatment facility program**

16 “(a) *PROGRAM AUTHORIZED.*—*The Secretary of De-*
17 *fense, in consultation with the other administering Sec-*
18 *retaries, may conduct a specialized treatment facility pro-*
19 *gram.*

20 “(b) *FACILITIES AUTHORIZED TO BE USED.*—*Under*
21 *the program, the Secretary may designate health care facili-*
22 *ties of the uniformed services and civilian health care facili-*
23 *ties as specialized treatment facilities.*

24 “(c) *WAIVER OF NONEMERGENCY HEALTH CARE RE-*
25 *STRICTION.*—*Under the program, the Secretary of Defense*

1 *may waive, with regard to the provision of a particular*
2 *service, the 40-mile radius restriction set forth in section*
3 *1079(a)(7) of this title if the Secretary determines that the*
4 *use of a different geographical area restriction will result*
5 *in a more cost-effective provision of the service.*

6 “(d) *CIVILIAN FACILITY SERVICE AREA.*—*For pur-*
7 *poses of the program, the service area of a civilian health*
8 *care facility designated pursuant to subsection (b) shall be*
9 *comparable in size to the service areas of facilities of the*
10 *uniformed services.*

11 “(e) *ISSUANCE OF NONAVAILABILITY OF HEALTH*
12 *CARE STATEMENTS.*—*Under the program, a commanding*
13 *officer of a facility of the uniformed services, in determining*
14 *whether to issue a nonavailability of health care statement*
15 *for a person entitled to health care in facilities of the uni-*
16 *formed services under this chapter, may consider the avail-*
17 *ability of health care services for such person pursuant to*
18 *any contract or agreement entered into under this chapter*
19 *for the provision of health care services.*

20 “(f) *PAYMENT OF COSTS RELATED TO CARE IN SPE-*
21 *CIALIZED TREATMENT FACILITIES.*—(1) *Subject to para-*
22 *graph (2), the Secretary of Defense, in connection with the*
23 *treatment of a covered beneficiary under the program, may*
24 *provide the following benefits:*

1 “(A) Full or partial reimbursement of a member
2 of the uniformed services for the reasonable expenses
3 incurred by the member in transporting a covered
4 beneficiary to or from a health care facility of the
5 uniformed services or a civilian health care facility at
6 which specialized health care services are provided
7 pursuant to this chapter.

8 “(B) Full or partial reimbursement of a person
9 (including a member of the uniformed services) for the
10 reasonable expenses of transportation, temporary
11 lodging, and meals (not to exceed a per diem rate de-
12 termined in accordance with implementing regula-
13 tions) incurred by such person in accompanying a
14 covered beneficiary as a nonmedical attendant to a
15 health care facility referred to in subparagraph (A).

16 “(C) In-kind transportation, lodging, or meals
17 instead of reimbursements under subparagraph (A) or
18 (B) for transportation, lodging, or meals, respectively.

19 “(2) The Secretary may make reimbursements or pro-
20 vide transportation, lodging, and meals under paragraph
21 (1) in the case of a covered beneficiary only if the total
22 cost to the Department of Defense of doing so and of provid-
23 ing the health care in such case is less than the cost to the
24 Department of providing the health care to the covered bene-
25 ficiary by other means authorized under this chapter.

1 *essary by a peer review board acting under the CHAMPUS*
2 *Peer Review Organization program.*

3 *“(2) The Secretary of Defense may, after consulting*
4 *with the other administering Secretaries, adopt or adapt*
5 *for use under the CHAMPUS Peer Review Organization*
6 *program, as the Secretary considers appropriate, any of the*
7 *quality and utilization review requirements and procedures*
8 *that are utilized by the Peer Review Organization program*
9 *under part B of title XI of the Social Security Act (42*
10 *U.S.C. 1320c et seq.).”.*

11 **SEC. 703. FLEXIBLE DEADLINE FOR COMMENCEMENT OF**
12 **CHAMPUS REFORM INITIATIVE IN HAWAII**
13 **AND CALIFORNIA.**

14 *Section 713(b)(1) of the National Defense Authoriza-*
15 *tion Act for Fiscal Year 1993 (Public Law 102-484; 106*
16 *Stat. 2435; 10 U.S.C. 1073 note) is amended by inserting*
17 *“, or as soon thereafter as is practicable” after “August 1,*
18 *1993”.*

19 **SEC. 704. DELAY OF TERMINATION OF STATUS OF CERTAIN**
20 **FACILITIES AS UNIFORMED SERVICES TREAT-**
21 **MENT FACILITIES.**

22 *Section 1252(e) of the Department of Defense Author-*
23 *ization Act, 1984 (42 U.S.C. 248d(e)) is amended by strik-*
24 *ing out “December 31, 1993” in the first sentence and in-*
25 *serting in lieu thereof “December 31, 1998”.*

1 **SEC. 705. EXCLUSION OF EXPERIENCED MILITARY PHYSI-**
2 **CIANS FROM MEDICARE DEFINITION OF NEW**
3 **PHYSICIAN.**

4 (a) *CHARGES IN RURAL AREAS; EFFECT OF UNI-*
5 *FORMED SERVICE EXPERIENCE.*—Section 1842(b)(4)(F)(i)
6 *of the Social Security Act (42 U.S.C. 1395u(b)(4)(F)(i)) is*
7 *amended by adding at the end the following new sentence:*
8 *“The preceding sentence shall not apply to any health care*
9 *practitioner who before the practitioner’s first year of prac-*
10 *tice has served at least four years as a health care practi-*
11 *tioner in one of the uniformed services.”.*

12 (b) *CHARGES BY NEW PHYSICIANS; EFFECT OF UNI-*
13 *FORMED SERVICE EXPERIENCE.*—Section 1848(a)(4) of the
14 *Social Security Act (42 U.S.C. 1395w-4(a)(4)) is amended*
15 *by inserting “, or to any physician who before the practi-*
16 *tioner’s first year of practice has served at least four years*
17 *as a physician in one of the uniformed services” before the*
18 *period at the end of the second sentence.*

19 **SEC. 706. ENROLLMENT IN THE DEPENDENTS’ DENTAL PRO-**
20 **GRAM BY CERTAIN MEMBERS RETURNING**
21 **FROM OVERSEAS ASSIGNMENTS.**

22 (a) *IN GENERAL.*—The Secretary of Defense shall re-
23 *visе the regulations applicable to the dependents’ dental*
24 *program established under section 1076a of title 10, United*
25 *States Code, and the provisions of dental benefits plans es-*
26 *tablished under that program, to the extent necessary to per-*

1 *mit members of the uniformed services described in sub-*
2 *section (b) to enroll in a dental benefits plan under such*
3 *program without regard to the length of the uncompleted*
4 *portion of the member's period of obligated service.*

5 *(b) COVERED MEMBERS.—Subsection (a) applies with*
6 *respect to a member of the uniformed services referred to*
7 *in the first sentence of section 1076a(a)(1) of title 10, Unit-*
8 *ed States Code, who is reassigned from a permanent duty*
9 *station where a dental benefits plan referred to in subsection*
10 *(a) is not available to a permanent duty station where such*
11 *a plan is available.*

12 **SEC. 707. SENSE OF SENATE ON THE PROVISION OF ADE-**
13 **QUATE MEDICAL CARE TO MILITARY RETIR-**
14 **EES.**

15 *(a) SENSE OF THE SENATE.—It is the sense of the Sen-*
16 *ate that the Secretary of Defense should encourage increased*
17 *use of physicians, dentists, and other health care profes-*
18 *sionals in the reserve components of the Armed Forces of*
19 *the United States in order to provide retired military per-*
20 *sonnel with care under section 1074(b) of title 10, United*
21 *States Code, while such members of the reserve components*
22 *are performing active duty, full-time National Guard duty,*
23 *or inactive-duty training consistent with other military*
24 *training requirements.*

25 *(b) DEFINITIONS.—In this section:*

1 (1) *The term “retired military personnel” means*
2 *persons who are eligible for medical and dental care*
3 *under section 1074(b) of title 10, United States Code.*

4 (2) *The terms “active duty”, “full-time National*
5 *Guard training”, and “inactive-duty training” have*
6 *the meaning given such terms in section 101(d) of*
7 *such title.*

8 **SEC. 708. INDEPENDENT STUDY OF CONDUCT OF MEDICAL**
9 **STUDY BY ARCTIC AEROMEDICAL LABORA-**
10 **TORY, LADD AIR FORCE BASE, ALASKA.**

11 (a) *REQUIREMENT FOR STUDY.—The Secretary of De-*
12 *fense shall provide, in accordance with this section, for an*
13 *independent study of the conduct of a series of medical stud-*
14 *ies performed during or prior to 1957 by the Air Force Arc-*
15 *tic Aeromedical Laboratory in Alaska. The series of medical*
16 *studies referred to in the preceding sentence was designed*
17 *to study thyroid activity in men exposed to cold, and in-*
18 *volved the administration of a radioactive isotope (Iodine*
19 *131) to certain Alaska Natives.*

20 (b) *CONDUCT OF REQUIRED STUDY.—The study re-*
21 *ferred to in subsection (a) shall be conducted by the Insti-*
22 *tute of Medicine of the National Academy of Sciences or*
23 *a similar organization.*

24 (c) *DIRECT OR INDIRECT DOD INVOLVEMENT.—*
25 *The Secretary may provide for the study either—*

1 (1) *by entering into an agreement with an inde-*
2 *pendent organization referred to in subsection (b) to*
3 *conduct the study; or*

4 (2) *by transferring to the Secretary of the Inte-*
5 *rior, the Secretary of Health and Human Services, or*
6 *the head of another department or agency of the Fed-*
7 *eral Government funds to carry out the study in ac-*
8 *cordance with subsection (b).*

9 (d) *REPORT.*—*The Secretary of Defense or the head of*
10 *the department or agency of the Federal Government carry-*
11 *ing out the study shall submit to Congress a report on the*
12 *results of the study. The report shall, at a minimum, in-*
13 *clude the following matters:*

14 (1) *Whether the series of studies referred to in*
15 *subsection (a) was conducted in accordance with gen-*
16 *erally accepted guidelines for the use of human par-*
17 *ticipants in medical experimentation.*

18 (2) *Whether Iodine 131 dosages were adminis-*
19 *tered in accordance with radiation exposure stand-*
20 *ards generally accepted as of 1957 and with radiation*
21 *exposure standards generally accepted as of 1993.*

22 (3) *The guidelines that should have been followed*
23 *in the conduct of the series of studies, including*
24 *guidelines regarding notification of participants*
25 *about any possible risks.*

1 (4) *Whether subsequent studies of the partici-*
2 *pants should have been provided for and conducted to*
3 *determine whether any participants suffered long*
4 *term ill effects of the administration of Iodine 131*
5 *and, in the case of such ill effects, needed medical care*
6 *for such effects.*

7 (e) *AUTHORIZATION OF APPROPRIATIONS.—There is*
8 *authorized to be appropriated for the Department of Defense*
9 *for fiscal year 1994, \$150,000 for carrying out the study*
10 *referred to in subsection (a).*

11 **TITLE VIII—ACQUISITION**

12 **POLICY**

13 **Subtitle A—Defense Technology and** 14 **Industrial Base, Reinvestment,** 15 **and Conversion**

16 **SEC. 801. MANUFACTURING SCIENCE AND TECHNOLOGY** 17 **PROGRAM.**

18 (a) *PROGRAM AUTHORIZED.—(1) Subchapter IV of*
19 *chapter 148 of title 10, United States Code, is amended by*
20 *adding at the end the following new section:*

21 **“§2525. Manufacturing Science and Technology Pro-** 22 **gram**

23 “(a) *ESTABLISHMENT.—The Secretary of Defense shall*
24 *establish a Manufacturing Science and Technology pro-*

1 *gram. The Director of Defense Research and Engineering*
2 *shall administer the program.*

3 “(b) *PURPOSE.*—*It shall be the purpose of the program*
4 *to enhance the capability of industry to meet the manufac-*
5 *turing needs of the Department of Defense.*

6 “(c) *COMPONENTS.*—*The Secretary of Defense shall en-*
7 *sure that programs for manufacturing science and tech-*
8 *nology are established in the military departments, the Of-*
9 *fice of the Secretary of Defense, and the Defense Logistics*
10 *Agency.*

11 “(d) *COMPETITION AND COST SHARING.*—(1) *Com-*
12 *petitive procedures shall be used for awarding all contracts,*
13 *grants, and cooperative agreements under the program.*

14 “(2) *At least 50 percent of the contracts, grants, and*
15 *cooperative agreements shall be awarded on the basis of cost*
16 *sharing arrangements involving significant contributions to*
17 *the cost of the project from non-Federal Government sources.*

18 “(3) *A contract, grant, or cooperative agreement may*
19 *not be awarded under this program on any basis other than*
20 *a cost-shared basis unless the Secretary of Defense deter-*
21 *mines that the contract, grant, or cooperative agreement is*
22 *for a program that—*

23 “(A) *is not likely to have immediate and direct*
24 *commercial applications; or*

1 “(B) is of sufficiently high risk to discourage cost
2 sharing by non-Federal Government sources.

3 “(e) REVIEW AUTHORITY.—The Secretary of Defense
4 may review any project proposed by the Congress to be
5 awarded under the program on a basis that is inconsistent
6 with paragraphs (1) and (2) of subsection (d) and may can-
7 cel any such project that the Secretary finds not to be in
8 support of the national security requirements of the United
9 States.”.

10 (2) The table of sections at the beginning of subchapter
11 IV of such chapter is amended by adding at the end the
12 following:

 “2525. Manufacturing Science and Technology Program.”.

13 (b) FUNDING.—Of the amounts authorized to be appro-
14 priated under section 201, not more than \$301,033,000
15 shall be available for the Manufacturing Science and Tech-
16 nology Program under section 2525 of title 10, United
17 States Code (as added by subsection (a)), of which—

18 (1) not more than \$20,000,000 shall be available
19 for the Army;

20 (2) not more than \$50,000,000 shall be available
21 for the Navy;

22 (3) not more than \$60,000,000 shall be available
23 for the Air Force; and

24 (4) not more than \$171,033,000 shall be avail-
25 able for the Defense Agencies.

1 **SEC. 802. UNIVERSITY RESEARCH INITIATIVE SUPPORT**
2 **PROGRAM.**

3 (a) *ESTABLISHMENT.*—The Secretary of Defense,
4 through the Director of Defense Research and Engineering,
5 shall establish a University Research Initiative Support
6 Program.

7 (b) *PURPOSE.*—Under the program, the Director shall
8 award grants and contracts to eligible institutions of higher
9 education to support the conduct of research and develop-
10 ment relevant to requirements of the Department of Defense.

11 (c) *ELIGIBILITY.*—An institution of higher education
12 is eligible for a grant or contract under the program if the
13 institution has received less than a total of \$1,000,000 in
14 grants and contracts from the Department of Defense in the
15 two fiscal years before the fiscal year in which the institu-
16 tion submits a proposal for such grant or contract.

17 (d) *COMPETITION REQUIRED.*—The Director shall use
18 competitive procedures in awarding grants and contracts
19 under the program.

20 (e) *PROGRAM REQUIREMENTS.*—Not later than 90
21 days after the date of the enactment of this Act, the Director
22 of Defense Research and Engineering shall prescribe direc-
23 tives for carrying out the program. The directives shall re-
24 quire a merit-based selection process that is consistent with
25 the provisions of section 2361(a) of title 10, United States
26 Code, and shall require that each person selected to partici-

1 *pate in such a merit-based selection process be a member*
2 *of the faculty or staff of an institution of higher education*
3 *that is a member of the National Association of State Uni-*
4 *versities and Land Grant Colleges or the American Associa-*
5 *tion of State Colleges and Universities.*

6 *(f) FUNDING.—Of the amounts authorized to be appro-*
7 *priated under section 201, not more than \$50,000,000 shall*
8 *be available for the University Research Initiative Support*
9 *Program.*

10 **SEC. 803. OPERATING COMMITTEE OF THE CRITICAL TECH-**
11 **NOLOGIES INSTITUTE.**

12 *Section 822(c) of the National Defense Authorization*
13 *Act for Fiscal Year 1991 (42 U.S.C. 6686(c)) is amended*
14 *to read as follows:*

15 *“(c) OPERATING COMMITTEE.—(1) The Institute shall*
16 *have an Operating Committee composed of five members as*
17 *follows:*

18 *“(A) The Director of the Office of Science and*
19 *Technology Policy, who shall chair the committee.*

20 *“(B) The Director of the National Institutes of*
21 *Health.*

22 *“(C) The Director of the National Institute for*
23 *Standards and Technology.*

24 *“(D) The Director of the Advanced Research*
25 *Projects Agency.*

1 “(E) *The Under Secretary of Energy having re-*
2 *ponsibility for science and technology matters.*”

3 “(2) *The Operating Committee shall meet not less than*
4 *four times each year.*”

5 **SEC. 804. TARGETING DEFENSE CONVERSION FUNDS.**

6 *It is the sense of Congress that—*

7 (1) *defense conversion funds, including funds for*
8 *community assistance and dislocated personnel,*
9 *should serve to relieve distress in areas of the country*
10 *that are the most adversely affected by reduced spend-*
11 *ing for national defense and by military base clo-*
12 *tures;*

13 (2) *in the determinations of whether applicants*
14 *for defense conversion assistance meet applicable cost-*
15 *sharing requirements, all non-Federal funds, includ-*
16 *ing funds from States and from local sources, should*
17 *be considered;*

18 (3) *by April 30, 1994 (with respect to activities*
19 *during the first half of fiscal year 1994) and by Octo-*
20 *ber 31, 1994 (with respect to activities during the sec-*
21 *ond half of fiscal year 1994), the Secretary of Defense*
22 *should submit to Congress a report setting forth—*

23 (A) *the geographic distribution of the*
24 *sources of all proposals received for defense con-*
25 *version assistance and the geographic distribu-*

1 *tion of the defense conversion assistance awarded*
2 *(in order to indicate the extent to which the pol-*
3 *icy in paragraph (1) is being carried out); and*

4 *(B) the number of proposals for defense con-*
5 *version assistance received from small businesses*
6 *and the number of awards of defense conversion*
7 *assistance to small businesses (in order to pro-*
8 *vide a basis for determining whether sufficient*
9 *opportunities exist for small businesses to receive*
10 *an appropriate portion of defense conversion*
11 *funds and whether the cost-sharing requirements*
12 *for small businesses should be reduced); and*

13 *(4) by January 1, 1994, the Secretary of Defense*
14 *should—*

15 *(A) submit to Congress any recommenda-*
16 *tions that, taking into consideration the experi-*
17 *ence with providing defense conversion assistance*
18 *during fiscal year 1993, the Secretary considers*
19 *appropriate regarding—*

20 *(i) what share of the costs of partici-*
21 *pating in a defense conversion program*
22 *should be borne by non-Department of De-*
23 *fense sources; and*

1 (ii) what, if any, changes should be
2 made in the laws providing authority for
3 defense conversion programs; and

4 (B) prescribe regulations to provide full
5 credit for in-kind contributions of non-Depart-
6 ment of Defense sources for purposes of defense
7 conversion program cost-sharing requirements.

8 **SEC. 805. SMALL BUSINESS PARTICIPATION.**

9 (a) *DUAL-USE CRITICAL TECHNOLOGY PARTNER-*
10 *SHIPS.—(1) Section 2511 of title 10, United States Code,*
11 *is amended—*

12 (A) by redesignating subsection (g) as subsection
13 (h); and

14 (B) by inserting after subsection (f) the following
15 new subsection (g):

16 “(g) *SMALL BUSINESS PARTICIPATION.—(1) The Sec-*
17 *retary shall ensure that small businesses and consortia in-*
18 *volving one or more small businesses are afforded an oppor-*
19 *tunity to participate in the partnerships program.*

20 “(2) *The Secretary shall conduct seminars or similar*
21 *programs for small businesses in order to disseminate infor-*
22 *mation regarding the partnerships program widely to small*
23 *businesses.*

24 “(3) *The Secretary shall establish a goal that at least*
25 *15 percent of the total amount appropriated for a fiscal*

1 year for partnerships under this section be expended for
2 partnerships that involve small businesses or consortia in-
3 volving one or more small businesses.

4 “(4) In this section, the term ‘small business’ has the
5 meaning given the term ‘small business concern’ pursuant
6 to section 3 of the Small Business Act (15 U.S.C. 632).”.

7 (2) Not later than the date on which the President sub-
8 mits to Congress the budget for fiscal year 1995 pursuant
9 to section 1105 of title 31, United States Code, the Secretary
10 of Defense shall submit to Congress a plan for achieving
11 the goal required by subsection (g)(3) of section 2511 of title
12 10, United States Code, as added by paragraph (1)(B).

13 (b) *SBA MEMBERSHIP ON THE NATIONAL DEFENSE*
14 *TECHNOLOGY AND INDUSTRIAL BASE COUNCIL*.—Section
15 2502(b) of title 10, United States Code, is amended—

16 (1) by redesignating paragraph (5) as para-
17 graph (6); and

18 (2) by inserting after paragraph (4) the follow-
19 ing new paragraph (5):

20 “(5) The Administrator of the Small Business
21 Administration.”.

1 **Subtitle B—Acquisition Assistance**
2 **Programs**

3 **SEC. 811. CONTRACT GOAL FOR DISADVANTAGED SMALL**
4 **BUSINESSES AND CERTAIN INSTITUTIONS OF**
5 **HIGHER EDUCATION.**

6 (a) *SCOPE OF REFERENCE TO HISTORICALLY BLACK*
7 *COLLEGES AND UNIVERSITIES.*—Subparagraph (B) of sec-
8 *tion 2323(a)(1) of title 10, United States Code, is amended*
9 *to read as follows:*

10 “(B) *historically Black colleges and universities,*
11 *including any nonprofit research institution that was*
12 *an integral part of such a college or university before*
13 *November 14, 1986;”.*

14 (b) *DEFINITION OF MINORITY INSTITUTION.*—Sub-
15 *paragraph (C) of section 2323(a)(1) of title 10, United*
16 *States Code, is amended to read as follows:*

17 “(C) *minority institutions (as defined in section*
18 *1046(3) of the Higher Education Act of 1965 (20*
19 *U.S.C. 1135d–5(3)), which, for the purposes of this*
20 *section, shall include Hispanic-serving institutions*
21 *(as defined in section 316(b)(1)) of such Act (20*
22 *U.S.C. 1059c(b)(1)).”.*

23 (c) *AWARD ELIGIBILITY.*—Section 2323(f)(2) of title
24 *10, United States Code, is amended to read as follows:*

1 “(2) *The Secretary of Defense shall prescribe regula-*
2 *tions that prohibit awarding a contract under this section*
3 *to an entity described in subsection (a)(1) unless the entity*
4 *agrees to comply with the requirements of section 15(o)(1)*
5 *of the Small Business Act (15 U.S.C. 644(o)(1)).”*

6 (d) *IMPLEMENTING REGULATIONS.—(1) The Secretary*
7 *of Defense shall propose amendments to the Department of*
8 *Defense Supplement to the Federal Acquisition Regulation*
9 *that address the matters described in subsection (g) and sub-*
10 *section (h)(2) of section 2323 of title 10, United States Code.*

11 (2) *Not later than 15 days after the date of the enact-*
12 *ment of this Act, the Secretary shall publish such proposed*
13 *amendments in accordance with section 22 of the Office of*
14 *Federal Procurement Policy Act (41 U.S.C. 418b). The Sec-*
15 *retary shall provide a period of at least 60 days for public*
16 *comment on the proposed amendments.*

17 (3) *The Secretary shall publish the final regulations*
18 *not later than 120 days after the date of the enactment of*
19 *this Act.*

20 (e) *FUNDING.—(1) Of the amounts authorized to be ap-*
21 *propriated for fiscal year 1994 pursuant to title II of this*
22 *Act, \$15,000,000 shall be available for such fiscal year for*
23 *infrastructure assistance to historically Black colleges and*
24 *universities and minority institutions under section*
25 *2323(c)(3) of title 10, United States Code.*

1 (2) *Of the amount made available pursuant to para-*
2 *graph (1), not more than \$1,000,000 may be used to provide*
3 *infrastructure assistance of the types described in section*
4 *2323(c)(3) of title 10, United States Code, to educational*
5 *institutions that have student body enrollments equal to or*
6 *greater than 51 percent of the student body enrollment*
7 *standard under which such educational institution would*
8 *qualify as a minority institution under section 1046(3) of*
9 *the Higher Education Act of 1965 (20 U.S.C. 1135d-5(3)).*

10 **SEC. 812. PROCUREMENT TECHNICAL ASSISTANCE PRO-**
11 **GRAMS.**

12 (a) *PROCUREMENT TECHNICAL ASSISTANCE PROGRAM*
13 *FUNDING.—Of the amount authorized to be appropriated*
14 *in section 301(5), \$12,000,000 shall be available for carry-*
15 *ing out the provisions of chapter 142 of title 10, United*
16 *States Code.*

17 (b) *SPECIFIC PROGRAMS.—Of the amounts referred to*
18 *in subsection (a), \$600,000 shall be available for fiscal year*
19 *1994 for the purpose of carrying out programs sponsored*
20 *by eligible entities referred to in subparagraph (D) of sec-*
21 *tion 2411(1) of title 10, United States Code, that provide*
22 *procurement technical assistance in distressed areas re-*
23 *ferred to in subparagraph (B) of section 2411(2) of such*
24 *title. If there is an insufficient number of satisfactory pro-*
25 *posals for cooperative agreements in such distressed areas*

1 *to allow for effective use of the funds made available in ac-*
2 *cordance with this subsection in such areas, the funds shall*
3 *be allocated among the Defense Contract Administration*
4 *Services regions in accordance with section 2415 of such*
5 *title.*

6 **SEC. 813. PILOT MENTOR-PROTEGE PROGRAM FUNDING**
7 **AND IMPROVEMENTS.**

8 (a) *FUNDING.*—*Of the amounts authorized to be ap-*
9 *propriated for fiscal year 1994 pursuant to title I of this*
10 *Act, \$50,000,000 shall be available for conducting the pilot*
11 *Mentor-Protege Program established pursuant to section*
12 *831 of the National Defense Authorization Act for Fiscal*
13 *Year 1991 (Public Law 101–510; 10 U.S.C. 2301 note).*

14 (b) *REGULATIONS.*—(1) *The fifth sentence of section*
15 *831(k) of the National Defense Authorization Act for Fiscal*
16 *Year 1991 (10 U.S.C. 2301 note) is amended to read as*
17 *follows: “The Department of Defense policy regarding the*
18 *pilot Mentor-Protege Program shall be published and main-*
19 *tained as an appendix to the Department of Defense Sup-*
20 *plement to the Federal Acquisition Regulation.”.*

21 (2) *The Secretary of Defense shall ensure that, within*
22 *30 days after the date of the enactment of this Act, the De-*
23 *partment of Defense policy regarding the pilot Mentor-Pro-*
24 *tege Program, as in effect on September 30, 1993, is incor-*
25 *porated into the Department of Defense Supplement to the*

1 *Federal Acquisition Regulation as an appendix. Revisions*
2 *to such policy (or any successor policy) shall be published*
3 *and maintained in such supplement as an appendix.*

4 (c) *EQUITY CAPITAL INVESTMENT.—(1) Section*
5 *831(f)(6) of the National Defense Authorization Act for Fis-*
6 *cal Year 1991 (10 U.S.C. 2301 note) is amended by striking*
7 *out “10 percent” and inserting in lieu thereof “40 percent”.*

8 (2) *The amendment made by paragraph (1) shall take*
9 *effect as of October 1, 1991.*

10 (d) *EXTENSION OF PROGRAM ADMISSIONS.—Section*
11 *831(j)(1) of the National Defense Authorization Act for Fis-*
12 *cal Year 1991 (10 U.S.C. 2301 note) is amended by striking*
13 *“September 30, 1994” and inserting “September 30, 1995”.*

14 ***Subtitle C—Other Matters***

15 ***SEC. 821. REIMBURSEMENT OF INDIRECT COSTS OF INSTI-*** 16 ***TUTIONS OF HIGHER EDUCATION UNDER DE-*** 17 ***PARTMENT OF DEFENSE CONTRACTS.***

18 (a) *IN GENERAL.—Department of Defense reimburse-*
19 *ments of allowable indirect costs incurred by an institution*
20 *of higher education for work performed for the Department*
21 *of Defense under a Department of Defense contract may not*
22 *be limited by regulation to a maximum amount unless that*
23 *same limitation is applied uniformly to all other organiza-*
24 *tions performing similar work for the Department of De-*
25 *fense under Department of Defense contracts.*

1 (b) *WAIVERS.*—*The governing body of an institution*
2 *of higher education may waive the application of the prohi-*
3 *bition in subsection (a) to such institution in order to sim-*
4 *plify the overall management by that institution of cost re-*
5 *imbursements for contracts awarded to the institution.*

6 (c) *DEFINITIONS.*—*In this section:*

7 (1) *The term “allowable indirect costs” means*
8 *costs that are generally considered allowable as indi-*
9 *rect costs under regulations that establish the cost re-*
10 *imbursement principles applicable to an institution*
11 *of higher education for purposes of Department of De-*
12 *fense contracts.*

13 (2) *The term “institution of higher education”*
14 *has the meaning given such term in section 1201(a)*
15 *of the Higher Education Act of 1965 (20 U.S.C.*
16 *1141(a)).*

17 **SEC. 822. PROHIBITION ON PURCHASE OF UNITED STATES**

18 **DEFENSE CONTRACTORS BY ENTITIES CON-**

19 **TROLLED BY FOREIGN GOVERNMENTS.**

20 *Section 835(c)(1)(A) of the National Defense Author-*
21 *ization Act for Fiscal Year 1993 (Public Law 102–484; 106*
22 *Stat. 2462; 50 U.S.C. App. 2170a) is amended by striking*
23 *out “owned or controlled” and inserting in lieu thereof*
24 *“controlled, either directly or indirectly.”*

1 **SEC. 823. PROHIBITION ON AWARD OF CERTAIN DEPART-**
2 **MENT OF DEFENSE AND DEPARTMENT OF EN-**
3 **ERGY CONTRACTS TO ENTITIES CONTROLLED**
4 **BY A FOREIGN GOVERNMENT.**

5 (a) *TERMINOLOGY AMENDMENT.*—Subsection (a) of
6 section 2536 of title 10, United States Code, is amended—

7 (1) by striking out “a company owned by”; and

8 (2) by striking out “that company” and insert-
9 ing in lieu thereof “that entity”.

10 (b) *DEFINITION OF ENTITY CONTROLLED BY FOREIGN*
11 *GOVERNMENT.*—Subsection (c)(1)(A) of such section is
12 amended by striking out “owned or controlled” and insert-
13 ing in lieu thereof “controlled, either directly or indi-
14 rectly,”.

15 (c) *CLERICAL AMENDMENTS.*—(1) The section heading
16 of such section is amended by striking out “**companies**
17 **owned by an entity**” and inserting in lieu thereof “**en-**
18 **tities**”.

19 (2) The item relating to such section in the table of
20 sections at the beginning of subchapter V of chapter 148
21 of title 10, United States Code, is amended to read as fol-
22 lows:

“2536. Prohibition on award of certain Department of Defense and Department
of Energy contracts to entities controlled by a foreign govern-
ment.”.

1 **SEC. 824. REPORTS BY DEFENSE CONTRACTORS ON DEAL-**
2 **INGS WITH TERRORIST COUNTRIES AND NA-**
3 **TIONALS OF TERRORIST COUNTRIES.**

4 (a) *IN GENERAL.*—(1) Chapter 141 of title 10, United
5 States Code, is amended by adding at the end the following
6 new section:

7 **“§2410i. Defense contractor transactions with terror-**
8 **ist countries and nationals of terrorist**
9 **countries**

10 “(a) *REPORTS REQUIRED FROM CONTRACTORS.*—
11 (1)(A) The Secretary of Defense shall require that each
12 person—

13 “(i) before entering into a contract with the De-
14 partment of Defense to provide goods or services to the
15 Department, report to the Secretary any commercial
16 transactions which such person has conducted with
17 any terrorist country or with any national of a ter-
18 rorist country; and

19 “(ii) report to the Secretary any commercial
20 transactions which such person conducts, during the
21 period of the contract, with any terrorist country, or
22 with any national of a terrorist country.

23 “(B) The requirement contained in subparagraph
24 (A)(ii) shall be included in the contract with the Depart-
25 ment of Defense.

1 “(b) *ANNUAL REPORT TO CONGRESS.*—(1) *The Sec-*
2 *retary of Defense shall submit to the Congress an annual*
3 *report on defense contractor transactions with terrorist*
4 *countries and nationals of terrorist countries.*

5 “(2) *The report shall contain the following matters:*

6 “(A) *A list of the persons who conducted com-*
7 *mercial transactions with terrorist countries and na-*
8 *tionals of terrorist countries during the year covered*
9 *by the report, as reported pursuant to subsection (a).*

10 “(B) *The terrorist countries and nationals of ter-*
11 *rorist countries with which such transactions were*
12 *conducted.*

13 “(C) *The nature of the transactions.*

14 “(c) *DEFINITIONS.*—*In this section:*

15 “(1) *The term ‘terrorist country’ means a coun-*
16 *try the government of which the Secretary of State*
17 *has determined pursuant to law, as of March 1, 1993,*
18 *is a government that has repeatedly provided support*
19 *for acts of international terrorism.*

20 “(2) *The term ‘national’ means, with respect to*
21 *a terrorist country—*

22 “(A) *a natural person who is a citizen of*
23 *such country; or*

24 “(B) *a corporation or other legal entity that*
25 *is organized under the laws of that country, if*

1 *natural persons who are citizens of that country*
2 *own, directly or indirectly, 50 percent or more of*
3 *the outstanding capital stock or other beneficial*
4 *interest of such corporation or entity.”.*

5 (2) *The table of sections at the beginning of such chap-*
6 *ter is amended by adding at the end the following:*

“2410i. Defense contractor transactions with terrorist countries and nationals of
terrorist countries.”.

7 (b) *EFFECTIVE DATE.*—*Section 2410i of title 10, Unit-*
8 *ed States Code, shall take effect 60 days after the date of*
9 *the enactment of this Act and shall apply to contracts en-*
10 *tered into on or after the effective date of such section.*

11 ***SEC. 825. DEPARTMENT OF DEFENSE PURCHASES***
12 ***THROUGH OTHER AGENCIES.***

13 (a) *REGULATIONS REQUIRED.*—*Not later than six*
14 *months after the date of the enactment of this Act, the Sec-*
15 *retary of Defense shall issue regulations governing the exer-*
16 *cise by the Department of Defense of the authority under*
17 *section 1535 of title 31, United States Code, to purchase*
18 *goods and services under contracts entered into or adminis-*
19 *tered by another agency.*

20 (b) *CONTENT OF REGULATIONS.*—*The regulations is-*
21 *ssued pursuant to subsection (a) shall—*

22 (1) *require that each purchase described in sub-*
23 *section (a) be approved in advance by a warranted*
24 *contracting officer of the Department of Defense with*

1 *authority to contract for the goods or services to be*
2 *purchased or by another official in a position specifi-*
3 *cally designated by regulation to approve such pur-*
4 *chase;*

5 (2) *provide that such a purchase of goods or*
6 *services may be made only if—*

7 (A) *the purchase is appropriately made*
8 *under a contract that the agency filling the pur-*
9 *chase order entered into, before the purchase*
10 *order, in order to meet the requirements of such*
11 *agency for the same or similar goods or services;*

12 (B) *the agency filling the purchase order is*
13 *better qualified to enter into or administer the*
14 *contract for such goods or services by reason of*
15 *capabilities or expertise that is not available*
16 *within the Department;*

17 (C) *the agency or unit filling the order is*
18 *specifically authorized by law or regulations to*
19 *purchase such goods or services on behalf of other*
20 *agencies; or*

21 (D) *the purchase is authorized by an Execu-*
22 *tive order or a revision to the Federal Acquisi-*
23 *tion Regulation setting forth specific additional*
24 *circumstances in which purchases referred to in*
25 *subsection (a) are authorized;*

1 (3) *prohibit any such purchase under a contract*
2 *or other agreement entered into or administered by an*
3 *agency not covered by the provisions of chapter 137*
4 *of title 10, United States Code, or title III of the Fed-*
5 *eral Property and Administrative Services Act of*
6 *1949 and not covered by the Federal Acquisition Reg-*
7 *ulation unless the purchase is approved in advance by*
8 *the Senior Acquisition Executive responsible for pur-*
9 *chasing by the ordering agency or unit; and*

10 (4) *prohibit any payment to the agency filling a*
11 *purchase order of any fee that exceeds the actual cost*
12 *or, if the actual cost is not known, the estimated cost*
13 *of entering into and administering the contract or*
14 *other agreement under which the order is filled.*

15 (c) *MONITORING SYSTEM REQUIRED.*—*The Secretary*
16 *of Defense shall ensure that, not later than one year after*
17 *the date of enactment of this Act, systems of the Department*
18 *of Defense for collecting and evaluating procurement data*
19 *are capable of collecting and evaluating appropriate data*
20 *on procurements conducted under the regulations issued*
21 *pursuant to paragraph (a).*

22 (d) *TERMINATION.*—*This section shall cease to be effec-*
23 *tive one year after the date on which final regulations is-*
24 *sued pursuant to subsection (a) take effect.*

1 **SEC. 826. AUTHORITY OF THE ADVANCED RESEARCH**
2 **PROJECTS AGENCY TO CARRY OUT CERTAIN**
3 **PILOT DEMONSTRATION PROJECTS AND PRO-**
4 **TOTYPE PROJECTS.**

5 (a) *AUTHORITY.*—The Director of the Advanced Re-
6 search Projects Agency may, under the authority of section
7 2371 of title 10, United States Code, carry out pilot tech-
8 nology demonstration projects and prototype projects that
9 are directly relevant to weapons or weapons systems pro-
10 posed to be acquired or developed by the Department of De-
11 fense.

12 (b) *EXERCISE OF AUTHORITY.*—(1) Subsections (d)(2)
13 and (d)(3) of such section 2371 shall not apply to pilot
14 projects carried out under subsection (a).

15 (2) The Director shall, to the maximum extent prac-
16 ticable, utilize competitive procedures when entering into
17 agreements to carry out projects under subsection (a).

18 (c) *PERIOD OF AUTHORITY.*—The authority of the Di-
19 rector to carry out projects under subsection (a) shall termi-
20 nate 3 years after the date of the enactment of this Act.

21 **SEC. 827. IMPROVEMENT OF PRICING POLICIES FOR USE OF**
22 **MAJOR RANGE AND TEST FACILITY INSTAL-**
23 **LATIONS OF THE MILITARY DEPARTMENTS.**

24 (a) *IN GENERAL.*—Chapter 159 of title 10, United
25 States Code, is amended by inserting after section 2680 the
26 following new section:

1 **“§2681. Use of test and evaluation installations by**
2 **commercial entities**

3 “(a) *CONTRACT AUTHORITY.*—The Secretary of the
4 military department concerned, in consultation with the
5 Secretary of Defense, may enter into contracts with com-
6 mercial entities that desire to conduct commercial test and
7 evaluation activities at a Major Range and Test Facility
8 Installation under the jurisdiction of the Secretary.

9 “(b) *TERMINATION OR LIMITATION OF CONTRACT*
10 *UNDER CERTAIN CIRCUMSTANCES.*—A contract entered
11 into under subsection (a) shall contain a provision that the
12 installation commander may terminate, prohibit, or sus-
13 pend immediately any commercial test or evaluation activ-
14 ity to be conducted at the Major Range and Test Facility
15 Installation under the contract if the installation com-
16 mander certifies in writing that the test or evaluation activ-
17 ity is or would be detrimental—

18 “(1) to the public health and safety;

19 “(2) to property (either public or private); or

20 “(3) to any national security interest or foreign
21 policy interest of the United States.

22 “(c) *CONTRACT PRICE.*—A contract entered into under
23 subsection (a) shall include a provision that requires a com-
24 mercial entity using a Major Range and Test Facility In-
25 stallation under the contract to reimburse the installation
26 for all direct costs to the United States that are associated

1 *with the test and evaluation activities conducted by the*
2 *commercial entity under the contract, as determined by the*
3 *installation commander. In addition, the contract may in-*
4 *clude a provision that requires the commercial entity to re-*
5 *imburse the installation for such indirect costs related to*
6 *the use of the installation as the installation commander*
7 *considers to be appropriate.*

8 “(d) *RETENTION OF FUNDS COLLECTED FROM COM-*
9 *MERCIAL USERS.—Amounts collected under subsection (c)*
10 *from a commercial entity conducting test and evaluation*
11 *activities at a Major Range and Test Facility Installation*
12 *shall be credited to the appropriation accounts under which*
13 *the costs associated with the test and evaluation activities*
14 *of the commercial entity were incurred.*

15 “(e) *REGULATIONS AND LIMITATIONS.—The Secretary*
16 *of the military department concerned, in consultation with*
17 *the Secretary of Defense, shall prescribe regulations to carry*
18 *out this section. The authority of installation commanders*
19 *under subsections (b) and (c) shall be subject to the author-*
20 *ity, direction, and control of the Secretary of the military*
21 *department concerned.*

22 “(f) *DEFINITIONS.—In this section:*

23 “(1) *The term ‘Major Range and Test Facility*
24 *Installation’ means a test and evaluation installation*

1 *under the jurisdiction of the Secretary of a military*
2 *department and designated as such by the Secretary.*

3 *“(2) The term ‘direct costs’ includes the cost of—*

4 *“(A) labor, material, facilities, utilities,*
5 *equipment, supplies, and any other resources*
6 *damaged or consumed during the test or evalua-*
7 *tion activities or maintained for a particular*
8 *commercial entity; and*

9 *“(B) construction specifically performed for*
10 *the commercial entity to conduct test and eval-*
11 *uation activities.*

12 *“(3) The term ‘installation commander’ means*
13 *the commander of a Major Range and Test Facility*
14 *Installation.*

15 *“(g) TERMINATION OF AUTHORITY.—The authority*
16 *provided to the Secretary of a military department by sub-*
17 *section (a) shall terminate on September 30, 1998.*

18 *“(h) REPORT.—Not later than January 1, 1999, the*
19 *Secretary of each military department shall submit to the*
20 *Secretary of Defense and Congress a report describing the*
21 *number and purposes of contracts entered into under sub-*
22 *section (a) and evaluating the extent to which the authority*
23 *under this section is exercised to open Major Range and*
24 *Test Facility Installations to commercial test and evalua-*
25 *tion activities.”.*

1 (b) *CLERICAL AMENDMENT.*—The table of sections at
2 the beginning of such chapter is amended by inserting after
3 the item related to section 2680 the following new item:

“2681. Use of test and evaluation installations by commercial entities.”.

4 ***Subtitle D—Defense Acquisition***
5 ***Pilot Program***

6 ***SEC. 831. DEFENSE ACQUISITION PILOT PROGRAM AMEND-***
7 ***MENTS.***

8 (a) *REPEAL OF LIMITATION ON NUMBER OF PARTICI-*
9 *PATING DEFENSE ACQUISITION PROGRAMS.*—Section
10 *809(b)(1) of the National Defense Authorization Act for Fis-*
11 *cal Year 1991 (10 U.S.C. 2430 note) is amended by striking*
12 *out “not more than six”.*

13 (b) *REPEAL OF REQUIREMENT TO DESIGNATE PAR-*
14 *TICIPATING PROGRAMS AS DEFENSE ENTERPRISE PRO-*
15 *GRAMS.*—Section 809 of such Act is amended by striking
16 *out subsection (d).*

17 (c) *PUBLICATION OF POLICIES AND GUIDELINES FOR*
18 *PUBLIC COMMENT.*—Section 809 of such Act is amended
19 *by striking out subsection (e) and inserting in lieu thereof*
20 *the following:*

21 “(d) *PUBLICATION OF POLICIES AND GUIDELINES.*—
22 *The Secretary shall publish in the Federal Register a pro-*
23 *posed memorandum setting forth policies and guidelines for*
24 *implementation of the pilot program under this section and*
25 *provide an opportunity for public comment on the proposed*

1 memorandum for a period of 60 days after the date of publi-
2 cation. The Secretary shall publish in the Federal Register
3 any subsequent proposed change to the memorandum and
4 provide an opportunity for public comment on each such
5 proposed change for a period of 60 days after the date of
6 publication.”.

7 (d) CONGRESSIONAL NOTIFICATION REQUIRE-
8 MENTS.—Section 809 of such Act is amended—

9 (1) by redesignating subsection (f) as subsection
10 (e); and

11 (2) in paragraph (2)(D) of subsection (e), as so
12 redesignated, by striking out “specific budgetary and
13 personnel savings” and inserting in lieu thereof “a
14 discussion of the efficiencies or savings”.

15 **SEC. 832. REFERENCE TO DEFENSE ACQUISITION PILOT**
16 **PROGRAM.**

17 A reference in this subtitle to the Defense Acquisition
18 Pilot Program is a reference to the defense acquisition pilot
19 program authorized by section 809 of the National Defense
20 Authorization Act for Fiscal Year 1991 (10 U.S.C. 2430
21 note).

22 **SEC. 833. MISSION ORIENTED PROGRAM MANAGEMENT.**

23 It is the sense of Congress that—

24 (1) in the exercise of the authority provided in
25 section 809 of the National Defense Authorization Act

1 for Fiscal Year 1991 (10 U.S.C. 2430 note), the Sec-
2 retary of Defense should propose for one or more of
3 the defense acquisition programs covered by the De-
4 fense Acquisition Pilot Program to utilize the concept
5 of mission oriented program management that
6 includes—

7 (A) establishing a mission oriented program
8 executive office; and

9 (B) designating a lead agency for the mis-
10 sion oriented program executive office;

11 (2) the duties of the program executive officer for
12 each of one or more of such programs should
13 include—

14 (A) planning, programming, and carrying
15 out research, development, and acquisition ac-
16 tivities;

17 (B) providing advice regarding the prepa-
18 ration and integration of budgets for research,
19 development, and acquisition activities;

20 (C) informing the operational commands of
21 alternative technology solutions to fulfill emerg-
22 ing requirements;

23 (D) ensuring that the acquisition plan for
24 the program realistically reflects the budget and
25 related decisions made for that program;

1 (E) managing related technical support re-
2 sources;

3 (F) conducting integrated decision team
4 meetings; and

5 (G) providing technological advice to users
6 of program products and to the officials within
7 the military departments who prepare plans,
8 programs, and budgets;

9 (3) the Chairman of the Joint Chiefs of Staff, in
10 consultation with the Under Secretary of Defense for
11 Acquisition, should prescribe policies and procedures
12 for the interaction of the commanders of the unified
13 and specified combatant commands with the mission
14 oriented program executive officers, and such policies
15 and procedures should include provisions for enabling
16 the user commands to perform acceptance testing; and

17 (4) the management functions of a program
18 manager should not duplicate the management func-
19 tions of the mission oriented program executive offi-
20 cer.

21 **SEC. 834. SAVINGS OBJECTIVES.**

22 It is the sense of Congress that the Secretary of Defense,
23 on the basis of the experience under the Defense Acquisition
24 Pilot Program, should seek personnel reductions and other
25 management and administrative savings that, by Septem-

1 *ber 30, 1998, will achieve at least a 25-percent reduction*
2 *in defense acquisition management costs below the costs of*
3 *defense acquisition management during fiscal year 1993.*

4 **SEC. 835. PROGRAM PHASES AND PHASE FUNDING.**

5 *(a) ACQUISITION PROGRAM PHASES.—It is the sense*
6 *of Congress that—*

7 *(1) the Secretary of Defense should propose that*
8 *one or more defense acquisition programs proposed*
9 *for participation in the Defense Acquisition Pilot*
10 *Program be exempted from acquisition regulations re-*
11 *garding program phases that are applicable to other*
12 *Department of Defense acquisition programs; and*

13 *(2) a program so exempted should follow a sim-*
14 *plified acquisition program cycle that is results ori-*
15 *ented and consists of—*

16 *(A) an integrated decision team meeting*
17 *phase which—*

18 *(i) could be requested by a potential*
19 *user of the system or component to be ac-*
20 *quired, the head of a laboratory, or a pro-*
21 *gram office on such bases as the emergence*
22 *of a new military requirement, cost savings*
23 *opportunity, or new technology opportunity;*

24 *(ii) should be conducted by a program*
25 *executive officer; and*

1 (iii) should usually be completed with-
2 in 1 to 3 months.;

3 (B) a prototype development and testing
4 phase which should include operational tests and
5 concerns relating to manufacturing operations
6 and life cycle support and should usually be
7 completed within 6 to 36 months and should
8 produce sufficient numbers of prototypes to as-
9 sess operational utility;

10 (C) a product integration, development, and
11 testing phase which—

12 (i) should include full-scale develop-
13 ment, integration of components, and oper-
14 ational testing; and

15 (ii) should usually be completed within
16 1 to 5 years; and

17 (D) a phase for production, integration into
18 existing systems, or production and integration
19 into existing systems.

20 (b) PHASE FUNDING.—To the extent provided in legis-
21 lation pursuant to subsection of (c)(1)(B) of section 809 of
22 the National Defense Authorization Act for Fiscal Year
23 1991 (10 U.S.C. 2430 note) and to the extent provided in
24 appropriations Acts, the Secretary of Defense is authorized
25 to expend for a defense acquisition program participating

1 *in the Defense Acquisition Pilot Program such sums as are*
2 *necessary to carry out a phase of the acquisition program*
3 *cycle after the Secretary determines that objective quantifi-*
4 *able performance expectations relating to the execution of*
5 *that phase have been identified.*

6 (c) *MAJOR PROGRAM DECISION.—It is the sense of the*
7 *Congress that the Secretary of Defense should establish for*
8 *one or more defense acquisition programs participating in*
9 *the Defense Acquisition Pilot Program an approval process*
10 *having one major decision point.*

11 **SEC. 836. PROGRAM WORK FORCE POLICIES.**

12 (a) *IN GENERAL.—The Secretary of Defense shall re-*
13 *view the incentives and personnel actions available to the*
14 *Secretary for encouraging excellence in the acquisition*
15 *workforce of the Department of Defense and may provide*
16 *an enhanced system of incentives, in accordance with appli-*
17 *cable law, for the encouragement of excellence in the work*
18 *force of a participating acquisition program.*

19 (b) *ENHANCED SYSTEM OF INCENTIVES.—The Sec-*
20 *retary of Defense should consider providing for program ex-*
21 *ecutive officers, program managers, and other acquisition*
22 *personnel of defense acquisition programs participating in*
23 *the Defense Acquisition Pilot Program an enhanced system*
24 *of incentives which—*

1 (1) *in accordance with applicable law, relates*
2 *pay to performance; and*

3 (2) *provides for consideration of the extent to*
4 *which the performance of such personnel contributes*
5 *to the achievement of cost goals, schedule goals, and*
6 *performance goals established for such programs.*

7 **SEC. 837. EFFICIENT CONTRACTING PROCESSES.**

8 *It is the sense of the Congress that the Secretary of*
9 *Defense, in exercising the authority provided in section 809*
10 *of the National Defense Authorization Act for Fiscal Year*
11 *1991 (10 U.S.C. 2430 note), should seek to simplify the pro-*
12 *curement process, streamline the period for entering into*
13 *contracts, and simplify specifications and requirements.*

14 **SEC. 838. CONTRACT ADMINISTRATION: PERFORMANCE**
15 **BASED CONTRACT MANAGEMENT.**

16 *It is the sense of the Congress that the Secretary of*
17 *Defense should propose under section 809 of the National*
18 *Defense Authorization Act for Fiscal Year 1991 (10 U.S.C.*
19 *2430 note) that, for one or more defense acquisition pro-*
20 *grams participating in the Defense Acquisition Pilot Pro-*
21 *gram, payments under section 2307(a) of title 10, United*
22 *States Code, be made on any of the following bases:*

23 (1) *Performance measured by statistical process*
24 *controls.*

25 (2) *Event accomplishment.*

1 (3) *Other quantifiable measures of results.*

2 **SEC. 839. CONTRACTOR PERFORMANCE ASSESSMENT.**

3 (a) *COLLECTION AND ANALYSIS OF PERFORMANCE IN-*
4 *FORMATION.—The Secretary of Defense shall collect and*
5 *analyze information on contractor performance under the*
6 *Defense Acquisition Pilot Program.*

7 (b) *INFORMATION TO BE INCLUDED.—Information*
8 *collected under subsection (a) shall include the history of*
9 *the performance of each contractor under the Defense Acqui-*
10 *sition Pilot Program contracts and, for each such contract*
11 *performed by the contractor, a technical evaluation of the*
12 *contractor's performance prepared by the program manager*
13 *responsible for the contract.*

14 **TITLE IX—DEPARTMENT OF DE-**
15 **FENSE ORGANIZATION AND**
16 **MANAGEMENT**

17 **SEC. 901. ASSISTANT SECRETARY OF DEFENSE FOR LEGIS-**
18 **LATIVE AFFAIRS.**

19 *Section 136(b) of title 10, United States Code, is*
20 *amended by adding at the end the following new paragraph:*

21 “(5) *One of the Assistant Secretaries shall be the As-*
22 *stant Secretary of Defense for Legislative Affairs. He shall*
23 *have as his principal duty the overall supervision of legisla-*
24 *tive affairs of the Department of Defense.”.*

1 **SEC. 902. RESPONSIBILITIES OF THE COMPTROLLER OF**
2 **THE DEPARTMENT OF DEFENSE.**

3 *Section 137(c) of title 10, United States Code, is*
4 *amended—*

5 *(1) by striking out “and” at the end of para-*
6 *graph (4);*

7 *(2) by striking out the period at the end of para-*
8 *graph (5) and inserting in lieu thereof “; and”; and*

9 *(3) by adding at the end the following new para-*
10 *graph:*

11 *“(6) in informing, in a timely manner, the Com-*
12 *mittees on Armed Services and on Appropriations of*
13 *the Senate and House of Representatives regarding all*
14 *matters relating to the budgetary, fiscal, and analytic*
15 *activities of the Department of Defense that are under*
16 *the supervision of the Comptroller.”.*

17 **SEC. 903. REPEAL OF TERMINATION OF REQUIREMENT FOR**
18 **A DIRECTOR OF EXPEDITIONARY WARFARE.**

19 *Section 5038(e) of title 10, United States Code, is re-*
20 *pealed.*

21 **TITLE X—GENERAL PROVISIONS**
22 **Subtitle A—Financial Matters**

23 **SEC. 1001. TRANSFER AUTHORITY.**

24 *(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—(1)*
25 *Upon determination by the Secretary of Defense that such*
26 *action is necessary in the national interest, the Secretary*

1 *may transfer amounts of authorizations made available to*
2 *the Department of Defense in this division for fiscal year*
3 *1994 between any such authorizations for that fiscal year*
4 *(or any subdivisions thereof). Amounts of authorizations so*
5 *transferred shall be merged with and be available for the*
6 *same purposes as the authorization to which transferred.*

7 (2) *The total amount of authorizations that the Sec-*
8 *retary of Defense may transfer under the authority of this*
9 *section may not exceed \$1,000,000,000.*

10 (b) *LIMITATIONS.—The authority provided by this sec-*
11 *tion to transfer authorizations—*

12 (1) *may only be used to provide authority for*
13 *items that have a higher priority than the items from*
14 *which authority is transferred; and*

15 (2) *may not be used to provide authority for an*
16 *item that has been denied authorization by Congress.*

17 (c) *EFFECT ON AUTHORIZATION AMOUNTS.—A trans-*
18 *fer made from one account to another under the authority*
19 *of this section shall be deemed to increase the amount au-*
20 *thorized for the account to which the amount is transferred*
21 *by an amount equal to the amount transferred.*

22 (d) *NOTICE TO CONGRESS.—The Secretary of Defense*
23 *shall promptly notify Congress of transfers made under the*
24 *authority of this section.*

1 **SEC. 1002. REVISION OF DATE FOR SUBMITTAL OF JOINT**
2 **REPORT ON SCORING OF BUDGET OUTLAYS.**

3 *Section 226(a) of title 10, United States Code, is*
4 *amended—*

5 *(1) by striking out “Not later than” and all that*
6 *follows through “section 1105 of title 31”, and insert-*
7 *ing in lieu thereof “Not later than December 15 of*
8 *each year”; and*

9 *(2) in paragraph (1), by striking out “that budg-*
10 *et” and inserting in lieu thereof “the budget to be sub-*
11 *mitted to Congress in the following year pursuant to*
12 *section 1105 of title 31”.*

13 **SEC. 1003. DISCRETIONARY AUTHORITY OF THE COMPTROL-**
14 **LER GENERAL TO CONDUCT ANNUAL AUDITS**
15 **OF THE ACCEPTANCE BY THE DEPARTMENT**
16 **OF DEFENSE OF PROPERTY, SERVICES, AND**
17 **CONTRIBUTIONS.**

18 *(a) PROPERTY AND SERVICES FROM FOREIGN COUN-*
19 *TRIES IN CONNECTION WITH MUTUAL DEFENSE OR OCCU-*
20 *PATION.—Section 2350g(d) of title 10, United States Code,*
21 *is amended—*

22 *(1) by striking out “shall conduct” and inserting*
23 *in lieu thereof “may conduct”; and*

24 *(2) by striking out “each such audit” and insert-*
25 *ing in lieu thereof “each audit conducted under this*
26 *subsection”.*

1 (b) *CONTRIBUTIONS FOR DEPARTMENT OF DEFENSE*
2 *USE.*—Section 2608(i) of title 10, United States Code, is
3 amended—

4 (1) by striking out “shall conduct” and inserting
5 in lieu thereof “may conduct”; and

6 (2) by striking out “each such audit” and insert-
7 ing in lieu thereof “each audit conducted under this
8 subsection”.

