

1 (including all expenses thereof for organizational move-
2 ments), and expenses of temporary duty travel between
3 permanent duty stations, for members of the Army on ac-
4 tive duty (except members of reserve components provided
5 for elsewhere), cadets, and aviation cadets; and for pay-
6 ments pursuant to section 156 of Public Law 97-377, as
7 amended (42 U.S.C. 402 note), to section 229(b) of the
8 Social Security Act (42 U.S.C. 429(b)), and to the De-
9 partment of Defense Military Retirement Fund;
10 \$19,884,608,000.

11 MILITARY PERSONNEL, NAVY

12 For pay, allowances, individual clothing, interest on
13 deposits, gratuities, permanent change of station travel
14 (including all expenses thereof for organizational move-
15 ments), and expenses of temporary duty travel between
16 permanent duty stations, for members of the Navy on ac-
17 tive duty (except members of the Reserve provided for
18 elsewhere), midshipmen, and aviation cadets; and for pay-
19 ments pursuant to section 156 of Public Law 97-377, as
20 amended (42 U.S.C. 402 note), to section 229(b) of the
21 Social Security Act (42 U.S.C. 429(b)), and to the De-
22 partment of Defense Military Retirement Fund;
23 \$17,006,363,000.

1 MILITARY PERSONNEL, MARINE CORPS

2 For pay, allowances, individual clothing, interest on
3 deposits, gratuities, permanent change of station travel
4 (including all expenses thereof for organizational move-
5 ments), and expenses of temporary duty travel between
6 permanent duty stations, for members of the Marine
7 Corps on active duty (except members of the Reserve pro-
8 vided for elsewhere); and for payments pursuant to section
9 156 of Public Law 97-377, as amended (42 U.S.C. 402
10 note), to section 229(b) of the Social Security Act (42
11 U.S.C. 429(b)), and to the Department of Defense Mili-
12 tary Retirement Fund; \$5,928,340,000.

13 MILITARY PERSONNEL, AIR FORCE

14 For pay, allowances, individual clothing, interest on
15 deposits, gratuities, permanent change of station travel
16 (including all expenses thereof for organizational move-
17 ments), and expenses of temporary duty travel between
18 permanent duty stations, for members of the Air Force
19 on active duty (except members of reserve components
20 provided for elsewhere), cadets, and aviation cadets; and
21 for payments pursuant to section 156 of Public Law 97-
22 377, as amended (42 U.S.C. 402 note), to section 229(b)
23 of the Social Security Act (42 U.S.C. 429(b)), and to the
24 Department of Defense Military Retirement Fund;
25 \$17,294,620,000.

1 RESERVE PERSONNEL, ARMY

2 For pay, allowances, clothing, subsistence, gratuities,
3 travel, and related expenses for personnel of the Army Re-
4 serve on active duty under sections 10211, 10302, and
5 3038 of title 10, United States Code, or while serving on
6 active duty under section 12301(d) of title 10, United
7 States Code, in connection with performing duty specified
8 in section 12310(a) of title 10, United States Code, or
9 while undergoing reserve training, or while performing
10 drills or equivalent duty or other duty, and for members
11 of the Reserve Officers' Training Corps, and expenses au-
12 thorized by section 16131 of title 10, United States Code;
13 and for payments to the Department of Defense Military
14 Retirement Fund; \$2,122,566,000.

15 RESERVE PERSONNEL, NAVY

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

1 10, United States Code; and for payments to the Depart-
2 ment of Defense Military Retirement Fund;
3 \$1,350,023,000.

4 RESERVE PERSONNEL, MARINE CORPS

5 For pay, allowances, clothing, subsistence, gratuities,
6 travel, and related expenses for personnel of the Marine
7 Corps Reserve on active duty under section 10211 of title
8 10, United States Code, or while serving on active duty
9 under section 12301(d) of title 10, United States Code,
10 in connection with performing duty specified in section
11 12310(a) of title 10, United States Code, or while under-
12 going reserve training, or while performing drills or equiv-
13 alent duty, and for members of the Marine Corps platoon
14 leaders class, and expenses authorized by section 16131
15 of title 10, United States Code; and for payments to the
16 Department of Defense Military Retirement Fund;
17 \$366,101,000.

18 RESERVE PERSONNEL, AIR FORCE

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

1 while undergoing reserve training, or while performing
2 drills or equivalent duty or other duty, and for members
3 of the Air Reserve Officers' Training Corps, and expenses
4 authorized by section ~~16131~~ of title 10, United States
5 Code; and for payments to the Department of Defense
6 Military Retirement Fund; \$783,586,000.

7 NATIONAL GUARD PERSONNEL, ARMY

8 For pay, allowances, clothing, subsistence, gratuities,
9 travel, and related expenses for personnel of the Army Na-
10 tional Guard while on duty under section ~~10211~~, ~~10302~~,
11 or ~~12402~~ of title 10 or section 708 of title 32, United
12 States Code, or while serving on duty under section
13 ~~12301(d)~~ of title 10 or section 502(f) of title 32, United
14 States Code, in connection with performing duty specified
15 in section ~~12310(a)~~ of title 10, United States Code, or
16 while undergoing training, or while performing drills or
17 equivalent duty or other duty, and expenses authorized by
18 section ~~16131~~ of title 10, United States Code; and for pay-
19 ments to the Department of Defense Military Retirement
20 Fund; \$3,240,858,000.

21 NATIONAL GUARD PERSONNEL, AIR FORCE

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

1 Code, or while serving on duty under section 12301(d) of
2 title 10 or section 502(f) of title 32, United States Code,
3 in connection with performing duty specified in section
4 12310(a) of title 10, United States Code, or while under-
5 going training, or while performing drills or equivalent
6 duty or other duty, and expenses authorized by section
7 16131 of title 10, United States Code; and for payments
8 to the Department of Defense Military Retirement Fund;
9 \$1,254,827,000.

10

TITLE II

11

OPERATION AND MAINTENANCE

12

OPERATION AND MAINTENANCE, ARMY

13

(INCLUDING TRANSFER OF FUNDS)

14

For expenses, not otherwise provided for, necessary
15 for the operation and maintenance of the Army, as author-
16 ized by law; and not to exceed \$14,437,000 can be used
17 for emergencies and extraordinary expenses, to be ex-
18 pended on the approval or authority of the Secretary of
19 the Army, and payments may be made on his certificate
20 of necessity for confidential military purposes;
21 \$18,998,131,000 and, in addition, \$50,000,000 shall be
22 derived by transfer from the National Defense Stockpile
23 Transaction Fund.

1 OPERATION AND MAINTENANCE, NAVY

2 (INCLUDING TRANSFER OF FUNDS)

3 For expenses, not otherwise provided for, necessary
4 for the operation and maintenance of the Navy and the
5 Marine Corps, as authorized by law; and not to exceed
6 \$4,151,000 can be used for emergencies and extraordinary
7 expenses, to be expended on the approval or authority of
8 the Secretary of the Navy, and payments may be made
9 on his certificate of necessity for confidential military pur-
10 poses; \$20,846,710,000 and, in addition, \$50,000,000
11 shall be derived by transfer from the National Defense
12 Stockpile Transaction Fund.

13 OPERATION AND MAINTENANCE, MARINE CORPS

14 For expenses, not otherwise provided for, necessary
15 for the operation and maintenance of the Marine Corps,
16 as authorized by law; \$2,508,822,000.

17 OPERATION AND MAINTENANCE, AIR FORCE

18 (INCLUDING TRANSFER OF FUNDS)

19 For expenses, not otherwise provided for, necessary
20 for the operation and maintenance of the Air Force, as
21 authorized by law; and not to exceed \$8,326,000 can be
22 used for emergencies and extraordinary expenses, to be ex-
23 pended on the approval or authority of the Secretary of
24 the Air Force, and payments may be made on his certifi-
25 cate of necessity for confidential military purposes;

1 \$18,873,793,000 and, in addition, \$50,000,000 shall be
2 derived by transfer from the National Defense Stockpile
3 Transaction Fund.

4 OPERATION AND MAINTENANCE, DEFENSE-WIDE

5 For expenses, not otherwise provided for, necessary
6 for the operation and maintenance of activities and agen-
7 cies of the Department of Defense (other than the military
8 departments), as authorized by law; \$9,908,810,000, of
9 which not to exceed \$25,000,000 may be available for the
10 CINC initiative fund account; and of which not to exceed
11 \$28,588,000 can be used for emergencies and extraor-
12 dinary expenses, to be expended on the approval or author-
13 ity of the Secretary of Defense, and payments may be
14 made on his certificate of necessity for confidential mili-
15 tary purposes.

16 OPERATION AND MAINTENANCE, ARMY RESERVE

17 For expenses, not otherwise provided for, necessary
18 for the operation and maintenance, including training, or-
19 ganization, and administration, of the Army Reserve; re-
20 pair of facilities and equipment; hire of passenger motor
21 vehicles; travel and transportation; care of the dead; re-
22 cruiting; procurement of services, supplies, and equip-
23 ment; and communications; \$1,119,191,000.

1 OPERATION AND MAINTENANCE, NAVY RESERVE

2 For expenses, not otherwise provided for, necessary
3 for the operation and maintenance, including training, or-
4 ganization, and administration, of the Navy Reserve; re-
5 pair of facilities and equipment; hire of passenger motor
6 vehicles; travel and transportation; care of the dead; re-
7 cruiting; procurement of services, supplies, and equip-
8 ment; and communications; \$841,565,000: *Provided*, That
9 of the funds appropriated in this paragraph, \$19,000,000
10 shall not be obligated or expended until authorized by law.

11 OPERATION AND MAINTENANCE, MARINE CORPS

12 RESERVE

13 For expenses, not otherwise provided for, necessary
14 for the operation and maintenance, including training, or-
15 ganization, and administration, of the Marine Corps Re-
16 serve; repair of facilities and equipment; hire of passenger
17 motor vehicles; travel and transportation; care of the dead;
18 recruiting; procurement of services, supplies, and equip-
19 ment; and communications; \$102,079,000: *Provided*, That
20 of the funds appropriated in this paragraph, \$13,000,000
21 shall not be obligated or expended until authorized by law.

22 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

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

1 repair of facilities and equipment; hire of passenger motor
2 vehicles; travel and transportation; care of the dead; re-
3 cruiting; procurement of services, supplies, and equip-
4 ment; and communications; \$1,519,287,000: *Provided,*
5 That of the funds appropriated in this paragraph,
6 \$11,840,000 shall not be obligated or expended until au-
7 thorized by law.

8 OPERATION AND MAINTENANCE, ARMY NATIONAL
9 GUARD

10 For expenses of training, organizing, and administer-
11 ing the Army National Guard, including medical and hos-
12 pital treatment and related expenses in non-Federal hos-
13 pitals; maintenance, operation, and repairs to structures
14 and facilities; hire of passenger motor vehicles; personnel
15 services in the National Guard Bureau; travel expenses
16 (other than mileage), as authorized by law for Army per-
17 sonnel on active duty, for Army National Guard division,
18 regimental, and battalion commanders while inspecting
19 units in compliance with National Guard Bureau regula-
20 tions when specifically authorized by the Chief, National
21 Guard Bureau; supplying and equipping the Army Na-
22 tional Guard as authorized by law; and expenses of repair,
23 modification, maintenance, and issue of supplies and
24 equipment (including aircraft); \$2,334,487,000.

1 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

2 For operation and maintenance of the Air National
3 Guard, including medical and hospital treatment and re-
4 lated expenses in non-Federal hospitals; maintenance, op-
5 eration, repair, and other necessary expenses of facilities
6 for the training and administration of the Air National
7 Guard, including repair of facilities, maintenance, oper-
8 ation, and modification of aircraft; transportation of
9 things; hire of passenger motor vehicles; supplies, mate-
10 rials, and equipment, as authorized by law for the Air Na-
11 tional Guard; and expenses incident to the maintenance
12 and use of supplies, materials, and equipment, including
13 such as may be furnished from stocks under the control
14 of agencies of the Department of Defense; travel expenses
15 (other than mileage) on the same basis as authorized by
16 law for Air National Guard personnel on active Federal
17 duty, for Air National Guard commanders while inspecting
18 units in compliance with National Guard Bureau regula-
19 tions when specifically authorized by the Chief, National
20 Guard Bureau; \$2,737,221,000: *Provided*, That of the
21 funds appropriated in this paragraph, \$3,000,000 shall
22 not be obligated or expended until authorized by law.

1 UNITED STATES COURT OF APPEALS FOR THE ARMED
2 FORCES

3 For salaries and expenses necessary for the United
4 States Court of Appeals for the Armed Forces;
5 \$6,521,000, of which not to exceed \$2,500 can be used
6 for official representation purposes.

7 ENVIRONMENTAL RESTORATION, DEFENSE
8 (INCLUDING TRANSFER OF FUNDS)

9 For the Department of Defense; \$1,422,200,000, to
10 remain available until transferred: *Provided*, That the Sec-
11 retary of Defense shall, upon determining that such funds
12 are required for environmental restoration, reduction and
13 recycling of hazardous waste, removal of unsafe buildings
14 and debris of the Department of Defense, or for similar
15 purposes (including programs and operations at sites for-
16 merly used by the Department of Defense), transfer the
17 funds made available by this appropriation to other appro-
18 priations made available to the Department of Defense as
19 the Secretary may designate, to be merged with and to
20 be available for the same purposes and for the same time
21 period as the appropriations of funds to which transferred:
22 *Provided further*, That upon a determination that all or
23 part of the funds transferred from this appropriation are
24 not necessary for the purposes provided herein, such
25 amounts may be transferred back to this appropriation.

1 on-related technology and expertise; for programs relating
2 to the training and support of defense and military person-
3 nel for demilitarization and protection of weapons, weap-
4 ons components and weapons technology and expertise;
5 \$200,000,000 to remain available until expended.

6 TITLE III

7 PROCUREMENT

8 AIRCRAFT PROCUREMENT, ARMY

9 For construction, procurement, production, modifica-
10 tion, and modernization of aircraft, equipment, including
11 ordnance, ground handling equipment, spare parts, and
12 accessories therefor; specialized equipment and training
13 devices; expansion of public and private plants, including
14 the land necessary therefor, for the foregoing purposes,
15 and such lands and interests therein, may be acquired,
16 and construction prosecuted thereon prior to approval of
17 title; and procurement and installation of equipment, ap-
18 pliances, and machine tools in public and private plants;
19 reserve plant and Government and contractor-owned
20 equipment layaway; and other expenses necessary for the
21 foregoing purposes; \$1,468,067,000, to remain available
22 for obligation until September 30, 1998: *Provided*, That
23 of the funds appropriated in this paragraph, \$45,000,000
24 shall not be obligated or expended until authorized by law.

1 MISSILE PROCUREMENT, ARMY

2 For construction, procurement, production, modifica-
3 tion, and modernization of missiles, equipment, including
4 ordnance, ground handling equipment, spare parts, and
5 accessories therefor; specialized equipment and training
6 devices; expansion of public and private plants, including
7 the land necessary therefor, for the foregoing purposes,
8 and such lands and interests therein, may be acquired,
9 and construction prosecuted thereon prior to approval of
10 title; and procurement and installation of equipment, ap-
11 pliances, and machine tools in public and private plants;
12 reserve plant and Government and contractor-owned
13 equipment layaway; and other expenses necessary for the
14 foregoing purposes; \$842,830,000, to remain available for
15 obligation until September 30, 1998.

16 PROCUREMENT OF WEAPONS AND TRACKED COMBAT
17 VEHICLES, ARMY

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

1 procurement and installation of equipment, appliances,
2 and machine tools in public and private plants; reserve
3 plant and Government and contractor-owned equipment
4 layaway; and other expenses necessary for the foregoing
5 purposes; \$1,616,964,000, to remain available for obliga-
6 tion until September 30, 1998: *Provided*, That of the
7 funds appropriated in this paragraph, \$257,300,000 shall
8 not be obligated or expended until authorized by law.

9 PROCUREMENT OF AMMUNITION, ARMY

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; \$1,019,315,000, to remain available
23 for obligation until September 30, 1998.

1 OTHER PROCUREMENT, ARMY

2 For construction, procurement, production, and
3 modification of vehicles, including tactical, support, and
4 nontracked combat vehicles; the purchase of not to exceed
5 41 passenger motor vehicles for replacement only; commu-
6 nications and electronic equipment; other support equip-
7 ment; spare parts, ordnance, and accessories therefor; spe-
8 cialized equipment and training devices; expansion of pub-
9 lic and private plants, including the land necessary there-
10 for, for the foregoing purposes, and such lands and inter-
11 ests therein, may be acquired, and construction prosecuted
12 thereon prior to approval of title; and procurement and
13 installation of equipment, appliances, and machine tools
14 in public and private plants; reserve plant and Govern-
15 ment and contractor-owned equipment layaway; and other
16 expenses necessary for the foregoing purposes;
17 \$2,570,125,000, to remain available for obligation until
18 September 30, 1998: *Provided*, That of the funds appro-
19 priated in this paragraph, \$24,538,000 shall not be obli-
20 gated or expended until authorized by law.

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 \$4,310,703,000, to remain available for obligation until
8 September 30, 1998: *Provided*, That of the funds appro-
9 priated in this paragraph, \$204,215,000 shall not be obli-
10 gated or expended until authorized by law.

11 WEAPONS PROCUREMENT, NAVY

12 For construction, procurement, production, modifica-
13 tion, and modernization of missiles, torpedoes, other weap-
14 ons, and related support equipment including spare parts,
15 and accessories therefor; expansion of public and private
16 plants, including the land necessary therefor, and such
17 lands and interests therein, may be acquired, and con-
18 struction prosecuted thereon prior to approval of title; and
19 procurement and installation of equipment, appliances,
20 and machine tools in public and private plants; reserve
21 plant and Government and contractor-owned equipment
22 layaway; \$1,736,211,000, to remain available for obliga-
23 tion until September 30, 1998: *Provided*, That of the
24 funds appropriated in this paragraph, \$109,800,000 shall
25 not be obligated or expended until authorized by law.

1 long leadtime components and designs for vessels to be
2 constructed or converted in the future; and expansion of
3 public and private plants, including land necessary there-
4 for, and such lands and interests therein, may be acquired,
5 and construction prosecuted thereon prior to approval of
6 title; \$5,577,958,000, to remain available for obligation
7 until September 30, 2000: *Provided*, That additional obli-
8 gations may be incurred after September 30, 2000, for
9 engineering services, tests, evaluations, and other such
10 budgeted work that must be performed in the final stage
11 of ship construction: *Provided further*, That none of the
12 funds herein provided for the construction or conversion
13 of any naval vessel to be constructed in shipyards in the
14 United States shall be expended in foreign facilities for
15 the construction of major components of such vessel: *Pro-*
16 *vided further*, That none of the funds herein provided shall
17 be used for the construction of any naval vessel in foreign
18 shipyards.

19 OTHER PROCUREMENT, NAVY

20 For procurement, production, and modernization of
21 support equipment and materials not otherwise provided
22 for, Navy ordnance (except ordnance for new aircraft, new
23 ships, and ships authorized for conversion); the purchase
24 of not to exceed 252 passenger motor vehicles for replace-
25 ment only; 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 \$2,480,670,000, to remain available for obligation until
8 September 30, 1998: *Provided*, That of the funds appro-
9 priated in this paragraph, \$19,198,000 shall not be obli-
10 gated or expended until authorized by law.

11 PROCUREMENT, MARINE CORPS

12 For expenses necessary for the procurement, manu-
13 facture, and modification of missiles, armament, military
14 equipment, spare parts, and accessories therefor; plant
15 equipment, appliances, and machine tools, and installation
16 thereof in public and private plants; reserve plant and
17 Government and contractor-owned equipment layaway; ve-
18 hicles for the Marine Corps, including the purchase of not
19 to exceed 194 passenger motor vehicles for replacement
20 only; and expansion of public and private plants, including
21 land necessary therefor, and such lands and interests
22 therein, may be acquired and construction prosecuted
23 thereon prior to approval of title; \$480,852,000, to remain
24 available for obligation until September 30, 1998: *Pro-*
25 *vided*, That of the funds appropriated in this paragraph,

1 \$81,605,000 shall not be obligated or expended until au-
2 thorized by law.

3 AIRCRAFT PROCUREMENT, AIR FORCE

4 For construction, procurement, and modification of
5 aircraft and equipment, including armor and armament,
6 specialized ground handling equipment, and training de-
7 vices, spare parts, and accessories therefor; specialized
8 equipment; expansion of public and private plants, Gov-
9 ernment-owned equipment and installation thereof in such
10 plants, erection of structures, and acquisition of land, for
11 the foregoing purposes, and such lands and interests
12 therein, may be acquired, and construction prosecuted
13 thereon prior to approval of title; reserve plant and Gov-
14 ernment and contractor-owned equipment layaway; and
15 other expenses necessary for the foregoing purposes in-
16 cluding rents and transportation of things;
17 \$7,140,703,000, to remain available for obligation until
18 September 30, 1998: *Provided*, That of the funds appro-
19 priated in this paragraph, \$130,651,000 shall not be obli-
20 gated or expended until authorized by law.

