

103^D CONGRESS
1ST SESSION

H. R. 3116

AN ACT

Making appropriations for the Department of Defense for the fiscal year ending September 30, 1994, and for other purposes.

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Making appropriations for the Department of Defense for the fiscal year ending September 30, 1994, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 fiscal year ending September 30, 1994, for military func-
6 tions administered by the Department of Defense, and for
7 other purposes, namely:

1

TITLE I

2

MILITARY PERSONNEL

3

MILITARY PERSONNEL, ARMY

4 For pay, allowances, individual clothing, interest on
5 deposits, gratuities, permanent change of station travel
6 (including all expenses thereof for organizational move-
7 ments), and expenses of temporary duty travel between
8 permanent duty stations, for members of the Army on ac-
9 tive duty (except members of reserve components provided
10 for elsewhere), cadets, and aviation cadets; and for pay-
11 ments pursuant to section 156 of Public Law 97-377, as
12 amended (42 U.S.C. 402 note), to section 229(b) of the
13 Social Security Act (42 U.S.C. 429(b)), and to the De-
14 partment of Defense Military Retirement Fund;
15 \$21,571,207,000.

16

MILITARY PERSONNEL, NAVY

17 For pay, allowances, individual clothing, interest on
18 deposits, gratuities, permanent change of station travel
19 (including all expenses thereof for organizational move-
20 ments), and expenses of temporary duty travel between
21 permanent duty stations, for members of the Navy on ac-
22 tive duty (except members of the Reserve provided for
23 elsewhere), midshipmen, and aviation cadets; and for pay-
24 ments pursuant to section 156 of Public Law 97-377, as
25 amended (42 U.S.C. 402 note), to section 229(b) of the

1 Social Security Act (42 U.S.C. 429(b)), and to the De-
2 partment of Defense Military Retirement Fund;
3 \$18,633,383,000.

4 MILITARY PERSONNEL, MARINE CORPS

5 For pay, allowances, individual clothing, interest on
6 deposits, gratuities, permanent change of station travel
7 (including all expenses thereof for organizational move-
8 ments), and expenses of temporary duty travel between
9 permanent duty stations, for members of the Marine
10 Corps on active duty (except members of the Reserve pro-
11 vided for elsewhere); and for payments pursuant to section
12 156 of Public Law 97-377, as amended (42 U.S.C. 402
13 note), to section 229(b) of the Social Security Act (42
14 U.S.C. 429(b)), and to the Department of Defense Mili-
15 tary Retirement Fund; \$5,763,117,000.

16 MILITARY PERSONNEL, AIR FORCE

17 For pay, allowances, individual clothing, interest on
18 deposits, gratuities, permanent change of station travel
19 (including all expenses thereof for organizational move-
20 ments), and expenses of temporary duty travel between
21 permanent duty stations, for members of the Air Force
22 on active duty (except members of reserve components
23 provided for elsewhere), cadets, and aviation cadets; and
24 for payments pursuant to section 156 of Public Law 97-
25 377, as amended (42 U.S.C. 402 note), to section 229(b)

1 of the Social Security Act (42 U.S.C. 429(b)), and to the
2 Department of Defense Military Retirement Fund;
3 \$15,916,937,000.

4 RESERVE PERSONNEL, ARMY

5 For pay, allowances, clothing, subsistence, gratuities,
6 travel, and related expenses for personnel of the Army Re-
7 serve on active duty under sections 265, 3021, and 3038
8 of title 10, United States Code, or while serving on active
9 duty under section 672(d) of title 10, United States Code,
10 in connection with performing duty specified in section
11 678(a) of title 10, United States Code, or while under-
12 going reserve training, or while performing drills or equiv-
13 alent duty or other duty, and for members of the Reserve
14 Officers' Training Corps, and expenses authorized by sec-
15 tion 2131 of title 10, United States Code, as authorized
16 by law; and for payments to the Department of Defense
17 Military Retirement Fund; \$2,143,272,000.

18 RESERVE PERSONNEL, NAVY

19 For pay, allowances, clothing, subsistence, gratuities,
20 travel, and related expenses for personnel of the Navy Re-
21 serve on active duty under section 265 of title 10, United
22 States Code, or while serving on active duty under section
23 672(d) of title 10, United States Code, in connection with
24 performing duty specified in section 678(a) of title 10,
25 United States Code, or while undergoing reserve training,

1 or while performing drills or equivalent duty, and for
2 members of the Reserve Officers' Training Corps, and ex-
3 penses authorized by section 2131 of title 10, United
4 States Code, as authorized by law; and for payments to
5 the Department of Defense Military Retirement Fund;
6 \$1,565,838,000.

7 RESERVE PERSONNEL, MARINE CORPS

8 For pay, allowances, clothing, subsistence, gratuities,
9 travel, and related expenses for personnel of the Marine
10 Corps Reserve on active duty under section 265 of title
11 10, United States Code, or while serving on active duty
12 under section 672(d) of title 10, United States Code, in
13 connection with performing duty specified in section
14 678(a) of title 10, United States Code, or while under-
15 going reserve training, or while performing drills or equiv-
16 alent duty, and for members of the Marine Corps platoon
17 leaders class, and expenses authorized by section 2131 of
18 title 10, United States Code, as authorized by law; and
19 for payments to the Department of Defense Military Re-
20 tirement Fund; \$350,490,000.

21 RESERVE PERSONNEL, AIR FORCE

22 For pay, allowances, clothing, subsistence, gratuities,
23 travel, and related expenses for personnel of the Air Force
24 Reserve on active duty under sections 265, 8021, and
25 8038 of title 10, United States Code, or while serving on

1 active duty under section 672(d) of title 10, United States
2 Code, in connection with performing duty specified in sec-
3 tion 678(a) of title 10, United States Code, or while un-
4 dergoing reserve training, or while performing drills or
5 equivalent duty or other duty, and for members of the Air
6 Reserve Officers' Training Corps, and expenses authorized
7 by section 2131 of title 10, United States Code, as author-
8 ized by law; and for payments to the Department of De-
9 fense Military Retirement Fund; \$783,158,000.

10 NATIONAL GUARD PERSONNEL, ARMY

11 For pay, allowances, clothing, subsistence, gratuities,
12 travel, and related expenses for personnel of the Army Na-
13 tional Guard while on duty under section 265, 3021, or
14 3496 of title 10 or section 708 of title 32, United States
15 Code, or while serving on duty under section 672(d) of
16 title 10 or section 502(f) of title 32, United States Code,
17 in connection with performing duty specified in section
18 678(a) of title 10, United States Code, or while under-
19 going training, or while performing drills or equivalent
20 duty or other duty, and expenses authorized by section
21 2131 of title 10, United States Code, as authorized by
22 law; and for payments to the Department of Defense Mili-
23 tary Retirement Fund; \$3,334,183,000.

1 NATIONAL GUARD PERSONNEL, AIR FORCE

2 For pay, allowances, clothing, subsistence, gratuities,
3 travel, and related expenses for personnel of the Air Na-
4 tional Guard on duty under section 265, 8021, or 8496
5 of title 10 or section 708 of title 32, United States Code,
6 or while serving on duty under section 672(d) of title 10
7 or section 502(f) of title 32, United States Code, in con-
8 nection with performing duty specified in section 678(a)
9 of title 10, United States Code, or while undergoing train-
10 ing, or while performing drills or equivalent duty or other
11 duty, and expenses authorized by section 2131 of title 10,
12 United States Code, as authorized by law; and for pay-
13 ments to the Department of Defense Military Retirement
14 Fund; \$1,215,935,000.

15 TITLE II

16 OPERATION AND MAINTENANCE

17 OPERATION AND MAINTENANCE, ARMY

18 (INCLUDING TRANSFER OF FUNDS)

19 For expenses, not otherwise provided for, necessary
20 for the operation and maintenance of the Army, as author-
21 ized by law; and not to exceed \$14,437,000 can be used
22 for emergencies and extraordinary expenses, to be ex-
23 pended on the approval or authority of the Secretary of
24 the Army, and payments may be made on his certificate
25 of necessity for confidential military purposes;

1 \$15,221,091,000 and, in addition, \$880,200,000, to be de-
2 rived by transfer from the Defense Business Operations
3 Fund and \$150,000,000 shall be derived by transfer from
4 the National Defense Stockpile Transaction Fund: *Pro-*
5 *vided*, That \$450,000 shall be made available only for the
6 1994 Memorial Day Celebration and \$450,000 shall be
7 made available only for the 1994 Capitol Fourth Project.

8 OPERATION AND MAINTENANCE, NAVY

9 (INCLUDING TRANSFER OF FUNDS)

10 For expenses, not otherwise provided for, necessary
11 for the operation and maintenance of the Navy and the
12 Marine Corps, as authorized by law; and not to exceed
13 \$4,667,000 can be used for emergencies and extraordinary
14 expenses, to be expended on the approval or authority of
15 the Secretary of the Navy, and payments may be made
16 on his certificate of necessity for confidential military pur-
17 poses; \$18,097,782,000 and, in addition \$1,092,700,000,
18 to be derived by transfer from the Defense Business Oper-
19 ations Fund and \$150,000,000 shall be derived by trans-
20 fer from the National Defense Stockpile Transaction
21 Fund: *Provided*, That \$350,000 shall be available only to
22 connect residences located in the vicinity of the Naval Air
23 Warfare Center, Warminster, to the Warminster municipi-
24 pal water supply system.

1 OPERATION AND MAINTENANCE, MARINE CORPS
2 (INCLUDING TRANSFER OF FUNDS)

3 For expenses, not otherwise provided for, necessary
4 for the operation and maintenance of the Marine Corps,
5 as authorized by law; \$1,773,889,000 and, in addition,
6 \$121,000,000, to be derived by transfer from the Defense
7 Business Operations Fund.

8 OPERATION AND MAINTENANCE, AIR FORCE
9 (INCLUDING TRANSFER OF FUNDS)

10 For expenses, not otherwise provided for, necessary
11 for the operation and maintenance of the Air Force, as
12 authorized by law; and not to exceed \$8,787,000 can be
13 used for emergencies and extraordinary expenses, to be ex-
14 pended on the approval or authority of the Secretary of
15 the Air Force, and payments may be made on his certifi-
16 cate of necessity for confidential military purposes;
17 \$18,305,447,000 and, in addition, \$941,400,000, to be de-
18 rived by transfer from the Defense Business Operations
19 Fund and \$200,000,000 shall be derived by transfer from
20 the National Defense Stockpile Transaction Fund: *Pro-*
21 *vided*, That \$15,500,000 shall only be used to operate,
22 maintain and enhance the Tactical Interim CAMS and
23 REMIS Reporting System (TICARRS-92): *Provided fur-*
24 *ther*, That TICARRS-92 be reestablished, with direct
25 maintenance data input, as the supporting system for at

1 least one wing each of F-15, F-16, and F-117A aircraft
2 by no later than February 1, 1994: *Provided further*, That
3 TICARRS-92 be reestablished, with direct maintenance
4 data input, as the supporting system for all F-15, F-16,
5 and F-117A aircraft by no later than April 1, 1994: *Pro-*
6 *vided further*, That none of the funds appropriated or oth-
7 erwise made available under this Act shall be used to oper-
8 ate, maintain or otherwise support an automated mainte-
9 nance management system for F-15, F-16, and F-117A
10 aircraft other than TICARRS-92 after April 1, 1994: *Pro-*
11 *vided further*, That of the funds appropriated under this
12 heading, not more than \$9,538,000 shall be available only
13 for a grant to the Women in Military Service For America
14 Memorial Foundation, Inc., to be used solely to perform
15 the repair, restoration, and preservation of the main gate
16 structures, center plaza, and Homicycle of the Arlington
17 National Cemetery. These funds shall be made available
18 solely for project costs and none of the funds are for remu-
19 neration of any entity or individual associated with fund
20 raising for the project: *Provided further*, That of the funds
21 appropriated under this heading, \$5,000,000 shall be
22 made available only for continued environmental restora-
23 tion of the former Olmsted Air Force Base, Pennsylvania.

1 OPERATION AND MAINTENANCE, DEFENSE-WIDE

2 For expenses, not otherwise provided for, necessary
3 for the operation and maintenance of activities and agen-
4 cies of the Department of Defense (other than the military
5 departments), as authorized by law; \$9,487,133,000, of
6 which not to exceed \$25,000,000 may be available for the
7 CINC initiative fund account; and of which not to exceed
8 \$19,422,000 can be used for emergencies and extraor-
9 dinary expenses, to be expended on the approval or author-
10 ity of the Secretary of Defense, and payments may be
11 made on his certificate of necessity for confidential mili-
12 tary purposes: *Provided*, That of the funds appropriated
13 by this paragraph, \$996,001,000 shall be made available
14 only for the Special Operations Command: *Provided fur-*
15 *ther*, That, of the funds appropriated in this paragraph,
16 \$10,000,000 shall be available for activities to support the
17 clearing of landmines for humanitarian purposes: *Provided*
18 *further*, That of the funds appropriated in this paragraph,
19 \$427,705,000 shall not be obligated or expended until au-
20 thorized by law.

21 OPERATION AND MAINTENANCE, ARMY RESERVE

22 For expenses, not otherwise provided for, necessary
23 for the operation and maintenance, including training, or-
24 ganization, and administration, of the Army Reserve; re-
25 pair of facilities and equipment; hire of passenger motor

1 vehicles; travel and transportation; care of the dead;
2 recruiting; procurement of services, supplies, and
3 equipment; and communications; \$1,115,095,000: *Pro-*
4 *vided*, That of the funds appropriated in this paragraph,
5 \$19,505,000 shall not be obligated or expended until au-
6 thorized by law.

7 OPERATION AND MAINTENANCE, NAVY RESERVE

8 For expenses, not otherwise provided for, necessary
9 for the operation and maintenance, including training, or-
10 ganization, and administration, of the Navy Reserve; re-
11 pair of facilities and equipment; hire of passenger motor
12 vehicles; travel and transportation; care of the dead; re-
13 cruiting; procurement of services, supplies, and equip-
14 ment; and communications; \$807,200,000: *Provided*, That
15 operational control of the Naval Reserve Personnel Center,
16 including its functions and responsibilities, shall be under
17 the command and control of the Commander, Naval Re-
18 serve Command: *Provided further*, That of the funds ap-
19 propriated in this paragraph, \$31,400,000 shall not be ob-
20 ligated or expended until authorized by law.

21 OPERATION AND MAINTENANCE, MARINE CORPS

22 RESERVE

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

1 serve; repair of facilities and equipment; hire of passenger
2 motor vehicles; travel and transportation; care of the dead;
3 recruiting; procurement of services, supplies, and equip-
4 ment; and communications; \$86,855,000: *Provided*, That
5 of the funds appropriated in this paragraph, \$11,805,000
6 shall not be obligated or expended until authorized by law.

7 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

8 For expenses, not otherwise provided for, necessary
9 for the operation and maintenance, including training, or-
10 ganization, and administration, of the Air Force Reserve;
11 repair of facilities and equipment; hire of passenger motor
12 vehicles; travel and transportation; care of the dead; re-
13 cruiting; procurement of services, supplies, and equip-
14 ment; and communications; \$1,370,222,000: *Provided*,
15 That of the funds appropriated in this paragraph,
16 \$15,644,000 shall not be obligated or expended until au-
17 thorized by law.

18 OPERATION AND MAINTENANCE, ARMY NATIONAL

19 GUARD

20 For expenses of training, organizing, and administer-
21 ing the Army National Guard, including medical and hos-
22 pital treatment and related expenses in non-Federal hos-
23 pitals; maintenance, operation, and repairs to structures
24 and facilities; hire of passenger motor vehicles; personnel
25 services in the National Guard Bureau; travel expenses

1 (other than mileage), as authorized by law for Army per-
2 sonnel on active duty, for Army National Guard division,
3 regimental, and battalion commanders while inspecting
4 units in compliance with National Guard Bureau regula-
5 tions when specifically authorized by the Chief, National
6 Guard Bureau; supplying and equipping the Army Na-
7 tional Guard as authorized by law; and expenses of repair,
8 modification, maintenance, and issue of supplies and
9 equipment (including aircraft); \$2,272,018,000: *Provided*,
10 That of the funds appropriated in this paragraph,
11 \$10,000,000 shall be available only for a National Guard
12 Outreach Program in the Los Angeles School District:
13 *Provided further*, That of the funds appropriated in this
14 paragraph, \$48,763,000 shall not be obligated or ex-
15 pended until authorized by law.

16 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

17 For operation and maintenance of the Air National
18 Guard, including medical and hospital treatment and re-
19 lated expenses in non-Federal hospitals; maintenance, op-
20 eration, repair, and other necessary expenses of facilities
21 for the training and administration of the Air National
22 Guard, including repair of facilities, maintenance, oper-
23 ation, and modification of aircraft; transportation of
24 things; hire of passenger motor vehicles; supplies, mate-
25 rials, and equipment, as authorized by law for the Air Na-

1 tional Guard; and expenses incident to the maintenance
2 and use of supplies, materials, and equipment, including
3 such as may be furnished from stocks under the control
4 of agencies of the Department of Defense; travel expenses
5 (other than mileage) on the same basis as authorized by
6 law for Air National Guard personnel on active Federal
7 duty, for Air National Guard commanders while inspecting
8 units in compliance with National Guard Bureau regula-
9 tions when specifically authorized by the Chief, National
10 Guard Bureau; \$2,695,233,000: *Provided*, That of the
11 funds appropriated under this paragraph, \$3,000,000
12 shall be made available only for the operation of Air Na-
13 tional Guard C-130H operational support aircraft of the
14 159th Air National Guard Fighter Group and the 169th
15 Air National Guard Fighter Group: *Provided further*, That
16 of the funds appropriated in this paragraph, \$30,000,000
17 shall not be obligated or expended until authorized by law.