9 **Subtitle B—Fiscal Year 1993**

10 **Authorization Matters**

11 **SEC. 1011. AUTHORITY FOR OBLIGATION OF CERTAIN UN-**
12 **AUTHORIZED FISCAL YEAR 1993 DEFENSE AP-**
13 **PROPRIATIONS.**

14 (a) *AUTHORITY.*—The amounts described in subsection
15 (b), totaling \$4,343,219,000 may be obligated and expended
16 for programs, projects, and activities of the Department of
17 Defense in accordance with fiscal year 1993 defense appro-
18 priations except as otherwise provided in section 1012.

19 (b) *COVERED AMOUNTS.*—The amounts referred to in
20 subsection (a) are the amounts provided for programs,
21 projects, and activities of the Department of Defense in fis-
22 cal year 1993 defense appropriations that are in excess of
23 the amounts provided for such programs, projects, and ac-
24 tivities in fiscal year 1993 defense authorizations.

25 (c) *DEFINITIONS.*—For the purposes of this subtitle:

1 (1) *FISCAL YEAR 1993 DEFENSE APPROPRIA-*
2 *TIONS.—The term “fiscal year 1993 defense appro-*
3 *priations” means amounts appropriated or otherwise*
4 *made available to the Department of Defense for fiscal*
5 *year 1993 in the Department of Defense Appropria-*
6 *tions Act, 1993 (Public Law 102–396).*

7 (2) *FISCAL YEAR 1993 DEFENSE AUTHORIZA-*
8 *TIONS.—The term “fiscal year 1993 defense author-*
9 *izations” means amounts authorized to be appro-*
10 *priated for the Department of Defense for fiscal year*
11 *1993 in the National Defense Authorization Act for*
12 *Fiscal Year 1993 (Public Law 102–484).*

13 **SEC. 1012. LIMITATION ON OBLIGATION FOR CERTAIN UN-**
14 **AUTHORIZED APPROPRIATIONS.**

15 (a) *PROGRAMS NOT AVAILABLE FOR OBLIGATION.—*
16 *Amounts described in section 1011(b) may not be obligated*
17 *or expended for the following programs, projects, and activi-*
18 *ties of the Department of Defense (for which amounts were*
19 *provided in fiscal year 1993 defense appropriations):*

20 (1) *The University Research Initiatives program*
21 *under research, development, test, and evaluation for*
22 *the Defense Agencies in the amount of \$136,450,000.*

23

1 (2) *The C-20 aircraft program under aircraft*
2 *procurement for the Navy in the amount of*
3 *\$25,000,000.*

4 (3) *The 105MM M490A1 tank cartridge program*
5 *under ammunition for the Army in the amount of*
6 *\$20,000,000.*

7 (4) *The 155MM M107 artillery projectile pro-*
8 *gram under ammunition for the Army in the amount*
9 *of \$35,000,000.*

10 (5) *The 155MM M203 propellant charge pro-*
11 *gram under ammunition for the Army in the amount*
12 *of \$22,487,000.*

13 (6) *The LSV landing craft program under other*
14 *procurement for the Army in the amount of*
15 *\$18,000,000.*

16 (7) *The Offshore Petroleum Delivery System*
17 *under other procurement for the Navy in the amount*
18 *of \$22,000,000.*

19 (8) *The AN/SPS-48 radar program under other*
20 *procurement for the Navy in the amount of*
21 *\$51,500,000.*

22 (9) *The HARM missile program under missile*
23 *procurement for the Air Force in the amount of*
24 *\$113,700,000.*

1 (10) *The KC-135 reengining program under air-*
2 *craft procurement for the Air Force, \$87,174,000.*

3 (11) *The P-3 upgrade program for the Naval*
4 *Reserve under procurement of National Guard and*
5 *Reserve Equipment in the amount of \$25,000,000.*

6 (12) *Operational Support Aircraft under pro-*
7 *curement of National Guard and Reserve Equipment*
8 *in the amount of \$249,200,000 as follows:*

9 (A) *C-12J aircraft for Army Reserve,*
10 *\$42,300,000.*

11 (B) *C-20 aircraft for the Army Reserve,*
12 *\$27,000,000.*

13 (C) *C-23 aircraft for the Army National*
14 *Guard, \$60,000,000.*

15 (D) *C-26 aircraft for the Army National*
16 *Guard, \$23,000,000.*

17 (E) *C-212 aircraft for the Army National*
18 *Guard, \$57,900,000.*

19 (F) *P-180 aircraft for the Army National*
20 *Guard, \$16,000,000.*

21 (G) *C-26 aircraft for the Air National*
22 *Guard, \$23,000,000.*

1 **SEC. 1013. USE OF FISCAL YEAR 1993 AIR FORCE AIRCRAFT**
2 **PROCUREMENT FUNDS FOR HIGHER PRIOR-**
3 **ITY PROGRAMS.**

4 *To the extent provided in appropriations Acts, the Sec-*
5 *retary of the Air Force may use not more than \$100,900,000*
6 *of the funds appropriated for the Air Force for fiscal year*
7 *1993 for procurement of aircraft in order to fund fiscal year*
8 *1994 programs of the Air Force having a higher priority*
9 *than the aircraft procurement programs for which such*
10 *funds are otherwise available.*

11 **SEC. 1014. SUPPLEMENTAL AUTHORIZATION OF APPRO-**
12 **PRIATIONS FOR FISCAL YEAR 1993.**

13 *(a) AUTHORIZATION OF SUPPLEMENTAL APPROPRIA-*
14 *TIONS.—There is authorized to be appropriated for fiscal*
15 *year 1993 for covering the incremental costs arising from*
16 *Operation Restore Hope, Operation Provide Comfort, and*
17 *Operation Southern Watch, and deficiencies in funding of*
18 *the Civilian Health and Medical Program of the Uniformed*
19 *Services (CHAMPUS), and for repairing flood damage at*
20 *Camp Pendleton, California, \$1,246,928 as follows:*

21 *(1) For Military Personnel:*

22 *For the Navy, \$7,100,000.*

23 *(2) For Operation and Maintenance:*

24 *(A) For the Army, \$149,800,000.*

25 *(B) For the Navy, \$46,356,000.*

26 *(C) For the Marine Corps, \$122,192,000.*

1 (D) For the Air Force, \$226,400,000.

2 (E) For the Defense Agencies, \$2,000,000.

3 (F) For the Naval Reserve, \$237,000.

4 (G) For Humanitarian Assistance,
5 \$23,000,000.

6 (H) For Real Property Maintenance, De-
7 fense, \$29,098,000.

8 (I) For the Defense Health Program,
9 \$299,900,000.

10 (3) For Military Construction:

11 (A) For the Navy inside the United States,
12 \$3,000,000.

13 (B) For the Navy for family housing inside
14 the United States, \$4,345,000.

15 (4) For Working Capital Funds:

16 For the Defense Business Operations Fund,
17 \$293,500,000.

18 (b) NATIONAL SECURITY EDUCATION TRUST FUND
19 OBLIGATIONS.—During fiscal year 1993, sums in the Na-
20 tional Security Education Trust Fund are authorized to
21 be obligated in the total amount of \$10,000,000.

1 **Subtitle C—Joint Officer Personnel**
2 **Matters**

3 **SEC. 1021. JOINT OFFICER PERSONNEL POLICY.**

4 (a) *FIVE-YEAR EXTENSION OF EXCEPTIONS TO RE-*
5 *QUIREMENT OF JOINT DUTY ASSIGNMENT FOR PROMOTION*
6 *TO GENERAL OR FLAG OFFICER.*—Section 619(e) of title
7 10, United States Code, is amended—

8 (1) *in the second sentence of paragraph (1), by*
9 *striking out “January 1, 1994” and inserting in lieu*
10 *thereof “January 1, 1999”; and*

11 (2) *in paragraph (2), by striking out subpara-*
12 *graph (E) and inserting in lieu thereof the following:*

13 “*(E) until January 1, 1999, in the case of an of-*
14 *ficer who served in an assignment (other than a joint*
15 *duty assignment) that began before October 1, 1986,*
16 *and that involved significant experience in joint mat-*
17 *ters (as determined by the Secretary) if the officer*
18 *served in that assignment for a period of sufficient*
19 *duration (which may not be less than 12 months) for*
20 *his service to have been considered a full tour of duty*
21 *under the policies and regulations in effect on Sep-*
22 *tember 30, 1986.”.*

23 (b) *SERVING-IN WAIVER.*—Section 619(e) of title 10,
24 *United States Code, as amended by subsection (a), is further*

1 amended by adding at the end of paragraph (2) the follow-
2 ing:

3 “(F) in the case of an officer who has served at
4 least 180 days in a joint duty assignment prior to the
5 date of the convening of a selection board that rec-
6 ommends the officer for appointment to the grade of
7 brigadier general or rear admiral (lower half), but
8 only if that officer’s total consecutive service in joint
9 duty assignments within that same organization is
10 not less than two years.”.

11 (c) *WAIVER FOR THE GOOD OF THE SERVICE.*—Sec-
12 tion 619(e)(3)(B) of title 10, United States Code, is amend-
13 ed by adding at the end the following: “Notwithstanding
14 the preceding sentence, the Secretary of Defense may, on
15 a case-by-case basis, delay the assignment of a general or
16 flag officer to a joint duty assignment if an appropriate
17 joint duty assignment is not available. An officer whose
18 joint duty assignment has been so delayed may not be pro-
19 moted to the grade of major general or rear admiral (upper
20 half) until the officer completes a full tour of duty in a
21 joint duty assignment.”.

1 **SEC. 1022. JOINT DUTY CREDIT FOR CERTAIN DUTY PER-**
2 **FORMED DURING OPERATIONS DESERT**
3 **SHIELD AND DESERT STORM.**

4 (a) *AUTHORITY TO GIVE JOINT DUTY CREDIT.*—Not-
5 withstanding subsection (e) of section 933 of the National
6 Defense Authorization Act for Fiscal Year 1993 (Public
7 Law 102–484; 106 Stat. 2476; 10 U.S.C. 664 note), the Sec-
8 retary of Defense, in consultation with the Chairman of the
9 Joint Chiefs of Staff, may give an officer credit for having
10 completed a tour of duty in a joint duty assignment pursu-
11 ant to the provisions of such section if—

12 (1) *the Chief of Staff of the Army, the Chief of*
13 *Naval Operations, the Chief of Staff of the Air Force,*
14 *or the Commandant of the Marine Corps rec-*
15 *ommended (before the expiration of authority under*
16 *subsection (e) of such section) that the officer be given*
17 *such credit, credit was denied that officer or credit for*
18 *less than a full tour was given that officer, and the*
19 *Secretary determines that the decision not to give the*
20 *credit or not to give greater credit, as the case may*
21 *be, to such officer was incorrect; or*

22 (2) *the Secretary determines that the officer's*
23 *ability to submit a timely request for consideration*
24 *for such credit was impaired by involvement of the of-*
25 *ficer in an operational assignment and, as a result of*

1 *the failure to submit a timely request, the officer was*
2 *not recommended for such credit.*

3 *(b) CLARIFICATION OF INTENDED RELATIONSHIP BE-*
4 *TWEEN CREDIT AND PROMOTIONS.—Section 933(a)(1) of*
5 *such Act is amended by striking out “chapter 38” and in-*
6 *serting in lieu thereof “chapters 36 and 38”.*

7 *(c) DURATION OF AUTHORITY.—The authority of the*
8 *Secretary of Defense under subsection (a) expires at the end*
9 *of the 60-day period beginning on the date of the enactment*
10 *of this Act.*

11 ***Subtitle D—Matters Relating to***
12 ***Reserve Components***

13 ***SEC. 1031. REVIEW OF AIR FORCE PLANS TO TRANSFER***
14 ***HEAVY BOMBERS TO RESERVE COMPONENTS***
15 ***UNITS.***

16 *(a) REVIEW OF AIR FORCE PLANS.—(1) The Secretary*
17 *of Defense shall review Air Force plans to transfer certain*
18 *heavy bomber units from the active component of the Air*
19 *Force to the reserve components of the Air Force.*

20 *(2) In carrying out the review, the Secretary shall con-*
21 *sider the following matters:*

22 *(A) The compatibility of Air Force plans with*
23 *the relevant results of the internal review of the De-*
24 *partment of Defense (known as the “bottom-up re-*

1 *view'') being conducted during 1993 by direction of*
2 *the Secretary of Defense.*

3 *(B) The effect that the transfer will have on the*
4 *immediate availability of substantial numbers of*
5 *heavy bombers for combat operations.*

6 *(C) The levels of full-time and part-time employ-*
7 *ees that will be necessary at reserve components units*
8 *in order to provide adequate logistics and mainte-*
9 *nance support for intensive and sustained heavy*
10 *bomber operations.*

11 *(D) The requirements for additional military*
12 *construction funding that will result from the transfer*
13 *and relocation of heavy bomber operations.*

14 *(b) SECRETARY OF DEFENSE PLAN REQUIRED.—(1)*
15 *The Secretary of Defense, in consultation with the Secretary*
16 *of the Air Force, shall develop a comprehensive plan for*
17 *proposed transfers of heavy bomber units from the active*
18 *component of the Air Force to the reserve components of*
19 *the Air Force. The plan shall cover the period beginning*
20 *on the date of the enactment of this Act and ending January*
21 *1, 2000.*

22 *(2) The plan shall include the following matters:*

23 *(A) The unit designation of each active compo-*
24 *nent unit from which heavy bombers are to be trans-*
25 *ferred.*

1 (B) *The unit designation of each reserve compo-*
2 *nent unit to which such heavy bombers are to be*
3 *transferred.*

4 (C) *The proposed date of inactivation of each ac-*
5 *tive component unit transferring heavy bombers.*

6 (D) *The proposed date of activation of each re-*
7 *serve component unit receiving heavy bombers.*

8 (E) *The requirements at each reserve component*
9 *unit receiving heavy bombers for additional Armed*
10 *Forces personnel and civilian personnel, additional*
11 *facilities for the bomber aircraft, additional military*
12 *construction funds other than for facilities construc-*
13 *tion, additional spare parts, and additional logistics,*
14 *maintenance, and test equipment beyond such re-*
15 *sources that become available by reason of the inac-*
16 *tivation of the active component unit.*

17 (c) *REPORTING REQUIREMENTS.—Not later than*
18 *March 31, 1994, the Secretary shall submit to the congres-*
19 *sional defense committees—*

20 (1) *a report on the results of the review required*
21 *under subsection (a), and*

22 (2) *the plan required under subsection (b).*

1 **SEC. 1032. REQUIREMENT FOR TRANSFER OF AIR REFUEL-**
2 **ING AIRCRAFT TO RESERVE COMPONENTS OF**
3 **THE AIR FORCE.**

4 *The Secretary of the Air Force shall transfer from ac-*
5 *tive component squadrons of the Air Force to two Air Na-*
6 *tional Guard or Air Force Reserve squadrons operating*
7 *KC-135E aircraft a number of KC-135R aircraft that is*
8 *sufficient to modernize such squadrons.*

9 **Subtitle E—International**
10 **Peacekeeping Activities**

11 **SEC. 1041. GENERAL AUTHORIZATION OF SUPPORT FOR**
12 **INTERNATIONAL PEACEKEEPING ACTIVITIES.**

13 *(a) AUTHORIZED SUPPORT FOR FISCAL YEAR 1994.—*
14 *The Secretary of Defense may provide assistance for inter-*
15 *national peacekeeping activities during fiscal year 1994, in*
16 *accordance with section 403 of title 10, United States Code,*
17 *in an amount not to exceed \$300,000,000. Notwithstanding*
18 *the second sentence of subsection (b) of that section, the as-*
19 *sistance so provided may be derived from funds appro-*
20 *priated to the Department of Defense for fiscal year 1994*
21 *for operation and maintenance or from balances in working*
22 *capital funds.*

23 *(b) EXTENSION OF AUTHORITY.—Section 403(h) of*
24 *title 10, United States Code, is amended by striking out*
25 *“September 30, 1993” and inserting in lieu thereof “Sep-*
26 *tember 30, 1994”.*

1 **SEC. 1042. REPORT ON MULTINATIONAL PEACEKEEPING**
2 **AND PEACE ENFORCEMENT.**

3 (a) *REPORT REQUIRED.*—Not later than the date on
4 which the President submits to Congress the budget for fiscal
5 year 1995 under section 1105 of title 31, United States
6 Code, the President, after consultation with the Secretary
7 of State and the Secretary of Defense, shall submit to the
8 Committees on Armed Services of the Senate and the House
9 of Representatives, the Committee on Foreign Relations of
10 the Senate, and the Committee on Foreign Affairs of the
11 House of Representatives a report on United States policy
12 on multinational peacekeeping and peace enforcement.

13 (b) *CONTENT OF REPORT.*—The report shall contain
14 a comprehensive analysis and discussion of the following
15 matters:

16 (1) *Criteria for participation by the United*
17 *States in multinational missions through the United*
18 *Nations, North Atlantic Treaty Organization, or other*
19 *regional alliances and international organizations.*

20 (2) *Proposals for expanding peacekeeping activi-*
21 *ties by the North Atlantic Treaty Organization and*
22 *the North Atlantic Cooperation Council, including*
23 *joint operations, joint training, and joint doctrine de-*
24 *velopment.*

25 (3) *A summary of progress made by the United*
26 *States, in consultation with other nations, to develop*

1 *joint doctrine for peacekeeping and peace enforcement*
2 *operations, and plans to conduct joint exercises with*
3 *other nations for such purposes.*

4 (4) *The principles guiding decisions to place*
5 *United States forces under foreign command.*

6 (5) *Proposals to establish opportunities within*
7 *the Armed Forces of the United States for voluntary*
8 *duty in units designated for assignment to multi-*
9 *national peacekeeping and peace enforcement mis-*
10 *sions.*

11 (6) *Proposals to modify the budgetary and fi-*
12 *nancial policies of the United Nations for peacekeep-*
13 *ing and peace enforcement missions, including—*

14 (A) *proposals regarding the structure and*
15 *control of budgetary procedures;*

16 (B) *proposals regarding United Nations ac-*
17 *counting procedures; and*

18 (C) *specific proposals—*

19 (i) *to establish a revolving capital fund*
20 *to finance the costs of starting new United*
21 *Nations operations approved by the Secu-*
22 *rity Council;*

23 (ii) *to establish a requirement that*
24 *United Nations member nations pay one-*
25 *third of the anticipated first-year costs of a*

1 *new operation immediately upon Security*
2 *Council approval of that operation;*

3 *(iii) to establish a requirement that*
4 *United Nations member nations be charged*
5 *interest penalties on late payment of their*
6 *assessments for peacekeeping or peace en-*
7 *forcement missions; and*

8 *(iv) regarding possible sources of inter-*
9 *national revenue for United Nations peace-*
10 *keeping and peace enforcement missions.*

11 *(7) Proposals to establish a small United Na-*
12 *tions Rapid Deployment Force under the direction of*
13 *the United Nations Security Council in order to pro-*
14 *vide for quick intervention in disputes for the purpose*
15 *of preventing a larger outbreak of hostilities.*

16 *(8) Congressional authorization and approval re-*
17 *quirements for participation of United States forces*
18 *in multinational peacekeeping and peace enforcement*
19 *missions, including the applicability of the War Pow-*
20 *ers Resolution.*

21 *(9) Proposals that the United States and other*
22 *United Nations member nations negotiate special*
23 *agreements under article 43 of the United Nations*
24 *Charter to provide for those states to make armed*
25 *forces, assistance, and facilities available to the Unit-*

1 *ed Nations Security Council for the purposes stated*
2 *in article 42 of that charter, not only on an ad hoc*
3 *basis, but also on a permanent on-call basis for rapid*
4 *deployment under Security Council authorization.*

5 *(10) A proposal that member nations of the*
6 *United Nations commit to keep equipment specified*
7 *by the Secretary General of the United Nations avail-*
8 *able for immediate sale, loan, or donation to the*
9 *United Nations when required.*

10 *(11) A proposal that member nations of the*
11 *United Nations make airlift and sealift capacity*
12 *available to the United Nations without charge or at*
13 *lower than commercial rates.*

14 *(12) An evaluation of the current capabilities*
15 *and future needs of the United Nations for improved*
16 *command, control, communications, and intelligence*
17 *infrastructure, including facilities, equipment, proce-*
18 *dures, training, and personnel, and an analysis of*
19 *United States capabilities and experience in such*
20 *matters that could be applied or offered directly to the*
21 *United Nations.*

22 *(13) An evaluation of the potential role of the*
23 *Military Staff Committee of the United Nations Secu-*
24 *rity Council.*

1 (14) Any other information that may be useful
2 to inform Congress on matters relating to United
3 States policy and proposals on peacekeeping and
4 peace enforcement missions.

5 **Subtitle F—Matters Relating to**
6 **Allies and Other Nations**

7 **SEC. 1051. BURDEN SHARING CONTRIBUTIONS BY JAPAN,**
8 **KUWAIT, AND THE REPUBLIC OF KOREA.**

9 (a) *IN GENERAL.*—Subchapter II of chapter 138 of
10 title 10, United States Code, is amended by adding at the
11 end the following new section:

12 **“§ 2350j. Burden sharing contributions by Japan, Ku-**
13 **wait, and Korea**

14 “(a) *AUTHORITY TO ACCEPT CONTRIBUTIONS.*—Not-
15 withstanding section 1306 of title 31, the Secretary of De-
16 fense, in consultation with the Secretary of State, may ac-
17 cept cash contributions from Japan, Kuwait, and the Re-
18 public of Korea for the purposes specified in subsection (c).

19 “(b) *CREDITS.*—Contributions accepted under sub-
20 section (a) shall be credited to appropriations of the Depart-
21 ment of Defense. The contributions so credited shall be
22 merged with the appropriations to which credited.

23 “(c) *AVAILABILITY OF CONTRIBUTIONS.*—Contribu-
24 tions accepted under subsection (a) shall be available only

1 *for payment of the following costs associated with facilities*
2 *used by the armed forces:*

3 “(1) *Compensation for local national employees*
4 *of the Department of Defense.*

5 “(2) *Military construction projects of the Depart-*
6 *ment of Defense, in accordance with subsection (d).*

7 “(3) *Supplies and services for the Department of*
8 *Defense.*

9 “(d) *AUTHORIZATION OF MILITARY CONSTRUCTION.—*
10 *Contributions credited under subsection (b) to an appro-*
11 *priation account of the Department of Defense may be*
12 *used—*

13 “(1) *by the Secretary of Defense to carry out a*
14 *military construction project that is consistent with*
15 *the purposes for which the contribution was made and*
16 *is not otherwise authorized by law; or*

17 “(2) *by the Secretary of a military department,*
18 *with the approval of the Secretary of Defense, to*
19 *carry out such a project.*

20 “(e) *NOTICE AND WAIT REQUIREMENTS.—(1) When a*
21 *decision is made to carry out a military construction*
22 *project under subsection (d), the Secretary of Defense shall*
23 *submit to the Committees on Armed Services and on Appro-*
24 *priations of the Senate and House of Representatives a re-*
25 *port containing—*

1 “(A) an explanation of the need for the project;

2 “(B) the then current estimate of the cost of the
3 project; and

4 “(C) a justification for carrying out the project
5 under that subsection.

6 “(2) The Secretary of Defense or the Secretary of a
7 military department may not commence a military con-
8 struction project under subsection (d) before the expiration
9 of the 21-day period beginning on the date on which the
10 Secretary of Defense submits the report regarding the
11 project in accordance with paragraph (1).

12 “(f) REPORTING REQUIREMENT.—Not later than 30
13 days after the end of each fiscal year, the Secretary of De-
14 fense shall submit to the Committees on Armed Services and
15 on Appropriations of the Senate and House of Representa-
16 tives a report specifying separately for Japan, Kuwait, and
17 the Republic of Korea—

18 “(1) the amount of the contributions accepted by
19 the Secretary during the preceding fiscal year under
20 this section;

21 “(2) the purposes for which the contributions
22 were made;

23 “(3) the amount of the contributions expended
24 during the preceding fiscal year; and

1 “(4) the purposes for which the contributions
2 were expended.”.

3 (b) *CLERICAL AMENDMENT.*—The table of sections at
4 the beginning of subchapter II of such chapter is amended
5 by adding at the end the following new item:

 “2350j. Burden sharing contributions by Japan, Kuwait, and Korea.”.

6 **SEC. 1052. DEFENSE CONVERSION AND REINVESTMENT; EX-**
7 **PORT LOAN GUARANTEES.**

8 (a) *AUTHORITY FOR PROVIDING LOAN GUARAN-*
9 *TEES.*—(1) During fiscal year 1994, the President may
10 issue guarantees for the sale of defense articles and defense
11 services to the member nations of the North Atlantic Treaty
12 Organization and to Israel, Australia, Japan, and the Re-
13 public of Korea. The aggregate amount guaranteed under
14 this section in such fiscal year may not exceed
15 \$1,000,000,000.

16 (2) In issuing medium- and long-term guarantees for
17 sales pursuant to paragraph (1), the President shall not
18 offer terms and conditions more beneficial than would be
19 provided by the Export-Import Bank of the United States
20 under similar circumstances in conjunction with the provi-
21 sion of guarantees for nondefense articles and services.

1 (3) *The authority of this subsection may be exercised*
2 *only to such extent and in such amounts as is provided*
3 *for in advance in appropriations Acts.*

4 (b) *SUBSIDY COST AND FUNDING.—(1) There is au-*
5 *thorized to be appropriated for fiscal year 1994,*
6 *\$25,000,000 for the subsidy cost of the loan guarantees is-*
7 *sued under this section.*

8 (2) *Funds authorized to be available for the Export-*
9 *Import Bank of the United States may not be used for the*
10 *execution of the program under this section.*

11 (c) *EXECUTIVE AGENCY.—The Department of Defense*
12 *shall be the executive agency for administration of the pro-*
13 *gram under this section unless the President, in consulta-*
14 *tion with the Congress, designates another agency to imple-*
15 *ment the program. Applications for guarantees issued under*
16 *this section shall be submitted to the Secretary of Defense,*
17 *who may make such arrangements as are necessary with*
18 *other agencies to process the applications and otherwise to*
19 *implement the program under this section.*

20 (d) *FEES CHARGED AND COLLECTED.—A fee shall be*
21 *charged for each guarantee issued under the program under*
22 *this section. All fees collected in connection with guarantees*
23 *issued under the program shall be available to offset the cost*
24 *of guarantee obligations under the program. All of the fees*
25 *collected under this subsection, together with earnings on*

1 *those fees and other income arising from guarantee oper-*
2 *ations under the program, shall be held in a financing ac-*
3 *count maintained in the Treasury of the United States. All*
4 *funds in such account may be invested in obligations of the*
5 *United States. Any interest or other receipts derived from*
6 *such investments shall be credited to such account and may*
7 *be used for the purposes of the program.*

8 *(e) INTERAGENCY REVIEW PROCESS.—The issuance of*
9 *loan guarantees for defense exports under this section shall*
10 *be subject to all United States Government review proce-*
11 *dures for arms sales to foreign governments and shall be*
12 *consistent with United States policy on arms sales to those*
13 *nations referred to in subsection (a).*

14 *(f) NATIONAL SECURITY COUNCIL REVIEW PROC-*
15 *ESS.—In addition to the interagency review process for*
16 *arms sales to foreign governments referred to in subsection*
17 *(e), the National Security Council shall review the proposed*
18 *defense sale and determine that it is in accord with United*
19 *States security interests, that it contributes to collective de-*
20 *fense burden sharing, and that it is consistent with United*
21 *States nonproliferation goals.*

22 *(g) DEFINITIONS.—In this section, the terms “defense*
23 *articles”, “defense services”, and “defense articles and de-*
24 *fense services” have the meanings given those terms, respec-*

1 tively, in section 47 of the Arms Export Control Act (22
2 U.S.C. 2794).

3 **SEC. 1053. FINDINGS REGARDING DEFENSE COOPERATION**
4 **BETWEEN THE UNITED STATES AND ISRAEL.**

5 Congress makes the following findings:

6 (1) The President has made a commitment to
7 maintain the qualitative superiority of the Israeli De-
8 fense Forces over any combination of adversary
9 armed forces.

10 (2) The President has expressed a desire to en-
11 hance United States-Israeli military and technical co-
12 operation, particularly in the areas of missile defense,
13 counter-proliferation of weapons of mass destruction,
14 and counter-proliferation of ballistic missiles.

15 (3) Maintaining the qualitative superiority of
16 the Israeli Defense Forces and strengthening United
17 States defense ties with Israel will help to ensure that
18 Israel has the military strength and political support
19 necessary for taking risks for peace while providing
20 Arab states with an incentive to pursue negotiations
21 instead of war.

22 (4) The establishment of the United States Israel
23 Science and Technology Commission, the binational
24 Senior Planning Group, and the Technology Transfer

1 *Working Group is in the interest of both the United*
2 *States and Israel.*

3 *(5) It is in the national interests of the United*
4 *States and Israel for the organizations referred to in*
5 *paragraph (4) to work to strengthen existing mecha-*
6 *nisms for cooperation and to eliminate barriers to*
7 *further collaboration between the United States and*
8 *Israel.*

9 *(6) Israel continues to face difficult threats to its*
10 *national security that are compounded by the pro-*
11 *liferation of weapons of mass destruction and ballistic*
12 *missiles.*

13 **SEC. 1054. DEFENSE BURDENSARING.**

14 *(a) FINDINGS.—Congress makes the following findings:*

15 *(1) Since fiscal year 1985, the budget of the De-*
16 *partment of Defense has declined by 34 percent in*
17 *real terms.*

18 *(2) During the past few years, the United States*
19 *military presence overseas has declined significantly*
20 *in the following ways:*

21 *(A) Since fiscal year 1986, the number of*
22 *United States military personnel permanently*
23 *stationed overseas has declined by almost*
24 *200,000 personnel.*

1 (B) From fiscal year 1989 to fiscal year
2 1994, spending by the United States to support
3 the stationing of United States military forces
4 overseas will have declined by 36 percent.

5 (C) Since January 1990, the Department of
6 Defense has announced the closure, reduction, or
7 transfer to standby status of 840 United States
8 military facilities overseas, which is a 50 percent
9 reduction in the number of such facilities.

10 (3) The United States military presence overseas
11 will continue to decline as a result of actions by the
12 executive branch and the following initiatives of the
13 Congress:

14 (A) Section 1302 of the National Defense
15 Authorization Act for Fiscal Year 1993, which
16 required a 40 percent reduction by September
17 30, 1996, in the number of United States mili-
18 tary personnel permanently stationed ashore in
19 overseas locations.

20 (B) Section 1303 of the National Defense
21 Authorization Act for Fiscal Year 1993, which
22 specified that no more than 100,000 United
23 States military personnel may be permanently
24 stationed ashore in NATO member countries
25 after September 30, 1996.

1 (C) Section 1301 of the National Defense
2 Authorization Act for Fiscal Year 1993, which
3 reduced the spending proposed by the Depart-
4 ment of Defense for overseas basing activities
5 during fiscal year 1993 by \$500,000,000.

6 (D) Sections 913 and 915 of the National
7 Defense Authorization Act for Fiscal Years 1990
8 and 1991, which directed the President to consult
9 with East Asian allies, and to develop a plan,
10 regarding gradually reducing the United States
11 military force structure in East Asia.

12 (4) The East Asia Strategy Initiative, which was
13 developed in response to sections 913 and 915 of the
14 National Defense Authorization Act for Fiscal Years
15 1990 and 1991, has resulted in the withdrawal of
16 more than 12,000 United States military personnel
17 from Japan and the Republic of Korea since fiscal
18 year 1990.

19 (5) In response to actions by the executive
20 branch and the Congress, allied countries in which
21 United States military personnel are stationed and
22 alliances in which the United States participates have
23 agreed in the following ways to offset more of the costs
24 incurred by the United States in basing military
25 forces overseas:

1 (A) Under the 1991 Special Measures
2 Agreement between Japan and the United States,
3 Japan will pay by 1995 almost all yen-denomi-
4 nated costs of stationing United States military
5 personnel in Japan.

6 (B) The Republic of Korea has agreed to
7 pay by 1995, one-third of the won-based costs in-
8 curred by the United States in stationing United
9 States military personnel in the Republic of
10 Korea.

11 (C) The North Atlantic Treaty Organiza-
12 tion (NATO) has agreed that the Infrastructure
13 Program could pay the annual operation and
14 maintenance costs of facilities that would sup-
15 port the reinforcement of Europe by United
16 States military forces.

17 (b) FUNDING REDUCTIONS.—(1) The total amount au-
18 thorized to be appropriated to the Department of Defense
19 for operation and maintenance and for military construc-
20 tion (including NATO Infrastructure) to conduct overseas
21 basing activities during fiscal year 1994 may not exceed
22 the amount equal to the baseline for fiscal year 1993 re-
23 duced by \$1,355,500,000.

24 (2) For purposes of paragraph (1), the baseline for fis-
25 cal year 1993 is the sum of the amounts that were made

1 available for overseas basing activities out of the amounts
2 appropriated for such fiscal year for the following purposes:

3 (A) Operation and maintenance.

4 (B) Family housing, operations.

5 (C) Family housing, construction.

6 (D) Military construction (including NATO In-
7 frastructure).

8 (c) *SENSE OF CONGRESS.*—It is the sense of Congress
9 that the amounts obligated to conduct overseas basing ac-
10 tivities should decline significantly in fiscal year 1995 and
11 in future fiscal years as—

12 (1) the number of United States military person-
13 nel stationed overseas continues to decline; and

14 (2) the countries in which United States mili-
15 tary personnel are stationed and the alliances in
16 which the United States participates assume an in-
17 creased share of United States overseas basing costs.

18 (d) *BURDENSARING AGREEMENTS FOR INCREASED*
19 *HOST NATION SUPPORT.*—(1) In order to achieve addi-
20 tional savings in overseas basing costs, the President should
21 intensify his efforts to negotiate a more favorable host-na-
22 tion agreement with each foreign country to which this
23 paragraph applies under paragraph (3)(A).

1 (2) *For purposes of paragraph (1), a more favorable*
2 *host-nation agreement is an agreement under which such*
3 *foreign country—*

4 (A) *assumes an increased share of the costs of*
5 *United States military installations in that country,*
6 *including the costs of—*

7 (i) *labor, utilities, and services;*

8 (ii) *military construction projects and real*
9 *property maintenance;*

10 (iii) *leasing requirements associated with*
11 *the United States military presence; and*

12 (iv) *actions necessary to meet local environ-*
13 *mental standards;*

14 (B) *relieves the Armed Forces of the United*
15 *States of all tax liability that, with respect to forces*
16 *located in such country, is incurred by the Armed*
17 *Forces under the laws of that country and the laws*
18 *of the community where those forces are located; and*

19 (C) *ensures that goods and services furnished in*
20 *that country to the Armed Forces of the United States*
21 *are provided at minimum cost and without imposi-*
22 *tion of user fees.*

23 (3)(A) *Except as provided in subparagraph (B), para-*
24 *graph (1) applies with respect to—*

1 (i) each country of the North Atlantic Treaty Or-
2 ganization (other than the United States); and

3 (ii) each other foreign country with which the
4 United States has a bilateral or multilateral defense
5 agreement that provides for the assignment of combat
6 units of the Armed Forces of the United States to per-
7 manent duty in that country or the placement of com-
8 bat equipment of the United States in that country.

9 (B) Paragraph (1) does not apply with respect to—

10 (i) a foreign country that receives assistance
11 under section 23 of the Arms Export Control Act (22
12 U.S.C. 2673) (relating to the foreign military financ-
13 ing program) or under the provisions of chapter 4 of
14 part II of the Foreign Assistance Act of 1961 (22
15 U.S.C. 2346 et seq.); or

16 (ii) a foreign country that has agreed to assume,
17 not later than September 30, 1996, at least 75 percent
18 of the nonpersonnel costs of United States military
19 installations in the country.

20 **Subtitle G—Other Matters**

21 **SEC. 1061. ADDITIONAL SUPPORT FOR COUNTER-DRUG AC-** 22 **TIVITIES.**

23 Section 1004(b) of the National Defense Authorization
24 Act for Fiscal Year 1991 (Public Law 101-510; 10 U.S.C.

1 374 note) is amended by adding at the end the following
2 new paragraph:

3 “(10) Aerial and ground reconnaissance.”.

4 **SEC. 1062. REPORT ON PERSONNEL REQUIREMENTS FOR**
5 **CONTROL OF TRANSFER OF CERTAIN WEAP-**
6 **ONS.**

7 (a) *REPORT ON MANPOWER REQUIRED TO IMPL-*
8 *EMENT EXPORT CONTROLS ON CERTAIN WEAPONS TRANS-*
9 *FERS.*—Not later than 180 days after the date of enactment
10 of this Act, the Secretary of Defense and the Secretary of
11 Energy shall jointly submit to the committees of Congress
12 named in subsection (c) a report entitled “Manpower Re-
13 quired to Implement Export Controls on Certain Weapons
14 Transfers”.

15 (b) *CONTENT OF REPORT.*—The report shall contain
16 the following matters:

17 (1) A clear statement of the role of the Depart-
18 ment of Defense, and a clear statement of the role of
19 the Department of Energy, in implementing export
20 controls on goods and technology related to nuclear,
21 chemical, and biological weapons.

22 (2) A discussion of the number and skills of per-
23 sonnel currently available in the Department of De-
24 fense and the Department of Energy to perform the
25 respective roles of such department.

1 (3) *An assessment of the adequacy of the number*
2 *and skills of such personnel for the effective perform-*
3 *ance of such roles.*

4 (4) *For each of fiscal years 1988, 1989, 1990,*
5 *1991, 1992, 1993, and 1994, the total number of De-*
6 *partment of Defense and Department of Energy full-*
7 *time employees and military personnel who, in the*
8 *implementation of export controls on goods and tech-*
9 *nology related to nuclear, chemical, and biological*
10 *weapons, carry out the following activities of such de-*
11 *partment:*

12 (A) *Review of private sector export license*
13 *applications and government-to-government co-*
14 *operative activities.*

15 (B) *Intelligence analysis and activities.*

16 (C) *Policy coordination.*

17 (D) *International liaison activity.*

18 (E) *Technical review.*

19 (5) *For each fiscal year referred to in paragraph*
20 *(4), the grades of the personnel referred to in that*
21 *paragraph and the special knowledge, experience, and*
22 *expertise of such personnel that enable such personnel*
23 *to carry out the activities referred to in that para-*
24 *graph.*

1 (6) *An assessment of the adequacy of the staffing*
2 *in each of the categories specified in subparagraphs*
3 *(A) through (E) of paragraph (4).*

4 (7) *Recommendations concerning measures, in-*
5 *cluding any legislation necessary, to eliminate any*
6 *identified staffing deficiencies and to improve inter-*
7 *agency coordination with respect to implementing ex-*
8 *port controls on goods and technology related to nu-*
9 *clear, chemical, and biological weapons.*

10 (8) *All Department of Defense activities under-*
11 *taken during fiscal years 1989, 1990, 1991, 1992, and*
12 *1993 in fulfillment of the responsibilities of the De-*
13 *partment of Defense under section 602(c) of the Nu-*
14 *clear Non-Proliferation Act of 1978 (Public Law 96-*
15 *280; 22 U.S.C. 3282(c)) with respect to nuclear weap-*
16 *ons proliferation threats and the role of the depart-*
17 *ment in addressing such threats.*

18 (c) *SUBMISSION OF REPORT.*—*The Secretary of De-*
19 *fense and the Secretary of Energy shall submit the report*
20 *to—*

21 (1) *the Committees on Armed Services and on*
22 *Governmental Affairs of the Senate; and*

23 (2) *the Committee on Armed Services of the*
24 *House of Representatives.*

1 (d) *FORM OF REPORT.*—*The report shall be submitted*
2 *in unclassified form but may also be submitted in classified*
3 *form if the Secretary of Defense and the Secretary of Energy*
4 *consider it necessary to include classified information in*
5 *order to satisfy fully the requirements of this section.*

6 **SEC. 1063. NATIONAL GUARD CIVILIAN YOUTH OPPORTUNI-**
7 **TIES PILOT PROGRAM AMENDMENTS.**

8 *Section 1091 of the National Defense Authorization*
9 *Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat.*
10 *2519; 32 U.S.C. 501 note) is amended—*

11 (1) *by striking out subsection (c) and inserting*
12 *in lieu thereof the following:*

13 “(c) *CONDUCT OF THE PROGRAM.*—*The Secretary of*
14 *Defense may provide for the conduct of the program in such*
15 *States as he determines to be appropriate.”;*

16 (2) *in subsection (d)(3), by striking out “reim-*
17 *burse” and inserting in lieu thereof “provide funds*
18 *to”;*

19 (3) *in subsection (l), by striking out paragraph*
20 *(2) and inserting in lieu thereof the following:*

21 “(2) *The term ‘State’ includes the Common-*
22 *wealth of Puerto Rico, the territories (as defined in*
23 *section 101(1) of title 32, United States Code), and*
24 *the District of Columbia.”; and*

25 (4) *in subsection (m)—*

1 (A) by inserting “(1)” after “(m);

2 (B) by striking out “for fiscal year 1993”;

3 and

4 (C) by adding at the end the following new
5 paragraph:

6 “(2) Notwithstanding section 9003 of Public Law 102–
7 396 (106 Stat. 1900), of the total amount appropriated for
8 fiscal year 1993 for operation and maintenance for the
9 Army National Guard, for operation and maintenance for
10 the Air National Guard, for the National Guard Civilian
11 Youth Opportunities Pilot Program, for National Guard
12 Civilian Youth Opportunities, Urban Youth Program and
13 Youth Conservation Corps Camps, and the STARBASE
14 youth education program, \$49,000,000 shall remain avail-
15 able for obligation for such purposes and programs until
16 the enactment of an Act appropriating funds for the De-
17 partment of Defense for fiscal year 1995.”.

18 **SEC. 1064. CIVILIAN FACULTY OF THE GEORGE C. MAR-**

19 **SHALL EUROPEAN CENTER FOR SECURITY**

20 **STUDIES.**

21 (a) *IN GENERAL.*—Chapter 81 of title 10, United
22 States Code, is amended by adding at the end the following
23 new section:

1 **“§ 1599. George C. Marshall European Center for Se-**
2 **curity Studies: civilian faculty members**

3 “(a) *AUTHORITY OF THE SECRETARY.*—The Secretary
4 of Defense may employ as many civilians as directors,
5 deans, professors, scholars, instructors, researchers, and lec-
6 turers at the George C. Marshall European Center for Secu-
7 rities Studies as the Secretary considers necessary.

8 “(b) *COMPENSATION OF FACULTY MEMBERS.*—The
9 compensation of persons employed under this section shall
10 be prescribed by the Secretary of Defense.”

11 (b) *CLERICAL AMENDMENT.*—The table of sections at
12 the beginning of such chapter is amended by adding at the
13 end the following new item:

“1599. George C. Marshall European Center for Security Studies: civilian faculty members.”

14 **SEC. 1065. ADMINISTRATIVE IMPROVEMENTS IN GOLD-**
15 **WATER SCHOLARSHIP AND EXCELLENCE IN**
16 **EDUCATION PROGRAM.**

17 (a) *TERMS OF OFFICE OF FOUNDATION MEMBERS.*—
18 Section 1404(c)(1) of the Barry Goldwater Scholarship and
19 Excellence in Education Act (title XIV of Public Law 99–
20 661; 20 U.S.C. 4703) is amended—

21 (1) by striking out “, and” at the end of sub-
22 paragraph (A) and inserting in lieu thereof a semi-
23 colon;

1 (2) *by striking out the period at the end of sub-*
2 *paragraph (B) and inserting in lieu thereof “; and”;*
3 *and*

4 (3) *by adding at the end the following:*

5 “(C) *notwithstanding the term limitation pro-*
6 *vided for under this paragraph, any member ap-*
7 *pointed under this paragraph may serve under such*
8 *appointment until the successor to such member is*
9 *appointed.”.*

10 (b) *LEASE AUTHORITY.—Section 1411(a)(7) of such*
11 *Act (20 U.S.C. 4710(a)(7)) is amended by striking out*
12 *“District of Columbia” and inserting in lieu thereof “the*
13 *Washington, District of Columbia, metropolitan area”.*

14 **SEC. 1066. U.S.S. INDIANAPOLIS MEMORIAL, INDIANAPOLIS,**
15 **INDIANA.**

16 (a) *FINDINGS.—Congress makes the following findings:*

17 (1) *That, on July 30, 1945, among the closing*
18 *days of World War II, the U.S.S. Indianapolis (CA-*
19 *35) was sunk as a result of a torpedo attack on that*
20 *ship.*

21 (2) *That the memorial to the U.S.S. Indianap-*
22 *olis (CA-35) located on the east bank of the Indian-*
23 *apolis water canal in downtown Indianapolis, Indi-*
24 *ana, will honor the personal sacrifice of the 1,197*
25 *servicemen who were aboard the U.S.S. Indianapolis*

1 (CA-35) on that day, 881 of whom died as one of the
2 greatest single combat losses suffered by the United
3 States Navy in World War II.

4 (3) That the memorial will pay fitting tribute to
5 that gallant ship and its final crew, and will forever
6 commemorate the place of the U.S.S. Indianapolis in
7 United States Navy history as the last major ship lost
8 in World War II.

9 (4) That, as a memorial to the last major ship
10 lost by the United States Navy in World War II, the
11 memorial to the U.S.S. Indianapolis will rank in im-
12 portance with the memorial to the U.S.S. Arizona
13 (BB-39), one of the first ships lost by the United
14 States Navy in World War II.

15 (5) That the memorial to the U.S.S. Indianap-
16 olis symbolizes the devoted service of the United States
17 Navy and Marine Corps personnel, particularly those
18 who lost their lives at sea in the Pacific Theater dur-
19 ing World War II, whose dedication and sacrifice in
20 the cause of liberty and freedom were instrumental in
21 the triumph of the United States in that war.

22 (6) That the citizens of the United States have
23 a continuing obligation to educate future generations
24 about the military and other historic endeavors of this
25 great Nation.

1 (b) *RECOGNITION AS A NATIONAL MEMORIAL.*—The
2 *memorial to the U.S.S. Indianapolis (CA-35) in Indianap-*
3 *olis, Indiana, is hereby recognized as the national memorial*
4 *to the U.S.S. Indianapolis (CA-35) and to the final crew*
5 *of that historic warship.*

6 **SEC. 1067. INVOLVEMENT OF ARMED FORCES IN SOMALIA.**

7 (a) *SENSE OF CONGRESS REGARDING UNITED STATES*
8 *POLICY TOWARDS SOMALIA.*—

9 (1) *Since United States Armed Forces made sig-*
10 *nificant contributions under Operation Restore Hope*
11 *towards the establishment of a secure environment for*
12 *humanitarian relief operations and restoration of*
13 *peace in the region to end the humanitarian disaster*
14 *that had claimed more than 300,000 lives.*

15 (2) *Since the mission of United States forces in*
16 *support of the United Nations appears to be evolving*
17 *from the establishment of “a secure environment for*
18 *humanitarian relief operations,” as set out in United*
19 *Nations Security Council Resolution 794 of December*
20 *3, 1992, to one of internal security and nation build-*
21 *ing.*

22 (b) *STATEMENT OF CONGRESSIONAL POLICY.*—

23 (1) *CONSULTATION WITH THE CONGRESS.*—The
24 *President should consult closely with the Congress re-*
25 *garding United States policy with respect to Somalia,*

1 *including in particular the deployment of United*
2 *States Armed Forces in that country, whether under*
3 *United Nations or United States command.*

4 (2) *PLANNING.—The United States shall facili-*
5 *tate the assumption of the functions of United States*
6 *forces by the United Nations.*

7 (3) *REPORTING REQUIREMENT.—*

8 (A) *The President shall ensure that the*
9 *goals and objectives supporting deployment of*
10 *United States forces to Somalia and a descrip-*
11 *tion of the mission, command arrangements,*
12 *size, functions, location, and anticipated dura-*
13 *tion in Somalia of those forces are clearly ar-*
14 *ticulated and provided in a detailed report to the*
15 *Congress by October 15, 1993.*

16 (B) *Such report shall include the status of*
17 *planning to transfer the function contained in*
18 *paragraph (2).*

19 (4) *CONGRESSIONAL APPROVAL.—Upon report-*
20 *ing under the requirements of paragraph (3) Congress*
21 *believes the President should by November 15, 1993,*
22 *seek and receive congressional authorization in order*
23 *for the deployment of United States forces to Somalia*
24 *to continue.*

1 **SEC. 1068. SENSE OF THE CONGRESS REGARDING ESTAB-**
2 **LISHMENT OF AN OFFICE OF ECONOMIC CON-**
3 **VERSION INFORMATION WITHIN THE**
4 **DEPARTMENT OF COMMERCE.**

5 (a) *FINDINGS.—The Congress makes the following*
6 *findings:*

7 (1) *The available Federal resources for defense*
8 *economic adjustment and conversion assistance are*
9 *spread among 23 different Federal departments and*
10 *agencies.*

11 (2) *Numerous other Federal departments and*
12 *agencies are involved in related technology reinvest-*
13 *ment activities.*

14 (3) *Workers and communities adversely affected*
15 *by closures of military installations or decreased*
16 *spending for national defense often experience dif-*
17 *iculty finding which Federal department or agency is*
18 *appropriate for providing assistance needed by such*
19 *workers and communities.*

20 (4) *Expanded coordination between Federal de-*
21 *partments and agencies could greatly improve Federal*
22 *efforts to assist in defense economic adjustment and*
23 *conversion.*

24 (b) *SENSE OF CONGRESS REGARDING ESTABLISH-*
25 *MENT OF AN OFFICE OF ECONOMIC CONVERSION INFORMA-*
26 *TION.—It is the sense of the Congress that the President*

1 *should work with the Congress to establish within the De-*
2 *partment of Commerce an Office of Economic Conversion*
3 *Information which, under the joint direction of the Sec-*
4 *retary of Commerce and the Secretary of Defense, would—*

5 (1) *serve as an information clearinghouse to pro-*
6 *vide comprehensive information regarding assistance*
7 *for communities, workers, and businesses that have*
8 *been adversely affected by closures of military instal-*
9 *lations and reduced spending for national defense;*

10 (2) *enhance and consolidate existing programs*
11 *for collecting and disseminating information regard-*
12 *ing defense economic adjustment and conversion;*

13 (3) *be widely publicized as the central point of*
14 *access for the public on issues related to defense eco-*
15 *nomical adjustment and conversion;*

16 (4) *develop data bases of information, to be*
17 *available to help communities, businesses, and work-*
18 *ers dependent on spending for national defense iden-*
19 *tify and apply for assistance from Federal depart-*
20 *ments and agencies, including—*

21 (A) *comprehensive listings and summaries*
22 *of all major Federal, State, and local economic*
23 *adjustment and conversion programs;*

24 (B) *a data base listing information avail-*
25 *able to the public regarding major defense con-*

1 *tract terminations and closures of military in-*
2 *stallations and identifying affected communities,*
3 *industries, and jobs;*

4 *(C) listings and summaries of defense con-*
5 *version attempts and successes; and*

6 *(D) relevant reference lists and bibliog-*
7 *raphies;*

8 *(5) provide information to communities, workers,*
9 *and businesses by such easily accessible and easily*
10 *used means as toll-free telephone information lines,*
11 *inexpensive and frequently updated manuals and*
12 *other print materials, workshops on clearinghouse*
13 *services, and on-line computer access to clearinghouse*
14 *information;*

15 *(6) facilitate a series of community roundtables,*
16 *involving consultation and briefings with commu-*
17 *nities, workers, and businesses adversely affected by*
18 *closures of military installations and reduced spend-*
19 *ing for national defense, to be held annually in all*
20 *major regions of the United States so affected; and*

21 *(7) establish a mechanism, coordinated by the*
22 *Secretary of Commerce and the Secretary of Defense,*
23 *to ensure adequate cooperation between all Federal*
24 *departments and agencies that oversee defense eco-*

1 *conomic adjustment and conversion assistance pro-*
2 *grams.*

3 *(c) SENSE OF CONGRESS REGARDING EVALUATION*
4 *AND FUNDING OF THE OFFICE OF ECONOMIC CONVERSION*
5 *INFORMATION.—It is further the sense of Congress that—*

6 *(1) after the Office of Economic Conversion In-*
7 *formation has been in operation for three years, the*
8 *Secretary of Commerce and the Secretary of Defense*
9 *should jointly conduct a comprehensive evaluation of*
10 *the operations of such office and consider whether the*
11 *purpose of the office should be modified or the office*
12 *should be terminated; and*

13 *(2) the operating expenses for the Office of Eco-*
14 *nomi c Conversion Information should not exceed*
15 *\$5,000,000 for each of the first three full fiscal years*
16 *in which the office is in operation.*

17 **SEC. 1069. TRANSFER OF OBSOLETE DESTROYER TENDER**
18 **YOSEMITE.**

19 *(a) AUTHORITY.—Notwithstanding subsections (a)*
20 *and (c) of section 7308 of title 10, United States Code, but*
21 *subject to subsection (b) of that section, the Secretary of the*
22 *Navy may transfer the obsolete destroyer tender Yosemite*
23 *to the nonprofit organization Ships at Sea for education*
24 *and drug rehabilitation purposes.*

1 (b) *LIMITATIONS.*—The transfer authorized by section
2 (a) may be made only if the Secretary determines that the
3 vessel *Yosemite* is of no further use to the United States
4 for national security purposes.

5 (c) *TERMS AND CONDITIONS.*—The Secretary may re-
6 quire such terms and conditions in connection with the
7 transfer authorized by this section as the Secretary consid-
8 ers appropriate.

9 **SEC. 1070. TRANSPORTATION OF CARGOES BY WATER.**

10 Chapter 157 of title 10, United States Code, is amend-
11 ed by inserting a new section 2631a, as follows:

12 **“§ 2631a. Contingency planning**

13 “(a) *CONSIDERATION OF PRIVATE CAPABILITIES.*—
14 The Secretary of Defense shall ensure that all studies and
15 reports of the Department of Defense, and all actions taken
16 in the Department of Defense, concerning sealift and related
17 intermodal transportation requirements take into consider-
18 ation the full range of the transportation and distribution
19 capabilities that are available from operators of privately
20 owned United States flag merchant vessels.

21 “(b) *PRIVATE CAPACITIES PRESENTATIONS.*—The Sec-
22 retary shall afford each operator of a vessel referred to in
23 subsection (a), not less often than annually, an opportunity
24 to present to the Department of Defense information on its
25 port-to-port and intermodal transportation capacities.