21 MISSILE PROCUREMENT, AIR FORCE

22 For construction, procurement, and modification of
23 missiles, spacecraft, rockets, and related equipment, in-
24 cluding spare parts and accessories therefor, ground han-
25 dling equipment, and training devices; expansion of public

1 and private plants, Government-owned equipment and in-
2 stallation thereof in such plants, erection of structures,
3 and acquisition of land, for the foregoing purposes, and
4 such lands and interests therein, may be acquired, and
5 construction prosecuted thereon prior to approval of title;
6 reserve plant and Government and contractor-owned
7 equipment layaway; and other expenses necessary for the
8 foregoing purposes including rents and transportation of
9 things; \$3,223,265,000, to remain available for obligation
10 until September 30, 1998.

11 PROCUREMENT OF AMMUNITION, AIR FORCE

12 For construction, procurement, production, and
13 modification of ammunition, and accessories therefor; spe-
14 cialized equipment and training devices; expansion of pub-
15 lic and private plants, including ammunition facilities au-
16 thorized by section 2854, title 10, United States Code, and
17 the land necessary therefor, for the foregoing purposes,
18 and such lands and interests therein, may be acquired,
19 and construction prosecuted thereon prior to approval of
20 title; and procurement and installation of equipment, ap-
21 pliances, and machine tools in public and private plants;
22 reserve plant and Government and contractor-owned
23 equipment layaway; and other expenses necessary for the
24 foregoing purposes; \$321,328,000, to remain available for
25 obligation until September 30, 1998.

1 OTHER PROCUREMENT, AIR FORCE

2 For procurement and modification of equipment (in-
3 cluding ground guidance and electronic control equipment,
4 and ground electronic and communication equipment),
5 and supplies, materials, and spare parts therefor, not oth-
6 erwise provided for; the purchase of not to exceed 385 pas-
7 senger motor vehicles for replacement only; and expansion
8 of public and private plants, Government-owned equip-
9 ment and installation thereof in such plants, erection of
10 structures, and acquisition of land, for the foregoing pur-
11 poses, and such lands and interests therein, may be ac-
12 quired, and construction prosecuted thereon, prior to ap-
13 proval of title; reserve plant and Government and contrac-
14 tor-owned equipment layaway; \$6,508,425,000, to remain
15 available for obligation until September 30, 1998.

16 PROCUREMENT, DEFENSE-WIDE

17 For expenses of activities and agencies of the Depart-
18 ment of Defense (other than the military departments)
19 necessary for procurement, production, and modification
20 of equipment, supplies, materials, and spare parts there-
21 for, not otherwise provided for; the purchase of not to ex-
22 ceed 451 passenger motor vehicles, of which 447 shall be
23 for replacement only; expansion of public and private
24 plants, equipment, and installation thereof in such plants,
25 erection of structures, and acquisition of land for the fore-

1 going purposes, and such lands and interests therein, may
2 be acquired, and construction prosecuted thereon prior to
3 approval of title; reserve plant and Government and con-
4 tractor-owned equipment layaway; \$2,187,085,000, to re-
5 main available for obligation until September 30, 1998.

6 NATIONAL GUARD AND RESERVE EQUIPMENT

7 For procurement of aircraft, missiles, tracked combat
8 vehicles, ammunition, other weapons, and other procure-
9 ment for the reserve components of the Armed Forces;
10 \$908,125,000, to remain available for obligation until Sep-
11 tember 30, 1998: *Provided*, That of the funds appro-
12 priated in this paragraph, \$138,125,000 shall not be obli-
13 gated or expended until authorized by law.

14 TITLE IV

15 RESEARCH, DEVELOPMENT, TEST AND
16 EVALUATION

17 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
18 ARMY

19 For expenses necessary for basic and applied sci-
20 entific research, development, test and evaluation, includ-
21 ing maintenance, rehabilitation, lease, and operation of fa-
22 cilities and equipment, as authorized by law;
23 \$4,742,150,000, to remain available for obligation until
24 September 30, 1997.

1 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
2 NAVY

3 For expenses necessary for basic and applied sci-
4 entific research, development, test and evaluation, includ-
5 ing maintenance, rehabilitation, lease, and operation of fa-
6 cilities and equipment, as authorized by law;
7 \$8,715,481,000, to remain available for obligation until
8 September 30, 1997: *Provided*, That none of the funds
9 appropriated in this paragraph may be obligated or ex-
10 pended to develop or purchase equipment for an Aegis de-
11 stroyer variant (commonly known as "Flight IIA") whose
12 initial operating capability is budgeted to be achieved prior
13 to the initial operating capability of the Ship Self-Defense
14 program, nor to develop sensor, processor, or display capa-
15 bilities which duplicate in any way those being developed
16 in the Ship Self-Defense program: *Provided further*, That
17 funds appropriated in this paragraph for development of
18 the LPD-17 ship may not be obligated unless the baseline
19 design of the ship includes cooperative engagement capa-
20 bility and sufficient own-ship self-defense capability
21 against advanced sea-skimming antiship cruise missiles in
22 the baseline design to achieve an estimated probability of
23 survival from attack by such missiles at a level no less
24 than any other Navy ship: *Provided further*, That funds
25 appropriated in this paragraph which are available for the

1 ~~V-22~~ may be used to meet unique requirements of the
2 Special Operations Forces: *Provided further*, That of the
3 funds appropriated in this paragraph, \$189,972,000 shall
4 not be obligated or expended until authorized by law.

5 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
6 AIR FORCE

7 For expenses necessary for basic and applied sci-
8 entific research, development, test and evaluation, includ-
9 ing maintenance, rehabilitation, lease, and operation of fa-
10 cilities and equipment, as authorized by law;
11 \$13,110,335,000, to remain available for obligation until
12 September 30, 1997: *Provided*, That of the funds made
13 available in this paragraph, \$50,000,000 shall be only for
14 development of reusable launch vehicle technologies.

15 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
16 DEFENSE-WIDE

17 For expenses of activities and agencies of the Depart-
18 ment of Defense (other than the military departments),
19 necessary for basic and applied scientific research, devel-
20 opment, test and evaluation; advanced research projects
21 as may be designated and determined by the Secretary
22 of Defense, pursuant to law; maintenance, rehabilitation,
23 lease, and operation of facilities and equipment, as author-
24 ized by law; \$9,029,666,000, to remain available for obli-
25 gation until September 30, 1997: *Provided*, That not less

1 than \$170,000,000 of the funds appropriated in this para-
2 graph shall be made available only for the Sea-Based Wide
3 Area Defense (Navy Upper-Tier) program.

4 ~~DEVELOPMENTAL TEST AND EVALUATION, DEFENSE~~

5 ~~For expenses, not otherwise provided for, of inde-~~
6 ~~pendent activities of the Director, Test and Evaluation in~~
7 ~~the direction and supervision of developmental test and~~
8 ~~evaluation, including performance and joint developmental~~
9 ~~testing and evaluation; and administrative expenses in~~
10 ~~connection therewith; \$259,341,000, to remain available~~
11 ~~for obligation until September 30, 1997: *Provided*, That~~
12 ~~of the funds appropriated in this paragraph, \$20,000,000~~
13 ~~shall not be obligated or expended until authorized by law.~~

14 ~~OPERATIONAL TEST AND EVALUATION, DEFENSE~~

15 ~~For expenses, not otherwise provided for, necessary~~
16 ~~for the independent activities of the Director, Operational~~
17 ~~Test and Evaluation in the direction and supervision of~~
18 ~~operational test and evaluation, including initial oper-~~
19 ~~ational test and evaluation which is conducted prior to,~~
20 ~~and in support of, production decisions; joint operational~~
21 ~~testing and evaluation; and administrative expenses in~~
22 ~~connection therewith; \$22,587,000, to remain available for~~
23 ~~obligation until September 30, 1997.~~

TITLE V

REVOLVING AND MANAGEMENT FUNDS

DEFENSE BUSINESS OPERATIONS FUND

For the Defense Business Operations Fund;
\$1,573,800,000: *Provided*, That of this amount,
\$695,100,000 shall be available only for the liquidation
of prior year accumulated operating losses of the Depart-
ment of the Navy: *Provided further*, That of the funds ap-
propriated in this paragraph, \$695,100,000 shall not be
obligated or expended until authorized by law.

NATIONAL DEFENSE SEALIFT FUND

For National Defense Sealift Fund programs,
projects, and activities, and for expenses of the National
Defense Reserve Fleet, as established by section 11 of the
Merchant Ship Sales Act of 1946 (50 U.S.C. App 1744);
\$974,220,000, to remain available until expended: *Pro-*
vided, That none of the funds provided in this paragraph
shall be used to award a new contract that provides for
the acquisition of any of the following major components
unless such components are manufactured in the United
States: auxiliary equipment, including pumps, for all ship-
board services; propulsion system components (that is; en-
gines, reduction gears, and propellers); shipboard cranes;
and spreaders for shipboard cranes: *Provided further*, That
the exercise of an option in a contract awarded through

1 the obligation of previously appropriated funds shall not
2 be considered to be the award of a new contract: *Provided*
3 *further*, That the Secretary of the military department re-
4 sponsible for such procurement may waive this restriction
5 on a case-by-case basis by certifying in writing to the
6 Committees on Appropriations of the House of Represent-
7 atives and the Senate, that adequate domestic supplies are
8 not available to meet Department of Defense requirements
9 on a timely basis and that such an acquisition must be
10 made in order to acquire capability for national security
11 purposes.

12 TITLE VI

13 OTHER DEPARTMENT OF DEFENSE PROGRAMS

14 DEFENSE HEALTH PROGRAM

15 For expenses, not otherwise provided for, for medical
16 and health care programs of the Department of Defense,
17 as authorized by law; \$10,205,158,000, of which
18 \$9,917,125,000 shall be for Operation and maintenance,
19 of which \$288,033,000, to remain available for obligation
20 until September 30, 1998, shall be for Procurement: *Pro-*
21 *vided*, That the Department shall continue to competi-
22 tively contract during fiscal year 1996 for mail service
23 pharmacy for at least two multi-state regions in addition
24 to the ongoing solicitations for Florida, South Carolina,
25 Georgia, Delaware, New Jersey, Pennsylvania, and Ha-

1 waii, as well as each base closure area not supported by
2 an at-risk managed care plan; that such services shall be
3 procured independent of any other Department managed
4 care contracts; that one multi-state region shall include
5 the State of Kentucky and that one multi-state region
6 shall include the State of New Mexico: *Provided*, That of
7 the funds appropriated in this paragraph, \$40,600,000
8 shall not be obligated or expended until authorized by law.

9 CHEMICAL AGENTS AND MUNITIONS DESTRUCTION,

10 DEFENSE

11 For expenses, not otherwise provided for, necessary
12 for the destruction of the United States stockpile of lethal
13 chemical agents and munitions in accordance with the pro-
14 visions of section 1412 of the Department of Defense Au-
15 thorization Act, 1986 (50 U.S.C. 1521), and for the de-
16 struction of other chemical warfare materials that are not
17 in the chemical weapon stockpile, \$746,698,000, of which
18 \$393,850,000 shall be for Operation and maintenance,
19 \$299,448,000 shall be for Procurement to remain avail-
20 able until September 30, 1998, and \$53,400,000 shall be
21 for Research, development, test and evaluation to remain
22 available until September 30, 1997.

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

4 For drug interdiction and counter-drug activities of
5 the Department of Defense, for transfer to appropriations
6 available to the Department of Defense for military per-
7 sonnel of the reserve components serving under the provi-
8 sions of title 10 and title 32, United States Code; for Op-
9 eration and maintenance; for Procurement; and for Re-
10 search, development, test and evaluation; \$688,432,000:
11 *Provided*, That the funds appropriated by this paragraph
12 shall be available for obligation for the same time period
13 and for the same purpose as the appropriation to which
14 transferred: *Provided further*, That the transfer authority
15 provided in this paragraph is in addition to any transfer
16 authority contained elsewhere in this Act: *Provided fur-*
17 *ther*, That of the funds appropriated in this paragraph,
18 \$8,000,000 shall not be obligated or expended until au-
19 thorized by law.

20 OFFICE OF THE INSPECTOR GENERAL

21 For expenses and activities of the Office of the In-
22 spector General in carrying out the provisions of the In-
23 spector General Act of 1978, as amended; \$178,226,000,
24 of which \$177,226,000 shall be for Operation and mainte-
25 nance, of which not to exceed \$400,000 is available for

1 emergencies and extraordinary expenses to be expended on
2 the approval or authority of the Inspector General, and
3 payments may be made on his certificate of necessity for
4 confidential military purposes; and of which \$1,000,000
5 to remain available until September 30, 1998, shall be for
6 Procurement.

7 TITLE VII

8 RELATED AGENCIES

9 CENTRAL INTELLIGENCE AGENCY RETIREMENT AND

10 DISABILITY SYSTEM FUND

11 For payment to the Central Intelligence Agency Re-
12 tirement and Disability System Fund, to maintain proper
13 funding level for continuing the operation of the Central
14 Intelligence Agency Retirement and Disability System;
15 \$213,900,000.

16 NATIONAL SECURITY EDUCATION TRUST FUND

17 (RESCISSION)

18 Of the funds made available under this heading in
19 Public Law 102-172, Public Law 103-50, Public Law
20 103-139, and Public Law 103-335, \$78,100,000 are re-
21 scinded: *Provided*, That the balance of funds in the Na-
22 tional Security Education Trust Fund (established pursu-
23 ant to section 804 of the David L. Boren National Secu-
24 rity Education Act of 1991 (50 U.S.C. 1904)), other than
25 such amount as is necessary for obligations made before

1 the date of the enactment of this Act, is hereby reduced
2 to zero: *Provided further*, That no outlay may be made
3 from the Fund after the date of the enactment of this Act
4 other than to liquidate an obligation made before such
5 date and upon liquidation of all such obligations made be-
6 fore such date, the Fund shall be closed: *Provided further*,
7 That no obligation may be made from the Fund after the
8 date of the enactment of this Act.

9 INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

10 For necessary expenses of the Intelligence Commu-
11 nity Management Account; \$75,683,000.

12 TITLE VIII

13 GENERAL PROVISIONS

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

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

1 struction) between such appropriations or funds or any
2 subdivision thereof, to be merged with and to be available
3 for the same purposes, and for the same time period, as
4 the appropriation or fund to which transferred: *Provided*,
5 That such authority to transfer may not be used unless
6 for higher priority items, based on unforeseen military re-
7 quirements, than those for which originally appropriated
8 and in no case where the item for which funds are re-
9 quested has been denied by Congress: *Provided further*,
10 That only for valid Ship Cost Adjustments related to the
11 Shipbuilding and Construction, Navy Appropriation such
12 authority to transfer may be used to transfer funds made
13 available in this or any previous Department of Defense
14 Appropriations Act subject to the same conditions re-
15 quired elsewhere in this paragraph: *Provided further*, That
16 the Secretary of Defense shall notify the Congress prompt-
17 ly of all transfers made pursuant to this authority or any
18 other authority in this Act.

19 (TRANSFER OF FUNDS)

20 SEC. 8006. During the current fiscal year, cash bal-
21 ances in working capital funds of the Department of De-
22 fense established pursuant to section 2208 of title 10,
23 United States Code, may be maintained in only such
24 amounts as are necessary at any time for cash disburse-
25 ments to be made from such funds: *Provided*, That trans-
26 fers may be made between such funds and the "Foreign

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

13 SEC. 8007. Using funds available by this Act or any
14 other Act, the Secretary of the Air Force, pursuant to a
15 determination under section 2690 of title 10, United
16 States Code, may implement cost-effective agreements for
17 required heating facility modernization in the
18 Kaiserslautern Military Community in the Federal Repub-
19 lic of Germany: *Provided*, That in the City of
20 Kaiserslautern such agreements will include the use of
21 United States anthracite as the base load energy for mu-
22 nicipal district heat to the United States Defense installa-
23 tions: *Provided further*, That at Landstuhl Army Regional
24 Medical Center and Ramstein Air Base, furnished heat
25 may be obtained from private, regional or municipal serv-

1 ices, if provisions are included for the consideration of
2 United States coal as an energy source.

3 SEC. 8008. Funds appropriated by this Act may not
4 be used to initiate a special access program without prior
5 notification 30 calendar days in session in advance to the
6 congressional defense committees.

7 SEC. 8009. None of the funds contained in this Act
8 available for the Civilian Health and Medical Program of
9 the Uniformed Services shall be available for payments to
10 physicians and other non-institutional health care provid-
11 ers in excess of the amounts allowed in fiscal year 1995
12 for similar services, except that: (a) for services for which
13 the Secretary of Defense determines an increase is justi-
14 fied by economic circumstances, the allowable amounts
15 may be increased in accordance with appropriate economic
16 index data similar to that used pursuant to title XVIII
17 of the Social Security Act; and (b) for services the Sec-
18 retary determines are overpriced based on allowable pay-
19 ments under title XVIII of the Social Security Act, the
20 allowable amounts shall be reduced by not more than 15
21 percent (except that the reduction may be waived if the
22 Secretary determines that it would impair adequate access
23 to health care services for beneficiaries). The Secretary
24 shall solicit public comment prior to promulgating regula-
25 tions to implement this section. Such regulations shall in-

1 clude a limitation, similar to that used under title XVIII
2 of the Social Security Act, on the extent to which a pro-
3 vider may bill a beneficiary an actual charge in excess of
4 the allowable amount.

5 SEC. 8010. None of the funds provided in this Act
6 shall be available to initiate (1) a multiyear contract that
7 employs economic order quantity procurement in excess of
8 \$20,000,000 in any one year of the contract or that in-
9 cludes an unfunded contingent liability in excess of
10 \$20,000,000, or (2) a contract for advance procurement
11 leading to a multiyear contract that employs economic
12 order quantity procurement in excess of \$20,000,000 in
13 any one year, unless the congressional defense committees
14 have been notified at least thirty days in advance of the
15 proposed contract award: *Provided*, That no part of any
16 appropriation contained in this Act shall be available to
17 initiate a multiyear contract for which the economic order
18 quantity advance procurement is not funded at least to
19 the limits of the Government's liability: *Provided further*,
20 That no part of any appropriation contained in this Act
21 shall be available to initiate multiyear procurement con-
22 tracts for any systems or component thereof if the value
23 of the multiyear contract would exceed \$500,000,000 un-
24 less specifically provided in this Act: *Provided further*,
25 That no multiyear procurement contract can be termi-

1 nated without 10-day prior notification to the congres-
2 sional defense committees: *Provided further*, That the exe-
3 cution of multiyear authority shall require the use of a
4 present value analysis to determine lowest cost compared
5 to an annual procurement.

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

8 ~~E-2C aircraft;~~

9 ~~AV-8B aircraft remanufacture;~~

10 ~~T-45 aircraft.~~

11 ~~SEC. 8011.~~ Within the funds appropriated for the op-
12 eration and maintenance of the Armed Forces, funds are
13 hereby appropriated pursuant to section 401 of title 10,
14 United States Code, for humanitarian and civic assistance
15 costs under chapter 20 of title 10, United States Code.
16 Such funds may also be obligated for humanitarian and
17 civic assistance costs incidental to authorized operations
18 and pursuant to authority granted in section 401 of chap-
19 ter 20 of title 10, United States Code, and these obliga-
20 tions shall be reported to Congress on September 30 of
21 each year: *Provided*, That funds available for operation
22 and maintenance shall be available for providing humani-
23 tarian and similar assistance by using Civic Action Teams
24 in the Trust Territories of the Pacific Islands and freely
25 associated states of Micronesia, pursuant to the Compact

1 of Free Association as authorized by Public Law 99-
2 239.

3 ~~SEC. 8012.~~ (a) During fiscal year 1996, the civilian
4 personnel of the Department of Defense may not be man-
5 aged on the basis of any end-strength, and the manage-
6 ment of such personnel during that fiscal year shall not
7 be subject to any constraint or limitation (known as an
8 end-strength) on the number of such personnel who may
9 be employed on the last day of such fiscal year.

10 (b) The fiscal year 1997 budget request for the De-
11 partment of Defense as well as all justification material
12 and other documentation supporting the fiscal year 1997
13 Department of Defense budget request shall be prepared
14 and submitted to the Congress as if subsections (a) and
15 (b) of this provision were effective with regard to fiscal
16 year 1997.

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

19 ~~SEC. 8013.~~ Notwithstanding any other provision of
20 law, none of the funds made available by this Act shall
21 be used by the Department of Defense to exceed, outside
22 the fifty United States, its territories, and the District of
23 Columbia, 125,000 civilian workyears: *Provided*, That
24 workyears shall be applied as defined in the Federal Per-
25 sonnel Manual: *Provided further*, That workyears ex-

1 pended in dependent student hiring programs for dis-
2 advantaged youths shall not be included in this workyear
3 limitation.