18 NATIONAL BOARD FOR THE PROMOTION OF RIFLE

19 PRACTICE, ARMY

20 For the necessary expenses and personnel services
21 (other than pay and non-travel-related allowances of mem-
22 bers of the Armed Forces of the United States, except for
23 members of the reserve components thereof called or or-
24 dered to active duty to provide support for the national
25 matches) in accordance with law, for operation and main-

1 tenance of rifle ranges; the instruction of citizens in
2 marksmanship; the promotion of rifle practice; the conduct
3 of the national matches; the sale of ammunition under the
4 authority of title 10, United States Code, sections 4308
5 and 4311; the travel of rifle teams, military personnel, and
6 individuals attending regional, national, and international
7 competitions; and the payment to competitors at national
8 matches under section 4312 of title 10, United States
9 Code, of subsistence and travel allowances under section
10 4313 of title 10, United States Code; not to exceed
11 \$2,483,000.

12 COURT OF MILITARY APPEALS, DEFENSE

13 For salaries and expenses necessary for the United
14 States Court of Military Appeals; \$5,855,000, of which
15 not to exceed \$2,500 can be used for official representa-
16 tion purposes: *Provided*, That of the funds appropriated
17 in this paragraph, \$245,000 shall not be obligated or ex-
18 pended until authorized by law.

19 ENVIRONMENTAL RESTORATION, DEFENSE

20 (INCLUDING TRANSFER OF FUNDS)

21 For the Department of Defense; \$1,716,800,000, to
22 remain available until transferred: *Provided*, That the Sec-
23 retary of Defense shall, upon determining that such funds
24 are required for environmental restoration, reduction and
25 recycling of hazardous waste, research and development

1 associated with hazardous wastes and removal of unsafe
2 buildings and debris of the Department of Defense, or for
3 similar purposes (including programs and operations at
4 sites formerly used by the Department of Defense), trans-
5 fer the funds made available by this appropriation to other
6 appropriations made available to the Department of De-
7 fense as the Secretary may designate, to be merged with
8 and to be available for the same purposes and for the same
9 time period as the appropriations of funds to which trans-
10 ferred: *Provided further*, That upon a determination that
11 all or part of the funds transferred from this appropriation
12 are not necessary for the purposes provided herein, such
13 amounts may be transferred back to this appropriation:
14 *Provided further*, That of the funds provided under this
15 heading, not less than \$200,000,000 shall be available
16 only for the expedited cleanup of environmentally contami-
17 nated sites and only in accordance with a comprehensive
18 plan submitted to Congress by the Secretary of Defense.

19 SUPPORT FOR INTERNATIONAL SPORTING

20 COMPETITIONS, DEFENSE

21 (INCLUDING TRANSFER OF FUNDS)

22 For expenses of logistical support (including security
23 planning and services) and personnel services provided by
24 the Department of Defense for the World University
25 Games, the 1996 Games of the XXVI Olympiad, and the

1 World Cup USA Organizing Committee, (other than pay
2 and nontravel related allowances of members of the Armed
3 Forces of the United States, except for members of the
4 Reserve components thereof called or ordered to active
5 duty to provide support for such international sporting
6 competitions), as authorized by law, provided by any com-
7 ponent of the Department of Defense to such sporting
8 competitions, \$6,000,000, of which not less than
9 \$2,000,000 shall be available only for the 1996 Games of
10 the XXVI Olympiad, to remain available until expended:
11 *Provided*, That unobligated balances of funds appropriated
12 in the Department of Defense Appropriations Act, 1992
13 (Public Law 102-172) under the headings “World Univer-
14 sity Games” and “Summer Olympics” and unobligated
15 balances of the funds appropriated in the Department of
16 Defense Appropriations Act, 1993, (Public Law 102-396)
17 under the headings “World University Games” and “Sum-
18 mer Olympics” and “World Cup USA 1994” in title II
19 of that Act shall, notwithstanding section 8003 of Public
20 Law 102-172 and section 9003 of Public Law 102-396,
21 upon the enactment of this Act, be transferred to this ap-
22 propriation, to be merged with and to be available for the
23 same purposes, and for the same time period, as this ap-
24 propriation: *Provided further*, That the funds so trans-
25 ferred from such Acts under the headings “Summer Olym-

1 pics'' shall be available only for expenses for, or incurred
2 in anticipation of, the support provided, or to be provided,
3 to the 1996 Games of the XXVI Olympiad: *Provided fur-*
4 *ther*, That funds appropriated in this paragraph shall not
5 be obligated or expended until authorized by law.

6 HUMANITARIAN ASSISTANCE

7 For transportation for humanitarian relief for the
8 people of Afghanistan and sub-Saharan Africa, acquisition
9 and shipment of transportation assets to assist in the dis-
10 tribution of such relief, and for transportation and dis-
11 tribution of humanitarian relief supplies, and excess non-
12 lethal property; \$15,000,000, to remain available for obli-
13 gation until September 30, 1995: *Provided*, That of the
14 funds appropriated in this paragraph, \$15,000,000 shall
15 not be obligated or expended until authorized by law.

16 FORMER SOVIET UNION THREAT REDUCTION

17 For assistance to the republics of the former Soviet
18 Union, including assistance provided by contract or by
19 grants, for facilitating the elimination and the safe and
20 secure transportation and storage of nuclear, chemical and
21 other weapons; for providing incentives for demilitariza-
22 tion; for establishing programs to prevent the proliferation
23 of weapons, weapons components, and weapons-related
24 technology and expertise; for expansion of military-to-mili-
25 tary contacts; for supporting the conversion of military

1 technologies and capabilities into civilian activities; and for
2 retraining military personnel of the former Soviet Union;
3 \$400,000,000, to remain available until expended.

4 TITLE III

5 PROCUREMENT

6 AIRCRAFT PROCUREMENT, ARMY

7 For construction, procurement, production, modifica-
8 tion, and modernization of aircraft, equipment, including
9 ordnance, ground handling equipment, spare parts, and
10 accessories therefor; specialized equipment and training
11 devices; expansion of public and private plants, including
12 the land necessary therefor, for the foregoing purposes,
13 and such lands and interest therein, may be acquired, and
14 construction prosecuted thereon prior to approval of title;
15 and procurement and installation of equipment, appli-
16 ances, and machine tools in public and private plants; re-
17 serve plant and Government and contractor-owned equip-
18 ment layaway; and other expenses necessary for the fore-
19 going purposes; \$1,726,164,000, to remain available for
20 obligation until September 30, 1996: *Provided*, That of the
21 funds appropriated in this paragraph, \$219,627,000 shall
22 not be obligated or expended until authorized by law.

23 MISSILE PROCUREMENT, ARMY

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

1 ordnance, ground handling equipment, spare parts, and
2 accessories therefor; specialized equipment and training
3 devices; expansion of public and private plants, including
4 the land necessary therefor, for the foregoing purposes,
5 and such lands and interests therein, may be acquired,
6 and construction prosecuted thereon prior to approval of
7 title; and procurement and installation of equipment, ap-
8 pliances, and machine tools in public and private plants;
9 reserve plant and Government and contractor-owned
10 equipment layaway; and other expenses necessary for the
11 foregoing purposes; \$1,126,110,000, to remain available
12 for obligation until September 30, 1996: *Provided*, That
13 of the funds appropriated in this paragraph, \$41,795,000
14 shall not be obligated or expended until authorized by law.

15 PROCUREMENT OF WEAPONS AND TRACKED COMBAT

16 VEHICLES, ARMY

17 For construction, procurement, production, and
18 modification of weapons and tracked combat vehicles,
19 equipment, including ordnance, spare parts, and acces-
20 sories therefor; specialized equipment and training devices;
21 expansion of public and private plants, including the land
22 necessary therefor, for the foregoing purposes, and such
23 lands and interests therein, may be acquired, and con-
24 struction prosecuted thereon prior to approval of title; and
25 procurement and installation of equipment, appliances,

1 and machine tools in public and private plants; reserve
2 plant and Government and contractor-owned equipment
3 layaway; and other expenses necessary for the foregoing
4 purposes; \$892,709,000, to remain available for obligation
5 until September 30, 1996: *Provided*, That of the funds ap-
6 propriated in this paragraph, \$15,712,000 shall not be ob-
7 ligated or expended until authorized by law.

8 PROCUREMENT OF AMMUNITION, ARMY

9 (INCLUDING TRANSFER OF FUNDS)

10 For construction, procurement, production, and
11 modification of ammunition, and accessories therefor; spe-
12 cialized equipment and training devices; expansion of pub-
13 lic and private plants, including ammunition facilities au-
14 thorized by section 2854, title 10, United States Code, and
15 the land necessary therefor, for the foregoing purposes,
16 and such lands and interests therein, may be acquired,
17 and construction prosecuted thereon prior to approval of
18 title; and procurement and installation of equipment, ap-
19 pliances, and machine tools in public and private plants;
20 reserve plant and Government and contractor-owned
21 equipment layaway; and other expenses necessary for the
22 foregoing purposes; \$620,787,000, and, in addition,
23 \$100,000,000, to be derived by transfer from the Conven-
24 tional Ammunition Working Capital Fund of the Depart-

1 ment of Defense, to remain available for obligation until
2 September 30, 1996.

3 OTHER PROCUREMENT, ARMY

4 For construction, procurement, production, and
5 modification of vehicles, including tactical, support, and
6 nontracked combat vehicles; the purchase of not to exceed
7 16 passenger motor vehicles for replacement only; commu-
8 nications and electronic equipment; other support equip-
9 ment; spare parts, ordnance, and accessories therefor; spe-
10 cialized equipment and training devices; expansion of pub-
11 lic and private plants, including the land necessary there-
12 for, for the foregoing purposes, and such lands and inter-
13 ests therein, may be acquired, and construction prosecuted
14 thereon prior to approval of title; and procurement and
15 installation of equipment, appliances, and machine tools
16 in public and private plants; reserve plant and Govern-
17 ment and contractor-owned equipment layaway; and other
18 expenses necessary for the foregoing purposes;
19 \$2,904,933,000, to remain available for obligation until
20 September 30, 1996.

21 AIRCRAFT PROCUREMENT, NAVY

22 For construction, procurement, production, modifica-
23 tion, and modernization of aircraft, equipment, including
24 ordnance, spare parts, and accessories therefor; specialized
25 equipment; expansion of public and private plants, includ-

1 ing the land necessary therefor, and such lands and inter-
2 ests therein, may be acquired, and construction prosecuted
3 thereon prior to approval of title; and procurement and
4 installation of equipment, appliances, and machine tools
5 in public and private plants; reserve plant and Govern-
6 ment and contractor-owned equipment layaway;
7 \$5,664,216,000, to remain available for obligation until
8 September 30, 1996.

9 WEAPONS PROCUREMENT, NAVY

10 For construction, procurement, production, modifica-
11 tion, and modernization of missiles, torpedoes, other weap-
12 ons, other ordnance and ammunition, and related support
13 equipment including spare parts, and accessories therefor;
14 expansion of public and private plants, including the land
15 necessary therefor, and such lands and interests therein,
16 may be acquired, and construction prosecuted thereon
17 prior to approval of title; and procurement and installation
18 of equipment, appliances, and machine tools in public and
19 private plants; reserve plant and Government and contrac-
20 tor-owned equipment layaway; \$2,808,986,000, to remain
21 available for obligation until September 30, 1996: *Pro-*
22 *vided*, That of the funds appropriated in this paragraph,
23 \$44,162,000 shall not be obligated or expended until au-
24 thorized by law.

1 SHIPBUILDING AND CONVERSION, NAVY

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

14 Refueling overhauls, \$31,127,000;

15 DDG-51 destroyer program, \$2,642,772,000;

16 LHD-1 amphibious assault ship program,
17 \$893,848,000;

18 Mine warfare command and control ship,
19 \$124,175,000;

20 Oceanographic ship program, \$110,049,000:

21 *Provided*, That pursuant to 10 U.S.C. section
22 2304(c)(5), the last vessel of the T-AGS 60 oceano-
23 graphic research ship program may be procured as
24 an option to the contract for the construction of the
25 lead ship of the class: *Provided further*, That none

1 of the funds provided in this Act or any other Act
2 may be obligated for T-AGS multibeam sonar sys-
3 tems prior to review by the Committees on Appro-
4 priations of a Navy plan detailing compliance with
5 the recommendations of the Comptroller General of
6 the United States set forth in his decision of August
7 19, 1993 (Case B-253129);

8 For craft, outfitting, post delivery, production
9 design support, first destination transportation, and
10 cost growth, \$595,131,000;

11 In all: \$5,397,102,000, to remain available for obligation
12 until September 30, 1998: *Provided*, That additional obli-
13 gations may be incurred after September 30, 1998, for
14 engineering services, tests, evaluations, and other such
15 budgeted work that must be performed in the final stage
16 of ship construction: *Provided further*, That none of the
17 funds herein provided for the construction or conversion
18 of any naval vessel to be constructed in shipyards in the
19 United States shall be expended in foreign facilities for
20 the construction of major components of such vessel: *Pro-*
21 *vided further*, That none of the funds herein provided shall
22 be used for the construction of any naval vessel in foreign
23 shipyards: *Provided further*, That of the funds appro-
24 priated in this paragraph, \$1,236,914,000 shall not be ob-
25 ligated or expended until authorized by law.

1 OTHER PROCUREMENT, NAVY

2 For procurement, production, and modernization of
3 support equipment and materials not otherwise provided
4 for, Navy ordnance (except ordnance for new aircraft, new
5 ships, and ships authorized for conversion); the purchase
6 of not to exceed 609 passenger motor vehicles for replace-
7 ment only; expansion of public and private plants, includ-
8 ing the land necessary therefor, and such lands and inter-
9 ests therein, may be acquired, and construction prosecuted
10 thereon prior to approval of title; and procurement and
11 installation of equipment, appliances, and machine tools
12 in public and private plants; reserve plant and Govern-
13 ment and contractor-owned equipment layaway;
14 \$2,980,815,000, to remain available for obligation until
15 September 30, 1996: *Provided*, That of the funds herein
16 provided for the Computer Acquisition Productivity Pro-
17 gram, not less than \$20,000,000 shall be available, obli-
18 gated, and expended only for automatic data processing
19 investment equipment and peripheral equipment and relat-
20 ed software for Defense Accounting Office and Naval
21 Computer and Telecommunications Station, New Orleans,
22 the Enlisted Personnel Management Center, and the
23 Naval Reserve Personnel Center: *Provided further*, That
24 all Naval and Marine Corps active and reserve personnel
25 central design activities and personnel accounting pro-

1 grams shall be managed and coordinated at the Enlisted
2 Personnel Management Center and the Naval Reserve
3 Personnel Center: *Provided further*, That the Secretary of
4 Defense shall provide a report on establishing a full service
5 finance and accounting operation for joint reserve func-
6 tions at the Defense Accounting Office, New Orleans and
7 the Naval Reserve Forces Command: *Provided further*,
8 That the operations and functions of the Reserve Finan-
9 cial Management System shall remain colocated with the
10 Commander, Naval Reserve Force: *Provided further*, That
11 of the funds appropriated in this paragraph,
12 \$119,335,000 shall not be obligated or expended until au-
13 thorized by law.

14 PROCUREMENT, MARINE CORPS

15 For expenses necessary for the procurement, manu-
16 facture, and modification of missiles, armament, ammuni-
17 tion, military equipment, spare parts, and accessories
18 therefor; plant equipment, appliances, and machine tools,
19 and installation thereof in public and private plants; re-
20 serve plant and Government and contractor-owned equip-
21 ment layaway; vehicles for the Marine Corps, including the
22 purchase of not to exceed 96 passenger motor vehicles for
23 replacement only; and expansion of public and private
24 plants, including land necessary therefor, and such lands
25 and interests therein, may be acquired and construction

1 prosecuted thereon prior to approval of title;
2 \$527,754,000, to remain available for obligation until Sep-
3 tember 30, 1996: *Provided*, That of the funds appro-
4 priated in this paragraph, \$56,733,000 shall not be obli-
5 gated or expended until authorized by law.

6 AIRCRAFT PROCUREMENT, AIR FORCE

7 For construction, procurement, and modification of
8 aircraft and equipment, including armor and armament,
9 specialized ground handling equipment, and training de-
10 vices, spare parts, and accessories therefor; specialized
11 equipment; expansion of public and private plants, Gov-
12 ernment-owned equipment and installation thereof in such
13 plants, erection of structures, and acquisition of land, for
14 the foregoing purposes, and such lands and interests
15 therein, may be acquired, and construction prosecuted
16 thereon prior to approval of title; reserve plant and Gov-
17 ernment and contractor-owned equipment layaway; and
18 other expenses necessary for the foregoing purposes in-
19 cluding rents and transportation of things;
20 \$6,887,201,000, to remain available for obligation until
21 September 30, 1996: *Provided*, That of the funds appro-
22 priated in this paragraph, not less than \$20,000,000 shall
23 be available only for the C-130J aircraft.