1 **SEC. 1072. SENSE OF THE CONGRESS REGARDING THE JUS-**
2 **TIFICATION FOR CONTINUING THE EX-**
3 **TREMELY LOW FREQUENCY COMMUNICATION**
4 **SYSTEM.**

5 (a) *FINDINGS.*—(1) *There is a need to re-evaluate all*
6 *defense spending in light of the post-Cold War era and*
7 *budget and fiscal constraints;*

8 (2) *The Extremely Low Frequency Communications*
9 *System (ELF System) was originally designed to play a*
10 *role in the strategic deterrence mission against the former*
11 *Soviet Union;*

12 (3) *The threat of nuclear war has greatly diminished*
13 *since the collapse of the Soviet Union;*

14 (4) *The ELF System is increasingly in use for commu-*
15 *nications with our SSN attack submarines in addition to*
16 *our strategic missile submarines;*

17 (5) *Military base closing, downsizing of military fa-*
18 *cilities and activities, and termination of selected projects*
19 *are appropriate in light of the end of the Cold War and*
20 *the approximately \$4,000,000,000,000 national debt;*

21 (6) *It is appropriate to establish funding priorities*
22 *within the military defense budget; and*

23 (7) *Ongoing studies of the effects of ELF operations*
24 *on human health and the environment are due to be con-*
25 *cluded next year.*

1 (b) *SENSE OF CONGRESS.*—Now, therefore, it is the
2 *sense of Congress that—*

3 (1) *the Secretary of Defense should conduct an*
4 *evaluation of the benefits and costs of continued oper-*
5 *ation of the Extremely Low Frequency Communica-*
6 *tions System and alternatives thereto, if any;*

7 (2) *the results of such an evaluation should be*
8 *submitted to the Congressional Defense Committees*
9 *prior to consideration of the fiscal year 1995 Defense*
10 *budget request; and*

11 (3) *the Extremely Low Frequency Communica-*
12 *tion System should again be considered in the next*
13 *round of military base closures.*

14 **SEC. 1073. BASING FOR C-130 AIRCRAFT.**

15 *The Secretary of the Air Force shall determine the unit*
16 *assignment and basing location for any C-130 aircraft pro-*
17 *cured for the Air Force Reserve from funds appropriated*
18 *for National Guard and Reserve Equipment procurement*
19 *for fiscal year 1992 or 1993 in such manner as the Sec-*
20 *retary determines to be in the best interest of the Air Force.*

21 **SEC. 1074. IMPORTANCE OF NAVAL OCEANOGRAPHY SUR-**
22 **VEY AND RESEARCH IN THE POST-COLD WAR**
23 **PERIOD.**

24 (a) *The Senate finds that—*

1 (1) *the Oceanographer of the Navy is responsible*
2 *for the all Navy oceanographic research and survey*
3 *efforts;*

4 (2) *oceanographic research and surveys are criti-*
5 *cal investments in the Navy's ability to operate in lit-*
6 *toral waters of the world with an increased confidence*
7 *of operational success;*

8 (3) *oceanographic surveys enable the Navy to*
9 *conduct naval operations in greater safety, particu-*
10 *larly in littoral waters;*

11 (4) *the survey of littoral waters is most safely*
12 *conducted during periods of peace when conflict is not*
13 *imminent and the risk to lives and ships are dimin-*
14 *ished;*

15 (5) *the Navy has reduced their oceanographic re-*
16 *search and survey effort by almost 50 percent over the*
17 *last five years;*

18 (6) *this reduction in effort is the result of undis-*
19 *tributed budget reductions required by the Comptrol-*
20 *ler of the Navy to meet overall Navy budget targets;*

21 (7) *the number of naval ships dedicated to ocean-*
22 *ographic survey and research have been reduced from*
23 *12 to 7 over the last five years, significantly reducing*
24 *the Navy's oceanographic survey capability;*

25 (b) *Therefore, it is the sense of the Congress that—*

1 (1) *additional reductions to the Office of the*
2 *Oceanographer of the Navy which will further reduce*
3 *the level of oceanographic survey and research efforts*
4 *of the Navy should be avoided;*

5 (2) *a window of opportunity exists which allows*
6 *near unencumbered access to littoral waters which are*
7 *now available for surveying and research;*

8 (3) *committing limited resources to the Navy's*
9 *oceanographic research and survey effort should be*
10 *considered a force multiplier to United States combat*
11 *forces in future conflicts, particularly in littoral wa-*
12 *ters;*

13 (4) *the Navy should exploit this opportunity to*
14 *survey and research these critical littoral waters and*
15 *maintain funding levels for oceanographic surveying*
16 *and research.*

17 **SEC. 1075. DIGITAL ELECTRONIC DEVICES.**

18 *Of the funds authorized to be appropriated pursuant*
19 *to section 201(1), \$24,000,000 may be obligated and ex-*
20 *pended for the purposes of demonstrating in field maneu-*
21 *vers the integration of digital electronic devices for purposes*
22 *of command, control, battle management and combat iden-*
23 *tification for all major weapon systems contained in a com-*
24 *bined arms brigade.*

1 **SEC. 1076. RESEARCH ON EXPOSURE TO HAZARDOUS**
2 **AGENTS AND MATERIALS OF ARMED SERV-**
3 **ICES PERSONNEL WHO SERVED IN THE PER-**
4 **SIAN GULF WAR.**

5 (a) *FINDINGS.*—Congress makes the following findings:

6 (1) *A number of veterans of the Persian Gulf*
7 *War have reported unexplained illnesses and claim*
8 *that such illnesses are a consequence of exposure to*
9 *chemical, biological, radiological, or other hazardous*
10 *agents or materials as a result of service in Southwest*
11 *Asia during the Persian Gulf War.*

12 (2) *Members of the Armed Forces of the former*
13 *Czechoslovakian Federative Republic who served on a*
14 *chemical decontamination team in Southwest Asia*
15 *during the period of the Persian Gulf War have*
16 *claimed exposure to chemical agents during such serv-*
17 *ice, and the Czech Minister of Defense has confirmed*
18 *that members of that chemical decontamination team*
19 *detected low levels of nerve gas in that region during*
20 *that period.*

21 (3) *Reports indicate that members of the United*
22 *States Armed Forces who served in Southwest Asia*
23 *during the Persian Gulf War may have been exposed*
24 *to combined chemical warfare agents and other haz-*
25 *ardous agents and substances during such service.*

1 (4) *Such exposure may have occurred directly as*
2 *a result of attack on such members by Iraqi forces or*
3 *indirectly as a result of prolonged “downwind” expo-*
4 *sure to airborne chemical warfare agents or other haz-*
5 *ardous substances that were dispersed as a con-*
6 *sequence of the bombing of Iraqi chemical weapons fa-*
7 *ilities, nuclear facilities, and other facilities contain-*
8 *ing hazardous substances.*

9 (5) *It is in the interest of the United States that*
10 *medical professionals providing care to members of*
11 *the Armed Forces and to veterans understand the na-*
12 *ture of the illnesses that such members and veterans*
13 *may contract in order to ensure that such profes-*
14 *sionals have sufficient information to provide proper*
15 *care to such members and veterans.*

16 (b) *SENSE OF THE CONGRESS.—It is the sense of the*
17 *Congress that—*

18 (1) *one of the threats to international peace and*
19 *to the interests of the United States in the post-Cold*
20 *War era is the proliferation of weapons utilizing*
21 *chemical, biological, radiological, or other hazardous*
22 *agents or materials;*

23 (2) *the readiness of the United States to engage*
24 *in future military conflicts will be directly related to*
25 *the capability of the United States—*

1 (A) to identify the threat to members of the
2 Armed Forces posed by the utilization of such
3 weapons and the agents and materials utilized
4 in such weapons;

5 (B) to protect such members from the ad-
6 verse effects of exposure to such agents and mate-
7 rials; and

8 (C) to treat the casualties that result from
9 the utilization of such weapons and from expo-
10 sure to such agents and materials; and

11 (3) the Department of Defense is uniquely capa-
12 ble of conducting research into the sources and effects
13 of exposure of members of the Armed Forces during
14 military conflicts to chemical, biological, radiological,
15 and other hazardous agents and materials.

16 (c) *CONTRACT FOR RESEARCH FACILITY AND ACTIVI-*
17 *TIES.*—(1) Subject to paragraph (2), the Secretary of the
18 Army shall enter into a contract with a hospital or other
19 existing health care or health care research facility in order
20 to ensure that the research referred to in paragraph (3) is
21 carried out.

22 (2)(A) The Secretary shall enter into the contract
23 under paragraph (1) using full and open competition.

1 (B) The facility referred to in such paragraph shall
2 be affiliated with a medical facility of the Department of
3 Veterans Affairs.

4 (3) The research referred to in paragraph (1) is re-
5 search into the effects upon humans of exposure to hazard-
6 ous agents and materials, including chemical and biological
7 warfare agents, toxins, and materials to which members of
8 the Armed Forces may have been exposed as a result of serv-
9 ice in Southwest Asia during the Persian Gulf War.

10 (4) Humans may not be exposed to hazardous agents
11 or materials as a result of the carrying out of research
12 under this subsection.

13 (d) *STUDY ON REPORTS OF EXPOSURE TO HAZARD-*
14 *OUS AGENTS AND MATERIALS.*—(1) Subject to paragraph
15 (2), the Secretary of Defense shall carry out a study in
16 order to determine the validity and accuracy of claims that
17 members of the Armed Forces who served in Southwest Asia
18 during the Persian Gulf War were exposed to combined
19 chemical warfare agents, biological warfare agents, biologi-
20 cal toxins, and other unconventional warfare agents or
21 other environmental conditions hazardous to the health of
22 such members as a result of such service. The study shall
23 identify the locations at which such exposure, if any, oc-
24 curred and the extent, if any, of such exposure.

1 (2) *The study under paragraph (1) shall include an*
2 *investigation of such exposure directly as a result of attack*
3 *on such members by Iraqi forces and indirectly as a result*
4 *of prolonged downwind exposure to such agents and toxins*
5 *dispersed in consequence of the bombing of Iraqi chemical*
6 *weapons facilities, nuclear facilities, and other facilities*
7 *containing hazardous substances.*

8 (e) *STUDY ON EXPOSURE TO DEPLETED URANIUM.—*
9 *The Secretary of the Army shall carry out a study of the*
10 *effects upon humans of exposure to fragments of depleted*
11 *uranium from weapons rounds that have been fired.*

12 (f) *PARTICIPATION BY THE DEPARTMENT OF DE-*
13 *FENSE.—(1) The Secretary of Defense shall ensure that all*
14 *elements of the Departments of the Defense, including all*
15 *chemical and biological warfare defense programs, provide*
16 *to the facility with which the Secretary of the Army con-*
17 *tracts under subsection (c) any information possessed by*
18 *such elements on the identity and quantity of the chemical,*
19 *biological, radiological, and other hazardous agents and*
20 *materials to which members of the Armed Forces may have*
21 *been exposed as a result of service in Southwest Asia during*
22 *the Persian Gulf War and on the effects upon humans of*
23 *such exposure.*

24 (2) *The Secretary of Defense shall ensure that the ele-*
25 *ments of the Department of Defense referred to in para-*

1 *graph (1) provide to the persons or entities carrying out*
2 *the study referred to in subsection (e) information possessed*
3 *by such elements on the sources and effects of exposure to*
4 *depleted uranium on the members referred to in paragraph*
5 *(1).*

6 (g) *REPORTS TO CONGRESS.*—(1) *Not later than each*
7 *of March 1, 1994, and October 1, 1994, the Secretary shall*
8 *submit to the congressional defense committees an interim*
9 *report on the results during the year preceding the report*
10 *of the research and studies, as the case may be, carried out*
11 *under subsections (c), (d), and (e).*

12 (2) *The reports submitted under this subsection shall*
13 *be submitted in an unclassified form but may have a classi-*
14 *fied annex.*

15 (h) *BUDGET INFORMATION.*—*The Secretary of Defense*
16 *shall ensure that each budget submitted to the Congress*
17 *under section 1105 of title 31, United States Code, for a*
18 *fiscal year in which the contract referred to in subsection*
19 *(c) is in force, the Secretary carries out the study referred*
20 *to in subsection (d), or the Secretary carries out the study*
21 *referred to in subsection (e), as the case may be, contains*
22 *a request for such funds as the Secretary determines nec-*
23 *essary in order to carry out the contract or such studies,*
24 *as the case may be, during that fiscal year.*

1 (i) *FUNDING.*—Funds for programs authorized in this
2 section shall be derived from amounts to be appropriated
3 for the Department of Defense.

4 (j) *LIMITATION ON EXPENDITURES.*—The total
5 amount that may be expended in fiscal year 1994 with re-
6 spect to activities under this section is as follows:

7 (1) For research activities carried out under sub-
8 section (c), \$2,000,000.

9 (2) For the study carried out under subsection
10 (d), \$2,000,000.

11 (3) For the study carried out under subsection
12 (e), \$1,700,000.

13 (k) *DEFINITION.*—In this section, the term “Persian
14 Gulf War” has the meaning given such term in section
15 101(33) of title 38, United States Code.

16 **SEC. 1077. SENSE OF CONGRESS RELATING TO THE PRO-**
17 **LIFERATION OF SPACE LAUNCH VEHICLE**
18 **TECHNOLOGIES.**

19 (a) *FINDINGS.*—The Congress finds the following:

20 (1) The United States has joined with other na-
21 tions in the Missile Technology Control Regime
22 (MTCR) which restricts the transfer of missiles or
23 equipment or technology that could contribute to the
24 design, development or production of missiles capable
25 of delivering weapons of mass destruction.

1 (2) *Missile technology is indistinguishable from*
2 *and interchangeable with space launch vehicle tech-*
3 *nology.*

4 (3) *Transfers of missile technology or space*
5 *launch vehicle technology cannot be safeguarded in a*
6 *manner that would provide timely warning of diver-*
7 *sion for military purposes.*

8 (4) *It has been United States policy since agree-*
9 *ing to the guidelines of the Missile Technology Control*
10 *Regime to treat the sale or transfer of space launch*
11 *vehicle technology as restrictively as the sale or trans-*
12 *fer of missile technology.*

13 (5) *Previous congressional action on missile pro-*
14 *liferation, notably title XVII of the National Defense*
15 *Authorization Act for Fiscal Year 1991 (Public Law*
16 *101-510; 104 Stat. 1738), has explicitly supported*
17 *this policy through such actions as the statutory defi-*
18 *inition of the term "missile" to mean "a category I*
19 *system as defined in the MTCR Annex, and any other*
20 *unmanned delivery system of similar capability, as*
21 *well as the specially designed production facilities for*
22 *these systems".*

23 (6) *There is strong evidence that emerging na-*
24 *tional space launch programs in the Third World are*
25 *not economically viable.*

1 (7) *The United States has successfully dissuaded*
2 *countries from pursuing space launch vehicle pro-*
3 *grams in part by offering to cooperate with them in*
4 *other areas of space science and technology.*

5 (8) *The United States has successfully dissuaded*
6 *other MTCR adherents, and countries who have*
7 *agreed to abide by MTCR guidelines, from providing*
8 *assistance to emerging national space launch pro-*
9 *grams in the Third World.*

10 (b) *SENSE OF CONGRESS.—It is the sense of Congress*
11 *that—*

12 (1) *the Congress supports the strict interpreta-*
13 *tion by the United States of the Missile Technology*
14 *Control Regime concerning—*

15 (A) *the inability to distinguish space*
16 *launch vehicle technology from missile technology*
17 *under the regime; and*

18 (B) *the inability to safeguard space launch*
19 *vehicle technology in a manner that would pro-*
20 *vide timely warning of its diversion to military*
21 *purposes; and*

22 (2) *the United States and the governments of*
23 *other nations adhering to the Missile Technology Con-*
24 *trol Regime should be recognized for—*

1 (A) *the success of such governments in re-*
2 *stricting the export of space launch vehicle tech-*
3 *nology and of missile technology; and*

4 (B) *the significant contribution made by the*
5 *imposition of such restrictions to reducing the*
6 *proliferation of missile technology capable of*
7 *being used to deliver weapons of mass destruc-*
8 *tion.*

9 (c) *DEFINITIONS.—In this section:*

10 (1) *The term “Missile Technology Control Re-*
11 *gime” or “MTCR” means the policy statement, be-*
12 *tween the United States, the United Kingdom, the*
13 *Federal Republic of Germany, France, Italy, Canada,*
14 *and Japan, announced on April 16, 1987, to restrict*
15 *sensitive missile-relevant transfers based on the*
16 *MTCR Annex, and any amendments thereto.*

17 (2) *The term “MTCR Annex” means the Guide-*
18 *lines and Equipment and Technology Annex of the*
19 *Missile Technology Control Regime, and any amend-*
20 *ments thereto.*

21 **SEC. 1078. AMERICAN DIPLOMATIC FACILITIES IN GER-**
22 **MANY.**

23 (a) *No embassy, chancery, or consular facilities in*
24 *Germany other than the facilities already occuppied as of*
25 *January 1, 1993 by United States diplomatic personnel*

1 *may be purchased, constructed, leased or otherwise occupied*
2 *unless such facilities are purchased, constructed, modified*
3 *or leased with funds provided by the German government*
4 *as an offset for the value of facilities returned by the United*
5 *States Government to the Government of Germany pursu-*
6 *ant to Article 52 of the current Status of Forces Agreement*
7 *with the Government of Germany.*

8 *(b) The Secretary of State or his representative may*
9 *not enter into any legal instrument to purchase, construct,*
10 *modify or lease any facility in Germany acquired pursuant*
11 *to subsection (a) of this section until the Secretary of De-*
12 *fense certifies that the United States Government has re-*
13 *ceived or is scheduled to receive cash payments or offsets-*
14 *in-kind of a value not less than 50 percent of the value of*
15 *the facilities returned by the United States Government to*
16 *the Government of Germany pursuant to Article 52 of the*
17 *current Status of Forces Agreement with the Government*
18 *of Germany.*

19 **SEC. 1079. EFFECTIVE DATE FOR CHANGES IN SERVICE-**
20 **MEN'S GROUP LIFE INSURANCE PROGRAM.**

21 *(a) USE OF INTERNATIONAL DATE LINE.—Section*
22 *1967 of title 38, United States Code, is amended by adding*
23 *at the end the following new subsection:*

24 *“(f) The effective date and time for any change in bene-*
25 *fits under the Servicemen's Group Life Insurance Program*

1 *shall be based on the date and time according to the time*
2 *zone immediately west of the International Date Line.”.*

3 (b) *EFFECTIVE DATE.*—*The amendment made by sub-*
4 *section (a) shall apply with respect to amendments to chap-*
5 *ter 19 of title 38, United States Code, that take effect after*
6 *November 29, 1992.*

7 ***SEC. 1080. AWARD OF THE NAVY EXPEDITIONARY MEDAL.***

8 *It is the sense of the Senate that the Secretary of the*
9 *Navy should direct that members who served in Task Force*
10 *16, culminating in the air-raid commonly known as the*
11 *“Doolittle raid on Tokyo”, during April 1942, be awarded*
12 *the Navy Expeditionary Medal for such service.*

13 ***SEC. 1081. REPORT ON MILITARY FOOD DISTRIBUTION***
14 ***PRACTICES.***

15 (a) *FINDINGS.*—*The Congress makes the following*
16 *findings:*

17 (1) *The Defense Personnel Support Center, a*
18 *component of the Defense Logistics Agency (DLA),*
19 *purchases more than 90 percent of the food supplied*
20 *to military “end-users” such as dining halls, hospitals*
21 *and other facilities that feed troops.*

22 (2) *Semiperishable items, such as canned goods,*
23 *are stored in four DLA depots. Perishable items, in-*
24 *cluding fresh and frozen vegetables, fruits, and meats,*

1 *are stored in 21 contractor-operated Defense Subsistence*
2 *Offices.*

3 (3) *Private sector end-users, including independ-*
4 *ent restaurants, hospitals, and hotels, obtain their*
5 *food through direct delivery from distributors.*

6 (4) *A Department of Defense comprehensive in-*
7 *ventory reduction plan, issued in May 1990, stated*
8 *that “where DoD requirements can be met through*
9 *commercial distribution systems in a timely and cost-*
10 *effective fashion, no value is added by pushing items*
11 *through the DoD warehousing systems.”.*

12 (5) *A June 1993 GAO report determined that the*
13 *Department of Defense could achieve substantial cost*
14 *savings by expanding the use of private sector food*
15 *distributors and practices in the military food supply*
16 *system.*

17 (b) *REVIEW REQUIRED.—The Secretary of Defense*
18 *shall conduct a review which evaluates the feasibility and*
19 *economic benefits resulting from the expanded use of full-*
20 *line distributors to deliver food directly to military end-*
21 *users. The review should address whether the expanded use*
22 *of distributors could reduce depot storage of food (except for*
23 *war reserve stocks and items bound for overseas), and elimi-*
24 *nates the requirement for Defense Subsistence Offices and*
25 *certain base warehouse activities. The review should include*

1 *a cost comparison of the Department of Defense supply sys-*
2 *tem with the costs of commercial distributors. The review*
3 *should also consider what obstacles may exist that would*
4 *hinder the Department of Defense's ability to procure com-*
5 *mercial items and institute commercial logistics practices.*

6 *(c) REPORT.—Not later than March 1, 1994, the Sec-*
7 *retary shall submit to the congressional defense committees*
8 *a report on his findings from the review together with any*
9 *recommendations.*

10 **SEC. 1082. PREVENTION OF ENTRY INTO THE UNITED**
11 **STATES OF CERTAIN FORMER MEMBERS OF**
12 **THE IRAQI ARMED FORCES.**

13 *It is the sense of the Senate that no person who was*
14 *a member of the armed forces of Iraq during the period from*
15 *August 2, 1990 through February 28, 1991 and who is in*
16 *a refugee camp in Saudi Arabia as of the date of enactment*
17 *of this Act shall be granted entry into the United States*
18 *under the Immigration and Nationality Act, as amended,*
19 *unless the President certifies to Congress prior to such entry*
20 *that such person—*

21 *(1) assisted the United States or coalition armed*
22 *forces after defection from the armed forces of Iraq or*
23 *after capture by the United States or coalition armed*
24 *forces; and*

1 (2) *did not commit or assist in the commission*
2 *of war crimes.*

3 **SEC. 1083. SHORT TITLE.**

4 *Sections 1083, 1084, and 1085 may be cited as “NATO*
5 *Review Requirements”.*

6 **SEC. 1084. FINDINGS; POLICY.**

7 (a) *FINDINGS.—The Congress finds that—*

8 (1) *the North Atlantic Treaty Organization*
9 *(NATO) has successfully met the challenge of helping*
10 *to maintain the peace, security and freedom of the*
11 *United States and its NATO allies for more than*
12 *forty years;*

13 (2) *the national security interests of the United*
14 *States have been well served by the process of con-*
15 *sultation, coordination, and military cooperation in*
16 *the NATO framework;*

17 (3) *recent history has witnessed radical changes*
18 *in the international security environment, including*
19 *the fall of the Berlin Wall, the unification of Ger-*
20 *many, the disbanding of the Warsaw Pact and the*
21 *disintegration of the Soviet Union;*

22 (4) *the military threats which NATO was estab-*
23 *lished to deter have receded with the end of the Cold*
24 *War, calling into question both the future value of the*

1 *alliance and the rationale for United States military*
2 *deployments in Europe;*

3 *(5) the post-Cold War security situation contin-*
4 *ues to present a wide array of challenges to United*
5 *States national interests, many of which interests the*
6 *United States shares with its allies in Europe and*
7 *Canada;*

8 *(6) the international community may prove ca-*
9 *pable of deterring many threats to the common peace*
10 *if it can respond decisively to aggression;*

11 *(7) the United States must share the burden of*
12 *its international security commitments with other na-*
13 *tions if it is to tend to the needs of its own citizens*
14 *in a responsible fashion;*

15 *(8) several of the newly democratic nations of*
16 *Central and Eastern Europe have expressed interest*
17 *in seeking membership in NATO;*

18 *(9) many of the security challenges facing the*
19 *post-Cold War world would be best handled through*
20 *coherent multilateral responses;*

21 *(10) the United States should never send its*
22 *military forces into combat unless they are provided*
23 *with the best opportunity to accomplish their objec-*
24 *tives with as little risk as possible;*

1 (11) *military interventions against antagonistic*
2 *armed forces cannot be conducted safely or effectively*
3 *on a multilateral basis unless such operations are*
4 *jointly planned in advance and are executed by units*
5 *which have trained together and are familiar with*
6 *each others operational procedures;*

7 (12) *NATO is currently the only organization*
8 *with the experience, trained staff and infrastructure*
9 *necessary to support military cooperation with the*
10 *major military allies of the United States;*

11 (13) *the NATO allies already have volunteered to*
12 *consider requests from the United Nations and the*
13 *Conference on Security and Cooperation in Europe*
14 *for assistance in maintaining the peace;*

15 (14) *justification of the relevance of NATO in the*
16 *post-Cold War world will depend largely upon the al-*
17 *liance's ability to adapt its mission and procedures to*
18 *the new security environment;*

19 (15) *justification of future United States support*
20 *for the alliance and for a United States military*
21 *presence in Europe will depend upon NATO's ability*
22 *to address those security interests which the United*
23 *States shares with its allies in Europe and Canada;*

24 (16) *a summit meeting of the NATO heads of*
25 *state, which has been scheduled for January 1994,*

1 *would present an excellent opportunity for the Presi-*
2 *dent of the United States to articulate a new, broader*
3 *security mission for the alliance in the post-Cold War*
4 *world, one which will enable it to address a wider*
5 *array of threats to its members' interests and which*
6 *will help to share more effectively the burden of inter-*
7 *national security requirements.*

8 *(b) POLICY.—It is the sense of the Congress that—*

9 *(1) old threats to the security of the United*
10 *States and its allies in the North Atlantic Treaty Or-*
11 *ganization have retreated radically but new, more di-*
12 *verse challenges have arisen in the form of ethno-reli-*
13 *gious conflict in Central and Eastern Europe and the*
14 *proliferation of weapons of mass destruction in re-*
15 *gions proximate to alliance territory and NATO's*
16 *mission must be redefined so that it may respond to*
17 *such challenges to its members' security even when*
18 *those challenges emanate from beyond the geographic*
19 *boundaries of its members' territories;*

20 *(2) future United States military involvement*
21 *in, and contributions to, NATO should be determined*
22 *in relation to the alliance's success or failure in*
23 *adapting itself to confronting the challenges of the*
24 *post-Cold War world.*

1 **SEC. 1085. REPORT.**

2 *Within 30 calendar days of the enactment of this legis-*
3 *lation, the President, in consultation with the Secretary of*
4 *State and the Secretary of Defense, shall send a report to*
5 *the Armed Services Committees of the United States Senate*
6 *and House of Representatives and to the Foreign Relations*
7 *Committee of the United States Senate and the Foreign Af-*
8 *airs Committee of the House of Representatives. This report*
9 *should contain recommendations on—*

10 *(1) the manner in which NATO can formulate*
11 *and implement a strategy to address the new, more*
12 *disparate threats to the security of its members;*

13 *(2) the feasibility of having NATO conduct secu-*
14 *rity operations beyond the geographic boundaries of*
15 *the alliance;*

16 *(3) the manner in which NATO should restruc-*
17 *ture its forces, training and equipment for the new se-*
18 *curity environment;*

19 *(4) the desirability of expanding the alliance to*
20 *include either traditionally neutral nations or the*
21 *new democratic nations of Eastern or Central Europe*
22 *who wish to join NATO;*

23 *(5) the proper size and composition of United*
24 *States forces to be deployed in Europe to assist in the*
25 *implementation of NATO's new mandate and possible*
26 *reduction in United States military deployments in*

1 *Europe in the event of the alliance's failure to adopt*
2 *a new mandate;*

3 *(6) the structure and organization of NATO*
4 *headquarters, with particular attention to the need to*
5 *reinvigorate the NATO Military Committee;*

6 *(7) the desirability of having additional NATO*
7 *forces train in North America in a manner support-*
8 *ive of NATO's proposed new strategy;*

9 *(8) the structure of NATO's military command,*
10 *with particular attention to the need to make NATO's*
11 *Rapid Reaction Force a credible deterrent to regional*
12 *aggression;*

13 *(9) the levels of United States, European and*
14 *Canadian defense budgets and their ability to finance*
15 *forces consistent with the implementation of NATO's*
16 *new mandate.*

17 **SEC. 1086. LOCATION OF JOINT WARFIGHTING SIMULATION**
18 **CENTER.**

19 *The Secretary of Defense shall provide that the Joint*
20 *Warfighting Simulation Center, established by the Sec-*
21 *retary on July 1, 1993, be located with the Army Training*
22 *and Doctrine Command at Fort Monroe, Virginia.*

1 **SEC. 1087. SANCTIONS AGAINST SERBIA AND**
2 **MONTENEGRO.**

3 (a) *CODIFICATION OF EXECUTIVE BRANCH SANC-*
4 *TIONS.—The sanctions against Serbia and Montenegro de-*
5 *scribed in the following directives of the executive branch*
6 *of Government are hereby enacted into law:*

7 (1) *Executive Order 12808 of May 30, 1992, as*
8 *continued in effect on May 25, 1993.*

9 (2) *Executive Order 12810 of June 5, 1992.*

10 (3) *Executive Order 12831 of January 15, 1993.*

11 (4) *Executive Order 12846 of April 25, 1993.*

12 (5) *Department of State Public Notice 1427, ef-*
13 *fective July 11, 1991.*

14 (6) *Proclamation 6389 of December 5, 1991 (56*
15 *Fed. Register 64467).*

16 (7) *Department of Transportation Order 92-5-*
17 *38 of May 20, 1992.*

18 (8) *Federal Aviation Administration action of*
19 *June 19, 1992 (14 C.F.R. Part 91).*

20 (b) *PROHIBITION ON ASSISTANCE.—(1) No funds ap-*
21 *propriated or otherwise made available by law may be obli-*
22 *gated or expended for Serbia or Montenegro.*

23 (2) *The prohibition of paragraph (1) includes funds*
24 *which were obligated but not expended under any law en-*
25 *acted before the date of enactment of this Act.*

1 (c) *INTERNATIONAL FINANCIAL INSTITUTIONS.*—The
2 *Secretary of the Treasury shall instruct the United States*
3 *executive director of each international financial institu-*
4 *tion to use the voice and vote of the United States to oppose*
5 *any assistance of the respective institutions to Serbia or*
6 *Montenegro.*

7 (d) *EXCEPTION.*—*Notwithstanding any other provi-*
8 *sion of law, the President is authorized and encouraged to*
9 *exempt from sanctions imposed against the Republic of Ser-*
10 *bia and the Republic of Montenegro those United States-*
11 *supported programs, projects, or activities involving reform*
12 *of the electoral process, or the development of democratic*
13 *institutions or democratic political parties, in these two*
14 *countries.*

15 (e) *WAIVER.*—(1) *Notwithstanding any other provi-*
16 *sion of this section (other than paragraph (2)), the Presi-*
17 *dent may waive the application, in whole or in part, of*
18 *any sanction or prohibition contained in this section if the*
19 *President determines, and so certifies to Congress, that it*
20 *would be in the national interest of the United States to*
21 *do so.*

22 (2) *The waiver authority of paragraph (1) may not*
23 *be used to waive any sanction or prohibition in subsections*
24 *(a), (b), and (c) unless the territory of Bosnia-Herzegovina,*
25 *as recognized by the United States on April 2, 1992, is con-*

1 *trolled by a government of Bosnia-Herzegovina recognized*
2 *by the United States, and that government or its people,*
3 *are not subject to military action in or against it by Serbia*
4 *and Montenegro or Bosnian Serbian forces.*

5 **SEC. 1088. ENVIRONMENTAL EDUCATION OPPORTUNITIES**
6 **PROGRAM.**

7 *(a) PROGRAM REQUIRED.—(1)(A) Not later than 180*
8 *days after the date of the enactment of this Act, the Sec-*
9 *retary of Defense, in consultation with the Administrator*
10 *of the Environmental Protection Agency and the Secretary*
11 *of Energy, shall establish a scholarship program for edu-*
12 *cation and training for qualified individuals in order to*
13 *enable such individuals to acquire career training in envi-*
14 *ronmental engineering, environmental sciences, or environ-*
15 *mental project management in fields related to hazardous*
16 *waste management and cleanup.*

17 *(B) The program established pursuant to subpara-*
18 *graph (A) may include educational activities and training*
19 *related to—*

20 *(i) site remediation;*

21 *(ii) site characterization;*

22 *(iii) hazardous waste management;*

23 *(iv) hazardous waste reduction;*

24 *(v) recycling;*

25 *(vi) process and materials engineering;*

1 (vii) training for positions related to environ-
2 mental engineering, environmental sciences, or envi-
3 ronmental project management (including training
4 for management positions); and

5 (viii) environmental engineering with respect to
6 the construction of facilities to address the items de-
7 scribed in clauses (i) through (vii).

8 (C) The program established pursuant to subpara-
9 graph (A) shall include educational activities designed for
10 personnel participating in a program to achieve specializa-
11 tion in the following fields:

12 (i) Earth sciences.

13 (ii) Chemistry.

14 (iii) Chemical Engineering.

15 (iv) Environmental engineering.

16 (v) Statistics.

17 (vi) Toxicology.

18 (vii) Industrial hygiene.

19 (viii) Health physics.

20 (ix) Environmental project management.

21 (b) FUNDING.—(1) From amounts appropriated pur-
22 suant to this authorization, the Secretary of Defense shall
23 award scholarships to individuals described in paragraph
24 (g)(5) to attend programs at the hazardous substance re-
25 search centers institutions of higher education at both un-

1 *dergraduate and graduate levels which lead to the awarding*
2 *of an academic degree or a certification that is supple-*
3 *mental to an academic degree.*

4 *(c) REPAYMENT.—(1) Any individual receiving edu-*
5 *cational assistance from the United States under the pro-*
6 *gram carried out under this section shall agree to pay to*
7 *the United States the total amount of the educational assist-*
8 *ance provided to the individual by the United States under*
9 *the program, plus interest at the rate prescribed in para-*
10 *graph (4), if the individual does not complete the edu-*
11 *cational program for which the assistance is provided.*

12 *(2) If an individual fails to pay to the United States*
13 *the total amount required pursuant to paragraph (1), in-*
14 *cluding the interest, at the rate prescribed in paragraph*
15 *(4), the unpaid amount shall be recoverable by the United*
16 *States from the individual or his estate by—*

17 *(A) in the case of an individual who is an em-*
18 *ployee of the United States, set off against accrued*
19 *pay, compensation, amount of retirement credit, or*
20 *other amount due the employee from the United*
21 *States; and*

22 *(B) such other method as is provided by law for*
23 *the recovery of amounts owing to the United States.*

24 *(3) The Secretary of Defense may waive in whole or*
25 *in part a required repayment under this subsection if the*

1 *Secretary of Defense determines that the recovery would be*
2 *against equity and good conscience or would be contrary*
3 *to the best interests of the United States.*

4 (4) *The total amount of educational assistance pro-*
5 *vided to an individual under a program carried out under*
6 *subsection (a) shall, for purposes of repayment under this*
7 *section, bear interest at the applicable rate of interest under*
8 *section 427A(c) of the Higher Education Act of 1965 (20*
9 *U.S.C. 1077a(c)).*

10 (d) *COORDINATION OF BENEFITS.—Any educational*
11 *assistance provided to an individual under the program*
12 *carried out under subsection (a) shall be taken into account*
13 *in determining the eligibility of that individual for Federal*
14 *student financial assistance provided under title IV of the*
15 *Higher Education Act of 1965 (20 U.S.C. 1070 et seq.).*

16 (e) *COST AND FUNDING.—The cost of carrying out the*
17 *program required by this section may not exceed \$8,000,000*
18 *in any fiscal year.*

19 (f) *REPORT TO CONGRESS.—Not later than January*
20 *1, 1995, the Secretary of Defense, in consultation with the*
21 *Secretary of Energy and the Administrator of the Environ-*
22 *mental Protection Agency, shall submit to the Congress a*
23 *report on activities undertaken under the program estab-*
24 *lished under this section and recommendations for future*
25 *activities under the program.*

1 (g) *DEFINITIONS.*—*In this section:*

2 (1) *The term “Administrator” means the Admin-*
3 *istrator of the Environmental Protection Agency.*

4 (2) *The term “hazardous substance research cen-*
5 *ters” means the hazardous substance research centers*
6 *described in section 311(d) of the Comprehensive En-*
7 *vironmental Response, Compensation, and Liability*
8 *Act of 1980 (42 U.S.C. 9660(d)). Such term includes*
9 *the Great Plains and Rocky Mountain Hazardous*
10 *Substance Research Center, the Northeast Hazardous*
11 *Substance Research Center, the Great Lakes and Mid-*
12 *Atlantic Hazardous Substance Research Center, the*
13 *South and Southwest Hazardous Substance Research*
14 *Center, and the Western Region Hazardous Substance*
15 *Research Center.*

16 (3) *The term “hazardous waste” means—*

17 (A) *waste listed as hazardous waste pursu-*
18 *ant to subtitle C of the Solid Waste Disposal Act*
19 *(42 U.S.C. 6921 et seq.);*

20 (B) *radioactive waste; and*

21 (C) *mixed waste.*

22 (4) *The term “mixed waste” means waste that*
23 *contains a mixture of waste described in subpara-*
24 *graphs (A) and (B) of paragraph (3).*

1 (5) *INDIVIDUALS ELIGIBLE FOR TRAINING, ASSIST-*
2 *ANCE, AND SERVICES.*—

3 (1) *CERTAIN MEMBERS OF THE ARMED*
4 *FORCES.*—A member of the Armed Forces shall be eli-
5 *gible for training, adjustment assistance, and employ-*
6 *ment services under this section if the member—*

7 (A) *was on active duty or full-time Na-*
8 *tional Guard duty on September 30, 1990;*

9 (B) *during the 5-year period beginning on*
10 *that date—*

11 (i) *is involuntarily separated (as de-*
12 *fin ed in section 1141 of title 10, United*
13 *States Code) from active duty or full-time*
14 *National Guard duty; or*

15 (ii) *is separated from active duty or*
16 *full-time National Guard duty pursuant to*
17 *a special separation benefits program under*
18 *section 1174a of title 10, United States*
19 *Code, or the voluntary separation incentive*
20 *program under section 1175 of that title;*

21 (C) *is not entitled to retired or retainer pay*
22 *incident to that separation; and*

23 (D) *applies for such training, adjustment*
24 *assistance, or employment services before the end*

1 *of the 180-day period beginning on the date of*
2 *that separation.*

3 (2) *CERTAIN DEFENSE EMPLOYEES.—*

4 (A) *IN GENERAL.—Except as provided in*
5 *subparagraph (B), a civilian employee of the De-*
6 *partment of Defense or the Department of En-*
7 *ergy shall be eligible for training, adjustment as-*
8 *stance, and employment services under this sec-*
9 *tion if the employee—*

10 (i) *during the 5-year period beginning*
11 *on October 1, 1992, is terminated or laid off*
12 *(or receives a notice of termination or lay*
13 *off) from such employment as a result of re-*
14 *ductions in defense spending, as determined*
15 *by the Secretary of Defense or the Secretary*
16 *of Energy, except that, in the case of a no-*
17 *tice of termination or lay off, the eligibility*
18 *of the employee shall not begin until 180*
19 *days before the projected date of the termi-*
20 *nation or lay off; and*

21 (ii) *is not entitled to retired or re-*
22 *tainer pay incident to that termination or*
23 *lay off.*

24 (B) *SPECIAL RULE FOR CIVILIAN EMPLOY-*
25 *EES OF THE DEPARTMENT OF DEFENSE EM-*

1 *PLOYED AT CERTAIN MILITARY INSTALLA-*
2 *TIONS.—*

3 *(i) IN GENERAL.—A civilian employee*
4 *of the Department of Defense employed at a*
5 *military installation being closed or re-*
6 *aligned under the laws referred to in clause*
7 *(ii) shall be eligible for training, adjustment*
8 *assistance, and employment services under*
9 *this section beginning on the date on which*
10 *such employee receives actual notice of ter-*
11 *mination, or the date determined by the*
12 *Secretary of Defense under clause (iii),*
13 *whichever occurs earlier.*

14 *(ii) CERTAIN DEFENSE LAWS.—The*
15 *laws referred to in this clause are—*

16 *(I) the Defense Base Closure and*
17 *Realignment Act of 1990 (part A of*
18 *title XXIX of Public Law 101–510; 10*
19 *U.S.C. 2687 note); and*

20 *(II) title II of the Defense Author-*
21 *ization Amendments and Base Closure*
22 *and Realignment Act (Public Law*
23 *100–526; 10 U.S.C. 2687 note).*

24 *(iii) DATE.—The date determined*
25 *under this clause is the date that is 24*

1 *months before the date on which the mili-*
2 *tary installation is to be closed or the re-*
3 *alignment of the installation is to be com-*
4 *pleted, as the case may be.*

5 (6) *The term “radioactive waste” means solid,*
6 *liquid, or gaseous material that contains radio-*
7 *nuclides regulated under the Atomic Energy Act of*
8 *1954 (42 U.S.C. 2011 et seq.) of negligible economic*
9 *value (considering the cost of recovery).*

10 ***SEC. 1089. MEDICAL LASER BURN TREATMENT.***

11 *Of the funds authorized to be appropriated in section*
12 *201(1), \$2,000,000 shall be available to continue the sup-*
13 *port of advanced laser burn treatment diagnostics and*
14 *therapeutic research under the Army’s medical research*
15 *program.*

16 ***SEC. 1090. TECHNICAL AND CLERICAL AMENDMENTS.***

17 (a) *MISCELLANEOUS AMENDMENTS TO TITLE 10,*
18 *UNITED STATES CODE.—Title 10, United States Code, is*
19 *amended as follows:*

20 (1) *Section 401 is amended by striking out sub-*
21 *section (f).*

22 (2) *Section 1408 is amended—*

23 (A) *in subsections (b)(1)(A), (f)(1), and*
24 *(f)(2), by striking out “subsection (h)” and in-*
25 *serting in lieu thereof “subsection (i)”;* and

1 (B) in subsection (h)(4)(B), by inserting
2 “of” after “of that termination”.

3 (3) Section 1605(a) is amended by striking out
4 “(50 U.S.C. 403 note)” and inserting in lieu thereof
5 “(50 U.S.C. 2153)”.

6 (4) Section 1804(b)(1) is amended by striking
7 out “his or her” and inserting in lieu thereof “the vol-
8 unteer’s”.

9 (5) Section 2031(a)(1) is amended in the second
10 sentence by striking out “Not more than 200 units
11 may be established by all of the military departments
12 each year, and the” and by inserting in lieu thereof
13 “The”.

14 (6) Section 2305(b)(4)(A) is amended by realign-
15 ing clauses (i) and (ii) so that they are indented two
16 ems from the left margin.

17 (7) Subsections (a), (e), and (g) of section 2371
18 are amended by striking out “Defense Advanced Re-
19 search Projects Agency” and inserting in lieu thereof
20 “Advanced Research Projects Agency”.

21 (8) Section 2469 is amended by striking out “,
22 prior to any such change,”.

23 (9)(A) Section 2490a is transferred to the end of
24 chapter 165, redesignated as section 2783, and
25 amended—

1 (i) in subsection (b)(2)—

2 (I) by striking out “title 10, United
3 States Code” and inserting in lieu thereof
4 “this title”;

5 (II) by striking out the comma after
6 “Justice)”; and

7 (III) by striking out “of such title”
8 and inserting in lieu thereof “of this title”;
9 and

10 (ii) in subsection (c)(1), by striking out
11 “Armed Forces” and inserting in lieu thereof
12 “armed forces”.

13 (B) The table of sections at the beginning of
14 chapter 147 is amended by striking out the item re-
15 lating to section 2490a.

16 (C) The table of sections at the beginning of
17 chapter 165 is amended by adding at the end the fol-
18 lowing new item:

“2783. Nonappropriated fund instrumentalities: financial management and use of
nonappropriated funds.”.

19 (10) Section 2491 is amended—

20 (A) in paragraph (2), by striking out “non-
21 military application” and inserting in lieu
22 thereof “nonmilitary applications”; and

1 (B) in paragraph (8), by striking out “sub-
2 section (f)” and inserting in lieu thereof “sub-
3 section (b)(4)”.

4 (11) Section 2501(b)(2) is amended by striking
5 out “and thereby free up capital” and inserting in
6 lieu thereof “that, by reducing the public sector de-
7 mand for capital, increases the amount of capital
8 available”.

9 (12) Section 2513 is amended—

10 (A) in subsection (b), by striking out “ELI-
11 GIBLE CENTERS.—” and inserting in lieu thereof
12 “ELIGIBLE ALLIANCES.—”; and

13 (B) in subsection (c)(2)(B)—

14 (i) by striking out “two” in clause (ii)
15 and inserting in lieu thereof “one”; and

16 (ii) by redesignating the clause (iii)
17 added by section 4223(d) of Public Law
18 102–484 (106 Stat. 2681) as clause (iv);
19 and

20 (iii) by striking out “an” in clause
21 (iv), as so redesignated, and inserting in
22 lieu thereof “An”.

23 (13) Section 2771 is amended—

24 (A) in subsection (a), by striking out “who
25 dies after December 31, 1955”; and

1 (B) in subsection (b), by striking out “for
2 the” and all that follows and inserting in lieu
3 thereof “for the uniformed services.”.

4 (14) Section 9315 is amended—

5 (A) in subsection (b), by striking out “Air
6 Training Command” and inserting in lieu there-
7 of “Air Education and Training Command”;
8 and

9 (B) in subsection (c), by striking out “Air
10 Force Training Command” and inserting in lieu
11 thereof “Air Education and Training Command
12 of the Air Force”.

13 (b) *SUBSECTION HEADINGS.*—

14 (1) Section 2507 of title 10, United States Code,
15 is amended—

16 (A) in subsection (a), by inserting “AU-
17 THORITY.—” after “(a)”;

18 (B) in subsection (b), by inserting “CONDI-
19 TION FOR USE OF AUTHORITY.—” after “(b)”;

20 (C) in subsection (c), by inserting “PEN-
21 ALTY FOR NONCOMPLIANCE.—” after “(c)”;

22 (D) in subsection (d), by inserting “LIMITA-
23 TIONS ON DISCLOSURE OF INFORMATION.—”
24 after “(d)”;

1 (E) in subsection (e), by inserting “REGU-
2 LATIONS.—” after “(e)”; and

3 (F) in subsection (f), by inserting “DEFINI-
4 TIONS.—” after “(f)”.

5 (2) Section 2523 of such title is amended—

6 (A) in subsection (a), by inserting “IN GEN-
7 ERAL.—” after “(a)”; and

8 (B) in subsection (b), by striking out
9 “(b)(1)” and inserting in lieu thereof “(b) PRO-
10 GRAM REQUIREMENTS.—(1)”.

11 (c) AMENDMENTS TO PUBLIC LAW 102-484.—Public
12 Law 102-484 is amended as follows:

13 (1) Section 1051(b)(2) (106 Stat. 2498) is
14 amended—

15 (A) by striking out “‘section 101(47) of title
16 10,’” and inserting in lieu thereof “‘section
17 101(47) of title 10’”; and

18 (B) by striking out “‘section 101 of title
19 10,’” and inserting in lieu thereof “‘section 101
20 of title 10’”.

21 (2) Section 1313(2) (106 Stat. 2548) is amended,
22 effective as of October 23, 1992, by striking out
23 “‘structure and’” and inserting in lieu thereof
24 “‘structure, and’”.

1 (3) *Section 1365 (106 Stat. 2561) is amended by*
2 *striking out “(e) DEFINITION.—” and inserting in*
3 *lieu thereof “(d) DEFINITION.—”.*

4 (4) *Section 1441 (106 Stat. 2566) is amended in*
5 *the matter preceding paragraph (1) by striking out*
6 *“the FREEDOM Support Act of 1992” and inserting*
7 *in lieu thereof “the Freedom for Russia and Emerg-*
8 *ing Eurasian Democracies and Open Markets Sup-*
9 *port Act of 1992 (Public Law 102–511; 106 Stat.*
10 *3345; 22 U.S.C. 5861)”.*

11 (5) *Section 1505(e)(2) (106 Stat. 2571) is*
12 *amended by striking out “(d)(2)” in the matter pre-*
13 *ceding subparagraph (A) and inserting in lieu thereof*
14 *“(d)(4)”.*

15 (6) *Section 1828 (106 Stat. 2585; 36 U.S.C.*
16 *5108) is amended by striking out “board of the direc-*
17 *tors” and inserting in lieu thereof “board of direc-*
18 *tors”.*

19 (d) *CROSS REFERENCE AMENDMENTS IN OTHER*
20 *LAWS.—*

21 (1) *Effective as of December 19, 1991, section 12*
22 *of the Coast Guard Authorization Act of 1991 (Public*
23 *Law 102–241; 105 Stat. 2213) is amended by striking*
24 *out “Section 406(b)(2)(E) of title 37,” and inserting*
25 *in lieu thereof “Section 406(b)(1)(E) of title 37.”.*

1 (2) Section 3(c)(2) of Public Law 101–533 (22
2 U.S.C. 3142) is amended by striking out “section
3 2522 of title 10” and inserting in lieu thereof “section
4 2506 of title 10”.

5 (3) Section 109(17) of the Ethics in Government
6 Act of 1978 (5 U.S.C. App.) is amended by striking
7 out “section 101(8) of title 10” and inserting in lieu
8 thereof “section 101(a)(9) of title 10”.

9 (4) Section 179(a)(2)(B) of the National and
10 Community Service Act of 1990 (42 U.S.C.
11 12639(a)(4)) is amended by striking out “section
12 101(4) of title 10,” and inserting in lieu thereof “sec-
13 tion 101(a)(4) of title 10,”.

14 **SEC. 1091. TERMINATION OF CERTAIN DEPARTMENT OF DE-**
15 **FENSE REPORTING REQUIREMENTS.**

16 Not later than April 30, 1994, the Secretary of Defense
17 shall submit to the Armed Services Committees of the Sen-
18 ate and House of Representatives a list of the reports re-
19 quired of the Department of Defense by law on that date
20 that the Secretary determines are unnecessary or incompat-
21 ible with the efficient management of the Department of De-
22 fense. Unless otherwise provided by a law enacted after the
23 date of the enactment of this Act, the requirement for the
24 submittal to Congress of any report included in the list sub-
25 mitted under this section shall expire on October 30, 1995.

1 **SEC. 1092. REPORTS RELATING TO CERTAIN SPECIAL AC-**
2 **CESS PROGRAMS AND SIMILAR PROGRAMS.**

3 (a) *IN GENERAL.*—(1) *Not later than February 1 of*
4 *each year, the head of each covered department or agency*
5 *shall submit to the appropriate oversight committees a re-*
6 *port on each special access program carried out in the de-*
7 *partment or agency.*

8 (2) *Each such report shall set forth—*

9 (A) *the total amount requested by the depart-*
10 *ment or agency for special access programs within the*
11 *budget submitted under section 1105 of title 31, Unit-*
12 *ed States Code, for the fiscal year following the fiscal*
13 *year in which the report is submitted; and*

14 (B) *for each program in such budget that is a*
15 *special access program—*

16 (i) *a brief description of the program;*

17 (ii) *in the case of a procurement program,*
18 *a brief discussion of the major milestones estab-*
19 *lished for the program;*

20 (iii) *the actual cost of the program for each*
21 *fiscal year during which the program has been*
22 *conducted before the fiscal year during which*
23 *that budget is submitted; and*

24 (iv) *the estimated total cost of the program*
25 *and the estimated cost of the program for (I) the*
26 *current fiscal year, (II) the fiscal year for which*

1 the budget is submitted, and (III) each of the
2 four succeeding fiscal years during which the
3 program is expected to be conducted.

4 (b) *NEWLY DESIGNATED PROGRAMS.*—(1) Not later
5 than February 1 of each year, the head of each covered de-
6 partment or agency shall submit to the appropriate over-
7 sight committees a report that, with respect to each new
8 special access program, provides—

9 (A) notice of the designation of the program as
10 a special access program;

11 (B) justification for such designation; and

12 (C) the current estimate of the total program cost
13 for the program.

14 (2) In this subsection, the term “new special access
15 program” means a special access program that has not pre-
16 viously been covered in a notice and justification under this
17 subsection.

18 (c) *REVISION IN CLASSIFICATION OF PROGRAMS.*—(1)
19 Whenever a change in the classification of a special access
20 program of a covered department or agency is planned to
21 be made or whenever classified information concerning a
22 special access program of a covered department or agency
23 is to be declassified and made public, the head of the depart-
24 ment or agency shall submit to the appropriate oversight
25 committees a report containing a description of the pro-

1 *posed change or the information to be declassified, the rea-*
2 *sons for the proposed change or declassification, and notice*
3 *of any public announcement planned to be made with re-*
4 *spect to the proposed change or declassification.*

5 *(2) Except as provided in paragraph (3), a report re-*
6 *ferred to in paragraph (1) shall be submitted not less than*
7 *14 days before the date on which the proposed change, de-*
8 *classification, or public announcement is to occur.*

9 *(3) If the head of the department or agency determines*
10 *that because of exceptional circumstances the requirement*
11 *of paragraph (2) cannot be met with respect to a proposed*
12 *change, declassification, or public announcement concern-*
13 *ing a special access program of the department or agency,*
14 *the head of the department or agency may submit the report*
15 *required by paragraph (1) regarding the proposed change,*
16 *declassification, or public announcement at any time before*
17 *the proposed change, declassification, or public announce-*
18 *ment is made and shall include in the report an expla-*
19 *nation of the exceptional circumstances.*

20 *(d) REVISION OF CRITERIA FOR DESIGNATING PRO-*
21 *GRAMS.—Whenever there is a modification or termination*
22 *of the policy and criteria used for designating a program*
23 *of a covered department or agency as a special access pro-*
24 *gram, the head of the department or agency shall promptly*
25 *notify the appropriate oversight committees of such modi-*

1 *fication or termination. Any such notification shall contain*
2 *the reasons for the modification or termination and, in the*
3 *case of a modification, the provisions of the policy as modi-*
4 *fied.*

5 *(e) WAIVER OF REPORTING REQUIREMENT.—(1) The*
6 *head of a covered department or agency may waive any*
7 *requirement under subsection (a), (b), or (c) that certain*
8 *information be included in a report under that subsection*
9 *if the head of the department or agency determines that in-*
10 *clusion of that information in the report would adversely*
11 *affect the national security. Any such waiver shall be made*
12 *on a case-by-case basis.*

13 *(2) If the head of a department or agency exercises the*
14 *authority provided under paragraph (1), the head of the*
15 *department or agency shall provide the information de-*
16 *scribed in that subsection with respect to the special access*
17 *program concerned, and the justification for the waiver,*
18 *jointly to the chairman and ranking minority member of*
19 *each of the appropriate oversight committees.*

20 *(f) INITIATION OF PROGRAMS.—A special access pro-*
21 *gram may not be initiated until—*

22 *(1) the appropriate oversight committees are no-*
23 *tified of the program; and*

24 *(2) a period of 30 days elapses after such notifi-*
25 *cation is received.*

1 (g) *DEFINITIONS.—In this Act:*

2 (1) *The term “appropriate oversight commit-*
3 *tees”, in the case of a special access program carried*
4 *out in a covered department or agency, means—*

5 (A) *each committee of the Senate and the*
6 *committee of the House of Representatives having*
7 *jurisdiction over legislation that authorizes the*
8 *program, as determined under the Standing*
9 *Rules of the Senate and the Rules of the House*
10 *of Representatives, respectively; and*

11 (B) *the Committees on Appropriations of*
12 *the Senate and House of Representatives.*

13 (2) *The term “covered department or agency”*
14 *means any department or agency of the Federal Gov-*
15 *ernment that carries out a special access program*
16 *(other than the Department of Defense or an agency*
17 *in the Intelligence Community (as defined in section*
18 *3(4) of the National Security Act of 1947 (50 U.S.C.*
19 *401a))).*

20 (3) *The term “special access program” means*
21 *any program that, under the authority of Executive*
22 *Order 12356 (or any successor Executive order), is es-*
23 *tablished by the head of a department or agency*
24 *whom the President has designated in the Federal*
25 *Register as an original “top secret” classification au-*

1 *thority that imposes “need-to-know” controls or access*
2 *controls beyond those controls normally required (by*
3 *regulations applicable to such department or agency)*
4 *for access to information classified as “confidential”,*
5 *“secret”, or “top secret”.*

6 **SEC. 1093. DEPARTMENT OF DEFENSE FOOD STOCKS FOR**
7 **ASSISTANCE IN BOSNIA-HERCEGOVINA AND**
8 **ARMENIA.**

9 *Beginning not later than 10 days after the date of the*
10 *enactment of this Act, the Secretary of Defense should make*
11 *available to the Office of Foreign Disaster Assistance of the*
12 *Agency for International Development, out of stocks for*
13 *which there exists appropriations, of the Department of De-*
14 *fense, 500,000 cases of meals ready to eat for distribution*
15 *over next four months, as humanitarian relief, in Bosnia-*
16 *Hercegovina and Armenia. To the extent possible, these sup-*
17 *plies should come from surplus stocks.*

18 **SEC. 1094. LANDMINE MORATORIUM EXTENSION ACT.**

19 *(a) SHORT TITLE.—This section shall be titled the*
20 *“Landmine Moratorium Extension Act of 1993”.*

21 *(b) FINDINGS.—The Congress makes the following*
22 *findings:*

23 *(1) Anti-personnel landmines, which are de-*
24 *signed to maim and kill people, have been used indis-*
25 *criminately in dramatically increasing numbers*

1 *around the world. Hundreds of thousands of non-*
2 *combatant civilians, including children, have been the*
3 *primary victims. Unlike other military weapons,*
4 *landmines often remain implanted and undiscovered*
5 *after conflict has ended, causing massive suffering to*
6 *civilian populations.*

7 (2) *Tens of millions of landmines have been*
8 *strewn in at least 62 countries, often making whole*
9 *areas uninhabitable. The State Department estimates*
10 *there are more than 10,000,000 landmines in Afghan-*
11 *istan, 9,000,000 in Angola, 4,000,000 in Cambodia,*
12 *3,000,000 in Iraqi Kurdistan, and 2,000,000 each in*
13 *Somalia, Mozambique, and the former Yugoslavia.*
14 *Hundreds of thousands of landmines were used in*
15 *conflicts in Central America in the 1980s.*

16 (3) *Advanced technologies are being used to man-*
17 *ufacture sophisticated mines which can be scattered*
18 *remotely at a rate of 1,000 per hour. These mines,*
19 *which are being produced by many industrialized*
20 *countries, were found in Iraqi arsenals after the Per-*
21 *sian Gulf War.*

22 (4) *At least 300 types of anti-personnel land-*
23 *mines have been manufactured by at least 44 coun-*
24 *tries, including the United States. However, the Unit-*
25 *ed States is not a major exporter of landmines. Dur-*

1 *ing the past ten years the Administration has ap-*
2 *proved ten licenses for the commercial export of anti-*
3 *personnel landmines with a total value of \$980,000,*
4 *and the sale under the Foreign Military Sales pro-*
5 *gram of 108,852 anti-personnel landmines.*

6 *(5) The United States signed, but has not rati-*
7 *fied, the 1980 Convention on Prohibitions or Re-*
8 *strictions on the Use of Certain Conventional Weap-*
9 *ons Which May Be Deemed To Be Excessively Injuri-*
10 *ous or To Have Indiscriminate Effects. Protocol II of*
11 *the Convention, otherwise known as the Landmine*
12 *Protocol, prohibits the indiscriminate use of land-*
13 *mines.*

14 *(6) When it signed the 1980 Convention, the*
15 *United States stated: "We believe that the Convention*
16 *represents a positive step forward in efforts to mini-*
17 *mize injury or damage to the civilian population in*
18 *time of armed conflict. Our signature of the Conven-*
19 *tion reflects the general willingness of the United*
20 *States to adopt practical and reasonable provisions*
21 *concerning the conduct of military operations, for the*
22 *purpose of protecting noncombatants."*

23 *(7) The United States also indicated that it had*
24 *supported procedures to enforce compliance, which*
25 *were omitted from the Convention's final draft. The*

1 *United States stated: “The United States strongly*
2 *supported proposals by other countries during the*
3 *Conference to include special procedures for dealing*
4 *with compliance matters, and reserves the right to*
5 *propose at a later date additional procedures and*
6 *remedies, should this prove necessary, to deal with*
7 *such problems.”.*

8 *(8) The lack of compliance procedures and other*
9 *weaknesses have significantly undermined the effec-*
10 *tiveness of the Landmine Protocol. Since it entered*
11 *into force on December 2, 1983, the number of civil-*
12 *ians maimed and killed by anti-personnel landmines*
13 *has multiplied.*

14 *(9) Since the moratorium on United States sales,*
15 *transfers and exports of anti-personnel landmines was*
16 *signed into law on October 23, 1992, the European*
17 *Parliament has issued a resolution calling for a five*
18 *year moratorium on sales, transfers and exports of*
19 *anti-personnel landmines, and the Government of*
20 *France has announced that it has ceased all sales,*
21 *transfers and exports of anti-personnel landmines.*

22 *(10) On December 2, 1993, ten years will have*
23 *elapsed since the 1980 Convention entered into force,*
24 *triggering the right of any party to request a United*
25 *Nations conference to review the Convention. Amend-*

1 *ments to the Landmine Protocol may be considered at*
2 *that time. A formal request has been made to the*
3 *United Nations Secretary General for a review con-*
4 *ference. With necessary preparations and consulta-*
5 *tions among governments, a review conference is not*
6 *expected to be convened before late 1994 or early*
7 *1995.*

8 *(11) The United States should continue to set an*
9 *example for other countries in such negotiations by*
10 *extending the moratorium on sales, transfers and ex-*
11 *ports of anti-personnel landmines for an additional*
12 *three years. A moratorium of this duration would ex-*
13 *tend the current prohibition on the sale, transfer and*
14 *export of anti-personnel landmines a sufficient time*
15 *to take into account the results of a United Nations*
16 *review conference.*

17 *(c) STATEMENT OF POLICY.—*

18 *(1) It shall be the policy of the United States to*
19 *seek verifiable international agreements prohibiting*
20 *the sale, transfer or export, and further limiting the*
21 *manufacture, possession and use of anti-personnel*
22 *landmines.*

23 *(2) It is the sense of the Congress that the Presi-*
24 *dent should submit the 1980 Convention on Certain*
25 *Conventional Weapons to the Senate for ratification.*

1 *Furthermore, the Administration should participate*
2 *in a United Nations conference to review the Land-*
3 *mine Protocol, and actively seek to negotiate under*
4 *United Nations auspices a modification of the Land-*
5 *mine Protocol, or another international agreement, to*
6 *prohibit the sale, transfer or export of anti-personnel*
7 *landmines, and to further limit their manufacture,*
8 *possession and use.*

9 *(d) MORATORIUM ON TRANSFERS OF ANTI-PERSONNEL*
10 *LANDMINES ABROAD.—For a period of three years begin-*
11 *ning on the date of enactment of this Act—*

12 *(1) no sale may be made or financed, no transfer*
13 *may be made, and no license for export may be is-*
14 *ssued, under the Arms Export Control Act, with re-*
15 *spect to any anti-personnel landmine; and*

16 *(2) no assistance may be provided under the*
17 *Foreign Assistance Act of 1961, with respect to the*
18 *provision of any anti-personnel landmine.*

19 *(e) DEFINITION.—For purposes of this section, the*
20 *term “anti-personnel landmine” means—*

21 *(1) any munition placed under, on, or near the*
22 *ground or other surface area, or delivered by artillery,*
23 *rocket, mortar, or similar means or dropped from an*
24 *aircraft and which is designed to be detonated or ex-*

1 *ploded by the presence, proximity, or contact of a per-*
2 *son;*

3 *(2) any device or material which is designed,*
4 *constructed, or adapted to kill or injure and which*
5 *functions unexpectedly when a person disturbs or ap-*
6 *proaches an apparently harmless object or performs*
7 *an apparently safe act;*

8 *(3) any manually-emplaced munition or device*
9 *designed to kill, injure, or damage and which is actu-*
10 *ated by remote control or automatically after a lapse*
11 *of time.*

12 **TITLE XI—COOPERATIVE**
13 **THREAT REDUCTION WITH**
14 **STATES OF FORMER SOVIET**
15 **UNION**

16 **SEC. 1101. SHORT TITLE.**

17 *This title may be cited as the “Cooperative Threat Re-*
18 *duction Act of 1993”.*

19 **SEC. 1102. FINDINGS ON COOPERATIVE THREAT REDUC-**
20 **TION.**

21 *The Congress finds that it is in the national security*
22 *interest of the United States for the United States to do*
23 *the following:*

24 *(1) Facilitate, on a priority basis, the transpor-*
25 *tation, storage, safeguarding, and elimination of nu-*

1 *clear and other weapons of the independent states of*
2 *the former Soviet Union, including—*

3 *(A) the safe and secure storage of fissile ma-*
4 *terials derived from the elimination of nuclear*
5 *weapons;*

6 *(B) the dismantlement of—*

7 *(i) intercontinental ballistic missiles*
8 *and launchers for such missiles;*

9 *(ii) submarine-launched ballistic mis-*
10 *siles and launchers for such missiles; and*

11 *(iii) heavy bombers; and*

12 *(C) the elimination of chemical, biological*
13 *and other weapons capabilities.*

14 *(2) Facilitate, on a priority basis, the prevention*
15 *of proliferation of weapons (and components of weap-*
16 *ons) of mass destruction and destabilizing conven-*
17 *tional weapons of the independent states of the former*
18 *Soviet Union, and the establishment of verifiable safe-*
19 *guards against the proliferation of such weapons and*
20 *components.*

21 *(3) Facilitate, on a priority basis, the prevention*
22 *of diversion of weapons-related scientific expertise of*
23 *the independent states of the former Soviet Union to*
24 *terrorist groups or third countries.*

25 *(4) Support—*

1 (A) the demilitarization of the defense-relat-
2 ed industry and equipment of the independent
3 states of the former Soviet Union;

4 (B) the conversion of such industry and
5 equipment to civilian purposes and uses; and

6 (C) the environmental restoration of former
7 military sites and installations.