4 SEC. 8014. None of the funds made available by this
5 Act shall be used in any way, directly or indirectly, to in-
6 fluence congressional action on any legislation or appro-
7 priation matters pending before the Congress.

8 SEC. 8015. None of the funds appropriated for the
9 Department of Defense during the current fiscal year and
10 hereafter shall be obligated for the pay of any individual
11 who is initially employed after the date of enactment of
12 this Act as a technician in the administration and training
13 of the Army Reserve and the maintenance and repair of
14 supplies 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. 8016. Notwithstanding any other provision of
21 law, during the current fiscal year and hereafter the Sec-
22 retaries of the Army and Air Force may authorize the re-
23 tention in an active status until age sixty of any person
24 who would otherwise be removed from an active status and
25 who is employed as a National Guard or Reserve techni-

1 cian in a position in which active status in a reserve com-
2 ponent of the Army or Air Force is required as a condition
3 of that employment.

4 SEC. 8017. (a) None of the funds appropriated by
5 this Act shall be used to make contributions to the Depart-
6 ment of Defense Education Benefits Fund pursuant to
7 section 2006(g) of title 10, United States Code, represent-
8 ing the normal cost for future benefits under section
9 1415(e) of title 38, United States Code, for any member
10 of the armed services who, on or after the date of enact-
11 ment of this Act—

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

14 (2) receives an enlistment bonus under section
15 308a or 308f of title 37, United States Code,

16 nor shall any amounts representing the normal cost of
17 such future benefits be transferred from the Fund by the
18 Secretary of the Treasury to the Secretary of Veterans
19 Affairs pursuant to section 2006(d) of title 10, United
20 States Code; nor shall the Secretary of Veterans Affairs
21 pay such benefits to any such member: *Provided*, That,
22 in the case of a member covered by clause (1), these limi-
23 tations shall not apply to members in combat arms skills
24 or to members who enlist in the armed services on or after
25 July 1, 1989, under a program continued or established

1 by the Secretary of Defense in fiscal year 1991 to test
2 the cost-effective use of special recruiting incentives in-
3 volving not more than nineteen noncombat arms skills ap-
4 proved in advance by the Secretary of Defense: *Provided*
5 *further*, That this subsection applies only to active compo-
6 nents of the Army.

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

18 SEC. 8018. Funds appropriated for the Department
19 of Defense during the current fiscal year and hereafter
20 shall be available for the payment of not more than 75
21 percent of the charges of a postsecondary educational in-
22 stitution for the tuition or expenses of an officer in the
23 Ready Reserve of the Army National Guard or Army Re-
24 serve for education or training during his off-duty periods,
25 except that no part of the charges may be paid unless the

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

9 SEC. 8021. Of the funds appropriated to the Army,
10 \$147,900,000 shall be available only for the Reserve Com-
11 ponent Automation System (RCAS): *Provided*, That none
12 of these funds can be expended—

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

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

17 (3) to pay the salary of an RCAS program
18 manager who has not been selected and approved by
19 the Chief of the National Guard Bureau and char-
20 tered by the Chief of the National Guard Bureau
21 and the Secretary of the Army;

22 (4) unless the Program Manager (PM) charter
23 makes the PM accountable to the Chief of the Na-
24 tional Guard Bureau and fully defines his authority;

1 responsibility, reporting channels and organizational
2 structure;

3 (5) to pay the salaries of individuals assigned to
4 the RCAS program management office unless such
5 organization is comprised of personnel chosen jointly
6 by the Chiefs of the National Guard Bureau and the
7 Army Reserve;

8 (6) to pay contracted costs for the acquisition
9 of RCAS unless RCAS is an integrated system con-
10 sisting of software, hardware, and communications
11 equipment and unless such contract continues to
12 preclude the use of Government furnished equip-
13 ment, operating systems, and executive applications
14 software; and

15 (7) unless RCAS performs its own classified in-
16 formation processing;

17 *Provided further,* That notwithstanding any other provi-
18 sion of law, none of the funds appropriated shall be avail-
19 able for procurement of computers for the Army Reserve
20 Component which are used to network or expand the capa-
21 bilities of existing or future information systems or dupli-
22 cate functions to be provided under the RCAS contract
23 unless the procurement meets the following criteria: (A)
24 at sites scheduled to receive RCAS equipment prior to
25 September 30, 1995, RCAS ADP equipment may be pro-

1 cured and only in the numbers and types allocated by the
2 RCAS program to each site; and at sites scheduled to re-
3 ceive RCAS equipment after September 30, 1995, RCAS
4 ADP equipment or ADP equipment from a list of RCAS
5 compatible equipment approved by the Chief of the Na-
6 tional Guard Bureau or his designee, may be procured and
7 only in the numbers and types allocated by the RCAS pro-
8 gram to each site; (B) the requesting organizational ele-
9 ment has insufficient ADP equipment to perform adminis-
10 trative functions but not to exceed the number of work
11 stations determined by the RCAS program for that site;
12 (C) replacement equipment will not exceed the minimum
13 required to maintain the reliability of existing capabilities;
14 (D) replacement will be justified on the basis of cost and
15 feasibility of repairs and maintenance of present ADP
16 equipment as compared to the cost of replacement; and
17 (E) the procurement under this policy must be approved
18 by the Chief of the National Guard Bureau or his des-
19 ignee, provided that the procurement is a one for one re-
20 placement action of existing equipment.

21 ~~SEC. 8022.~~ None of the funds in this Act may be
22 available for the purchase by the Department of Defense
23 (and its departments and agencies) of welded shipboard
24 anchor and mooring chain 4 inches in diameter and under
25 unless the anchor and mooring chain are manufactured

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

20 (TRANSFER OF FUNDS)

21 SEC. 8023. None of the funds appropriated by this
22 Act available for the Civilian Health and Medical Program
23 of the Uniformed Services (CHAMPUS) shall be available
24 for the reimbursement of any health care provider for in-
25 patient mental health service for care received when a pa-

1 tient is referred to a provider of inpatient mental health
2 care or residential treatment care by a medical or health
3 care professional having an economic interest in the facil-
4 ity to which the patient is referred: *Provided*, That this
5 limitation does not apply in the case of inpatient mental
6 health services provided under the program for the handi-
7 capped under subsection (d) of section 1079 of title 10,
8 United States Code, provided as partial hospital care, or
9 provided pursuant to a waiver authorized by the Secretary
10 of Defense because of medical or psychological cir-
11 cumstances of the patient that are confirmed by a health
12 professional who is not a Federal employee after a review,
13 pursuant to rules prescribed by the Secretary, which takes
14 into account the appropriate level of care for the patient,
15 the intensity of services required by the patient, and the
16 availability of that care.

17 SEC. 8024. Funds available in this Act may be used
18 to provide transportation for the next-of-kin of individuals
19 who have been prisoners of war or missing in action from
20 the Vietnam era to an annual meeting in the United
21 States, under such regulations as the Secretary of Defense
22 may prescribe.

23 SEC. 8025. Notwithstanding any other provision of
24 law, during the current fiscal year, the Secretary of De-
25 fense may, by Executive Agreement, establish with host

1 nation governments in NATO member states a separate
2 account into which such residual value amounts negotiated
3 in the return of United States military installations in
4 NATO member states may be deposited, in the currency
5 of the host nation, in lieu of direct monetary transfers to
6 the United States Treasury: *Provided*, That such credits
7 may be utilized only for the construction of facilities to
8 support United States military forces in that host nation,
9 or such real property maintenance and base operating
10 costs that are currently executed through monetary trans-
11 fers to such host nations: *Provided further*, That the De-
12 partment of Defense's budget submission for fiscal year
13 1997 shall identify such sums anticipated in residual value
14 settlements, and identify such construction, real property
15 maintenance or base operating costs that shall be funded
16 by the host nation through such credits: *Provided further*,
17 That all military construction projects to be executed from
18 such accounts must be previously approved in a prior Act
19 of Congress: *Provided further*, That each such Executive
20 Agreement with a NATO member host nation shall be re-
21 ported to the congressional defense committees, and the
22 Committee on International Relations of the House of
23 Representatives and the Committee on Foreign Relations
24 of the Senate thirty days prior to the conclusion and en-

1 dersement of any such agreement established under this
2 provision.

3 SEC. 8026. None of the funds available to the De-
4 partment of Defense in this Act shall be used to demili-
5 tarize or dispose of more than 310,784 unserviceable M1
6 Garand rifles and M1 Carbines.

7 SEC. 8027. Notwithstanding any other provision of
8 law, none of the funds appropriated by this Act shall be
9 available to pay more than 50 percent of an amount paid
10 to any person under section 308 of title 37, United States
11 Code, in a lump sum.

12 SEC. 8028. None of the funds appropriated by this
13 Act may be used by the Department of Defense to assign
14 a supervisor's title or grade when the number of people
15 he or she supervises is considered as a basis for this deter-
16 mination: *Provided*, That savings that result from this
17 provision are represented as such in future budget propos-
18 als.

19 SEC. 8029. None of the funds appropriated by this
20 Act shall be available for payments under the Department
21 of Defense contract with the Louisiana State University
22 Medical Center involving the use of cats for Brain Missile
23 Wound Research, and the Department of Defense shall
24 not make payments under such contract from funds obli-
25 gated prior to the date of the enactment of this Act, except

1 as necessary for costs incurred by the contractor prior to
2 the enactment of this Act: *Provided*, That funds necessary
3 for the care of animals covered by this contract are al-
4 lowed.

5 SEC. 8030. None of the funds provided in this Act
6 or any other Act shall be available to conduct bone trauma
7 research at any Army Research Laboratory until the Sec-
8 retary of the Army certifies that the synthetic compound
9 to be used in the experiments is of such a type that its
10 use will result in a significant medical finding, the re-
11 search has military application, the research will be con-
12 ducted in accordance with the standards set by an animal
13 care and use committee, and the research does not dupli-
14 cate research already conducted by a manufacturer or any
15 other research organization.

16 SEC. 8031. No more than \$50,000 of the funds ap-
17 propriated or made available in this Act shall be used for
18 any single relocation of an organization, unit, activity or
19 function of the Department of Defense into or within the
20 National Capital Region: *Provided*, That the Secretary of
21 Defense may waive this restriction on a case-by-case basis
22 by certifying in writing to the Committees on Appropria-
23 tions of the House of Representatives and Senate that
24 such a relocation is required in the best interest of the
25 Government.

1 SEC. 8032. During the current fiscal year, funds ap-
2 propriated or otherwise available for any Federal agency,
3 the Congress, the judicial branch, or the District of Co-
4 lumbia may be used for the pay, allowances, and benefits
5 of an employee as defined by section 2105 of title 5 or
6 an individual employed by the government of the District
7 of Columbia, permanent or temporary indefinite, who—

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

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

16 (A) Federal service under section 331,
17 332, 333, 3500, or 8500 of title 10, or other
18 provision of law, as applicable, or

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

23 (3) requests and is granted—

24 (A) leave under the authority of this sec-
25 tion; or

1 ~~(B)~~ annual leave, which may be granted
2 without regard to the provisions of sections
3 5519 and 6323(b) of title 5, if such employee
4 is otherwise entitled to such annual leave:

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

11 ~~SEC. 8033.~~ None of the funds appropriated by this
12 Act shall be available to perform any cost study pursuant
13 to the provisions of OMB Circular A-76 if the study being
14 performed exceeds a period of twenty-four months after
15 initiation of such study with respect to a single function
16 activity or forty-eight months after initiation of such study
17 for a multi-function activity.

18 ~~SEC. 8034.~~ Funds appropriated by this Act for the
19 American Forces Information Service shall not be used for
20 any national or international political or psychological ac-
21 tivities.

22 ~~SEC. 8035.~~ Notwithstanding any other provision of
23 law or regulation, the Secretary of Defense may adjust
24 wage rates for civilian employees hired for certain health
25 care occupations as authorized for the Secretary of Veter-

1 ans Affairs by section 7455 of title 38, United States
2 Code.

3 SEC. 8036. None of the funds appropriated or made
4 available in this Act shall be used to reduce or disestablish
5 the operation of the 53rd Weather Reconnaissance Squad-
6 ron of the Air Force Reserve, if such action would reduce
7 the WC-130 Weather Reconnaissance mission below the
8 levels funded in this Act.

9 SEC. 8037. (a) Of the funds for the procurement of
10 supplies or services appropriated by this Act, qualified
11 nonprofit agencies for the blind or other severely handi-
12 capped shall be afforded the maximum practicable oppor-
13 tunity to participate as subcontractors and suppliers in the
14 performance of contracts let by the Department of De-
15 fense.

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

24 (c) For the purpose of this section, the phrase “quali-
25 fied nonprofit agency for the blind or other severely handi-

1 capped” means a nonprofit agency for the blind or other
2 severely handicapped that has been approved by the Com-
3 mittee for the Purchase from the Blind and Other Severely
4 Handicapped under the Javits-Wagner-O’Day Act (41
5 U.S.C. 46–48).

6 SEC. 8038. During the current fiscal year, net re-
7 ceipts pursuant to collections from third party payers pur-
8 suant to section 1095 of title 10, United States Code, shall
9 be made available to the local facility of the uniformed
10 services responsible for the collections and shall be over
11 and above the facility’s direct budget amount.

12 SEC. 8039. During the current fiscal year, the De-
13 partment of Defense is authorized to incur obligations of
14 not to exceed \$350,000,000 for purposes specified in sec-
15 tion 2350j(c) of title 10, United States Code, in anticipa-
16 tion of receipt of contributions, only from the Government
17 of Kuwait, under that section: *Provided*, That, upon re-
18 ceipt, such contributions from the Government of Kuwait
19 shall be credited to the appropriation or fund which in-
20 curred such obligations.

21 SEC. 8040. (a) Funds appropriated in this Act to fi-
22 nance activities of Department of Defense (DoD) Feder-
23 ally Funded Research and Development Centers
24 (FFRDCs) may not be obligated or expended for a
25 FFRDC if a member of its Board of Directors or Trustees

1 simultaneously serves on the Board of Directors or Trust-
2 ees of a profit-making company under contract to the De-
3 partment of Defense unless the FFRDC has a DoD ap-
4 proved conflict of interest policy for its members.

5 (b) LIMITATION ON COMPENSATION.—No employee
6 or executive officer of a defense FFRDC may be com-
7 pensated at a rate exceeding Executive Schedule Level I
8 by that FFRDC.

9 (c) LIMITATION ON COMPENSATION.—No member of
10 a Board of Directors, Trustees, Overseers, Advisory
11 Group, Special Issues Panel, Visiting Committee, or any
12 similar entity of a defense FFRDC may be compensated
13 for his or her services as a member of such entity except
14 under the same conditions, and to the same extent, as
15 members of the Defense Science Board: *Provided*, That
16 a member of any such entity shall be allowed travel ex-
17 penses and per diem as authorized under the Federal
18 Joint Travel Regulations, when engaged in the perform-
19 ance of membership duties.

20 (d) Notwithstanding any other provision of law, of
21 the amounts available to the Department of Defense dur-
22 ing fiscal year 1996, not more than \$1,252,650,000 may
23 be obligated for financing activities of defense FFRDCs:
24 *Provided*, That in addition to any other reductions re-
25 quired by this section, the total amounts appropriated in

1 titles H, III, and IV of this Act to finance activities carried
2 out by defense FFRDCs and other entities providing con-
3 sulting services, studies and analyses, systems engineering
4 and technical assistance, and technical engineering and
5 management support are hereby reduced by \$90,097,000.

6 SEC. 8041. None of the funds appropriated or made
7 available in this Act shall be used to procure carbon, alloy
8 or armor steel plate for use in any Government-owned fa-
9 cility or property under the control of the Department of
10 Defense which were not melted and rolled in the United
11 States or Canada: *Provided*, That these procurement re-
12 strictions shall apply to any and all Federal Supply Class
13 9515, American Society of Testing and Materials (ASTM)
14 or American Iron and Steel Institute (AISI) specifications
15 of carbon, alloy or armor steel plate: *Provided further*,
16 That the Secretary of the military department responsible
17 for the procurement may waive this restriction on a case-
18 by-case basis by certifying in writing to the Committees
19 on Appropriations of the House of Representatives and the
20 Senate that adequate domestic supplies are not available
21 to meet Department of Defense requirements on a timely
22 basis and that such an acquisition must be made in order
23 to acquire capability for national security purposes: *Pro-*
24 *vided further*, That these restrictions shall not apply to

1 contracts which are in being as of the date of enactment
2 of this Act.

3 SEC. 8042. None of the unobligated balances avail-
4 able in the National Defense Stockpile Transaction Fund
5 during the current fiscal year may be obligated or ex-
6 pended to finance any grant or contract to conduct re-
7 search, development, test and evaluation activities for the
8 development or production of advanced materials, unless
9 amounts for such purposes are specifically appropriated
10 in a subsequent appropriations Act.

11 SEC. 8043. For the purposes of this Act, the term
12 “congressional defense committees” means the Commit-
13 tees on Appropriations of the Senate and the House of
14 Representatives, the subcommittee on National Security of
15 the Committee on Appropriations and the Committee on
16 National Security of the House of Representatives, and
17 the Committee on Armed Services of the Senate.

18 SEC. 8044. Notwithstanding any other provision of
19 law, during the current fiscal year, the Department of De-
20 fense may acquire the modification, depot maintenance
21 and repair of aircraft, vehicles and vessels as well as the
22 production of components and other Defense-related arti-
23 cles, through competition between Department of Defense
24 depot maintenance activities and private firms: *Provided*,
25 That the Senior Acquisition Executive of the military de-

1 partment or defense agency concerned, with power of dele-
2 gation, shall certify that successful bids include com-
3 parable estimates of all direct and indirect costs for both
4 public and private bids: *Provided further*, That Office of
5 Management and Budget Circular A-76 shall not apply
6 to competitions conducted under this section.

7 SEC. 8045. (a)(1) If the Secretary of Defense, after
8 consultation with the United States Trade Representative,
9 determines that a foreign country which is party to an
10 agreement described in paragraph (2) has violated the
11 terms of the agreement by discriminating against certain
12 types of products produced in the United States that are
13 covered by the agreement, the Secretary of Defense shall
14 rescind the Secretary's blanket waiver of the Buy Amer-
15 ican Act with respect to such types of products produced
16 in that foreign country.

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

23 (b) The Secretary of Defense shall submit to Con-
24 gress a report on the amount of Department of Defense
25 purchases from foreign entities in fiscal year 1996. Such

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

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

13 SEC. 8046. Notwithstanding any other provision of
14 law, the Secretary of Defense may, when he considers it
15 in the best interest of the United States, cancel any part
16 of an indebtedness, up to \$2,500, that is or was owed to
17 the United States by a member or former member of a
18 uniformed service if such indebtedness, as determined by
19 the Secretary, was incurred in connection with Operation
20 Desert Shield/Storm: *Provided*, That the amount of an in-
21 debtedness previously paid by a member or former mem-
22 ber and cancelled under this section shall be refunded to
23 the member.

24 SEC. 8047. Appropriations contained in this Act that
25 remain available at the end of the current fiscal year as

1 a result of energy cost savings realized by the Department
2 of Defense shall remain available for obligation for the
3 next fiscal year to the extent, and for the purposes, pro-
4 vided in section 2865 of title 10, United States Code.

5 SEC. 8048. During the current fiscal year and there-
6 after, voluntary separation incentives payable under 10
7 U.S.C. 1175 may be paid in such amounts as are nec-
8 essary from the assets of the Voluntary Separation Incen-
9 tive Fund established by section 1175(h)(1).

10 (INCLUDING TRANSFER OF FUNDS)

11 SEC. 8049. Amounts deposited during the current fis-
12 cal year to the special account established under 40 U.S.C.
13 485(h)(2) and to the special account established under 10
14 U.S.C. 2667(d)(1) are appropriated and shall be available
15 until transferred by the Secretary of Defense to current
16 applicable appropriations or funds of the Department of
17 Defense under the terms and conditions specified by 40
18 U.S.C. 485(h)(2) (A) and (B) and 10 U.S.C.
19 2667(d)(1)(B), to be merged with and to be available for
20 the same time period and the same purposes as the appro-
21 priation to which transferred.

22 SEC. 8050. 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
26 transportation allowances and who occupies transient gov-

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

11 SEC. 8051. None of the funds available in this Act
12 may be used to support in any manner, including travel
13 or other related expenses, the “Tailhook Association”.

14 SEC. 8052. 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. 8053. During the current fiscal year, amounts
23 contained in the Department of Defense Overseas Military
24 Facility Investment Recovery Account established by sec-
25 tion 2921(c)(1) of the National Defense Authorization Act

1 of 1991 (Public Law 101-510; 10 U.S.C. 2687 note) shall
2 be available until expended for the payments specified by
3 section 2921(c)(2) of that Act.