1 MISSILE PROCUREMENT, AIR FORCE

2 For construction, procurement, and modification of
3 missiles, spacecraft, rockets, and related equipment, in-
4 cluding spare parts and accessories therefor, ground han-
5 dling equipment, and training devices; expansion of public
6 and private plants, Government-owned equipment and in-
7 stallation thereof in such plants, erection of structures,
8 and acquisition of land, for the foregoing purposes, and
9 such lands and interests therein, may be acquired, and
10 construction prosecuted thereon prior to approval of title;
11 reserve plant and Government and contractor-owned
12 equipment layaway; and other expenses necessary for the
13 foregoing purposes including rents and transportation of
14 things; \$3,845,354,000, to remain available for obligation
15 until September 30, 1996: *Provided*, That of the funds
16 appropriated in this paragraph, \$224,483,000 shall not be
17 obligated or expended until authorized by law.

18 OTHER PROCUREMENT, AIR FORCE

19 For procurement and modification of equipment (in-
20 cluding ground guidance and electronic control equipment,
21 and ground electronic and communication equipment),
22 and supplies, materials, and spare parts therefor, not oth-
23 erwise provided for; the purchase of not to exceed 2 vehi-
24 cles required for physical security of personnel, notwith-
25 standing price limitations applicable to passenger vehicles

1 but not to exceed \$180,000 per vehicle; the purchase of
2 not to exceed 710 passenger motor vehicles of which 695
3 shall be for replacement only; and expansion of public and
4 private plants, Government-owned equipment and installa-
5 tion thereof in such plants, erection of structures, and ac-
6 quisition of land, for the foregoing purposes, and such
7 lands and interests therein, may be acquired, and con-
8 struction prosecuted thereon, prior to approval of title; re-
9 serve plant and Government and contractor-owned equip-
10 ment layaway; \$7,336,918,000, to remain available for ob-
11 ligation until September 30, 1996.

12 NATIONAL GUARD AND RESERVE EQUIPMENT

13 For procurement of aircraft, missiles, tracked combat
14 vehicles, ammunition, other weapons, and other procure-
15 ment for the reserve components of the Armed Forces;
16 \$1,178,100,000, to remain available for obligation until
17 September 30, 1996: *Provided*, That of the funds appro-
18 priated in this paragraph, \$184,825,000 shall not be obli-
19 gated or expended until authorized by law.

20 PROCUREMENT, DEFENSE-WIDE

21 For expenses of activities and agencies of the Depart-
22 ment of Defense (other than the military departments)
23 necessary for procurement, production, and modification
24 of equipment, supplies, materials, and spare parts there-
25 for, not otherwise provided for; the purchase of not to ex-

1 ceed 1 vehicle required for physical security of personnel,
2 notwithstanding price limitations applicable to passenger
3 vehicles but not to exceed \$180,000 per vehicle; and the
4 purchase of not to exceed 438 passenger motor vehicles,
5 of which 420 shall be for replacement only; expansion of
6 public and private plants, equipment, and installation
7 thereof in such plants, erection of structures, and acquisi-
8 tion of land for the foregoing purposes, and such lands
9 and interests therein, may be acquired, and construction
10 prosecuted thereon prior to approval of title; reserve plant
11 and Government and contractor-owned equipment lay-
12 away; \$1,557,344,000, to remain available for obligation
13 until September 30, 1996: *Provided*, That the funds avail-
14 able under this heading for the High Performance Com-
15 puter Modernization plan may be used only for: (1) the
16 execution of existing contract upgrade options of installed
17 stable supercomputer facilities that have not kept tech-
18 nically current; or (2) the acquisition in open, competitive
19 procurements of architecturally stable, fully user-oper-
20 ational, compatible supercomputers possessing essentially
21 stable system software, which have been successfully dem-
22 onstrated using statistically valid samples of the current
23 workload of the laboratories in question without sub-
24 stantive reprogramming or program conversion.

1 DEFENSE PRODUCTION ACT PURCHASES

2 For activities by the Department of Defense pursuant
3 to sections 108, 301, 302, and 303 of the Defense Produc-
4 tion Act of 1950, as amended (50 U.S.C. App. 2061);
5 \$200,000,000, to remain available until expended: *Pro-*
6 *vided*, That none of these funds shall be obligated for any
7 project unless a Presidential determination has been made
8 in accordance with the Defense Production Act: *Provided*
9 *further*, That the Department of Defense shall notify the
10 Committees on Appropriations of the House of Represent-
11 atives and the Senate sixty days prior to the release of
12 funds for any project not previously approved by Congress.

13 TITLE IV

14 RESEARCH, DEVELOPMENT, TEST AND
15 EVALUATION16 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
17 ARMY

18 For expenses necessary for basic and applied sci-
19 entific research, development, test and evaluation, includ-
20 ing maintenance, rehabilitation, lease, and operation of fa-
21 cilities and equipment, as authorized by law;
22 \$5,560,082,000, to remain available for obligation until
23 September 30, 1995: *Provided*, That \$2,000,000 shall be
24 made available only for the Center for Prostate Disease
25 Research at the Walter Reed Army Institute of Research:

1 *Provided further*, That \$5,000,000 shall be made available
2 only for the Center of Excellence in Breast Cancer Re-
3 search and Training at the National Naval Medical Cen-
4 ter, in Bethesda, Maryland: *Provided further*, That not less
5 than \$1,000,000 of the funds appropriated in this para-
6 graph shall be made available only to a joint research part-
7 nership involving an educational institution, not now en-
8 gaged in a large volume of basic research, and a bio-
9 medical research institute, including a working arrange-
10 ment with Canadian and German scientists, for the devel-
11 opment and testing of a new insulin derivative for the
12 treatment of diabetes and hypoglycemia in the dependents
13 of active duty military members: *Provided further*, That
14 \$1,000,000 of the funds appropriated in this paragraph
15 shall be available for a lyme disease program: *Provided*
16 *further*, That of the funds appropriated in this paragraph,
17 \$142,941,000 shall not be obligated or expended until au-
18 thorized by law.

19 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

20 NAVY

21 For expenses necessary for basic and applied sci-
22 entific research, development, test and evaluation, includ-
23 ing maintenance, rehabilitation, lease, and operation of
24 facilities and equipment, as authorized by law;
25 \$8,604,777,000, to remain available for obligation until

1 September 30, 1995: *Provided*, That for continued re-
2 search and development programs at the National Center
3 for Physical Acoustics, centering on ocean acoustics as it
4 applies to advanced antisubmarine warfare acoustics
5 issues with focus on ocean bottom acoustics, seismic cou-
6 pling, sea-surface and bottom scattering, oceanic ambient
7 noise, underwater sound propagation, bubble related ambi-
8 ent noise, acoustically active surfaces, machinery noise,
9 propagation physics, solid state acoustics,
10 electrorheological fluids, transducer development, ultra-
11 sonic sensors, and other such projects as may be agreed
12 upon, \$1,000,000 shall be made available, as a grant, to
13 the Mississippi Resource Development Corporation, of
14 which not to exceed \$250,000 of such sum may be used
15 to provide such special equipment as may be required for
16 particular projects: *Provided further*, That none of the
17 funds appropriated in this paragraph may be obligated or
18 expended to develop or purchase equipment for an Aegis
19 destroyer variant (commonly known as "Flight IIA")
20 whose initial operating capability is budgeted to be
21 achieved prior to the initial operating capability of the
22 Ship Self-Defense program, nor to develop sensor, proc-
23 essor, or display capabilities which duplicate in any way
24 those being developed in the Ship Self-Defense program:
25 *Provided further*, That funds appropriated in this para-

1 graph for Aegis Combat System Engineering tactical dis-
2 play simplification may be obligated only to develop equip-
3 ment on an interim basis which is planned to be installed
4 in Aegis ships prior to the date that the first production
5 unit of the Advanced Display System is planned to be ac-
6 cepted by the Government: *Provided further*, That funds
7 appropriated in this paragraph for Aegis Combat System
8 Engineering tactical display simplification may not be obli-
9 gated on contracts which include production options for
10 ship installations planned beyond the date that the first
11 production unit of the Advanced Display System is
12 planned to be accepted by the Government: *Provided fur-*
13 *ther*, That funds appropriated in this paragraph for devel-
14 opment of E-2C aircraft upgrades may not be obligated
15 until the Under Secretary of Defense for Acquisition sub-
16 mits a plan to the Committees on Appropriations and
17 Armed Services of each House of Congress for develop-
18 ment and deployment of a fully participating cooperative
19 engagement capability on E-2 aircraft to be fielded con-
20 current with and no later than major computer upgrades
21 for the aircraft: *Provided further*, That funds appropriated
22 in this paragraph for development of the L-X ship may
23 not be obligated unless the baseline design of the ship in-
24 cludes cooperative engagement capability and sufficient
25 own-ship self-defense capability against advanced sea-

1 skimming antiship cruise missiles in the baseline design
2 to achieve an estimated probability of survival from attack
3 by such missiles at a level no less than any other Navy
4 ship: *Provided further*, That after January 1, 1994, funds
5 appropriated in this paragraph for the Naval Research
6 Laboratory may not be obligated unless the Navy's Manu-
7 facturing Technology Program Office has responsibilities
8 and position equivalent to the Science and Technology Di-
9 rectorates at the Office of Naval Research and is fully
10 staffed to meet those responsibilities.

11 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
12 AIR FORCE

13 For expenses necessary for basic and applied sci-
14 entific research, development, test and evaluation, includ-
15 ing maintenance, rehabilitation, lease, and operation of fa-
16 cilities and equipment, as authorized by law;
17 \$12,608,995,000, to remain available for obligation until
18 September 30, 1995: *Provided*, That not less than
19 \$21,000,000 of the funds appropriated in this paragraph
20 shall be made available only for the Joint Seismic Pro-
21 gram and Global Seismic Network administered by the In-
22 corporated Research Institutions for Seismology: *Provided*
23 *further*, That not less than \$60,000,000 of the funds ap-
24 propriated in this paragraph shall be made available only

1 for the National Center for Manufacturing Sciences
2 (NCMS).

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

5 For expenses of activities and agencies of the Depart-
6 ment of Defense (other than the military departments),
7 necessary for basic and applied scientific research, devel-
8 opment, test and evaluation; advanced research projects
9 as may be designated and determined by the Secretary
10 of Defense, pursuant to law; maintenance, rehabilitation,
11 lease, and operation of facilities and equipment, as author-
12 ized by law; \$9,376,918,000, to remain available for obli-
13 gation until September 30, 1995: *Provided*, That not less
14 than \$97,000,000 of the funds appropriated in this para-
15 graph are available only for the Extended Range Intercep-
16 tor (ERINT) missile: *Provided further*, That the Ballistic
17 Missile Defense Organization (BMDO) shall continue its
18 current strategy of flight testing, ground testing, simula-
19 tions, and other Government analyses of the Patriot
20 Multimode Missile and the Extended Range Interceptor
21 for selection of the best technology in terms of cost, sched-
22 ule, risk, and performance to meet PAC-3 missile require-
23 ments for theater missile defense and that the Director,
24 BMDO, will determine when there is adequate information
25 to proceed to selection for engineering and manufacturing

1 development: *Provided further*, That none of the funds in
2 this paragraph may be used to operate more than one ex-
3 ternal affairs office in the Washington, D.C. area for bal-
4 listic missile defense programs: *Provided further*, That not
5 less than \$15,000,000 of the funds appropriated in this
6 paragraph shall be made available as a grant awarded
7 through competitive procedures to a State supported his-
8 torically black college or university with a demonstrated
9 expertise in physics and materials science, a doubled en-
10 rollment over the past seven years, and a leading enroll-
11 ment of National Achievement Scholars over the last sev-
12 eral years, for construction to expand facilities for basic
13 sciences and engineering associated with research, devel-
14 opment, and other programs of major importance to the
15 Department of Defense: *Provided further*, That not less
16 than 25 percent of the funds appropriated in this para-
17 graph for the High Performance Computing initiative may
18 be obligated only for research designed to develop im-
19 proved performance from high performance computing
20 systems and technology utilizing parallel vector processing
21 architecture: *Provided further*, That not less than
22 \$20,000,000 of the funds appropriated in this paragraph
23 shall be available only for an Experimental Program to
24 Stimulate Competitive Research (EPSCOR) in the De-
25 partment of Defense which shall include all States eligible

1 as of the date of enactment of this Act for the National
2 Science Foundation Experimental Program to Stimulate
3 Competitive Research: *Provided further*, That none of the
4 funds appropriated in this paragraph for research, devel-
5 opment, demonstration, or commercialization of electric
6 vehicles and the related infrastructure; fuel cell research;
7 natural gas research; or coal research, authorized to be
8 conducted by the Secretary of Energy under statutes ad-
9 ministered by such Secretary shall be obligated by the Sec-
10 retary of Defense except in accordance with the applicable
11 provisions of the Energy Policy Act of 1992 and other rel-
12 evant statutes and pursuant to an agreement, made avail-
13 able to the applicable legislative and appropriation Com-
14 mittees of Congress, between the Secretary of Defense and
15 the Secretary of Energy that provides for coordination of
16 all such activities with the relevant programs at the De-
17 partment of Energy administered under such Acts: *Pro-*
18 *vided further*, That of the funds appropriated under this
19 heading, not less than \$52,000,000 shall be made avail-
20 able only for the Computer-aided Acquisition and Logis-
21 tics Support (CALs) Shared Resource Center (CSRC)
22 program. Of that amount, not less than \$30,000,000 shall
23 be made available only for the continued operation of the
24 original CSRC by the current nonprofit institution or its
25 successor in interest, as the Department's tri-service

1 CALS standards and technologies development, deploy-
2 ment, training, and education hub for the CSRC program;
3 the continued operation of the CSRC Regional Satellite
4 (CRS); and the establishment and continued operation of
5 additional CRSs to be operated by educational or other
6 nonprofit institutions. In addition, \$20,000,000 shall be
7 made available only for the continued operation of the six
8 original CRSs: *Provided further*, That none of the funds
9 in this Act can be expended to pay the salaries or expenses
10 of the Department's CSRC Program Management Office
11 unless such office is located within the Office of the Sec-
12 retary of Defense: *Provided further*, That nothing shall
13 prohibit use of the CSRC or CRSs by industry, associa-
14 tions, other Department of Defense services and agencies,
15 and other government agencies for efforts to be separately
16 negotiated and funded: *Provided further*, That \$2,300,000
17 shall be made available only for cell adhesion molecule re-
18 search.

19 DEVELOPMENTAL TEST AND EVALUATION, DEFENSE

20 For expenses, not otherwise provided for, of inde-
21 pendent activities of the Director, Test and Evaluation in
22 the direction and supervision of developmental test and
23 evaluation, including performance and joint developmental
24 testing and evaluation; and administrative expenses in

1 connection therewith; \$232,592,000, to remain available
2 for obligation until September 30, 1995.

3 OPERATIONAL TEST AND EVALUATION, DEFENSE

4 For expenses, not otherwise provided for, necessary
5 for the independent activities of the Director, Operational
6 Test and Evaluation in the direction and supervision of
7 operational test and evaluation, including initial oper-
8 ational test and evaluation which is conducted prior to,
9 and in support of, production decisions; joint operational
10 testing and evaluation; and administrative expenses in
11 connection therewith; \$12,650,000, to remain available for
12 obligation until September 30, 1995.

13 TITLE V

14 REVOLVING AND MANAGEMENT FUNDS

15 DEFENSE BUSINESS OPERATIONS FUND

16 For the Defense Business Operations Fund;
17 \$1,091,100,000: *Provided*, That none of the funds avail-
18 able in the Defense Business Operations Fund shall be
19 used for any hardware procurement, new development, or
20 expansion of the Defense Business Management System;
21 except that funds may be used to continue minimal main-
22 tenance efforts of the Defense Business Management Sys-
23 tem for the Defense Logistics Agency to continue daily
24 operations.

1 NATIONAL DEFENSE SEALIFT FUND

2 (INCLUDING TRANSFER OF FUNDS)

3 For National Defense Sealift Fund programs,
4 projects, and activities, \$490,800,000, to remain available
5 until expended: *Provided*, That up to \$200,000,000 shall
6 be available for transfer to the Secretary of Transpor-
7 tation for costs (as defined in section 502 of the Federal
8 Credit Reform Act of 1990) of loan guarantee commit-
9 ments under title XII of the Merchant Marine Act, 1936,
10 as amended by H.R. 2401, the National Defense Author-
11 ization Act for Fiscal Year 1994: *Provided further*, That
12 any facilities financed by the foregoing loan guarantee
13 commitments must make use of new technologies and
14 processes which have been demonstrated by Department
15 of Defense organizations prior to construction of facilities:
16 *Provided further*, That all loan guarantees or loan guaran-
17 tee commitments made by the Secretary of Transportation
18 shall occur only after consultation with the Secretary of
19 Defense: *Provided further*, That notwithstanding any other
20 provision of law, the Secretary of Transportation shall give
21 priority to providing loan guarantees to businesses located
22 in enterprise zones and investing private funds in develop-
23 ing integrated design and manufacturing facilities tech-
24 nologies: *Provided further*, That notwithstanding any other
25 provision of law, all loan guarantees or loan guarantee

1 commitments for ship construction shall be made without
2 regard to gross ton weight.