8 (5) Expand military-to-military and defense
9 contacts between the United States and the independ-
10 ent states of the former Soviet Union.

11 **SEC. 1103. AUTHORITY FOR PROGRAMS TO FACILITATE CO-**
12 **OPERATIVE THREAT REDUCTION.**

13 (a) *IN GENERAL.*—Notwithstanding any other provi-
14 sion of law, the President may conduct programs described
15 in subsection (b) to assist the independent states of the
16 former Soviet Union in the demilitarization of the former
17 Soviet Union. Any such program may be carried out only
18 to the extent that the President determines that the program
19 will directly contribute to the national security interests of
20 the United States.

21 (b) *AUTHORIZED PROGRAMS.*—The programs referred
22 to in subsection (a) are the following:

23 (1) Programs to facilitate the elimination, and
24 the safe and secure transportation and storage, of nu-

1 *clear, chemical, and other weapons and their delivery*
2 *vehicles.*

3 *(2) Programs to facilitate the safe and secure*
4 *storage of fissile materials derived from the elimi-*
5 *nation of nuclear weapons.*

6 *(3) Programs to prevent the proliferation of*
7 *weapons, weapons components, and weapons-related*
8 *technology and expertise.*

9 *(4) Programs to expand military-to-military*
10 *and defense contacts.*

11 *(5) Programs to facilitate the demilitarization of*
12 *defense industries and the conversion of military tech-*
13 *nologies and capabilities into civilian activities and*
14 *to assist in the environmental restoration of former*
15 *military sites and installations.*

16 *(6) Programs to house and retrain military per-*
17 *sonnel of the former Soviet Union who have been re-*
18 *leased from military service, but only if such pro-*
19 *grams are carried out in conjunction with, and con-*
20 *tribute significantly and directly to achieving the*
21 *purposes of, one or more of the programs described in*
22 *paragraphs (1) through (5) of this subsection.*

23 *(7) Other programs as described in section*
24 *212(b) of the Soviet Nuclear Threat Reduction Act of*
25 *1991 (title II of Public Law 102-228; 22 U.S.C. 2551*

1 *note) and section 1412(b) of the Former Soviet Union*
2 *Demilitarization Act of 1992 (title XIV of Public Law*
3 *102–484; 22 U.S.C. 5901 et seq.).*

4 (c) *UNITED STATES PARTICIPATION.*—*The programs*
5 *described in subsection (b) should, to the extent feasible,*
6 *draw upon United States technology and expertise, espe-*
7 *cially from the private sector of the United States.*

8 (d) *RESTRICTIONS.*—*Assistance authorized by sub-*
9 *section (a) may not be provided to any independent state*
10 *of the former Soviet Union for any year unless the President*
11 *certifies to Congress for that year that the proposed recipi-*
12 *ent state is committed to each of the following:*

13 (1) *Making substantial investment of its re-*
14 *sources for dismantling or destroying its weapons of*
15 *mass destruction, if such state has an obligation*
16 *under a treaty or other agreement to destroy or dis-*
17 *mantle any such weapons.*

18 (2) *Foregoing any military modernization pro-*
19 *gram that exceeds legitimate defense requirements and*
20 *foregoing the replacement of destroyed weapons of*
21 *mass destruction.*

22 (3) *Foregoing any use in new nuclear weapons*
23 *of fissionable or other components of destroyed nuclear*
24 *weapons.*

1 (4) *Facilitating United States verification of*
2 *any weapons destruction carried out under this title,*
3 *section 1412(b) of the Former Soviet Union Demili-*
4 *tarization Act of 1992 (title XIV of Public Law 102-*
5 *484; 22 U.S.C. 590(b)), or section 212(b) of the Soviet*
6 *Nuclear Threat Reduction Act of 1991 (title II of*
7 *Public Law 102-228; 22 U.S.C. 2551 note).*

8 (5) *Complying with all relevant arms control*
9 *agreements.*

10 (6) *Observing internationally recognized human*
11 *rights, including the protection of minorities.*

12 **SEC. 1104. FUNDING FOR FISCAL YEAR 1994.**

13 (a) *AUTHORIZATION OF APPROPRIATIONS.—Funds au-*
14 *thorized to be appropriated under section 301(21) shall be*
15 *available for cooperative threat reduction with states of the*
16 *former Soviet Union under this title.*

17 (b) *AVAILABILITY OF FUNDS PREVIOUSLY AUTHOR-*
18 *IZED TO BE TRANSFERRED.—(1) To the extent provided*
19 *in appropriations Acts, of the total amount authorized to*
20 *be transferred under sections 108 and 109 of Public Law*
21 *102-229 (105 Stat. 1708) and section 9110 of Public Law*
22 *102-396 (106 Stat. 1928), the Secretary of Defense may*
23 *transfer not more than \$400,000,000 to the appropriate fis-*
24 *cal year 1994 accounts within the Department of Defense*

1 *for cooperative threat reduction with states of the former*
2 *Soviet Union under this title.*

3 *(2) Funds transferred pursuant to paragraph (1) shall*
4 *be in addition to funds authorized to be appropriated under*
5 *subsection (a).*

6 *(3) A transfer made to an account under the authority*
7 *of paragraph (1) shall be deemed to increase the amount*
8 *authorized for that account by the amount transferred.*

9 *(4) The transfer authority provided in this subsection*
10 *is in addition to the transfer authority provided in section*
11 *1001 of this Act.*

12 **SEC. 1105. PRIOR NOTICE TO CONGRESS OF OBLIGATION OF**
13 **FUNDS.**

14 *(a) NOTICE OF PROPOSED OBLIGATION.—Not less than*
15 *15 days before obligation of any funds for programs under*
16 *section 1203, the President shall transmit to the appro-*
17 *priate congressional committees (as defined in section 1207)*
18 *a report on the proposed obligation. Each such report shall*
19 *specify—*

20 *(1) the activities and forms of assistance for*
21 *which the President plans to obligate such funds;*

22 *(2) the amount of the proposed obligation; and*

23 *(3) the projected involvement of the departments*
24 *and agencies of the United States Government and*
25 *the private sector of the United States.*

1 (b) *INDUSTRIAL DEMILITARIZATION.*—Any report
2 under subsection (a) that covers proposed industrial demili-
3 tarization projects shall contain additional information to
4 assist the Congress in determining the merits of the pro-
5 posed projects. Such information shall include descriptions
6 of—

7 (1) *the facilities to be demilitarized;*

8 (2) *the types of activities conducted at those fa-*
9 *ilities and of the types of nonmilitary activities*
10 *planned for those facilities;*

11 (3) *the forms of assistance to be provided by the*
12 *United States Government and by the private sector*
13 *of the United States;*

14 (4) *the extent to which military production ca-*
15 *pability will consequently be eliminated at those fa-*
16 *ilities; and*

17 (5) *the mechanisms to be established for monitor-*
18 *ing progress on those projects.*

19 ***SEC. 1106. SEMIANNUAL REPORT.***

20 *Not later than April 30, 1994, and not later than Octo-*
21 *ber 30, 1994, the President shall transmit to the appro-*
22 *priate congressional committees a report on the activities*
23 *carried out under this title. Each such report shall set forth,*
24 *for the preceding six-month period and cumulatively, the*
25 *following:*

1 (1) *the Committee on Foreign Relations of the*
2 *Senate, the Committee on Foreign Affairs of the*
3 *House of Representatives, and the Committees on Ap-*
4 *propriations of the House and the Senate, wherever*
5 *the account, budget activity, or program is funded*
6 *from appropriations made under the international af-*
7 *fairs budget function (150);*

8 (2) *the Committees on Armed Services and the*
9 *Committees on Appropriations of the Senate and the*
10 *House of Representatives, wherever the account, budg-*
11 *et activity, or program is funded from appropriations*
12 *made under the national defense budget function*
13 *(050); and*

14 (3) *the committee to which the specified activities*
15 *of section 1203, if the subject of separate legislation,*
16 *would be referred under the rules of the respective*
17 *House of Congress.*

18 ***DIVISION B—MILITARY CON-***
19 ***STRUCTION AUTHORIZA-***
20 ***TIONS***

21 ***SEC. 2001. SHORT TITLE.***

22 *This division may be cited as the “Military Construc-*
23 *tion Authorization Act for Fiscal Year 1994”.*

TITLE XXI—ARMY

SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) *INSIDE THE UNITED STATES.*—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(1), the Secretary of the Army may acquire real property and carry out military construction projects in the total amount of \$603,553,000 for the installations and locations inside the United States, and in the amounts for such installations and locations, set forth in the following table:

Army: Inside the United States

State	Installation or location	Amount
Alabama	Fort Rucker	\$28,250,000
Alaska	Fort Richardson	\$10,770,000
	Fort Wainwright	\$740,000
Arizona	Fort Huachuca	\$8,850,000
California	Fort Irwin	\$5,900,000
Colorado	Fitzsimmons Army Medical Center	\$4,400,000
	Fort Carson	\$4,050,000
Georgia	Fort Benning	\$37,650,000
	Fort Gillen	\$2,600,000
	Fort Stewart	\$20,300,000
Hawaii	Schofield Barracks	\$18,600,000
Kansas	Fort Riley	\$14,642,000
Kentucky	Fort Campbell	\$50,300,000
	Fort Knox	\$41,350,000
Maryland	Aberdeen Proving Ground	\$20,250,000
Missouri	Fort Leonard Wood	\$1,000,000
Nevada	Hawthorne Army Ammunition Plant	\$11,700,000
New Jersey	Fort Monmouth	\$7,500,000
	Picatinny Arsenal	\$10,500,000
New Mexico	White Sands Missile Range	\$8,700,000
New York	Fort Drum	\$9,800,000
	United States Military Academy, West Point	\$13,800,000
North Carolina	Fort Bragg	\$102,240,000

Army: Inside the United States—Continued

State	Installation or location	Amount
Oklahoma	Fort Sill	\$15,700,000
Pennsylvania	Tobyhanna Army Depot	\$750,000
South Carolina	Fort Jackson	\$2,700,000
Texas	Fort Bliss	\$14,000,000
	Fort Hood	\$49,400,000
	Fort Sam Houston	\$4,351,000
Utah	Dugway Proving Ground	\$16,500,000
	Tooele Army Depot	\$800,000
Virginia	Fort Belvoir	\$8,860,000
	Fort Lee	\$32,600,000
	Fort Myer	\$6,800,000
Washington	Fort Lewis	\$14,200,000
CONUS Classified ...	Classified Locations	\$3,000,000

1 (b) *OUTSIDE THE UNITED STATES.*—Using amounts
2 appropriated pursuant to the authorization of appropria-
3 tions in section 2104(a)(2), the Secretary of the Army may
4 acquire real property and carry out military construction
5 projects in the total amount of \$26,500,000 for the installa-
6 tions and locations outside the United States, and in the
7 amounts for such installations and locations, set forth in
8 the following table:

Army: Outside the United States

Country or other	Installation or location	Amount
Johnston Island	Johnston Island	\$1,700,000
Kwajalein Atoll	Kwajalein	\$21,200,000
OCONUS Classified ...	Classified Locations	\$3,600,000

9 **SEC. 2102. FAMILY HOUSING.**

10 (a) *CONSTRUCTION AND ACQUISITION.*—Using
11 amounts appropriated pursuant to the authorization of ap-
12 propriations in section 2104(a)(6)(A), the Secretary of the
13 Army may construct or acquire family housing units (in-

1 cluding land acquisition) in the total amount of
 2 \$138,950,000 at the installations, for the purposes, and in
 3 the amounts for such installations set forth in the following
 4 table:

Army: Family Housing

State	Installation	Purpose	Amount
California	Fort Irwin	220 units	\$25,000,000
Hawaii	Schofield Barracks	348 units	\$52,000,000
Maryland	Fort Meade	275 units	\$26,000,000
New York	United States Military Acad- emy, West Point	100 units	\$15,000,000
North Carolina	Fort Bragg	224 units	\$18,000,000
Wisconsin	Fort McCoy	16 units	\$2,950,000

5 (b) *PLANNING AND DESIGN.*—Using amounts appro-
 6 priated pursuant to the authorization of appropriations in
 7 section 2104(a)(6)(A), the Secretary of the Army may carry
 8 out architectural and engineering services and construction
 9 design activities with respect to the construction or im-
 10 provement of family housing units in an amount not to
 11 exceed \$11,805,000.

12 **SEC. 2103. IMPROVEMENTS TO MILITARY FAMILY HOUSING**

13 **UNITS.**

14 Subject to section 2825 of title 10, United States Code,
 15 and using amounts appropriated pursuant to the author-
 16 ization of appropriations in section 2104(a)(6)(A), the Sec-
 17 retary of the Army may improve existing military family
 18 housing in an amount not to exceed \$77,630,000.

1 **SEC. 2104. AUTHORIZATION OF APPROPRIATIONS, ARMY.**

2 (a) *IN GENERAL.*—Funds are hereby authorized to be
3 appropriated for fiscal years beginning after September 30,
4 1993, for military construction, land acquisition, and mili-
5 tary family housing functions of the Department of the
6 Army in the total amount of \$2,369,330,000 as follows:

7 (1) *For military construction projects inside the*
8 *United States authorized by section 2101(a),*
9 *\$603,553,000.*

10 (2) *For military construction projects outside the*
11 *United States authorized by section 2101(b),*
12 *\$26,500,000.*

13 (3) *For the construction of the Ammunition De-*
14 *militarization Facility, Anniston Army Depot, Ala-*
15 *bama, authorized in section 2101(a) of the Military*
16 *Construction Authorization Act for Fiscal Year 1991*
17 *(division B of Public Law 101–510; 104 Stat. 1758),*
18 *section 2101(a) of the Military Construction Author-*
19 *ization Act for Fiscal Year 1992 (division B of Public*
20 *Law 102–190; 105 Stat. 1508), and section 2101(a)*
21 *of the Military Construction Authorization Act for*
22 *Fiscal Year 1993 (division B of Public Law 102–484;*
23 *106 Stat. 2586), \$110,900,000.*

24 (4) *For unspecified minor military construction*
25 *projects authorized by section 2805 of title 10, United*
26 *States Code, \$12,000,000.*

1 (5) *For architectural and engineering services*
2 *and construction design under section 2807 of title*
3 *10, United States Code, \$110,991,000.*

4 (6) *For military family housing functions:*

5 (A) *For construction and acquisition of*
6 *military family housing and facilities,*
7 *\$228,385,000.*

8 (B) *For support of military family housing*
9 *(including the functions described in section*
10 *2833 of title 10, United States Code),*
11 *\$1,125,601,000, of which not more than*
12 *\$268,139,000 may be obligated or expended for*
13 *the leasing of military family housing world-*
14 *wide.*

15 (7) *For the Homeowners Assistance Program as*
16 *authorized by section 2832 of title 10, United States*
17 *Code, \$151,400,000, to remain available until ex-*
18 *pended.*

19 (b) *LIMITATION ON TOTAL COST OF CONSTRUCTION*
20 *PROJECTS.—Notwithstanding the cost variations author-*
21 *ized by section 2853 of title 10, United States Code, and*
22 *any other cost variation authorized by law, the total cost*
23 *of all projects carried out under section 2101 of this Act*
24 *may not exceed the total amount authorized to be appro-*
25 *priated under paragraphs (1) and (2) of subsection (a).*

1 **SEC. 2105. TERMINATION OF AUTHORITY TO CARRY OUT**
2 **CERTAIN PROJECTS.**

3 (a) *FISCAL YEAR 1993 PROJECT.*—(1) *The table in*
4 *section 2101(a) of the Military Construction Authorization*
5 *Act for Fiscal Year 1993 (division B of Public Law 102–*
6 *484; 106 Stat. 2586) is amended by striking out the item*
7 *relating to the Tooele Army Depot, Utah.*

8 (2) *Section 2105(a) of such Act (106 Stat. 2588) is*
9 *amended—*

10 (A) *by striking out “\$2,127,397,000” and insert-*
11 *ing in lieu thereof “\$2,118,197,000”; and*

12 (B) *in paragraph (1), by striking out*
13 *“\$338,860,000” and inserting in lieu thereof*
14 *“\$329,660,000”.*

15 (b) *FISCAL YEAR 1992 PROJECTS.*—(1) *Section*
16 *2101(a) of the Military Construction Authorization Act for*
17 *Fiscal Year 1992 (division B of Public Law 102–190; 105*
18 *Stat. 1508) is amended by striking out the following items:*

19 (A) *Under the heading “NEW YORK”, the item re-*
20 *lating to Seneca Army Depot.*

21 (B) *Under the heading “VIRGINIA”, the item re-*
22 *lating to Vint Hill Farms Station.*

23 (2) *Section 2105(a) of such Act (105 Stat. 1511) is*
24 *amended—*

25 (A) *by striking out “\$2,576,674,000” and insert-*
26 *ing in lieu thereof “\$2,571,974,000”; and*

1 (B) in paragraph (1), by striking out
 2 “\$718,829,000” and inserting in lieu thereof
 3 “\$714,129,000”.

4 **TITLE XXII—NAVY**

5 **SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND** 6 **ACQUISITION PROJECTS.**

7 (a) *INSIDE THE UNITED STATES.*—Using amounts ap-
 8 propriated pursuant to the authorization of appropriations
 9 in section 2204(a)(1), the Secretary of the Navy may ac-
 10 quire real property and carry out military construction
 11 projects in the total amount of \$495,400,000 for the instal-
 12 lations and locations inside the United States, and in the
 13 amounts for such installations and locations, set forth in
 14 the following table:

Navy: Inside the United States

State	Installation or location	Amount
Arizona	Yuma Marine Corps Air Station	\$14,100,000
California	Barstow Marine Corps Logistics Base ..	\$8,690,000
	Camp Pendleton Marine Corps Air Sta- tion	\$3,850,000
	Camp Pendleton Marine Corps Base	\$11,130,000
	Fallbrook Naval Weapons Station Annex	\$4,630,000
	Lemoore Naval Air Station	\$1,930,000
	San Diego Naval Hospital	\$2,700,000
	San Diego Fleet Industrial Supply Center	\$2,270,000
	San Diego Marine Corps Recruit Depot	\$1,130,000
	Twentynine Palms Marine Corps Air- Ground Combat Center	\$7,900,000
Connecticut	New London Naval Submarine Base	\$36,740,000
District of Columbia	Washington, Commandant, Naval Dis- trict	\$3,110,000
	Naval Research Laboratory	\$2,380,000
Florida	Jacksonville Naval Air Station	\$14,420,000
	Mayport Naval Station	\$3,260,000
	Pensacola Naval Air Station	\$6,420,000
Georgia	Albany Marine Corps Logistics Base	\$940,000
	Kings Bay Naval Submarine Base	\$10,920,000

Navy: Inside the United States—Continued

State	Installation or location	Amount	
Hawaii	Kings Bay Trident Training Facility ..	\$3,870,000	
	Barbers Point Naval Air Station	\$2,700,000	
	Honolulu, Naval Communications and Telecommunications Area Master Sta- tion, Eastern Pacific	\$9,120,000	
	Pearl Harbor, Commander, Oceano- graphic System Pacific	\$16,780,000	
	Pearl Harbor Naval Inactive Ship Maintenance Facility	\$2,620,000	
	Pearl Harbor Naval Submarine Base ...	\$54,140,000	
	Pearl Harbor Public Works Center	\$27,540,000	
Maine	Kittery, Portsmouth Naval Shipyard ...	\$4,780,000	
Maryland	Bethesda National Naval Medical Cen- ter	\$3,090,000	
	Indian Head, Naval Surface Weapons Center	\$3,400,000	
	Patuxent River Naval Air Station	\$1,000,000	
Mississippi	Pascagoula Naval Station	\$3,900,000	
	Gulfport Naval Construction Battalion Center	\$10,400,000	
New Jersey	Earle Naval Weapons Station	\$2,580,000	
North Carolina	Camp Lejeune Marine Corps Base	\$41,290,000	
	Camp Lejeune Naval Hospital	\$2,370,000	
	Cherry Point Marine Corps Air Station	\$7,500,000	
Pennsylvania	Philadelphia Aviation Supply Office	\$1,900,000	
	Philadelphia Naval Inactive Ship Maintenance Facility	\$8,660,000	
Rhode Island	Newport, Naval Education and Train- ing Center	\$11,300,000	
South Carolina	Beaufort Marine Corps Air Station	\$10,900,000	
	Charleston Naval Weapons Station	\$580,000	
Tennessee	Memphis Naval Air Station	\$1,450,000	
Texas	Corpus Christi Naval Air Station	\$1,670,000	
Virginia	Chesapeake, Marine Corps Security Battalion	\$5,380,000	
	Craney Island Fleet and Industrial Supply Center Annex	\$11,740,000	
	Norfolk, Commander, Operational Test and Evaluation Force	\$8,100,000	
	Norfolk Naval Air Station	\$12,270,000	
	Norfolk Public Works Center	\$5,330,000	
	Portsmouth, Norfolk Naval Shipyard ...	\$13,420,000	
	Quantico, Combat Development Com- mand	\$7,450,000	
	Wallops Island, Naval Surface Weapons Center Detachment	\$10,170,000	
	Washington	Bangor Naval Submarine Base	\$3,100,000
		Everett Naval Station	\$34,000,000
Keyport, Naval Undersea Warfare Cen- ter Division		\$8,980,000	
Various Locations	Wastewater Collection and Treatment Facilities	\$3,260,000	
	Land Acquisition	\$2,140,000	

1 (b) *OUTSIDE THE UNITED STATES.*—Using amounts
 2 appropriated pursuant to the authorization of appropria-
 3 tions in section 2204(a)(2), the Secretary of the Navy may
 4 acquire real property and carry out military construction
 5 projects in the total amount of \$95,650,000 for the installa-
 6 tions and locations outside the United States, and in the
 7 amounts for such installations and locations, set forth in
 8 the following table:

Navy: Outside the United States

<i>Country</i>	<i>Installation or location</i>	<i>Amount</i>
<i>Guam</i>	<i>Naval Hospital</i>	<i>\$2,460,000</i>
	<i>Military Sealift Command Office</i> ..	<i>\$2,170,000</i>
	<i>Anderson Air Force Base Naval Air Facility.</i>	<i>\$7,310,000</i>
	<i>Naval Magazine</i>	<i>\$3,750,000</i>
	<i>Naval Ocean Communication Center</i>	<i>\$690,000</i>
	<i>Naval Station</i>	<i>\$14,520,000</i>
	<i>Fleet/Industrial Supply Center</i>	<i>\$22,440,000</i>
	<i>Public Works Center</i>	<i>\$20,680,000</i>
<i>Italy</i>	<i>Naples Naval Support Activity</i>	<i>\$11,740,000</i>
	<i>Sigonella Naval Air Station</i>	<i>\$3,460,000</i>
<i>Spain</i>	<i>Rota Naval Station</i>	<i>\$2,670,000</i>
<i>Various Locations</i>	<i>Host Nation Infrastructure Support</i>	<i>\$2,960,000</i>
	<i>Land Acquisition</i>	<i>\$800,000</i>

9 ***SEC. 2202. FAMILY HOUSING.***

10 (a) *CONSTRUCTION AND ACQUISITION.*—Using
 11 amounts appropriated pursuant to the authorization of ap-
 12 propriations in section 2204(a)(5)(A), the Secretary of the
 13 Navy may construct or acquire family housing units (in-
 14 cluding land acquisition) in the total amount of
 15 \$164,149,000 at the installations, for the purposes, and in

- 1 *the amounts for such installations and purposes set forth*
 2 *in the following table:*

Navy: Family Housing

<i>State</i>	<i>Installation</i>	<i>Purpose</i>	<i>Amount</i>
<i>California</i>	<i>San Diego Navy Public Works Center</i>	<i>318 units</i>	<i>\$36,571,000</i>
<i>District of Co- lumbia</i>	<i>Washington Navy Public Works Center</i>	<i>188 units</i>	<i>\$21,556,000</i>
<i>Florida</i>	<i>Pensacola Navy Public Works Center</i>	<i>Housing Self Help/Ware- house</i>	<i>\$300,000</i>
<i>Georgia</i>	<i>Kings Bay Naval Submarine Base</i>	<i>Housing Office/ Self Help/ Warehouse</i>	<i>\$790,000</i>
<i>Maine</i>	<i>Brunswick Naval Air Station</i>	<i>Mobile Home Spaces</i>	<i>\$490,000</i>
<i>Virginia</i>	<i>Norfolk, Naval Public Works Center/Naval Amphibious Base Little Creek</i>	<i>392 units</i>	<i>\$50,674,000</i>
	<i>Oceana Naval Air Station</i>	<i>Community Center</i>	<i>\$860,000</i>
<i>Washington</i>	<i>Bangor Naval Sub- marine Base</i>	<i>290 units</i>	<i>\$27,438,000</i>
	<i>Whidby Island, Naval Air Sta- tion</i>	<i>106 units</i>	<i>\$10,000,000</i>
<i>United Kingdom</i>	<i>London Naval Ac- tivities Support</i>	<i>81 units</i>	<i>\$15,470,000</i>

- 3 *(b) PLANNING AND DESIGN.—Using amounts appro-*
 4 *priated pursuant to the authorization of appropriations in*
 5 *section 2204(a)(5)(A), the Secretary of the Navy may carry*
 6 *out architectural and engineering services and construction*
 7 *design activities with respect to the construction or im-*
 8 *provement of military family housing units in an amount*
 9 *not to exceed \$22,924,000.*

1 **SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING**

2 **UNITS.**

3 *Subject to section 2825 of title 10, United States Code,*
4 *and using amounts appropriated pursuant to the author-*
5 *ization of appropriations in section 2204(a)(5)(A), the Sec-*
6 *retary of the Navy may improve existing military family*
7 *housing units in the amount of \$183,135,000.*

8 **SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.**

9 *(a) IN GENERAL.—Funds are hereby authorized to be*
10 *appropriated for fiscal years beginning after September 30,*
11 *1993, for military construction, land acquisition, and mili-*
12 *tary family housing functions of the Department of the*
13 *Navy in the total amount of \$1,866,186,000 as follows:*

14 *(1) For military construction projects inside the*
15 *United States authorized by section 2201(a),*
16 *\$495,400,000.*

17 *(2) For military construction projects outside the*
18 *United States authorized by section 2201(b),*
19 *\$95,650,000.*

20 *(3) For unspecified minor construction projects*
21 *authorized by section 2805 of title 10, United States*
22 *Code, \$5,500,000.*

23 *(4) For architectural and engineering services*
24 *and construction design under section 2807 of title*
25 *10, United States Code, \$64,373,000.*

26 *(5) For military family housing functions:*

1 (A) *For construction and acquisition of*
2 *military family housing and facilities,*
3 *\$370,208,000.*

4 (B) *For support of military family housing*
5 *(including functions described in section 2833 of*
6 *title 10, United States Code), \$835,055,000, of*
7 *which not more than \$113,308,000 may be obli-*
8 *gated or expended for the leasing of military*
9 *family housing units worldwide.*

10 (b) *LIMITATION OF TOTAL COST OF CONSTRUCTION*
11 *PROJECTS.—Notwithstanding the cost variations author-*
12 *ized by section 2853 of title 10, United States Code, and*
13 *any other cost variation authorized by law, the total cost*
14 *of all projects carried out under section 2201 of this Act*
15 *may not exceed the total amount authorized to be appro-*
16 *priated under paragraphs (1) and (2) of subsection (a).*

17 **SEC. 2205. TERMINATION OF AUTHORITY TO CARRY OUT**
18 **CERTAIN PROJECTS.**

19 (a) *FISCAL YEAR 1993 PROJECTS.—(1) The table in*
20 *section 2201(a) of the Military Construction Authorization*
21 *Act for Fiscal Year 1993 (division B of Public Law 102–*
22 *484; 106 Stat. 2589) is amended by striking out the items*
23 *relating to the following installations:*

24 (A) *Mare Island Naval Shipyard, California.*

25 (B) *Miramar Naval Air Station, California.*

1 (C) Cecil Field, Naval Air Station, Florida.

2 (D) Memphis, Naval Air Station, Tennessee.

3 (2) Section 2204(a) of such Act (106 Stat. 2592) is
4 amended—

5 (A) by striking out “\$1,450,529,000” and insert-
6 ing in lieu thereof “\$1,411,616,000”;

7 (B) in paragraph (1), by striking out
8 “\$312,557,000” and inserting in lieu thereof
9 “\$274,897,000”; and

10 (C) in paragraph (5)(B), by striking out
11 “\$661,246,000” and inserting in lieu thereof
12 “\$659,993,000”.

13 (b) FISCAL YEAR 1992 PROJECTS.—(1) Section
14 2201(a) of the Military Construction Authorization Act for
15 Fiscal Year 1992 (division B of Public Law 102–190; 105
16 Stat. 1514) is amended by striking out the following items:

17 (A) Under the heading “CALIFORNIA”, the item
18 relating to Vallejo, Mare Island Naval Shipyard.

19 (B) Under the heading “FLORIDA”, the item re-
20 lating to Pensacola, Naval Supply Center.

21 (C) Under the heading “SOUTH CAROLINA”, the
22 item relating to Charleston, Fleet and Mine Warfare
23 Training Center.

24 (2) Section 2205(a) of such Act (105 Stat. 1518) is
25 amended—

1 (A) by striking out “\$1,832,149,000” and insert-
2 ing in lieu thereof “\$1,798,980,000”;

3 (B) in paragraph (1), by striking out
4 “\$739,859,000” and inserting in lieu thereof
5 “\$706,969,000”; and

6 (C) in paragraph (4), by striking out
7 “\$12,400,000” and inserting in lieu thereof
8 “\$12,121,000”.

9 (c) *FISCAL YEAR 1990 PROJECTS.*—(1) Section
10 2201(a) of the Military Construction Authorization Act for
11 Fiscal Years 1990 and 1991 (division B of Public Law 101–
12 189; 103 Stat. 1621) is amended under the heading “NEW
13 YORK”, by striking out the item relating to New York, Naval
14 Station and inserting in lieu thereof the following:

15 “New York, Naval Station, \$20,978,000.”.

16 (2)(A) Section 2202(a) of such Act (103 Stat. 1626)
17 is amended by striking out the item relating to San Fran-
18 cisco, Navy Public Works Center, California.

19 (B) The table relating to the Navy in section 2702(b)
20 of the Military Construction Authorization Act for Fiscal
21 Year 1993 (division B of Public Law 102–484; 106 Stat.
22 2603) is amended by striking out the item relating to Navy
23 Public Works Center, San Francisco, California.

1 (3) *Section 2204(a) of the Military Construction Au-*
2 *thorization Act for Fiscal Years 1990 and 1991 (103 Stat.*
3 *1626) is amended—*

4 (A) *by striking out “\$1,962,935,000” and insert-*
5 *ing in lieu thereof “\$1,925,273,000”;*

6 (B) *in paragraph (1), by striking out*
7 *“\$915,511,000” and inserting in lieu thereof*
8 *“\$910,849,000”;*

9 (C) *in paragraph (5), by striking out*
10 *“\$5,810,000” and inserting in lieu thereof*
11 *“\$2,810,000”; and*

12 (D) *in paragraph (6)(A), by striking out*
13 *“\$191,290,000” and inserting in lieu thereof*
14 *“\$157,290,000”.*

15 **TITLE XXIII—AIR FORCE**

16 **SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND** 17 **LAND ACQUISITION PROJECTS.**

18 (a) *INSIDE THE UNITED STATES.—Using amounts ap-*
19 *propriated pursuant to the authorization of appropriations*
20 *in section 2304(a)(1), the Secretary of the Air Force may*
21 *acquire real property and carry out military construction*
22 *projects in the total amount of \$864,752,000 for the instal-*
23 *lations and locations inside the United States, and in the*
24 *amounts for such installations and locations, set forth in*
25 *the following table:*

Air Force: Inside the United States

State	Installation or location	Amount
Alabama	Gunter Air Force Base Annex	\$4,680,000
	Maxwell Air Force Base	\$16,170,000
Alaska	Cape Romanzof Long Range Radar Site	\$3,350,000
	Eielson Air Force Base	\$13,300,000
	Elmendorf Air Force Base	\$33,305,000
	Fort Richardson	\$5,000,000
Arizona	Davis-Monthan Air Force Base	\$7,350,000
	Luke Air Force Base	\$12,750,000
	Navajo Army Depot	\$7,250,000
Arkansas	Little Rock Air Force Base	\$4,500,000
California	Edwards Air Force Base	\$11,300,000
	McClellan Air Force Base	\$1,900,000
	Travis Air Force Base	\$14,040,000
	Vandenberg Air Force Base	\$20,728,000
Colorado	Buckley Air National Guard Base ..	\$39,000,000
	Cheyenne Mountain Air Force Base ..	\$4,450,000
	Peterson Air Force Base	\$21,030,000
	United States Air Force Academy ..	\$11,680,000
Delaware	Dover Air Force Base	\$7,760,000
District of Columbia .	Bolling Air Force Base	\$2,000,000
Florida	Cape Canaveral Air Force Station .	\$19,200,000
	Eglin Air Force Base	\$12,050,000
	Eglin Auxiliary Field No. 9	\$7,829,000
	Patrick Air Force Base	\$3,850,000
	Tyndall Air Force Base	\$2,600,000
Georgia	Moody Air Force Base	\$16,070,000
	Robins Air Force Base	\$55,370,000
Hawaii	Hickam Air Force Base	\$13,800,000
	Kaena Point	\$7,350,000
Illinois	Scott Air Force Base	\$7,450,000
Kansas	McConnell Air Force Base	\$1,900,000
Louisiana	Barksdale Air Force Base	\$13,860,000
Maryland	Andrews Air Force Base	\$17,990,000
Mississippi	Columbus Air Force Base	\$2,900,000
	Keesler Air Force Base	\$8,710,000
Missouri	Whiteman Air Force Base	\$36,388,000
Montana	Malmstrom Air Force Base	\$7,700,000
Nebraska	Offutt Air Force Base	\$11,000,000
Nevada	Nellis Air Force Base	\$5,750,000
New Mexico	Cannon Air Force Base	\$8,915,000
	Holloman Air Force Base	\$11,100,000
	Kirtland Air Force Base	\$42,161,000
North Carolina	Pope Air Force Base	\$8,600,000
	Seymour Johnson Air Force Base ...	\$5,380,000
North Dakota	Grand Forks Air Force Base	\$12,800,000
	Minot Air Force Base	\$14,500,000
Ohio	Wright-Patterson Air Force Base ...	\$44,680,000
Oklahoma	Altus Air Force Base	\$6,930,000
	Tinker Air Force Base	\$28,649,000
	Vance Air Force Base	\$6,000,000

Air Force: Inside the United States—Continued

State	Installation or location	Amount
South Carolina	Charleston Air Force Base	\$1,100,000
	Shaw Air Force Base	\$5,870,000
South Dakota	Ellsworth Air Force Base	\$6,830,000
Tennessee	Arnold Air Force Base	\$1,500,000
Texas	Dyess Air Force Base	\$10,390,000
	Goodfellow Air Force Base	\$3,700,000
	Kelly Air Force Base	\$27,481,000
	Lackland Air Force Base	\$30,093,000
	Laughlin Air Force Base	\$8,650,000
	Randolph Air Force Base	\$5,300,000
	Reese Air Force Base	\$900,000
	Sheppard Air Force Base	\$18,030,000
Utah	Hill Air Force Base	\$8,380,000
Virginia	Langley Air Force Base	\$17,823,000
Washington	Fairchild Air Force Base	\$3,500,000
	McChord Air Force Base	\$10,900,000
Wyoming	F.E. Warren Air Force Base	\$12,640,000
Various Locations	Classified	\$8,140,000

1 (b) *OUTSIDE THE UNITED STATES.*—Using amounts
2 appropriated pursuant to the authorization of appropria-
3 tions in section 2304(a)(2), the Secretary of the Air Force
4 may acquire real property and may carry out military con-
5 struction projects in the total amount of \$33,852,000 for
6 the installations and locations outside the United States,
7 and in the amounts for such installations and locations,
8 set forth in the following table:

Air Force: Outside the United States

Country	Installation or location	Amount
Antigua Island	Antigua Air Station	\$1,000,000
Ascension Island	Ascension Auxiliary Air Field	\$3,400,000
Germany	Ramstein Air Base	\$3,100,000
Greenland	Thule Air Base	\$5,492,000
Guam	Andersen Air Force Base	\$4,100,000
Indian Ocean	Diego Garcia Air Base	\$2,260,000
Oman	Thumrait Air Base	\$1,800,000
Turkey	Incirlik Air Base	\$2,400,000

Air Force: Outside the United States—Continued

Country	Installation or location	Amount
United Kingdom	RAF Mildenhall	\$4,800,000
Classified	Classified Location	\$5,500,000

1 **SEC. 2302. FAMILY HOUSING.**

2 (a) CONSTRUCTION AND ACQUISITION.—Using
3 amounts appropriated pursuant to the authorization of ap-
4 propriations in section 2304(a)(7)(A), the Secretary of the
5 Air Force may construct or acquire family housing units
6 (including land acquisition) in the total amount of
7 \$130,264,000 at the installations, for the purposes, and in
8 the amounts for such installations and purposes set forth
9 in the following table:

Air Force: Family Housing

State or Coun- try	Installation	Purpose	Amount
Alabama	Maxwell Air Force Base	55 units	\$4,080,000
Arkansas	Little Rock Air Force Base	Housing office/ Maintenance facility	\$980,000
California	Vandenberg Air Force Base	166 units	\$21,907,000
Florida	Patrick Air Force Base	155 units	\$15,388,000
	Tyndall Air Force Base	Infrastructure ...	\$5,732,000
Georgia	Robins Air Force Base	118 units	\$7,424,000
Illinois	Scott Air Force Base	Cardinal Creek Housing units.	\$20,000,000
Louisiana	Barksdale Air Force Base	118 units	\$8,578,000
Massachusetts ...	Hanscom Air Force Base	48 units	\$5,135,000
Montana	Malmstrom Air Force Base	Housing office ...	\$581,000

1 **SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR**
2 **FORCE.**

3 (a) *IN GENERAL.*—Funds are hereby authorized to be
4 appropriated for fiscal years beginning after September 30,
5 1993, for military construction, land acquisition, and mili-
6 tary family housing functions of the Department of the Air
7 Force in the total amount of \$2,101,925,000 as follows:

8 (1) *For military construction projects inside the*
9 *United States authorized by section 2301(a),*
10 *\$864,752,000.*

11 (2) *For military construction projects outside the*
12 *United States authorized by section 2301(b),*
13 *\$33,852,000.*

14 (3) *For unspecified minor construction projects*
15 *authorized by section 2805 of title 10, United States*
16 *Code, \$6,844,000.*

17 (4) *For architectural and engineering services*
18 *and construction design under section 2807 of title*
19 *10, United States Code, \$63,180,000.*

20 (5) *For advances to the Secretary of Transpor-*
21 *tation for construction of defense access roads under*
22 *section 210 of title 23, United States Code,*
23 *\$7,150,000.*

24 (6) *For the balance of the amount authorized*
25 *under section 2301(a) of the Military Construction*
26 *Authorization Act for Fiscal Year 1993 (division B of*

1 *Public Law 102-484; 106 Stat. 2593) for the con-*
2 *struction of the Climatic Test Chamber, Eglin Air*
3 *Force Base, Florida, \$57,000,000.*

4 *(7) For military family housing functions:*

5 *(A) For construction and acquisition of*
6 *military family housing and facilities,*
7 *\$215,235,000.*

8 *(B) For support of military family housing*
9 *(including functions described in section 2833 of*
10 *title 10, United States Code), \$853,912,000 of*
11 *which not more than \$118,266,000 may be obli-*
12 *gated or expended for leasing of military family*
13 *housing units worldwide.*

14 *(b) LIMITATION ON TOTAL COST OF CONSTRUCTION*
15 *PROJECTS.—Notwithstanding the cost variations author-*
16 *ized by section 2853 of title 10, United States Code, and*
17 *any other cost variation authorized by law, the total cost*
18 *of all projects carried out under section 2301 of this Act*
19 *may not exceed the total amount authorized to be appro-*
20 *priated under paragraphs (1) and (2) of subsection (a).*

21 **SEC. 2305. TERMINATION OF AUTHORITY TO CARRY OUT**
22 **CERTAIN PROJECTS.**

23 *(a) FISCAL YEAR 1993 PROJECTS.—(1) The table in*
24 *section 2301(a) of the Military Construction Authorization*
25 *Act for Fiscal Year 1993 (division B of Public Law 102-*

1 484; 106 Stat. 2593) is amended by striking out the item
2 relating to March Air Force Base, California.

3 (2) The table in section 2302(a) of such Act (106 Stat.
4 2595) is amended by striking out the item relating to March
5 Air Force Base, California.

6 (3) Section 2303 of such Act (106 Stat. 2596) is
7 amended by striking out “\$150,000,000” and inserting in
8 lieu thereof “\$139,649,000”.

9 (4) Section 2304(a) of such Act (106 Stat. 2596) is
10 amended—

11 (A) by striking out “\$2,062,707,000” and insert-
12 ing in lieu thereof “\$2,011,755,000”;

13 (B) in paragraph (1), by striking out
14 “\$667,290,000” and inserting in lieu thereof
15 “\$665,040,000”; and

16 (C) in paragraph (5)(A), by striking out
17 “\$283,786,000” and inserting in lieu thereof
18 “\$235,084,000”.

19 (b) FISCAL YEAR 1992 PROJECTS.—(1) Section
20 2301(a) of the Military Construction Authorization Act for
21 Fiscal Year 1992 (division B of Public Law 102–190; 105
22 Stat. 1521) is amended—

23 (A) under the heading “CALIFORNIA”, by striking
24 out the item relating to March Air Force Base and
25 inserting in lieu thereof the following:

1 *“March Air Force Base, \$7,272,000.”;*

2 *(B) under the heading “FLORIDA”, by striking*
3 *out the item relating to Homestead Air Force Base;*
4 *and*

5 *(C) under the heading “NEW YORK”—*

6 *(i) by striking out the item relating to Grif-*
7 *fiss Air Force Base; and*

8 *(ii) by striking out the item relating to*
9 *Plattsburgh Air Force Base and inserting in lieu*
10 *thereof the following:*

11 *“Plattsburgh Air Force Base, \$960,000.”.*

12 *(2) Section 2303 of such Act (105 Stat. 1526) is*
13 *amended by striking out “\$141,236,000” and inserting in*
14 *lieu thereof “\$134,836,000”.*

15 *(3) Section 2305(a) of such Act (105 Stat. 1525) is*
16 *amended—*

17 *(A) by striking out “\$2,089,303,000” and insert-*
18 *ing in lieu thereof “\$2,066,585,000”;*

19 *(B) in paragraph (1), by striking out*
20 *“\$778,970,000” and inserting in lieu thereof*
21 *“\$762,652,000”;* and

22 *(C) in paragraph (8)(A), by striking out*
23 *“\$161,583,000” and inserting in lieu thereof*
24 *“\$155,183,000”.*

1 **SEC. 2306. RELOCATION OF STUDENT DORMITORY PROJECT**
2 **TO BEALE AIR FORCE BASE, CALIFORNIA.**

3 *Section 2301(a) of the Military Construction Author-*
4 *ization Act for Fiscal Year 1991 (division B of Public Law*
5 *101–510; 104 Stat. 1769) is amended in the matter under*
6 *the heading “CALIFORNIA”—*

7 *(1) by striking out the item relating to Beale Air*
8 *Force Base and inserting in lieu thereof the following:*

9 *“Beale Air Force Base, \$9,950,000.”; and*

10 *(2) by striking out the item relating to Sierra*
11 *Army Depot.*

12 **SEC. 2307. RELOCATION OF MUNITION MAINTENANCE FA-**
13 **CILITY PROJECT TO BEALE AIR FORCE BASE,**
14 **CALIFORNIA.**

15 *Section 2301(a) of the Military Construction Author-*
16 *ization Act for Fiscal Year 1992 (division B of Public Law*
17 *102–190; 105 Stat. 1521) is amended in the matter under*
18 *the heading “CALIFORNIA”—*

19 *(1) by striking out the item relating to Beale Air*
20 *Force Base and inserting in lieu thereof the following:*

21 *“Beale Air Force Base, \$4,950,000.”; and*

22 *(2) by striking out the item relating to Sierra*
23 *Army Depot.*

1 **SEC. 2308. RELOCATION OF COMBAT ARMS TRAINING AND**
2 **MAINTENANCE FACILITY PROJECT TO**
3 **SCHOFIELD BARRACKS OPEN RANGE, HAWAII.**

4 *Section 2301(a) of the Military Construction Author-*
5 *ization Act for Fiscal Year 1991 (division B of Public Law*
6 *101-510; 104 Stat. 1769) is amended in the matter under*
7 *the heading "HAWAII" by striking out the item relating to*
8 *Wheeler Air Force Base and inserting in lieu thereof the*
9 *following:*

10 *"Schofield Barracks Open Range, \$1,400,000.*

11 *"Wheeler Air Force Base, \$2,100,000.".*

12 **SEC. 2309. AUTHORITY TO TRANSFER FUNDS FOR CON-**
13 **STRUCTION OF FAMILY HOUSING, SCOTT AIR**
14 **FORCE BASE, ILLINOIS.**

15 *Notwithstanding any other provision of law, the Sec-*
16 *retary of the Air Force shall transfer any funds made avail-*
17 *able for the construction of family housing at Scott Air*
18 *Force Base, Illinois, pursuant to the authorization for such*
19 *construction in section 2302(a) of the Military Construction*
20 *Authorization Act for Fiscal Year 1993 (division B of Pub-*
21 *lic Law 102-484; 106 Stat. 2595) to the County of Saint*
22 *Clair, Illinois, in order to assist the County of Saint Clair*
23 *in the construction, at a location determined by the Sec-*
24 *retary, of a family housing complex to replace the Cardinal*
25 *Creek Housing Complex, Scott Air Force Base.*

1 **SEC. 2310. INCREASE IN AUTHORIZED UNIT COST FOR CER-**
 2 **TAIN FAMILY HOUSING, RANDOLPH AIR**
 3 **FORCE BASE, TEXAS.**

4 *Section 2303(b) of the National Defense Authorization*
 5 *Act for Fiscal Years 1990 and 1991 (Public Law 101-189;*
 6 *103 Stat. 1635) is amended in the matter relating to Ran-*
 7 *dolph Air Force Base, Texas, by striking out “\$78,000” and*
 8 *inserting in lieu thereof “\$95,000”.*

9 **TITLE XXIV—DEFENSE**
 10 **AGENCIES**

11 **SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUC-**
 12 **TION AND LAND ACQUISITION PROJECTS.**

13 *(a) INSIDE THE UNITED STATES.—Using amounts ap-*
 14 *propriated pursuant to the authorization of appropriations*
 15 *in section 2403(a)(1), the Secretary of Defense may acquire*
 16 *real property and carry out military construction projects*
 17 *in the total amount of \$256,902,000 for the installations*
 18 *and locations inside the United States, and in the amounts*
 19 *for such installations and locations, set forth in the follow-*
 20 *ing table:*

Defense Agencies: Inside the United States

Agency	Installation or location	Amount
Defense Logistics Agency	Defense Reutilization and Marketing Office, Fairbanks, Alaska	\$6,500,000
	Defense Reutilization and Marketing Office, March Air Force Base, California	\$630,000
	Defense Fuel Support Point, Pearl Harbor, Hawaii	\$2,250,000
	Defense Construction Supply Center, Columbia, Ohio	\$3,100,000

Defense Agencies: Inside the United States—Continued

Agency	Installation or location	Amount
	<i>Defense Reutilization and Marketing Office, Hill Air Force Base, Utah</i>	<i>\$1,700,000</i>
	<i>Defense General Supply Center, Richmond, Virginia</i>	<i>\$17,000,000</i>
	<i>Fort Belvoir, Virginia</i>	<i>\$5,200,000</i>
<i>Defense Medical Facility Office</i>	<i>Edwards Air Force Base, California</i>	<i>\$1,700,000</i>
	<i>Fort Detrick, Maryland</i>	<i>\$4,300,000</i>
	<i>Offutt Air Force Base, Nebraska</i>	<i>\$1,100,000</i>
	<i>Cannon Air Force Base, New Mexico</i>	<i>\$13,600,000</i>
	<i>Grand Forks Air Force Base, North Dakota</i>	<i>\$860,000</i>
	<i>Ellsworth Air Force Base, South Dakota</i>	<i>\$1,400,000</i>
	<i>Fort Sam Houston, Texas</i>	<i>\$4,800,000</i>
	<i>Fort Eustis, Virginia</i>	<i>\$3,650,000</i>
	<i>Fairchild Air Force Base, Washington</i>	<i>\$8,250,000</i>
<i>National Security Agency</i>	<i>Fort Meade, Maryland</i>	<i>\$58,630,000</i>
<i>Office Secretary of Defense</i>	<i>Various Locations, Special Activities, Air Force</i>	<i>\$5,600,000</i>
<i>Section 6 Schools</i>	<i>Fort McClellan, Alabama</i>	<i>\$2,798,000</i>
	<i>Robins Air Force Base, Georgia</i>	<i>\$3,160,000</i>
	<i>Fort Campbell, Kentucky</i>	<i>\$13,182,000</i>
	<i>Fort Knox, Kentucky</i>	<i>\$7,707,000</i>
	<i>Fort Polk, Louisiana</i>	<i>\$4,950,000</i>
	<i>Camp Lejeune, North Carolina</i>	<i>\$1,793,000</i>
	<i>Fort Bragg, North Carolina</i>	<i>\$8,838,000</i>
	<i>Quantico Marine Corps Base, Virginia</i>	<i>\$422,000</i>
<i>Special Operations Force</i>	<i>Eglin Auxiliary Field No. 9, Florida</i>	<i>\$19,582,000</i>
	<i>Fort Campbell, Kentucky</i>	<i>\$6,950,000</i>
	<i>Fort Bragg, North Carolina</i>	<i>\$38,450,000</i>
	<i>Olmstead Field, Pennsylvania</i>	<i>\$1,300,000</i>
	<i>Little Creek Naval Amphibious Base, Virginia</i>	<i>\$7,500,000</i>

1 (b) *OUTSIDE THE UNITED STATES.*—Using amounts
2 appropriated pursuant to the authorization of appropri-
3 ations in section 2403(a)(2), the Secretary of Defense may
4 acquire real property and carry out military construction
5 projects in the total amount of \$26,113,000 for the installa-
6 tions and locations outside the United States, and in the

1 amounts for such installations and locations, set forth in
2 the following table:

Defense Agencies: Outside the United States

Agency	Installation or location	Amount
<i>Defense Logistics Agency</i>	<i>Diego Garcia</i> <i>Roosevelt Roads, Puerto Rico</i>	<i>\$9,558,000</i> <i>\$5,800,000</i>
<i>Various locations</i>	<i>Various classified projects</i>	<i>\$10,755,000</i>

3 **SEC. 2402. ENERGY CONSERVATION PROJECTS.**

4 Using amounts appropriated pursuant to the author-
5 ization of appropriations in section 2403(a)(11), the Sec-
6 retary of Defense may carry out energy conservation
7 projects under section 2865 of title 10, United States Code.