4 SEC. 8054. During the current fiscal year and there-
5 after, annual payments granted under the provisions of
6 section 4416 of the National Defense Authorization Act
7 for Fiscal Year 1993 (Public Law 102-428; 106 Stat.
8 2714) shall be made from appropriations which are avail-
9 able for the pay of reserve component personnel.

10 SEC. 8055. Of the funds appropriated or otherwise
11 made available by this Act, not more than \$119,200,000
12 shall be available for payment of the operating costs of
13 NATO Headquarters.

14 SEC. 8056. During the current fiscal year, appropria-
15 tions which are available to the Department of Defense
16 for operation and maintenance may be used to purchase
17 items having an investment item unit cost of not more
18 than \$50,000.

19 SEC. 8057. During the current fiscal year and there-
20 after, appropriations available for the pay and allowances
21 of active duty members of the Armed Forces shall be avail-
22 able to pay the retired pay which is payable pursuant to
23 section 4403 of Public Law 102-484 (10 U.S.C. 1293
24 note) under the terms and conditions provided in section
25 4403.

1 SEC. 8058. (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 1994 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 1997 budget request for the De-
14 partment of Defense as well as all justification material
15 and other documentation supporting the fiscal year 1997
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 1997 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. 8059. None of the funds provided in this Act
25 shall be available for use by a Military Department to

1 modify an aircraft, weapon, ship or other item of equip-
2 ment, that the Military Department concerned plans to
3 retire or otherwise dispose of within five years after com-
4 pletion of the modification: *Provided*, That this prohibition
5 shall not apply to safety modifications: *Provided further*,
6 That this prohibition may be waived by the Secretary of
7 a Military Department if the Secretary determines it is
8 in the best national security interest of the United States
9 to provide such waiver and so notifies the congressional
10 defense committees in writing.

11 SEC. 8060. No part of the funds in this Act shall
12 be available to prepare or present a request to the Com-
13 mittees on Appropriations for reprogramming of funds,
14 unless for higher priority items, based on unforeseen mili-
15 tary requirements, than those for which originally appro-
16 priated and in no case where the item for which
17 reprogramming is requested has been denied by the Con-
18 gress.

19 SEC. 8061. None of the funds appropriated by this
20 Act shall be available for payment of the compensation
21 of personnel assigned to or serving in the National For-
22 eign Intelligence Program in excess of 92 percent of such
23 personnel actually assigned to or serving in the National
24 Foreign Intelligence Program on September 30, 1992:
25 *Provided*, That in making any reduction in the number

1 of such personnel that may be required pursuant to this
2 section, the percentage of reductions to Senior Intelligence
3 Service positions shall be equal to or exceed the percentage
4 of reductions to non-Senior Intelligence Service positions:
5 *Provided further,* That in making any reduction in the
6 number of such personnel that may be required pursuant
7 to this section, the percentage of reductions to positions
8 in the National Capital Region shall be equal to or exceed
9 the percentage of reductions to positions outside of the
10 National Capital Region.

11 ~~SEC. 8062.~~ None of the funds provided by this Act
12 may be used to pay the salaries of any person or persons
13 who authorize the transfer of obligated and deobligated
14 appropriations into the Reserve for Contingencies of the
15 Central Intelligence Agency.

16 ~~SEC. 8063.~~ None of the funds appropriated by this
17 Act for programs of the Central Intelligence Agency shall
18 remain available for obligation beyond the current fiscal
19 year, except for funds appropriated for the Reserve for
20 Contingencies, which shall remain available until Septem-
21 ber 30, 1997.

22 ~~SEC. 8064.~~ The classified Annex prepared by the
23 Committee on Appropriations to accompany the report on
24 the Department of Defense Appropriations Act, 1996 is
25 hereby incorporated into this Act: *Provided,* That the

1 amounts specified in the classified Annex are not in addi-
2 tion to amounts appropriated by other provisions of this
3 Act: *Provided further*, That the President shall provide for
4 appropriate distribution of the classified Annex, or of ap-
5 propriate portions of the classified Annex, within the exec-
6 utive branch of the Government.

7 SEC. 8065. Notwithstanding any other provision of
8 law, funds made available in this Act for the Defense In-
9 telligence Agency may be used for the design, develop-
10 ment, and deployment of General Defense Intelligence
11 Program intelligence communications and intelligence in-
12 formation systems for the Services, the Unified and Speci-
13 fied Commands, and the component commands.

14 SEC. 8066. Notwithstanding any other provision of
15 law, funds appropriated in this Act for the High Perform-
16 ance Computing Modernization Program shall be made
17 available only for the acquisition and sustainment of oper-
18 ations, including maintenance of the supercomputing and
19 related networking capability at (1) the DOD Science and
20 Technology sites under the cognizance of the DDR&E, (2)
21 the DOD Test and Evaluation centers under the Director,
22 Test and Evaluation, OUSD (A&T), and (3) the Ballistic
23 Missile Defense Organization: *Provided*, That the con-
24 tracts, contract modifications, or contract options are

1 awarded competitively solely upon the requirements of the
2 users.

3 SEC. 8067. Amounts collected for the use of the fa-
4 cilities of the National Science Center for Communications
5 and Electronics during the current fiscal year pursuant
6 to section 1459(g) of the Department of Defense Author-
7 ization Act, 1986 and deposited to the special account es-
8 tablished under subsection 1459(g)(2) of that Act are ap-
9 propriated and shall be available until expended for the
10 operation and maintenance of the Center as provided for
11 in subsection 1459(g)(2).

12 SEC. 8068. None of the funds appropriated in this
13 Act may be used to fill the commander's position at any
14 military medical facility with a health care professional
15 unless the prospective candidate can demonstrate profes-
16 sional administrative skills.

17 SEC. 8069. (a) None of the funds appropriated in this
18 Act may be expended by an entity of the Department of
19 Defense unless the entity, in expending the funds, com-
20 plies with the Buy American Act. For purposes of this
21 subsection, the term "Buy American Act" means title III
22 of the Act entitled "An Act making appropriations for the
23 Treasury and Post Office Departments for the fiscal year
24 ending June 30, 1934, and for other purposes", approved
25 March 3, 1933 (41 U.S.C. 10a et seq.).

1 (b) If the Secretary of Defense determines that a per-
2 son has been convicted of intentionally affixing a label
3 bearing a “Made in America” inscription to any product
4 sold in or shipped to the United States that is not made
5 in America, the Secretary shall determine, in accordance
6 with section 2410f of title 10, United States Code, wheth-
7 er the person should be debarred from contracting with
8 the Department of Defense.

9 SEC. 8070. None of the funds appropriated by this
10 Act shall be available for a contract for studies, analyses,
11 or consulting services entered into without competition on
12 the basis of an unsolicited proposal unless the head of the
13 activity responsible for the procurement determines—

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

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

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

1 new product or idea of a specific concern is given fi-
2 nancial support:

3 *Provided*, That this limitation shall not apply to contracts
4 in an amount of less than \$25,000, contracts related to
5 improvements of equipment that is in development or pro-
6 duction, or contracts as to which a civilian official of the
7 Department of Defense, who has been confirmed by the
8 Senate, determines that the award of such contract is in
9 the interest of the national defense.

10 ~~SEC. 8071.~~ Funds appropriated by this Act for intel-
11 ligence activities are deemed to be specifically authorized
12 by the Congress for purposes of section 504 of the Na-
13 tional Security Act of 1947 (50 U.S.C. 414) during fiscal
14 year 1996 until the enactment of the Intelligence Author-
15 ization Act for fiscal year 1996.

16 ~~SEC. 8072.~~ (a) None of the funds made available by
17 this Act may be obligated for design, development, acquisi-
18 tion, or operation of more than 47 Titan IV expendable
19 launch vehicles, or for satellite mission-model planning for
20 a Titan IV requirement beyond 47 vehicles.

21 ~~(b)~~ \$115,226,000 made available in this Act for Re-
22 search, Development, Test and Evaluation, Air Force,
23 may only be obligated for development of a new family
24 of medium-lift and heavy-lift expendable launch vehicles
25 evolved from existing technologies.

1 SEC. 8073. No funds available to the Department of
2 Defense in this Act may be used to establish additional
3 field operating agencies of any element of the Department
4 during fiscal year 1996, except for field operating agencies
5 funded within the National Foreign Intelligence Program.

6 SEC. 8074. Notwithstanding any other provision of
7 law, for resident classes entering the war colleges after
8 September 30, 1996, the Department of Defense shall re-
9 quire that not less than 20 percent of the total of United
10 States military students at each war college shall be from
11 military departments other than the hosting military de-
12 partment: *Provided*, That each military department will
13 recognize the attendance at a sister military department
14 war college as the equivalent of attendance at its own war
15 college for promotion and advancement of personnel.

16 SEC. 8075. None of the funds provided in this Act
17 may be obligated for payment on new contracts on which
18 allowable costs charged to the government include pay-
19 ments for individual compensation at a rate in excess of
20 \$200,000 per year.

21 SEC. 8076. None of the funds available in this Act
22 may be used to reduce the authorized positions for mili-
23 tary (civilian) technicians of the Army National Guard,
24 the Air National Guard, Army Reserve and Air Force Re-
25 serve for the purpose of applying any administratively im-

1 posed civilian personnel ceiling, freeze, or reduction on
2 military (civilian) technicians, unless such reductions are
3 a direct result of a reduction in military force structure.

4 SEC. 8077. During the current fiscal year, funds ap-
5 propriated in this Act are available to compensate mem-
6 bers of the National Guard for duty performed pursuant
7 to a plan submitted by a Governor of a State and approved
8 by the Secretary of Defense under section 112 of title 32,
9 United States Code: *Provided*, That during the perform-
10 ance of such duty, the members of the National Guard
11 shall be under State command and control: *Provided fur-*
12 *ther*, That such duty shall be treated as full-time National
13 Guard duty for purposes of sections 12602 (a)(2) and
14 (b)(2) of title 10, United States Code.

15 SEC. 8078. Funds appropriated in this Act for oper-
16 ation and maintenance of the Military Departments, Uni-
17 fied and Specified Commands and Defense Agencies shall
18 be available for reimbursement of pay, allowances and
19 other expenses which would otherwise be incurred against
20 appropriations for the National Guard and Reserve when
21 members of the National Guard and Reserve provide intel-
22 ligence support to Unified Commands, Defense Agencies
23 and Joint Intelligence Activities, including the activities
24 and programs included within the General Defense Intel-
25 ligence Program and the Consolidated Cryptologic Pro-

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

4 SEC. 8079. (a) No project for the construction of any
5 facility, or improvement to any facility, having an esti-
6 mated Federal cost in excess of \$750,000, may be under-
7 taken in any fiscal year unless specifically identified as
8 a separate item in the President's annual fiscal year budg-
9 et request or otherwise specifically authorized and appro-
10 priated if such facility or improvement would be used pri-
11 marily by personnel of the intelligence community.

12 (b) As used in this section, the term "intelligence
13 community" has the same meaning given that term in sec-
14 tion 3(4) of the National Security Act of 1947 (50 U.S.C.
15 401a(4)).

16 SEC. 8080. The Secretary of Defense, from within
17 funds provided in this Act, may obligate not to exceed
18 \$75,000 to fulfill Department of Defense obligations
19 under the Educational Loan Repayment Programs for
20 State-sponsored student loan programs not covered under
21 title IV, part B or E of the Higher Education Act of 1965
22 (title 20 U.S.C. 1071–1087).

23 SEC. 8081. All refunds or other amounts collected in
24 the administration of the Civilian Health and Medical Pro-

1 gram of the Uniformed Services (CHAMPUS) shall be
2 credited to current year appropriations.

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 8082. None of the funds appropriated in this
5 Act may be transferred to or obligated from the Pentagon
6 Reservation Maintenance Revolving Fund, unless the Sec-
7 retary of Defense certifies that the total cost for the plan-
8 ning design, construction and installation of equipment for
9 the renovation of the Pentagon Reservation will not exceed
10 \$1,218,000,000.

11 SEC. 8083. (a) None of the funds available to the
12 Department of Defense for any fiscal year for drug inter-
13 diction or counter-drug activities may be transferred to
14 any other department or agency of the United States ex-
15 cept as specifically provided in an appropriations law.

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

21 (TRANSFER OF FUNDS)

22 SEC. 8084. Appropriations available in this Act under
23 the heading "Operation and Maintenance, Defense-Wide"
24 for increasing energy and water efficiency in Federal
25 buildings may, during their period of availability, be trans-
26 ferred to other appropriations or funds of the Department

1 of Defense for projects related to increasing energy and
2 water efficiency, to be merged with and to be available
3 for the same general purposes, and for the same time pe-
4 riod, as the appropriation or fund to which transferred.

5 SEC. 8085. Funds in the amount of \$61,300,000 re-
6 ceived during fiscal year 1996 by the Department of the
7 Air Force pursuant to the “Memorandum of Agreement
8 between the National Aeronautics and Space Administra-
9 tion and the United States Air Force on Titan IV/Centaur
10 Launch Support for the Cassini Mission,” signed Septem-
11 ber 8, 1994, and September 23, 1994, and Attachments
12 A, B and C to the Memorandum, shall be merged with
13 appropriations available for research, development, test
14 and evaluation and procurement for fiscal year 1996, and
15 shall be available for the same time period as the appro-
16 priation with which merged, and shall be available for obli-
17 gation only for those Titan IV vehicles and Titan IV-relat-
18 ed activities under contract as of the date of enactment
19 of this Act, as well as on the follow-on launch services and
20 program sustaining support contract to be awarded in fis-
21 cal year 1996.

22 (INCLUDING TRANSFER OF FUNDS)

23 SEC. 8086. In addition to amounts appropriated or
24 otherwise made available by this Act, \$44,000,000 is here-
25 by appropriated to the Department of Defense and shall

1 be available only for transfer to the United States Coast
2 Guard for activities relating to national security.

3 ~~SEC. 8087.~~ The total amount appropriated in title II,
4 III, and IV of this Act is hereby reduced by \$30,000,000
5 for savings through improved management of contractor
6 automatic data processing costs charged through indirect
7 rates on Department of Defense acquisition contracts.

8 ~~SEC. 8088.~~ (a) None of the funds appropriated in
9 title III of this Act may be obligated by the Department
10 of Defense for acquisition or advance procurement of any
11 system or end item using incremental funding.

12 ~~(b)~~ For purposes of this section, the term “incremen-
13 tal funding” has the meaning provided in paragraph (3)
14 of section 114(f) of title 10, United States Code, as added
15 by section 1007 of H.R. 1530 of the One Hundred Fourth
16 Congress (the National Defense Authorization Act for Fis-
17 cal Year 1996), as passed by the House of Representatives
18 on June 15, 1995.

19 ~~(c)~~ This section does not apply to an obligation that
20 is classified as an advance procurement for a system or
21 end item that is to be procured on a full funding basis.

22 ~~SEC. 8089.~~ None of the funds in this Act may be
23 used to purchase any supercomputer which is not manu-
24 factured in the United States, unless the Secretary of De-
25 fense certifies to the congressional defense committees

1 that such an acquisition must be made in order to acquire
2 capability for national security purposes that is not avail-
3 able from United States manufacturers.

4 SEC. 8090. None of the funds appropriated in this
5 Act to the Department of the Army may be obligated for
6 procurement of 120mm mortars or 120mm mortar ammu-
7 nition manufactured outside of the United States.

8 SEC. 8091. The Department of Defense shall release
9 all funds appropriated and available for the HAVE GAZE
10 program to the Department of the Air Force for obligation
11 under existing contractual arrangements.

12 SEC. 8092. Notwithstanding any other provision of
13 law, (a) funds available to the Navy in the Operation and
14 Maintenance appropriation for refueling overhauls and
15 defueling inactivations of nuclear-powered warships are
16 available to transport the shipments of naval spent nuclear
17 fuel to the Idaho National Engineering Laboratory needed
18 for examination and storage to avoid threats to the na-
19 tional security; and (b) the Secretary of the Navy is hereby
20 authorized to immediately commence and accomplish such
21 transportation: *Provided*, That the Secretary of Defense
22 shall make the determination as to what shipments are
23 required for that purpose and shall ensure that the ship-
24 ments are made in accordance with the practices and re-
25 quirements applied to previous container shipments of

1 naval spent fuel to the Idaho National Engineering Lab-
2 oratory: *Provided further*, That the authority in this sec-
3 tion shall expire on September 30, 1996 or upon the vaca-
4 tion or stay of the current or any subsequent injunction
5 issued by the United States District Court for the District
6 of Idaho which enjoins such shipments, whichever occurs
7 first: *Provided further*, That the authority in this section
8 may not be used unless the Secretary of Defense certifies
9 in writing to the congressional defense committees that a
10 good-faith agreement between the State of Idaho and the
11 United States Government was attempted but could not
12 be reached concerning interim shipments of spent nuclear
13 fuel enjoined by any such injunction based on national se-
14 curity reasons.

15 SEC. 8093. None of the funds appropriated by this
16 Act shall be available to lease or charter a vessel on a
17 long-term basis used to transport fuel or oil for the De-
18 partment of Defense in those instances where the leases
19 involve the construction of new ships unless the Secretary
20 of Defense requires that the vessel be constructed in the
21 United States with a double hull under the long term lease
22 or charter authority provided in section 2401 note of title
23 10, United States Code: *Provided*, That this limitation
24 shall not apply to contracts in force on the date of enact-
25 ment of this Act: *Provided further*, That by 1997 at least

1 20 percent of annual leases and charters must be for ships
2 of new construction: *Provided further*, That the Military
3 Sealift Command shall plan to achieve the goal of elimi-
4 nating single hull ship leases by the year 2015.

5 SEC. 8094. None of the funds appropriated or made
6 available in this Act to the Department of the Navy shall
7 be used to develop or procure main propulsion engines for
8 the LPD-17 class of ships unless such equipment is pow-
9 ered by a diesel engine manufactured in the United States
10 by a domestically operated entity: *Provided*, That the Sec-
11 retary of Defense may waive this restriction on a case-
12 by-case basis by certifying in writing to the Committees
13 on Appropriations of the House of Representatives and the
14 Senate that adequate domestic supplies are not available
15 to meet Department of Defense requirements on a timely
16 basis and that such an acquisition must be made in order
17 to acquire capability for national security purposes or
18 there exists a significant cost or quality difference.

19 SEC. 8095. None of the funds appropriated or made
20 available in this Act to the Department of the Navy shall
21 be used to develop or procure an emergency generator set
22 for the New Attack Submarine unless such equipment is
23 powered by a diesel engine manufactured in the United
24 States by a domestically operated entity: *Provided*, That
25 the Secretary of Defense may waive this restriction on a

1 case-by-case basis by certifying in writing to the Commit-
2 tees on Appropriations of the House of Representatives
3 and the Senate that adequate domestic supplies are not
4 available to meet Department of Defense requirements on
5 a timely basis and that such an acquisition must be made
6 in order to acquire capability for national security pur-
7 poses or there exists a significant cost or quality dif-
8 ference.

9 SEC. 8096. The Army shall use George Air Force
10 Base as the interim airhead for the National Training
11 Center at Fort Irwin until Barstow-Daggett reaches Ini-
12 tial Operational Capability as the permanent airhead: *Pro-*
13 *vided*, That within funds appropriated for “Operation and
14 Maintenance, Army” in this Act, not less than \$2,000,000
15 shall be available only to operate the National Training
16 Center’s rotational airhead at the now closed George Air
17 Force Base: *Provided further*, That the Secretary of the
18 Army shall provide the congressional defense committees
19 with a report assessing the Army’s compliance with the
20 terms of this provision not later than March 31, 1996:
21 *Provided further*, That not later than April 30, 1996, the
22 Department of the Army shall complete planning and de-
23 sign of the Barstow-Daggett airfield as the permanent
24 airhead in support of training rotations at the National
25 Training Center.

(TRANSFER OF FUNDS)

1
2 SEC. 8097. During the current fiscal year, the Sec-
3 retary of Defense may carry out transfers of funds of not
4 to exceed \$200,000,000, as provided in section 127a(c) of
5 title 10, United States Code, as amended by section 1003
6 of the National Defense Authorization Act for Fiscal Year
7 1996 (H.R. 1530): *Provided*, That the transfer authority
8 provided in this paragraph is in addition to any transfer
9 authority contained elsewhere in this Act.

10 SEC. 8098. The sum of \$77,500,000 appropriated in
11 title I and the sum of \$564,300,000 appropriated in title
12 II for additional incremental costs associated with the op-
13 erations of the Department of Defense designated, as of
14 June 1, 1995, as Operation Southern Watch and Oper-
15 ation Provide Comfort—

16 (1) shall not be obligated or expended before
17 the date on which the budget of the President for
18 fiscal year 1997 is transmitted to Congress; and

19 (2) may be obligated or expended for such in-
20 cremental costs on or after such date only if that
21 budget specifically sets forth amounts proposed for
22 fiscal year 1997 for each of those operations.