3 TITLE VI
4 OTHER DEPARTMENT OF DEFENSE PROGRAMS
5 DEFENSE HEALTH PROGRAM

6 For expenses, not otherwise provided for, for medical
7 and health care programs of the Department of Defense,
8 as authorized by law; \$9,644,447,000, of which
9 \$9,368,185,000 shall be for Operation and maintenance,
10 of which \$276,262,000, to remain available for obligation
11 until September 30, 1996, shall be for Procurement: *Pro-*
12 *vided*, That the Department shall competitively contract
13 during fiscal year 1994 for mail service pharmacy for at
14 least two multi-state regions in addition to the ongoing
15 solicitations for Florida, South Carolina, Georgia, Dela-
16 ware, New Jersey, Pennsylvania, and Hawaii, as well as
17 each base closure area not supported by an at-risk man-
18 aged care plan; that such services shall be procured inde-
19 pendent of any other Department managed care contracts;
20 that one multi-state region shall include the State of Ken-
21 tucky: *Provided further*, That of the funds appropriated
22 in this Act, such funds as necessary shall be used for the
23 continuation of the cooperative program model being es-
24 tablished at Madigan Medical Center for severely behavior
25 disordered students: *Provided further*, That of the funds

1 appropriated in this paragraph, \$265,000,000 shall not be
2 obligated or expended until authorized by law.

3 CHEMICAL AGENTS AND MUNITIONS DESTRUCTION,
4 DEFENSE

5 For expenses, not otherwise provided for, necessary
6 for the destruction of the United States stockpile of lethal
7 chemical agents and munitions in accordance with the pro-
8 visions of section 1412 of the Department of Defense Au-
9 thorization Act, 1986, (50 U.S.C. 1521) and for the de-
10 struction of other chemical warfare materials that are not
11 in the chemical weapon stockpile, \$397,561,000, of which
12 \$292,061,000 shall be for Operation and maintenance,
13 \$74,800,000, to remain available until September 30,
14 1996, shall be for Procurement, and \$30,700,000, to re-
15 main available until September 30, 1995, shall be for Re-
16 search, development, test and evaluation: *Provided*, That
17 of the funds appropriated in this paragraph, \$30,700,000
18 shall not be obligated or expended until authorized by law.

19 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,
20 DEFENSE

21 (INCLUDING TRANSFER OF FUNDS)

22 For drug interdiction and counter-drug activities of
23 the Department of Defense, for transfer to appropriations
24 available to the Department of Defense for military per-
25 sonnel of the reserve components serving under the provi-

1 sions of title 10 and title 32, United States Code; for Op-
2 eration and maintenance; for Procurement; and for Re-
3 search, development, test and evaluation; \$757,785,000:
4 *Provided*, That the funds appropriated by this paragraph
5 shall be available for obligation for the same time period
6 and for the same purpose as the appropriation to which
7 transferred: *Provided further*, That the transfer authority
8 provided in this paragraph is in addition to any transfer
9 authority contained elsewhere in this Act: *Provided fur-*
10 *ther*, That of the funds appropriated in this paragraph,
11 not less than \$5,900,000 shall be available only for the
12 Gulf States Counter-Narcotics Initiative.

13 OFFICE OF THE INSPECTOR GENERAL

14 For expenses and activities of the Office of the
15 Inspector General in carrying out the provisions of the
16 Inspector General Act of 1978, as amended;
17 \$169,801,000, of which \$169,001,000 shall be for Oper-
18 ation and maintenance, of which not to exceed \$400,000
19 is available for emergencies and extraordinary expenses to
20 be expended on the approval or authority of the Inspector
21 General, and payments may be made on his certificate of
22 necessity for confidential military purposes; and of which
23 \$800,000, to remain available until September 30, 1996,
24 shall be for Procurement.

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

6 For payment to the Central Intelligence Agency Re-
7 tirement and Disability System Fund, to maintain proper
8 funding level for continuing the operation of the Central
9 Intelligence Agency Retirement and Disability System;
10 \$182,300,000.

11 NATIONAL SECURITY EDUCATION TRUST FUND
12 (RESCISSION)

13 Of the funds made available in Public Law 103-50
14 for the National Security Education Act under the head-
15 ing "National Security Education Trust Fund",
16 \$10,000,000 is hereby rescinded.

17 Of the funds made available in Public Law 102-172
18 for the National Security Education Trust Fund,
19 \$140,000,000 and interest earned and accrued thereon is
20 hereby rescinded.

21 COMMUNITY MANAGEMENT STAFF

22 For necessary expenses of the Community Manage-
23 ment Staff; \$114,688,000.

TITLE VIII

GENERAL PROVISIONS

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

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

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

1 of Defense for military functions (except military con-
2 struction) between such appropriations or funds or any
3 subdivision thereof, to be merged with and to be available
4 for the same purposes, and for the same time period, as
5 the appropriation or fund to which transferred: *Provided*,
6 That such authority to transfer may not be used unless
7 for higher priority items, based on unforeseen military re-
8 quirements, than those for which originally appropriated
9 and in no case where the item for which funds are re-
10 quested has been denied by Congress: *Provided further*,
11 That the Secretary of Defense shall notify the Congress
12 promptly of all transfers made pursuant to this authority
13 or any other authority in this Act.

14 (TRANSFER OF FUNDS)

15 SEC. 8007. During the current fiscal year, cash bal-
16 ances in working capital funds of the Department of De-
17 fense established pursuant to section 2208 of title 10,
18 United States Code, may be maintained in only such
19 amounts as are necessary at any time for cash disburse-
20 ments to be made from such funds: *Provided*, That trans-
21 fers may be made between such funds and the “Foreign
22 Currency Fluctuations, Defense” and “Operation and
23 Maintenance” appropriation accounts in such amounts as
24 may be determined by the Secretary of Defense, with the
25 approval of the Office of Management and Budget, except
26 that such transfers may not be made unless the Secretary

1 of Defense has notified the Congress of the proposed
2 transfer. Except in amounts equal to the amounts appro-
3 priated to working capital funds in this Act, no obligations
4 may be made against a working capital fund to procure
5 or increase the value of war reserve material inventory,
6 unless the Secretary of Defense has notified the Congress
7 prior to any such obligation.

8 SEC. 8008. Using funds available by this Act or any
9 other Act, the Secretary of the Air Force, pursuant to a
10 determination under section 2690 of title 10, United
11 States Code, may implement cost-effective agreements for
12 required heating facility modernization in the
13 Kaiserslautern Military Community in the Federal Repub-
14 lic of Germany: *Provided*, That in the City of
15 Kaiserslautern such agreements will include the use of
16 United States anthracite as the base load energy for mu-
17 nicipal district heat to the United States Defense installa-
18 tions: *Provided further*, That at Landstuhl Army Regional
19 Medical Center and Ramstein Air Base, furnished heat
20 may be obtained from private, regional or municipal serv-
21 ices, if provisions are included for the consideration of
22 United States coal as an energy source.

23 SEC. 8009. Funds appropriated by this Act may not
24 be used to initiate a special access program without prior
25 notification 30 calendar days in session in advance to the

1 Committees on Appropriations and Armed Services of the
2 Senate and House of Representatives.

3 SEC. 8010. None of the funds contained in this Act
4 available for the Civilian Health and Medical Program of
5 the Uniformed Services shall be available for payments to
6 physicians and other authorized individual health care pro-
7 viders in excess of the amounts allowed in fiscal year 1993
8 for similar services, except that: (a) for services for which
9 the Secretary of Defense determines an increase is justi-
10 fied by economic circumstances, the allowable amounts
11 may be increased in accordance with appropriate economic
12 index data similar to that used pursuant to title XVIII
13 of the Social Security Act; and (b) for services the Sec-
14 retary determines are overpriced based on allowable pay-
15 ments under title XVIII of the Social Security Act, the
16 allowable amounts shall be reduced by not more than 15
17 percent (except that the reduction may be waived if the
18 Secretary determines that it would impair adequate access
19 to health care services for beneficiaries). The Secretary
20 shall solicit public comment prior to promulgating regula-
21 tions to implement this section. Such regulations shall in-
22 clude a limitation, similar to that used under title XVIII
23 of the Social Security Act, on the extent to which a pro-
24 vider may bill a beneficiary an actual charge in excess of
25 the allowable amount.

1 SEC. 8011. None of the funds provided in this Act
2 shall be available to initiate (1) a multiyear contract that
3 employs economic order quantity procurement in excess of
4 \$20,000,000 in any one year of the contract or that in-
5 cludes an unfunded contingent liability in excess of
6 \$20,000,000, or (2) a contract for advance procurement
7 leading to a multiyear contract that employs economic
8 order quantity procurement in excess of \$20,000,000 in
9 any one year, unless the Committees on Appropriations
10 and Armed Services of the Senate and House of Rep-
11 resentatives have been notified at least thirty days in ad-
12 vance of the proposed contract award: *Provided*, That no
13 part of any appropriation contained in this Act shall be
14 available to initiate a multiyear contract for which the eco-
15 nomic order quantity advance procurement is not funded
16 at least to the limits of the Government's liability: *Pro-*
17 *vided further*, That no part of any appropriation contained
18 in this Act shall be available to initiate multiyear procure-
19 ment contracts for any systems or component thereof if
20 the value of the multiyear contract would exceed
21 \$500,000,000 unless specifically provided in this Act: *Pro-*
22 *vided further*, That no multiyear procurement contract can
23 be terminated without 10-day prior notification to the
24 Committees on Appropriations and Armed Services of the
25 House of Representatives and the Senate: *Provided fur-*

1 *ther*, That the execution of multiyear authority shall re-
2 quire the use of a present value analysis to determine low-
3 est cost compared to an annual procurement.

4 SEC. 8012. (a) None of the funds appropriated by
5 this Act shall be available to convert a position in support
6 of the Army Reserve, Air Force Reserve, Army National
7 Guard, and Air National Guard occupied by, or pro-
8 grammed to be occupied by, a (civilian) military technician
9 to a position to be held by a person in an active duty sta-
10 tus or active Guard or Reserve status if that conversion
11 would reduce the total number of positions occupied by,
12 or programmed to be occupied by, (civilian) military tech-
13 nicians of the component concerned, below 69,061: *Pro-*
14 *vided*, That none of the funds appropriated by this Act
15 shall be available to support more than 46,111 positions
16 in support of the Army Reserve, Army National Guard,
17 or Air National Guard occupied by, or programmed to be
18 occupied by, persons in an active Guard or Reserve status:
19 *Provided further*, That none of the funds appropriated by
20 this Act may be used to include (civilian) military techni-
21 cians in computing civilian personnel ceilings, including
22 statutory or administratively imposed ceilings, on activi-
23 ties in support of the Army Reserve, Air Force Reserve,
24 Army National Guard, or Air National Guard.

1 (b) None of the funds appropriated by this Act shall
2 be used to include (civilian) military technicians in any
3 administratively imposed freeze on civilian positions.

4 SEC. 8013. Notwithstanding any other provision of
5 law, governments of Indian tribes shall be treated as State
6 and local governments for the purposes of disposition of
7 real property recommended for closure in the report of the
8 Defense Secretary's Commission on Base Realignments
9 and Closures, December 1988, the report to the President
10 from the Defense Base Closure and Realignment Commis-
11 sion, July 1991, and Public Law 100-526.

12 SEC. 8014. (a) The provisions of section 115(a)(4)
13 of title 10, United States Code, shall not apply with re-
14 spect to fiscal year 1994 or with respect to the appropria-
15 tion of funds for that year.

16 (b) During fiscal year 1994, the civilian personnel of
17 the Department of Defense may not be managed on the
18 basis of any end-strength, and the management of such
19 personnel during that fiscal year shall not be subject to
20 any constraint or limitation (known as an end-strength)
21 on the number of such personnel who may be employed
22 on the last day of such fiscal year.

23 (c) The fiscal year 1995 budget request for the De-
24 partment of Defense as well as all justification material
25 and other documentation supporting the fiscal year 1995

1 Department of Defense budget request shall be prepared
2 and submitted to the Congress as if subsections (a) and
3 (b) of this provision were effective with regard to fiscal
4 year 1995.

5 SEC. 8015. None of the funds made available by this
6 Act shall be used in any way, directly or indirectly, to in-
7 fluence congressional action on any legislation or appro-
8 priation matters pending before the Congress.

9 SEC. 8016. None of the funds appropriated by this
10 Act shall be obligated for the pay of any individual who
11 is initially employed after the date of enactment of this
12 Act as a technician in the administration and training of
13 the Army Reserve and the maintenance and repair of sup-
14 plies issued to the Army Reserve unless such individual
15 is also a military member of the Army Reserve troop pro-
16 gram unit that he or she is employed to support. Those
17 technicians employed by the Army Reserve in areas other
18 than Army Reserve troop program units need only be
19 members of the Selected Reserve.

20 SEC. 8017. None of the funds available to the De-
21 partment of Defense may be used for the floating storage
22 of petroleum or petroleum products except in vessels of
23 or belonging to the United States.

24 SEC. 8018. Notwithstanding any other provision of
25 law, the Secretaries of the Army and Air Force may au-

1 thorize the retention in an active status until age sixty
2 of any officer who would otherwise be removed from an
3 active status and who is employed as a National Guard
4 or Reserve technician in a position in which active status
5 in a reserve component of the Army or Air Force is re-
6 quired as a condition of that employment.

7 SEC. 8019. Notwithstanding any other provision of
8 law, proceeds from the investment of the Fisher House
9 Investment Trust Fund will be used to support the oper-
10 ation and maintenance of Fisher Houses associated with
11 Army medical treatment facilities.

12 SEC. 8020. (a) None of the funds appropriated by
13 this Act shall be used to make contributions to the Depart-
14 ment of Defense Education Benefits Fund pursuant to
15 section 2006(g) of title 10, United States Code, represent-
16 ing the normal cost for future benefits under section
17 1415(c) of title 38, United States Code, for any member
18 of the armed services who, on or after the date of enact-
19 ment of this Act—

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

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

24 nor shall any amounts representing the normal cost of
25 such future benefits be transferred from the Fund by the

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

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

1 SEC. 8021. Funds appropriated in this Act shall be
2 available for the payment of not more than 75 percent
3 of the charges of a postsecondary educational institution
4 for the tuition or expenses of an officer in the Ready Re-
5 serve of the Army National Guard or Army Reserve for
6 education or training during his off-duty periods, except
7 that no part of the charges may be paid unless the officer
8 agrees to remain a member of the Ready Reserve for at
9 least four years after completion of such training or edu-
10 cation.

11 SEC. 8022. None of the funds appropriated by this
12 Act shall be available to convert to contractor performance
13 an activity or function of the Department of Defense that,
14 on or after the date of enactment of this Act, is performed
15 by more than ten Department of Defense civilian employ-
16 ees until a most efficient and cost-effective organization
17 analysis is completed on such activity or function and cer-
18 tification of the analysis is made to the Committees on
19 Appropriations of the House of Representatives and the
20 Senate: *Provided*, That this section shall not apply to a
21 commercial or industrial type function of the Department
22 of Defense that: (1) is included on the procurement list
23 established pursuant to section 2 of the Act of June 25,
24 1938 (41 U.S.C. 47), popularly referred to as the Javits-
25 Wagner-O'Day Act; (2) is planned to be converted to per-

1 performance by a qualified nonprofit agency for the blind or
2 by a qualified nonprofit agency for other severely handi-
3 capped individuals in accordance with that Act; or (3) is
4 planned to be converted to performance by a qualified firm
5 under 51 percent Native American ownership.

6 SEC. 8023. None of the funds appropriated or made
7 available by this Act may be obligated for acquisition of
8 major automated information systems which have not suc-
9 cessfully completed oversight reviews required by Defense
10 Department regulations: *Provided*, That the automated in-
11 formation systems oversight review board will be inde-
12 pendent of any other Department review function and
13 chaired by the Assistant Secretary of Defense (Command,
14 Control, Communications and Intelligence): *Provided fur-*
15 *ther*, That except for those programs to modernize and de-
16 velop migration and standard automated information sys-
17 tems that have been certified by the Department's senior
18 information resource management (IRM) official as being
19 fully compliant with the Department's information man-
20 agement initiative as defined in Defense Department Di-
21 rective 8000.1, no funds may be expended for moderniza-
22 tion or development of any automated information system
23 (AIS) by the military departments, services, defense agen-
24 cies, Joint Staff or Military Commands in excess of
25 \$1,000,000 unless the senior official of the Office of the

1 Secretary of Defense with primary responsibility for the
2 functions being supported or to be supported certifies to
3 the Assistant Secretary of Defense for Command, Control,
4 Communications and Intelligence that the functional
5 requirement(s) is valid and that the system modernization
6 or development has no unnecessary duplication of other
7 available or planned AISs: *Provided further*, That the De-
8 partment shall develop the capability for open systems in-
9 tegration of commercial-off-the-shelf (COTS) applications
10 within the Composite Health Care System (CHCS): *Pro-*
11 *vided further*, That the Department shall limit deployment
12 of the Defense Blood Standard System (DBSS) to donor
13 and processing centers, and shall procure, install, and in-
14 tegrate by April 1, 1994, at two or more CHCS sites an
15 open system compliant COTS hospital-based blood bank/
16 transfusion application, with security access by application
17 function and developed in the same application language
18 as CHCS: *Provided further*, That the Department shall
19 procure and install at all CHCS alpha and beta sites by
20 April 1, 1994, an open system integrated anatomic pathol-
21 ogy COTS application with security access by application
22 function and developed with the same software application
23 language as CHCS: *Provided further*, That notwithstand-
24 ing any other provision of law, the one time investment
25 cost, including the procurement or lease of new or

1 reutilized automatic data processing investment equip-
2 ment, peripheral equipment and related software, for the
3 July 16, 1993 DOD Data Center Consolidation Plan shall
4 not exceed \$309,000,000.