8 **SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE**
9 **AGENCIES.**

10 (a) *IN GENERAL.*—Funds are hereby authorized to be
11 appropriated for fiscal years beginning after September 30,
12 1993, for military construction, land acquisition, and mili-
13 tary family housing functions of the Department of Defense
14 (other than the military departments), in the total amount
15 of \$4,097,814,000 as follows:

16 (1) For military construction projects inside the
17 United States authorized by section 2401(a),
18 \$256,902,000.

19 (2) For military construction projects outside the
20 United States authorized by section 2401(b),
21 \$26,113,000.

1 (3) For military construction projects at Fort
2 Sam Houston, Texas, hospital replacement, author-
3 ized by section 2401(a) of the Military Construction
4 Authorization Act, 1987 (division B of Public Law
5 99-661; 100 Stat. 4034), \$75,000,000.

6 (4) For military construction projects at Ports-
7 mouth Naval Hospital, Virginia, authorized by sec-
8 tion 2401(a) of the Military Construction Authoriza-
9 tion Act for Fiscal Years 1990 and 1991 (division B
10 of Public Law 101-189; 103 Stat. 1639),
11 \$211,900,000.

12 (5) For military construction projects at Elmen-
13 dorf Air Force Base, Alaska, hospital replacement,
14 authorized by section 2401(a) of the Military Con-
15 struction Authorization Act for Fiscal Year 1993 (di-
16 vision B of Public Law 102-484; 106 Stat. 2599),
17 \$135,000,000.

18 (6) For military construction projects at Fort
19 Bragg, North Carolina, hospital replacement, author-
20 ized by section 2401(a) of the Military Construction
21 Authorization Act for Fiscal Year 1993, \$195,000,000.

22 (7) For military construction projects at
23 Millington Naval Air Station, Tennessee, authorized
24 by section 2401(a) of the Military Construction Au-
25 thorization Act for Fiscal Year 1993, \$5,000,000.

1 (8) For unspecified minor construction projects
2 authorized by section 2805 of title 10, United States
3 Code, \$21,658,000.

4 (9) For contingency construction projects of the
5 Secretary of Defense under section 2804 of title 10,
6 United States Code, \$12,200,000.

7 (10) For architectural and engineering services
8 and for construction design under section 2807 of title
9 10, United States Code, \$42,405,000.

10 (11) For energy conservation projects authorized
11 by section 2402, \$50,000,000.

12 (12) For base closure and realignment activities
13 as authorized by title II of the Defense Authorization
14 Amendments and Base Closure and Realignment Act
15 (Public Law 100-526; 10 U.S.C. 2687 note),
16 \$12,830,000.

17 (13) For base closure and realignment activities
18 as authorized by the Defense Base Closure and Re-
19 alignment Act of 1990 (part A of title XXIX of Public
20 Law 101-510; 10 U.S.C. 2687 note), \$3,026,310,000.

21 (14) For military family housing functions (in-
22 cluding functions described in section 2833 of title 10,
23 United States Code), \$27,496,000, of which not more
24 than \$22,882,000 may be obligated or expended for

1 *the leasing of military family housing units world-*
2 *wide.*

3 *(b) LIMITATION OF TOTAL COST OF CONSTRUCTION*
4 *PROJECTS.—Notwithstanding the cost variations author-*
5 *ized by section 2853 of title 10, United States Code, and*
6 *any other cost variations authorized by law, the total cost*
7 *of all projects carried out under section 2401 may not ex-*
8 *ceed the total amount authorized to be appropriated under*
9 *paragraphs (1) and (2) of subsection (a).*

10 *(c) LIMITATION ON OBLIGATIONS.—Funds appro-*
11 *priated for fiscal year 1994 pursuant to the authorization*
12 *of appropriations in subsection (a)(1) may not be obligated*
13 *for any of the following projects in excess of the amount*
14 *set forth for such project as follows:*

15 *(1) Construction of an Army medical center at*
16 *Fort Bragg, North Carolina, \$160,000,000.*

17 *(2) Construction of a naval hospital at Ports-*
18 *mouth, Virginia, \$171,900,000.*

19 *(3) Construction of the hospital at Elmendorf*
20 *Air Force Base, Alaska, \$98,000,000.*

21 **SEC. 2404. TERMINATION OF AUTHORITY TO CARRY OUT**
22 **CERTAIN PROJECTS.**

23 *(a) FISCAL YEAR 1992 PROJECTS.—Section 2401(a)*
24 *of the Military Construction Authorization Act for Fiscal*

1 Year 1992 (division B of Public Law 102–190; 105 Stat.
2 1528) is amended by striking out the following items:

3 (1) Under the heading “DEFENSE LOGISTICS
4 AGENCY”, the item relating to Dayton Defense Elec-
5 tronic Supply Center, Ohio.

6 (2) Under the heading “DEFENSE MEDICAL FA-
7 CILITIES OFFICE”, the items relating to—

8 (A) Homestead Air Force Base, Florida;
9 and

10 (B) Dallas Naval Air Station, Texas.

11 (b) CONFORMING AMENDMENTS.—Section 2404 of such
12 Act (105 Stat. 1531) is amended—

13 (1) in subsection (a)—

14 (A) by striking out “\$1,680,940,000” and
15 inserting in lieu thereof “\$1,665,440,000”; and

16 (B) by striking out “\$434,500,000” in
17 paragraph (1) and inserting in lieu thereof
18 “\$419,000,000”; and

19 (2) in subsection (c)—

20 (A) by inserting “and” in paragraph (1)
21 after the semicolon;

22 (B) by striking out “; and” at the end of
23 paragraph (2) and inserting in lieu thereof a pe-
24 riod; and

25 (3) by striking out paragraph (3).

1 **TITLE XXV—NORTH ATLANTIC**
2 **TREATY ORGANIZATION IN-**
3 **FRAStructure**

4 **SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND**
5 **ACQUISITION PROJECTS.**

6 *The Secretary of Defense may make contributions for*
7 *the North Atlantic Treaty Organization Infrastructure Pro-*
8 *gram as provided in section 2806 of title 10, United States*
9 *Code, in an amount not to exceed the sum of the amount*
10 *authorized to be appropriated for this purpose in section*
11 *2502 and the amount collected from the North Atlantic*
12 *Treaty Organization as a result of construction previously*
13 *financed by the United States.*

14 **SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.**

15 *Funds are hereby authorized to be appropriated for fis-*
16 *cal years beginning after September 30, 1993, for contribu-*
17 *tions by the Secretary of Defense under section 2806 of title*
18 *10, United States Code, for the share of the United States*
19 *of the cost of projects for the North Atlantic Treaty Organi-*
20 *zation Infrastructure Program as authorized by section*
21 *2501, in the amount of \$240,000,000.*

1 **TITLE XXVI—GUARD AND**
2 **RESERVE FORCES FACILITIES**

3 **SEC. 2601. AUTHORIZED GUARD AND RESERVE CONSTRUC-**
4 **TION AND LAND ACQUISITION PROJECTS.**

5 *There are authorized to be appropriated for fiscal*
6 *years beginning after September 30, 1993, for the costs of*
7 *acquisition, architectural and engineering services, and*
8 *construction of facilities for the Guard and Reserve Forces,*
9 *and for contributions therefor, under chapter 133 of title*
10 *10, United States Code (including the cost of acquisition*
11 *of land for those facilities), the following amounts:*

12 (1) *For the Department of the Army—*

13 (A) *for the Army National Guard of the*
14 *United States, \$277,051,000; and*

15 (B) *for the Army Reserve, \$124,794,000.*

16 (2) *For the Department of the Navy, for the*
17 *Naval and Marine Corps Reserve, \$25,013,000.*

18 (3) *For the Department of the Air Force—*

19 (A) *for the Air National Guard of the Unit-*
20 *ed States, \$233,793,000; and*

21 (B) *for the Air Force Reserve, \$68,427,000.*

1 **SEC. 2602. REDUCTION IN AMOUNTS AUTHORIZED TO BE**
2 **APPROPRIATED FOR RESERVE MILITARY**
3 **CONSTRUCTION PROJECTS.**

4 (a) *FISCAL YEAR 1993 AUTHORIZATION.*—Section
5 2601(2) of the Military Construction Authorization Act for
6 Fiscal Year 1993 (division B of Public Law 102–484; 106
7 Stat. 2602) is amended by striking out “\$17,200,000” and
8 inserting in lieu thereof “\$10,700,000”.

9 (b) *FISCAL YEAR 1992 AUTHORIZATION.*—Section
10 2601(2) of the Military Construction Authorization Act for
11 Fiscal Year 1992 (division B of Public Law 102–190; 105
12 Stat. 1534) is amended by striking out “\$56,900,000” and
13 inserting in lieu thereof “\$31,800,000”.

14 (c) *FISCAL YEAR 1991 AUTHORIZATION.*—Section
15 2601(2) of the Military Construction Authorization Act for
16 Fiscal Year 1991 (division B of Public Law 101–510; 104
17 Stat. 1781) is amended by striking out “\$80,307,000” and
18 inserting in lieu thereof “\$78,667,000”.

19 (d) *FISCAL YEAR 1990 AUTHORIZATIONS.*—Section
20 2601(2) of the Military Construction Authorization Act for
21 Fiscal Years 1990 and 1991 (division B of Public Law 101–
22 189; 103 Stat. 1645) is amended by striking out
23 “\$56,600,000” and inserting in lieu thereof “\$54,250,000”.

1 **TITLE XXVII—EXPIRATION OF**
2 **AUTHORIZATIONS**

3 **SEC. 2701. EXPIRATION OF AUTHORIZATIONS AND**
4 **AMOUNTS REQUIRED TO BE SPECIFIED BY**
5 **LAW.**

6 (a) *EXPIRATION OF AUTHORIZATIONS AFTER THREE*
7 *YEARS.*—*Except as provided in subsection (b), all author-*
8 *izations contained in titles XXI through XXVI for military*
9 *construction projects, land acquisition, family housing*
10 *projects and facilities, and contributions to the North At-*
11 *lantic Treaty Organization Infrastructure program (and*
12 *authorizations of appropriations therefor) shall expire on*
13 *the later of—*

14 (1) *October 1, 1996; or*

15 (2) *the date of the enactment of an Act authoriz-*
16 *ing funds for military construction for fiscal year*
17 *1997.*

18 (b) *EXCEPTION.*—*Subsection (a) shall not apply to au-*
19 *thorizations for military construction projects, land acqui-*
20 *sition, family housing projects and facilities, and contribu-*
21 *tions to the North Atlantic Treaty Organization Infrastruc-*
22 *ture program (and authorizations of appropriations there-*
23 *for), for which appropriated funds have been obligated be-*
24 *fore the later of—*

25 (1) *October 1, 1996; or*

1 (2) *the date of the enactment of an Act authoriz-*
 2 *ing funds for fiscal year 1997 for military construc-*
 3 *tion projects, land acquisition, family housing*
 4 *projects and facilities, or contributions to the North*
 5 *Atlantic Treaty Organization Infrastructure program.*

6 **SEC. 2702. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
 7 **FISCAL YEAR 1991 PROJECTS.**

8 (a) *EXTENSIONS.*—*Notwithstanding section 2701(b) of*
 9 *the Military Construction Authorization Act for Fiscal Year*
 10 *1991 (division B of Public Law 101–510, 104 Stat. 1782),*
 11 *authorizations for the projects set forth in the tables in sub-*
 12 *section (b), as provided in section 2101, 2301, or 2401 of*
 13 *that Act and extended by section 2702(a) of the Military*
 14 *Construction Authorization Act for Fiscal Year 1992 (divi-*
 15 *sion B of Public Law 102–190; 105 Stat. 1535), shall re-*
 16 *main in effect until October 1, 1994, or the date of the en-*
 17 *actment of an Act authorizing funds for military construc-*
 18 *tion for fiscal year 1995, whichever is later.*

19 (b) *TABLES.*—(1) *The projects referred to in subsection*
 20 *(a) for the Army, in the total amount of \$38,200,000, are*
 21 *as follows:*

Army: Extension of 1991 Project Authorizations

State	Installation or lo- cation	Project	Amount
Maryland	Aberdeen Proving Ground	Toxicology Re- search Facility	\$33,000,000

Army: Extension of 1991 Project Authorizations—Continued

State	Installation or location	Project	Amount
Missouri	Fort Leonard Wood	Child Development Center	\$3,050,000
Virginia	Fort Myer	Child Development Center	\$2,150,000

1 (2) In the projects referred to in subsection (a) for the
2 Air Force, in the total amount of \$39,450,000, are as fol-
3 lows:

Air Force: Extension of 1991 Project Authorizations

State	Installation or location	Project	Amount
Alaska	Clear Air Force Station	Alter Dormitory (Phase II)	\$5,000,000
California	Sierra Army Depot	Dormitory	\$3,650,000
Colorado	Buckley Air National Guard Base	Child Development Center	\$4,550,000
Hawaii	Hickam Air Force Base	Dormitory	\$6,100,000
	Wheeler Air Force Base	Combat Arms Training & Maintenance Facility	\$1,400,000
Oklahoma	Tinker Air Force Base	AWACS Aircraft Fire Protection	\$2,750,000
Utah	Hill Air Force Base	Depot Warehouse	\$16,000,000

4 (3) The project referred to in subsection (a) for Defense
5 Agencies, in the total amount of \$9,500,000, is as follows:

Defense Agencies: Extension of 1991 Project Authorizations

State	Installation or location	Project	Amount
Maryland	Defense Logistics Agency, Defense Reutilization and Marketing Office, Fort Meade	Covered Storage .	\$9,500,000

1 **SEC. 2703. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
 2 **FISCAL YEAR 1990 PROJECTS.**

3 (a) *EXTENSIONS.*—Notwithstanding section 2701(b) of
 4 the Military Construction Authorization Act for Fiscal
 5 Years 1990 and 1991 (division B of Public Law 101–189;
 6 103 Stat. 1645), authorizations for the projects set forth in
 7 the table in subsection (b), as provided in section 2301 of
 8 that Act and extended by section 2702(a) of the Military
 9 Construction Authorization Act for Fiscal Year 1993 (divi-
 10 sion B of Public Law 102–484; 106 Stat. 2603), shall re-
 11 main in effect until October 1, 1994, or the date of the en-
 12 actment of an Act authorizing funds for military construc-
 13 tion for fiscal year 1995, whichever is later.

14 (b) *TABLE.*—The projects referred to in subsection (a)
 15 for the Air Force, in the total amount of \$19,000,000, are
 16 as follows:

Air Force: Extension of 1990 Project Authorizations

State	Installation or lo- cation	Project	Amount
Colorado	Lowry Air Force Base	Computer Oper- ations Facility	\$15,500,000
	Lowry Air Force Base	Logistics support facility	\$3,500,000

17 **SEC. 2704. EFFECTIVE DATE.**

18 Titles XXI, XXII, XXIII, XXIV, XXV, and XVI shall
 19 take effect on the later of—

20 (1) October 1, 1993; or

21 (2) the date of the enactment of this Act.

1 **TITLE XXVIII—GENERAL**
2 **PROVISIONS**

3 **Subtitle A—Military Construction**
4 **Program and Military Family**
5 **Housing Changes**

6 **SEC. 2801. REVISION OF MILITARY FAMILY HOUSING RENT-**
7 **AL AUTHORITY.**

8 (a) *ANNUAL ADJUSTMENT OF MAXIMUM LEASE*
9 *AMOUNT FOR LEASES IN THE UNITED STATES.*—Sub-
10 *section (b) of section 2828 of title 10, United States Code,*
11 *is amended by adding at the end the following:*

12 “(4) *The maximum lease amount under paragraphs*
13 *(2) and (3) shall be increased on January 1 of each year*
14 *by a percentage equal to the percentage by which the*
15 *Consumer Price Index for All Urban Consumers published*
16 *by the Bureau of Labor Statistics for September 30 of the*
17 *preceding year exceeds the Consumer Price Index for All*
18 *Urban Consumers for September of the year before such pre-*
19 *ceding year.*”.

20 (b) *INCREASED MAXIMUM LEASE AMOUNT FOR 300*
21 *LEASED UNITS IN FOREIGN COUNTRIES.*—Paragraph (1)
22 *of subsection (e) of such section is amended—*

23 (1) *in the first sentence—*

24 (A) *by striking out “Expenditures” and in-*
25 *serting in lieu thereof “(A) Except as provided*

1 in subparagraphs (B) and (C), expenditures”;
2 and

3 (B) by striking out “from October 1, 1987”;
4 (2) by designating the third sentence as subpara-
5 graph (C);

6 (3) by inserting after subparagraph (A), as des-
7 ignated by paragraph (1), the following:

8 “(B) Expenditures for the rental of not more than 300
9 units of family housing in foreign countries (including the
10 costs of utilities, maintenance, and operation) may exceed
11 the maximum amount that, except for this subparagraph,
12 would be applicable under subparagraph (A) but may not
13 exceed \$25,000 per unit per annum as adjusted for foreign
14 currency fluctuations from October 1, 1987.”; and

15 (4) in subparagraph (C), as designated by para-
16 graph (2), by striking out “That maximum lease
17 amount” and inserting in lieu thereof “The maxi-
18 mum lease amounts set forth in subparagraphs (A)
19 and (B).”.

20 (c) ANNUAL ADJUSTMENT IN MAXIMUM LEASE
21 AMOUNT FOR LEASES IN FOREIGN COUNTRIES.—Such sub-
22 section is further amended—

23 (1) by redesignating paragraph (2) as para-
24 graph (3); and

1 “(1) To carry out minor military construction
2 projects under section 2805 of this title that are de-
3 signed to increase energy conservation.

4 “(2) To carry out military construction projects
5 under the comprehensive energy performance plan de-
6 veloped by the Secretary of Defense under section
7 2865(a) of this title.”.

8 (b) *USE OF PROCEEDS*.—Section 2865(b)(1) of title
9 10, United States Code, is amended by inserting “and the
10 funds available under section 2483(b) of this title” after
11 “subsection (d)(2),”.

12 (c) *TECHNICAL AMENDMENTS*.—Section 2865(b) of
13 such title is amended—

14 (1) in paragraph (1), by striking out “The Sec-
15 retary shall provide that two-thirds” and inserting in
16 lieu thereof “Two-thirds”; and

17 (2) in paragraph (2), by striking out “The
18 amount” and inserting in lieu thereof “The Secretary
19 shall provide that the amount”.

20 **SEC. 2803. ENERGY CONSERVATION MEASURES FOR THE**
21 **DEPARTMENT OF DEFENSE.**

22 Section 2865 of title 10, United States Code, is
23 amended—

24 (1) by redesignating subsection (f) as subsection
25 (g); and

1 (2) by inserting after subsection (e) the following
2 new subsection (f):

3 “(f) *REPLACEMENT OF ENERGY-INEFFICIENT SYS-*
4 *TEMS, OPERATIONS, AND PROCESSES.—(1) Energy con-*
5 *servaion measures identified and accomplished under the*
6 *energy performance plan developed pursuant to subsection*
7 *(a) may include—*

8 “(A) *replacement of an existing energy consum-*
9 *ing system with the best available energy-saving tech-*
10 *nology; and*

11 “(B) *replacement of an existing maintenance op-*
12 *eration or process with a maintenance operation or*
13 *process that results in energy conservation.*

14 “(2) *In paragraph (1), the term ‘energy consuming*
15 *system’ includes—*

16 “(A) *lighting equipment;*

17 “(B) *a lighting system;*

18 “(C) *heating equipment;*

19 “(D) *a heating system;*

20 “(E) *cooling equipment;*

21 “(F) *a cooling and ventilating system;*

22 “(G) *industrial equipment; and*

23 “(H) *an industrial system.”.*

1 **SEC. 2804. AUTHORITY TO ACQUIRE EXISTING FACILITIES**
2 **IN LIEU OF CARRYING OUT CONSTRUCTION**
3 **AUTHORIZED BY LAW.**

4 (a) *ACQUISITION AUTHORITY.*—(1) *Subchapter I of*
5 *chapter 169 of title 10, United States Code, is amended by*
6 *adding at the end the following:*

7 **“§2813. Acquisition of existing facilities in lieu of au-**
8 **thorized construction**

9 *“The Secretary concerned may acquire an existing fa-*
10 *cility (including the real property on which the facility is*
11 *located) at or near a military installation instead of carry-*
12 *ing out a military construction project authorized by law*
13 *for that military installation, and may use funds appro-*
14 *priated for the military construction project to do so, if—*

15 *“(1) the Secretary determines that—*

16 *“(A) the acquisition of such facility satisfies*
17 *the requirements of the military department con-*
18 *cerned for the authorized military construction*
19 *project; and*

20 *“(B) it is in the best interests of the United*
21 *States to acquire such facility instead of carry-*
22 *ing out the military construction project; and*

23 *“(2) the Secretary has transmitted to the Com-*
24 *mittees on Armed Services of the Senate and House*
25 *of Representatives a written notification of the deter-*
26 *mination to acquire the existing facility, including*

1 ing out “September 30, 1993.” and inserting in lieu thereof
2 “September 30, 1995.”

3 (b) *EXTENSION OF REPORTING REQUIREMENT.*—Sec-
4 tion 2863(b) of the National Defense Authorization Act for
5 Fiscal Years 1992 and 1993 (Public Law 102–190; 10
6 U.S.C. 2680 note) is amended by striking out “March 1,
7 1993, and March 1, 1994,” and inserting in lieu thereof
8 “March 1 of each of the years 1994, 1995, and 1996.”

9 ***Subtitle B—Defense Base Closure***
10 ***and Realignment***

11 ***SEC. 2811. MODIFICATION OF REQUIREMENT FOR REPORTS***
12 ***ON ACTIVITIES OF THE DEFENSE BASE CLO-***
13 ***SURE ACCOUNT 1990.***

14 Section 2906(c)(1) of the Defense Base Closure and Re-
15 alignment Act of 1990 (part A of title XXIX of Public Law
16 101–510; 10 U.S.C. 2687 note) is amended—

17 (1) by inserting “(A)” after “(1)”; and

18 (2) by adding at the end the following:

19 “(B) The report for a fiscal year shall include the fol-
20 lowing:

21 “(i) The expenditures, identified by subaccount,
22 for each military department and Defense Agency.

23 “(ii) The fiscal year in which appropriations for
24 such expenditures were made and the fiscal year in
25 which funds were obligated for such expenditures.

1 “(iii) Each military construction project for
2 which such expenditures were made, identified by in-
3 stallation and project title.

4 “(iv) A description and explanation of the ex-
5 tent, if any, to which obligations for military con-
6 struction projects for the fiscal year differed from pro-
7 posals for projects and funding levels that were in-
8 cluded in the justification transmitted to Congress
9 under section 2907(1), or otherwise, for the funding
10 proposals for the Account for such fiscal year, includ-
11 ing an explanation of—

12 “(I) any failure to carry out military con-
13 struction projects that were proposed; and

14 “(II) any obligations for military construc-
15 tion projects that were not proposed.”.

16 **SEC. 2812. BASE CLOSURE CRITERIA.**

17 (a) *REQUIREMENT.*—In developing base closure and
18 realignment selection criteria in accordance with section
19 2903(b)(2)(B) of the Defense Base Closure and Realignment
20 Act of 1990 (Public Law 101–510; 10 U.S.C. 2687 note),
21 the Secretary of Defense shall consider whether the criteria
22 should include the direct costs of such closures and
23 realignments to other Federal departments and agencies.

24 (b) *REPORT ON AMENDMENT.*—(1) The Secretary shall
25 submit to the Committees on Armed Services of the Senate

1 *and House of Representatives a report on any criteria pro-*
2 *posed in accordance with section 2903(b)(2)(B) of the De-*
3 *fense Base Closure and Realignment Act of 1990. The report*
4 *shall include a discussion of the proposed criteria and in-*
5 *clude a justification for any decision not to propose a cri-*
6 *terion regarding the direct costs of base closures and*
7 *realignments to other Federal agencies and departments.*

8 (2) *The Secretary shall submit the report upon publi-*
9 *cation of the proposed criteria in accordance with section*
10 *2903(b)(2)(B) of the Defense Base Closure and Realignment*
11 *Act of 1990.*

12 **SEC. 2813. LIMITATION ON EXPENDITURE OF FUNDS FROM**
13 **THE DEFENSE BASE CLOSURE ACCOUNT 1990**
14 **FOR MILITARY CONSTRUCTION IN SUPPORT**
15 **OF TRANSFERS OF FUNCTIONS.**

16 (a) *LIMITATION.—If the Secretary of Defense rec-*
17 *ommends to the Base Closure and Realignment Commission*
18 *pursuant to section 2903(c) of the 1990 base closure Act*
19 *that an installation be closed or realigned, the Secretary*
20 *identifies in documents submitted to the Commission one*
21 *or more installations to which a function performed at the*
22 *recommended installation would be transferred, and the rec-*
23 *ommended installation is closed or realigned pursuant to*
24 *such Act, then, except as provided in subsection (b) and not-*
25 *withstanding any other provision of law, funds in the De-*

1 *fense Base Closure Account 1990 may not be used for mili-*
2 *tary construction in support of the transfer of that function*
3 *to any installation other than an installation so identified*
4 *in such documents.*

5 (b) *EXCEPTION.—The limitation in subsection (a)*
6 *ceases to be applicable to military construction in support*
7 *of the transfer of a function to an installation on the 60th*
8 *day following the date on which the Secretary submits to*
9 *the Committees on Armed Services of the Senate and House*
10 *of Representatives a notification of the proposed transfer*
11 *that—*

12 (1) *identifies the installation to which the func-*
13 *tion is to be transferred; and*

14 (2) *includes the justification for the transfer to*
15 *such installation.*

16 (c) *DEFINITION.—In this section:*

17 (1) *The term “1990 base closure Act” means the*
18 *Defense Base Closure and Realignment Act of 1990*
19 *(part A of title XXIX of Public Law 101–510; 10*
20 *U.S.C. 2687 note).*

21 (2) *The term “Defense Base Closure Account*
22 *1990” means the account established under section*
23 *2906 of the 1990 base closure Act.*

1 **SEC. 2814. EVALUATION AND REPORT ON PROPOSALS FOR**
2 **PURCHASE OR LEASE OF CERTAIN FACILI-**
3 **TIES, ARLINGTON, VIRGINIA.**

4 (a) *EVALUATION.*—(1) *The Secretary of the Navy shall*
5 *evaluate the proposals referred to in paragraph (2) for leas-*
6 *ing or purchasing for the Navy any of the buildings de-*
7 *scribed in paragraph (3).*

8 (2) *Under paragraph (1), the Secretary shall consider*
9 *proposals presented to the Secretary the proposals that were*
10 *presented to the 1993 Defense Base Closure and Realign-*
11 *ment Commission regarding the building described in para-*
12 *graph (3).*

13 (3) *The buildings referred to in paragraphs (1) and*
14 *(2) are buildings located in Arlington, Virginia, that are*
15 *currently leased by the Navy under leases that will termi-*
16 *nate as a result of the transfer of Navy functions from such*
17 *buildings under the base closure process.*

18 (b) *REPORT.*—(1) *The Secretary shall submit to the*
19 *congressional defense committees a report on the evaluation*
20 *required under subsection (a). The report shall include the*
21 *following:*

22 (A) *An assessment of the reasonableness of each*
23 *proposal in light of market conditions at the time of*
24 *the report.*

25 (B) *A comparison of the cost of retaining the*
26 *functions referred to in subsection (a)(1) at the build-*

1 *ings referred to in that subsection through the lease or*
2 *purchase of such buildings with the cost of transfer-*
3 *ring such functions in accordance with the base clo-*
4 *sure process.*

5 *(C) An assessment of the impact on the military*
6 *capabilities of the Navy of retaining the Naval Sys-*
7 *tems Command in close proximity to the Pentagon.*

8 *(2) The Secretary shall submit the report not later*
9 *than 180 days after the date of the enactment of this Act.*

10 *(c) DEFINITIONS.—In this section,*

11 *(1) The term “base closure process” means the*
12 *process for selecting military installations for closure*
13 *or realignment established under the Defense Base*
14 *Closure and Realignment Act of 1990 (part A of title*
15 *XXIX of Public Law 101–510; 10 U.S.C. 2687 note).*

16 *(2) The term “1993 Defense Base Closure and*
17 *Realignment Commission” means the commission ap-*
18 *pointed in 1993 under section 2902 of such Act.*

19 **SEC. 2815. RESIDUAL VALUE OF OVERSEAS INSTALLATIONS**
20 **BEING CLOSED.**

21 *(a) ANNUAL REPORTS.—Subsection (a) of section 1304*
22 *of the National Defense Authorization Act for Fiscal Year*
23 *1993 (Public Law 102–484; 10 U.S.C. 113 note) is*
24 *amended—*

1 (1) in paragraph (1), by inserting “by installa-
2 tion” after “basing plan”;

3 (2) by striking out paragraph (3) and inserting
4 in lieu thereof the following:

5 “(3) the status of negotiations, if any, between
6 the United States and the host government as to
7 United States claims for compensation for the fair
8 market value of the improvements made by the United
9 States at each installation referred to in paragraph
10 (2), and to any claims of the host government for
11 damages or restoration of the installation, including
12 the representative of the United States in any such
13 negotiations;”;

14 (3) by redesignating paragraph (6) as para-
15 graph (7); and

16 (4) by striking out paragraph (5) and inserting
17 in lieu thereof the following new paragraphs (5) and
18 (6):

19 “(5) the cost to the United States of any im-
20 provements made at each installation referred to in
21 paragraph (2) and the fair market value of such im-
22 provements, expressed in constant dollars based on the
23 date of completion of the improvements;

24 “(6) in each case in which negotiations between
25 the United States and a host government have re-

1 sulted in an agreement for the payment to the United
2 States by the host government of the value of improve-
3 ments to an installation made by the United States,
4 the amount of such payment, the form of such pay-
5 ment, and the expected date of such payment; and”.

6 (b) OMB REVIEW OF PROPOSED SETTLEMENTS.—Sec-
7 tion 2921 of the National Defense Authorization Act for Fis-
8 cal Year 1991 (Public Law 101–510; 10 U.S.C. 2687 note)
9 is amended by adding at the end the following:

10 “(g) OMB REVIEW OF PROPOSED SETTLEMENTS.—
11 The Secretary of Defense may not enter into an agreement
12 of settlement with a host country regarding the release to
13 the host country of improvements made by the United
14 States at facilities at an installation until the Secretary
15 submits the proposed settlement to the Director of the Office
16 of Management and Budget and 30 days elapse after the
17 date of such submittal. The Director shall evaluate the over-
18 all equity of the proposed settlement. In evaluating the pro-
19 posed settlement, the Director shall consider such factors as
20 the extent of the United States capital investment in the
21 improvements being released to the host country, deprecia-
22 tion, the condition of the improvements, and any applicable
23 requirements for environmental remediation or restora-
24 tion.”.

1 **SEC. 2816. JUSTIFICATION OF RECOMMENDATIONS FOR**
2 **CLOSURE OR REALIGNMENT OF INSTALLA-**
3 **TIONS PREVIOUSLY CONSIDERED FOR CLO-**
4 **SURE OR REALIGNMENT.**

5 (a) *REQUIREMENT.*—(1)(A) *The Secretary of Defense*
6 *shall include with the recommendation of the Secretary for*
7 *the closure or realignment under a base closure law of an*
8 *installation referred to in subparagraph (B) the justifica-*
9 *tion described in paragraph (2).*

10 (B) *An installation referred to in subparagraph (A)*
11 *is any installation recommended by the Secretary of De-*
12 *fense for closure or realignment under a base closure law*
13 *in a year before the date of the enactment of this Act and*
14 *not recommended for closure or realignment by a base clo-*
15 *sure and realignment commission in its recommendations*
16 *for closure and realignment in that year by reason of the*
17 *failure of the Secretary's recommendation to meet the cri-*
18 *teria or force structure plan, as the case may be, upon which*
19 *the Secretary's recommendation was based.*

20 (2) *A justification referred to in paragraph (1) shall*
21 *include—*

22 (A) *an explanation of—*

23 (i) *the manner, if any, in which the rec-*
24 *ommendation of the Secretary for the closure or*
25 *realignment of an installation referred to in*
26 *paragraph (1)(A) is the direct result of—*

1 (I) an amendment to the criteria used
2 by the Secretary in making the rec-
3 ommendation since the Secretary's previous
4 recommendation; or

5 (II) changes in the force-structure plan
6 (or other military requirements) since such
7 previous recommendation; and

8 (B) the manner, if any, in which the mak-
9 ing of such recommendation in accordance with
10 such amendment or changes eliminates the fail-
11 ure referred to in paragraph (1)(B); or

12 (2) in the event that such recommendation is not
13 the direct result of such amendment or changes, an
14 explanation of the manner in which such rec-
15 ommendation addresses the failure referred to in
16 paragraph (1)(B).

17 (b) DEFINITION.—In this section, the term “base clo-
18 sure law” means the following:

19 (1) The provisions of title II of the Defense Au-
20 thorization Amendments and Base Closure and Re-
21 alignment Act (Public Law 100–526; 10 U.S.C. 2687
22 note).

23 (2) The Defense Base Closure and Realignment
24 Act of 1990 (part A of title XXIX of Public Law 101–
25 510; 10 U.S.C. 2687 note).

1 **SEC. 2817. EMPLOYMENT OF DEPARTMENT OF DEFENSE CI-**
2 **VILIAN PERSONNEL TO CARRY OUT ENVIRON-**
3 **MENTAL RESTORATION AT MILITARY INSTAL-**
4 **LATIONS TO BE CLOSED.**

5 (a) *IN GENERAL.*—(1) *The Secretary of Defense may,*
6 *in keeping with the cost saving and cleanup schedule goals*
7 *of the Department of Defense with respect to the closure of*
8 *military installations—*

9 (A) *provide such training to the personnel de-*
10 *scribed in paragraph (2) as the Secretary determines*
11 *necessary in order to qualify such personnel to carry*
12 *out environmental assessment, remediation, and res-*
13 *toration activities (including asbestos abatement) at*
14 *military installations closed or to be closed pursuant*
15 *to a base closure law; and*

16 (B) *employ such personnel to carry out such ac-*
17 *tivities, or require contractors engaged in carrying*
18 *out such activities to employ such personnel.*

19 (2) *The personnel referred to in paragraph (1) are De-*
20 *partment of Defense civilian personnel whose employment*
21 *would be terminated (except for the employment of such per-*
22 *sonnel under paragraph (1)) by reason of the closure of a*
23 *military installation pursuant to a base closure law.*

24 (3) *This subsection shall not be construed to revise or*
25 *modify any requirement established under Federal or State*
26 *law relating to environmental assessment, remediation, or*

1 *restoration activities at military installations referred to*
2 *in paragraph (1)(A).*

3 (b) *PRIORITY IN TRAINING AND EMPLOYMENT.*—The
4 *Secretary shall give priority in providing training and em-*
5 *ployment under subsection (a) to persons employed at any*
6 *military installation whose closure pursuant to a base clo-*
7 *sure law will directly result in the termination of the em-*
8 *ployment of at least 1,000 Department of Defense civilian*
9 *employees.*

10 (c) *FUNDING.*—*Notwithstanding any other provision*
11 *of law, the Secretary may carry out the training and em-*
12 *ployment referred to in subsection (a) using funds available*
13 *for environmental training in addition to funds in the fol-*
14 *lowing accounts:*

15 (1) *The Department of Defense Base Closure Ac-*
16 *count established under section 207 of the Defense Au-*
17 *thorization Amendments and Base Closure and Re-*
18 *alignment Act (Public Law 100–526; 10 U.S.C. 2687*
19 *note).*

20 (2) *The Department of Defense Base Closure Ac-*
21 *count 1990 established under section 2906 of the De-*
22 *fense Base Closure and Realignment Act of 1990*
23 *(part A of title XXIX of Public Law 101–510; 10*
24 *U.S.C. 2687 note).*

1 (d) *DEFINITION.*—*In this section, the term “base clo-*
2 *sure law” means the following:*

3 (1) *The provisions of title II of the Defense Au-*
4 *thorization Amendments and Base Closure and Re-*
5 *alignment Act (Public Law 100–526; 10 U.S.C. 2687*
6 *note).*

7 (2) *The Defense Base Closure and Realignment*
8 *Act of 1990 (part A of title XXIX of Public Law 101–*
9 *510; 10 U.S.C. 2687 note).*

10 ***SEC. 2818. REPORTS ON COSTS OF THE CLOSURE OR RE-***
11 ***ALIGNMENT OF MILITARY INSTALLATIONS.—***

12 (a) *ESTIMATED COSTS OF CLOSURES AND*
13 *REALIGNMENTS.*—(1) *The Secretary of Defense shall submit*
14 *to the congressional defense committees a report on the costs*
15 *(other than costs related to environmental restoration and*
16 *remediation) estimated at the time of the report of the clo-*
17 *sure or realignment of any military installation referred*
18 *to in paragraph (2) under the Defense Base Closure and*
19 *Realignment Act of 1990 (part A of title XXIX of Public*
20 *Law 101–510; 10 U.S.C. 2687 note) as follows:*

21 (A) *Not later than 6 months after the date of the*
22 *enactment of this Act, in the case of such installations*
23 *approved for closure or realignment under such Act*
24 *in 1991 and not closed or realigned on such date.*

1 (B) Not later than January 1, 1995, in the case
2 of such installations approved for closure or realign-
3 ment under such Act in 1993.

4 (2) A military installation referred to in paragraph
5 (1) is an installation whose closure or realignment results
6 in the termination of employment at the installation of not
7 less than 1,000 Department of Defense civilian employees.

8 (b) *EXCESS COSTS.*—If the costs (other than costs re-
9 lated to environmental restoration and remediation) to be
10 incurred by the Secretary in carrying out the closure or
11 realignment under a base closure law of a military installa-
12 tion referred to in subsection (a) exceeds by more than 50
13 percent the costs estimated for such closure or realignment
14 in the cost estimate prepared by the Secretary in rec-
15 ommending the installation for closure or realignment—

16 (1) the Secretary shall notify the Comptroller
17 General that the costs of such closure or realignment
18 will exceed such estimated costs; and

19 (2) not later than 6 months after the date of such
20 notification, the Comptroller General shall submit to
21 such committees a detailed audit of the costs to be in-
22 curred by the Secretary in carrying out such closure
23 or realignment, including an assessment of the rea-
24 sons that such costs differed from the cost estimated
25 for such closure or realignment in such costs estimate.

1 (c) *ANNUAL REPORT ON EXCESS COSTS.*—(1) *The Sec-*
2 *retary shall submit to the congressional defense committees*
3 *an annual report on the estimated costs of activities related*
4 *to the closure or realignment, as the case may be, of each*
5 *installation for which the Secretary makes the determina-*
6 *tion referred to in subsection (b).*

7 (2) *Each report under paragraph (1) shall include—*

8 (A) *an estimate of the costs to be incurred*
9 *by the Secretary in completing the closure or re-*
10 *alignment, as the case may be, of the installa-*
11 *tion; and*

12 (B) *if the amount of such costs exceed the*
13 *amount of estimated costs for such completion in*
14 *the report on the installation submitted under*
15 *this section in the previous year, an explanation*
16 *of such excess.*

17 (3) *The Secretary shall submit the report required*
18 *under paragraph (1) at the same time as the President sub-*
19 *mits to Congress the budget for the Department of Defense*
20 *under section 1105 of title 31, United States Code. The Sec-*
21 *retary shall submit a report for each installation referred*
22 *to in that paragraph until the completion of the closure or*
23 *realignment, as the case may be, of such installation.*

1 (d) *REQUIREMENT RELATING TO REPORTS.*—Costs
2 shall be expressed in each report required under this section
3 in constant fiscal year 1993 dollars.

4 (e) *DEFINITION.*—In this section, the term “base clo-
5 sure law” means the following:

6 (1) *The provisions of title II of the Defense Au-*
7 *thorization Amendments and Base Closure and Re-*
8 *alignment Act (Public Law 100–526; 10 U.S.C. 2687*
9 *note).*

10 (2) *The Defense Base Closure and Realignment*
11 *Act of 1990 (part A of title XXIX of Public Law 101–*
12 *510; 10 U.S.C. 2687 note).*

13 **SEC. 2819. CONSULTATION REQUIREMENT FOR LOCAL**
14 **REUSE AUTHORITIES AND GOVERNMENTS.**

15 Section 2905(b)(2) of the Defense Base Closure and Re-
16 alignment Act of 1990 (title XXIX of Public Law 101–510;
17 10 U.S.C. 2687 note), as amended by section 2907, is fur-
18 ther amended by adding at the end the following new sub-
19 paragraphs (I) and (J):

20 “(I) Subject to subparagraph (J), the local reuse au-
21 thority with respect to a military installation closed under
22 this part, or the local government in whose jurisdiction the
23 installation is wholly located, as the case may be, shall cer-
24 tify to the Secretary that such authority or government, as
25 the case may be, has consulted in the efforts of such author-

1 *ity or government on such plan and, to the maximum extent*
2 *practicable, included in such efforts the following:*

3 “(i) *The civilian employees of the Department of*
4 *Defense at such installation.*

5 “(ii) *The regional and local chambers of com-*
6 *merce, if any, in such vicinity of the installation.*

7 “(iii) *Appropriate representatives of any govern-*
8 *mental entity in the region in which such installation*
9 *is located, if the number of employees of such installa-*
10 *tion on the date of the approval of closure of such in-*
11 *stallation constitutes more than 5 percent of the total*
12 *civilian workforce of the area under the jurisdiction*
13 *of such governmental entity.*

14 “(J)(i) *The certification required under subparagraph*
15 *(I) shall be submitted, in the case of installations approved*
16 *for closure under this part for which no reutilization and*
17 *redevelopment plan has been submitted to the Secretary on*
18 *or before the date of the enactment of this Act, before the*
19 *submittal of such plans for such installations.*

20 “(ii) *Each local reuse authority or local government,*
21 *as the case may be, that has submitted an interim*
22 *reutilization and redevelopment plan to the Secretary under*
23 *this part on or before the date of the enactment of this Act*
24 *shall submit a certification to the Secretary under subpara-*

1 *graph (I) before the submittal of its final reutilization and*
2 *redevelopment plan.”.*

3 ***Subtitle C—Land Transactions***

4 ***SEC. 2831. CONVEYANCE OF NATURAL GAS DISTRIBUTION*** 5 ***SYSTEM, FORT BELVOIR, VIRGINIA.***

6 (a) *AUTHORITY TO CONVEY.*—(1) *The Secretary of the*
7 *Army may convey to the Washington Gas Company, Vir-*
8 *ginia (in this section referred to as “Washington Gas Com-*
9 *pany”), all right, title, and interest of the United States*
10 *in and to the natural gas distribution system described in*
11 *paragraph (2).*

12 (2) *The natural distribution gas system referred to in*
13 *paragraph (1) is the natural gas distribution system, lo-*
14 *cated at Fort Belvoir, Virginia, consisting of approximately*
15 *15.6 miles of natural gas distribution lines and the equip-*
16 *ment, fixtures, structures, and other improvements owned*
17 *and utilized by the Federal Government at Fort Belvoir in*
18 *order to provide natural gas to and distribute natural gas*
19 *at Fort Belvoir. The natural gas distribution system does*
20 *not include any real property.*

21 (b) *RELATED EASEMENTS.*—*The Secretary may grant*
22 *to Washington Gas Company the following easements relat-*
23 *ing to the conveyance of the natural gas distribution system*
24 *authorized by subsection (a):*

1 (1) *Such easements, if any, as the Secretary and*
2 *Washington Gas Company jointly determine are nec-*
3 *essary in order to provide access to the natural gas*
4 *distribution system for maintenance, safety, and other*
5 *purposes.*

6 (2) *Such rights of way appurtenant, if any, as*
7 *the Secretary and Washington Gas Company jointly*
8 *determine are necessary in order to satisfy require-*
9 *ments imposed by any Federal or State agency relat-*
10 *ing to the maintenance of a buffer zone around the*
11 *natural gas distribution system.*

12 (c) *REQUIREMENT RELATING TO CONVEYANCE.—The*
13 *Secretary may not carry out the conveyance of the natural*
14 *gas distribution system authorized in subsection (a) unless*
15 *Washington Gas Company agrees to accept the system in*
16 *its existing condition at the time of the conveyance.*

17 (d) *CONDITIONS.—The conveyance of the natural gas*
18 *distribution system authorized by subsection (a) is subject*
19 *to the following conditions:*

20 (1) *That Washington Gas Company provide nat-*
21 *ural gas to and distribute natural gas at Fort Belvoir*
22 *at a rate that is no less favorable than the rate Wash-*
23 *ington Gas Company would charge a public or pri-*
24 *ivate consumer of natural gas similar to Fort Belvoir*
25 *for the provision and distribution of natural gas.*

1 (2) That Washington Gas Company maintain,
2 repair, conduct safety inspections, and conduct leak
3 test surveys required for the natural gas distribution
4 system.

5 (3) That Washington Gas Company, at no cost
6 to the Federal Government, expand and upgrade the
7 natural gas distribution system as necessary to meet
8 the increasing needs of Fort Belvoir for natural gas
9 that will result from conversion, to the extent antici-
10 pated by the Secretary at the time of conveyance, of
11 oil-burning utilities at Fort Belvoir to natural gas-
12 burning utilities.

13 (4) That Washington Gas Company comply with
14 all applicable environmental laws and regulations
15 (including any permit or license requirements) in
16 providing and distributing natural gas to Fort
17 Belvoir through the natural gas distribution system.

18 (5) That Washington Gas Company not com-
19 mence any expansion of the natural gas distribution
20 system without approval of such expansion by the
21 commander of Fort Belvoir.

22 (e) FAIR MARKET VALUE.—The Secretary shall ensure
23 that the value to the Army of the actions taken by Washing-
24 ton Gas Company in accordance with subsection (d) is at

1 *least equal to the fair market value of the natural gas dis-*
2 *tribution system conveyed pursuant to subsection (a).*

3 (f) *REVERSION.*—*If the Secretary determines at any*
4 *time that Washington Gas Company is not complying with*
5 *the conditions set forth in subsection (d), all right, title,*
6 *and interest of Washington Gas Company in and to the*
7 *natural gas distribution system conveyed pursuant to sub-*
8 *section (a), including improvements thereto and any modi-*
9 *fications made to the system by Washington Gas Company*
10 *after such conveyance, and any easements granted under*
11 *subsection (b), shall revert to the United States and the*
12 *United States shall have the right of immediate possession,*
13 *including the right to operate the system.*

14 (g) *DESCRIPTION OF PROPERTY.*—*The exact legal de-*
15 *scription of the equipment, fixtures, structures, and im-*
16 *provements to be conveyed under subsection (a), and of any*
17 *easements granted under subsection (b), shall be determined*
18 *in a manner, including by survey, satisfactory to the Sec-*
19 *retary. The cost of any survey or other services performed*
20 *at the direction of the Secretary pursuant to the authority*
21 *in the preceding sentence shall be borne by Washington Gas*
22 *Company.*

23 (h) *ADDITIONAL TERMS AND CONDITIONS.*—*The Sec-*
24 *retary may require any additional terms and conditions*
25 *in connection with the conveyance under subsection (a) and*

1 *the grant of any easement under subsection (b) that the Sec-*
2 *retary considers appropriate to protect the interests of the*
3 *United States.*

4 **SEC. 2832. CONVEYANCE OF WATER DISTRIBUTION SYSTEM,**
5 **FORT LEE, VIRGINIA.**

6 (a) *AUTHORITY TO CONVEY.*—(1) *The Secretary of the*
7 *Army may convey to the American Water Company, Vir-*
8 *ginia (in this section referred to as “American Water Com-*
9 *pany”), all right, title, and interest of the United States*
10 *in and to the water distribution system described in para-*
11 *graph (2).*

12 (2) *The water distribution system described in para-*
13 *graph (1) is the water distribution system located at Fort*
14 *Lee, Virginia, consisting of approximately 7 miles of trans-*
15 *mission lines, 85 miles of distribution and service lines, fire*
16 *hydrants, elevated storage tanks, pumping stations, and*
17 *other improvements, owned and utilized by the Federal*
18 *Government in order to provide water to and distribute*
19 *water at Fort Lee. The water distribution system does not*
20 *include any real property.*

21 (b) *RELATED EASEMENTS.*—*The Secretary may grant*
22 *to American Water Company the following easements relat-*
23 *ing to the conveyance of the water distribution system au-*
24 *thorized by subsection (a):*

1 (1) *Such easements, if any, as the Secretary and*
2 *American Water Company jointly determine are nec-*
3 *essary in order to provide for access by American*
4 *Water Company to the water distribution system for*
5 *maintenance, safety, and related purposes.*

6 (2) *Such rights of way appurtenant, if any, as*
7 *the Secretary and American Water Company jointly*
8 *determine are necessary in order to satisfy require-*
9 *ments imposed by any Federal or State agency relat-*
10 *ing to the maintenance of a buffer zone around the*
11 *water distribution system.*

12 (c) *REQUIREMENT RELATING TO CONVEYANCE.—The*
13 *Secretary may not carry out the conveyance of the water*
14 *distribution system authorized by subsection (a) unless*
15 *Washington Gas Company agrees to accept the system in*
16 *its existing condition at the time of the conveyance.*

17 (d) *CONDITIONS.—The conveyance of the water dis-*
18 *tribution system authorized in subsection (a) shall be sub-*
19 *ject to the following conditions:*

20 (1) *That American Water Company provide*
21 *water to and distribute water at Fort Lee at a rate*
22 *that is no less favorable than the rate American*
23 *Water Company would charge a public or private*
24 *consumer of water similar to Fort Lee for the provi-*
25 *sion and distribution of water.*

1 (2) That American Water Company maintain,
2 repair, and conduct safety inspections of the water
3 distribution system.

4 (3) That American Water Company comply with
5 all applicable environmental laws and regulations
6 (including any permit or license requirements) in
7 providing and distributing water at Fort Lee through
8 the water distribution system.

9 (4) That American Water Company not com-
10 mence any expansion of the water distribution system
11 without approval of such expansion by the com-
12 mander of Fort Lee.

13 (e) *FAIR MARKET VALUE.*—The Secretary shall ensure
14 that the value to the Army of the actions taken by American
15 Water Company in accordance with subsection (d) is at
16 least equal to the fair market value of the water distribution
17 system conveyed pursuant to subsection (a).

18 (f) *REVERSION.*—If the Secretary determines at any
19 time that American Water Company is not complying with
20 the conditions specified in subsection (d), all right, title,
21 and interest of American Water Company in and to the
22 water distribution system conveyed pursuant to subsection
23 (a), including any improvements thereto and any modifica-
24 tions made to the system by American Water Company
25 after such conveyance, and any easements granted under

1 subsection (b), shall revert to the United States and the
2 United States shall have the immediate right to operate the
3 water distribution system.

4 (g) *DESCRIPTION OF PROPERTY.*—The exact legal de-
5 scription of the water distribution system to be conveyed
6 pursuant to subsection (a), including any easements grant-
7 ed with respect to such system under subsection (b), shall
8 be determined in a manner, including by survey, satisfac-
9 tory to the Secretary. The cost of any survey or other serv-
10 ices performed at the direction of the Secretary pursuant
11 to the authority in the preceding sentence shall be borne
12 by American Water Company.

13 (h) *ADDITIONAL TERMS AND CONDITIONS.*—The Sec-
14 retary may require any additional terms and conditions
15 in connection with the conveyance under subsection (a) and
16 the grant of any easement under subsection (b) that the Sec-
17 retary considers appropriate to protect the interests of the
18 United States.