23 SEC. 8099. (a) The Secretary of Defense shall sub-
24 mit, on a quarterly basis, a report to the congressional
25 defense committees, the Committee on International Rela-

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

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

18 SEC. 8100. (a) LIMITATION ON PARTICIPATION IN
19 CERTAIN OPERATIONS.—None of the funds available to
20 the Department of Defense for the current fiscal year shall
21 be obligated or expended for costs incurred by United
22 States Armed Forces units serving in an operation de-
23 scribed in subsection (b) unless the President engages in
24 consultations with the bipartisan leadership of Congress
25 and the congressional committees named in subsection (c)

1 regarding such operation in accordance with subsection
2 (c)(1).

3 ~~(b) COVERED OPERATIONS.—(1) This section applies~~
4 ~~to the following:~~

5 ~~(A) Any international peacekeeping or peace-en-~~
6 ~~forcement operation that is not underway as of the~~
7 ~~date of the enactment of this Act and that is author-~~
8 ~~ized by the Security Council of the United Nations~~
9 ~~under chapter VI or VII of the Charter of the Unit-~~
10 ~~ed Nations.~~

11 ~~(B) Any other international peacekeeping or~~
12 ~~peace-enforcement operation that is not underway as~~
13 ~~of the date of the enactment of this Act.~~

14 ~~(C) Any deployment after the date of the enact-~~
15 ~~ment of this Act of United States ground forces in~~
16 ~~the territory of the former Yugoslavia above the level~~
17 ~~of such forces so deployed as of such date of enact-~~
18 ~~ment, other than a deployment involving fewer than~~
19 ~~100 personnel.~~

20 ~~(D) Except as provided in paragraph (2), any~~
21 ~~international humanitarian assistance operation.~~

22 ~~(2) This section does not apply with respect to—~~

23 ~~(A) an international humanitarian assistance~~
24 ~~operation carried out in response to a disaster; or~~

1 (B) any other international humanitarian as-
2 sistance operation if the President reports to Con-
3 gress that the estimated cost of such operation is
4 less than \$50,000,000.

5 (c) CONSULTATION WITH CONGRESS.—(1) Consulta-
6 tions under subsection (a) in the case of any operation
7 shall be initiated before the initial deployment of United
8 States Armed Forces units to participate in the operation
9 and, whenever possible, at least 15 days before such de-
10 ployment. However, if the President determines that the
11 national security so requires, the President may delay the
12 initiation of such consultations until after such initial de-
13 ployment, but in no case may such consultations be initi-
14 ated later than 48 hours after such deployment.

15 (2) Such consultations shall include discussion of all
16 of the following:

17 (A) The goals of the operation and the mission
18 of any United States Armed Forces units involved in
19 the operation.

20 (B) The United States interests that will be
21 served by the operation.

22 (C) The estimated cost of the operation.

23 (D) The strategy by which the President pro-
24 poses to fund the operation, including possible sup-
25 plemental appropriations or payments from inter-

1 national organizations, foreign countries, or other
2 donors.

3 ~~(E)~~ The extent of involvement of armed forces
4 and other contributions of personnel from other na-
5 tions.

6 ~~(F)~~ The anticipated duration and scope of the
7 operation.

8 ~~(3)~~ Such consultations shall continue on a periodic
9 basis throughout the period of the deployment.

10 ~~(d)~~ REQUESTS FOR EMERGENCY SUPPLEMENTAL
11 APPROPRIATIONS.—Whenever there is a deployment of
12 United States Armed Forces to perform an international
13 humanitarian, peacekeeping, or peace-enforcement oper-
14 ation, the President should seek emergency supplemental
15 appropriations to meet the incremental costs to the De-
16 partment of Defense of that deployment not later than 90
17 days after the date on which such deployment commences.

18 ~~(e)~~ COMMITTEES TO BE INCLUDED IN CONSULTA-
19 TIONS.—The committees referred to in subsection (a) are
20 the following:

21 (1) The congressional defense committees.

22 (2) The Committee on Foreign Relations of the
23 Senate and the Committee on International Rela-
24 tions of the House of Representatives.

1 ~~(3) The Select Committee on Intelligence of the~~
2 ~~Senate and the Permanent Select Committee on In-~~
3 ~~telligence of the House of Representatives.~~

4 ~~SEC. 8101. (a) LIMITATION ON TRANSFER OF DE-~~
5 ~~FENSE ARTICLES AND SERVICES.—Notwithstanding any~~
6 ~~other provision of law, none of the funds available to the~~
7 ~~Department of Defense for the current fiscal year may be~~
8 ~~obligated or expended to transfer to another nation or an~~
9 ~~international organization any defense articles or services~~
10 ~~(other than intelligence services) for use in the activities~~
11 ~~described in subsection (b) unless the congressional de-~~
12 ~~fense committees, and the Committee on International Re-~~
13 ~~lations of the House of Representatives and the Commit-~~
14 ~~tee on Foreign Relations of the Senate are notified 15~~
15 ~~days in advance of such transfer.~~

16 ~~(b) COVERED ACTIVITIES.—(1) This section applies~~
17 ~~to—~~

18 ~~(A) any international peacekeeping or peace-en-~~
19 ~~forcement operation under the authority of chapter~~
20 ~~VI or chapter VII of the United Nations Charter~~
21 ~~under the authority of a United Nations Security~~
22 ~~Council resolution; and~~

23 ~~(B) any other international peacekeeping,~~
24 ~~peace-enforcement, humanitarian, or disaster relief~~
25 ~~operation.~~

1 ~~(c) REQUIRED NOTICE.—A notice under subsection~~
2 ~~(a) shall include the following:~~

3 ~~(1) A description of the equipment, supplies, or~~
4 ~~services to be transferred.~~

5 ~~(2) A statement of the value of the equipment,~~
6 ~~supplies, or services to be transferred.~~

7 ~~(3) In the case of a proposed transfer of equip-~~
8 ~~ment or supplies—~~

9 ~~(A) a statement of whether the inventory~~
10 ~~requirements of all elements of the Armed~~
11 ~~Forces (including the reserve components) for~~
12 ~~the type of equipment or supplies to be trans-~~
13 ~~ferred have been met; and~~

14 ~~(B) a statement of whether the items pro-~~
15 ~~posed to be transferred will have to be replaced~~
16 ~~and, if so, how the President proposes to pro-~~
17 ~~vide funds for such replacement.~~

18 ~~SEC. 8102. None of the funds available to the De-~~
19 ~~partment of Defense shall be obligated or expended for~~
20 ~~the purposes of deploying United States Armed Forces to~~
21 ~~participate in the implementation of a negotiated peace~~
22 ~~settlement in Bosnia-Herzegovina, unless such deployment~~
23 ~~is previously authorized by law.~~

24 ~~SEC. 8103. Except as expressly authorized by law or~~
25 ~~provided for specifically in an Act making appropriations~~

1 for the Department of Defense, none of the funds available
2 to the Department of Defense after December 1, 1995,
3 for the current fiscal year or any fiscal year hereafter shall
4 be available to support or otherwise provide funds for any
5 program or activity (other than an intelligence program
6 or activity) for which another Federal department or agen-
7 cy has primary responsibility or which is a type of pro-
8 gram or activity for which funds are customarily provided
9 in appropriations available to another Federal department
10 or agency. The limitation in the preceding sentence does
11 not apply with respect to funds made available to another
12 department or agency in accordance with section 1535 of
13 title 31, United States Code.

14 SEC. 8104. None of the funds available to the De-
15 partment of Defense shall be obligated or expended to
16 make a financial contribution to the United Nations for
17 the cost of an United Nations peacekeeping activity
18 (whether pursuant to assessment or a voluntary contribu-
19 tion) or for payment of any United States arrearage to
20 the United Nations.

21 SEC. 8105. None of the funds made available in this
22 Act may be used to administer any policy that permits
23 the performance of abortions at medical treatment or
24 other facilities of the Department of Defense, except when
25 it is made known to the Federal official having authority

1 to obligate or expend such funds that the life of the moth-
2 er would be endangered if the fetus were carried to term.

3 SEC. 8106. None of the funds made available in this
4 Act under the heading “Procurement of Ammunition,
5 Army” may be obligated or expended for the procurement
6 of munitions unless such acquisition fully complies with
7 the Competition in Contracting Act.

8 SEC. 8107. None of the funds in this Act may be
9 used to implement any change to the computation of mili-
10 tary retired pay as required by law in fiscal year 1995
11 for military personnel who entered the Service before Sep-
12 tember 8, 1980.

13 SEC. 8108. None of the funds available to the De-
14 partment of Defense under this Act shall be obligated or
15 expended to pay a contractor under a contract with the
16 Department of Defense for costs of any amount paid by
17 the contractor to an employee when it is made known to
18 the Federal official having authority to obligate or expend
19 such funds that—

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

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

1 SEC. 8109. LIMITATION ON PROCUREMENT OF CER-
2 TAIN VESSEL PROPELLERS AND SHIP PROPULSION
3 SHAFTING.—(a) Subject to subsection (c), none of the
4 funds made available by this Act may be used to procure
5 vessel propellers six feet in diameter or greater when it
6 is made known to the Federal official having authority to
7 obligate or expend such funds that such propellers are not
8 manufactured in the United States and do not incorporate
9 castings that are poured and finished only in the United
10 States.

11 (b) Subject to subsection (c), none of the funds made
12 available by this Act may be used to procure ship propul-
13 sion shafting when it is made known to the Federal official
14 having authority to obligate or expend such funds that
15 such ship propulsion shafting is not manufactured in the
16 United States.

17 (c) The limitation in subsection (a) or subsection (b),
18 as the case may be, does not apply when it is made known
19 to the Federal official having authority to obligate or ex-
20 pend such funds that adequate domestic supplies of pro-
21 pellers described in subsection (a) or of ship propulsion
22 shafting are not available to meet Department of Defense
23 requirements on a timely basis.

24 SEC. 8110. None of the funds provided in title II of
25 this Act for “FORMER SOVIET UNION THREAT REDUC-

1 TION'' may be obligated or expended to finance housing
2 for any individual when it is made known to the Federal
3 official having authority to obligate or expend such funds
4 that such individual was a member of the military forces
5 of the Soviet Union or that such individual is or was a
6 member of the military forces of the Russian Federation.

7 SEC. 8111. None of the funds available to the De-
8 partment of Defense for the current fiscal year shall be
9 obligated or expended for costs incurred by the participa-
10 tion of United States Armed Forces units in any operation
11 in the territory of the former Yugoslavia above the level
12 of forces so deployed as of date of enactment: *Provided,*
13 That this section shall not apply to emergency air rescue
14 operations, the airborne delivery of humanitarian supplies,
15 or the planning and execution of OPLAN 40104 to extract
16 UNPROFOR personnel.

17 This Act may be cited as the "Department of Defense
18 Appropriations Act, 1996".

19 *That the following sums are appropriated, out of any*
20 *money in the Treasury not otherwise appropriated, for the*
21 *fiscal year ending September 30, 1996, and for other pur-*
22 *poses, 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 (in-
6 cluding all expenses thereof for organizational movements),
7 and expenses of temporary duty travel between permanent
8 duty stations, for members of the Army on active duty (ex-
9 cept members of reserve components provided for elsewhere),
10 cadets, and aviation cadets; and for payments pursuant to
11 section 156 of Public Law 97-377, as amended (42 U.S.C.
12 402 note), to section 229(b) of the Social Security Act (42
13 U.S.C. 429(b)), and to the Department of Defense Military
14 Retirement Fund; \$19,776,587,000.

15 MILITARY PERSONNEL, NAVY

16 For pay, allowances, individual clothing, interest on
17 deposits, gratuities, permanent change of station travel (in-
18 cluding all expenses thereof for organizational movements),
19 and expenses of temporary duty travel between permanent
20 duty stations, for members of the Navy on active duty (ex-
21 cept members of the Reserve provided for elsewhere), mid-
22 shipmen, and aviation cadets; and for payments pursuant
23 to section 156 of Public Law 97-377, as amended (42
24 U.S.C. 402 note), to section 229(b) of the Social Security

1 *Act (42 U.S.C. 429(b)), and to the Department of Defense*
2 *Military Retirement Fund; \$16,979,209,000.*

3 *MILITARY PERSONNEL, MARINE CORPS*

4 *For pay, allowances, individual clothing, interest on*
5 *deposits, gratuities, permanent change of station travel (in-*
6 *cluding all expenses thereof for organizational movements),*
7 *and expenses of temporary duty travel between permanent*
8 *duty stations, for members of the Marine Corps on active*
9 *duty (except members of the Reserve provided for elsewhere);*
10 *and for payments pursuant to section 156 of Public Law*
11 *97-377, as amended (42 U.S.C. 402 note), to section 229(b)*
12 *of the Social Security Act (42 U.S.C. 429(b)), and to the*
13 *Department of Defense Military Retirement Fund;*
14 *\$5,886,540,000.*

15 *MILITARY PERSONNEL, AIR FORCE*

16 *For pay, allowances, individual clothing, interest on*
17 *deposits, gratuities, permanent change of station travel (in-*
18 *cluding all expenses thereof for organizational movements),*
19 *and expenses of temporary duty travel between permanent*
20 *duty stations, for members of the Air Force on active duty*
21 *(except members of reserve components provided for else-*
22 *where), cadets, and aviation cadets; and for payments pur-*
23 *suant to section 156 of Public Law 97-377, as amended*
24 *(42 U.S.C. 402 note), to section 229(b) of the Social Secu-*

1 rity Act (42 U.S.C. 429(b)), and to the Department of De-
2 fense Military Retirement Fund; \$17,156,443,000.

3 *RESERVE PERSONNEL, ARMY*

4 *For pay, allowances, clothing, subsistence, gratuities,*
5 *travel, and related expenses for personnel of the Army Re-*
6 *serve on active duty under sections 265, 3021, and 3038*
7 *of title 10, United States Code, or while serving on active*
8 *duty under section 672(d) of title 10, United States Code,*
9 *in connection with performing duty specified in section*
10 *678(a) of title 10, United States Code, or while undergoing*
11 *reserve training, or while performing drills or equivalent*
12 *duty or other duty, and for members of the Reserve Officers'*
13 *Training Corps, and expenses authorized by section 2131*
14 *of title 10, United States Code; and for payments to the*
15 *Department of Defense Military Retirement Fund;*
16 *\$2,102,466,000.*

17 *RESERVE PERSONNEL, NAVY*

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

1 *bers of the Reserve Officers' Training Corps, and expenses*
2 *authorized by section 2131 of title 10, United States Code;*
3 *and for payments to the Department of Defense Military*
4 *Retirement Fund; \$1,349,323,000.*

5 *RESERVE PERSONNEL, MARINE CORPS*

6 *For pay, allowances, clothing, subsistence, gratuities,*
7 *travel, and related expenses for personnel of the Marine*
8 *Corps Reserve on active duty under section 265 of title 10,*
9 *United States Code, or while serving on active duty under*
10 *section 672(d) of title 10, United States Code, in connection*
11 *with performing duty specified in section 678(a) of title 10,*
12 *United States Code, or while undergoing reserve training,*
13 *or while performing drills or equivalent duty, and for mem-*
14 *bers of the Marine Corps platoon leaders class, and expenses*
15 *authorized by section 2131 of title 10, United States Code;*
16 *and for payments to the Department of Defense Military*
17 *Retirement Fund; \$364,551,000.*

18 *RESERVE PERSONNEL, AIR FORCE*

19 *For pay, allowances, clothing, subsistence, gratuities,*
20 *travel, and related expenses for personnel of the Air Force*
21 *Reserve on active duty under sections 265, 8021, and 8038*
22 *of title 10, United States Code, or while serving on active*
23 *duty under section 672(d) of title 10, United States Code,*
24 *in connection with performing duty specified in section*
25 *678(a) of title 10, United States Code, or while undergoing*

1 *reserve training, or while performing drills or equivalent*
2 *duty or other duty, and for members of the Air Reserve Offi-*
3 *cers' Training Corps, and expenses authorized by section*
4 *2131 of title 10, United States Code; and for payments to*
5 *the Department of Defense Military Retirement Fund;*
6 *\$783,861,000.*

7 *NATIONAL GUARD PERSONNEL, ARMY*

8 *For pay, allowances, clothing, subsistence, gratuities,*
9 *travel, and related expenses for personnel of the Army Na-*
10 *tional Guard while on duty under section 265, 3021, or*
11 *3496 of title 10 or section 708 of title 32, United States*
12 *Code, or while serving on duty under section 672(d) of title*
13 *10 or section 502(f) of title 32, United States Code, in con-*
14 *nection with performing duty specified in section 678(a)*
15 *of title 10, United States Code, or while undergoing train-*
16 *ing, or while performing drills or equivalent duty or other*
17 *duty, and expenses authorized by section 2131 of title 10,*
18 *United States Code; and for payments to the Department*
19 *of Defense Military Retirement Fund; \$3,222,422,000.*

20 *NATIONAL GUARD PERSONNEL, AIR FORCE*

21 *For pay, allowances, clothing, subsistence, gratuities,*
22 *travel, and related expenses for personnel of the Air Na-*
23 *tional Guard on duty under section 265, 8021, or 8496 of*
24 *title 10 or section 708 of title 32, United States Code, or*
25 *while serving on duty under section 672(d) of title 10 or*

1 *section 502(f) of title 32, United States Code, in connection*
2 *with performing duty specified in section 678(a) of title 10,*
3 *United States Code, or while undergoing training, or while*
4 *performing drills or equivalent duty or other duty, and ex-*
5 *penses authorized by section 2131 of title 10, United States*
6 *Code; and for payments to the Department of Defense Mili-*
7 *tary Retirement Fund; \$1,259,627,000.*

8 *TITLE II*

9 *OPERATION AND MAINTENANCE*

10 *OPERATION AND MAINTENANCE, ARMY*

11 *(INCLUDING TRANSFER OF FUNDS)*

12 *For expenses, not otherwise provided for, necessary for*
13 *the operation and maintenance of the Army, as authorized*
14 *by law; and not to exceed \$14,437,000 can be used for emer-*
15 *gencies and extraordinary expenses, to be expended on the*
16 *approval or authority of the Secretary of the Army, and*
17 *payments may be made on his certificate of necessity for*
18 *confidential military purposes; \$17,947,229,000 and, in ad-*
19 *dition, \$50,000,000 shall be derived by transfer from the*
20 *National Defense Stockpile Transaction Fund: Provided,*
21 *That of the funds appropriated in this paragraph, not less*
22 *than \$388,599,000 shall be made available only for conven-*
23 *tional ammunition care and maintenance: Provided fur-*
24 *ther, That of the funds provided under this heading,*
25 *\$1,418,000,000 shall be available only for Real Property*

1 *Maintenance activities, and shall remain available for obli-*
2 *gation until September 30, 1997: Provided further, That not*
3 *less than \$15,000,000 shall be made available only for the*
4 *implementation and execution of the 1988 agreement be-*
5 *tween the Department of the Army and National Presto In-*
6 *dustries Inc. for the remediation of environmental contami-*
7 *nation at the National Presto Industries Inc. site at Eau*
8 *Claire, WI. These funds shall be made available no later*
9 *than sixty days following the enactment of this Act: Pro-*
10 *vided further, That of the funds provided under this head-*
11 *ing, \$500,000 may be available for the Life Sciences Equip-*
12 *ment Laboratory, Kelly Air Force Base, Texas, for work*
13 *in support of the Joint Task Force–Full Accounting.*

14 *OPERATION AND MAINTENANCE, NAVY*

15 *(INCLUDING TRANSFER OF FUNDS)*

16 *For expenses, not otherwise provided for, necessary for*
17 *the operation and maintenance of the Navy and the Marine*
18 *Corps, as authorized by law; and not to exceed \$4,151,000*
19 *can be used for emergencies and extraordinary expenses, to*
20 *be expended on the approval or authority of the Secretary*
21 *of the Navy, and payments may be made on his certificate*
22 *of necessity for confidential military purposes;*
23 *\$21,195,301,000 and, in addition, \$50,000,000 shall be de-*
24 *rived by transfer from the National Defense Stockpile*
25 *Transaction Fund: Provided, That of the funds provided*

1 *under this heading, \$1,150,000,000 shall be available only*
2 *for Real Property Maintenance activities, and shall remain*
3 *available for obligation until September 30, 1997: Provided*
4 *further, That, of the funds appropriated under this heading,*
5 *not more than \$12,200,000 shall be available only for pay-*
6 *ing the costs of terminating Project ELF.*