5 SEC. 8024. Notwithstanding any other provision of
6 law, the Secretary of the Navy may use funds appro-
7 priated to charter ships to be used as auxiliary mine-
8 sweepers providing that the owner agrees that these ships
9 may be activated as Navy Reserve ships with Navy Re-
10 serve crews used in training exercises conducted in accord-
11 ance with law and policies governing Naval Reserve forces:
12 *Provided*, That none of the funds appropriated or made
13 available in this Act may be used to inactivate, disestab-
14 lish, or discontinue the Navy's Craft of Opportunity Pro-
15 gram.

16 SEC. 8025. Notwithstanding any other provision of
17 law, the Department shall competitively award contracts
18 in fiscal year 1994 for at least four new region-wide, at-
19 risk, fixed price managed care support contracts consist-
20 ent with the following requirements: (1) each contract or
21 acquisition shall reflect the major features of the
22 CHAMPUS Reform Initiative and include provision for
23 the commanders of major military medical centers to par-
24 ticipate as the regional lead agents; (2) each such contract
25 or acquisition shall include a triple option benefit; (3) one

1 similar contract or acquisition shall cover the State of
2 Florida (which may include Department of Veterans Af-
3 fairs' medical facilities with the concurrence of the Sec-
4 retary of Veterans Affairs); (4) one similar contract shall
5 cover the States of Washington and Oregon; (5) each
6 other such contract or acquisition shall include at least
7 one complete State; (6) the managed care support con-
8 tracts for California and Hawaii, Florida, Washington and
9 Oregon shall not be counted for purposes of the required
10 four new contracts of acquisitions; and (7) the Depart-
11 ment shall modify a currently operating CHAMPUS serv-
12 ice contract to include an at-risk managed health care pro-
13 vision, to provide services not later than 90 days after en-
14 actment of this Act, in the area of Homestead Air Force
15 Base, to include the Homestead and South Miami Hos-
16 pitals as institutional providers, with a benefit structure
17 substantially identical to that established in fiscal year
18 1993 for the Carswell, Bergstrom and England Air Force
19 Bases (including a retail pharmacy network available to
20 Medicare-eligible beneficiaries), said provision to remain
21 effective as an interim measure until implementation of
22 the competitive at-risk contract for Florida as required by
23 this section: *Provided further*, That none of the funds ap-
24 propriated, or otherwise made available to the Department
25 of Defense, by this or any other Act of Congress, shall

1 be used to implement or administer any changes to the
2 operating CHAMPUS Reform Initiative-like contracts un-
3 less the scope of benefits and program management struc-
4 ture are consistent with the basic CHAMPUS Reform Ini-
5 tiative design in operation on January 1, 1993: *Provided*
6 *further*, That any law or regulation of a State or local gov-
7 ernment relating to health insurance, prepaid health
8 plans, or other health care delivery, administration, and
9 financing methods shall be preempted and shall not apply
10 to any contract entered into pursuant to chapter 55 of
11 title 10, United States Code: *Provided further*, That any
12 requirements for the certification of cost effectiveness, ac-
13 cess and quality of any managed health care programs will
14 be construed to require that the certification compare on
15 a national basis the program to be certified with the stand-
16 ard CHAMPUS program as determined by the application
17 of sound actuarial principles: *Provided further*, That the
18 Department shall competitively award at least two con-
19 tracts in fiscal year 1994 for stand-alone, at-risk managed
20 mental health services in high utilization, high-cost areas,
21 consistent with the management and service delivery fea-
22 tures in operation in the Contracted Provider Arrange-
23 ment (CPA) Tidewater Demonstration.

24 SEC. 8026. Funds appropriated or made available in
25 this Act shall be obligated and expended to continue to

1 fully utilize the facilities at the United States Army Engi-
2 neer's Waterways Experiment Station, including the con-
3 tinued availability of the supercomputer capability: *Pro-*
4 *vided*, That none of the funds in this Act may be used
5 to purchase any supercomputer which is not manufactured
6 in the United States, unless the Secretary of Defense cer-
7 tifies to the Armed Services and Appropriations Commit-
8 tees of Congress that such an acquisition must be made
9 in order to acquire capability for national security pur-
10 poses that is not available from United States manufactur-
11 ers.

12 SEC. 8027. For the purposes of the Balanced Budget
13 and Emergency Deficit Control Act of 1985 (Public Law
14 99-177) as amended by the Balanced Budget and Emer-
15 gency Deficit Control Reaffirmation Act of 1987 (Public
16 Law 100-119) and by the Budget Enforcement Act of
17 1990 (Public Law 101-508), the term program, project,
18 and activity for appropriations contained in this Act shall
19 be defined as the most specific level of budget items identi-
20 fied in the Department of Defense Appropriations Act,
21 1994, the accompanying House and Senate Committee re-
22 ports, the conference report and accompanying joint ex-
23 planatory statement of the managers of the Committee of
24 Conference, the related classified annexes and reports, and
25 the P-1 and R-1 budget justification documents as subse-

1 quently modified by Congressional action: *Provided*, That
2 the following exception to the above definition shall apply:

3 For the Military Personnel and the Operation and
4 Maintenance accounts, the term “program, project, and
5 activity” is defined as the appropriations accounts con-
6 tained in the Department of Defense Appropriations Act:
7 *Provided further*, That at the time the President submits
8 his budget for fiscal year 1995, the Department of De-
9 fense shall transmit to the Committees on Appropriations
10 and the Committees on Armed Services of the Senate and
11 the House of Representatives a budget justification docu-
12 ment to be known as the “O-1” which shall identify, at
13 the budget activity, activity group, and subactivity group
14 level, the amounts requested by the President to be appro-
15 priated to the Department of Defense for operation and
16 maintenance in any budget request, or amended budget
17 request, for fiscal year 1995.

18 SEC. 8028. Of the funds appropriated to the Army,
19 \$217,600,000 shall be available only for the Reserve Com-
20 ponent Automation System (RCAS): *Provided*, That none
21 of these funds can be expended—

22 (1) except as approved by the Chief of the Na-
23 tional Guard Bureau;

24 (2) unless RCAS resource management func-
25 tions are performed by the National Guard Bureau;

1 (3) to pay the salary of an RCAS program
2 manager who has not been selected and approved by
3 the Chief of the National Guard Bureau and char-
4 tered by the Chief of the National Guard Bureau
5 and the Secretary of the Army;

6 (4) unless the Program Manager (PM) charter
7 makes the PM accountable to the Chief of the Na-
8 tional Guard Bureau and fully defines his authority,
9 responsibility, reporting channels and organizational
10 structure;

11 (5) to pay the salaries of individuals assigned to
12 the RCAS program management office unless such
13 organization is comprised of personnel chosen jointly
14 by the Chiefs of the National Guard Bureau and the
15 Army Reserve;

16 (6) to pay contracted costs for the acquisition
17 of RCAS unless RCAS is an integrated system con-
18 sisting of software, hardware, and communications
19 equipment and unless such contract continues to
20 preclude the use of Government furnished equip-
21 ment, operating systems, and executive and applica-
22 tions software; and

23 (7) unless RCAS performs its own classified in-
24 formation processing: *Provided further*, That not-
25 withstanding any other provision of law, none of the

1 funds appropriated shall be available for procure-
2 ment of computers for the Army Reserve Component
3 which are used to network or expand the capabilities
4 of existing or future information systems or dupli-
5 cate functions to be provided under the RCAS con-
6 tract unless the procurement meets the following cri-
7 teria: (A) only RCAS automated data processing
8 (ADP) equipment may be procured and only in the
9 numbers and types allocated by the RCAS program
10 to each site; (B) the requesting organizational ele-
11 ment has no computer for stand-alone office auto-
12 mation usage; (C) replacement equipment will not
13 exceed the minimum required to maintain the reli-
14 ability of existing capabilities; (D) replacements will
15 be justified solely on the cost and feasibility of re-
16 pairs and maintenance of present ADP equipment as
17 compared to the cost of replacement; and (E) the
18 procurement is recommended by both the Chief of
19 the respective Reserve Component and the Chief of
20 the National Guard Bureau, and approved by the
21 Functional Proponent in the Department of De-
22 fense.

23 SEC. 8029. None of the funds in this Act may be
24 available for the purchase by the Department of Defense
25 (and its departments and agencies) of welded shipboard

1 anchor and mooring chain 4 inches in diameter and under
2 unless the anchor and mooring chain are manufactured
3 in the United States from components which are substan-
4 tially manufactured in the United States: *Provided*, That
5 for the purpose of this section manufactured will include
6 cutting, heat treating, quality control, testing of chain and
7 welding (including the forging and shot blasting process):
8 *Provided further*, That for the purpose of this section sub-
9 stantially all of the components of anchor and mooring
10 chain shall be considered to be produced or manufactured
11 in the United States if the aggregate cost of the compo-
12 nents produced or manufactured in the United States ex-
13 ceeds the aggregate cost of the components produced or
14 manufactured outside the United States: *Provided further*,
15 That when adequate domestic supplies are not available
16 to meet Department of Defense requirements on a timely
17 basis, the Secretary of the service responsible for the pro-
18 curement may waive this restriction on a case-by-case
19 basis by certifying in writing to the Committees on Appro-
20 priations that such an acquisition must be made in order
21 to acquire capability for national security purposes.

22 (TRANSFER OF FUNDS)

23 SEC. 8030. Notwithstanding any other provision of
24 law, the Department of Defense may transfer prior year,
25 unobligated balances and funds appropriated in this Act
26 to the operation and maintenance appropriations for the

1 purpose of providing military technician and Department
2 of Defense medical personnel pay and medical programs
3 (including CHAMPUS) the same exemption from seques-
4 tration set forth in the Balanced Budget and Emergency
5 Deficit Control Act of 1985 (Public Law 99-177) as
6 amended by the Balanced Budget and Emergency Deficit
7 Control Reaffirmation Act of 1987 (Public Law 100-119)
8 and by the Budget Enforcement Act of 1990 (Public Law
9 101-508) as that granted the other military personnel ac-
10 counts: *Provided*, That any transfer made pursuant to any
11 use of the authority provided by this provision shall be
12 limited so that the amounts reprogrammed to the oper-
13 ation and maintenance appropriations do not exceed the
14 amounts sequestered under the Balanced Budget and
15 Emergency Deficit Control Act of 1985 (Public Law 99-
16 177) as amended by the Balanced Budget and Emergency
17 Deficit Control Reaffirmation Act of 1987 (Public Law
18 100-119) and by the Budget Enforcement Act of 1990
19 (Public Law 101-508): *Provided further*, That the author-
20 ity to make transfers pursuant to this section is in addi-
21 tion to the authority to make transfers under other provi-
22 sions of this Act: *Provided further*, That the Secretary of
23 Defense may proceed with such transfer after notifying
24 the Appropriations Committees of the House of Rep-
25 resentatives and the Senate twenty calendar days in ses-

1 sion before any such transfer of funds under this
2 provision.

3 SEC. 8031. None of the funds appropriated by this
4 Act available for the Civilian Health and Medical Program
5 of the Uniformed Services (CHAMPUS) shall be available
6 for the reimbursement of any health care provider for in-
7 patient mental health service for care received when a pa-
8 tient is referred to a provider of inpatient mental health
9 care or residential treatment care by a medical or health
10 care professional having an economic interest in the facil-
11 ity to which the patient is referred: *Provided*, That this
12 limitation does not apply in the case of inpatient mental
13 health services provided under the program for the handi-
14 capped under subsection (d) of section 1079 of title 10,
15 United States Code, provided as partial hospital care, or
16 provided pursuant to a waiver authorized by the Secretary
17 of Defense because of medical or psychological cir-
18 cumstances of the patient that are confirmed by a health
19 professional who is not a Federal employee after a review,
20 pursuant to rules prescribed by the Secretary, which takes
21 into account the appropriate level of care for the patient,
22 the intensity of services required by the patient, and the
23 availability of that care.

24 SEC. 8032. All new Department of Defense procure-
25 ments shall separately identify software costs in the work

1 breakdown structure defined by MIL-STD-881 in those
2 instances where software is considered to be a major cat-
3 egory of cost.

4 SEC. 8033. During the current fiscal year and there-
5 after, of the funds appropriated, reimbursable expenses in-
6 curred by the Department of Defense on behalf of the So-
7 viet Union or its successor entities in monitoring United
8 States implementation of the Treaty Between the United
9 States of America and the Union of Soviet Socialist Re-
10 publics on the Elimination of Their Intermediate-Range
11 or Shorter-Range Missiles (“INF Treaty”), concluded De-
12 cember 8, 1987, may be treated as orders received and
13 obligation authority for the applicable appropriation, ac-
14 count, or fund increased accordingly. Likewise, any reim-
15 bursements received for such costs may be credited to the
16 same appropriation, account, or fund to which the ex-
17 penses were charged: *Provided*, That reimbursements
18 which are not received within one hundred and eighty days
19 after submission of an appropriate request for payment
20 shall be subject to interest at the current rate established
21 pursuant to section 2(b)(1)(B) of the Export-Import Bank
22 Act of 1945 (59 Stat. 526). Interest shall begin to accrue
23 on the one hundred and eighty-first day following submis-
24 sion of an appropriate request for payment: *Provided fur-*
25 *ther*, That funds appropriated in this Act may be used to

1 reimburse United States military personnel for reasonable
2 costs of subsistence, at rates to be determined by the Sec-
3 retary of Defense, incurred while accompanying Soviet In-
4 spection Team members or inspection team members of
5 the successor entities of the Soviet Union engaged in ac-
6 tivities related to the INF Treaty: *Provided further*, That
7 this provision includes only the in-country period (referred
8 to in the INF Treaty) and is effective whether such duty
9 is performed at, near, or away from an individual's perma-
10 nent duty station.

11 SEC. 8034. Funds available in this Act may be used
12 to provide transportation for the next-of-kin of individuals
13 who have been prisoners of war or missing in action from
14 the Vietnam era to an annual meeting in the United
15 States, under such regulations as the Secretary of Defense
16 may prescribe.

17 SEC. 8035. None of the funds available in this Act
18 to the Department of Defense or Navy shall be obligated
19 or expended for (or to implement) automatic data process-
20 ing, data processing center, central design activity, DMRD
21 918, defense information infrastructure, military or civil-
22 ian personnel and finance and accounting function consoli-
23 dation plans, consolidations, and disestablishment or re-
24 alignment plans that impact, in terms of reductions in
25 force or transfers in military and civilian personnel, end

1 strength, billets, functions, or missions, the Enlisted Per-
2 sonnel Management Center, the Naval Computer and
3 Telecommunications Station and Defense Accounting Of-
4 fice, New Orleans, and the Naval Reserve Personnel Cen-
5 ter and related missions, functions, and commands until
6 sixty legislative days after the Secretary of Defense sub-
7 mits to the House and Senate Committees on Appropria-
8 tions a report, including complete review comments and
9 a certification, by both the Secretary of Defense and the
10 Comptroller General, justifying and certifying that such
11 plans and actions: (1) do not consolidate, plan to consoli-
12 date, disestablish or realign Department of Defense or
13 Service data processing functions or centers, central de-
14 sign activities, finance and accounting or military and ci-
15 vilian personnel functions and activities, or claim savings
16 from such function and activity consolidations and dis-
17 establishment, realignment, or consolidation plans, that
18 are in more than one defense management report plan or
19 decision or any other Department of Defense or Service
20 consolidation, disestablishment, or realignment plan; (2)
21 utilize criteria primarily weighted to evaluate, measure,
22 and compare how data processing centers, central design
23 activities, financing and accounting and military and civil-
24 ian personnel functions and activities are ranked in terms
25 of operational readiness, customer satisfaction, and the

1 most cost effective and least expensive from a business
2 performance, and regional operations cost standpoint; (3)
3 will provide equal or better service for DOD customers;
4 (4) will not adversely impact the quality of life and bene-
5 fits of the individual service person, dependents, and civil-
6 ian personnel; and (5) will not adversely impact the mis-
7 sion and readiness of the Navy and Naval Reserves: *Pro-*
8 *vided*, That none of the provisions in this section shall,
9 in any way, affect the implementation of the Defense Base
10 Closure and Realignment Commission recommendations.

11 SEC. 8036. Notwithstanding any other provision of
12 law, during the current fiscal year, the Secretary of De-
13 fense may, by Executive Agreement, establish with host
14 nation governments in NATO member states a separate
15 account into which such residual value amounts negotiated
16 in the return of United States military installations in
17 NATO member states may be deposited, in the currency
18 of the host nation, in lieu of direct monetary transfers to
19 the United States Treasury: *Provided*, That such credits
20 may be utilized only for the construction of facilities to
21 support United States military forces in that host nation,
22 or such real property maintenance and base operating
23 costs that are currently executed through monetary trans-
24 fers to such host nations: *Provided further*, That the De-
25 partment of Defense's budget submission for fiscal year

1 1995 shall identify such sums anticipated in residual value
2 settlements, and identify such construction, real property
3 maintenance or base operating costs that shall be funded
4 by the host nation through such credits: *Provided further,*
5 That all military construction projects to be executed from
6 such accounts must be previously approved in a prior Act
7 of Congress: *Provided further,* That each such Executive
8 Agreement with a NATO member host nation shall be re-
9 ported to the Committees on Appropriations and Armed
10 Services of the House of Representatives and the Senate
11 thirty days prior to the conclusion and endorsement of any
12 such agreement established under this provision.

13 SEC. 8037. All obligations incurred in anticipation of
14 the appropriations and authority provided in this Act are
15 hereby ratified and confirmed if otherwise in accordance
16 with the provisions of this Act.

17 SEC. 8038. None of the funds available to the De-
18 partment of Defense in this Act shall be used to demili-
19 tarize or dispose of more than 310,784 unserviceable M1
20 Garand rifles and M1 Carbines.