19 **SEC. 2833. CONVEYANCE OF WASTE WATER TREATMENT FA-**
20 **CILITY, FORT PICKETT, VIRGINIA.**

21 (a) *AUTHORITY TO CONVEY.*—The Secretary of the
22 Army may convey to the Town of Blackstone, Virginia (in
23 this section referred to as the “Town”), all right, title, and
24 interest of the United States in and to a parcel of real prop-
25 erty consisting of approximately 11.5 acres, including a

1 *waste water treatment facility and other improvements*
2 *thereon, located at Fort Pickett, Virginia.*

3 (b) *CONDITIONS.—The conveyance authorized in sub-*
4 *section (a) shall be subject to the following conditions:*

5 (1) *That the Town design and carry out such ex-*
6 *pansion or improvement of the waste water treatment*
7 *facility as the Secretary and the Town jointly deter-*
8 *mine necessary in order to ensure operation of the fa-*
9 *ility in compliance with all applicable Federal and*
10 *State environmental laws (including any permit or*
11 *license requirements).*

12 (2) *That the Town operate the waste water treat-*
13 *ment facility in compliance with such laws.*

14 (3) *That the Town provide disposal services,*
15 *waste water treatment services, and other related serv-*
16 *ices to Fort Pickett at a rate that is no less favorable*
17 *than the rate the Town would charge a public or pri-*
18 *ivate entity similar to Fort Pickett for the provision*
19 *of such services.*

20 (4) *That the Town reserve 75 percent of the oper-*
21 *ating capacity of the waste water treatment facility*
22 *for use by the Army in the event that such use is ne-*
23 *cessitated by a realignment or change in the oper-*
24 *ations of Fort Pickett.*

1 (5) *That the Town accept liability under the*
2 *Comprehensive Environmental Response, Compensa-*
3 *tion, and Liability Act of 1980 (42 U.S.C. 9601 et*
4 *seq.) for any environmental restoration or remedi-*
5 *ation required at the facility by reason of the provi-*
6 *sion of waste water treatment services at the facility*
7 *to entities other than the Army.*

8 (c) *FAIR MARKET VALUE.—The Secretary shall ensure*
9 *that the value to the Army of the actions taken by the Town*
10 *in accordance with subsection (d) is at least equal to the*
11 *fair market value of the waste water treatment facility con-*
12 *veyed pursuant to subsection (a).*

13 (d) *REVERSION.—If the Secretary determines at any*
14 *time that the Town is not complying with the conditions*
15 *specified in subsection (b), all right, title, and interest in*
16 *and to the real property (including the waste water treat-*
17 *ment system) conveyed pursuant to subsection (a), includ-*
18 *ing any improvements thereto and any modifications made*
19 *to the system by the Town after such conveyance, shall re-*
20 *vert to the United States and the United States shall have*
21 *the right of immediate entry thereon, including the right*
22 *of access to and operation of the waste water treatment sys-*
23 *tem.*

24 (e) *DESCRIPTION OF PROPERTY.—The exact acreage*
25 *and legal description of the property to be conveyed under*

1 *subsection (a) shall be determined by a survey satisfactory*
2 *to the Secretary. The cost of the survey shall be borne by*
3 *the Town.*

4 *(f) ENVIRONMENTAL COMPLIANCE.—(1) The Town*
5 *shall be responsible for compliance with all applicable envi-*
6 *ronmental laws and regulations, including any permit or*
7 *license requirements. The Town shall also be responsible for*
8 *executing and constructing environmental improvements to*
9 *the plant as required by applicable law.*

10 *(2) The Secretary, subject to the availability of appro-*
11 *priated funds, and the Town shall share future environ-*
12 *mental compliance costs based on a pro rata share of re-*
13 *served plant capacity as determined by the Secretary under*
14 *subsection (c).*

15 *(3) The Secretary of the Army shall complete any envi-*
16 *ronmental removal or remediation required under the Com-*
17 *prehensive Environmental Response, Compensation, and*
18 *Liability Act of 1980 (42 U.S.C. 9601 et seq.) with respect*
19 *to the facility conveyed under this section before carrying*
20 *out the conveyance.*

21 *(g) ADDITIONAL TERMS AND CONDITIONS.—The Sec-*
22 *retary may require any additional terms and conditions*
23 *in connection with the conveyance authorized under sub-*
24 *section (a) that the Secretary considers appropriate to pro-*
25 *tect the interests of the United States.*

1 **SEC. 2834. CONVEYANCE OF WATER DISTRIBUTION SYSTEM**
2 **AND RESERVOIR, STEWART ARMY SUBPOST,**
3 **NEW YORK.**

4 (a) *AUTHORITY TO CONVEY.*—(1) *The Secretary of the*
5 *Army may convey to the Town of New Windsor, New York*
6 *(in this section referred to as the “Town”), all right, title,*
7 *and interest of the United States in and to the property*
8 *described in paragraph (2).*

9 (2) *The property referred to in paragraph (1) is the*
10 *following property located at the Stewart Army Subpost,*
11 *New York:*

12 (A) *A parcel of real property consisting of ap-*
13 *proximately 7 acres, including a reservoir and im-*
14 *provements thereon, the site of the Stewart Army*
15 *Subpost water distribution system.*

16 (B) *Any equipment, fixtures, structures, or other*
17 *improvements (including any water transmission*
18 *lines, water distribution and service lines, fire hy-*
19 *drants, water pumping stations, and other improve-*
20 *ments) not located on the parcel described in subpara-*
21 *graph (A) that are owned and utilized by the Federal*
22 *Government in order to provide water to and distrib-*
23 *ute water at Stewart Army Subpost.*

24 (b) *RELATED EASEMENTS.*—*The Secretary may grant*
25 *to the Town the following easements relating to the convey-*
26 *ance of the property authorized by subsection (a):*

1 (1) *Such easements, if any, as the Secretary and*
2 *the Town jointly determine are necessary in order to*
3 *provide access to the water distribution system re-*
4 *ferred to in paragraph (2) of that subsection for*
5 *maintenance, safety, and other purposes.*

6 (2) *Such rights of way appurtenant, if any, as*
7 *the Secretary and the Town jointly determine are nec-*
8 *essary in order to satisfy requirements imposed by*
9 *any Federal or State agency relating to the mainte-*
10 *nance of a buffer zone around the water distribution*
11 *system.*

12 (c) *REQUIREMENT RELATING TO CONVEYANCE.—The*
13 *Secretary may not carry out the conveyance of the water*
14 *distribution system authorized in subsection (a) unless the*
15 *Town agrees to accept the system in its existing condition*
16 *at the time of the conveyance.*

17 (d) *CONDITIONS.—The conveyance authorized in sub-*
18 *section (a) shall be subject to the following conditions:*

19 (1) *That the Town provide water to and distrib-*
20 *ute water at Stewart Army Subpost at a rate that is*
21 *no less favorable than the rate the Town would charge*
22 *a public or private entity similar to Stewart Army*
23 *Subpost for the provision and distribution of water.*

24 (2) *That the Town operate the water distribution*
25 *system in compliance with all applicable Federal and*

1 *State environmental laws and regulations (including*
2 *any permit and license requirements).*

3 (3) *That the Town not commence any expansion*
4 *of the water distribution system without approval of*
5 *such expansion by the commander of Stewart Army*
6 *Subpost.*

7 (e) *FAIR MARKET VALUE.—The Secretary shall ensure*
8 *that the value to the Army of the actions taken by the Town*
9 *in accordance with subsection (d) is at least equal to the*
10 *fair market value of the water distribution system conveyed*
11 *pursuant to subsection (a).*

12 (f) *REVERSION.—If the Secretary determines at any*
13 *time that the Town is not complying with the conditions*
14 *specified in subsection (d), all right, title, and interest of*
15 *the Town in and to the property (including the water dis-*
16 *tribution system) conveyed pursuant to subsection (a), in-*
17 *cluding any improvements thereto and any modifications*
18 *made to the water distribution system by the Town after*
19 *such conveyance, shall revert to the United States and the*
20 *United States shall have the right of immediate entry there-*
21 *on, including the right of access to and operation of the*
22 *water distribution system.*

23 (g) *DESCRIPTION OF PROPERTY.—The exact legal de-*
24 *scription of the property to be conveyed under subsection*
25 *(a), and of any easements granted under subsection (b),*

1 *shall be determined in a manner, including by survey, sat-*
2 *isfactory to the Secretary. The cost of any survey or other*
3 *services performed at the direction of the Secretary pursu-*
4 *ant to the authority in the preceding sentence, shall be borne*
5 *by the Town.*

6 (h) *ENVIRONMENTAL CLEANUP.*—*The Secretary shall*
7 *complete any environmental removal or remediation re-*
8 *quired under the Comprehensive Environmental Response,*
9 *Compensation, and Liability Act of 1980 (42 U.S.C. 9601*
10 *et seq.) with respect to the facility conveyed under this sec-*
11 *tion before carrying out the conveyance.*

12 (i) *ADDITIONAL TERMS AND CONDITIONS.*—*The Sec-*
13 *retary may require any additional terms and conditions*
14 *in connection with the conveyance authorized under sub-*
15 *section (a) and the easements granted under subsection (b)*
16 *that the Secretary considers appropriate to protect the in-*
17 *terests of the United States.*

18 **SEC. 2835. LEASE OF REAL PROPERTY, CAMP PENDLETON**

19 **MARINE CORPS BASE, CALIFORNIA.**

20 (a) *AUTHORITY TO ENTER INTO LEASE.*—(1) *The Sec-*
21 *retary of the Navy may lease to Tri-Cities Municipal Water*
22 *District, California (in this section referred to as the “Dis-*
23 *trict”), a special governmental district of the State of Cali-*
24 *fornia, such parcels (including sub-surface portions of such*
25 *parcels) of real property located in the vicinity of the lower*

1 *San Mateo Water Basin, in the northern portion of Camp*
2 *Pendleton Marine Corps Base, California, as the Secretary*
3 *determines will meet the requirement set forth in paragraph*
4 *(2).*

5 *(2) The lease authorized in paragraph (1) shall permit*
6 *the District—*

7 *(A) to develop, operate, and maintain water ex-*
8 *traction facilities on the parcels subject to the lease;*
9 *and*

10 *(B) to provide water and water distribution*
11 *services for the District and for the northern portion*
12 *of Camp Pendleton Marine Corps Base in a manner*
13 *mutually beneficial to the District and Camp Pendle-*
14 *ton Marine Corps Base (as jointly determined by the*
15 *Secretary and the District).*

16 *(3) The lease shall be for such period not longer than*
17 *50 years as the Secretary determines to be in the best inter-*
18 *ests of the United States.*

19 *(b) CONSIDERATION.—As consideration for the lease*
20 *authorized by subsection (a)—*

21 *(1) the District shall—*

22 *(A) construct, operate, and maintain on the*
23 *property subject to the lease such improvements*
24 *as the Secretary and the District jointly deter-*
25 *mine to be necessary in order to ensure that*

1 *water is delivered to and stored in the lower San*
2 *Mateo Water Basin so as to provide a sustained*
3 *source of water sufficient for the purposes of*
4 *Camp Pendleton Marine Corps Base and the*
5 *District; and*

6 *(B) operate and maintain the water extrac-*
7 *tion, storage, and distribution system (including*
8 *any infrastructure associated with such system)*
9 *located within the northern portion of Camp*
10 *Pendleton Marine Corps Base; and*

11 *(2) in the event that the fair market value of the*
12 *interests leased by the Secretary under subsection*
13 *(a)(1) exceeds the fair market value (as so deter-*
14 *mined) of the actions taken by the District under*
15 *paragraph (1) of this subsection, the District shall*
16 *pay or provide in-kind services to the United States*
17 *in an amount or value, as the case may be, that is*
18 *equal to such excess amount.*

19 *(c) DESCRIPTION OF PROPERTY.—The exact acreages*
20 *and legal descriptions of the parcels to be leased pursuant*
21 *to subsection (a) shall be determined by a survey satisfac-*
22 *tory to the Secretary. The cost of such survey shall be borne*
23 *by District.*

24 *(d) ADDITIONAL TERMS AND CONDITIONS.—The Sec-*
25 *retary may require any additional terms and conditions*

1 *in connection with the lease under subsection (a) that the*
2 *Secretary considers appropriate to protect the interests of*
3 *the United States.*

4 **SEC. 2836. CONVEYANCE OF ELECTRICITY DISTRIBUTION**
5 **SYSTEM, FORT DIX, NEW JERSEY.**

6 (a) *AUTHORITY TO CONVEY.*—(1) *The Secretary of the*
7 *Army may convey to the Jersey Central Power and Light*
8 *Company, New Jersey (in this section referred to as “Jersey*
9 *Central”), all right, title, and interest of the United States*
10 *in and to the electricity distribution system described in*
11 *paragraph (2).*

12 (2) *The electricity distribution system referred to in*
13 *paragraph (1) is the electricity distribution system located*
14 *at Fort Dix, New Jersey, consisting of approximately 145.6*
15 *miles of electricity distribution lines, electricity poles,*
16 *transformers, electricity substations, and other electricity*
17 *distribution improvements owned and utilized by the Fed-*
18 *eral Government in order to provide electricity to and dis-*
19 *tribute electricity at Fort Dix. The electricity distribution*
20 *system does not include any real property.*

21 (b) *RELATED EASEMENTS.*—*The Secretary may grant*
22 *to Jersey Central the following easements relating to the*
23 *conveyance of the electricity distribution system authorized*
24 *by subsection (a):*

1 (1) *Such easements, if any, as the Secretary and*
2 *Jersey Central jointly determine are necessary in*
3 *order to provide for the access by Jersey Central to*
4 *the electricity distribution system for maintenance,*
5 *safety, and related purposes.*

6 (2) *Such rights of way appurtenant, if any, as*
7 *the Secretary and Jersey Central jointly determine*
8 *are necessary in order to satisfy the requirements im-*
9 *posed by any Federal or State agency relating to the*
10 *maintenance of a buffer zone around the electricity*
11 *distribution system.*

12 (c) *REQUIREMENT RELATING TO CONVEYANCE.—The*
13 *Secretary may not carry out the conveyance of the elec-*
14 *tricity distribution system authorized by subsection (a) un-*
15 *less Jersey Central agrees to accept the system in its exist-*
16 *ing condition at the time of the conveyance.*

17 (d) *CONDITIONS.—The conveyance of the electricity*
18 *distribution system authorized in subsection (a) shall be*
19 *subject to the following conditions:*

20 (1) *That Jersey Central provide electricity to*
21 *and distribute electricity at Fort Dix at a rate that*
22 *is no less favorable than the rate Jersey Central*
23 *would charge a public or private consumer of elec-*
24 *tricity similar to Fort Dix for the provision and dis-*
25 *tribution of electricity.*

1 (2) That Jersey Central carry out safety up-
2 grades to permit the distribution system to carry elec-
3 tricity at up to 13,800 volts.

4 (3) That Jersey Central improve the electricity
5 distribution system by installing additional lightning
6 protection devices in such a manner as to permit the
7 installation of air conditioning in family housing
8 units.

9 (4) That Jersey Central maintain and repair,
10 and conduct safety inspections and power factor sur-
11 veys, of the electricity distribution system.

12 (5) That Jersey Central comply with all applica-
13 ble environmental laws and regulations (including
14 any permit or license requirements) in providing and
15 distributing electricity at Fort Dix through the elec-
16 tricity distribution system.

17 (6) That Jersey Central not commence any ex-
18 pansion of the electricity distribution system without
19 approval of such expansion by the commander of Fort
20 Dix.

21 (e) FAIR MARKET VALUE.—The Secretary shall ensure
22 that the value to the Army of the actions taken by Jersey
23 Central in accordance with subsection (d) is at least equal
24 to the fair market value of the electricity distribution sys-
25 tem conveyed pursuant to subsection (a).

1 (f) *REVERSION.*—If the Secretary determines at any
2 time that Jersey Central is not complying with the condi-
3 tions specified in subsection (d), all right, title, and interest
4 of Jersey Central in and to the electrical distribution system
5 conveyed pursuant to subsection (a), including any im-
6 provements thereto and any modifications made to the sys-
7 tem by Jersey Central after such conveyance, and any ease-
8 ments granted under subsection (b), shall revert to the Unit-
9 ed States and the United States shall have the right of im-
10 mediate entry thereon, including the right to operate the
11 electricity distribution system.

12 (g) *DESCRIPTION OF PROPERTY.*—The exact legal de-
13 scription of the electricity distribution system to be con-
14 veyed pursuant to subsection (a), and of any easements
15 granted under subsection (b), shall be determined in a man-
16 ner, including by survey, satisfactory to the Secretary. The
17 cost of any survey or other services performed at the direc-
18 tion of the Secretary pursuant to the authority in the pre-
19 ceding sentence shall be borne by Jersey Central.

20 (h) *ADDITIONAL TERMS AND CONDITIONS.*—The Sec-
21 retary may require any additional terms and conditions
22 in connection with the conveyance under subsection (a) and
23 the grant of any easement under subsection (b) that the Sec-
24 retary considers appropriate to protect the interests of the
25 United States.

1 **SEC. 2837. MODIFICATION OF TERMINATION OF LEASE AND**
2 **SALE OF FACILITIES, NAVAL RESERVE CEN-**
3 **TER, ATLANTA, GEORGIA.**

4 (a) *CONSIDERATION.*—Subsection (b) of section 2846
5 of the Military Construction Authorization Act for Fiscal
6 Year 1993 (division B of Public Law 102–484; 106 Stat.
7 2623) is amended by striking out “aggregate” and all that
8 follows through “subsection (a)(2)” and inserting in lieu
9 thereof “lesser of the cost of expanding the Marine Corps
10 Reserve Center to be constructed at Dobbins Air Force Base,
11 Georgia, in accordance with subsection (c)(1), or
12 \$3,000,000”.

13 (b) *USE OF FUNDS.*—Subsection (c) of such section is
14 amended—

15 (1) by striking out paragraph (2);

16 (2) in paragraph (1), by striking out “(1)(A)
17 Subject to the availability of appropriations for this
18 purpose and subparagraph (B),” and inserting in
19 lieu thereof “(1) Subject to paragraph (2),”;

20 (3) by redesignating subparagraph (B) as para-
21 graph (2); and

22 (4) in paragraph (2), as so designated, by strik-
23 ing out “subparagraph (A)” and inserting in lieu
24 thereof “paragraph (1)”.

25 (c) *LEASEBACK OF FACILITIES.*—Such section 2846 is
26 further amended—

1 (1) by redesignating subsection (d) as subsection
2 (e); and

3 (2) by inserting after subsection (c) the following
4 new subsection (d):

5 “(d) *LEASEBACK OF FACILITIES.*—The Secretary may
6 lease from the Institute, at fair market rental value, the
7 facilities referred to in subsection (a)(2) after the sale of
8 such facilities referred to in that subsection. The term of
9 such lease may not exceed 2 years.”.

10 **SEC. 2838. CONVEYANCE OF RADAR BOMB SCORING SITE,**
11 **CONRAD, MONTANA.**

12 (a) *CONVEYANCE.*—The Secretary of the Air Force
13 may convey, without consideration, to the City of Conrad,
14 Montana (in this section referred to as the “City”), all
15 right, title, and interest of the United States in and to the
16 parcel of real property consisting of approximately 42 acres
17 located in Conrad, Montana, which has served as a support
18 complex, recreational facilities, and family housing for the
19 Radar Bomb Scoring Site, Conrad, Montana, together with
20 any improvements thereon.

21 (b) *CONDITION OF CONVEYANCE.*—The conveyance au-
22 thorized under subsection (a) shall be subject to the condi-
23 tion that the City—

1 (1) *utilize the property and recreational facilities conveyed under that subsection for housing and recreation purposes; or*

2
3
4 (2) *enter into an agreement with an appropriate public or private entity to lease such property and facilities to that entity for such uses.*

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7 (c) *REVERSION.—If the Secretary determines at any time that the property conveyed under subsection (a) is not being utilized in accordance with subsection (b) all right, title, and interest in and to the property conveyed pursuant to such subsection (a), including any improvements thereon, shall revert to the United States and the United States shall have the right of immediate entry onto the property.*

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14 (d) *DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property conveyed under this section shall be determined by a survey satisfactory to the Secretary. The cost of such survey shall be borne by the City.*

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18 (e) *ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under this section as the Secretary determines appropriate to protect the interests of the United States.*

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1 **SEC. 2839. FINANCIAL ASSISTANCE FOR IMPROVEMENT OF**
2 **DYSART CHANNEL, LUKE AIR FORCE BASE,**
3 **ARIZONA.**

4 (a) *ASSISTANCE AUTHORIZED.*—The Secretary of the
5 Air Force may provide financial assistance, out of any
6 funds available for the Air Force for fiscal years after fiscal
7 year 1993, to the Flood Control District of Maricopa Coun-
8 ty, Arizona (in this section referred to as “the Flood Control
9 District”), in order to assist the Flood Control District in
10 widening Dysart Channel and making such other improve-
11 ments of Dysart Channel that the Secretary and the Flood
12 Control District jointly determine are necessary to prevent
13 the flooding of Luke Air Force Base, Arizona.

14 (b) *MAXIMUM AMOUNT.*—The total amount of the fi-
15 nancial assistance provided under this section may not ex-
16 ceed the lesser of—

17 (1) an amount equal to 50 percent of the total
18 cost (as determined by the Secretary) of widening
19 Dysart Channel and making the other improvements
20 referred to in subsection (a); or

21 (2) \$6,000,000.

22 (c) *CONSIDERATION.*—As consideration for the finan-
23 cial assistance provided pursuant to subsection (a), the
24 Flood Control District shall convey to the United States all
25 right, title, and interest of the Flood Control District in
26 and to the real property, if any, acquired by the Flood Con-

1 *trol District in widening Dysart Channel and making the*
2 *other improvements referred to in subsection (a).*

3 *(d) ASSISTANCE AGREEMENT.—The Secretary may*
4 *not provide the financial assistance referred to in subsection*
5 *(a) unless—*

6 *(1) the Secretary and the Flood Control District*
7 *enter into an agreement allocating between the Air*
8 *Force and the Flood Control District the costs of wid-*
9 *ening Dysart Channel and making the other improve-*
10 *ments referred to in subsection (a);*

11 *(2) the Flood Control District agrees to hold*
12 *harmless, defend, and indemnify in full the Air Force,*
13 *and any of its officers, members, employees, or agents,*
14 *from and against any suit, claim, demand or action,*
15 *liability, judgment, cost, or other fee arising out of the*
16 *actions taken by the Flood Control District in widen-*
17 *ing Dysart Channel and making the other improve-*
18 *ment referred to in subsection (a); and*

19 *(3) the Flood Control District agrees not to ac-*
20 *quire any real property in widening Dysart Channel*
21 *and making the other improvements referred to in*
22 *subsection (a) without the advance approval of the*
23 *Secretary.*

24 *(e) PROJECT DESIGN AND EXECUTION.—The Flood*
25 *Control District shall establish the requirements applicable*

1 *to widening Dysart Channel and making the other improve-*
2 *ments referred to in subsection (a) and shall undertake re-*
3 *sponsibility for the timely execution of such widening and*
4 *other improvements.*

5 *(f) ADDITIONAL TERMS AND CONDITIONS.—The Sec-*
6 *retary may require such additional terms and conditions*
7 *in connection with the financial assistance provided under*
8 *this section as the Secretary determines appropriate to pro-*
9 *tect the interests of the United States.*

10 **SEC. 2840. LAND CONVEYANCE, BROWARD COUNTY, FLOR-**
11 **IDA.**

12 *(a) LAND CONVEYANCE.—The Secretary of the Navy*
13 *may convey to Broward County, Florida (in this section*
14 *referred to as the “County”), all right, title, and interest*
15 *of the United States in and to a parcel of real property,*
16 *including improvements thereon, consisting of approxi-*
17 *mately 18.45 acres and comprising a portion of Fort Lau-*
18 *derdale-Hollywood International Airport, Florida.*

19 *(b) CONSIDERATION.—The County shall provide the*
20 *United States with consideration for the conveyance under*
21 *subsection (a) that is equal to at least the fair market value*
22 *of the property conveyed. The County may provide that con-*
23 *sideration by either of the following methods, as elected by*
24 *the County:*

1 (1) *Constructing (or paying the costs of con-*
2 *structing) at a location selected by the Secretary*
3 *within Broward County, Florida, a suitable facility*
4 *to replace the improvements conveyed under sub-*
5 *section (a).*

6 (2) *Paying to the United States an amount*
7 *equal to the fair market value of the parcel of prop-*
8 *erty conveyed under subsection (a).*

9 (c) *REQUIREMENT RELATING TO ELECTION.—If the*
10 *County elects to construct (or pay the costs of construction)*
11 *of a replacement facility under subsection (b)(1), the Coun-*
12 *ty shall pay to the United States the amount, if any, by*
13 *which the fair market value of the property conveyed under*
14 *subsection (a) exceeds the fair market value of the replace-*
15 *ment facility.*

16 (d) *REPLACEMENT FACILITY.—If the County elects to*
17 *pay the fair market value of the real property under sub-*
18 *section (b)(2) as consideration for the conveyance author-*
19 *ized under subsection (a), the Secretary shall use the*
20 *amount paid by the County to construct a suitable facility*
21 *to replace the improvements conveyed under subsection (a).*

22 (e) *USE OF PROCEEDS.—The Secretary shall deposit*
23 *any amount paid to the United States under this section*
24 *and not used for the purposes of constructing a replacement*
25 *facility under subsection (d) in the account established*

1 *under section 204(h) of the Federal Property and Adminis-*
2 *trative Services Act of 1949 (40 U.S.C. 485(h)).*

3 *(f) DETERMINATION OF FAIR MARKET VALUE.—The*
4 *Secretary shall determine the fair market value of the parcel*
5 *of real property to be conveyed under subsection (a) and*
6 *of the improvements, if any, constructed under subsection*
7 *(b)(1). Such determination shall be final.*

8 *(g) DESCRIPTION OF PROPERTY.—The exact acreage*
9 *and legal description of the parcel of real property to be*
10 *conveyed under subsection (a) shall be determined by sur-*
11 *veys that are satisfactory to the Secretary. The cost of the*
12 *surveys shall be borne by the County.*

13 *(h) ADDITIONAL TERMS AND CONDITIONS.—The Sec-*
14 *retary may require any additional terms and conditions*
15 *in connection with the conveyance under subsection (a) that*
16 *the Secretary considers appropriate to protect the interests*
17 *of the United States.*

18 **SEC. 2841. LAND TRANSFER, WOODBRIDGE RESEARCH FA-**
19 **CILITY, VIRGINIA.**

20 *(a) REQUIREMENT OF TRANSFER.—Notwithstanding*
21 *any other provision of law, the Secretary of the Army shall*
22 *transfer, without reimbursement, to the Department of the*
23 *Interior, a parcel of real property consisting of approxi-*
24 *mately 580 acres and comprising the Harry Diamond*
25 *Army Research Laboratory, Woodbridge Research Facility,*

1 *Virginia, together with any improvements thereon. The*
2 *transfer shall occur no later than September 30, 1994.*

3 *(b) USE OF TRANSFERRED PROPERTY.—The Secretary*
4 *of the Interior shall incorporate the real property trans-*
5 *ferred under subsection (a) into the Marumsko National*
6 *Wildlife Refuge, Virginia.*

7 *(c) ENVIRONMENTAL RESPONSIBILITY.—The Secretary*
8 *of the Army shall retain responsibility for any environ-*
9 *mental restoration or remediation required at the real prop-*
10 *erty transferred under subsection (a).*

11 **SEC. 2842. LAND CONVEYANCE, CHARLESTON, SOUTH CARO-**

12 **LINA.**

13 *(a) IN GENERAL.—The Secretary of the Navy may*
14 *convey to the Division of Public Railways, South Carolina*
15 *Department of Commerce (in this section referred to as the*
16 *“Railway”) all right, title and interest of the United States*
17 *in and to a parcel of real property consisting of approxi-*
18 *mately 10.9 acres and comprising a portion of the Charles-*
19 *ton Naval Weapons Station South Annex, North Charleston,*
20 *South Carolina.*

21 *(b) CONSIDERATION.—(1) As consideration for the con-*
22 *veyance under subsection (a) the Railway shall pay to the*
23 *United States an amount equal to the fair market value*
24 *of the property as determined by the Secretary.*

1 (c) *USE OF PROCEEDS.*—The Secretary may use the
2 proceeds received from the sale of property authorized by
3 this section to pay for the cost of any environmental restora-
4 tion of the property being conveyed. Any proceeds which
5 remain after any necessary environmental restoration has
6 been completed shall be deposited in the special account es-
7 tablished pursuant to section 204(h) of the Federal Property
8 and Administrative Services Act of 1949 (40 U.S.C.
9 485(h)).

10 (d) *DESCRIPTION OF PROPERTY.*—The exact acreage
11 and legal description of the real property to be conveyed
12 under subsection (a) shall be determined by a survey satis-
13 factory to the Secretary. The cost of such survey shall be
14 borne by the Railway.

15 (e) *ADDITIONAL TERMS AND CONDITIONS.*—The Sec-
16 retary may require such additional terms and conditions
17 in connection with the conveyance authorized by subsection
18 (a) as the Secretary considers to be necessary to protect the
19 interests of the United States.

20 **SEC. 2843. AVAILABILITY OF SURPLUS MILITARY EQUIP-**
21 **MENT.**

22 The Secretary of Defense shall make his best effort to
23 make available surplus military equipment scheduled for
24 retirement or disposal owing to military downsizing, base
25 closure or realignment to communities suffering economic

1 *hardships from the closure of a military base, if such equip-*
2 *ment is important to the economic development efforts of*
3 *those communities, and if such equipment does not have an*
4 *alternative military use.*

5 **SEC. 2844. CONVEYANCE OF LAND IN FORT MISSOULA, MON-**
6 **TANA.**

7 (a) *LAND USE DETERMINATION.*—*Not later than 30*
8 *days after the date of enactment of this Act, the Secretary*
9 *of the Army shall determine whether a parcel of land con-*
10 *sisting of approximately 11 acres, and improvements there-*
11 *on, located in Fort Missoula, Missoula County, Montana,*
12 *is excess to the needs of the Department of the Army.*

13 (b) *AUTHORIZATION.*—*If the Secretary determines that*
14 *the property identified in subsection (a) is excess to the*
15 *needs of the Department of the Army, the Secretary may,*
16 *subject to subsection (c), convey to the Northern Rockies*
17 *Heritage Center, a nonprofit corporation incorporated in*
18 *the State of Montana, all right, title, and interest of the*
19 *United States to such property.*

20 (c) *CONDITIONS.*—*The conveyance authorized in sub-*
21 *section (b) shall be subject to the conditions that—*

22 (1) *the property conveyed may be used only for*
23 *historic, cultural, or educational purposes;*

24 (2) *the Northern Rockies Heritage Center shall*
25 *enter into an agreement with the Secretary of Agri-*

1 *culture concerning the use of the property by the De-*
2 *partment of Agriculture;*

3 (3) *the Northern Rockies Heritage Center shall*
4 *indemnify the United States against all liability in*
5 *connection with any hazardous materials, substances,*
6 *or conditions that may be found on the property; and*

7 (4) *the Northern Rockies Heritage Center shall,*
8 *prior to the conveyance and for the first year of oper-*
9 *ation of the Northern Rockies Heritage Center after*
10 *the conveyance, establish, to the satisfaction of the*
11 *Secretary of the Army, that it has the ability to*
12 *maintain the property described in subsection (a) for*
13 *the purposes described in paragraph (1).*

14 (d) *REVERSIONARY INTEREST.—If the property con-*
15 *veyed pursuant to subsection (b) is used for purposes other*
16 *than those specified in subsection (c)(1), all right, title, and*
17 *interest to and in the property shall revert to the United*
18 *States at no cost to the United States, which shall have im-*
19 *mediate right of entry on the land.*

20 (e) *DESCRIPTION.—The exact acreage and legal de-*
21 *scription of the property conveyed under subsection (b) shall*
22 *be determined by surveys that the Secretary determines are*
23 *satisfactory. The Northern Rockies Heritage Center shall*
24 *pay the cost of any survey required by the Secretary.*

1 (f) *ADDITIONAL TERMS AND CONDITIONS.*—*The Sec-*
2 *retary may establish such additional terms and conditions*
3 *for the conveyance as the Secretary considers appropriate*
4 *to protect the interests of the United States.*

5 (g) *CONGRESSIONAL NOTIFICATION.*—*If the Secretary*
6 *determines that the property identified in subsection (a) is*
7 *not excess to the needs of the Department of the Army, the*
8 *Secretary shall notify Congress in writing of the plans of*
9 *the Department of the Army for maintaining and utilizing*
10 *the property. Such notification shall be made not later than*
11 *60 days after the date of enactment of this Act.*

12 **SEC. 2845. LAND TRANSFER, FORT SHERIDEN, ILLINOIS**
13 **AND ARLINGTON COUNTY, VIRGINIA.**

14 *The Secretary of Defense shall review, and shall pro-*
15 *vide a report of such review to the Committees on Armed*
16 *Services of the Senate and the House of Representatives not*
17 *later than September 24, 1993, a proposed transfer of lands*
18 *under the control of the Secretary of the Army, and lands*
19 *under the control of the Secretary of the Navy, located at*
20 *Fort Sheridan, Illinois, for a parcel of real estate, consisting*
21 *of approximately 7.1 acres, located in Arlington County,*
22 *Virginia and commonly known at the “Twin Bridges” par-*
23 *cel, including the proposal to utilize the “Twin Bridges”*
24 *parcel for the purpose of constructing and operating the Na-*
25 *tional Museum of the United States Army, utilizing solely*

1 *donated funds for the construction and operation of such*
2 *museum.*

3 ***Subtitle D—Other Matters***

4 ***SEC. 2851. REPORTS ON ECONOMIC AND ENVIRONMENTAL***
5 ***EFFECTS OF TRANSFER OF MINE WARFARE***
6 ***CENTER OF EXCELLENCE.***

7 *(a) SUBMITTAL OF EIS.—The Secretary of the Navy*
8 *shall, upon completion of the environmental impact state-*
9 *ment with respect to the construction and operation of the*
10 *Mine Warfare Center of Excellence at Ingleside, Texas, sub-*
11 *mit a copy of such environmental impact statement to the*
12 *congressional defense committees.*

13 *(b) MATTERS TO BE COVERED IN EIS.—The Sec-*
14 *retary shall ensure that the environmental impact state-*
15 *ment referred to in subsection (a) includes an analysis of*
16 *the environmental impact of the construction and operation*
17 *at Ingleside, Texas, of the following Mine Warfare Center*
18 *of Excellence facilities:*

19 *(1) A magnetic silencing facility.*

20 *(2) A small boat pier.*

21 *(3) A support pier for a helicopter and sled.*

22 *(4) A drill-mine field for mine warfare training.*

23 *(c) ECONOMIC ASSESSMENT.—At the same time that*
24 *the Secretary submits the environmental impact statement*
25 *under subsection (a), the Secretary shall submit to the con-*

1 *gressional defense committees an assessment by the Sec-*
2 *retary of the cost to the Navy of consolidating the Navy*
3 *mine warfare forces at Ingleside, Texas. The report shall*
4 *include a comparison of such cost with the cost of consoli-*
5 *dating such forces at alternative locations.*

6 (d) *SUSPENSION OF CERTAIN ACTIVITIES PENDING*
7 *RECEIPT OF REPORT AND ASSESSMENT.*—(1) *The Sec-*
8 *retary may not take any action after July 31, 1993, to relo-*
9 *cate any of the Navy mine warfare forces to Ingleside,*
10 *Texas, until 60 days after the date of the submittal of the*
11 *environmental impact statement under subsection (a) and*
12 *the economic assessment under subsection (c).*

13 (2) *Paragraph (1) does not apply to the relocation of*
14 *Navy mine countermeasure ships.*

15 **SEC. 2852. PROHIBITION ON USE OF FUNDS FOR PLANNING**
16 **AND DESIGN FOR DEPARTMENT OF DEFENSE**
17 **VACCINE PRODUCTION FACILITY.**

18 (a) *PROHIBITION.*—*None of the funds authorized to be*
19 *appropriated for the Department of Defense for fiscal year*
20 *1994 may be obligated for architectural and engineering*
21 *services or for construction design in connection with the*
22 *Department of Defense vaccine production facility.*

23 (b) *REPORT.*—*Not later than February 1, 1994, the*
24 *Secretary of Defense, in consultation with the Secretary of*
25 *the Army, shall submit to the congressional defense commit-*

1 *tees a report containing a complete explanation of the neces-*
2 *sity for constructing within the United States a Depart-*
3 *ment of Defense facility for the production of vaccine for*
4 *the Department of Defense.*

5 **SEC. 2853. GRANT RELATING TO ELEMENTARY SCHOOL FOR**
6 **DEPENDENTS OF DEPARTMENT OF DEFENSE**
7 **PERSONNEL, FORT BELVOIR, VIRGINIA.**

8 (a) *GRANT AUTHORIZED.*—*The Secretary of the Army*
9 *may make a grant to the Fairfax County School Board,*
10 *Virginia, in order to assist the School Board in construct-*
11 *ing a public elementary school facility, to be owned and*
12 *operated by the School Board, in the vicinity of Fort*
13 *Belvoir, Virginia.*

14 (b) *CAPACITY REQUIREMENT.*—*The school facility con-*
15 *structed with the grant made under subsection (a) shall be*
16 *sufficient (as determined by the Secretary) to accommodate*
17 *the dependents of members of the Armed Forces assigned*
18 *to duty at Fort Belvoir and the dependents of employees*
19 *of the Department of Defense employed at Fort Belvoir.*

20 (c) *MAXIMUM AMOUNT OF GRANT.*—*The amount of the*
21 *grant under this section may not exceed \$8,000,000.*

22 (d) *REQUIREMENTS RELATING TO CONSTRUCTION OF*
23 *SCHOOL.*—(1) *The Fairfax County School Board shall es-*
24 *tablish the design and function specifications applicable to*

1 *the elementary school facility constructed with the grant*
2 *made under this section.*

3 *(2) The Fairfax County School Board shall be respon-*
4 *sible for soliciting bids and awarding contracts for the con-*
5 *struction of the school facility and shall undertake respon-*
6 *sibility for the timely construction of the school facility*
7 *under such contracts.*

8 *(e) ADDITIONAL TERMS AND CONDITIONS.—The Sec-*
9 *retary may require any additional terms and conditions*
10 *in connection with the grant authorized under subsection*
11 *(a) that the Secretary considers appropriate to protect the*
12 *interests of the United States.*

13 **SEC. 2854. ALLOTMENT OF SPACE IN FEDERAL BUILDINGS**
14 **TO CREDIT UNIONS.**

15 *Section 124 of the Federal Credit Union Act (12*
16 *U.S.C. 1770) is amended in the first sentence—*

17 *(1) by striking out “at least 95 per centum” and*
18 *all that follows through “and the members of their*
19 *families,”; and*

20 *(2) by striking out “allot space to such credit*
21 *union” and all that follows through the period and*
22 *inserting in lieu thereof “allot space to such credit*
23 *union without charge for rent or services if at least*
24 *95 per centum of the membership of the credit union*
25 *to be served by the allotment of space is composed of*

1 *persons who either are presently Federal employees or*
2 *were Federal employees at the time of admission into*
3 *the credit union, and members of their families, and*
4 *if space is available.”.*

5 **SEC. 2855. STUDY OF EFFECTS OF AIR FORCE ACTIVITIES**
6 **ON DUCK VALLEY RESERVATION.**

7 (a) *STUDY.*—*The Secretary of the Air Force shall*
8 *carry out a study to determine—*

9 (1) *the effects on Air Force operations of a re-*
10 *quirement that overflights of the Duck Valley Reserva-*
11 *tion of the Shoshone-Paiute Tribes occur no lower*
12 *than 15,000 feet above ground level of such reserva-*
13 *tion;*

14 (2) *the effects on such operations of a require-*
15 *ment that no military activities occur within such*
16 *reservation or the area within 15 miles of the bound-*
17 *ary of such reservation; and*

18 (3) *whether such operations can be carried out*
19 *within the areas referred to in paragraph (2) in ac-*
20 *cordance with the following:*

21 (A) *The provisions of the National Historic*
22 *Preservation Act (16 U.S.C. 470 et seq.).*

23 (B) *The provisions of the Native American*
24 *Graves Protection and Repatriation Act (25*
25 *U.S.C. 3001 et seq.).*

1 (b) *REPORT.*—*The Secretary shall submit to Congress*
2 *the report required under subsection (a) not later than 120*
3 *days after the date of the enactment of this Act.*

4 ***SEC. 2856. DISPOSITION OF REAL PROPERTY AT MISSILE***
5 ***SITES TO ADJACENT LANDOWNERS.***

6 *Section 9781 of title 10, United States Code, is*
7 *amended—*

8 (1) *in subsection (a)(1), by substituting “Admin-*
9 *istrator of General Services” for “Secretary of the Air*
10 *Force”;*

11 (2) *in subsection (a)(2), by striking out subpara-*
12 *graph (D) and inserting in lieu thereof the following:*

13 *“(D) is surrounded by lands that are adjacent to*
14 *such tract and that—*

15 *“(i) are owned in fee simple by one owner,*
16 *either individually or by more than one person*
17 *jointly, in common, or by the entirety; or*

18 *“(ii) are owned separately by two or more*
19 *owners.”; and*

20 (3) *in subsection (b)—*

21 (A) *by inserting “(1)” after “(b)”;* and re-
22 *vising the single paragraph thereof to read as*
23 *follows:*

24 *“(b)(1) The Administrator shall convey, for fair mar-*
25 *ket value, the interest of the United States in any tract of*

1 *land referred to in subsection (a) or in any easement in*
2 *connection with any such tract of land to any person or*
3 *persons described in paragraph (a)(2)(D)(i) who, with re-*
4 *spect to such land, are ready, willing, and able to purchase*
5 *such interest for the fair market value of such interest.*
6 *Whenever such interest of the United States is available for*
7 *purchase under this section, the Administrator shall trans-*
8 *mit a notice of the availability of such interest to each such*
9 *person or persons.”.*

10 *(B) by adding at the end the following new*
11 *paragraph:*

12 *“(2)(A) In the case of a tract of land surrounded by*
13 *lands that are adjacent to such tract and are owned sepa-*
14 *rately by two or more owners, the Administrator shall dis-*
15 *pose of that tract of land in accordance with this para-*
16 *graph.*

17 *“(B) The Administrator shall conduct a sealed bid*
18 *competitive sale at which all of such owners are afforded*
19 *the opportunity to compete to acquire the interest of the*
20 *United States in such tract. The Administrator shall re-*
21 *strict to the owners of the adjacent lands the opportunity*
22 *to compete in the sealed bid competitive sale.*

23 *“(C) Subject to paragraph (C), the Administrator shall*
24 *convey the interest of the United States in the tract to the*
25 *highest bidder.*

1 “(D) The Administrator shall satisfy the requirements
2 of paragraph (1) regarding notice, fair market value, and
3 the qualifications of the purchaser in disposing of the tract
4 in accordance with the results of the sealed bid competitive
5 sale.

6 “(E) If all bids received by the Administrator pursu-
7 ant to subparagraph (A) are less than the fair market value
8 of the tract of land, the tract of land shall be disposed of
9 in accordance with the provisions of title II of the Federal
10 Property and Administrative Services Act of 1949 (40
11 U.S.C. 481 et seq.).”.

12 (4) In subsection (c), by substituting “Adminis-
13 trator” for “Secretary”;

14 (5) In subsection (e), by substituting “Secretary
15 of the Air Force” for “Secretary” as it first appears
16 in the subsection and by substituting “Adminis-
17 trator” for “Secretary” as it last appears in the sub-
18 section; and

19 (6) In subsection (f), by substituting “Adminis-
20 trator” for “Secretary”.

21 **TITLE XXIX—BASE CLOSURE**
22 **ASSISTANCE**

23 **SEC. 2901. SHORT TITLE.**

24 This title may be cited as the “Base Closure Commu-
25 nities Act of 1993”.

1 **SEC. 2902. FINDINGS.**

2 *Congress makes the following findings:*

3 *(1) The closure and realignment of military in-*
4 *stallations within the United States is a necessary*
5 *consequence of the end of the Cold War and of*
6 *changed United States national security require-*
7 *ments.*

8 *(2) A military installation is a significant*
9 *source of employment for many communities, and the*
10 *closure or realignment of an installation may cause*
11 *economic hardship for such communities.*

12 *(3) It is in the interest of the United States that*
13 *the Federal Government facilitate the economic recov-*
14 *ery of communities that experience adverse economic*
15 *circumstances as a result of the closure or realign-*
16 *ment of a military installation.*

17 *(4) The Federal Government may facilitate the*
18 *economic recovery of a community by preventing or*
19 *reducing the loss of jobs that might otherwise occur as*
20 *a result of such a closure or realignment.*

21 *(5) It is in the interest of the United States that*
22 *the Federal Government work with communities that*
23 *experience adverse economic circumstances as the re-*
24 *sult of the closure of military installations to identify*
25 *and implement means of reutilizing or redeveloping*
26 *such installations in a beneficial manner.*

1 (6) *The Federal Government may provide such*
2 *assistance by accelerating environmental restoration*
3 *at military installations to be closed, and by closing*
4 *such installations, in a manner that best ensures the*
5 *beneficial reutilization or redevelopment of such in-*
6 *stallations by such communities.*

7 (7) *The Federal Government may best ensure*
8 *such reutilization and redevelopment by making*
9 *available real and personal property of the closing*
10 *military installations to communities affected by such*
11 *closures on a timely basis, and, if appropriate, at less*
12 *than fair market value.*

13 **SEC. 2903. PROHIBITION ON TRANSFER OF CERTAIN PROP-**
14 **ERTY LOCATED AT MILITARY INSTALLATIONS**
15 **TO BE CLOSED.**

16 *Section 2905(b)(2) of the Defense Base Closure and Re-*
17 *alignment Act of 1990 (part A of title XXIX of Public Law*
18 *101–510; 10 U.S.C. 2687 note) is amended—*

19 (1) *in subparagraph (A), by striking out “Sub-*
20 *ject to subparagraph (C),” and inserting in lieu*
21 *thereof “Subject to subparagraphs (C), (F), and (G),”;*
22 *and*

23 (2) *by adding at the end the following:*

24 “(F)(i) *Not later than 6 months after the date of ap-*
25 *proval of closure of an installation, the Secretary of Defense*

1 *shall, in consultation with the local reuse authority recog-*
2 *nized and funded by the Secretary, identify the items (or*
3 *categories of items) of personal property related to real*
4 *property on that installation that is anticipated to be in-*
5 *cluded in a reutilization and redevelopment plan with re-*
6 *spect to such installation. Such items may include common*
7 *use items.*

8 “(ii) *If no local reuse authority recognized and funded*
9 *by the Secretary exists with respect to a military installa-*
10 *tion referred to in clause (i), the Secretary shall consult*
11 *with—*

12 “(I) *the local government in whose jurisdiction*
13 *the installation is wholly located; or*

14 “(II) *a local government agency or State govern-*
15 *ment agency designated for the purpose of such con-*
16 *sultation by the chief executive office of that State.*

17 “(iii) *Except as provided in clauses (vi) and (vii), the*
18 *Secretary of Defense may not carry out any of the activities*
19 *referred to in clause (iv), until the earlier of—*

20 “(I) *one week after the date on which the*
21 *reutilization and redevelopment plan, if any, for the*
22 *installation is submitted to the Secretary by the local*
23 *reuse authority;*

1 “(II) the date on which the local reuse authority
2 notifies the Secretary that it will not submit a plan
3 referred to in subclause (I);

4 “(III) twenty-four months after the date of ap-
5 proval of closure or realignment of the installation; or

6 “(IV) ninety days before the closure of the instal-
7 lation.

8 “(iv) The activities referred to in clause (iii) are ac-
9 tivities relating to the closure of a military installation as
10 follows:

11 “(I) The transfer from the installation of items
12 of personal property identified in accordance with
13 clause (i).

14 “(II) The reduction in maintenance and repair
15 of facilities or equipment of the installation below lev-
16 els required to support the use of such facilities or
17 equipment for nonmilitary purposes.

18 “(v) The Secretary may not transfer items of personal
19 property on an installation to be closed or realigned under
20 this part to another installation, or dispose of such items,
21 if they are identified in a reutilization and redevelopment
22 plan for the installation submitted to the Secretary by a
23 local reuse authority as items essential to the reuse of the
24 installation.

1 “(vi) This subparagraph shall not apply to any per-
2 sonal property—

3 “(I) that is required for the operation of a unit
4 or weapons system being transferred to another in-
5 stallation;

6 “(II) that is uniquely military in character, and
7 has no civilian use (other than use for its material
8 content or as a source of commonly used components);
9 or

10 “(III) that the local reuse authority agrees is not
11 required in connection with the reutilization or rede-
12 velopment of an installation to be closed.

13 “(vii) Notwithstanding clauses (iii) and (v), the Sec-
14 retary may carry out any of the activities referred to in
15 clauses (iv) and (v) if the Secretary determines that such
16 activities are in the national security interest of the United
17 States.”.

18 **SEC. 2904. AUTHORITY TO TRANSFER PROPERTY AT**
19 **CLOSED OR REALIGNED INSTALLATIONS TO**
20 **AFFECTED COMMUNITIES AND STATES.**

21 Section 2905(b)(2) of the Defense Base Closure and Re-
22 alignment Act of 1990 (part A of title XXIX of Public Law
23 101-510; 10 U.S.C. 2687 note), as amended by section
24 2903, is further amended by adding at the end the follow-
25 ing:

1 “(G)(i) The Secretary of Defense may, under regula-
2 tions prescribed by the Secretary that set forth guidelines
3 for determining consideration, transfer real property or fa-
4 cilities and any personal property related thereto (includ-
5 ing common use items of personal property) located at a
6 military installation to be closed or realigned under this
7 part to—

8 “(I) the redevelopment authority of a community
9 that is located near the installation, if such redevelop-
10 ment authority is authorized to accept the transfer;

11 “(II) the redevelopment authority of the State in
12 which the installation is located, if such redevelop-
13 ment authority is authorized to accept the transfer; or

14 “(III) any other public entity selected for such
15 transfer by the Secretary.

16 “(ii) The transfer under this subparagraph may be for
17 consideration, without consideration, for consideration in
18 kind, or for consideration at or below the fair market value
19 of the real property, facilities, or personal property trans-
20 ferred.

21 “(iii) The transfer under clause (i) may not take place
22 until the redevelopment authority or other public entity se-
23 lected by the Secretary for the transfer has taken into con-
24 sideration in the reutilization and redevelopment plan for
25 the military installation to be closed or realigned the needs

1 *of the homeless in the community or communities affected*
2 *by such closure and has reasonably provided for such needs*
3 *in such plan. All transfers shall be in accord with section*
4 *120(h) of CERCLA.”.*

5 **SEC. 2905. AUTHORITY TO LEASE CERTAIN PROPERTY AT**
6 **INSTALLATIONS TO BE CLOSED.**

7 (a) *LEASE AUTHORITY.—(1) Section 2667(f) of title*
8 *10, United States Code, is amended by inserting “or local*
9 *reuse authorities recognized by the Secretary of Defense”*
10 *after “governments”.*

11 (2) *Section 2667 of such title is amended by adding*
12 *at the end the following:*

13 “(g)(1) *Notwithstanding paragraph (3) of subsection*
14 *(a) and title II of the Federal Property and Administrative*
15 *Service Act of 1949 (40 U.S.C. 481 et seq.), whenever the*
16 *Secretary of a military department concerned considers it*
17 *advantageous to the United States, the Secretary concerned*
18 *may lease to any lessee, upon any terms that the Secretary*
19 *concerned considers appropriate, any real and related per-*
20 *sonal property (including common use items of personal*
21 *property) that is located at a military installation that has*
22 *been selected for closure under the following provisions of*
23 *law:*

24 “(A) *The provisions of title II of the Defense Au-*
25 *thorization Amendments and Base Closure and Re-*

1 *alignment Act (Public Law 100–526; 10 U.S.C. 2687*
2 *note).*

3 “(B) *The Defense Base Closure and Realignment*
4 *Act of 1990 (part A of title XXIX of Public Law 101–*
5 *510; 10 U.S.C. 2687 note).*

6 “(2)(A) *The Secretary concerned may provide, in the*
7 *case of the lease of property referred to in paragraph (1),*
8 *for the payment (in cash or kind) by the lessee of consider-*
9 *ation in an amount that is less than the fair market rental*
10 *of the leasehold interest. Services relating to the protection*
11 *and maintenance of the property leased may constitute all*
12 *or part of such consideration.*

13 “(B) *The term of a lease under this paragraph may*
14 *be for such number of years as the Secretary concerned de-*
15 *termines appropriate.*

16 “(C) *A lease under this paragraph may include an op-*
17 *tion to purchase the property subject to the lease. Such op-*
18 *tion shall be exercisable upon the termination of the lease*
19 *and shall be for a price, fixed in the lease, that the Secretary*
20 *concerned considers likely to represent fair market value of*
21 *the property subject to the option at the anticipated date*
22 *of termination of the lease. The exercise of such option shall*
23 *be in accordance with section 120(h) of CERCLA.*

24 “(3) *Before entering into any lease under this sub-*
25 *section, the Secretary shall consult with the Administrator*

1 *of the Environmental Protection Agency in order to deter-*
2 *mine whether the environmental conditions at the property*
3 *proposed for leasing permit the lease of the property. The*
4 *Secretary and the Administrator shall enter into a memo-*
5 *randum of understanding setting forth procedures for car-*
6 *rying out the determinations under this paragraph.*

7 “(4)(A) *The Secretary of Defense shall, in regulations*
8 *prescribed by the Secretary, permit the payment by the Sec-*
9 *retary concerned of the administrative costs (including any*
10 *administrative costs of the Department of Defense or of con-*
11 *tractors of the department) relating to the entry of a lessee*
12 *described in subparagraph (B) into a lease under this sub-*
13 *section.*

14 “(B) *A lessee referred to in subparagraph (A) is any*
15 *lessee whose financial circumstances are such that the pay-*
16 *ment of costs under this paragraph is necessary to facilitate*
17 *the entry of the lessee into the lease.*

18 “(C) *The regulations prescribed under this paragraph*
19 *shall provide for determining whether a lessee is entitled*
20 *to the payment of costs under this paragraph.”.*

21 (b) *CONFORMING AMENDMENTS.—(1) The section*
22 *heading of section 2667 of title 10, United States Code, is*
23 *amended to read as follows:*

1 **“§2667. Leases: non-excess property; property at in-**
2 **stallations to be closed”.**

3 (2) *The table of sections at the beginning of chapter*
4 *159 of such title is amended by striking out the item relat-*
5 *ing to section 2667 and inserting in lieu thereof the follow-*
6 *ing:*

“2667. Leases: non-excess property; property at installations to be closed.”.

7 (c) *REGULATIONS.—The Secretary of Defense shall*
8 *prescribe the regulations referred to in section*
9 *2667(g)(3)(A) of title 10, United States Code (as added by*
10 *subsection (a)), not later than 30 days after the date of the*
11 *enactment of this Act.*

12 **SEC. 2906. DELEGATION OF AUTHORITY TO ENTER INTO**
13 **LEASES OF CERTAIN PROPERTY.**

14 *The Secretary of Defense shall, in regulations pre-*
15 *scribed by the Secretary, provide for the delegation of the*
16 *authority of the Secretary to enter in leases under section*
17 *2667(g) of title 10, United States Code (as amended by sec-*
18 *tion 2905(a)). The regulations shall specify one or more offi-*
19 *cial to whom such authority shall be delegated. The Sec-*
20 *retary shall prescribe such regulations not later than 30*
21 *days after the date of the enactment of this Act.*

1 **SEC. 2907. EXPEDITED DETERMINATION OF TRANSFER-**
2 **ABILITY OF EXCESS PROPERTY OF INSTALLA-**
3 **TIONS TO BE CLOSED.**

4 (a) *EXPEDITED DETERMINATION OF TRANSFER-*
5 *ABILITY.*—Section 2905(b)(2) of the Defense Base Closure
6 and Realignment Act of 1990 (part A of title XXIX of Pub-
7 lic Law 101–510; 10 U.S.C. 2687 note), as amended by sec-
8 tion 2904, is further amended by adding at the end the fol-
9 lowing:

10 “(H)(i) Except as provided in clause (ii), the Sec-
11 retary of Defense shall take such actions as the Secretary
12 determines necessary to ensure that final determinations
13 under subsection (b)(1) regarding whether another depart-
14 ment or agency of the Federal Government has identified
15 a use for any portion of an installation to be closed under
16 this part, or will accept transfer of any portion of such in-
17 stallation, are made not later than 6 months after the date
18 of approval of closure of that installation.

19 “(ii) The Secretary may, in consultation with the local
20 reuse authority with respect to an installation, postpone the
21 making of the final determinations referred to in clause (i)
22 with respect to the installation for such period as the Sec-
23 retary determines appropriate if the Secretary determines
24 that such postponement is in the best interests of the com-
25 munities affected by the closure of the installation.”.

1 (b) *APPLICABILITY.*—*The Secretary of Defense shall*
2 *make the determination required under section*
3 *2905(b)(2)(H) of such Act, as amended by subsection (a),*
4 *in the case of installations whose date of approval of closure*
5 *occurred more than 6 months before the date of the enact-*
6 *ment of this Act, and which are not closed within 6 months*
7 *of such date, not later than 6 months after such date.*

8 **SEC. 2908. AVAILABILITY OF PROPERTY AND SERVICES FOR**
9 **ASSISTING THE HOMELESS.**

10 (a) *AVAILABILITY OF PROPERTY.*—*Section 2905(b) of*
11 *the Defense Base Closure and Realignment Act of 1990*
12 *(part A of title XXIX of Public Law 101–510; 10 U.S.C.*
13 *2667 note) is amended by adding at the end the following:*

14 “(3)(A) *Except as provided in subparagraph (B),*
15 *nothing in this section shall limit or otherwise affect the*
16 *application of the provisions of the Stewart B. McKinney*
17 *Homeless Assistance Act (42 U.S.C. 11301 et seq.) to instal-*
18 *lations closed or realigned under this part.*

19 “(B)(i) *Not later than 30 days after the date of ap-*
20 *proval of closure or realignment of an installation under*
21 *this part, the Secretary of Defense shall submit to the Sec-*
22 *retary of Housing and Urban Development information*
23 *with respect to the buildings and other real property located*
24 *at the installation that satisfies the requirements for quar-*
25 *terly requests for information of the Secretary of Housing*

1 *and Urban Development under subsection (a) of section 501*
2 *of such Act (42 U.S.C. 11411).*

3 “(ii) *Not later than 60 days after the date referred to*
4 *in clause (i), the Secretary of Housing and Urban Develop-*
5 *ment shall identify the buildings and other real property*
6 *at the installation that meet the requirement of the third*
7 *sentence of such subsection (a) and notify the Secretary of*
8 *Defense of such identification.*

9 “(iii) *Not later than 15 days after the date referred*
10 *to in clause (ii), the Secretary of Housing and Urban Devel-*
11 *opment shall publish in accordance with subsection (c) of*
12 *such section a list of the buildings and other real property*
13 *identified under clause (ii).*

14 “(iv)(I) *Buildings and other real property included in*
15 *the list published under clause (iii) shall remain available*
16 *to assist the homeless in accordance with subsection (d) of*
17 *such section 501.*

18 “(II) *If, at the end of the period referred to in para-*
19 *graph (1) of such subsection (d), no notice of intent to use*
20 *the buildings or other property, or any portion thereof, to*
21 *assist the homeless is received by the Secretary of Health*
22 *and Human Services under paragraph (2) of such sub-*
23 *section, the Secretary of Defense may make such buildings*
24 *or other property, or portion thereof, available to the local*
25 *redevelopment authority, if any, that has submitted a*

1 *reutilization or redevelopment plan with respect to such in-*
2 *stallation for use of such buildings or other property, or*
3 *portion, thereof, in accordance with such plan.”.*

4 (b) *APPLICABILITY.*—*The Secretary of Defense shall*
5 *carry out the requirements of section 2905(b)(3)(B) of such*
6 *Act, as amended by subsection (a), with respect to installa-*
7 *tions whose date of approval of closure is more than 90 days*
8 *before the date of the enactment of this Act, and which are*
9 *not closed on such date, not later than 30 days after such*
10 *date.*

11 **SEC. 2909. TRANSITION COORDINATORS FOR ASSISTANCE**
12 **TO COMMUNITIES AFFECTED BY THE CLO-**
13 **SURE OF INSTALLATIONS.**

14 (a) *IN GENERAL.*—*The Secretary of Defense shall des-*
15 *ignate a transition coordinator for each military installa-*
16 *tion to be closed under a base closure law. The transition*
17 *coordinator shall carry out the activities for such coordina-*
18 *tor set forth in subsection (c).*

19 (b) *TIMING OF DESIGNATION.*—*A transition coordina-*
20 *tor shall be designated for a military installation under*
21 *subsection (a) as follows:*

22 (1) *Not later than 15 days after the date of ap-*
23 *proval of closure of that the installation.*

24 (2) *In the case of installations approved for clo-*
25 *sure under a base closure law before the date of the*

1 enactment of this Act, not later than 15 days after
2 such date of enactment.