7 *OPERATION AND MAINTENANCE, MARINE CORPS*

8 *For expenses, not otherwise provided for, necessary for*
9 *the operation and maintenance of the Marine Corps, as au-*
10 *thorized by law; \$2,341,737,000: Provided, That of the*
11 *funds provided under this heading, \$366,800,000 shall be*
12 *available only for Real Property Maintenance activities,*
13 *and shall remain available for obligation until September*
14 *30, 1997.*

15 *OPERATION AND MAINTENANCE, AIR FORCE*

16 *(INCLUDING TRANSFER OF FUNDS)*

17 *For expenses, not otherwise provided for, necessary for*
18 *the operation and maintenance of the Air Force, as author-*
19 *ized by law; and not to exceed \$8,326,000 can be used for*
20 *emergencies and extraordinary expenses, to be expended on*
21 *the approval or authority of the Secretary of the Air Force,*
22 *and payments may be made on his certificate of necessity*
23 *for confidential military purposes; \$18,202,437,000 and, in*
24 *addition, \$50,000,000 shall be derived by transfer from the*
25 *National Defense Stockpile Transaction Fund: Provided,*

1 *That the Secretary of the Air Force may acquire all right,*
2 *title, and interest of any party in and to parcels of real*
3 *property, including improvements thereon, consisting of not*
4 *more than 92 acres, located near King Salmon Air Force*
5 *Station for the purpose of conducting a response action in*
6 *accordance with the Comprehensive Environmental Re-*
7 *sponse, Compensation, and Liability Act (42 U.S.C. 9601-*
8 *9675) and the Air Force Installation Restoration Program:*
9 *Provided further, That of the funds provided under this*
10 *heading, \$1,633,000,000 shall be available only for Real*
11 *Property Maintenance activities, and shall be available for*
12 *obligation until September 30, 1997: Provided further, That*
13 *from within the funds appropriated under this heading, the*
14 *Air Force may enter into a long-term lease or purchase*
15 *agreement to replace the existing fleet of VC-137 aircraft.*

16 *OPERATION AND MAINTENANCE, DEFENSE-WIDE*

17 *For expenses, not otherwise provided for, necessary for*
18 *the operation and maintenance of activities and agencies*
19 *of the Department of Defense (other than the military de-*
20 *partments), as authorized by law; \$9,804,068,000, of which*
21 *not to exceed \$25,000,000 may be available for the CINC*
22 *initiative fund account; and of which not to exceed*
23 *\$28,588,000 can be used for emergencies and extraordinary*
24 *expenses, to be expended on the approval or authority of*
25 *the Secretary of Defense, and payments may be made on*

1 *his certificate of necessity for confidential military pur-*
2 *poses: Provided, That of the funds appropriated under this*
3 *heading, \$20,000,000 shall be made available only for use*
4 *in federally owned education facilities located on military*
5 *installations for the purpose of transferring title of such fa-*
6 *cilities to the local education agency: Provided further, That*
7 *of the funds provided under this heading, \$169,800,000*
8 *shall be available only for Real Property Maintenance ac-*
9 *tivities, and shall remain available for obligation until Sep-*
10 *tember 30, 1997: Provided further, That of the funds appro-*
11 *priated in this paragraph, \$11,200,000 shall be available*
12 *for the Joint Analytic Model Improvement Program: Pro-*
13 *vided further, That of the funds appropriated in this para-*
14 *graph, \$10,000,000 shall be available for the Troops-to-Cops*
15 *program: Provided further, That of the funds provided*
16 *under this heading, \$42,000,000 shall be available for the*
17 *Troops-to-Teachers program.*

18 *OPERATION AND MAINTENANCE, ARMY RESERVE*

19 *For expenses, not otherwise provided for, necessary for*
20 *the operation and maintenance, including training, organi-*
21 *zation, and administration, of the Army Reserve; repair of*
22 *facilities and equipment; hire of passenger motor vehicles;*
23 *travel and transportation; care of the dead; recruiting; pro-*
24 *curement of services, supplies, and equipment; and commu-*
25 *nications; \$1,068,312,000: Provided, That of the funds pro-*

1 vided under this heading, \$47,589,000 shall be available
2 only for Real Property Maintenance activities, and shall
3 remain available for obligation until September 30, 1997.

4 OPERATION AND MAINTENANCE, NAVY RESERVE

5 For expenses, not otherwise provided for, necessary for
6 the operation and maintenance, including training, organi-
7 zation, and administration, of the Navy Reserve; repair of
8 facilities and equipment; hire of passenger motor vehicles;
9 travel and transportation; care of the dead; recruiting; pro-
10 curement of services, supplies, and equipment; and commu-
11 nications; \$826,042,000: Provided, That of the funds pro-
12 vided under this heading, \$31,954,000 shall be available
13 only for Real Property Maintenance activities, and shall
14 remain available for obligation until September 30, 1997.

15 OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

16 For expenses, not otherwise provided for, necessary for
17 the operation and maintenance, including training, organi-
18 zation, and administration, of the Marine Corps Reserve;
19 repair of facilities and equipment; hire of passenger motor
20 vehicles; travel and transportation; care of the dead; recruit-
21 ing; procurement of services, supplies, and equipment; and
22 communications; \$90,283,000: Provided, That of the funds
23 provided under this heading, \$4,911,000 shall be available
24 only for Real Property Maintenance activities, and shall
25 remain available for obligation until September 30, 1997.

1 *OPERATION AND MAINTENANCE, AIR FORCE RESERVE*

2 *For expenses, not otherwise provided for, necessary for*
3 *the operation and maintenance, including training, organi-*
4 *zation, and administration, of the Air Force Reserve; repair*
5 *of facilities and equipment; hire of passenger motor vehicles;*
6 *travel and transportation; care of the dead; recruiting; pro-*
7 *curement of services, supplies, and equipment; and commu-*
8 *nications; \$1,485,947,000: Provided, That of the funds pro-*
9 *vided under this heading, \$63,062,000 shall be available*
10 *only for Real Property Maintenance activities, and shall*
11 *remain available for obligation until September 30, 1997.*

12 *OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD*

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

1 *fication, maintenance, and issue of supplies and equipment*
2 *(including aircraft); \$2,361,708,000: Provided, That of the*
3 *funds provided under this heading, \$150,188,000 shall be*
4 *available only for Real Property Maintenance activities,*
5 *and shall be available for obligation until September 30,*
6 *1997.*

7 *OPERATION AND MAINTENANCE, AIR NATIONAL GUARD*

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

1 *\$2,724,021,000: Provided, That of the funds provided under*
2 *this heading, \$85,571,000 shall be available only for Real*
3 *Property Maintenance activities, and shall remain avail-*
4 *able for obligation until September 30, 1997.*

5 *UNITED STATES COURT OF APPEALS FOR THE ARMED*
6 *FORCES*

7 *For salaries and expenses necessary for the United*
8 *States Court of Appeals for the Armed Forces; \$6,521,000,*
9 *of which not to exceed \$2,500 can be used for official rep-*
10 *resentation purposes.*

11 *ENVIRONMENTAL RESTORATION, DEFENSE*
12 *(INCLUDING TRANSFER OF FUNDS)*

13 *For the Department of Defense; \$1,487,000,000, to re-*
14 *main available until transferred: Provided, That the Sec-*
15 *retary of Defense shall, upon determining that such funds*
16 *are required for environmental restoration, reduction and*
17 *recycling of hazardous waste, removal of unsafe buildings*
18 *and debris of the Department of Defense, or for similar pur-*
19 *poses (including programs and operations at sites formerly*
20 *used by the Department of Defense), transfer the funds made*
21 *available by this appropriation to other appropriations*
22 *made available to the Department of Defense, to be merged*
23 *with and to be available for the same purposes and for the*
24 *same period as the appropriations of funds to which trans-*
25 *ferred, as follows:*

1 *HUMANITARIAN ASSISTANCE*

2 *For training and activities related to the clearing of*
3 *landmines for humanitarian purposes, \$60,000,000.*

4 *FORMER SOVIET UNION THREAT REDUCTION*

5 *For assistance to the republics of the former Soviet*
6 *Union, including assistance provided by contract or by*
7 *grants, for facilitating the elimination and the safe and se-*
8 *cure transportation and storage of nuclear, chemical and*
9 *other weapons; for providing incentives for demilitariza-*
10 *tion; for establishing programs to prevent the proliferation*
11 *of weapons, weapons components, and weapon-related tech-*
12 *nology and expertise; for programs relating to the training*
13 *and support of defense and military personnel for demili-*
14 *tarization and protection of weapons, weapons components*
15 *and weapons technology and expertise; \$325,000,000 to re-*
16 *main available until expended.*

17 *TITLE III*18 *PROCUREMENT*19 *AIRCRAFT PROCUREMENT, ARMY*

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

1 *lands and interests therein, may be acquired, and construc-*
2 *tion prosecuted thereon prior to approval of title; and pro-*
3 *curement and installation of equipment, appliances, and*
4 *machine tools in public and private plants; reserve plant*
5 *and Government and contractor-owned equipment layaway;*
6 *and other expenses necessary for the foregoing purposes;*
7 *\$1,498,623,000, to remain available for obligation until*
8 *September 30, 1998.*

9 *MISSILE PROCUREMENT, ARMY*

10 *For construction, procurement, production, modifica-*
11 *tion, and modernization of missiles, equipment, including*
12 *ordnance, ground handling equipment, spare parts, and ac-*
13 *cessories therefor; specialized equipment and training de-*
14 *vices; expansion of public and private plants, including the*
15 *land necessary therefor, for the foregoing purposes, and such*
16 *lands and interests therein, may be acquired, and construc-*
17 *tion prosecuted thereon prior to approval of title; and pro-*
18 *curement and installation of equipment, appliances, and*
19 *machine tools in public and private plants; reserve plant*
20 *and Government and contractor-owned equipment layaway;*
21 *and other expenses necessary for the foregoing purposes;*
22 *\$846,555,000, to remain available for obligation until Sep-*
23 *tember 30, 1998.*

1 *curement and installation of equipment, appliances, and*
2 *machine tools in public and private plants; reserve plant*
3 *and Government and contractor-owned equipment layaway;*
4 *and other expenses necessary for the foregoing purposes;*
5 *\$1,090,891,000, to remain available for obligation until*
6 *September 30, 1998.*

7 *OTHER PROCUREMENT, ARMY*

8 *For construction, procurement, production, and modi-*
9 *fication of vehicles, including tactical, support, and*
10 *nontracked combat vehicles; the purchase of not to exceed*
11 *41 passenger motor vehicles for replacement only; commu-*
12 *nications and electronic equipment; other support equip-*
13 *ment; spare parts, ordnance, and accessories therefor; spe-*
14 *cialized equipment and training devices; expansion of pub-*
15 *lic and private plants, including the land necessary there-*
16 *for, for the foregoing purposes, and such lands and interests*
17 *therein, may be acquired, and construction prosecuted*
18 *thereon prior to approval of title; and procurement and in-*
19 *stallation of equipment, appliances, and machine tools in*
20 *public and private plants; reserve plant and Government*
21 *and contractor-owned equipment layaway; and other ex-*
22 *penses necessary for the foregoing purposes; \$2,760,002,000,*
23 *to remain available for obligation until September 30,*
24 *1998.*

1 *AIRCRAFT PROCUREMENT, NAVY*

2 *For construction, procurement, production, modifica-*
3 *tion, and modernization of aircraft, equipment, including*
4 *ordnance, spare parts, and accessories therefor; specialized*
5 *equipment; expansion of public and private plants, includ-*
6 *ing the land necessary therefor, and such lands and inter-*
7 *ests therein, may be acquired, and construction prosecuted*
8 *thereon prior to approval of title; and procurement and in-*
9 *stallation of equipment, appliances, and machine tools in*
10 *public and private plants; reserve plant and Government*
11 *and contractor-owned equipment layaway; \$4,897,393,000,*
12 *to remain available for obligation until September 30,*
13 *1998.*

14 *WEAPONS PROCUREMENT, NAVY*

15 *For construction, procurement, production, modifica-*
16 *tion, and modernization of missiles, torpedoes, other weap-*
17 *ons, other ordnance and ammunition, and related support*
18 *equipment including spare parts, and accessories therefor;*
19 *expansion of public and private plants, including the land*
20 *necessary therefor, and such lands and interests therein,*
21 *may be acquired, and construction prosecuted thereon prior*
22 *to approval of title; and procurement and installation of*
23 *equipment, appliances, and machine tools in public and*
24 *private plants; reserve plant and Government and contrac-*

1 *tor-owned equipment layaway; \$1,771,421,000, to remain*
2 *available for obligation until September 30, 1998.*

3 *SHIPBUILDING AND CONVERSION, NAVY*

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

16 *For continuation of the SSN-21 attack sub-*
17 *marine program, \$700,000,000;*

18 *NSSN-1 (AP) \$704,498,000;*

19 *NSSN-2 (AP) \$100,000,000;*

20 *CVN Refuelings, \$221,988,000;*

21 *DDG-51 destroyer program, \$3,586,800,000;*

22 *LHD-1 amphibious assault ship program,*
23 *\$1,300,000,000; and*

24 *For craft, outfitting, post delivery, conversions,*
25 *and first destination transportation, \$448,715,000;*

1 *in all: \$7,062,001,000, to remain available for obligation*
2 *until September 30, 2000: Provided, That additional obli-*
3 *gations may be incurred after September 30, 2000, for engi-*
4 *neering services, tests, evaluations, and other such budgeted*
5 *work that must be performed in the final stage of ship con-*
6 *struction: Provided further, That none of the funds herein*
7 *provided for the construction or conversion of any naval*
8 *vessel to be constructed in shipyards in the United States*
9 *shall be expended in foreign facilities for the construction*
10 *of major components of such vessel: Provided further, That*
11 *none of the funds herein provided shall be used for the con-*
12 *struction of any naval vessel in foreign shipyards.*

13 *OTHER PROCUREMENT, NAVY*

14 *For procurement, production, and modernization of*
15 *support equipment and materials not otherwise provided*
16 *for, Navy ordnance (except ordnance for new aircraft, new*
17 *ships, and ships authorized for conversion); the purchase*
18 *of not to exceed 252 passenger motor vehicles for replace-*
19 *ment only; expansion of public and private plants, includ-*
20 *ing the land necessary therefor, and such lands and inter-*
21 *ests therein, may be acquired, and construction prosecuted*
22 *thereon prior to approval of title; and procurement and in-*
23 *stallation of equipment, appliances, and machine tools in*
24 *public and private plants; reserve plant and Government*
25 *and contractor-owned equipment layaway; \$2,394,260,000,*

1 *to remain available for obligation until September 30,*
2 *1998.*

3 *PROCUREMENT, MARINE CORPS*

4 *For expenses necessary for the procurement, manufac-*
5 *ture, and modification of missiles, armament, military*
6 *equipment, spare parts, and accessories therefor; plant*
7 *equipment, appliances, and machine tools, and installation*
8 *thereof in public and private plants; reserve plant and Gov-*
9 *ernment and contractor-owned equipment layaway; vehicles*
10 *for the Marine Corps, including the purchase of not to ex-*
11 *ceed 194 passenger motor vehicles for replacement only; and*
12 *expansion of public and private plants, including land nec-*
13 *essary therefor, and such lands and interests therein, may*
14 *be acquired and construction prosecuted thereon prior to*
15 *approval of title; \$597,139,000, to remain available for obli-*
16 *gation until September 30, 1998.*

17 *AIRCRAFT PROCUREMENT, AIR FORCE*

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

1 *may be acquired, and construction prosecuted thereon prior*
2 *to approval of title; reserve plant and Government and con-*
3 *tractor-owned equipment layaway; and other expenses nec-*
4 *essary for the foregoing purposes including rents and trans-*
5 *portation of things; \$7,163,258,000, to remain available for*
6 *obligation until September 30, 1998.*

7 *MISSILE PROCUREMENT, AIR FORCE*

8 *For construction, procurement, and modification of*
9 *missiles, spacecraft, rockets, ammunition, and related*
10 *equipment, including spare parts and accessories therefor,*
11 *ground handling equipment, and training devices; expan-*
12 *sion of public and private plants, Government-owned equip-*
13 *ment and installation thereof in such plants, erection of*
14 *structures, and acquisition of land, for the foregoing pur-*
15 *poses, and such lands and interests therein, may be ac-*
16 *quired, and construction prosecuted thereon prior to ap-*
17 *proval of title; reserve plant and Government and contrac-*
18 *tor-owned equipment layaway; and other expenses nec-*
19 *essary for the foregoing purposes including rents and trans-*
20 *portation of things; \$3,550,192,000, to remain available for*
21 *obligation until September 30, 1998.*

22 *OTHER PROCUREMENT, AIR FORCE*

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

1 *supplies, materials, and spare parts therefor, not otherwise*
2 *provided for; the purchase of not to exceed 385 passenger*
3 *motor vehicles for replacement only; the purchase of 1 vehi-*
4 *cle required for physical security of personnel, notwith-*
5 *standing price limitations applicable to passenger vehicles*
6 *but not to exceed \$260,000 per vehicle; and expansion of*
7 *public and private plants, Government-owned equipment*
8 *and installation thereof in such plants, erection of struc-*
9 *tures, and acquisition of land, for the foregoing purposes,*
10 *and such lands and interests therein, may be acquired, and*
11 *construction prosecuted thereon, prior to approval of title;*
12 *reserve plant and Government and contractor-owned equip-*
13 *ment layaway; \$6,540,951,000, to remain available for obli-*
14 *gation until September 30, 1998.*

15 *PROCUREMENT, DEFENSE-WIDE*

16 *For expenses of activities and agencies of the Depart-*
17 *ment of Defense (other than the military departments) nec-*
18 *essary for procurement, production, and modification of*
19 *equipment, supplies, materials, and spare parts therefor,*
20 *not otherwise provided for; the purchase of not to exceed*
21 *451 passenger motor vehicles, of which 447 shall be for re-*
22 *placement only; expansion of public and private plants,*
23 *equipment, and installation thereof in such plants, erection*
24 *of structures, and acquisition of land for the foregoing pur-*
25 *poses, and such lands and interests therein, may be ac-*

1 *quired, and construction prosecuted thereon prior to ap-*
2 *proval of title; reserve plant and Government and contrac-*
3 *tor-owned equipment layaway; \$2,114,824,000, to remain*
4 *available for obligation until September 30, 1998.*

5 *NATIONAL GUARD AND RESERVE EQUIPMENT*

6 *For procurement of aircraft, missiles, tracked combat*
7 *vehicles, ammunition, other weapons, and other procure-*
8 *ment for the reserve components of the Armed Forces;*
9 *\$777,000,000, to remain available for obligation until Sep-*
10 *tember 30, 1998: Provided, That the Chiefs of the Reserve*
11 *and National Guard components shall, not later than De-*
12 *cember 1, 1995, individually submit to the congressional*
13 *defense committees the modernization priority assessment*
14 *for their respective Reserve or National Guard component.*

15 *TITLE IV*

16 *RESEARCH, DEVELOPMENT, TEST AND*

17 *EVALUATION*

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

19 *For expenses necessary for basic and applied scientific*
20 *research, development, test and evaluation, including main-*
21 *tenance, rehabilitation, lease, and operation of facilities*
22 *and equipment, as authorized by law; \$4,639,131,000, to*
23 *remain available for obligation until September 30, 1997:*
24 *Provided, That of the funds appropriated in this paragraph*
25 *for the Other Missile Product Improvement Program pro-*

1 gram element, \$10,000,000 is provided only for the full
2 qualification and operational platform certification of Non-
3 Developmental Item (NDI) composite 2.75 inch rocket mo-
4 tors and composite propellant pursuant to the initiation
5 of a Product Improvement Program (PIP) for the Hydra-
6 70 rocket.

7 RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

8 For expenses necessary for basic and applied scientific
9 research, development, test and evaluation, including main-
10 tenance, rehabilitation, lease, and operation of facilities
11 and equipment, as authorized by law; \$8,282,051,000, to
12 remain available for obligation until September 30, 1997:
13 Provided, That of the funds provided in Public Law 103-
14 355, in title IV, under the heading Research, Development,
15 Test and Evaluation, Navy, \$5,000,000 shall be made avail-
16 able as a grant only to the Marine and Environmental Re-
17 search and Training Station (MERTS) for laboratory and
18 other efforts associated with research, development, and
19 other programs of major importance to the Department of
20 Defense: Provided further, That of the funds appropriated
21 under this heading, \$45,458,000 shall be made available for
22 the Intercooled Recuperative Turbine Engine Project.

1 RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR
2 FORCE

3 For expenses necessary for basic and applied scientific
4 research, development, test and evaluation, including main-
5 tenance, rehabilitation, lease, and operation of facilities
6 and equipment, as authorized by law; \$13,087,389,000, to
7 remain available for obligation until September 30, 1997.