21 SEC. 8039. Notwithstanding any other provision of
22 law, none of the funds appropriated by this Act shall be
23 available to pay more than 50 percent of an amount paid
24 to any person under section 308 of title 37, United States
25 Code, in a lump sum.

1 SEC. 8040. None of the funds appropriated by this
2 Act may be used by the Department of Defense to assign
3 a supervisor's title or grade when the number of people
4 he or she supervises is considered as a basis for this deter-
5 mination: *Provided*, That savings that result from this
6 provision are represented as such in future budget
7 proposals.

8 SEC. 8041. Of the funds appropriated by this Act,
9 no more than \$18,500,000 shall be available for the men-
10 tal health care demonstration project at Fort Bragg,
11 North Carolina: *Provided*, That adjustments may be made
12 for normal and reasonable price and program growth.

13 SEC. 8042. None of the funds appropriated by this
14 Act may be used to pay health care providers under the
15 Civilian Health and Medical Program of the Uniformed
16 Services (CHAMPUS) for services determined under the
17 CHAMPUS Peer Review Organization (PRO) Program to
18 be not medically or psychologically necessary. The Sec-
19 retary of Defense may by regulation adopt any quality and
20 utilization review requirements and procedures in effect
21 for the Peer Review Organization Program under title
22 XVIII of the Social Security Act (Medicare) that the Sec-
23 retary determines necessary, and may adapt the Medicare
24 requirements and procedures to the circumstances of the

1 CHAMPUS PRO Program as the Secretary determines
2 appropriate.

3 SEC. 8043. None of the funds appropriated by this
4 Act shall be available for payments under the Department
5 of Defense contract with the Louisiana State University
6 Medical Center involving the use of cats for Brain Missile
7 Wound Research, and the Department of Defense shall
8 not make payments under such contract from funds obli-
9 gated prior to the date of the enactment of this Act, except
10 as necessary for costs incurred by the contractor prior to
11 the enactment of this Act, and until thirty legislative days
12 after the final General Accounting Office report on the
13 aforesaid contract is submitted for review to the Commit-
14 tees on Appropriations of the House of Representatives
15 and the Senate: *Provided*, That funds necessary for the
16 care of animals covered by this contract are allowed.

17 SEC. 8044. None of the funds provided in this Act
18 or any other Act shall be available to conduct bone trauma
19 research at the Letterman Army Institute of Research
20 until the Secretary of the Army certifies that the synthetic
21 compound to be used in the experiments is of such a type
22 that its use will result in a significant medical finding,
23 the research has military application, the research will be
24 conducted in accordance with the standards set by an ani-
25 mal care and use committee, and the research does not

1 duplicate research already conducted by a manufacturer
2 or any other research organization.

3 SEC. 8045. The Secretary of Defense shall include
4 in any base closure and realignment plan submitted to
5 Congress after the date of enactment of this Act, a com-
6 plete review for the five-year period beginning on Octo-
7 ber 1, 1993, which shall include expected force structure
8 and levels for such period, expected installation require-
9 ments for such period, a budget plan for such period, the
10 cost savings expected to be realized through realignments
11 and closures of military installations during such period,
12 an economics model to identify the critical local economic
13 sectors affected by proposed closures and realignments of
14 military installations and an assessment of the economic
15 impact in each area in which a military installation is to
16 be realigned or closed.

17 SEC. 8046. No more than \$50,000 of the funds ap-
18 propriated or made available in this Act shall be used for
19 any single relocation of an organization, unit, activity or
20 function of the Department of Defense into or within the
21 National Capital Region: *Provided*, That the Secretary of
22 Defense may waive this restriction on a case-by-case basis
23 by certifying in writing to the Committees on Appropria-
24 tions of the House of Representatives and Senate that
25 such a relocation is required in the best interest of the

1 Government: *Provided further*, That no funds appropriated
2 or made available in this Act shall be used for the reloca-
3 tion into the National Capital Region of the Air Force Of-
4 fice of Medical Support located at Brooks Air Force Base.

5 SEC. 8047. During the current fiscal year, funds ap-
6 propriated or otherwise available for any Federal agency,
7 the Congress, the judicial branch, or the District of Co-
8 lumbia may be used for the pay, allowances, and benefits
9 of an employee as defined by section 2105 of title 5 or
10 an individual employed by the government of the District
11 of Columbia, permanent or temporary indefinite, who—

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

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

20 (A) Federal service under section 331,
21 332, 333, 3500, or 8500 of title 10, or other
22 provision of law, as applicable, or

23 (B) full-time military service for his State,
24 the District of Columbia, the Commonwealth of

1 Puerto Rico, or a territory of the United States;
2 and

3 (3) requests and is granted—

4 (A) leave under the authority of this sec-
5 tion; or

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

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

16 SEC. 8048. None of the funds appropriated by this
17 Act shall be available to perform any cost study pursuant
18 to the provisions of OMB Circular A-76 if the study being
19 performed exceeds a period of twenty-four months after
20 initiation of such study with respect to a single function
21 activity or forty-eight months after initiation of such study
22 for a multi-function activity.

23 SEC. 8049. Funds appropriated by this Act for the
24 American Forces Information Service shall not be used for

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

3 SEC. 8050. Notwithstanding any other provision of
4 law or regulation, the Secretary of Defense may adjust
5 wage rates for civilian employees hired for certain health
6 care occupations as authorized for the Secretary of Veter-
7 ans Affairs by section 7455 of title 38, United States
8 Code.

9 SEC. 8051. During the current fiscal year, none of
10 the funds appropriated in this Act may be used to reduce
11 the military or civilian medical and medical support per-
12 sonnel end strength as of September 30, 1993, as defined
13 by section 711(c) of Public Law 101-510: *Provided*, That
14 none of the funds appropriated in this Act may be used
15 to reduce the military or civilian medical and medical sup-
16 port personnel end strength at a base undergoing a partial
17 closure or realignment, where more than one joint com-
18 mand is located, below the September 30, 1991 level.

19 SEC. 8052. Of the funds made available in this Act,
20 not less than \$11,679,000 shall be available for the Civil
21 Air Patrol, of which \$4,642,000 shall be available for
22 Operation and Maintenance.

23 SEC. 8053. None of the funds appropriated or made
24 available in this Act shall be used to reduce or disestablish
25 the operation of the 815th Weather Squadron of the Air

1 Force Reserve, if such action would reduce the WC-130
2 Weather Reconnaissance mission below the levels funded
3 in this Act.

4 SEC. 8054. During the current fiscal year, with-
5 drawal credits may be made by the Defense Business Op-
6 erations Fund to the credit of current applicable appro-
7 priations of an activity of the Department of Defense in
8 connection with the acquisition by that activity of supplies
9 that are repairable components which are repairable at a
10 repair depot and that are capitalized into the Defense
11 Business Operations Fund as the result of management
12 changes concerning depot level repairable assets charged
13 to an activity of the Department of Defense which is a
14 customer of the Defense Business Operations Fund that
15 became effective on April 1, 1992.

16 SEC. 8055. (a) Of the funds for the procurement of
17 supplies or services appropriated by this Act, qualified
18 nonprofit agencies for the blind or other severely handi-
19 capped shall be afforded the maximum practicable oppor-
20 tunity to participate as subcontractors and suppliers in the
21 performance of contracts let by the Department of De-
22 fense.

23 (b) During the current fiscal year, a business concern
24 which has negotiated with a military service or defense
25 agency a subcontracting plan for the participation by

1 small business concerns pursuant to section 8(d) of the
2 Small Business Act (15 U.S.C. 637(d)) shall be given
3 credit toward meeting that subcontracting goal for any
4 purchases made from qualified nonprofit agencies for the
5 blind or other severely handicapped.

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

13 SEC. 8056. During the current fiscal year and there-
14 after, there is established, under the direction and control
15 of the Attorney General, the National Drug Intelligence
16 Center, whose mission it shall be to coordinate and con-
17 solidate drug intelligence from all national security and
18 law enforcement agencies, and produce information re-
19 garding the structure, membership, finances, communica-
20 tions, and activities of drug trafficking organizations: *Pro-*
21 *vided*, That funding for the operation of the National
22 Drug Intelligence Center, including personnel costs associ-
23 ated therewith, shall be provided from the funds appro-
24 priated to the Department of Defense.

1 SEC. 8057. During the current fiscal year and there-
2 after, the Navy may provide notice to exercise options
3 under the LEASAT program for the next fiscal year, in
4 accordance with the terms of the Aide Memoire, dated
5 January 5, 1981, as amended by the Aide Memoire dated
6 April 30, 1986, and as implemented in the LEASAT con-
7 tract.

8 SEC. 8058. During the current fiscal year, net re-
9 ceipts pursuant to collections from third party payers pur-
10 suant to section 1095 of title 10, United States Code, shall
11 be made available to the local facility of the uniformed
12 services responsible for the collections and shall be over
13 and above the facility's direct budget amount.

14 SEC. 8059. None of the funds in this Act shall be
15 obligated for the procurement of Multibeam Sonar Map-
16 ping Systems, and supporting software, not engineered
17 and manufactured in the United States: *Provided*, That
18 the Secretary of the military department responsible for
19 such procurement may waive this restriction on a case-
20 by-case basis by certifying in writing to the Committees
21 on Appropriations of the House of Representatives and the
22 Senate that adequate domestic supplies are not available
23 to meet Department of Defense requirements on a timely
24 basis and that such an acquisition must be made in order
25 to acquire capability for national security purposes.

1 SEC. 8060. During the current fiscal year and there-
2 after, notwithstanding any other provision of law, the De-
3 partment of Defense is hereby authorized to develop and
4 procure the LANDSAT 7 vehicle.

5 SEC. 8061. None of the funds appropriated in this
6 Act may be used to fill the commander's position at any
7 military medical facility with a health care professional
8 unless the prospective candidate can demonstrate profes-
9 sional administrative skills.

10 SEC. 8062. Of the funds appropriated by this Act for
11 the Defense Health Program, notwithstanding any other
12 provision of law, the amount payable for services provided
13 under this section shall not be less than the amount cal-
14 culated under the coordination of benefits reimbursement
15 formula utilized when CHAMPUS is a secondary payor
16 to medical insurance programs other than Medicare, and
17 such appropriations as necessary shall be available (not-
18 withstanding the last sentence of section 1086(c) of title
19 10, United States Code) to continue Civilian Health and
20 Medical Program of the Uniformed Services (CHAMPUS)
21 benefits, until age 65, under such section for a former
22 member of a uniformed service who is entitled to retired
23 or retainer pay or equivalent pay, or a dependent of such
24 a member, or any other beneficiary described by section
25 1086(c) of title 10, United States Code, who becomes eligi-

1 ble for hospital insurance benefits under part A of title
2 XVIII of the Social Security Act (42 U.S.C. 1395 et seq.)
3 solely on the grounds of physical disability, or end stage
4 renal disease: *Provided*, That expenses under this section
5 shall only be covered to the extent that such expenses are
6 not covered under parts A and B of title XVIII of the
7 Social Security Act and are otherwise covered under
8 CHAMPUS: *Provided further*, That no reimbursement
9 shall be made for services provided prior to October 1,
10 1991.

11 SEC. 8063. During the current fiscal year, the Sec-
12 retary of Defense may accept burdensharing contributions
13 in the form of money from Japan, the Republic of Korea,
14 and the State of Kuwait for the costs of local national
15 employees, supplies, and services of the Department of De-
16 fense to be credited to applicable Department of Defense
17 operation and maintenance appropriations available for
18 the salaries and benefits of national employees of Japan,
19 the Republic of Korea, and the State of Kuwait, supplies,
20 and services to be merged with and to be available for the
21 same purposes and time period as those appropriations to
22 which credited: *Provided*, That not later than 30 days
23 after the end of each quarter of the fiscal year, the Sec-
24 retary of Defense shall submit to the Congress a report

1 of contributions accepted by the Secretary under this pro-
2 vision during the preceding quarter.

3 SEC. 8064. (a) Funds appropriated in this Act to fi-
4 nance activities of Department of Defense (DOD) Feder-
5 ally Funded Research and Development Centers
6 (FFRDCs) may not be obligated or expended for an
7 FFRDC if a member of its Board of Directors or Trustees
8 simultaneously serves on the Board of Directors or Trust-
9 ees of a profit-making company under contract to the De-
10 partment of Defense unless the FFRDC has a DOD ap-
11 proved conflict of interest policy for its members.

12 (b) None of the funds appropriated in this Act are
13 available to establish a new FFRDC, either as a new en-
14 tity, or as a separate entity administered by an organiza-
15 tion managing another FFRDC, or as a nonprofit mem-
16 bership corporation consisting of a consortium of other
17 FFRDCs and other nonprofit entities.

18 SEC. 8065. None of the funds appropriated or made
19 available in this Act shall be used to procure carbon, alloy
20 or armor steel plate for use in any Government-owned fa-
21 cility or property under the control of the Department of
22 Defense which were not melted and rolled in the United
23 States or Canada: *Provided*, That these procurement re-
24 strictions shall apply to any and all Federal Supply Class
25 9515, American Society of Testing and Materials (ASTM)

1 or American Iron and Steel Institute (AISI) specifications
2 of carbon, alloy or armor steel plate: *Provided further,*
3 That the Secretary of the military department responsible
4 for the procurement may waive this restriction on a case-
5 by-case basis by certifying in writing to the Committees
6 on Appropriations of the House of Representatives and the
7 Senate that adequate domestic supplies are not available
8 to meet Department of Defense requirements on a timely
9 basis and that such an acquisition must be made in order
10 to acquire capability for national security purposes: *Pro-*
11 *vided further,* That these restrictions shall not apply to
12 contracts which are in being as of the date of enactment
13 of this Act.

14 SEC. 8066. Notwithstanding any other provision of
15 law, no more than 15 percent of the funds available to
16 the Department of Defense for sealift may be used to ac-
17 quire, directly or indirectly, through charter or purchase,
18 ships constructed in foreign shipyards: *Provided,* That
19 ships acquired as provided above shall be necessary to sat-
20 isfy the shortfalls identified in the Mobility Requirements
21 Study: *Provided further,* That any work required to con-
22 vert foreign built ships acquired as provided above to Unit-
23 ed States Coast Guard and American Bureau of Shipping
24 standards, or conversion to a more useful military configu-
25 ration, must be accomplished in United States domestic

1 shipyards: *Provided further*, That none of the funds shall
2 be used to purchase the following major components:
3 bridge or machinery control systems, or interior commu-
4 nications equipment, auxiliary equipment, including
5 pumps for all shipboard services, propulsion system com-
6 ponents (that is, engines, reduction gears, and propellers),
7 shipboard cranes, and spreaders for shipboard cranes for
8 sealift ships unless the systems or equipment, and their
9 components, are manufactured in the United States: *Pro-*
10 *vided further*, That the Secretary of the military depart-
11 ment responsible for such procurement may waive this re-
12 striction on a case-by-case basis by certifying in writing
13 to the Committees on Appropriations of the House of Rep-
14 resentatives and the Senate that adequate domestic sup-
15 plies are not available to meet Department of Defense re-
16 quirements on a timely basis and that such an acquisition
17 must be made in order to acquire capability for national
18 security purposes.

19 SEC. 8067. For the purposes of this Act, the term
20 “congressional defense committees” means the Commit-
21 tees on Armed Services, the Committees on Appropria-
22 tions, and the subcommittees on Defense of the Committee
23 on Appropriations, of the Senate and the House of Rep-
24 resentatives.

1 SEC. 8068. Notwithstanding any other provision of
2 law, during the current fiscal year, the Secretary of De-
3 fense may acquire the modification, depot maintenance
4 and repair of aircraft, vehicles and vessels as well as the
5 production of components and other Defense-related arti-
6 cles, through competition between Department of Defense
7 depot maintenance activities and private firms: *Provided*,
8 That the Senior Acquisition Executive of the military de-
9 partment or defense agency concerned, with power of dele-
10 gation, shall certify that successful bids include com-
11 parable estimates of all direct and indirect costs for both
12 public and private bids: *Provided further*, That Office of
13 Management and Budget Circular A-76 shall not apply
14 to competitions conducted under this section.

15 SEC. 8069. (a)(1) If the Secretary of Defense, after
16 consultation with the United States Trade Representative,
17 determines that a foreign country which is party to an
18 agreement described in paragraph (2) has violated the
19 terms of the agreement by discriminating against certain
20 types of products produced in the United States that are
21 covered by the agreement, the Secretary of Defense shall
22 rescind the Secretary's blanket waiver of the Buy Amer-
23 ican Act with respect to such types of products produced
24 in that foreign country.

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

7 (b) The Secretary of Defense shall submit to Con-
8 gress a report on the amount of Department of Defense
9 purchases from foreign entities in fiscal year 1994. Such
10 report shall separately indicate the dollar value of items
11 for which the Buy American Act was waived pursuant to
12 any agreement described in subsection (a)(2), the Trade
13 Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any
14 international agreement to which the United States is a
15 party.

16 (c) For purposes of this section, the term “Buy
17 American Act” means title III of the Act entitled “An
18 Act making appropriations for the Treasury and Post
19 Office Departments for the fiscal year ending June 30,
20 1934, and for other purposes”, approved March 3,
21 1933 (41 U.S.C. 10a et seq.).

22 SEC. 8070. (a) Of the funds made available in this
23 Act in title II, Operation and Maintenance, Army,
24 \$5,000,000 shall be available only to execute the cleanup
25 of uncontrolled hazardous waste contamination affecting

1 the Sale Parcel at Hamilton Air Force Base, in Novato,
2 in the State of California.