3 (c) *RESPONSIBILITIES.*—A transition coordinator des-
4 ignated with respect to an installation shall—

5 (1) encourage, after consultation with officials of
6 Federal and State departments and agencies con-
7 cerned, the development of strategies for the expedi-
8 tious environmental cleanup and restoration of the
9 installation by the Department of Defense;

10 (2) assist the Secretary of the military depart-
11 ment concerned in designating real property at the
12 installation that has the potential for rapid and bene-
13 ficial reuse or redevelopment in accordance with the
14 reutilization and redevelopment plan for the installa-
15 tion;

16 (3) assist such Secretary in identifying strategies
17 for accelerating completion of environmental cleanup
18 and restoration of the real property designated under
19 paragraph (2);

20 (4) assist such Secretary in developing plans for
21 ensuring that, to the maximum extent practicable, the
22 Department of Defense carries out any activities at
23 the installation after the closure of the installation in
24 a manner that takes into account, and supports, the

1 *reutilization and redevelopment plan for the installa-*
2 *tion;*

3 *(5) assist such Secretary in developing plans for*
4 *the closure of the installation that take into account*
5 *the goals set forth in the reutilization and redevelop-*
6 *ment plan for the installation;*

7 *(6) assist the Secretary of Defense in making de-*
8 *terminations with respect to requirements for, or the*
9 *transfer of property at, the installation under section*
10 *2905(b)(2)(H) of the Defense Base Closure and Re-*
11 *alignment Act of 1990 (part A of title XXIX of Public*
12 *Law 101–510; 10 U.S.C. 2687 note), as added by sec-*
13 *tion 2907;*

14 *(7) assist a local economic redevelopment author-*
15 *ity concerned with reuse of the installation in identi-*
16 *fying real or personal property located at the installa-*
17 *tion that may have significant potential for reuse in*
18 *accordance with the reutilization and redevelopment*
19 *plan for the installation;*

20 *(8) assist the Office of Economic Adjustment of*
21 *the Department of Defense and other departments and*
22 *agencies of the Federal Government in coordinating*
23 *the provision of assistance under transition assistance*
24 *and transition mitigation programs with community*

1 *redevelopment activities with respect to the installa-*
2 *tion;*

3 *(9) assist the Secretary of the military depart-*
4 *ment concerned in identifying leases of property lo-*
5 *cated at the installation that are consistent with the*
6 *reutilization and redevelopment plan for the installa-*
7 *tion; and*

8 *(10) assist the Secretary of Defense in identify-*
9 *ing real or personal property located at the installa-*
10 *tion that may be utilized to meet the needs of the*
11 *homeless by consulting with the Interagency Council*
12 *on the Homeless or the local lead agency of the home-*
13 *less, if any, referred to in section 210(b) of the Stew-*
14 *art B. McKinney Homeless Assistance Act (42 U.S.C.*
15 *11320(b)) for the State in which the installation is lo-*
16 *cated.*

17 **SEC. 2910. COORDINATION OF ACTIVITIES OF OTHER FED-**
18 **ERAL DEPARTMENTS AND AGENCIES RELAT-**
19 **ING TO INSTALLATIONS TO BE CLOSED.**

20 *Not later than 30 days after the date of the enactment*
21 *of this Act, the head of each department or agency of the*
22 *Federal Government having jurisdiction over a matter aris-*
23 *ing out of the closure of a military installation under a*
24 *base closure law, or the reutilization of such an installation,*
25 *shall designate for each such installation an individual in*

1 *such department or agency who shall provide information*
2 *and assistance to the transition coordinator for such instal-*
3 *lation designated under section 2907 on the assistance, pro-*
4 *grams, or other activities of such department or agency with*
5 *respect to the closure or redevelopment of such installation.*

6 **SEC. 2911. COMMUNITY RESPONSE BOARD.**

7 *(a) REQUIREMENT.—The Secretary of Defense shall es-*
8 *tablish a community response board with respect to the clo-*
9 *sure of military installations under base closure laws. The*
10 *community response board shall have the responsibilities set*
11 *forth in subsection (c).*

12 *(b) COMPOSITION; CHAIRMAN.—(1) The community*
13 *response board shall be composed of the following members:*

14 *(A) The Secretary of each military department*
15 *concerned or a representative or representatives of*
16 *such military department who has an expertise in en-*
17 *vironmental matters or property disposal matters and*
18 *who shall be appointed by that Secretary.*

19 *(B) One representative of the Department of De-*
20 *fense having an expertise in environmental matters,*
21 *to be appointed by the Secretary of Defense.*

22 *(C) One representative of the Department of De-*
23 *fense having an expertise in the disposal of property,*
24 *to be appointed by the Secretary of Defense.*

1 (D) One representative of the Office of Economic
2 Adjustment of the Department of Defense, to be ap-
3 pointed by the Secretary of Defense.

4 (E) One representative of the Department of
5 Labor, to be appointed by the Secretary of Labor.

6 (F) One representative of the Environmental
7 Protection Agency, to be appointed by the Adminis-
8 trator of the Environmental Protection Agency.

9 (G) One representative of the General Services
10 Administration, to be appointed by the Administrator
11 of General Services.

12 (H) One representative of the National Economic
13 Council, to be appointed by the Director of the Na-
14 tional Economic Council.

15 (I) The Executive Director of the Interagency
16 Council on the Homeless pursuant to section 201 of
17 the Stewart B. McKinney Homeless Assistance Act
18 (42 U.S.C. 11311).

19 (J) One representative of the Department of
20 Housing and Urban Development, to be appointed by
21 the Secretary of Housing and Urban Development.

22 (K) Such other representatives as the Secretary
23 of Defense, in consultation with the Director of the
24 National Economic Council, determines appropriate.

1 (2) *The Secretary of a military department may serve*
2 *as a representative of such department under paragraph*
3 *(1)(A).*

4 (3) *The Secretary of Defense, in consultation with the*
5 *Director of the National Economic Council, shall designate*
6 *the chairman of the board.*

7 (c) *RESPONSIBILITIES.—(1) The community response*
8 *board shall—*

9 (A) *receive comments from appropriate rep-*
10 *resentatives of the redevelopment authorities, if any,*
11 *established with respect to installations to be closed or*
12 *realigned under a base closure law on the progress, if*
13 *any, made by such authorities toward the*
14 *reutilization or redevelopment of such installations,*
15 *and any impediments to such progress;*

16 (B) *to the maximum extent practicable, propose*
17 *and develop solutions to such impediments; and*

18 (C) *submit a report to the President on such*
19 *comments and solutions.*

20 (2) *In proposing and developing solutions to impedi-*
21 *ments to the reutilization or redevelopment under para-*
22 *graph (1)(B), each member of the board shall, to the maxi-*
23 *imum extent practicable, solicit comments and proposals on*
24 *such solutions from the Federal department or agency of*
25 *which such member is a representative and utilize the re-*

1 *sources and expertise of the Federal department or agency*
2 *of which such member is a representative.*

3 *(3)(A) The community response board shall receive*
4 *comments under paragraph (1)(A) by public hearing and*
5 *by any other means determined appropriate by the board.*

6 *(B) The community response board shall offer to hold,*
7 *and upon the approval of a redevelopment authority shall*
8 *hold, not less than one such hearing each year with respect*
9 *to each major installation approved for closure under a base*
10 *closure law until that installation has been closed for more*
11 *than 5 years. When holding a hearing with respect to an*
12 *installation, the board shall ensure that the member or*
13 *members of the board from the military department having*
14 *jurisdiction over the installation is present.*

15 *(C) At each hearing with respect to an installation,*
16 *the transition coordinator designated for such installation,*
17 *or the designee of the coordinator, shall appear before the*
18 *board with representatives of the redevelopment authority.*

19 *(D) The community response board shall meet at least*
20 *three times each year to carry out the activities referred*
21 *to in paragraph (1)(B).*

22 *(E) The community response board shall submit a re-*
23 *port referred to in paragraph (1)(C) at least once each year.*

1 (d) *TERMINATION.*—*The authority of the community*
2 *response board to carry out activities under this section*
3 *shall terminate on December 31, 2006.*

4 ***SEC. 2912. ASSISTANCE TO AFFECTED STATES AND COMMU-***
5 ***NITIES THROUGH THE OFFICE OF ECONOMIC***
6 ***ADJUSTMENT.***

7 (a) *IN GENERAL.*—*From the funds authorized to be*
8 *appropriated to the Department of Defense for the activities*
9 *of the Office of Economic Adjustment of the Department of*
10 *Defense, the Secretary of Defense may make grants to not*
11 *more than one redevelopment authority of each community*
12 *adversely affected by the closure of a military installation,*
13 *to redevelopment authorities of States so affected, and to*
14 *communities so affected in order to assist such authorities*
15 *and communities, as the case may be, in developing and*
16 *implementing reutilization and redevelopment plans for*
17 *property located at military installations closed under base*
18 *closure laws.*

19 (b) *PROCESSING REQUIREMENT.*—*The Secretary shall*
20 *determine whether to make a grant under this section to*
21 *a redevelopment authority or community, as the case may*
22 *be, not later than 7 days after receiving a complete applica-*
23 *tion for a grant from such authority or community.*

1 **SEC. 2913. IDENTIFICATION OF UNCONTAMINATED PROP-**
2 **ERTY AT INSTALLATIONS TO BE CLOSED.**

3 *The Secretary of Defense shall identify the real prop-*
4 *erty located at each military installation selected in 1993*
5 *or 1995 for closure under the Defense Base Closure and Re-*
6 *alignment Act of 1990 (part A of title XXIX of Public Law*
7 *101-510; 10 U.S.C. 2687 note) pursuant to the provisions*
8 *of section 120(h)(4) of the Comprehensive Environmental*
9 *Response, Compensation, and Liability Act of 1980 (42*
10 *U.S.C. 9620(h)(4)). The Secretary shall identify such real*
11 *property at an installation not later than the earlier of—*

12 *(1) the date that is 9 months after the date of*
13 *the submittal, if any, to the transition coordinator for*
14 *the installation of a specific use proposed for all or*
15 *a portion of the real property of the installation; or*

16 *(2) the date that is 18 months after the date of*
17 *approval of closure of that installation.*

18 **SEC. 2914. SEMINARS ON REUSE OR REDEVELOPMENT OF**
19 **PROPERTY AT INSTALLATIONS TO BE**
20 **CLOSED.**

21 *The Secretary of Defense shall conduct seminars for*
22 *communities in which a military installation to be closed*
23 *or realigned under a base closure law is located. Such semi-*
24 *nars shall be conducted within 6 months after the date of*
25 *approval of closure of that installation, shall present the*
26 *various Federal programs for the reutilization and redevel-*

1 *opment of installations to be closed under such law, and*
2 *shall provide information about employment assistance, in-*
3 *cluding employment assistance under Federal programs,*
4 *available to members of such communities.*

5 **SEC. 2915. COMPLIANCE WITH CERTAIN ENVIRONMENTAL**
6 **REQUIREMENTS RELATING TO CLOSURE OF**
7 **INSTALLATIONS.**

8 *The Secretary of Defense shall, with respect to each*
9 *military installation approved for closure or realignment*
10 *under a base closure law—*

11 *(1) complete any environmental impact analyses*
12 *required with respect to the installation pursuant to*
13 *the base closure law under which the installation is*
14 *closed, and pursuant to the National Environmental*
15 *Policy Act of 1969 (42 U.S.C. 4321 et seq.), not later*
16 *than 12 months, to the extent possible, after the date*
17 *of the submittal, if any, to the Secretary of the mili-*
18 *tary department concerned of an acceptable (as deter-*
19 *mined by the Secretary) reutilization and redevelop-*
20 *ment plan for the installation by the community (as*
21 *determined by the Secretary); and*

22 *(2) ensure that the environmental impact state-*
23 *ment addresses environmental matters arising out of*
24 *such plan.*

1 **SEC. 2916. AUTHORITY TO CONTRACT FOR CERTAIN SERV-**
2 **ICES AT INSTALLATIONS BEING CLOSED OR**
3 **REALIGNED.**

4 (a) *BASE CLOSURES UNDER 1988 ACT.*—Section
5 204(b) of the Defense Authorization Amendments and Base
6 Closure and Realignment Act (title II of Public Law 100–
7 526; 10 U.S.C. 2687 note) is amended by adding at the
8 end the following:

9 “(5) The Secretary may contract with local govern-
10 ments for the provision of police services, fire protection
11 services, airfield operation services, or other community
12 services by such governments at military installations to
13 be closed under this title if the Secretary determines that
14 the provision of such services under such contracts is in the
15 best interests of the Department of Defense. The Secretary
16 may exercise the authority provided under this paragraph
17 without regard to the provisions of chapter 146 of title 10,
18 United States Code.”.

19 (b) *BASE CLOSURES UNDER 1990 ACT.*—Section
20 2905(b) of the Defense Base Closure and Realignment Act
21 of 1990 (part A of title XXIX of Public Law 101–510; 10
22 U.S.C. 2687 note), as amended by section 2906(b) is further
23 amended by adding at the end the following:

24 “(4) The Secretary may contract with local govern-
25 ments for the provision of police services, fire protection
26 services, airfield operation services, or other community

1 *services by such governments at military installations to*
2 *be closed under this title if the Secretary determines that*
3 *the provision of such services under such contracts is in the*
4 *best interests of the Department of Defense. The Secretary*
5 *may exercise the authority provided under this paragraph*
6 *without regard to the provisions of chapter 146 of title 10,*
7 *United States Code.”.*

8 **SEC. 2917. CLARIFICATION OF UTILIZATION OF FUNDS FOR**
9 **COMMUNITY ECONOMIC ADJUSTMENT AS-**
10 **SISTANCE.**

11 (a) *UTILIZATION OF FUNDS.*—Subject to subsection
12 (b), funds made available to the Economic Development Ad-
13 ministration for economic adjustment assistance under sec-
14 tion 4305 of the National Defense Authorization Act for Fis-
15 cal Year 1993 (Public Law 102–484; 106 Stat. 2700) may
16 be utilized by the administration for administrative activi-
17 ties in support of the provision of such assistance.

18 (b) *LIMITATION.*—Not more than three percent of the
19 funds referred to in subsection (a) may be utilized by the
20 administration for the administrative activities referred to
21 in such subsection.

22 **SEC. 2918. DEFINITIONS.**

23 (a) *BASE CLOSURE COMMUNITIES ACT.*—In this title:
24 (1) The term “base closure law” means the fol-
25 lowing:

1 (A) *The provisions of title II of the Defense*
2 *Authorization Amendments and Base Closure*
3 *and Realignment Act (Public Law 100–526; 10*
4 *U.S.C. 2687 note).*

5 (B) *The Defense Base Closure and Realign-*
6 *ment Act of 1990 (part A of title XXIX of Public*
7 *Law 101–510; 10 U.S.C. 2687 note).*

8 (2) *The term “reutilization and redevelopment*
9 *plan”, in the case of an installation to be closed*
10 *under a base closure law, means a plan that—*

11 (A) *is agreed to by the local redevelopment*
12 *authority concerned or other entity recognized by*
13 *the Secretary of Defense as the authority to di-*
14 *rect the reutilization and redevelopment of the*
15 *installation; and*

16 (B) *provides for the reuse of the real prop-*
17 *erty and related personal property of the instal-*
18 *lation that is available as a result of the closure*
19 *of the installation.*

20 (3) *The term “date of approval”, with respect to*
21 *a closure or realignment of an installation, means the*
22 *date on which the authority of Congress to disapprove*
23 *a recommendation of closure or realignment, as the*
24 *case may be, of such installation under the applicable*
25 *base closure law expires.*

1 (b) *BASE CLOSURE ACT 1990.*—Section 2910 of the
2 *Defense Base Closure and Realignment Act of 1990* (part
3 *A of title XXIX of Public Law 101–510; 10 U.S.C. 2687*
4 *note)* is amended by adding at the end the following new
5 paragraph:

6 “(8) The term ‘date of approval of closure’, with
7 respect to a closure or realignment of an installation,
8 means the date on which the authority of Congress to
9 disapprove a recommendation of closure or realign-
10 ment, as the case may be, of such installation under
11 this part expires.”.

12 **SEC. 2919. AUTHORITY TO CONTRACT FOR CERTAIN SERV-**
13 **ICES AT INSTALLATIONS BEING CLOSED OR**
14 **REALIGNED.**

15 (a) *SECTION NOT TO TAKE EFFECT.*—Section 2916
16 *shall not take effect.*

17 (b) *BASE CLOSURES UNDER 1988 ACT.*—Section
18 *204(b) of the Defense Authorization Amendments and Base*
19 *Closure and Realignment Act (title II of Public Law 100–*
20 *526; 10 U.S.C. 2687 note)* is amended by adding at the
21 *end the following:*

22 “(5)(A) Subject to subparagraph (C), the Secretary
23 may contract with local governments for the provision of
24 police services, fire protection services, airfield operation
25 services, or other community services by such governments

1 *at military installations to be closed under this title if the*
2 *Secretary determines that the provision of such services*
3 *under such contracts is in the best interests of the Depart-*
4 *ment of Defense.*

5 “(B) *The Secretary may exercise the authority pro-*
6 *vided under this paragraph without regard to the provi-*
7 *sions of chapter 146 of title 10, United States Code.*

8 “(C) *The Secretary may not exercise the authority*
9 *under subparagraph (A) with respect to a military installa-*
10 *tion earlier than 180 days before the date on which the in-*
11 *stallation is to be closed.*

12 “(D) *The Secretary shall include in a contract for serv-*
13 *ices entered into with a local government under this sub-*
14 *section a clause that requires the use of professionals to fur-*
15 *nish the services to the extent that professionals are avail-*
16 *able in the area under the jurisdiction of such government.”.*

17 (c) *BASE CLOSURES UNDER 1990 ACT.—Section*
18 *2905(b) of the Defense Base Closure and Realignment Act*
19 *of 1990 (part A of title XXIX of Public Law 101–510; 10*
20 *U.S.C. 2687 note) is amended by adding at the end the fol-*
21 *lowing:*

22 “(4)(A) *Subject to subparagraph (C), the Secretary*
23 *may contract with local governments for the provision of*
24 *police services, fire protection services, airfield operation*
25 *services, or other community services by such governments*

1 *at military installations to be closed under this part if the*
2 *Secretary determines that the provision of such services*
3 *under such contracts is in the best interests of the Depart-*
4 *ment of Defense.*

5 “(B) *The Secretary may exercise the authority pro-*
6 *vided under this paragraph without regard to the provi-*
7 *sions of chapter 146 of title 10, United States Code.*

8 “(C) *The Secretary may not exercise the authority*
9 *under subparagraph (A) with respect to a military installa-*
10 *tion earlier than 180 days before the date on which the in-*
11 *stallation is to be closed.*

12 “(D) *The Secretary shall include in a contract for serv-*
13 *ices entered into with a local government under this sub-*
14 *section a clause that requires the use of professionals to fur-*
15 *nish the services to the extent that professionals are avail-*
16 *able in the area under the jurisdiction of such government.”.*

1 **DIVISION C—DEPARTMENT OF**
2 **ENERGY NATIONAL SECURITY**
3 **AUTHORIZATIONS AND**
4 **OTHER AUTHORIZATIONS**
5 **TITLE XXXI—DEPARTMENT OF**
6 **ENERGY NATIONAL SECURITY**
7 **PROGRAMS**
8 **Subtitle A—National Security**
9 **Programs Authorizations**

10 **SEC. 3101. WEAPONS ACTIVITIES.**

11 (a) *OPERATING EXPENSES.*—Funds are hereby author-
12 ized to be appropriated to the Department of Energy for
13 fiscal year 1994 for operating expenses incurred in carrying
14 out weapons activities necessary for national security pro-
15 grams in the amount \$3,735,571,000, to be allocated as fol-
16 lows:

17 (1) For research and development,
18 \$1,152,325,000.

19 (2) For weapons testing, \$375,000,000.

20 (3) For stockpile support, \$1,792,280,000.

21 (4) For program direction, \$277,466,000.

22 (5) For complex reconfiguration, \$138,500,000.

23 (b) *PLANT PROJECTS.*—Funds are hereby authorized
24 to be appropriated to the Department of Energy for fiscal
25 year 1994 for plant projects (including maintenance, res-

1 *toration, planning, construction, acquisition, modification*
2 *of facilities, and the continuation of projects authorized in*
3 *prior years, and land acquisition related thereto) in carry-*
4 *ing out weapons activities necessary for national security*
5 *programs as follows:*

6 *Project GPD-101, general plan projects, various*
7 *locations, \$16,500,000.*

8 *Project GPD-121, general plant projects, various*
9 *locations, \$7,700,000.*

10 *Project 94-D-102, nuclear weapons research, de-*
11 *velopment, and testing facilities revitalization, Phase*
12 *V, various locations, \$11,110,000.*

13 *Project 94-D-124, hydrogen fluoride supply sys-*
14 *tem, Y-12 Plant, Oak Ridge, Tennessee, \$5,000,000.*

15 *Project 94-D-125, upgrade life safety, Kansas*
16 *City Plant, Kansas City, Missouri, \$3,000,000.*

17 *Project 94-D-127, emergency notification sys-*
18 *tem, Pantex Plant, Amarillo, Texas, \$1,000,000.*

19 *Project 94-D-128, environmental safety and*
20 *health analytical laboratory, Pantex Plant, Amarillo,*
21 *Texas, \$800,000.*

22 *Project 93-D-102, Nevada support facility,*
23 *North Las Vegas, Nevada, \$6,000,000.*

24 *Project 93-D-122, life safety upgrades, Y-12*
25 *Plant, Oak Ridge, Tennessee, \$5,000,000.*

1 *Project 93-D-123, complex-21, various loca-*
2 *tions, \$25,000,000.*

3 *Project 92-D-102, nuclear weapons research, de-*
4 *velopment, and testing facilities revitalization, Phase*
5 *IV, various locations, \$27,479,000.*

6 *Project 92-D-126, replace emergency notifica-*
7 *tion systems, various locations, \$10,500,000.*

8 *Project 90-D-102, nuclear weapons research, de-*
9 *velopment, and testing facilities revitalization, Phase*
10 *III, various locations, \$30,805,000.*

11 *Project 88-D-106, nuclear weapons research, de-*
12 *velopment, and testing facilities revitalization, Phase*
13 *II, various locations, \$39,624,000.*

14 *Project 88-D-122, facilities capability assurance*
15 *program, various locations, \$27,100,000.*

16 *Project 88-D-123, security enhancement, Pantex*
17 *Plant, Amarillo, Texas, \$20,000,000.*

18 (c) *CAPITAL EQUIPMENT.*—*Funds are hereby author-*
19 *ized to be appropriated to the Department of Energy for*
20 *fiscal year 1994 for capital equipment not related to con-*
21 *struction in carrying out weapons activities necessary for*
22 *national security programs in the amount of \$123,034,000.*

23 (d) *ADJUSTMENT FOR SAVINGS.*—*The total amount*
24 *authorized to be appropriated pursuant to this section is*

1 *the sum of the amounts specified in subsections (a) through*
2 *(c) reduced by \$393,641,000.*

3 **SEC. 3102. NEW TRITIUM PRODUCTION AND PLUTONIUM**
4 **DISPOSITION ACTIVITIES.**

5 *Funds are hereby authorized to be appropriated to the*
6 *Department of Energy for fiscal year 1994 for expenses in-*
7 *curred in carrying out new tritium production activities*
8 *and plutonium disposition activities necessary for national*
9 *security programs in the amount of \$83,000,000, offset by*
10 *\$43,000,000 in prior year funds.*

11 **SEC. 3103. ENVIRONMENTAL RESTORATION AND WASTE**
12 **MANAGEMENT.**

13 *(a) OPERATING EXPENSES.—Funds are hereby author-*
14 *ized to be appropriated to the Department of Energy for*
15 *fiscal year 1994 for operating expenses incurred in carrying*
16 *out environmental restoration and waste management ac-*
17 *tivities necessary for national security programs in the*
18 *amount of \$4,782,213,000, to be allocated as follows:*

19 *(1) For corrective activities, \$2,170,000.*

20 *(2) For environmental restoration,*
21 *\$1,536,027,000.*

22 *(3) For waste management, \$2,275,441,000.*

23 *(4) For technology development, \$361,150,000.*

24 *(5) For transportation management,*
25 *\$19,730,000.*

1 (6) For program direction, \$82,427,000.

2 (7) For facility transition, \$545,268,000.

3 (b) PLANT PROJECTS.—Funds are hereby authorized
4 to be appropriated to the Department of Energy for fiscal
5 year 1994 for plant projects (including maintenance, res-
6 toration, planning, construction, acquisition, modification
7 of facilities, and the continuation of projects authorized in
8 prior years, and land acquisition related thereto) to carry
9 out environmental restoration and waste management ac-
10 tivities necessary for national security programs as follows:

11 Project GPD-171, general plant projects, various
12 locations, \$49,015,000.

13 Project 94-D-122, underground storage tanks,
14 Rocky Flats Plant, Golden, Colorado, \$700,000.

15 Project 94-D-400, high explosive wastewater
16 treatment, Los Alamos National Laboratory, Los Ala-
17 mos, New Mexico, \$1,000,000.

18 Project 94-D-401, emergency response facility,
19 Idaho National Engineering Laboratory, Idaho,
20 \$600,000.

21 Project 94-D-402, liquid waste treatment sys-
22 tem, Nevada Test Site, \$491,000.

23 Project 94-D-404, Melton Valley storage tanks
24 capacity increase, Oak Ridge National Laboratory,
25 Oak Ridge, Tennessee, \$9,400,000.

1 *Project 94-D-405, Central neutralization facil-*
2 *ity pipeline extension project, Oak Ridge K-25 Plant,*
3 *Oak Ridge, Tennessee, \$1,714,000.*

4 *Project 94-D-406, low-level waste disposal facil-*
5 *ity, Oak Ridge K-25 Plant, Oak Ridge, Tennessee,*
6 *\$6,000,000.*

7 *Project 94-D-407, initial tank retrieval systems,*
8 *Richland, Washington, \$7,000,000.*

9 *Project 94-D-408, 200 east office facility, Rich-*
10 *land, Washington, \$1,200,000.*

11 *Project 94-D-411, solid waste operations com-*
12 *plex project, Richland, Washington, \$7,100,000.*

13 *Project 94-D-412, 300 area process sewer piping*
14 *system upgrade, Richland, Washington, \$1,100,000.*

15 *Project 94-D-414, site 300 explosive waste stor-*
16 *age facility, Lawrence Livermore National Labora-*
17 *tory, Livermore, California, \$370,000.*

18 *Project 94-D-415, medical facilities, Idaho Na-*
19 *tional Engineering Laboratory, Idaho, \$1,100,000.*

20 *Project 94-D-416, Solvent Storage Tanks instal-*
21 *lation, Savannah River Site, South Carolina,*
22 *\$1,500,000.*

23 *Project 94-D-417, intermediate level and low ac-*
24 *tivity waste vaults, Savannah River Site, South*
25 *Carolina, \$1,000,000.*

1 *Project 94-D-451, infrastructure replacement*
2 *Rocky Flats Plant, Golden, Colorado, \$6,600,000.*

3 *Project 93-D-172, electrical upgrade, Idaho Na-*
4 *tional Engineering Laboratory, Idaho, \$9,600,000.*

5 *Project 93-D-174, plant drain waste water*
6 *treatment upgrades, Y-12 Plant, Oak Ridge, Ten-*
7 *nessee, \$3,500,000.*

8 *Project 93-D-175, industrial waste compaction*
9 *facility, Y-12 Plant, Oak Ridge, Tennessee,*
10 *\$1,800,000.*

11 *Project 93-D-176, Oak Ridge reservation storage*
12 *facility, K-25 Plant, Oak Ridge, Tennessee,*
13 *\$6,039,000.*

14 *Project 93-D-177, disposal of K-1515 sanitary*
15 *water treatment plant waste, K-125 Plant, Oak*
16 *Ridge, Tennessee, \$7,100,000.*

17 *Project 93-D-178, building 374 liquid waste*
18 *treatment facility, Rocky Flats Plant, Golden, Colo-*
19 *rado, \$1,000,000.*

20 *Project 93-D-181, radioactive liquid waste line*
21 *replacement, Richland, Washington, \$6,000,000.*

22 *Project 93-D-182, replacement of cross-site*
23 *transfer system, Richland, Washington, \$6,500,000.*

24 *Project 93-D-183, multi-function waste remedi-*
25 *ation facility, Richland, Washington, \$25,660,000.*

1 *Project 93-D-184, 325 facility compliance/ren-*
2 *ovation, Richland, Washington, \$3,500,000.*

3 *Project 93-D-185, landlord program safety com-*
4 *pliance, Phase II, Richland, Washington, \$1,351,000.*

5 *Project 93-D-187, high-level waste removal from*
6 *filled waste tanks, Savannah River, South Carolina,*
7 *\$13,230,000.*

8 *Project 93-D-188, new sanitary landfill, Savan-*
9 *nah River, South Carolina, \$1,020,000.*

10 *Project 92-D-125, master safeguards and secu-*
11 *rity agreement/material surveillance task force secu-*
12 *rity upgrades, Rocky Flats Plant, Golden, Colorado,*
13 *\$3,900,000.*

14 *Project 92-D-172, hazardous waste treatment*
15 *and processing facility, Pantex Plant, Amarillo,*
16 *Texas, \$300,000.*

17 *Project 92-D-173, nitrogen oxide abatement fa-*
18 *cility, Idaho Chemical Processing Plant, Idaho Na-*
19 *tional Engineering Laboratory, Idaho, \$10,000,000.*

20 *Project 92-D-177, tank 101-AZ waste retrieval*
21 *system, Richland, Washington, \$7,000,000.*

22 *Project 92-D-181, fire and life safety improve-*
23 *ments, Idaho National Engineering Laboratory,*
24 *Idaho, \$5,000,000.*

1 *Project 92-D-182, sewer system upgrade, Idaho*
2 *National Engineering Laboratory, Idaho, \$1,450,000.*

3 *Project 92-D-183, transportation complex,*
4 *Idaho National Engineering Laboratory, Idaho,*
5 *\$7,198,000.*

6 *Project 92-D-184, Hanford infrastructure un-*
7 *derground storage tanks, Richland, Washington,*
8 *\$300,000.*

9 *Project 92-D-186, steam system rehabilitation,*
10 *Phase II, Richland, Washington, \$4,300,000.*

11 *Project 92-D-187, 300 area electrical distribu-*
12 *tion, conversion, and safety improvements, Phase II,*
13 *Richland, Washington, \$10,276,000.*

14 *Project 92-D-188, waste management ES&H,*
15 *and compliance activities, various locations,*
16 *\$8,568,000.*

17 *Project 92-D-403, tank upgrade project, Law-*
18 *rence Livermore National Laboratory, California,*
19 *\$3,888,000.*

20 *Project 91-D-171, waste receiving and process-*
21 *ing facility, module 1, Richland, Washington,*
22 *\$17,700,000.*

23 *Project 91-D-175, 300 area electrical distribu-*
24 *tion, conversion, and safety improvements, Phase I,*
25 *Richland, Washington, \$1,500,000.*

1 *Project 90-D-172, aging waste transfer lines,*
2 *Richland, Washington, \$5,000,000.*

3 *Project 90-D-175, landlord program safety com-*
4 *pliance-I, Richland, Washington, \$1,800,000.*

5 *Project 90-D-177, RWMC transuranic (TRU)*
6 *waste characterization and storage facility, Idaho Na-*
7 *tional Engineering Laboratory, Idaho, \$21,700,000.*

8 *Project 89-D-172, Hanford environmental com-*
9 *pliance, Richland, Washington, \$11,700,000.*

10 *Project 89-D-173, tank farm ventilation up-*
11 *grade, Richland, Washington, \$1,000,000.*

12 *Project 89-D-174, replacement high-level waste*
13 *evaporator, Savannah River, South Carolina,*
14 *\$23,974,000.*

15 *Project 89-D-175, hazardous waste/mixed waste*
16 *disposal facility, Savannah River, South Carolina,*
17 *\$7,000,000.*

18 *Project 87-D-181, diversion box and pump pit*
19 *containment buildings, Savannah River, South Caro-*
20 *lina, \$2,137,000.*

21 *Project 86-D-103, decontamination and waste*
22 *treatment facility, Lawrence Livermore National*
23 *Laboratory, California, \$10,260,000.*

1 *Project 83-D-148, nonradioactive hazardous*
2 *waste management, Savannah River, South Carolina,*
3 *\$9,769,000.*

4 *Project 81-T-105, defense waste processing facil-*
5 *ity, Savannah River, South Carolina, \$43,873,000.*

6 (c) *CAPITAL EQUIPMENT.*—*Funds are hereby author-*
7 *ized to be appropriated to the Department of Energy for*
8 *fiscal year 1994 for capital equipment not related to con-*
9 *struction in carrying out environmental restoration and*
10 *waste management activities necessary for national security*
11 *programs in the amount of \$203,826,000, to be allocated*
12 *as follows:*

13 (1) *For corrective activities, \$600,000.*

14 (2) *For waste management, \$138,781,000.*

15 (3) *For technology development, \$29,850,000.*

16 (4) *For transportation management, \$400,000.*

17 (5) *For program direction, \$9,469,000.*

18 (6) *For facility transition, \$24,726,000*

19 (d) *USE OF FUNDS.*—*From funds authorized to be ap-*
20 *propriated pursuant to subsection (a) to the Department*
21 *of Energy for environmental restoration and waste manage-*
22 *ment activities, the Secretary of Energy may reimburse the*
23 *cities of Westminster, Broomfield, Thornton, and*
24 *Northglenn, in the State of Colorado, \$21,415,000 for the*
25 *cost of implementing water management programs. Reim-*

1 *bursements for the water management programs shall not*
2 *be considered a major Federal action for purposes of 102(2)*
3 *of the National Environmental Policy Act of 1969 (42*
4 *U.S.C. 4332(2)).*

5 *(e) GENERAL REDUCTION IN OPERATING EX-*
6 *PENSES.—The amount authorized to be appropriated for*
7 *operating expenses pursuant to subsection (a) is the amount*
8 *specified in that subsection reduced by \$40,000,000.*

9 *(f) PRIOR YEAR BALANCES.—The total amount au-*
10 *thorized to be appropriated pursuant to this section is the*
11 *sum of the amounts specified in subsections (a), (b), and*
12 *(c) reduced by \$86,600,000. In determining the amount au-*
13 *thorized to be appropriated pursuant to subsection (a) for*
14 *the purposes of this subsection, subsection (e) shall be taken*
15 *into account.*

16 **SEC. 3104. MATERIALS SUPPORT AND OTHER DEFENSE**
17 **PROGRAMS.**

18 *(a) OPERATING EXPENSES.—Funds are hereby author-*
19 *ized to be appropriated to the Department of Energy for*
20 *fiscal year 1994 for operating expenses incurred in carrying*
21 *out nuclear materials production and other defense pro-*
22 *grams necessary for national security programs in the*
23 *amount of \$2,171,039,000, to be allocated as follows:*

24 *(1) For materials support, \$853,966,000.*

1 (2) *For verification and control technology,*
2 *\$341,941,000.*

3 (3) *For nuclear safeguards and security,*
4 *\$86,246,000.*

5 (4) *For security investigations, \$53,335,000.*

6 (5) *For security evaluations, \$14,961,000.*

7 (6) *For nuclear safety, \$24,859,000.*

8 (7) *For worker training and adjustment,*
9 *\$100,000,000.*

10 (8) *For naval reactors, \$695,731,000.*

11 (b) *PLANT PROJECTS.—Funds are hereby authorized*
12 *to be appropriated to the Department of Energy for fiscal*
13 *year 1994 for plant projects (including maintenance, res-*
14 *toration, planning, construction, acquisition, modification*
15 *of facilities, and the continuation of projects authorized in*
16 *prior years, and land acquisition related thereto) in carry-*
17 *ing out nuclear materials production and other defense pro-*
18 *grams necessary for national security programs as follows:*

19 (1) *For materials production:*

20 *Project GPD-146, general plant projects,*
21 *various locations, \$31,760,000.*

22 *Project 93-D-147, domestic water system*
23 *upgrade, Phase I, Savannah River, South Caro-*
24 *lina, \$7,720,000.*

1 *Project 93-D-148, replace high-level drain*
2 *lines, Savannah River, South Carolina,*
3 *\$1,800,000.*

4 *Project 93-D-152, environmental modifica-*
5 *tion for production facilities, Savannah River,*
6 *South Carolina, \$20,000,000.*

7 *Project 92-D-140, F&H canyon exhaust*
8 *upgrades, Savannah River, South Carolina,*
9 *\$15,000,000.*

10 *Project 92-D-142, nuclear material process-*
11 *ing training center, Savannah River, South*
12 *Carolina, \$8,900,000.*

13 *Project 92-D-143, health protection instru-*
14 *ment calibration facility, Savannah River,*
15 *South Carolina, \$9,600,000.*

16 *Project 92-D-150, operations support fa-*
17 *cilities, Savannah River, South Carolina,*
18 *\$26,900,000.*

19 *Project 92-D-153, engineering support fa-*
20 *cility, Savannah River, South Carolina,*
21 *\$9,500,000.*

22 *Project 90-D-149, plantwide fire protec-*
23 *tion, Phases I and II, Savannah River, South*
24 *Carolina, \$25,950,000.*

1 *Project 86-D-149, productivity retention*
2 *program, Phases I, II, III, IV, V, and VI, var-*
3 *ious locations, \$3,700,000.*

4 *(2) For verification and control technology:*

5 *Project 90-D-186, center for national secu-*
6 *rity and arms control, Sandia National Labora-*
7 *tories, Albuquerque, New Mexico, \$8,515,000.*

8 *(3) For naval reactors development:*

9 *Project GPN-101, general plant projects,*
10 *various locations, \$7,500,000.*

11 *Project 93-D-200, engineering services fa-*
12 *cilities, Knolls Atomic Power Laboratory,*
13 *Niskayuna, New York, \$7,000,000.*

14 *Project 92-D-200, laboratories facilities up-*
15 *grades, various locations, \$2,800,000.*

16 *Project 90-N-102, expended core facility*
17 *dry cell project, Naval Reactors Facility, Idaho,*
18 *\$7,800,000.*

19 *(c) CAPITAL EQUIPMENT.—Funds are hereby author-*
20 *ized to be appropriated to the Department of Energy for*
21 *fiscal year 1994 for capital equipment not related to con-*
22 *struction in carrying out nuclear materials production and*
23 *other defense programs necessary for national security pro-*
24 *grams as follows:*

25 *(1) For material support, \$75,209,000.*

1 (2) For verification and control technology,
2 \$15,573,000.

3 (3) For nuclear safeguards and security,
4 \$4,101,000.

5 (4) For nuclear safety, \$50,000.

6 (5) For naval reactors development, \$46,900,000.

7 (d) *ADJUSTMENTS.*—The total amount that may be
8 appropriated pursuant to this section is the sum of the
9 amounts specified in subsections (a) through (c) reduced by
10 \$393,132,000 for anticipated savings.

11 **SEC. 3105. DEFENSE NUCLEAR WASTE DISPOSAL.**

12 Funds are hereby authorized to be appropriated to the
13 Department of Energy for fiscal year 1994 for payment to
14 the Nuclear Waste Fund, \$120,000,000.

15 **SEC. 3106. FUNDING USES AND LIMITATIONS.**

16 (a) *NATIONAL SECURITY PROGRAMS.*—Notwithstand-
17 ing any other provision of law, not more than 90 percent
18 of the funds appropriated to the Department of Energy for
19 national security programs under this title may be obli-
20 gated for such programs until the Secretary of Energy sub-
21 mits to the congressional defense committees the five-year
22 budget plan with respect to fiscal year 1994 required under
23 section 3144 of the National Defense Authorization Act for
24 Fiscal Years 1990 and 1991 (Public Law 101-189; 103
25 Stat. 1681; 42 U.S.C. 7271b).

1 (b) *INERTIAL CONFINEMENT FUSION.*—Of the funds
2 authorized to be appropriated to the Department of Energy
3 for fiscal year 1994 for operating expenses and capital
4 equipment, \$188,413,000 shall be available for the defense
5 inertial confinement fusion program.

6 (c) *FIRE PROTECTION AND COOLING OR REFRIGERA-*
7 *TION SYSTEMS.*—None of the funds appropriated or other-
8 wise made available to the Department of Energy for fiscal
9 year 1994 may be obligated for the design, purchase, or in-
10 stallation of any fire protection system or cooling or refrig-
11 eration system that utilizes class I substances (as listed
12 under section 602(a) of the Clean Air Act (42 U.S.C.
13 7671a(a)) unless the Secretary of Energy determines that
14 an alternative system meeting the operational requirements
15 of the Department of Energy is not commercially available
16 or is not cost-effective when analyzed under a life-cycle cost
17 analysis.

18 (d) *NEW TRITIUM PRODUCTION ACTIVITIES AND PLU-*
19 *TONIUM DISPOSITION ACTIVITIES.*—Funds authorized to be
20 appropriated for fiscal year 1994 or otherwise made avail-
21 able to the Secretary of Energy for such fiscal year for new
22 tritium production activities and plutonium disposition ac-
23 tivities shall be available only for the following purposes
24 and in the following amounts:

1 (1) *For evaluation of an advanced light water*
2 *reactor and a modular high temperature gas reactor*
3 *to determine the feasibility and effectiveness of dispos-*
4 *ing of plutonium, production of tritium (if needed),*
5 *and production of electricity, \$40,000,000.*

6 (2) *For evaluation of accelerator technology to*
7 *determine the feasibility and effectiveness of disposing*
8 *of plutonium, production of tritium (if needed), and*
9 *production of electricity, \$18,000,000.*

10 (3) *For evaluation of an advance liquid metal*
11 *reactor to determine the feasibility and effectiveness of*
12 *disposing of plutonium, production of tritium (if*
13 *needed), and production of electricity, \$25,000,000.*

14 (e) *EXPENDED CORE FACILITY DRY CELL.—None of*
15 *the funds appropriated or otherwise made available to the*
16 *Department of Energy for fiscal year 1994 may be obligated*
17 *for project 90-N-102, expended core facility dry cell project,*
18 *Naval Reactors Facility, Idaho, until shipment of spent*
19 *naval nuclear fuel from United States naval surface ships*
20 *and submarines to the Idaho Engineering Laboratory,*
21 *Idaho, is resumed.*

22 (f) *NUCLEAR WEAPONS TESTING.—(1) Funds author-*
23 *ized to be appropriated under section 3101(a)(2) for the De-*
24 *partment of Energy for fiscal year 1994 for weapons testing*
25 *and funds otherwise made available to the department for*

1 *that fiscal year for that purpose shall be available only for*
2 *the following purposes and in the following amounts:*

3 *(A) For infrastructure maintenance at the Ne-*
4 *vada Test Site, \$131,250,000.*

5 *(B) For maintaining the technical capability to*
6 *resume testing at the Nevada Test Site, \$109,375,000.*

7 *(C) For activities, including research and devel-*
8 *opment, of Department of Energy laboratories in de-*
9 *termining means of nuclear weapons testing as alter-*
10 *natives to underground nuclear weapons testing,*
11 *\$134,375,000.*

12 *(2) The Secretary of Energy may not obligate an ag-*
13 *gregate amount in excess of \$180,000,000 for the purposes*
14 *described in subparagraphs (B) and (C) of paragraph (1)*
15 *until the Secretary submits to the congressional defense*
16 *committees a detailed plan for carrying out the activities*
17 *described in subparagraphs (B) and (C) of that paragraph.*

18 *(3) Each year at the time of the President's submission*
19 *of a a budget under section 1105 of title 31, United States*
20 *Code, the President shall submit a report covering the most*
21 *recently completed calendar year setting forth—*

22 *(A) Whether the Stockpile Surveillance Program*
23 *of the Department of Energy, and the calculations*
24 *and experiments performed by Sandia National Lab-*
25 *oratories, Lawrence Livermore National Laboratory,*

1 *or Los Alamos National Laboratory have raised any*
2 *concerns with regard to the safety, security, effective-*
3 *ness, or reliability or existing United States nuclear*
4 *weapons; and*

5 *(B) If such concerns have been raised, the Presi-*
6 *dent's evaluation of each concern and report on what*
7 *actions are being or will be taken to address it.*

8 *(g) VERIFICATION CONTROL TECHNOLOGY.—Of the*
9 *funds authorized to be appropriated to the Department of*
10 *Energy for fiscal year 1994 for operating expenses and cap-*
11 *ital equipment for activities relating to verification and*
12 *control technology, not more than \$334,441,000 may be ob-*
13 *ligated until the Secretary of Defense submits the report re-*
14 *quired by section 1104.*

15 *(h) SCHOLARSHIP AND FELLOWSHIP PROGRAM FOR*
16 *ENVIRONMENTAL AND WASTE MANAGEMENT.—Of the funds*
17 *authorized to be appropriated to the Department of Energy*
18 *for fiscal year 1994 for environmental restoration and*
19 *waste management, \$1,000,000 shall be available for the*
20 *Scholarship and Fellowship Program for Environmental*
21 *Restoration and Waste Management carried out under sec-*
22 *tion 3132 of the National Defense Authorization Act for Fis-*
23 *cal Years 1992 and 1993 (Public Law 102–190; 42 U.S.C.*
24 *7274e).*

1 (i) *HANFORD HEALTH INFORMATION NETWORK.*—Of
2 the funds authorized to be appropriated to the Department
3 of Energy for fiscal year 1994 under section 3101(a),
4 \$1,750,000 shall be available for activities relating to the
5 Hanford health information network established pursuant
6 to the authority set forth in section 3138 of the National
7 Defense Authorization Act for Fiscal Year 1991 (Public
8 Law 101–510; 104 Stat. 1834).

9 (j) *PROTECTION OF NUCLEAR WEAPONS FACILITIES*
10 *WORKERS.*—Of the funds authorized to be appropriated to
11 the Department of Energy for fiscal year 1994 for environ-
12 mental restoration and waste management, \$10,000,000
13 shall be available for activities relating to worker protection
14 at nuclear weapons facilities.

15 (k) *MERGER OF CERTAIN FUNDS WITH FUNDS APPRO-*
16 *PRIATED FOR NEW PRODUCTION REACTORS.*—Notwith-
17 standing any other provision of law, of the funds made
18 available to the Department of Energy for new production
19 reactor activities before the date of the enactment of this
20 Act, \$43,000,000 shall be merged with the funds authorized
21 to be appropriated for new tritium production and pluto-
22 nium disposition under section 3102 and shall be available
23 for the same purposes and the same period as the funds
24 with which merged.

1 (i) *TECHNOLOGY TRANSFER AND ECONOMIC DEVELOP-*
2 *MENT.*—None of the funds appropriated to the Department
3 of Energy for fiscal year 1994 pursuant to the authorization
4 of appropriations in section 3103, or otherwise made avail-
5 able to the department for environmental restoration and
6 waste management activities for such fiscal year, may be
7 obligated to foster technology transfer to and economic de-
8 velopment activities in the Southeastern United States until
9 30 days after the date on which the Secretary of Energy
10 submits to the congressional defense committees a report
11 containing a plan for the expenditure of funds in a manner
12 that ensures an equitable expenditure of funds for such pur-
13 poses throughout the Southeastern United States.

14 **Subtitle B—Recurring General Provisions**

15 **SEC. 3121. REPROGRAMMING.**

16 (a) *NOTICE TO CONGRESS.*—(1) Except as otherwise
17 provided in this title—

18 (A) no amount appropriated pursuant to this
19 title may be used for any program in excess of the
20 lesser of—

21 (i) 105 percent of the amount authorized for
22 that program by this title; or

23 (ii) \$10,000,000 more than the amount au-
24 thorized for that program by this title; and

1 (B) no amount appropriated pursuant to this
2 title may be used for any program which has not been
3 presented to, or requested of, the Congress.

4 (2) An action described in paragraph (1) may not be
5 taken until—

6 (A) the Secretary of Energy has submitted to the
7 congressional defense committees a report containing
8 a full and complete statement of the action proposed
9 to be taken and the facts and circumstances relied
10 upon in support of such proposed action; and

11 (B) a period of 30 days has elapsed after the
12 date on which the report is received by the commit-
13 tees.

14 (3) In the computation of the 30-day period under
15 paragraph (2), there shall be excluded any day on which
16 either House of Congress is not in session because of an
17 adjournment of more than 3 calendar days to a day certain.

18 (b) *LIMITATION ON AMOUNT OBLIGATED.*—In no event
19 may the total amount of funds obligated pursuant to this
20 title exceed the total amount authorized to be appropriated
21 by this title.

22 **SEC. 3122. LIMITS ON GENERAL PLANT PROJECTS.**

23 (a) *IN GENERAL.*—The Secretary of Energy may carry
24 out any construction project under the general plant
25 projects provisions authorized by this title if the total esti-

1 mated cost of the construction project does not exceed
2 \$2,000,000.

3 (b) *REPORT TO CONGRESS.*—If, at any time during
4 the construction of any general plant project authorized by
5 this title, the estimated cost of the project is revised because
6 of unforeseen cost variations and the revised cost of the
7 project exceeds \$2,000,000, the Secretary shall immediately
8 furnish a complete report to the congressional defense com-
9 mittees explaining the reasons for the cost variation.

10 **SEC. 3123. LIMITS ON CONSTRUCTION PROJECTS.**

11 (a) *IN GENERAL.*—(1) Except as provided in para-
12 graph (2), construction on a construction project may not
13 be started or additional obligations incurred in connection
14 with the project above the total estimated cost, whenever the
15 current estimated cost of the construction project, which is
16 authorized by sections 3101, 3102, 3103, and 3104, or
17 which is in support of national security programs of the
18 Department of Energy and was authorized by any previous
19 Act, exceeds by more than 25 percent the higher of—

20 (A) the amount authorized for the project; or

21 (B) the amount of the total estimated cost for the
22 project as shown in the most recent budget justifica-
23 tion data submitted to Congress.

24 (2) An action described in paragraph (1) may be taken
25 if—

1 (A) the Secretary of Energy has submitted to the
2 congressional defense committees a report on the ac-
3 tions and the circumstances making such actions nec-
4 essary; and

5 (B) a period of 30 days has elapsed after the
6 date on which the report is received by the commit-
7 tees.

8 (3) In the computation of the 30-day period under
9 paragraph (2), there shall be excluded any day on which
10 either House of Congress is not in session because of an
11 adjournment of more than 3 calendar days to a day certain.

12 (b) *EXCEPTION.*—Subsection (a) shall not apply to
13 any construction project which has a current estimated cost
14 of less than \$5,000,000.

15 **SEC. 3124. FUND TRANSFER AUTHORITY.**

16 Funds appropriated pursuant to this title may be
17 transferred to other agencies of the Federal Government for
18 the performance of the work for which the funds were appro-
19 priated, and funds so transferred may be merged with the
20 appropriations of the agency to which the funds are trans-
21 ferred.

22 **SEC. 3125. AUTHORITY FOR CONSTRUCTION DESIGN.**

23 (a) *IN GENERAL.*—(1) Within the amounts authorized
24 by this title for plant engineering and design, the Secretary
25 of Energy may carry out advance planning and construc-

1 *tion design (including architectural and engineering serv-*
2 *ices) in connection with any proposed construction project*
3 *if the total estimated cost for such planning and design does*
4 *not exceed \$2,000,000.*

5 *(2) In the case of any project in which the total esti-*
6 *mated cost for advance planning and design exceeds*
7 *\$300,000, the Secretary shall notify the congressional de-*
8 *fense committees in writing of the details of such project*
9 *at least 30 days before any funds are obligated for design*
10 *services for such project.*

11 *(b) SPECIFIC AUTHORITY REQUIRED.—In any case in*
12 *which the total estimated cost for advance planning and*
13 *construction design in connection with any construction*
14 *project exceeds \$2,000,000, funds for such planning and de-*
15 *sign must be specifically authorized by law.*

16 **SEC. 3126. AUTHORITY FOR EMERGENCY PLANNING, DE-**
17 **SIGN, AND CONSTRUCTION ACTIVITIES.**

18 *(a) AUTHORITY.—The Secretary of Energy may use*
19 *any funds available to the Department of Energy, including*
20 *those funds authorized to be appropriated for advance plan-*
21 *ning and construction design under sections 3101, 3102,*
22 *3103, 3104, to perform planning, design, and construction*
23 *activities for any Department of Energy defense activity*
24 *construction project that, as determined by the Secretary,*
25 *must proceed expeditiously in order to protect public health*

1 *and safety, meet the needs of national defense, or protect*
2 *property.*

3 (b) *LIMITATION.*—*The Secretary may not exercise the*
4 *authority under subsection (a) in the case of any construc-*
5 *tion project until the Secretary has submitted to the con-*
6 *gressional defense committees a report on the activities that*
7 *the Secretary intends to carry out under this section and*
8 *the circumstances making such activities necessary.*

9 (c) *SPECIFIC AUTHORITY.*—*The requirement of section*
10 *3125(b) does not apply to emergency planning, design, and*
11 *construction activities conducted under this section.*

12 (d) *REPORT.*—*The Secretary of Energy shall promptly*
13 *report to the congressional defense committees any exercise*
14 *of authority under this section.*

15 **SEC. 3127. FUNDS AVAILABLE FOR ALL NATIONAL SECU-**
16 **RITY PROGRAMS OF THE DEPARTMENT OF**
17 **ENERGY.**

18 *Subject to the provisions of appropriation Acts and*
19 *section 3121, amounts appropriated pursuant to this title*
20 *for management and support activities and for general*
21 *plant projects are available for use, when necessary, in con-*
22 *nection with all national security programs of the Depart-*
23 *ment of Energy.*

1 **SEC. 3128. AVAILABILITY OF FUNDS.**

2 *When so specified in an appropriation Act, amounts*
3 *appropriated for operating expenses, plant projects, and*
4 *capital equipment may remain available until expended.*

5 **Subtitle C—Other Matters**

6 **SEC. 3131. USE OF FUNDS FOR PAYMENT OF PENALTY AS-**
7 **SESSED AGAINST HANFORD PROJECT.**

8 *The Secretary of Energy may pay to the Hazardous*
9 *Substances Response Trust, from funds appropriated to the*
10 *Department of Energy for environmental restoration and*
11 *waste management activities pursuant to section 3103, a*
12 *stipulated civil penalty in the amount of \$100,000 assessed*
13 *under the Comprehensive Environmental Response, Com-*
14 *pensation, and Liability Act of 1980 (42 U.S.C. 9601 et*
15 *seq.) and the Hanford Consent Agreement and Compliance*
16 *Order for Department of Energy Hanford.*

17 **SEC. 3132. OFFICE OF TRITIUM PRODUCTION AND PLUTO-**
18 **NIUM DISPOSITION.**

19 *(a) ESTABLISHMENT.—There is hereby established in*
20 *the Office of the Assistant Secretary of Energy for Defense*
21 *Programs an Office of Tritium Production and Plutonium*
22 *Disposition.*

23 *(b) RESPONSIBILITIES.—The responsibilities of the of-*
24 *fice shall include the following:*

25 *(1) Activities relating to the development, design,*
26 *and construction (including research in support*

1 *thereof) of a tritium production facility in order to*
2 *ensure that a tritium production facility replacing*
3 *existing tritium production facilities of the Depart-*
4 *ment of Energy and capable of meeting the antici-*
5 *ipated need of the Department of Defense for tritium*
6 *is in operation no later than December 31, 2011.*

7 *(2) Carrying out the evaluation of an advanced*
8 *light water reactor and a high temperature gas reac-*
9 *tor referred to in section 3105(d)(2) of the National*
10 *Defense Authorization Act for Fiscal Year 1993 (Pub-*
11 *lic Law 102-484; 106 Stat. 2636).*

12 *(3) Activities relating to the design, development,*
13 *and construction (including research in support*
14 *thereof) of the reactors referred to in paragraph (2).*

15 *(4) Research and development activities relating*
16 *to design, development, and construction by the De-*
17 *partment of Energy of an advanced metal reactor*
18 *that utilizes an actinide recycling process and that is*
19 *capable of burning plutonium, producing tritium,*
20 *and producing electricity.*

21 *(5) Research and development activities relating*
22 *to the design, development, and construction by the*
23 *Department of Energy of an accelerator technology*
24 *that is capable of burning plutonium, producing trit-*
25 *ium, and producing electricity.*

1 (6) *Activities relating to the design, development,*
2 *and construction (including research in support*
3 *thereof) of a facility to treat and dispose of excess plu-*
4 *tonium.*

5 **SEC. 3133. AUTHORITY TO TRANSFER CERTAIN DEPART-**
6 **MENT OF ENERGY PROPERTY.**

7 (a) *AUTHORITY TO TRANSFER.*—(1) *Notwithstanding*
8 *any other provision of law, the Secretary of Energy may*
9 *transfer, for consideration, all right, title, and interest of*
10 *the United States in and to the property referred to in sub-*
11 *section (b) to any person if the Secretary determines that*
12 *such transfer will mitigate the adverse economic con-*
13 *sequences that might otherwise arise from the closure of a*
14 *Department of Energy facility.*

15 (2) *The amount of consideration received by the United*
16 *States for a transfer under paragraph (1) may be less than*
17 *the fair market value of the property transferred if the Sec-*
18 *retary determines that the receipt of such lesser amount by*
19 *the United States is in accordance with the purpose of such*
20 *transfer under this section.*

21 (b) *COVERED PROPERTY.*—*Property that may be*
22 *transferred under subsection (a) is the following property*
23 *of the Department of Energy that is located at department*
24 *facilities to be closed:*

1 (A) by striking out “and” at the end of
2 clause (i):

3 (B) by striking out the period at the end of
4 clause (ii) and inserting in lieu thereof a semi-
5 colon; and

6 (C) by adding at the end the following:

7 “(iii) at the Savannah River Site, South Caro-
8 lina, to loan personnel in accordance with this section
9 to any community-based organization; and

10 “(iv) at Oak Ridge, Tennessee, to loan personnel
11 in accordance with this section to any community-
12 based organization.”; and

13 (2) in subparagraph (B)—

14 (A) by striking out “and the Idaho” and in-
15 serting in lieu thereof “; the Idaho”; and

16 (B) by adding before the period at the end
17 the following: “; the Savannah River Site, and
18 Oak Ridge”.

19 (b) *AUTHORITY TO LOAN FACILITIES.*—Subsection (b)
20 of such Act is amended—

21 (1) by striking out “or the Idaho” and inserting
22 in lieu thereof “the Idaho”; and

23 (2) by inserting “Savannah River Site, South
24 Carolina, or Oak Ridge, Tennessee,” before “to any
25 community-based organization”.

1 (c) *DURATION OF PROGRAM.*—Subsection (c) of such
2 section is amended—

3 (1) by striking out “Reservation, and” and in-
4 sserting in lieu thereof “Reservation,”; and

5 (2) by inserting after “Idaho National Engineer-
6 ing Laboratory” the following: “, and September 30,
7 1995, with respect to the Savannah River Site, and
8 to Oak Ridge”.