8 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
9 DEFENSE-WIDE

10 For expenses of activities and agencies of the Depart-
11 ment of Defense (other than the military departments), nec-
12 essary for basic and applied scientific research, develop-
13 ment, test and evaluation; advanced research projects as
14 may be designated and determined by the Secretary of De-
15 fense, pursuant to law; maintenance, rehabilitation, lease,
16 and operation of facilities and equipment, as authorized by
17 law; \$9,196,784,000, to remain available for obligation
18 until September 30, 1997: Provided, That of the funds ap-
19 propriated in this paragraph, \$35,000,000 shall be avail-
20 able for the Corps Surface-to-Air Missile (Corps SAM) pro-
21 gram: Provided further, That of the funds appropriated in
22 this paragraph, \$3,000,000 shall be available for the Large
23 Millimeter Telescope project: Provided further, That of the
24 funds appropriated in this paragraph, not more than
25 \$48,505,000 shall be available for the Strategic Environ-

1 *mental Research Program program element activities and*
2 *not more than \$34,302,000 shall be available for Technical*
3 *Studies, Support and Analysis program element activities:*
4 *Provided further, That of the \$475,470,000 appropriated in*
5 *this paragraph for the Other Theater Missile Defense, up*
6 *to \$25,000,000 may be available for the operation of the*
7 *Battlefield Integration Center: Provided further, That the*
8 *funds made available under the second proviso under this*
9 *heading in Public Law 103-335 (108 Stat. 2613) shall also*
10 *be available to cover the reasonable costs of the administra-*
11 *tion of loan guarantees referred to in that proviso and shall*
12 *be available to cover such costs of administration and the*
13 *costs of such loan guarantees until September 30, 1998: Pro-*
14 *vided further, That of the funds appropriated in this para-*
15 *graph for the Ballistic Missile Defense Organization,*
16 *\$10,000,000 shall only be available to continue program ac-*
17 *tivities and launch preparation efforts under the Strategic*
18 *Target System (STARS) program.*

19 *DEVELOPMENTAL TEST AND EVALUATION, DEFENSE*

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

1 *therewith; \$246,082,000, to remain available for obligation*
2 *until September 30, 1997.*

3 *OPERATIONAL TEST AND EVALUATION, DEFENSE*

4 *For expenses, not otherwise provided for, necessary for*
5 *the independent activities of the Director, Operational Test*
6 *and Evaluation in the direction and supervision of oper-*
7 *ational test and evaluation, including initial operational*
8 *test and evaluation which is conducted prior to, and in sup-*
9 *port of, production decisions; joint operational testing and*
10 *evaluation; and administrative expenses in connection*
11 *therewith; \$22,587,000, to remain available for obligation*
12 *until September 30, 1997.*

13 *TITLE V*

14 *REVOLVING AND MANAGEMENT FUNDS*

15 *DEFENSE BUSINESS OPERATIONS FUND*

16 *For the Defense Business Operations Fund;*
17 *\$1,178,700,000: Provided, That of the funds appropriated*
18 *under this heading, \$300,000,000 shall be available only to*
19 *support the national defense missions of the Coast Guard,*
20 *while operating in conjunction with and in support of the*
21 *Navy: Provided further, That pursuant to the authorities*
22 *provided under this heading, the Secretary of the Navy shall*
23 *make available to the Coast Guard ship and aviation fuel,*
24 *spare parts, munitions, ship stores, commissary goods, ship*

1 *and aircraft repair services to ensure the national defense*
2 *capabilities and preparedness of the Coast Guard.*

3 *NATIONAL DEFENSE SEALIFT FUND*

4 *For National Defense Sealift Fund programs, projects,*
5 *and activities, and for expenses of the National Defense Re-*
6 *serve Fleet, as established by section 11 of the Merchant*
7 *Ship Sales Act of 1946 (50 U.S.C. App. 1774);*
8 *\$1,024,220,000, to remain available until expended: Pro-*
9 *vided, That the Secretary of the Navy may obligate not to*
10 *exceed \$110,000,000 from available appropriations to the*
11 *Navy for the procurement of one additional MPS ship.*

12 *TITLE VI*

13 *OTHER DEPARTMENT OF DEFENSE PROGRAMS*

14 *DEFENSE HEALTH PROGRAM*

15 *For expenses, not otherwise provided for, for medical*
16 *and health care programs of the Department of Defense, as*
17 *authorized by law; \$10,196,558,000, of which*
18 *\$9,908,525,000 shall be for Operation and maintenance, of*
19 *which \$288,033,000, to remain available for obligation*
20 *until September 30, 1998, shall be for Procurement: Pro-*
21 *vided, That of the funds appropriated under this heading,*
22 *\$14,500,000 shall be made available for obtaining emer-*
23 *gency communications services for members of the Armed*
24 *Forces and their families from the American National Red*
25 *Cross as authorized by law.*

1 *be available for conversion of surplus helicopters of the De-*
2 *partment of Defense for procurement by State and local gov-*
3 *ernments for counter-drug activities: Provided further, That*
4 *the funds appropriated by this paragraph shall be available*
5 *for obligation for the same time period and for the same*
6 *purpose as the appropriation to which transferred: Pro-*
7 *vided further, That the transfer authority provided in this*
8 *paragraph is in addition to any transfer authority con-*
9 *tained elsewhere in this Act.*

10 *OFFICE OF THE INSPECTOR GENERAL*

11 *For expenses and activities of the Office of the Inspec-*
12 *tor General in carrying out the provisions of the Inspector*
13 *General Act of 1978, as amended; \$139,226,000, of which*
14 *\$138,226,000 shall be for Operation and maintenance, of*
15 *which not to exceed \$400,000 is available for emergencies*
16 *and extraordinary expenses to be expended on the approval*
17 *or authority of the Inspector General, and payments may*
18 *be made on his certificate of necessity for confidential mili-*
19 *tary purposes; and of which \$1,000,000, to remain available*
20 *until September 30, 1998, shall be for Procurement.*

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TITLE VII

RELATED AGENCIES

*CENTRAL INTELLIGENCE AGENCY RETIREMENT AND
DISABILITY SYSTEM FUND*

For payment to the Central Intelligence Agency Retirement and Disability System Fund, to maintain proper funding level for continuing the operation of the Central Intelligence Agency Retirement and Disability System; \$213,900,000.

NATIONAL SECURITY EDUCATION TRUST FUND

For the purposes of title VIII of Public Law 102-183, \$7,500,000, to be derived from the National Security Education Trust Fund, to remain available until expended.

COMMUNITY MANAGEMENT ACCOUNT

For necessary expenses of the Community Management Account; \$98,283,000.

*KAHO'OLAWA ISLAND CONVEYANCE, REMEDIATION, AND
ENVIRONMENTAL RESTORATION TRUST FUND*

For payment to the Kaho'olawe Island Conveyance, Remediation, and Environmental Restoration Trust Fund, as authorized by law, \$25,000,000, to remain available until expended.

TITLE VIII

GENERAL PROVISIONS

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

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

1 *nied by Congress: Provided further, That the Secretary of*
2 *Defense shall notify the Congress promptly of all transfers*
3 *made pursuant to this authority or any other authority in*
4 *this Act: Provided further, That no part of the funds in*
5 *this Act shall be available to prepare or present a request*
6 *to the Committees on Appropriations for reprogramming*
7 *of funds, unless for higher priority items, based on unfore-*
8 *seen military requirements, than those for which originally*
9 *appropriated and in no case where the item for which*
10 *reprogramming is requested has been denied by the Con-*
11 *gress.*

12 (TRANSFER OF FUNDS)

13 *SEC. 8006. During the current fiscal year, cash bal-*
14 *ances in working capital funds of the Department of De-*
15 *fense established pursuant to section 2208 of title 10, United*
16 *States Code, may be maintained in only such amounts as*
17 *are necessary at any time for cash disbursements to be made*
18 *from such funds: Provided, That transfers may be made be-*
19 *tween such funds and the "Foreign Currency Fluctuations,*
20 *Defense" and "Operation and Maintenance" appropriation*
21 *accounts in such amounts as may be determined by the Sec-*
22 *retary of Defense, with the approval of the Office of Manage-*
23 *ment and Budget, except that such transfers may not be*
24 *made unless the Secretary of Defense has notified the Con-*
25 *gress of the proposed transfer. Except in amounts equal to*
26 *the amounts appropriated to working capital funds in this*

1 *Act, no obligations may be made against a working capital*
2 *fund to procure or increase the value of war reserve mate-*
3 *rial inventory, unless the Secretary of Defense has notified*
4 *the Congress prior to any such obligation.*

5 *SEC. 8007. Using funds available by this Act or any*
6 *other Act, the Secretary of the Air Force, pursuant to a*
7 *determination under section 2690 of title 10, United States*
8 *Code, may implement cost-effective agreements for required*
9 *heating facility modernization in the Kaiserslautern Mili-*
10 *tary Community in the Federal Republic of Germany: Pro-*
11 *vided, That in the City of Kaiserslautern such agreements*
12 *will include the use of United States anthracite as the base*
13 *load energy for municipal district heat to the United States*
14 *Defense installations: Provided further, That at Landstuhl*
15 *Army Regional Medical Center and Ramstein Air Base,*
16 *furnished heat may be obtained from private, regional or*
17 *municipal services, if provisions are included for the con-*
18 *sideration of United States coal as an energy source: Pro-*
19 *vided further, That none of the funds available to the De-*
20 *partment of Defense in this Act shall be used by the Sec-*
21 *retary of a military department to purchase coal or coke*
22 *from foreign nations for use at United States defense facili-*
23 *ties in Europe when coal from the United States is avail-*
24 *able.*

1 *SEC. 8008. Funds appropriated by this Act may not*
2 *be used to initiate a special access program without prior*
3 *notification 30 calendar days in session in advance to the*
4 *Committees on Appropriations, Armed Services, and Na-*
5 *tional Security of the Senate and House of Representatives.*

6 *SEC. 8009. None of the funds contained in this Act*
7 *available for the Civilian Health and Medical Program of*
8 *the Uniformed Services shall be available for payments to*
9 *physicians and other authorized individual health care pro-*
10 *viders in excess of the amounts allowed in fiscal year 1994*
11 *for similar services, except that: (a) for services for which*
12 *the Secretary of Defense determines an increase is justified*
13 *by economic circumstances, the allowable amounts may be*
14 *increased in accordance with appropriate economic index*
15 *data similar to that used pursuant to title XVIII of the*
16 *Social Security Act; and (b) for services the Secretary deter-*
17 *mines are overpriced based on allowable payments under*
18 *title XVIII of the Social Security Act, the allowable*
19 *amounts shall be reduced by not more than 15 percent (ex-*
20 *cept that the reduction may be waived if the Secretary de-*
21 *termines that it would impair adequate access to health*
22 *care services for beneficiaries). The Secretary shall solicit*
23 *public comment prior to promulgating regulations to imple-*
24 *ment this section. Such regulations shall include a limita-*
25 *tion, similar to that used under title XVIII of the Social*

1 *Security Act, on the extent to which a provider may bill*
2 *a beneficiary an actual charge in excess of the allowable*
3 *amount.*

4 *SEC. 8010. None of the funds provided in this Act shall*
5 *be available to initiate (1) a multiyear contract that em-*
6 *ploy economic order quantity procurement in excess of*
7 *\$20,000,000 in any one year of the contract or that includes*
8 *an unfunded contingent liability in excess of \$20,000,000,*
9 *or (2) a contract for advance procurement leading to a*
10 *multiyear contract that employs economic order quantity*
11 *procurement in excess of \$20,000,000 in any one year, un-*
12 *less the Committees on Appropriations and Armed Services*
13 *of the Senate and House of Representatives have been noti-*
14 *fied at least thirty days in advance of the proposed contract*
15 *award: Provided, That no part of any appropriation con-*
16 *tained in this Act shall be available to initiate a multiyear*
17 *contract for which the economic order quantity advance*
18 *procurement is not funded at least to the limits of the Gov-*
19 *ernment's liability: Provided further, That no part of any*
20 *appropriation contained in this Act shall be available to*
21 *initiate multiyear procurement contracts for any systems*
22 *or component thereof if the value of the multiyear contract*
23 *would exceed \$500,000,000 unless specifically provided in*
24 *this Act: Provided further, That no multiyear procurement*
25 *contract can be terminated without 10-day prior notifica-*

1 *tion to the Committees on Appropriations and Armed Serv-*
2 *ices of the House of Representatives and the Senate: Pro-*
3 *vided further, That the execution of multiyear authority*
4 *shall require the use of a present value analysis to deter-*
5 *mine lowest cost compared to an annual procurement.*

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

8 *UH-60 Blackhawk helicopter;*

9 *Apache Longbow helicopter; and*

10 *M1A2 tank upgrade.*

11 *SEC. 8011. Within the funds appropriated for the oper-*
12 *ation and maintenance of the Armed Forces, funds are here-*
13 *by appropriated pursuant to section 401 of title 10, United*
14 *States Code, for humanitarian and civic assistance costs*
15 *under chapter 20 of title 10, United States Code. Such funds*
16 *may also be obligated for humanitarian and civic assist-*
17 *ance costs incidental to authorized operations and pursuant*
18 *to authority granted in section 401 of chapter 20 of title*
19 *10, United States Code, and these obligations shall be re-*
20 *ported to Congress on September 30 of each year: Provided,*
21 *That funds available for operation and maintenance shall*
22 *be available for providing humanitarian and similar assist-*
23 *ance by using Civic Action Teams in the Trust Territories*
24 *of the Pacific Islands and freely associated states of Micro-*
25 *nesia, pursuant to the Compact of Free Association as*

1 *authorized by Public Law 99-239: Provided further, That*
2 *upon a determination by the Secretary of the Army that*
3 *such action is beneficial for graduate medical education*
4 *programs conducted at Army medical facilities located in*
5 *Hawaii, the Secretary of the Army may authorize the pro-*
6 *vision of medical services at such facilities and transpor-*
7 *tation to such facilities, on a nonreimbursable basis, for ci-*
8 *vilian patients from American Samoa, the Commonwealth*
9 *of the Northern Mariana Islands, the Marshall Islands, the*
10 *Federated States of Micronesia, Palau, and Guam.*

11 *SEC. 8012. None of the funds provided in this Act shall*
12 *be available either to return any IOWA Class Battleships*
13 *to the Naval Register, or to retain the logistical support*
14 *necessary for support of any IOWA Class Battleships in*
15 *active service.*

16 *SEC. 8013. (a) The provisions of section 115(a)(4) of*
17 *title 10, United States Code, shall not apply with respect*
18 *to fiscal year 1996 or with respect to the appropriation of*
19 *funds for that year.*

20 *(b) During fiscal year 1996, the civilian personnel of*
21 *the Department of Defense may not be managed on the basis*
22 *of any end-strength, and the management of such personnel*
23 *during that fiscal year shall not be subject to any constraint*
24 *or limitation (known as an end-strength) on the number*

1 of such personnel who may be employed on the last day
2 of such fiscal year.

3 (c) The fiscal year 1997 budget request for the Depart-
4 ment of Defense as well as all justification material and
5 other documentation supporting the fiscal year 1997 De-
6 partment of Defense budget request shall be prepared and
7 submitted to the Congress as if subsections (a) and (b) of
8 this provision were effective with regard to fiscal year 1996.

9 SEC. 8014. Notwithstanding any other provision of
10 law, none of the funds made available by this Act shall be
11 used by the Department of Defense to exceed, outside the
12 fifty United States, its territories, and the District of Co-
13 lumbia, 125,000 civilian workyears: Provided, That
14 workyears shall be applied as defined in the Federal Person-
15 nel Manual: Provided further, That workyears expended in
16 dependent student hiring programs for disadvantaged
17 youths shall not be included in this workyear limitation.

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

22 SEC. 8016. None of the funds appropriated by this Act,
23 during the current fiscal year and hereafter, shall be obli-
24 gated for the pay of any individual who is initially em-
25 ployed after the date of enactment of this Act as a techni-

1 *cian in the administration and training of the Army Re-*
2 *serve and the maintenance and repair of supplies issued*
3 *to the Army Reserve unless such individual is also a mili-*
4 *tary member of the Army Reserve troop program unit that*
5 *he or she is employed to support. Those technicians em-*
6 *ployed by the Army Reserve in areas other than Army Re-*
7 *serve troop program units need only be members of the Se-*
8 *lected Reserve.*

9 *SEC. 8017. Notwithstanding any other provision of*
10 *law, during the current fiscal year and hereafter, the Sec-*
11 *retaries of the Army and Air Force may authorize the reten-*
12 *tion in an active status until age sixty of any person who*
13 *would otherwise be removed from an active status and who*
14 *is employed as a National Guard or Reserve technician in*
15 *a position in which active status in a reserve component*
16 *of the Army or Air Force is required as a condition of that*
17 *employment.*

18 *SEC. 8018. (a) None of the funds appropriated by this*
19 *Act shall be used to make contributions to the Department*
20 *of Defense Education Benefits Fund pursuant to section*
21 *2006(g) of title 10, United States Code, representing the*
22 *normal cost for future benefits under section 1415(c) of title*
23 *38, United States Code, for any member of the armed serv-*
24 *ices who, on or after the date of enactment of this Act—*

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

3 (2) receives an enlistment bonus under section
4 308a or 308f of title 37, United States Code,

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

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

1 completion of a service commitment: Provided, That this
2 subsection shall not apply to those members who have reen-
3 listed with this option prior to October 1, 1987: Provided
4 further, That this subsection applies only to active compo-
5 nents of the Army.

6 *SEC. 8019. Funds appropriated in this Act shall be*
7 *available for the payment of not more than 75 percent of*
8 *the charges of a postsecondary educational institution for*
9 *the tuition or expenses of an officer in the Ready Reserve*
10 *of the Army National Guard or Army Reserve for education*
11 *or training during his off-duty periods, except that no part*
12 *of the charges may be paid unless the officer agrees to re-*
13 *main a member of the Ready Reserve for at least four years*
14 *after completion of such training or education.*

15 *SEC. 8020. None of the funds appropriated by this Act*
16 *shall be available to convert to contractor performance an*
17 *activity or function of the Department of Defense that, on*
18 *or after the date of enactment of this Act, is performed by*
19 *more than ten Department of Defense civilian employees*
20 *until a most efficient and cost-effective organization analy-*
21 *sis is completed on such activity or function and certifi-*
22 *cation of the analysis is made to the Committees on Appro-*
23 *priations of the House of Representatives and the Senate:*
24 *Provided, That this section shall not apply to a commercial*
25 *or industrial type function of the Department of Defense*

1 *that: (1) is included on the procurement list established pur-*
2 *suant to section 2 of the Act of June 25, 1938 (41 U.S.C.*
3 *47), popularly referred to as the Javits-Wagner-O'Day Act;*
4 *(2) is planned to be converted to performance by a qualified*
5 *nonprofit agency for the blind or by a qualified nonprofit*
6 *agency for other severely handicapped individuals in ac-*
7 *cordance with that Act; or (3) is planned to be converted*
8 *to performance by a qualified firm under 51 percent Native*
9 *American ownership.*

10 *SEC. 8021. Notwithstanding any other provision of*
11 *law, the Secretary of the Navy may use funds appropriated*
12 *to charter ships to be used as auxiliary minesweepers pro-*
13 *viding that the owner agrees that these ships may be acti-*
14 *vated as Navy Reserve ships with Navy Reserve crews used*
15 *in training exercises conducted in accordance with law and*
16 *policies governing Naval Reserve forces.*

17 *SEC. 8022. For the purposes of the Balanced Budget*
18 *and Emergency Deficit Control Act of 1985 (Public Law*
19 *99-177) as amended by the Balanced Budget and Emer-*
20 *gency Deficit Control Reaffirmation Act of 1987 (Public*
21 *Law 100-119) and by the Budget Enforcement Act of 1990*
22 *(Public Law 101-508), the term program, project, and ac-*
23 *tivity for appropriations contained in this Act shall be de-*
24 *finied as the most specific level of budget items identified*
25 *in the Department of Defense Appropriations Act, 1996, the*

1 accompanying House and Senate Committee reports, the
2 conference report and accompanying joint explanatory
3 statement of the managers of the Committee of Conference,
4 the related classified annexes and reports, and the P-1 and
5 R-1 budget justification documents as subsequently modi-
6 fied by Congressional action: Provided, That the following
7 exception to the above definition shall apply:

8 For the Military Personnel and the Operation and
9 Maintenance accounts, the term “program, project, and ac-
10 tivity” is defined as the appropriations accounts contained
11 in the Department of Defense Appropriations Act: Provided
12 further, That at the time the President submits his budget
13 for fiscal year 1997, the Department of Defense shall trans-
14 mit to the Committees on Appropriations and the Commit-
15 tees on Armed Services of the Senate and the House of Rep-
16 resentatives a budget justification document to be known
17 as the “O-1” which shall identify, at the budget activity,
18 activity group, and subactivity group level, the amounts re-
19 quested by the President to be appropriated to the Depart-
20 ment of Defense for operation and maintenance in any
21 budget request, or amended budget request, for fiscal year
22 1997.