3 (b) Notwithstanding any other provision of law, in the
4 event that the purchaser of the Sale Parcel exercises its
5 option to withdraw from all or a portion of the sale, as
6 provided in the Agreement and Modification, dated Sep-
7 tember 25, 1990, between the Department of Defense, the
8 General Services Administration, and the purchaser, as
9 amended, the purchaser's deposit of \$4,500,000 shall be
10 returned by the General Services Administration and
11 funds eligible for reimbursement under the Agreement and
12 Modification, as amended, shall come from the funds made
13 available to the Department of Defense by this Act.

14 (c) Notwithstanding any other provision of law, in the
15 event that the purchaser purchases only a portion of the
16 Sale Parcel and exercises its option to withdraw from the
17 sale as to the rest of the Sale Parcel, the portion of the
18 Sale Parcel that is not purchased (other than Landfill 26
19 and an appropriate buffer area around it), together with
20 any of the land referred to in section 9099(e) of Public
21 Law 102-396 that is not purchased by the purchaser,
22 shall be sold to the City of Novato, in the State of Califor-
23 nia, for the sum of One Dollar as a public benefit transfer
24 for school, classroom or other educational use, for use as
25 a public park or recreation area or for further conveyance

1 as provided herein, subject to the following restrictions:
2 (1) if the City sells any portion of such land to any third
3 party within ten years after the transfer to the City, which
4 sale may be made without the foregoing use restrictions,
5 any proceeds received by the City in connection with such
6 sale, minus the demonstrated reasonable costs of conduct-
7 ing the sale and of any improvements made by the City
8 to the land following its acquisition of the land (but only
9 to the extent such improvements increase the value of the
10 portion sold), shall be immediately turned over to the
11 Army in reimbursement of the withdrawal payment made
12 by the Army to the contract purchaser and the costs of
13 cleaning up the Landfill and (2) until one year following
14 completion of the cleanup of contaminated soil in the land-
15 fill and completion of the groundwater treatment facilities,
16 the sale must be at a per-acre price for the portion sold
17 that is at least equal to the per-acre contract price paid
18 by the purchaser for the portion of the Sale Parcel pur-
19 chased under the Agreement and Modification, as amend-
20 ed, and thereafter must be at a price at least equal to
21 the fair market value of the portion sold. The foregoing
22 restrictions shall not apply to a transfer to another public
23 or quasi-public agency for public uses of the kind de-
24 scribed above. The deed to the City shall contain a clause
25 providing that, if any of the proceeds referred to in clause

1 (1) are not delivered to the Army within 30 days after
2 sale, or any portion of the land not sold as provided herein
3 is used for other than educational, park or recreational
4 uses, title to the applicable portion of such land shall re-
5 vert to the United States Government at the election of
6 the General Services Administration. The Army shall
7 agree to deliver into the applicable closing escrow an ac-
8 knowledgement of receipt of any proceeds described in
9 clause (1) above and a release of the reverter right as to
10 the affected land, effective upon such receipt.

11 (d) Notwithstanding any other provision of law, the
12 Air Force shall be reimbursed for expenditures in excess
13 of \$15,000,000 in connection with the total clean-up of
14 uncontrolled hazardous waste contamination on the afore-
15 mentioned Sale Parcel from the proceeds collected upon
16 the closing of any portion of the Sale Parcel purchased
17 by the contract purchaser under the Agreement and Modi-
18 fication, as amended.

19 SEC. 8071. Notwithstanding any other provision of
20 law, the Secretary of Defense may, when he considers it
21 in the best interest of the United States, cancel any part
22 of an indebtedness, up to \$2,500, that is or was owed to
23 the United States by a member or former member of a
24 uniformed service if such indebtedness, as determined by
25 the Secretary, was incurred in connection with Operation

1 Desert Shield/Storm: *Provided*, That the amount of an in-
2 debtedness previously paid by a member or former mem-
3 ber and cancelled under this section shall be refunded to
4 the member.

5 SEC. 8072. Appropriations contained in this Act that
6 remain available at the end of the current fiscal year as
7 a result of energy cost savings realized by the Department
8 of Defense shall remain available for obligation for the
9 next fiscal year to the extent, and for the purposes, pro-
10 vided in section 2865 of title 10, United States Code.

11 SEC. 8073. During the current fiscal year, voluntary
12 separation incentives payable under 10 U.S.C. 1175 may
13 be paid in such amounts as are necessary from the assets
14 of the Voluntary Separation Incentive Fund established by
15 section 1175(h)(1).

16 (INCLUDING TRANSFER OF FUNDS)

17 SEC. 8074. Amounts deposited during fiscal years
18 1993 and 1994 to the special account established under
19 40 U.S.C. 485(h)(2) and to the special account established
20 under 10 U.S.C. 2667(d)(1) are appropriated and shall
21 be available until transferred by the Secretary of Defense
22 to current applicable appropriations or funds of the De-
23 partment of Defense under the terms and conditions speci-
24 fied by 40 U.S.C. 485(h)(2) (A) and (B) and 10 U.S.C.
25 2667(d)(1)(B), to be merged with and to be available for

1 the same time period and the same purposes as the appro-
2 priation to which transferred.

3 SEC. 8075. In order to maintain an electric furnace
4 capacity in the United States, preference for the purchase
5 of chromite ore and manganese ore authorized for disposal
6 from the National Defense Stockpile shall be given to do-
7 mestic producers of high carbon ferrochromium and high
8 carbon ferromanganese—

9 (A) whose primary output during the three pre-
10 ceding years has been ferrochromium or
11 ferromanganese; and

12 (B) who guarantee to use the chromite and
13 manganese ore for domestic purposes.

14 SEC. 8076. During the current fiscal year, none of
15 the funds available to the Department of Defense may be
16 used to procure or acquire (1) defensive handguns or de-
17 fensive handgun ammunition unless such handguns or
18 handgun ammunition are the M9 9mm Department of De-
19 fense standard handgun or ammunition for such hand-
20 guns, or (2) offensive handguns and ammunition except
21 for the Special Operations Forces.

22 SEC. 8077. During the current fiscal year, appropria-
23 tions available to the Department of Defense may be used
24 to reimburse a member of a reserve component of the
25 Armed Forces who is not otherwise entitled to travel and

1 transportation allowances and who occupies transient gov-
2 ernment housing while performing active duty for training
3 or inactive duty training: *Provided*, That such members
4 may be provided lodging in kind if transient government
5 quarters are unavailable as if the member was entitled to
6 such allowances under subsection (a) of section 404 of title
7 37, United States Code: *Provided further*, That if lodging
8 in kind is provided, any authorized service charge or cost
9 of such lodging may be paid directly from funds appro-
10 priated for operation and maintenance of the reserve com-
11 ponent of the member concerned.

12 SEC. 8078. For fiscal year 1994, the total amount
13 appropriated to fund the Uniformed Services Treatment
14 Facilities program, operated pursuant to section 911 of
15 Public Law 97-99 (42 U.S.C. 248c), is limited to
16 \$291,000,000, of which not more than \$265,000,000 may
17 be provided by the funds appropriated by this Act.

18 SEC. 8079. None of the funds available in this Act
19 may be used to support in any manner, including travel
20 or other related expenses, the "Tailhook Association":
21 *Provided*, That investigations by the Secretary of the Navy
22 or consultation with the Tailhook Association are not pro-
23 hibited by this provision.

24 SEC. 8080. During the current fiscal year and there-
25 after, from funds available to the Department of Defense,

1 the Director of the Air National Guard shall operate a
2 Command, Control, Communications and Intelligence
3 planning office manned by three full-time Air Guard offi-
4 cers in the rank of O-6, O-5, and O-4: *Provided*, That
5 these officers shall be in addition to the strengths author-
6 ized in section 524 of title 10, United States Code.

7 SEC. 8081. None of the funds appropriated in this
8 Act or made available to the Department of Defense and
9 deposited into the Pentagon Reservation Maintenance Re-
10 volving Fund may be used for the purpose of constructing
11 a Pentagon Maintenance Facility, a Logistics Support Ex-
12 tension, or any other building not an integral part of the
13 present Pentagon building.

14 SEC. 8082. The President shall include with each
15 budget for a fiscal year submitted to the Congress under
16 section 1105 of title 31, United States Code, materials
17 that shall identify clearly and separately the amounts re-
18 quested in the budget for appropriation for that fiscal year
19 for salaries and expenses related to administrative activi-
20 ties of the Department of Defense, the military
21 departments, and the Defense Agencies.

22 SEC. 8083. None of the funds available to the De-
23 partment of Defense may be obligated or expended for
24 construction of Ground Wave Emergency Network
25 (GWEN) sites in Fiscal Year 1994.

1 the National Defense Authorization Act for fiscal year
2 1993 (Public Law 102-428; 106 Stat. 2714) shall be
3 made from appropriations in this Act which are available
4 for the pay of reserve component personnel.

5 SEC. 8088. None of the funds appropriated by this
6 Act may be used to relocate the 116th Fighter Wing of
7 the Air National Guard from Dobbins Air Reserve Base
8 to Robins Air Force Base, or to convert that wing from
9 F-15A aircraft to B-1B aircraft.

10 SEC. 8089. (a) IN GENERAL.—Subject to subsection
11 (b), the Secretary of the Army may release, discharge,
12 waive, and quitclaim all right, title, and interest which the
13 United States may have by virtue of the quitclaim deed
14 dated June 18, 1956, in and to approximately 6.89 acres
15 of real property, with improvements thereon, in Harris
16 County, Texas.

17 (b) CONDITION.—The Secretary may carry out sub-
18 section (a) only after obtaining satisfactory assurances
19 that the State of Texas shall obtain, in exchange for the
20 real property referred to in subsection (a), a tract of real
21 property—

22 (1) which is at least equal in value to the real
23 property referred to in subsection (a), and

24 (2) which shall be, on the date on which the
25 State obtains it, subject to the same restrictions and

1 covenants with respect to the Federal Government
2 as are applicable on the date of the enactment of
3 this Act to the real property referred to in sub-
4 section (a).

5 (c) LEGAL DESCRIPTION OF REAL PROPERTY.—The
6 exact acreage and legal description of the real property
7 referred to in subsection (a) shall be based upon surveys
8 that are satisfactory to the Secretary.

9 SEC. 8090. None of the funds appropriated by this
10 Act shall be used to procure aircraft fuel cells unless the
11 fuel cells are produced or manufactured in the United
12 States by a domestic-owned and domestic-operated entity:
13 *Provided*, That the Secretary of the military department
14 responsible for the procurement may waive this restriction
15 on a case-by-case basis by certifying in writing to the
16 Committees on Appropriations of the House of Represent-
17 atives and the Senate that adequate domestic supplies are
18 not available to meet Department of Defense requirements
19 on a timely basis and that such an acquisition must be
20 made in order to acquire capability for national security
21 purposes.

22 SEC. 8091. (a) Notwithstanding any other provision
23 of law, not less than \$750,000 of the funds appropriated
24 under the heading “Operation and Maintenance, Army”
25 in title II of this Act shall be made available until ex-

1 pending to conduct a demonstration program involving the
2 Army Senior Reserve Officers' Training Corps battalion
3 at Indiana University-Northwest and Army Junior Re-
4 serve Officers' Training Corps units near the University.
5 The purpose of the program shall be to encourage minor-
6 ity students in secondary educational institutions to con-
7 tinue their education.

8 (b) Under the program, Senior Reserve Officers'
9 Corps cadets may serve as mentors and tutors for students
10 in Junior Reserve Officers' Corps units. Cadets and stu-
11 dents may participate in combined activities, including
12 summer camps, field training, and other traditional mili-
13 tary activities.

14 (c) Senior Reserve Officers' Corps cadets who serve
15 as mentors and tutors may be paid a stipend.

16 (d) After a cadet has satisfactorily served in the pro-
17 gram, under criteria established by the Secretary of the
18 Army and for a period of time determined by the Sec-
19 retary, the cadet may be provided financial assistance tui-
20 tion, books, laboratory fees, and similar educational ex-
21 penses if the cadet continues to serve satisfactorily in the
22 program.

23 SEC. 8092. During the current fiscal year, appropria-
24 tions which are available to the Department of Defense
25 for operation and maintenance may be used to purchase

1 items having an investment item unit cost of not more
2 than \$50,000.

3 SEC. 8093. None of the funds appropriated by this
4 Act shall be available for direct or indirect support of the
5 joint Department of Defense/Department of Energy Safe-
6 guard C contingent nuclear testing program.

7 SEC. 8094. In connection with procurements of petro-
8 leum products made by the Department of Defense with
9 appropriated funds, the Secretary shall consider all quali-
10 fied bids from any eligible country under the Caribbean
11 Basin Economic Recovery Act which is hereby deemed a
12 designated country pursuant to 19 U.S.C. 2511(b).

13 SEC. 8095. During the current fiscal year, appropria-
14 tions available for the pay and allowances of active duty
15 members of the Armed Forces shall be available to pay
16 the retired pay which is payable pursuant to section 4403
17 of Public Law 102-484 (10 U.S.C. 1293 note) under the
18 terms and conditions provided in section 4403.

19 SEC. 8096. None of the funds appropriated in this
20 Act may be used to pay the salaries of more than two
21 Senior Executive Service positions within the Office of the
22 Assistant Secretary of the Army for Civil Works: *Provided,*
23 That the individuals in these positions may not be com-
24 pensated at a rate higher than level three of the Senior
25 Executive Service.

1 SEC. 8097. (a) During the current fiscal year, none
2 of the appropriations or funds available to the Defense
3 Business Operations Fund shall be used for the purchase
4 of an investment item for the purpose of acquiring a new
5 inventory item for sale or anticipated sale during the cur-
6 rent fiscal year or a subsequent fiscal year to customers
7 of the Defense Business Operations Fund if such an item
8 would not have been chargeable to the Defense Business
9 Operations Fund during fiscal year 1993 and if the pur-
10 chase of such an investment item would be chargeable dur-
11 ing the current fiscal year to appropriations made to the
12 Department of Defense for procurement.

13 (b) The fiscal year 1995 budget request for the De-
14 partment of Defense as well as all justification material
15 and other documentation supporting the fiscal year 1995
16 Department of Defense budget shall be prepared and sub-
17 mitted to the Congress on the basis that any equipment
18 which was classified as an end item and funded in a pro-
19 curement appropriation contained in this Act shall be
20 budgeted for in a proposed fiscal year 1995 procurement
21 appropriation and not in the supply management business
22 area or any other area or category of the Defense Business
23 Operations Fund.

24 SEC. 8098. (a) The prohibition in section 133(a)(2)
25 of the National Defense Authorization Act for fiscal years

1 1990 and 1991 (Public Law 101–189; 103 Stat. 1383)
2 does not apply to the obligation of funds in amounts not
3 to exceed \$216,000,000 for the procurement of not more
4 than 36 OH–58D Scout aircraft from funds appropriated
5 in title III of this Act.

6 (b) The prohibition in section 132(a)(2) of the Na-
7 tional Defense Authorization Act for 1990 and 1991 (Pub-
8 lic Law 101–189; 103 Stat. 1383) does not apply to the
9 obligation of funds in amounts not to exceed
10 \$368,430,000 for the procurement of not more than 24
11 AH–64 aircraft from funds appropriated in title III of this
12 Act.

13 SEC. 8099. (a) FINDINGS.—The Congress finds
14 that—

15 (1) the United States Government has not
16 made adequate efforts to seek the payment of com-
17 pensation by the government of Peru for the death
18 and injuries to United States military personnel re-
19 sulting from the attack by aircraft of the military
20 forces of Peru on April 24, 1992, against a United
21 States Air Force C–130 aircraft operating off the
22 coast of Peru; and

23 (2) in failing to make such efforts adequately,
24 the United States Government has failed in its obli-
25 gation to support the servicemen and their families

1 involved in the incident and generally to support
2 members of the Armed Forces carrying out missions
3 on behalf of the United States.

4 (b) SEMIANNUAL REPORT.—The Secretary of De-
5 fense shall submit a report to Congress on December 1
6 and June 1 of each year on the efforts made by the Gov-
7 ernment of the United States during the preceding six-
8 month period to seek the payment of fair and equitable
9 compensation by the Government of Peru (1) to the survi-
10 vors of Master Sergeant Joseph Beard, Jr., United States
11 Air Force, who was killed in the attack described in sub-
12 section (a), and (2) to the other crew members who were
13 wounded in the attack and survived.

14 (c) TERMINATION OF REPORT REQUIREMENT.—The
15 requirement in subsection (b) shall terminate upon certifi-
16 cation by the Secretary of Defense to Congress that the
17 Government of Peru has paid fair and equitable com-
18 pensation as described in subsection (b).

19 SEC. 8100. Notwithstanding any other provision of
20 law or regulation, the Department of Defense is directed
21 to use available off the shelf, nondevelopmental items in
22 filling small craft and small boat requirements when at
23 all possible.

24 SEC. 8101. No part of the funds in this Act shall
25 be available to prepare or present a request to the Com-

1 mittees on Appropriations for reprogramming of funds,
2 unless for higher priority items, based on unforeseen mili-
3 tary requirements, than those for which originally appro-
4 priated and in no case where the item for which
5 reprogramming is requested has been denied by the Con-
6 gress.