9 **SEC. 3135. INCLUSION OF ANALYSIS OF NEVADA TEST SITE**
10 **IN ENVIRONMENTAL ASSESSMENT OF RECON-**
11 **FIGURATION OF DEPARTMENT OF ENERGY**
12 **NUCLEAR WEAPONS COMPLEX.**

13 *In preparing an environmental impact statement in*
14 *connection with a decision to reconfigure the functions, fa-*
15 *cilities, and personnel of the Department of Energy relating*
16 *to research and development, production, and testing of nu-*
17 *clear materials and weapons, the Secretary of Energy shall*
18 *include an analysis of the Nevada Test Site as a potential*
19 *site for the location of some or all of such functions, facili-*
20 *ties, and personnel.*

21 **SEC. 3136. DEPARTMENT OF ENERGY MANAGEMENT.**

22 (a) *UNDER SECRETARIES.*—Section 202 of the Depart-
23 *ment of Energy Organization Act (42 U.S.C. 7132) is*
24 *amended—*

1 (1) *in subsection (a), by striking out “Under*
2 *Secretary” and inserting in lieu thereof “Under Sec-*
3 *retaries”;* and

4 (2) *by striking out subsection (b) and inserting*
5 *in lieu thereof the following:*

6 “(b) *There shall be in the Department three Under Sec-*
7 *retaries and a General Counsel, who shall be appointed by*
8 *the President, by and with the advice and consent of the*
9 *Senate, and who shall perform such functions and duties*
10 *the Secretary prescribes. The Under Secretaries shall be*
11 *compensated at the rate for level III of the Executive Sched-*
12 *ule under section 5314 of title 5, United States Code, and*
13 *the General Counsel shall be compensated at the rate pro-*
14 *vided for level IV of the Executive Schedule under section*
15 *5315 of title 5, United States Code.”.*

16 (b) *RATES OF PAY.—Section 5314 of title 5, United*
17 *States Code, is amended by striking out the item relating*
18 *to the Under Secretary, Department of Energy, and insert-*
19 *ing in lieu thereof the following:*

20 “*Under Secretaries, Department of Energy (3).*”.

1 **SEC. 3137. TRAINING PROGRAMS FOR MANAGEMENT OF**
2 **HAZARDOUS MATERIALS AND OF HAZARDOUS**
3 **MATERIALS EMERGENCY RESPONSE ACTIVI-**
4 **TIES.**

5 (a) *AUTHORITY TO CARRY OUT PROGRAMS.*—The Sec-
6 retary of Energy may carry out the programs described in
7 subsection (b) for persons who work with hazardous mate-
8 rials.

9 (b) *NATURE OF PROGRAMS.*—The programs referred to
10 in subsection (a) are programs relating to management of
11 hazardous materials and of hazardous materials emergency
12 response that are designed to enhance the safety of the per-
13 sons referred to in subsection (a) and to protect the environ-
14 ment.

15 (c) *REGIONAL TRAINING CENTERS.*—(1) The programs
16 referred to in subsection (a) may be conducted at regional
17 training centers to be operated under the supervision of the
18 Secretary by qualified (as determined by the Secretary) not-
19 for-profit organizations acting in cooperation with States,
20 labor organizations, or Indian tribes.

21 (2) In consultation with appropriate representatives of
22 colleges and universities and other organizations having ap-
23 propriate technical expertise, the Secretary may develop—

24 (A) standards relating to the operation of centers
25 under this subsection; and

1 *prehensive Environmental Response Compensation and Li-*
2 *ability Act (42 U.S.C. 9601 et seq.), the Solid Waste Dis-*
3 *posal Act (42 U.S.C. 6901 et seq.), or a comparable State*
4 *or local government law or regulation.*

5 (b) *CONTENT OF REVIEW.*—*The review required by*
6 *subsection (a) shall identify all required actions or mile-*
7 *stones that—*

8 (1) *can be completed faster than the schedule*
9 *provided in the agreement;*

10 (2) *are unnecessary because of—*

11 (A) *technological or programmatic changes;*

12 *or*

13 (B) *changes in circumstances or assump-*
14 *tions;*

15 (3) *cannot be completed by the completion date*
16 *scheduled in the agreement, but can be accomplished*
17 *within a reasonable time after such date by the use*
18 *of a more efficient or more cost-effective technology*
19 *than the technology that has been used;*

20 (4) *cannot be completed by the completion date*
21 *scheduled in the agreement because necessary tech-*
22 *nology will not be available in time to meet that*
23 *schedule;*

24 (5) *cannot be completed by the completion date*
25 *scheduled in the agreement because site characteriza-*

1 *tion, site analysis, or another necessary information*
2 *collection activity will not be completed in time to*
3 *meet that schedule; or*

4 *(6) may endanger worker health and safety if*
5 *carried out within the period provided in the agree-*
6 *ment.*

7 *(c) CONSULTATION REQUIREMENT.—In conducting the*
8 *review of an agreement pursuant to subsection (a), the Sec-*
9 *retary shall consult with all parties to the agreement and*
10 *representatives of the community in which the Department*
11 *of Energy facility covered by the agreement is located.*

12 *(d) REPORT TO CONGRESS.—The Secretary of Energy,*
13 *at the same time that the President submits to Congress*
14 *the budget for fiscal year 1996 pursuant to section 1105*
15 *of title 31, United States Code, shall submit to Congress*
16 *a report setting forth the following matters:*

17 *(1) The results of the review conducted pursuant*
18 *to subsection (a).*

19 *(2) Any alternatives to the milestones and com-*
20 *mitments that the Secretary considers appropriate.*

21 *(3) An explanation of any alternative action or*
22 *milestone that the Secretary considers necessary, and*
23 *the reason such alternative is necessary.*

24 *(4) For each such alternative—*

1 2073) is amended in the second sentence by striking out
2 “four additional one-year periods” and inserting in lieu
3 thereof “nine additional one-year period”.

4 **SEC. 3140. STANDARDIZATION OF REQUIREMENTS AFFECT-**
5 **ING DEPARTMENT OF ENERGY EMPLOYEES.**

6 (a) Part A of title VI of the Department of Energy
7 Organization Act (42 U.S.C. 7211 through 7218) is re-
8 pealed.

9 (b) The table of contents for the Department of Energy
10 Organization Act is amended by striking out the matter re-
11 lating to part A of title VI.

12 **Subtitle D—Cooperative Research and**
13 **Development**

14 **SEC. 3141. SHORT TITLE.**

15 This subtitle may be cited as the “Department of En-
16 ergy National Competitiveness Technology Partnership Act
17 of 1993”.

18 **SEC. 3142. DEFINITIONS.**

19 For purposes of this subtitle, the term—

20 (a) “Department” means the United States De-
21 partment of Energy; and

22 (b) “Secretary” means the Secretary of the Unit-
23 ed States Department of Energy.

1 **SEC. 3143. COMPETITIVENESS AMENDMENT TO THE DE-**
2 **PARTMENT OF ENERGY ORGANIZATION ACT.**

3 (a) *The Department of Energy Organization Act is*
4 *amended by adding the following new title (42 U.S.C. 7101*
5 *et seq.):*

6 **“TITLE XI—TECHNOLOGY PARTNERSHIPS**

7 **“SEC. 1101. FINDINGS, PURPOSES AND DEFINITIONS.**

8 “(a) *FINDINGS.—For purposes of this title, Congress*
9 *finds that—*

10 “(1) *the Department has scientific and technical*
11 *resources within the departmental laboratories in*
12 *many areas of importance to the economic, scientific*
13 *and technological competitiveness of United States in-*
14 *dustry;*

15 “(2) *the extensive scientific and technical invest-*
16 *ment in people, facilities and equipment in the de-*
17 *partmental laboratories can contribute to the achieve-*
18 *ment of national technology goals in areas such as the*
19 *environment, health, space, and transportation;*

20 “(3) *the Department has pursued aggressively*
21 *the transfer of technology from departmental labora-*
22 *tories to the private sector; however, the capabilities*
23 *of the laboratories could be made more fully accessible*
24 *to United States industry and to other Federal agen-*
25 *cies;*

1 “(4) *technology development has been increas-*
2 *ingly driven by the commercial marketplace, and the*
3 *private sector has research and development capabili-*
4 *ties in a broad range of generic technologies;*

5 “(5) *the Department and the departmental*
6 *laboratories would benefit, in carrying out their*
7 *missions, from collaboration and partnership with*
8 *United States industry and other Federal agencies;*
9 *and*

10 “(6) *partnerships between the departmental lab-*
11 *oratories and United States industry can provide sig-*
12 *nificant benefits to the Nation as a whole, including*
13 *creation of jobs for United States workers and im-*
14 *provement of the competitive position of the United*
15 *States in key sectors of the economy such as aero-*
16 *space, automotive, chemical and electronics.*

17 “(b) *PURPOSES.—The purposes of this title are—*

18 “(1) *to promote partnerships among the Depart-*
19 *ment, the departmental laboratories and the private*
20 *sector;*

21 “(2) *to establish a goal for the amount of depart-*
22 *mental laboratory resources to be committed to part-*
23 *nerships;*

24 “(3) *to ensure that the Department and the de-*
25 *partmental laboratories play an appropriate role,*

1 *consistent with the core competencies of the labora-*
2 *ories, in implementing the President's critical tech-*
3 *nology strategies;*

4 *“(4) to provide additional authority to the Sec-*
5 *retary to enter into partnerships with the private sec-*
6 *tor to carry out research, development, demonstration*
7 *and commercial application activities;*

8 *“(5) to streamline the approval process for coop-*
9 *erative research and development agreements proposed*
10 *by the departmental laboratories; and*

11 *“(6) to facilitate greater cooperation between the*
12 *Department and other federal agencies as part of an*
13 *integrated national effort to improve United States*
14 *competitiveness.*

15 *“(c) DEFINITIONS.—For purposes of this title, the*
16 *term—*

17 *“(1) ‘cooperative research and development*
18 *agreement’ has the meaning given that term in sec-*
19 *tion 12 of the Stevenson-Wydler Technology Innova-*
20 *tion Act of 1980 (15 U.S.C. 3710a(d)(1));*

21 *“(2) ‘core competency’ means an area in which*
22 *the Secretary determines a departmental laboratory*
23 *has developed expertise and demonstrated capabilities;*

1 “(3) ‘critical technology’ means a technology
2 identified in the Report of the National Critical Tech-
3 nologies Panel;

4 “(4) ‘departmental laboratory’ means a facility
5 operated by or on behalf of the Department that
6 would be considered a laboratory as that term is de-
7 fined in section 12 of the Stevenson-Wydler Tech-
8 nology Innovation Act of 1980 (15 U.S.C.
9 3710a(d)(2)) or any other laboratory or facility des-
10 ignated by the Secretary;

11 “(5) ‘disadvantaged’ has the same meaning as
12 that term has in section 8(a) (5) and (6) of the Small
13 Business Act (15 U.S.C. 637(a) (5) and (6));

14 “(6) ‘dual-use technology’ means a technology
15 that has military and commercial applications;

16 “(7) ‘educational institution’ means a college,
17 university, or elementary or secondary school, includ-
18 ing any not-for-profit organization dedicated to edu-
19 cation that would be exempt under section 501(a) of
20 the Internal Revenue Code of 1986;

21 “(8) ‘minority college or university’ means a his-
22 torically Black college or university that would be
23 considered a ‘part B institution’ by section 322(2) of
24 the Higher Education Act of 1965 (20 U.S.C.
25 1061(2)) or a ‘minority institution’ as that term is

1 *defined in section 1046 of the Higher Education Act*
2 *of 1965 (20 U.S.C. 1135d-5(3));*

3 “(9) ‘multi-program departmental laboratory’
4 *means any of the following: Argonne National Lab-*
5 *oratory, Brookhaven National Laboratory, Idaho Na-*
6 *tional Engineering Laboratory, Lawrence Berkeley*
7 *Laboratory, Lawrence Livermore National Labora-*
8 *tory, Los Alamos National Laboratory, National Re-*
9 *newable Energy Laboratory, Oak Ridge National*
10 *Laboratory, Pacific Northwest Laboratory, and*
11 *Sandia National Laboratories;*

12 “(10) ‘partnership’ *means any arrangement*
13 *under which the Secretary or one or more depart-*
14 *mental laboratories undertakes research, development,*
15 *demonstration, commercial application or technical*
16 *assistance activities in cooperation with one or more*
17 *non-Federal partners and which may include part-*
18 *ners from other Federal agencies;*

19 “(11) ‘Report of the National Critical Tech-

20 *nologies Panel’ means the biennial report on national*
21 *critical technologies submitted to Congress by the*
22 *President pursuant to section 603(d) of the National*
23 *Science and Technology Policy, Organization, and*
24 *Priorities Act of 1976 (42 U.S.C. 6683(d)); and*

1 “(12) ‘small business’ means a business concern
2 that meets the applicable standards prescribed pursu-
3 ant to section 3(a) of the Small Business Act (15
4 U.S.C. 632(a)).

5 **“SEC. 1102. GENERAL AUTHORITY.**

6 “(a)(1) In carrying out the missions of the Depart-
7 ment, the Secretary and the departmental laboratories may
8 conduct research, development, demonstration or commer-
9 cial application activities that build on the core com-
10 petencies of the departmental laboratories.

11 “(2) In addition to missions established pursu-
12 ant to other laws, the Secretary may assign to depart-
13 mental laboratories any of the following missions:

14 “(A) National security, including the—

15 “(i) advancement of the military ap-
16 plication of atomic energy;

17 “(ii) support of the production of
18 atomic weapons, or atomic weapons parts,
19 including special nuclear materials;

20 “(iii) support of naval nuclear propul-
21 sion programs;

22 “(iv) support for the dismantlement of
23 atomic weapons and the safe storage, trans-
24 portation and disposal of special nuclear
25 materials;

1 “(v) *development of technologies and*
2 *techniques for the safe storage, processing,*
3 *treatment, transportation, and disposal of*
4 *hazardous waste (including radioactive*
5 *waste) resulting from nuclear materials*
6 *production, weapons production and sur-*
7 *veillance programs, and naval nuclear pro-*
8 *pulsion programs and of technologies and*
9 *techniques for the reduction of environ-*
10 *mental hazards and contamination due to*
11 *such waste and the environmental restora-*
12 *tion of sites affected by such waste;*

13 “(vi) *development of technologies and*
14 *processes that facilitate the effective negotia-*
15 *tion and verification of international arms*
16 *control agreements and the containment of*
17 *the proliferation of nuclear weapons and the*
18 *proliferation of delivery systems for such*
19 *weapons; and*

20 “(vii) *protection of health and pro-*
21 *motion of safety in carrying out other na-*
22 *tional security missions.*

23 “(B) *Energy-related science and technology,*
24 *including the—*

- 1 “(i) enhancement of the understanding
2 of all forms of energy production and use;
- 3 “(ii) support of basic and applied re-
4 search on the fundamental nature of matter
5 and energy, including construction and op-
6 eration of unique scientific instruments;
- 7 “(iii) development of energy resources,
8 including solar, geothermal, fossil, and nu-
9 clear energy resources, and related fuel cy-
10 cles;
- 11 “(iv) pursuit of a comprehensive pro-
12 gram of research and development on the
13 environmental effects of energy technologies
14 and programs;
- 15 “(v) development of technologies and
16 processes to reduce the generation of waste
17 or pollution or the consumption of energy or
18 materials;
- 19 “(vi) development of technologies and
20 techniques for the safe storage, processing,
21 treatment, management, transportation and
22 disposal of nuclear waste resulting from
23 commercial nuclear activities; and

1 “(vii) improvement of the quality of
2 education in science, mathematics, and en-
3 gineering.

4 “(C) Technology transfer.

5 “(3)(A) In addition to the missions identified in
6 subsection (a)(2), the Departmental laboratories may
7 pursue supporting missions to the extent that these
8 supporting missions—

9 “(i) support the technology policies of the
10 President;

11 “(ii) are developed in consultation with and
12 coordinated with any other Federal agency or
13 agencies that carry out such mission activities;

14 “(iii) are built upon the competencies devel-
15 oped in carrying out the primary missions iden-
16 tified in subsection (a)(2) and do not interfere
17 with the pursuit of the missions identified in
18 subsection (a)(2); and

19 “(iv) are carried out through a process that
20 solicits the views of United States industry and
21 other appropriate parties.

22 “(B) These supporting missions shall include ac-
23 tivities in the following areas:

24 “(i) developing and operating high-perform-
25 ance computing and communications systems,

1 with the goals of contributing to a national in-
2 formation infrastructure and addressing complex
3 scientific and industrial challenges which require
4 large-scale computational capabilities;

5 “(ii) conducting research on and develop-
6 ment of advanced manufacturing systems and
7 technologies, with the goal of assisting the pri-
8 vate sector in improving the productivity, qual-
9 ity, energy efficiency, and control of manufactur-
10 ing processes; and

11 “(iii) conducting research on and develop-
12 ment of advanced materials, with the goals of in-
13 creasing energy efficiency, environmental protec-
14 tion, and improved industrial performance.

15 “(4) In carrying out the Department’s missions,
16 the Secretary, and the directors of the departmental
17 laboratories, shall, to the maximum extent prac-
18 ticable, make use of partnerships. Such partnerships
19 shall be for purposes of the following:

20 “(A) to lead to the development of tech-
21 nologies that the private sector can commer-
22 cialize in areas of technology with broad appli-
23 cation important to United States technological
24 and economic competitiveness;

1 “(B) to provide Federal support in areas of
2 technology where the cost or risk is too high for
3 the private sector to support alone but that offer
4 a potentially high payoff to the United States;

5 “(C) to contribute to the education and
6 training of scientists and engineers;

7 “(D) to provide university and private re-
8 searchers access to departmental laboratory fa-
9 cilities; or

10 “(E) to provide technical expertise to uni-
11 versities, industry or other Federal agencies.

12 “(b) The Secretary, in carrying out partnerships, may
13 enter into agreements using instruments authorized under
14 applicable laws, including but not limited to contracts, co-
15 operative research and development agreements, work for
16 other agreements, user-facility agreements, cooperative
17 agreements, grants, personnel exchange agreements and pat-
18 ent and software licenses with any person, any agency or
19 instrumentality of the United States, any State or local
20 governmental entity, any educational institution, and any
21 other entity, private sector or otherwise.

22 “(c) The Secretary and the directors of the depart-
23 mental laboratories shall utilize partnerships with United
24 States industry, to the maximum extent practicable, to en-
25 sure that technologies developed in pursuit of the Depart-

1 *ment's missions are applied and commercialized in a time-*
2 *ly manner.*

3 *“(d) The Secretary shall work with other Federal agen-*
4 *cies to carry out research, development, demonstration or*
5 *commercial application activities where the core com-*
6 *petencies of the departmental laboratories could contribute*
7 *to the missions of such other agencies.*

8 **“SEC. 1103. ESTABLISHMENT OF GOAL FOR PARTNERSHIPS**
9 **BETWEEN DEPARTMENTAL LABORATORIES**
10 **AND UNITED STATES INDUSTRY.**

11 *“(a) Beginning in fiscal year 1994, the Secretary shall*
12 *establish a goal to make available for cost-shared partner-*
13 *ships with United States industry not less than 20 percent*
14 *of the annual funds provided by the Secretary to each*
15 *multi-program departmental laboratory for research, devel-*
16 *opment, demonstration and commercial application activi-*
17 *ties.*

18 *“(b) Beginning in fiscal year 1994, the Secretary shall*
19 *establish an appropriate goal for the amount of resources*
20 *to be made available for cost-shared partnerships with*
21 *United States industry at other departmental laboratories.*

1 **“SEC. 1104. ROLE OF THE DEPARTMENT IN THE DEVELOP-**
2 **MENT OF CRITICAL TECHNOLOGY STRATE-**
3 **GIES.**

4 *“(a) The Secretary shall develop a multi-year critical*
5 *technology strategy for research, development, demonstra-*
6 *tion and commercial application activities supported by the*
7 *Department for the critical technologies listed in the Report*
8 *of the National Critical Technologies Panel.*

9 *“(b) In developing such strategy, the Secretary shall—*

10 *“(1) identify the core competencies of each de-*
11 *partmental laboratory;*

12 *“(2) develop goals and objectives for the appro-*
13 *priate role of the Department in each of the critical*
14 *technologies listed in the report, taking into consider-*
15 *ation the core competencies of the departmental lab-*
16 *oratories;*

17 *“(3) consult with appropriate representatives of*
18 *United States industry, including members of indus-*
19 *try associations and representatives of labor organiza-*
20 *tions; and*

21 *“(4) participate in the executive branch process*
22 *to develop critical technology strategies.*

23 **“SEC. 1105. PARTNERSHIP PREFERENCES.**

24 *“(a) The Secretary shall ensure that the principal eco-*
25 *nomical benefits of any partnership accrue to the United*
26 *States economy.*

1 “(b) Any partnership that would be given preference
2 under section 12(c)(4) of the Stevenson-Wydler Technology
3 Innovation Act of 1980 (15 U.S.C. 3710a (c)(4)) if it were
4 a cooperative research and development agreement shall be
5 given preference under this title.

6 “(c) The Secretary shall issue guidelines, after con-
7 sultation with the Laboratory Partnership Advisory Board
8 established in section 1109, for application of section
9 12(c)(4) of the Stevenson-Wydler Technology Innovation
10 Act of 1980 (15 U.S.C. 3710a (c)(4)) and application of
11 subsection (a) of this section to partnerships.

12 “(d) The Secretary shall encourage partnerships that
13 involve minority colleges or universities or private sector
14 entities owned or controlled by disadvantaged individuals.

15 **“SEC. 1106. EVALUATION OF PARTNERSHIP PROGRAMS.**

16 “(a) The Secretary, in consultation with the Labora-
17 tory Partnership Advisory Board established in section
18 1109, shall develop mechanisms for independent evaluation
19 of the ongoing partnership activities of the Department and
20 the departmental laboratories.

21 “(b)(1) The Secretary and the director of each depart-
22 mental laboratory shall develop mechanisms for assessing
23 the progress of each partnership.

24 “(2) The Secretary and the director of each depart-
25 mental laboratory shall utilize the mechanisms developed

1 under paragraph (1) to evaluate the accomplishments of
2 each ongoing multi-year partnership and shall condition
3 continued Federal participation in each partnership on
4 demonstrated progress.

5 **“SEC. 1107. ANNUAL REPORT.**

6 “(a) The Secretary shall submit an annual report to
7 Congress describing the ongoing partnership activities of the
8 Secretary and each departmental laboratory and, to the ex-
9 tent practicable, the activities planned by the Secretary and
10 by each departmental laboratory for the coming fiscal year.
11 In developing the report, the Secretary shall seek the advice
12 of the Laboratory Partnership Advisory Board established
13 in section 1109.

14 “(b) The Secretary shall submit the report under sub-
15 section (a) to the appropriate Committees of the Congress.
16 No later than March 1, 1994, and no later than the first
17 of March of each subsequent year, the Secretary shall submit
18 the report under subsection (a) that covers the fiscal year
19 beginning on the first of October of such year.

20 “(c) Each director of a departmental laboratory shall
21 provide annually to the Secretary a report on ongoing part-
22 nership activities and a plan and such other information
23 as the Secretary may reasonably require describing the
24 partnership activities the director plans to carry out in the
25 coming fiscal year. The director shall provide such report

1 *and plan in a timely manner as prescribed by the Secretary*
2 *to permit preparation of the report under subsection (a).*

3 *“(d) The Secretary’s description of planned activities*
4 *under subsection (a) shall include, to the extent such infor-*
5 *mation is available, appropriate information on—*

6 *“(1) the total funds to be allocated to partnership*
7 *activities by the Secretary and by the director of each*
8 *departmental laboratory;*

9 *“(2) a breakdown of funds to be allocated by the*
10 *Secretary and by the director of each departmental*
11 *laboratory for partnership activities by area of tech-*
12 *nology;*

13 *“(3) any plans for additional funds not de-*
14 *scribed in paragraph (2) to be set aside for partner-*
15 *ships during the coming fiscal year;*

16 *“(4) any partnership that involves a Federal*
17 *contribution in excess of \$500,000 the Secretary or the*
18 *director of each departmental laboratory expects to*
19 *enter into in the coming fiscal year;*

20 *“(5) the technologies that will be advanced by*
21 *each partnership that involves a Federal contribution*
22 *in excess of \$500,000;*

23 *“(6) the types of entities that will be eligible for*
24 *participation in partnerships;*

1 “(7) the nature of the partnership arrangements,
2 including the anticipated level of financial and in-
3 kind contribution from participants and any repay-
4 ment terms;

5 “(8) the extent of use of competitive procedures
6 in selecting partnerships; and

7 “(9) such other information that the Secretary
8 finds relevant to the determination of the appropriate
9 level of Federal support for such partnerships.

10 “(e) The Secretary shall provide appropriate notice in
11 advance to Congress of any partnership, which has not been
12 described previously in the report required by subsection
13 (a), that involves a Federal contribution in excess of
14 \$500,000.

15 **“SEC. 1108. PARTNERSHIP PAYMENTS.**

16 “(a)(1) Partnership agreements entered into by the
17 Secretary may require a person or other entity to make
18 payments to the Department, or any other Federal agency,
19 as a condition for receiving support under the agreement.

20 “(2) The amount of any payment received by the Fed-
21 eral Government pursuant to a requirement imposed under
22 paragraph (1) may be credited, to the extent authorized by
23 the Secretary, to the account established under paragraph
24 (3). Amounts so credited shall be available, subject to appro-
25 priations, for partnerships.

1 “(3) There is hereby established in the United States
2 Treasury an account to be known as the ‘Department of
3 Energy Partnership Fund’. Funds in such account shall be
4 available to the Secretary for the support of partnerships.

5 “(b) The Secretary may advance funds under any
6 partnership without regard to section 3324 of title 31 of
7 the United States Code to—

8 “(1) small businesses;

9 “(2) not-for-profit organizations that would be
10 exempt under section 501(a) of the Internal Revenue
11 Code of 1986; or

12 “(3) State or local governmental entities.

13 **“SEC. 1109. LABORATORY PARTNERSHIP ADVISORY BOARD**
14 **AND INDUSTRIAL ADVISORY GROUPS AT**
15 **MULTI-PROGRAM DEPARTMENTAL LABORA-**
16 **TORIES.**

17 “(a)(1) The Secretary shall establish within the De-
18 partment an advisory board to be known as the ‘Laboratory
19 Partnership Advisory Board’, to provide the Secretary with
20 advice on the implementation of this title.

21 “(2) The membership of the Laboratory Partnership
22 Advisory Board shall consist of persons who are qualified
23 to provide the Secretary with advice on the implementation
24 of this title. Members of the Board shall include representa-

1 *tives primarily from United States industry but shall also*
2 *include representatives from—*

3 “(A) *small businesses;*

4 “(B) *private sector entities owned or controlled*
5 *by disadvantaged persons;*

6 “(C) *educational institutions, including rep-*
7 *resentatives from minority colleges or universities;*

8 “(D) *laboratories of other Federal agencies; and*

9 “(E) *professional and technical societies in the*
10 *United States.*

11 “(3) *The Laboratory Partnership Advisory Board shall*
12 *request comment and suggestions from departmental labora-*
13 *ories to assist the Board in providing advice to the Sec-*
14 *retary on the implementation of this title.*

15 “(b) *The director of each multi-program departmental*
16 *laboratory shall establish an advisory group consisting of*
17 *persons from United States industry to—*

18 “(1) *evaluate new initiatives proposed by the de-*
19 *partmental laboratory;*

20 “(2) *identify opportunities for partnerships with*
21 *United States industry; and*

22 “(3) *evaluate ongoing programs at the depart-*
23 *mental laboratory from the perspective of United*
24 *States industry.*

1 “(c) Nothing in this section is intended to preclude the
2 Secretary or the director of a departmental laboratory from
3 utilizing existing advisory boards to achieve the purposes
4 of this section.

5 **“SEC. 1110. FELLOWSHIP PROGRAM.**

6 “The Secretary shall encourage scientists, engineers
7 and technical staff from departmental laboratories to serve
8 as visiting fellows in research and manufacturing facilities
9 of industrial organizations, State and local governments,
10 and educational institutions in the United States and for-
11 eign countries. The Secretary may establish a formal fellow-
12 ship program for this purpose or may authorize such activi-
13 ties on a case-by-case basis. The Secretary shall also encour-
14 age scientists and engineers from United States industry
15 to serve as visiting scientists and engineers in the depart-
16 mental laboratories.

17 **“SEC. 1111. COOPERATION WITH STATE AND LOCAL PRO-**
18 **GRAMS FOR TECHNOLOGY DEVELOPMENT**
19 **AND DISSEMINATION.**

20 “The Secretary and the director of each departmental
21 laboratory shall seek opportunities to coordinate their ac-
22 tivities with programs of State and local governments for
23 technology development and dissemination, including pro-
24 grams funded in part by the Secretary of Defense pursuant
25 to section 2523 of title 10 of the United States Code and

1 *section 2513 of title 10 of the United States Code and pro-*
2 *grams funded in part by the Secretary of Commerce pursu-*
3 *ant to sections 25 and 26 of the Act of March 3, 1901 (15*
4 *U.S.C. 278k and 278l) and section 5121(b) of the Omnibus*
5 *Trade and Competitiveness Act of 1988 (15 U.S.C. 278l*
6 *note).*

7 **“SEC. 1112. AVAILABILITY OF FUNDS FOR PARTNERSHIPS.**

8 “(a) *All of the funds authorized to be appropriated to*
9 *the Secretary for research, development, demonstration or*
10 *commercial application activities, other than atomic energy*
11 *defense programs, shall be available for partnerships to the*
12 *extent such partnerships are consistent with the goals and*
13 *objectives of such activities.*

14 “(b) *All of the funds authorized to be appropriated to*
15 *the Secretary for atomic energy defense activities shall be*
16 *available for partnerships to the extent such partnerships*
17 *are consistent with the goals and objectives of such activi-*
18 *ties.*

19 “(c) *Funds authorized to be appropriated to the Sec-*
20 *retary and made available for departmental laboratory-di-*
21 *rected research and development shall be available for any*
22 *partnership.*

23 **“SEC. 1113. PROTECTION OF INFORMATION.**

24 “*Section 12(c)(7) of the Stevenson-Wydler Technology*
25 *Innovation Act of 1980 (15 U.S.C. 3710a(c)(7)), relating*

1 *to the protection of information, shall apply to the partner-*
2 *ship activities undertaken by the Secretary and by the di-*
3 *rectors of the departmental laboratories.*

4 ***“SEC. 1114. FAIRNESS OF OPPORTUNITY.***

5 *“(a) The Secretary and the director of each depart-*
6 *mental laboratory shall institute procedures to ensure that*
7 *information on laboratory capabilities and arrangements*
8 *for participating in partnerships with the Secretary or the*
9 *departmental laboratories is publicly disseminated.*

10 *“(b) Prior to entering into any partnership having a*
11 *Federal contribution in excess of \$5,000,000, the Secretary*
12 *or director of a departmental laboratory shall ensure that*
13 *the opportunity to participate in such partnership has been*
14 *publicly announced to potential participants.*

15 *“(c) In cases where the Secretary or the director of a*
16 *departmental laboratory believes a potential partnership*
17 *activity would benefit from broad participation from the*
18 *private sector, the Secretary or the director of such depart-*
19 *mental laboratory may take such steps as may be necessary*
20 *to facilitate formation of a United States industry consor-*
21 *tium to pursue the partnership activity.*

22 ***“SEC. 1115. PRODUCT LIABILITY.***

23 *“The Secretary, after consultation with the Laboratory*
24 *Partnership Advisory Board established in section 1109,*
25 *and the Attorney General shall enter into a memorandum*

1 *of understanding establishing a consistent policy and stand-*
2 *ards regarding the liability of the United States, of the non-*
3 *Federal entity operating a departmental laboratory and of*
4 *any other party to a partnership for product liability*
5 *claims arising from partnership activities. The Secretary*
6 *and the director of each departmental laboratory shall, to*
7 *the maximum extent practicable, incorporate into any part-*
8 *nership the policy and standards established in the memo-*
9 *randum of understanding.*

10 **“SEC. 1116. INTELLECTUAL PROPERTY.**

11 *“The Secretary shall, after consultation with the Lab-*
12 *oratory Partnership Advisory Board established in section*
13 *1109, develop guidelines governing the application of intel-*
14 *lectual property laws by the Secretary and by the director*
15 *of each departmental laboratory in partnership arrange-*
16 *ments.*

17 **“SEC. 1117. SMALL BUSINESS.**

18 *“(a) The Secretary shall develop simplified procedures*
19 *and guidelines for partnerships involving small businesses*
20 *to facilitate access to the resources and capabilities of the*
21 *departmental laboratories.*

22 *“(b) Notwithstanding any other law, the Secretary*
23 *may waive, in whole or in part, any cost-sharing require-*
24 *ment for a small business involved in a partnership if the*
25 *Secretary determines that the cost-sharing requirement*

1 *would impose an undue hardship on the small business and*
2 *would prevent the formation of the partnership.*

3 “(c) Notwithstanding section 12(d) of the Stevenson-
4 Wydler Technology Innovation Act of 1980 (15 U.S.C.
5 3710a(d)(1)), the Secretary may provide funds as part of
6 a cooperative research and development agreement to a
7 small business if the Secretary determines that the funds
8 are necessary to prevent imposing an undue hardship on
9 the small business and necessary for the formation of the
10 cooperative research and development agreement.

11 **“SEC. 1118. MINORITY COLLEGE AND UNIVERSITY REPORT.**

12 “Within one year after the date of enactment of this
13 title, and annually thereafter, the Secretary shall submit
14 to the appropriate committees of the United States Senate
15 and the United States House of Representatives a report
16 identifying opportunities for minority colleges and univer-
17 sities to participate in programs and activities being car-
18 ried out by the Department or the departmental labora-
19 tories. The Secretary shall consult with representatives of
20 minority colleges and universities in preparing the report.
21 Such report shall—

22 “(a) describe ongoing education and training
23 programs being carried out by the Department or the
24 departmental laboratories with respect to or in con-

1 *junction with minority colleges and universities in*
2 *the areas of mathematics, science, and engineering;*

3 *“(b) describe ongoing research, development dem-*
4 *onstration or commercial application activities in-*
5 *volving the Department or the departmental labora-*
6 *tories and minority colleges and universities;*

7 *“(c) describe funding levels for the programs and*
8 *activities described in subsections (a) and (b);*

9 *“(d) identify ways for the Department or the de-*
10 *partmental laboratories to assist minority colleges*
11 *and universities in providing education and training*
12 *in the fields of mathematics, science, and engineering;*

13 *“(e) identify ways for the Department or the de-*
14 *partmental laboratories to assist minority colleges*
15 *and universities in entering into partnerships;*

16 *“(f) address the need for and potential role of the*
17 *Department or the departmental laboratories in pro-*
18 *viding to minority colleges and universities the fol-*
19 *lowing:*

20 *“(1) increased research opportunities for*
21 *faculty and students;*

22 *“(2) assistance in faculty development and*
23 *recruitment and curriculum enhancement and*
24 *development; and*

1 *an opportunity for the scholarship recipient to participate*
 2 *in an applied work experience in a departmental labora-*
 3 *tory. Recipients of such scholarships shall be students*
 4 *deemed by the Secretary to have demonstrated (1) a need*
 5 *for such assistance and (2) academic potential in the par-*
 6 *ticular area of study. Scholarships awarded under this pro-*
 7 *gram shall be known as Secretary of Energy Scholarships.”.*

8 (b) *CONFORMING AMENDMENT.—The table of contents*
 9 *of the Department of Energy Organization Act (42 U.S.C.*
 10 *7101 et seq.) is amended by adding at the end thereof the*
 11 *following items:*

“TITLE XI—TECHNOLOGY PARTNERSHIPS

“Sec. 1101. Finding, purposes, and definitions.

“Sec. 1102. General authority.

“Sec. 1103. Establishment of goal for partnerships between departmental labora-
tories and United States industry.

“Sec. 1104. Role of the Department in the development of critical technology
strategies.

“Sec. 1105. Partnership preferences.

“Sec. 1106. Evaluation of partnership programs.

“Sec. 1107. Annual report.

“Sec. 1108. Partnership payments.

“Sec. 1109. Laboratory partnership advisory board and industrial advisory
groups at multi-program departmental laboratories.

“Sec. 1110. Fellowship program.

“Sec. 1111. Cooperation with State and local programs for technology develop-
ment and dissemination.

“Sec. 1112. Availability of funds for partnerships.

“Sec. 1113. Protection of information.

“Sec. 1114. Fairness of opportunity.

“Sec. 1115. Product liability.

“Sec. 1116. Intellectual property.

“Sec. 1117. Small business.

“Sec. 1118. Minority college and university report.

“Sec. 1119. Minority college and university scholarship program.”.

1 **SEC. 3144. NATIONAL ADVANCED MANUFACTURING TECH-**
2 **NOLOGIES PROGRAM.**

3 *The Secretary is encouraged to use partnerships to ex-*
4 *pedite the private sector deployment of advanced manufac-*
5 *turing technologies as required by section 2202(a) of the*
6 *Energy Policy Act of 1992 (42 U.S.C. 13502).*

7 **SEC. 3145. NOT-FOR-PROFIT ORGANIZATIONS.**

8 *The Secretary shall encourage the establishment of not-*
9 *for-profit organizations, such as the Center for Applied De-*
10 *velopment of Environmental Technology (CADET), that*
11 *will facilitate the transfer of technologies from the depart-*
12 *mental laboratories to the private sector.*

13 **SEC. 3146. CAREER PATH PROGRAM.**

14 *(a) The Secretary, utilizing authority under other ap-*
15 *plicable law and the authority of this section, shall establish*
16 *a career path program to recruit employees of the national*
17 *laboratories to serve in positions in the Department.*

18 *(b) Section 207 of title 18, United States Code, is*
19 *amended by inserting after subsection (j)(6) the following:*

20 *“(7) NATIONAL LABORATORIES.—(A) The restric-*
21 *tions contained in subsections (a), (b), (c), and (d)*
22 *shall not apply to an appearance or communication*
23 *made, or advice or aid rendered by a person employed*
24 *at a facility described in subparagraph (B), if the ap-*
25 *pearance or communication is made on behalf of the*

1 *facility or the advice or aid is provided to the con-*
2 *tractor of the facility.*

3 “(B) *This paragraph applies to the following:*
4 *Argonne National Laboratory, Brookhaven National*
5 *Laboratory, Idaho National Engineering Laboratory,*
6 *Lawrence Berkeley Laboratory, Lawrence Livermore*
7 *National Laboratory, Los Alamos National Labora-*
8 *tory, National Renewable Energy Laboratory, Oak*
9 *Ridge National Laboratory, Pacific Northwest Lab-*
10 *oratory, and Sandia National Laboratories.”*

11 *(c) Section 27 of the Office of Federal Procurement*
12 *Policy Act (41 U.S.C. 423) is amended by inserting the fol-*
13 *lowing new subsection:*

14 “(q) *NATIONAL LABORATORIES.—(1) The restrictions*
15 *on obtaining a recusal contained in paragraphs (c)(2) and*
16 *(c)(3) shall not apply to discussions of future employment*
17 *or business opportunity between a procurement official and*
18 *a competing contractor managing and operating a facility*
19 *described in paragraph (3): Provided, That such discussions*
20 *concern the employment of the procurement official at such*
21 *facility.*

22 “(2) *The restrictions contained in paragraph (f)(1)*
23 *shall not apply to activities performed on behalf of a facility*
24 *described in paragraph (3).*

1 “(3) This subsection applies to the following: Argonne
2 National Laboratory, Brookhaven National Laboratory,
3 Idaho National Engineering Laboratory, Lawrence Berke-
4 ley Laboratory, Lawrence Livermore National Laboratory,
5 Los Alamos National Laboratory, National Renewable En-
6 ergy Laboratory, Oak Ridge National Laboratory, Pacific
7 Northwest Laboratory, and Sandia National Labora-
8 tories.”.

9 **SEC. 3147. AVLIS COMMERCIALIZATION.**

10 (a) *PREDEPLOYMENT CONTRACTOR*.—Not later than
11 ninety days after the date of enactment of this Act, the Sec-
12 retary shall solicit proposals for a commercial
13 predeployment contractor to conduct such activities as may
14 be necessary to enable the Secretary or any successor to the
15 Secretary’s uranium enrichment enterprise to deploy a
16 commercial uranium enrichment plant using the Atomic
17 Vapor Laser Isotope Separation (AVLIS) technology. Such
18 activities shall include—

19 (1) developing a transition plan for transferring
20 the AVLIS program from research, development, and
21 demonstration activities at the Lawrence Livermore
22 National Laboratory to deployment of a commercial
23 AVLIS production plant;

24 (2) confirming the technical performance of
25 AVLIS technology;

1 (3) *developing the economic and industrial as-*
2 *sessments necessary for the Secretary or his successor*
3 *to make a commercial decision whether to deploy*
4 *AVLIS;*

5 (4) *providing an industrial perspective for the*
6 *planning and execution of remaining demonstration*
7 *program activities; and*

8 (5) *completing feasibility and risk studies nec-*
9 *essary for a commercial decision whether to deploy*
10 *AVLIS, including financing options.*

11 (b) *ADDITIONAL ACTIVITIES.*—*Based upon the results*
12 *of subsection (a), the Secretary may solicit additional pro-*
13 *posals to complete the following activities:*

14 (1) *site selection, site characterization, and envi-*
15 *ronmental documentation activities for a commercial*
16 *AVLIS plant;*

17 (2) *engineering design of a production plant, de-*
18 *veloping a project schedule, and initiating operations*
19 *planning;*

20 (3) *activities leading to obtaining necessary li-*
21 *censes from the Nuclear Regulatory Commission; and*

22 (4) *ensuring the successful integration of AVLIS*
23 *technology into the commercial nuclear fuel cycle.*

24 (c) *REPORTS.*—*The Secretary shall submit to the Com-*
25 *mittee on Energy and Natural Resources of the United*

1 *States Senate and to the Speaker of the House of Represent-*
2 *atives a written report on the progress made toward the*
3 *deployment of a commercial AVLIS production plant nine-*
4 *ty days after the date of enactment of this Act and each*
5 *ninety days thereafter.*

6 **SEC. 3148. AMENDMENTS TO STEVENSON-WYDLER TECH-**
7 **NOLOGY INNOVATION ACT.**

8 (a) *Section 12(c)(5) of the Stevenson-Wydler Tech-*
9 *nology Innovation Act of 1980 (15 U.S.C. 3710a(c)(5)) is*
10 *amended—*

11 (1) *by deleting subparagraph (C)(i) and insert-*
12 *ing in lieu thereof the following:*

13 “(C)(i) *Any agency that has contracted*
14 *with a non-Federal entity to operate a labora-*
15 *tory shall review and approve, request specific*
16 *modifications to, or disapprove a joint work*
17 *statement and cooperative research and develop-*
18 *ment agreement that is submitted by the director*
19 *of such laboratory within thirty days after such*
20 *submission. In any case where an agency has re-*
21 *quested specific modifications to a joint work*
22 *statement or cooperative research and develop-*
23 *ment agreement, the agency shall approve or dis-*
24 *approve any resubmission of such joint work*
25 *statement or cooperative research and develop-*

1 *ment agreement within fifteen days after such re-*
2 *submission. No agreement may be entered into*
3 *by a Government-owned, contractor-operated lab-*
4 *oratory under this section before both approval of*
5 *the cooperative research and development agree-*
6 *ment and a joint work statement.”;*

7 (2) *by adding in subparagraph (C)(ii) the*
8 *words, “or cooperative research and development*
9 *agreement” after “joint work statement”;*

10 (3) *by deleting subparagraph (C)(iv);*

11 (4) *by deleting subparagraph (C)(v) and insert-*
12 *ing in lieu thereof:*

13 *“(C)(iv) If an agency fails to complete a re-*
14 *view under clause (i) within any of the specified*
15 *time-periods, the agency shall submit to the Con-*
16 *gress, within ten days after the failure to com-*
17 *plete the review, a report on the reasons for such*
18 *failure. The agency shall, at the end of each suc-*
19 *cessive 15-day period thereafter during which*
20 *such failure continues, submit to Congress an-*
21 *other report on the reasons for the continued fail-*
22 *ure.”; and*

23 (5) *by deleting subparagraph (C)(vi).*

1 (b) Section 12(d)(2) of the Stevenson-Wydler Tech-
2 nology Innovation Act of 1980 (15 U.S.C. 3710a(d)(2)) is
3 amended—

4 (1) in subparagraph (B) by striking “substan-
5 tial” before “purpose”; and

6 (2) in subparagraph (C) by striking “the pri-
7 mary purpose” and inserting in lieu thereof “one of
8 the purposes”.

9 **SEC. 3149. GUIDELINES.**

10 The implementation of the provisions of this Act shall
11 not be delayed pending the issuance of guidelines, policies
12 or standards required by sections 1105, 1115 and 1116 of
13 the Department of Energy Organization Act (42 U.S.C.
14 7101 et seq.) as added by section 3143 of this Act.

15 **SEC. 3150. AUTHORIZATION.**

16 (a) In addition to funds made available for partner-
17 ships under section 1112 of the Department of Energy Or-
18 ganization Act (42 U.S.C. 7101 et seq.) as added by section
19 3143 of this Act, there is authorized to be appropriated from
20 funds otherwise available to the Secretary for partnership
21 activities with industry in areas other than atomic energy
22 defense activities \$100,000,000 for fiscal year 1994,
23 \$140,000,000 for fiscal year 1995, \$180,000,000 for fiscal
24 year 1996 and \$220,000,000 for fiscal year 1997.

1 **SEC. 3202. REQUIREMENT FOR TRANSMITTAL TO CONGRESS**
2 **OF CERTAIN INFORMATION PREPARED BY DE-**
3 **FENSE NUCLEAR SAFETY BOARD.**

4 (a) *REQUIREMENT.*—Chapter 21 of the Atomic Energy
5 Act of 1954 (42 U.S.C. 2286 et seq.) is amended—

6 (1) by redesignating section 320 as section 321;

7 and

8 (2) by inserting after section 319 the following
9 new section 320:

10 **“SEC. 320. TRANSMITTAL OF CERTAIN INFORMATION TO**
11 **CONGRESS.**

12 “Whenever the Board submits or transmits to the
13 President or the Director of the Office of Management and
14 Budget any budget estimate, budget request, supplemental
15 budget request, or other budget information, any legislative
16 recommendation, or any statement or information in prep-
17 aration of a report to be submitted to Congress pursuant
18 to section 316(a), the Board shall submit at the same time
19 a copy thereof to Congress.”.

20 (b) *CLERICAL AMENDMENT.*—The table of contents at
21 the beginning of the Atomic Energy Act of 1954 (42 U.S.C.
22 2011 et seq.) is amended by striking out the item relating
23 to section 320 and inserting in lieu thereof the following:

“Sec. 320. Transmittal of certain information to Congress.

“Sec. 321. Annual authorization of appropriations.”.

**TITLE XXXIII—NATIONAL
DEFENSE STOCKPILE
Subtitle A—Authorizations of
Disposals and Use of Funds**

SEC. 3301. DISPOSAL OF OBSOLETE AND EXCESS MATERIALS CONTAINED IN THE NATIONAL DEFENSE STOCKPILE.

(a) *DISPOSAL AUTHORIZED.*—Subject to the conditions specified in subsection (b), the President may dispose of obsolete and excess materials currently contained in the National Defense Stockpile in order to modernize the stockpile. The materials subject to disposal under this subsection and the quantity of each material authorized to be disposed of by the President are set forth in the following table:

Authorized Stockpile Disposals

Material for disposal	Quantity
Aluminum	62,843 short tons
Analgesics	53,525 pounds of anhydrous morphine alkaloid
Antimony	32,140 short tons
Diamond Dies, Small	25,473 pieces
Manganese, Electrolytic	14,172 short tons
Mica, Muscovite Block, Stained and Better	1,866,166 pounds
Mica, Muscovite Film, 1st & 2d quality	158,440 pounds
Mica, Muscovite Splittings	12,540,382 pounds
Quinidine	2,471,287 avoirdupois ounces
Quinidine, Non-Stockpile Grade	1,691 avoirdupois ounces
Quinine	2,770,091 avoirdupois ounces
Quinine, Non-Stockpile Grade	475,950 avoirdupois ounces
Rare Earths	504 short dry tons
Vanadium Pentoxide	718 short tons of contained vanadium

1 (b) *CONDITIONS ON DISPOSAL.*—The authority of the
2 President under subsection (a) to dispose of materials stored
3 in the stockpile may not be used unless and until the Sec-
4 retary of Defense certifies that the disposal of such materials
5 will not adversely affect the capability of the National De-
6 fense Stockpile to supply the strategic and critical materials
7 necessary to meet the needs of the United States during a
8 period of national emergency that requires a significant
9 level of mobilization of the economy of the United States,
10 including any reconstitution of the military and industrial
11 capabilities necessary to meet the planning assumptions
12 used by the Secretary of Defense under section 14(b) of the
13 Strategic and Critical Materials Stock Piling Act (50
14 U.S.C. 98h-5(b)).

15 **SEC. 3302. REVISION OF AUTHORITY TO DISPOSE OF CER-**
16 **TAIN MATERIALS AUTHORIZED FOR DIS-**
17 **POSAL IN FISCAL YEAR 1993.**

18 (a) *CHROMITE AND MANGANESE ORES.*—During fiscal
19 year 1994, the disposal of chromite and manganese ores of
20 metallurgical grade under the authority of section 3302(a)
21 of the National Defense Authorization Act for Fiscal Year
22 1993 (Public Law 102-484; 106 Stat. 2649; 50 U.S.C. 98d
23 note) may be made only for processing within the United
24 States and the territories and possessions of the United
25 States.

1 (b) *CHROMIUM AND MANGANESE FERRO.*—Section
2 3302(f) of such Act (106 Stat. 2651; 50 U.S.C. 98d note)
3 is amended by striking out “October 1, 1993” and inserting
4 in lieu thereof “October 1, 1994”.

5 **SEC. 3303. AUTHORIZED USES OF STOCKPILE FUNDS.**

6 During fiscal year 1994, the National Defense Stock-
7 pile Manager may obligate up to \$67,300,000 of the funds
8 in the National Defense Stockpile Transaction Fund (sub-
9 ject to such limitations as may be provided in appropria-
10 tions Acts) for the authorized uses of such funds under sec-
11 tion 9(b)(2) of the Strategic and Critical Materials Stock
12 Piling Act (50 U.S.C. 98h(b)(2)).

13 **Subtitle B—Programmatic Changes**

14 **SEC. 3311. STOCKPILING PRINCIPLES.**

15 Section 2(c)(2) of the Strategic and Critical Materials
16 Stock Piling Act (50 U.S.C. 98a(c)(2)) is amended to read
17 as follows:

18 “(2) The quantities of materials stockpiled under
19 this Act should be sufficient to meet the needs of the
20 United States during a period of a national emer-
21 gency that would necessitate an expansion of the
22 Armed Forces together with a significant mobilization
23 of the economy of the United States under planning
24 guidance issued by the Secretary of Defense.”.

1 **SEC. 3312. PERIOD OF LIMITATION FOR CHANGING ANNUAL**
2 **MATERIALS PLAN.**

3 *Section 5(a)(2) of the Strategic and Critical Materials*
4 *Stock Piling Act (50 U.S.C. 98d(a)(2)) is amended—*

5 *(1) by inserting “(A)” after “(2)”;*

6 *(2) in subparagraph (A), as so designated, by*
7 *striking out the last sentence and inserting in lieu*
8 *thereof the following: “The President shall submit*
9 *such statement on a day when both Houses of Con-*
10 *gress are in session.”; and*

11 *(3) by adding at the end the following:*

12 *“(B) In the event of a war declared by Congress or*
13 *a national emergency declared by the President or Congress,*
14 *the President may carry out any change under subpara-*
15 *graph (A) (including any obligation or expenditure relating*
16 *to such change) before the expiration of the 30-day period*
17 *referred to in such subparagraph.”.*

18 **SEC. 3313. ROTATION OF MATERIALS TO PREVENT TECHNO-**
19 **LOGICAL OBSOLESCENCE.**

20 *Section 6(a)(4) of the Strategic and Critical Materials*
21 *Stock Piling Act (50 U.S.C. 98e(a)(4)) is amended by in-*
22 *serting “or technological obsolescence” after “deterioration”.*

23 **SEC. 3314. USES OF THE NATIONAL DEFENSE STOCKPILE**
24 **TRANSACTION FUND.**

25 *(a) ADDITIONAL USES.—Section 9(b)(2) of the Strate-*
26 *gic and Critical Materials Stock Piling Act (50 U.S.C.*

1 *98h(b)(2)) is amended by adding at the end the following*
2 *new subparagraphs:*

3 “(J) *Pay of employees of the National Defense*
4 *Stockpile program.*

5 “(K) *Other expenses of the National Defense*
6 *Stockpile program.*”.

7 (b) *CONFORMING AMENDMENT.—Section 9 of such Act*
8 *is amended by striking out paragraph (4).*

9 **SEC. 3315. NATIONAL EMERGENCY PLANNING ASSUMP-**
10 **TIONS FOR BIENNIAL REPORT ON STOCKPILE**
11 **REQUIREMENTS.**

12 *Section 14(b) of the Strategic and Critical Materials*
13 *Stock Piling Act (50 U.S.C. 98h-5(b)) is amended in the*
14 *first sentence by striking out “, based upon” and all that*
15 *follows through “three years.” and inserting in lieu thereof*
16 *a period and the following: “Such assumptions shall be*
17 *based on an assumed national emergency involving mili-*
18 *tary conflict that necessitates an expansion of the Armed*
19 *Forces together with a significant mobilization of the econ-*
20 *omy of the United States.”.*

21 **SEC. 3316. REPEAL OF ADVISORY COMMITTEE REQUIRE-**
22 **MENT.**

23 *Section 3306 of the National Defense Authorization*
24 *Act for Fiscal Year 1993 (Public Law 102-484; 106 Stat.*
25 *2652; 50 U.S.C. 98h-1 note) is repealed.*

1 **TITLE XXXIV—CIVIL DEFENSE**

2 **SEC. 3401. AUTHORIZATION OF APPROPRIATIONS.**

3 *There is hereby authorized to be appropriated*
4 *\$152,900,000 for fiscal year 1994 for the purpose of carry-*
5 *ing out the Federal Civil Defense Act of 1950 (50 U.S.C.*
6 *App. 2251 et seq.).*

7 **TITLE XXXV—PANAMA CANAL**
8 **COMMISSION**

9 **SEC. 3501. SHORT TITLE.**

10 *This title may be cited as the “Panama Canal Com-*
11 *mission Authorization Act for Fiscal Year 1994”.*

12 **SEC. 3502. AUTHORIZATION OF EXPENDITURES.**

13 *(a) IN GENERAL.—The Panama Canal Commission is*
14 *authorized to make such expenditures within the limits of*
15 *funds and borrowing authority available to it in accordance*
16 *with law, and to make such contracts and commitments*
17 *without regard to fiscal year limitations as may be nec-*
18 *essary under the Panama Canal Act of 1979 (22 U.S.C.*
19 *3601 et seq.) for the operation, maintenance, and improve-*
20 *ment of the Panama Canal for fiscal year 1994.*

21 *(b) LIMITATIONS.—Expenditures under subsection (a)*
22 *for administrative expenses may not exceed \$51,742,000, of*
23 *which not more than—*

1 **SEC. 3504. EMPLOYMENT OF COMMISSION EMPLOYEES BY**
2 **THE GOVERNMENT OF PANAMA.**

3 (a) *CONSENT OF CONGRESS.*—Subject to subsection
4 (b), the Congress consents to employees of the Panama
5 Canal Commission who are not citizens of the United States
6 accepting civil employment with agencies and organiza-
7 tions affiliated with the Government of Panama (and com-
8 pensation for that employment) for which the consent of
9 Congress is required by the 8th clause of section 9 of article
10 I of the Constitution of the United States, relating to accept-
11 ance of emolument, office, or title from a foreign State.

12 (b) *CONDITION.*—Employees described in subsection
13 (a) may accept employment described in that subsection
14 (and compensation for that employment) only if the em-
15 ployment is approved by the designated agency ethics offi-
16 cial of the Panama Canal Commission designated pursuant
17 to the Ethics in Government Act of 1978, and by the Ad-
18 ministrator of the Panama Canal Commission.

19 **SEC. 3505. LABOR-MANAGEMENT RELATIONS.**

20 Section 1271(a) of the Panama Canal Act of 1979 (22
21 U.S.C. 3701(a)) is amended—

22 (1) in paragraph (1), by striking out “and”
23 after the semicolon;

24 (2) in paragraph (2), by striking out “super-
25 visors.” and inserting in lieu thereof “supervisors;
26 and”; and

1 (3) by adding at the end the following:

2 “(3) any negotiated grievance procedures under
3 section 7121 of such title 5, including any provisions
4 relating to binding arbitration, shall, with respect to
5 any personnel action to which subchapter II of chap-
6 ter 75 of such title applies (as determined under sec-
7 tion 7512 of such title), be available, in accordance
8 with their terms, to the same extent and in the same
9 manner as if employees of the Panama Canal Com-
10 mission were not excluded from such subchapter
11 under section 7511(b)(8) of such title.”.

12 **SEC. 3506. EFFECTIVE DATE.**

13 (a) *IN GENERAL.*—Except as provided in subsection
14 (b), this title shall take effect on October 1, 1993.

15 (b) *SPECIAL RULE.*—Paragraph (3) of section 1271(a)
16 of the Panama Canal Act of 1979 (22 U.S.C. 3701(a)), as
17 added by section 3505(3), shall take effect on the date of

- 1 *the enactment of this Act and shall apply with respect to*
- 2 *grievances arising on or after such date.*

Amend the title so as to read: “To authorize appropriations for fiscal year 1994 for military activities of the Department of Defense, for military construction, and for defense programs of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.”.

Attest:

Secretary.

HR 2401 EAS—2
HR 2401 EAS—3
HR 2401 EAS—4
HR 2401 EAS—5
HR 2401 EAS—6
HR 2401 EAS—7
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