7 SEC. 8102. None of the funds appropriated by this
8 Act shall be available for payment of the compensation
9 of personnel assigned to or serving in the National For-
10 eign Intelligence Program in excess of 96 percent of such
11 personnel actually assigned to or serving in the National
12 Foreign Intelligence Program on September 30, 1992:
13 *Provided*, That in making any reduction in the number
14 of such personnel that may be required pursuant to this
15 section, the percentage of reductions to Senior Intelligence
16 Service positions shall be equal to or exceed the percentage
17 of reductions to non-Senior Intelligence Service positions:
18 *Provided further*, That in making any reduction in the
19 number of such personnel that may be required pursuant
20 to this section, the percentage of reductions to positions
21 in the National Capital Region shall be equal to or exceed
22 the percentage of reductions to positions outside of the
23 National Capital Region.

24 SEC. 8103. None of the funds provided by this Act
25 may be used to pay the salaries of any person or persons

1 who authorize the transfer of obligated and deobligated
2 appropriations into the Reserve for Contingencies of the
3 Central Intelligence Agency.

4 SEC. 8104. During the current fiscal year and there-
5 after, funds appropriated for construction projects of the
6 Central Intelligence Agency, which are transferred to an-
7 other Agency for execution, shall remain available until ex-
8 pended.

9 SEC. 8105. During the current fiscal year and there-
10 after, monetary limitations on the purchase price of a pas-
11 senger motor vehicle shall not apply to vehicles purchased
12 for intelligence activities conducted pursuant to Executive
13 Order 12333 or successor orders.

14 SEC. 8106. None of the funds appropriated by this
15 Act for programs of the Central Intelligence Agency shall
16 remain available for obligation beyond the current fiscal
17 year, except for funds appropriated for the Reserve for
18 Contingencies, which shall remain available until Septem-
19 ber 30, 1995.

20 (TRANSFER OF FUNDS)

21 SEC. 8107. During the current fiscal year and there-
22 after, no funds may be made available through transfer,
23 reprogramming, or other means between the Central Intel-
24 ligence Agency and the Department of Defense for any
25 intelligence or special activity different from that pre-
26 viously justified to the Congress unless the Director of

1 Central Intelligence or the Secretary of Defense has noti-
2 fied the House and Senate Appropriations Committees of
3 the intent to make such funds available for such activity.

4 SEC. 8108. The classified annex prepared by the
5 Committee on Appropriations to accompany the report on
6 the Department of Defense Appropriations Act, 1994 is
7 hereby incorporated into this Act: *Provided*, That the
8 amounts specified in the classified Annex are not in addi-
9 tion to amounts appropriated by other provisions of this
10 Act: *Provided further*, That the President shall provide for
11 appropriate distribution of the classified Annex, or of ap-
12 propriate portions of the classified Annex, within the exec-
13 utive branch of the Government.

14 SEC. 8109. Notwithstanding any other provision of
15 law, funds made available in this Act for the Defense In-
16 telligence Agency may be used for the design, develop-
17 ment, and deployment of General Defense Intelligence
18 Program intelligence communications and intelligence in-
19 formation systems at the Unified and Specified Com-
20 mands.

21 SEC. 8110. After March 1, 1994, none of the funds
22 appropriated by this Act shall be available for any Na-
23 tional Foreign Intelligence Program: *Provided*, That this
24 provision shall not apply for any National Foreign Intel-
25 ligence Program for which budget exhibits were submitted

1 to the House Committee on Appropriations which justifies
2 in detail all funds requested for “base”, “ongoing”, and
3 “new” programs for fiscal year 1995.

4 SEC. 8111. None of the funds appropriated by this
5 Act shall be available for the planning, programming or
6 actual movement of any component or function of the De-
7 fense Mapping Agency Aerospace Center annex from the
8 St. Louis, Missouri, area.

9 (INCLUDING TRANSFER OF FUNDS)

10 SEC. 8112. In addition to amounts appropriated or
11 otherwise made available by this Act, \$21,700,000 is here-
12 by appropriated to the Department of Defense and shall
13 be available only for transfer to the United States Coast
14 Guard for a 2.2 percent pay increase for uniformed mem-
15 bers.

16 SEC. 8113. None of the funds appropriated or made
17 available in this Act shall be obligated or expended for the
18 performance of depot-level maintenance by the Depart-
19 ment of Defense unless such activities are conducted in
20 accordance with section 2466(a) of title 10, United States
21 Code, as amended by Public Law 102-484.

22 SEC. 8114. Notwithstanding any other provision of
23 law, and in accordance with section 2905 of the Defense
24 Base Closure and Realignment Act of 1990, Public Law
25 101-510, the Department of Defense shall proceed with
26 implementation of the 1993 Defense Base Closure and Re-

1 alignment Commission recommendation concerning the
2 consolidation of tactical missile maintenance at
3 Letterkenny Army Depot.

4 SEC. 8115. Notwithstanding any other provision of
5 law, the Secretary of the Navy shall obligate the funds
6 appropriated for fiscal years 1992 and 1993 for the USH-
7 42 Mission Recorder program for the A-6 aircraft.

8 SEC. 8116. In addition to amounts appropriated else-
9 where in this Act, \$200,000 shall be available only for set-
10 tlement of claims and interest thereon, associated with
11 contract numbered N62474-86-C-0253 for construction
12 of a multipurpose range complex at the Marine Corps Air
13 Ground Combat Center in Twentynine Palms, California:
14 *Provided*, That such settlement shall be made pursuant
15 to the recommendation of August 19, 1993, of the Comp-
16 troller General of the United States (case B-230871.3).

17 SEC. 8117. Not withstanding any other provision of
18 law, none of the funds appropriated for fiscal year 1993
19 and fiscal year 1994 for the DDG-51 destroyer program
20 shall be obligated or expended for procurement of the ring
21 laser gyroscope inertial navigation system under a sole
22 source contract.

23 SEC. 8118. The Secretary of the Navy shall carry out
24 the establishment of the Mine Warfare Center of Excel-
25 lence at the naval station at Ingleside, Texas (including

1 the establishment of all subordinate units and the reloca-
2 tion of Navy mine warfare forces), in accordance with the
3 schedule of the Navy for the establishment of such center
4 and without regard to any alteration in that schedule that
5 would otherwise be required pursuant to any other provi-
6 sion of law enacted during the first session of the 103d
7 Congress that applies specifically to the construction and
8 operation of that center or to the relocation of Navy mine
9 warfare forces to Ingleside, Texas.

10 SEC. 8119. (a) The amount expended during fiscal
11 year 1994 from funds appropriated by this Act or any
12 prior Department of Defense Appropriations Act shall not
13 exceed \$255,795,000,000.

14 (b) The Secretary of Defense and the Director of
15 Central Intelligence shall take such steps as necessary to
16 ensure compliance with the requirement in subsection (a).

17 (c) The provisions of the Impoundment Control Act
18 of 1974 (2 U.S.C. 681 et seq.) shall not apply with respect
19 to funds appropriated by this Act or any prior Department
20 of Defense Appropriations Act to the extent necessary to
21 enable the Secretary of Defense to comply with sub-
22 section (a).

23 (d) Any payment required to be made by the Depart-
24 ment of Defense to a business concern that, but for this
25 subsection, would be required to be made during Septem-

1 ber, 1994 may be made during the period beginning on
2 October 1, 1994, and ending on the date that is 30 days
3 after the date on which the payment would otherwise be
4 required to be made. In determining the amount of any
5 interest penalty under section 3902 of title 31, United
6 States Code, for failure to make any such payment, any
7 period for which the Secretary of Defense, under the pre-
8 ceding sentence, deferred the required payment date shall
9 not be taken into account.

10 (e)(1) The Secretary of Defense shall, on each of the
11 dates specified in paragraph (2), submit to the Commit-
12 tees on Appropriations and the Committees on Armed
13 Services of the Senate and House of Representatives a re-
14 port on the implementation of this section. Each such re-
15 port shall include—

16 (A) an analysis of cumulative obligations and
17 cumulative expenditures from accounts subject to
18 the limitation in subsection (a) during the period be-
19 ginning on October 1, 1993, and ending on the last
20 day of the month preceding the month in which the
21 report is to be submitted, including a comparison of
22 such obligations and expenditures with the relevant
23 estimates of outlays made by the Office of Manage-
24 ment and Budget and the Congressional Budget Of-
25 fice; and

1 (B) a description of the specific actions taken
2 by the Secretary to ensure that the Department of
3 Defense meets the requirements of subsection (a).

4 (2) The reports required by paragraph (1) shall be
5 submitted not later than the following dates in 1994:
6 January 15, April 15, July 15, September 15, and October
7 15.

8 (TRANSFER OF FUNDS)

9 SEC. 8120. Upon enactment of this Act, the Sec-
10 retary of Defense shall make the following transfers of
11 funds: *Provided*, That the amounts transferred shall be
12 available for the same purposes as the appropriations to
13 which transferred, and for the same time period as the
14 appropriation from which transferred: *Provided further*,
15 That the amounts shall be transferred between the follow-
16 ing appropriations in the amounts specified:

17 From:

18 Under the heading, "Shipbuilding and
19 Conversion, Navy, 1990/1994":

20 AOE combat support ship program,
21 \$3,459,000;

22 To:

23 Under the heading, "Shipbuilding and
24 Conversion, Navy, 1986/1990":

25 MHC coastal mine hunter program,
26 \$3,459,000;

1 From:

2 Under the heading, “Shipbuilding and
3 Conversion, Navy, 1990/1994”:

4 AOE combat support ship program,
5 \$46,000;

6 Oceanographic ship program,
7 \$538,000;

8 For craft, outfitting, post delivery,
9 and ship special support equipment,
10 \$994,000;

11 Under the heading, “Shipbuilding and
12 Conversion, Navy, 1991/1995”:

13 For craft, outfitting, and post deliv-
14 ery, \$3,806,000;

15 Under the heading, “Aircraft Procurement,
16 Navy, 1992/1994”, \$28,710,000;

17 Under the heading, “Shipbuilding and
18 Conversion, Navy, 1992/1996”:

19 DDG-51 destroyer program,
20 \$41,800,000;

21 For craft, outfitting, and post deliv-
22 ery, \$1,560,000;

23 Under the heading, “Weapons Procure-
24 ment, Navy, 1992/1994”, \$36,000,000;

25 To:

1 Under the heading, “Shipbuilding and Conver-
2 sion, Navy, 1988/1992”:

3 SSN-688 attack submarine program,
4 \$26,596,000;

5 CVN nuclear aircraft carrier program,
6 \$83,600,000;

7 LHD-1 amphibious assault ship pro-
8 gram, \$3,258,000;

9 From:

10 Under the heading, “Aircraft Procurement,
11 Navy, 1992/1994”, \$28,890,000;

12 Under the heading, “Aircraft Procurement,
13 Navy, 1993/1995”, \$3,400,000;

14 Under the heading, “Shipbuilding and
15 Conversion, Navy, 1993/1997”;

16 Refueling overhauls, \$909,000;

17 DDG-51 destroyer programs,
18 \$14,400,000;

19 MHC coastal mine hunter program,
20 \$9,343,000;

21 For craft, outfitting and post delivery,
22 \$27,250,000;

23 Under the heading, “Weapons Procure-
24 ment, Navy, 1993/1995”, \$76,164,000;

25 To:

1 Under the heading, “Shipbuilding and
2 Conversion, Navy 1989/1993”:

3 TRIDENT ballistic missile submarine
4 program, \$11,655,000;

5 SSN-688 attack submarine program,
6 \$26,972,000;

7 SSN-21 attack submarine program,
8 \$40,800,000;

9 DDG-51 destroyer program,
10 \$71,500,000;

11 MHC coastal mine hunter program,
12 \$9,429,000;

13 From:

14 Under the heading, “Other Procurement,
15 Navy, 1993/1995”, \$68,361,000;

16 Under the heading, “Research, Develop-
17 ment, Test and Evaluation, Navy, 1993/1995”,
18 \$45,000,000;

19 To:

20 Under the heading, “Shipbuilding and
21 Conversion, Navy 1990/1994”:

22 TRIDENT ballistic missile submarine
23 program, \$7,241,000;

24 DDG-51 destroyer program,
25 \$40,100,000;

1 MCM mine countermeasures program,
2 \$7,564,000;

3 T-AGOS surveillance ship program
4 \$58,456,000;

5 From:

6 Under the heading, "Weapons Procure-
7 ment, Navy, 1993/1995", \$24,015,000;

8 Under the heading, "Other procurement,
9 Navy, 1993/1995", \$102,439,000;

10 To:

11 Under the heading, "Shipbuilding and
12 Conversion, Navy, 1991/1995":

13 SSN-21 attack submarine program,
14 \$70,654,000;

15 DDG-51 destroyer program,
16 \$31,300,000;

17 Under the heading, "Shipbuilding and
18 Conversion, Navy, 1993/1997":

19 LSD cargo variant ship program,
20 \$24,500,000.

21 SEC. 8121. None of the funds in this Act are avail-
22 able for any board, committee, or panel which develops,
23 sets, defines, or recommends National Foreign Intelligence
24 Program requirements: *Provided*, That this provision shall
25 not apply to any such board, committee, or panel for which

1 a majority of the members are not career intelligence or
2 cryptologic professionals.

3 SEC. 8122. The Departments of Defense and Air
4 Force are directed to obligate, no later than thirty days
5 after enactment of this Act, the \$55,500,000 appropriated
6 for research and development in Public Law 102-396 only
7 for the continuance of the Space Nuclear Thermal Propul-
8 sion Program.

9 SEC. 8123. The Secretary of Defense and the Direc-
10 tor of Central Intelligence shall deliver, in conjunction
11 with the fiscal year 1995 budget request, a report provid-
12 ing the following information about all research and devel-
13 opment projects involving the implementation, monitoring,
14 or verification of current and projected international arms
15 control agreements: (a) annual and total budgets, goals,
16 schedules, and priorities; (b) relationships among related
17 projects being funded by the Department of Defense, the
18 National Foreign Intelligence Program, and other depart-
19 ments and agencies of the Federal Government; and (c)
20 comments by the Arms Control and Disarmament Agency
21 about the relevance of each project to the arms control
22 priorities of the United States.

23 SEC. 8124. Notwithstanding any other provision of
24 law, none of the funds appropriated in this or any other
25 Act shall be used for the purchase of a totally enclosed

1 lifeboat survival system, which consists of the lifeboat and
2 associated davits and winches, if less than 75 percent of
3 the entire system's components are manufactured in the
4 United States, and if less than 75 percent of the labor
5 in the manufacture and assembly of the entire system is
6 performed in the United States.

7 SEC. 8125. None of the funds appropriated by this
8 Act may be used (1) to transfer to the United Nations
9 a facility in the continental United States for use as a
10 United Nations peacekeeping facility, or (2) for the ren-
11 ovation of such a facility in preparation for such a trans-
12 fer.

13 COMPLIANCE WITH BUY AMERICAN ACT

14 SEC. 8126. No funds appropriated pursuant to this
15 Act may be expended by an entity unless the entity agrees
16 that in expending the assistance the entity will comply
17 with sections 2 through 4 of the Act of March 3, 1933
18 (41 U.S.C. 10a-10c, popularly known as the "Buy Amer-
19 ican Act").

20 SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE

21 SEC. 8127. (a) PURCHASE OF AMERICAN-MADE
22 EQUIPMENT AND PRODUCTS.—In the case of any equip-
23 ment or products that may be authorized to be purchased
24 with financial assistance provided under this Act, it is the
25 sense of the Congress that entities receiving such assist-

1 ance should, in expending the assistance, purchase only
2 American-made equipment and products.

3 (b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In
4 providing financial assistance under this Act, the Sec-
5 retary of Defense shall provide to each recipient of the
6 assistance a notice describing the statement made in sub-
7 section (a) by the Congress.

8 PROHIBITION OF CONTRACTS

9 SEC. 8128. If it has been finally determined by a
10 court or Federal agency that any person intentionally af-
11 fixed a fraudulent label bearing a “Made in America” in-
12 scription, or any inscription with the same meaning, to
13 any product sold in or shipped to the United States that
14 was not made in the United States, such person shall be
15 ineligible to receive any contract or subcontract made with
16 funds provided pursuant to this Act, pursuant to the de-
17 barment, suspension, and ineligibility procedures de-
18 scribed in section 9.400 through 9.409 of title 48, Code
19 of Federal Regulations.

20 RECIPROCITY

21 SEC. 8129. (a) GENERAL RULE.—Except as provided
22 in subsection (b), no contract or subcontract may be made
23 with funds authorized under this Act to a company orga-
24 nized under the laws of a foreign country unless the Sec-
25 retary finds that such country affords comparable oppor-

1 tunities to companies organized under laws of the United
2 States.

3 (b) EXCEPTION.—(1) The Secretary may waive the
4 rule stated under subsection (a) if the products or services
5 required are not reasonably available from companies or-
6 ganized under the laws of the United States. Any such
7 waiver shall be reported to the Congress.

8 (2) Subsection (a) shall not apply to the extent that
9 to do so would violate the General Agreement of Tariffs
10 and Trade or with any other international agreement to
11 which the United States is a party.

12 SEC. 8130. None of the funds appropriated or other-
13 wise made available by this Act may be used for a defense
14 technology reinvestment project that is not selected pursu-
15 ant to the applicable competitive selection and other proce-
16 dures set forth in chapter 148 of title 10, United States
17 Code.

18 This Act may be cited as the “Department of Defense
19 Appropriations Act, 1994”.

Passed the House of Representatives September 29,
1993.

Attest:

Clerk.

HR 3116 EH—2

HR 3116 EH—3

HR 3116 EH—4

HR 3116 EH—5

HR 3116 EH—6

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