23 SEC. 8023. Of the funds made available by this Act
24 in title III, Procurement, \$8,000,000, drawn pro rata from
25 each appropriations account in title III, shall be available

1 *for incentive payments authorized by section 504 of the In-*
2 *dian Financing Act of 1974, 25 U.S.C. 1544. These pay-*
3 *ments shall be available only to contractors which have sub-*
4 *mitted subcontracting plans pursuant to 15 U.S.C. 637(d),*
5 *and according to regulations which shall be promulgated*
6 *by the Secretary of Defense within 90 days of the passage*
7 *of this Act.*

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

16 *(TRANSFER OF FUNDS)*

17 *SEC. 8025. Notwithstanding any other provision of*
18 *law, the Department of Defense may transfer prior year,*
19 *unobligated balances and funds appropriated in this Act*
20 *to the operation and maintenance appropriations for the*
21 *purpose of providing military technician and Department*
22 *of Defense medical personnel pay and medical programs*
23 *(including CHAMPUS) the same exemption from sequestra-*
24 *tion set forth in the Balanced Budget and Emergency Defi-*
25 *cit Control Act of 1985 (Public Law 99-177) as amended*
26 *by the Balanced Budget and Emergency Deficit Control Re-*

1 *affirmation Act of 1987 (Public Law 100–119) and by the*
2 *Budget Enforcement Act of 1990 (Public Law 101–508) as*
3 *that granted the other military personnel accounts: Pro-*
4 *vided, That any transfer made pursuant to any use of the*
5 *authority provided by this provision shall be limited so that*
6 *the amounts reprogrammed to the operation and mainte-*
7 *nance appropriations do not exceed the amounts sequestered*
8 *under the Balanced Budget and Emergency Deficit Control*
9 *Act of 1985 (Public Law 99–177) as amended by the Bal-*
10 *anced Budget and Emergency Deficit Control Reaffirma-*
11 *tion Act of 1987 (Public Law 100–119) and by the Budget*
12 *Enforcement Act of 1990 (Public Law 101–508): Provided*
13 *further, That the authority to make transfers pursuant to*
14 *this section is in addition to the authority to make transfers*
15 *under other provisions of this Act: Provided further, That*
16 *the Secretary of Defense may proceed with such transfer*
17 *after notifying the Appropriations Committees of the House*
18 *of Representatives and the Senate twenty calendar days in*
19 *session before any such transfer of funds under this provi-*
20 *sion.*

21 *SEC. 8026. None of the funds available to the Depart-*
22 *ment of the Navy may be used to enter into any contract*
23 *for the overhaul, repair, or maintenance of any naval vessel*
24 *homeported on the West Coast of the United States which*

1 *includes charges for interport differential as an evaluation*
2 *factor for award.*

3 *SEC. 8027. None of the funds appropriated by this Act*
4 *available for the Civilian Health and Medical Program of*
5 *the Uniformed Services (CHAMPUS) shall be available for*
6 *the reimbursement of any health care provider for inpatient*
7 *mental health service for care received when a patient is*
8 *referred to a provider of inpatient mental health care or*
9 *residential treatment care by a medical or health care pro-*
10 *fessional having an economic interest in the facility to*
11 *which the patient is referred: Provided, That this limitation*
12 *does not apply in the case of inpatient mental health serv-*
13 *ices provided under the program for the handicapped under*
14 *subsection (d) of section 1079 of title 10, United States*
15 *Code, provided as partial hospital care, or provided pursu-*
16 *ant to a waiver authorized by the Secretary of Defense be-*
17 *cause of medical or psychological circumstances of the pa-*
18 *tient that are confirmed by a health professional who is not*
19 *a Federal employee after a review, pursuant to rules pre-*
20 *scribed by the Secretary, which takes into account the ap-*
21 *propriate level of care for the patient, the intensity of serv-*
22 *ices required by the patient, and the availability of that*
23 *care.*

24 *SEC. 8028. Funds available in this Act may be used*
25 *to provide transportation for the next-of-kin of individuals*

1 *who have been prisoners of war or missing in action from*
2 *the Vietnam era to an annual meeting in the United States,*
3 *under such regulations as the Secretary of Defense may pre-*
4 *scribe.*

5 *SEC. 8029. Notwithstanding any other provision of*
6 *law, funds available to the Department of Defense shall be*
7 *made available to provide transportation of medical sup-*
8 *plies and equipment, on a nonreimbursable basis, to Amer-*
9 *ican Samoa: Provided, That notwithstanding any other*
10 *provision of law, funds available to the Department of De-*
11 *fense shall be made available to provide transportation of*
12 *medical supplies and equipment, on a nonreimbursable*
13 *basis, to the Indian Health Service when it is in conjunc-*
14 *tion with a civil-military project.*

15 *SEC. 8030. Notwithstanding any other provision of*
16 *law, during the current fiscal year, the Secretary of Defense*
17 *may, by Executive Agreement, establish with host nation*
18 *governments in NATO member states a separate account*
19 *into which such residual value amounts negotiated in the*
20 *return of United States military installations in NATO*
21 *member states may be deposited, in the currency of the host*
22 *nation, in lieu of direct monetary transfers to the United*
23 *States Treasury: Provided, That such credits may be uti-*
24 *lized only for the construction of facilities to support United*
25 *States military forces in that host nation, or such real prop-*

1 erty maintenance and base operating costs that are cur-
2 rently executed through monetary transfers to such host na-
3 tions: Provided further, That the Department of Defense's
4 budget submission for fiscal year 1997 shall identify such
5 sums anticipated in residual value settlements, and identify
6 such construction, real property maintenance or base oper-
7 ating costs that shall be funded by the host nation through
8 such credits: Provided further, That all military construc-
9 tion projects to be executed from such accounts must be pre-
10 viously approved in a prior Act of Congress: Provided fur-
11 ther, That each such Executive Agreement with a NATO
12 member host nation shall be reported to the Committees on
13 Appropriations and Armed Services of the House of Rep-
14 resentatives and the Senate thirty days prior to the conclu-
15 sion and endorsement of any such agreement established
16 under this provision.

17 *SEC. 8031. None of the funds available to the Depart-*
18 *ment of Defense in this Act shall be used to demilitarize*
19 *or dispose of more than 310,784 unserviceable M-1 Garand*
20 *rifles and M-1 Carbines.*

21 *SEC. 8032. 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. 8033. None of the funds appropriated during the*
2 *current fiscal year and hereafter, may be used by the De-*
3 *partment of Defense to assign a supervisor's title or grade*
4 *when the number of people he or she supervises is considered*
5 *as a basis for this determination: Provided, That savings*
6 *that result from this provision are represented as such in*
7 *future budget proposals.*

8 *SEC. 8034. Notwithstanding any other provision of*
9 *law, each contract awarded by the Department of Defense*
10 *in fiscal year 1996 for construction or service performed*
11 *in whole or in part in a State which is not contiguous with*
12 *another State and has an unemployment rate in excess of*
13 *the national average rate of unemployment as determined*
14 *by the Secretary of Labor shall include a provision requir-*
15 *ing the contractor to employ, for the purpose of performing*
16 *that portion of the contract in such State that is not contig-*
17 *uous with another State, individuals who are residents of*
18 *such State and who, in the case of any craft or trade, pos-*
19 *sess or would be able to acquire promptly the necessary*
20 *skills: Provided, That the Secretary of Defense may waive*
21 *the requirements of this section in the interest of national*
22 *security.*

23 *SEC. 8035. During the current fiscal year, funds ap-*
24 *propriated or otherwise available for any Federal agency,*
25 *the Congress, the judicial branch, or the District of Colum-*

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

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

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

13 *(A) Federal service under section 331, 332,*
14 *333, 3500, or 8500 of title 10, or other provision*
15 *of law, as applicable, or*

16 *(B) full-time military service for his State,*
17 *the District of Columbia, the Commonwealth of*
18 *Puerto Rico, or a territory of the United States;*
19 *and*

20 *(3) requests and is granted—*

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

22 *or*

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

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

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

9 *SEC. 8036. None of the funds appropriated by this Act*
10 *shall be available to perform any cost study pursuant to*
11 *the provisions of OMB Circular A-76 if the study being*
12 *performed exceeds a period of twenty-four months after ini-*
13 *tiation of such study with respect to a single function activ-*
14 *ity or forty-eight months after initiation of such study for*
15 *a multi-function activity.*

16 *SEC. 8037. Funds appropriated by this Act for the*
17 *American Forces Information Service shall not be used for*
18 *any national or international political or psychological ac-*
19 *tivities.*

20 *SEC. 8038. Notwithstanding any other provision of*
21 *law or regulation, the Secretary of Defense may adjust wage*
22 *rates for civilian employees hired for certain health care*
23 *occupations as authorized for the Secretary of Veterans Af-*
24 *fairs by section 7455 of title 38, United States Code.*

1 *SEC. 8039. Of the funds made available in this Act,*
2 *not less than \$24,197,000 shall be available for the Civil*
3 *Air Patrol, of which \$14,259,000 shall be available for Op-*
4 *eration and Maintenance.*

5 *SEC. 8040. None of the funds appropriated or made*
6 *available in this Act shall be used to reduce or disestablish*
7 *the operation of the 53rd Weather Reconnaissance Squad-*
8 *ron of the Air Force Reserve, if such action would reduce*
9 *the WC-130 Weather Reconnaissance mission below the lev-*
10 *els funded in this Act.*

11 *SEC. 8041. (a) Of the funds for the procurement of sup-*
12 *plies or services appropriated by this Act, qualified non-*
13 *profit agencies for the blind or other severely handicapped*
14 *shall be afforded the maximum practicable opportunity to*
15 *participate as subcontractors and suppliers in the perform-*
16 *ance of contracts let by the Department of Defense.*

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

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

8 SEC. 8042. During the current fiscal year, net receipts
9 pursuant to collections from third party payers pursuant
10 to section 1095 of title 10, United States Code, shall be
11 made available to the local facility of the uniformed services
12 responsible for the collections and shall be over and above
13 the facility’s direct budget amount.

14 SEC. 8043. Notwithstanding any other provision of
15 law, of the funds appropriated for the Defense Health Pro-
16 gram during this fiscal year and hereafter, the amount pay-
17 able for services provided under this section shall not be
18 less than the amount calculated under the coordination of
19 benefits reimbursement formula utilized when CHAMPUS
20 is a secondary payor to medical insurance programs other
21 than Medicare, and such appropriations as necessary shall
22 be available (notwithstanding the last sentence of section
23 1086(c) of title 10, United States Code) to continue Civilian
24 Health and Medical Program of the Uniformed Services
25 (CHAMPUS) benefits, until age 65, under such section for

1 *a former member of a uniformed service who is entitled to*
2 *retired or retainer pay or equivalent pay, or a dependent*
3 *of such a member, or any other beneficiary described by*
4 *section 1086(c) of title 10, United States Code, who becomes*
5 *eligible for hospital insurance benefits under part A of title*
6 *XVIII of the Social Security Act (42 U.S.C. 1395 et seq.)*
7 *solely on the grounds of physical disability, or end stage*
8 *renal disease: Provided, That expenses under this section*
9 *shall only be covered to the extent that such expenses are*
10 *not covered under parts A and B of title XVIII of the Social*
11 *Security Act and are otherwise covered under CHAMPUS:*
12 *Provided further, That no reimbursement shall be made for*
13 *services provided prior to October 1, 1991.*

14 *SEC. 8044. During the current fiscal year, the Depart-*
15 *ment of Defense is authorized to incur obligations of not*
16 *to exceed \$250,000,000 for purposes specified in section*
17 *2350j(c) of title 10, United States Code, in anticipation of*
18 *receipt of contributions, only from the Government of Ku-*
19 *wait, under that section: Provided, That, upon receipt, such*
20 *contributions from the Government of Kuwait shall be cred-*
21 *ited to the appropriation or fund which incurred such obli-*
22 *gations.*

23 *SEC. 8045. None of the unobligated balances available*
24 *in the National Defense Stockpile Transaction Fund during*
25 *the current fiscal year may be obligated or expended to fi-*

1 nance any grant or contract to conduct research, develop-
2 ment, test and evaluation activities for the development or
3 production of advanced materials, unless amounts for such
4 purposes are specifically appropriated in a subsequent ap-
5 propriations Act.

6 *SEC. 8046. For the purposes of this Act, the term “con-*
7 *gressional defense committees” means the National Security*
8 *Committee of the House of Representatives, the Armed Serv-*
9 *ices Committee of the Senate, the subcommittee on Defense*
10 *of the Committee on Appropriations of the Senate, and the*
11 *Subcommittee on National Security of the Committee on*
12 *Appropriations of the House of Representatives.*

13 *SEC. 8047. Notwithstanding any other provision of*
14 *law, during the current fiscal year, the Department of De-*
15 *fense may acquire the modification, depot maintenance and*
16 *repair of aircraft, vehicles and vessels as well as the produc-*
17 *tion of components and other Defense-related articles,*
18 *through competition between Department of Defense depot*
19 *maintenance activities and private firms: Provided, That*
20 *the Senior Acquisition Executive of the military depart-*
21 *ment or defense agency concerned, with power of delegation,*
22 *shall certify that successful bids include comparable esti-*
23 *mates of all direct and indirect costs for both public and*
24 *private bids: Provided further, That Office of Management*

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

3 *SEC. 8048. None of the funds appropriated by this Act*
4 *shall be used for the support of any nonappropriated funds*
5 *activity of the Department of Defense that procures malt*
6 *beverages and wine with nonappropriated funds for resale*
7 *(including such alcoholic beverages sold by the drink) on*
8 *a military installation located in the United States unless*
9 *such malt beverages and wine are procured within that*
10 *State, or in the case of the District of Columbia, within*
11 *the District of Columbia, in which the military installation*
12 *is located: Provided, That in a case in which the military*
13 *installation is located in more than one State, purchases*
14 *may be made in any State in which the installation is lo-*
15 *cated: Provided further, That such local procurement re-*
16 *quirements for malt beverages and wine shall apply to all*
17 *alcoholic beverages only for military installations in States*
18 *which are not contiguous with another State: Provided fur-*
19 *ther, That alcoholic beverages other than wine and malt bev-*
20 *erages, in contiguous States and the District of Columbia*
21 *shall be procured from the most competitive source, price*
22 *and other factors considered.*

23 *SEC. 8049. Appropriations contained in this Act that*
24 *remain available at the end of the current fiscal year as*
25 *a result of energy cost savings realized by the Department*

1 *of Defense shall remain available for obligation for the next*
2 *fiscal year to the extent, and for the purposes, provided in*
3 *section 2865 of title 10, United States Code.*

4 *SEC. 8050. During the current fiscal year, voluntary*
5 *separation incentives payable under 10 U.S.C. 1175 may*
6 *be paid in such amounts as are necessary from the assets*
7 *of the Voluntary Separation Incentive Fund established by*
8 *section 1175(h)(1).*

9 *(INCLUDING TRANSFER OF FUNDS)*

10 *SEC. 8051. Amounts deposited during the current fis-*
11 *cal year and hereafter to the special account established*
12 *under 40 U.S.C. 485(h)(2) and to the special account estab-*
13 *lished under 10 U.S.C. 2667(d)(1) are appropriated and*
14 *shall be available until transferred by the Secretary of De-*
15 *fense to current applicable appropriations or funds of the*
16 *Department of Defense under the terms and conditions spec-*
17 *ified by 40 U.S.C. 485(h)(2) (A) and (B) and 10 U.S.C.*
18 *2667(d)(1)(B), to be merged with and to be available for*
19 *the same time period and the same purposes as the appro-*
20 *priation to which transferred.*

21 *SEC. 8052. None of the funds in this or any other Act*
22 *shall be available for the preparation of studies on—*

23 *(a) the feasibility of removal and transportation*
24 *of unitary chemical weapons from the eight chemical*
25 *storage sites within the continental United States to*
26 *Johnston Atoll: Provided, That this prohibition shall*

1 *not apply to General Accounting Office studies re-*
2 *quested by a Member of Congress or a Congressional*
3 *Committee; and*

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

10 *SEC. 8053. During the current fiscal year, appropria-*
11 *tions available to the Department of Defense may be used*
12 *to reimburse a member of a reserve component of the Armed*
13 *Forces who is not otherwise entitled to travel and transpor-*
14 *tation allowances and who occupies transient government*
15 *housing while performing active duty for training or inac-*
16 *tive duty training: Provided, That such members may be*
17 *provided lodging in kind if transient government quarters*
18 *are unavailable as if the member was entitled to such allow-*
19 *ances under subsection (a) of section 404 of title 37, United*
20 *States Code: Provided further, That if lodging in kind is*
21 *provided, any authorized service charge or cost of such lodg-*
22 *ing may be paid directly from funds appropriated for oper-*
23 *ation and maintenance of the reserve component of the*
24 *member concerned.*

1 *SEC. 8054. For fiscal year 1996, the total amount ap-*
2 *propriated to fund the Uniformed Services Treatment Fa-*
3 *cilities program, operated pursuant to section 911 of Public*
4 *Law 97-99 (42 U.S.C. 248c), is limited to \$329,000,000,*
5 *of which not more than \$300,000,000 may be provided by*
6 *the funds appropriated by this Act.*

7 *SEC. 8055. Notwithstanding any other provision of*
8 *law, the Naval shipyards of the United States shall be eligi-*
9 *ble to participate in any manufacturing extension program*
10 *financed by funds appropriated in this or any other Act.*

11 *SEC. 8056. During the current fiscal year, amounts*
12 *contained in the Department of Defense Overseas Military*
13 *Facility Investment Recovery Account established by section*
14 *2921(c)(1) of the National Defense Authorization Act of*
15 *1991 (Public Law 101-510; 10 U.S.C. 2687 note) shall be*
16 *available until expended for the payments specified by sec-*
17 *tion 2921(c)(2) of that Act.*

18 *SEC. 8057. During the current fiscal year, annual*
19 *payments granted under the provisions of section 4416 of*
20 *the National Defense Authorization Act for Fiscal Year*
21 *1993 (Public Law 102-428; 106 Stat. 2714) shall be made*
22 *from appropriations in this Act which are available for the*
23 *pay of reserve component personnel.*

24 *SEC. 8058. During the current fiscal year, appropria-*
25 *tions available for the pay and allowances of active duty*

1 *members of the Armed Forces shall be available to pay the*
2 *retired pay which is payable pursuant to section 4403 of*
3 *Public Law 102-484 (10 U.S.C. 1293 note) under the terms*
4 *and conditions provided in section 4403.*

5 *SEC. 8059. None of the funds provided in this Act shall*
6 *be available for use by a Military Department to modify*
7 *an aircraft, weapon, ship or other item of equipment, that*
8 *the Military Department concerned plans to retire or other-*
9 *wise dispose of within five years after completion of the*
10 *modification: Provided, That this prohibition shall not*
11 *apply to safety modifications: Provided further, That this*
12 *prohibition may be waived by the Secretary of a Military*
13 *Department if the Secretary determines it is in the best na-*
14 *tional security interest of the United States to provide such*
15 *waiver and so notifies the congressional defense committees*
16 *in writing.*

17 *SEC. 8060. None of the funds appropriated by this Act*
18 *for programs of the Central Intelligence Agency shall re-*
19 *main available for obligation beyond the current fiscal year,*
20 *except for funds appropriated for the Reserve for Contin-*
21 *gencies, which shall remain available until September 30,*
22 *1997.*

23 *SEC. 8061. Notwithstanding any other provision of*
24 *law, funds made available in this Act for the Defense Intel-*
25 *ligence Agency may be used for the design, development, and*

1 *deployment of General Defense Intelligence Program intel-*
2 *ligence communications and intelligence information sys-*
3 *tems for the Services, the Unified and Specified Commands,*
4 *and the component commands.*

5 *SEC. 8062. (a) None of the funds appropriated or oth-*
6 *erwise made available in this Act may be used to transport*
7 *or provide for the transportation of chemical munitions to*
8 *the Johnston Atoll for the purpose of storing or demilitariz-*
9 *ing such munitions.*

10 *(b) The prohibition in subsection (a) shall not apply*
11 *to any obsolete World War II chemical munition of the*
12 *United States found in the World War II Pacific Theater*
13 *of Operations.*

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

17 *SEC. 8063. Amounts collected for the use of the facili-*
18 *ties of the National Science Center for Communications and*
19 *Electronics during the current fiscal year pursuant to sec-*
20 *tion 1459(g) of the Department of Defense Authorization*
21 *Act, 1986 and deposited to the special account established*
22 *under subsection 1459(g)(2) of that Act are appropriated*
23 *and shall be available until expended for the operation and*
24 *maintenance of the Center as provided for in subsection*
25 *1459(g)(2).*

1 *SEC. 8064. None of the funds appropriated in this Act*
2 *may be expended by an entity of the Department of Defense*
3 *unless the entity, in expending the funds, complies with the*
4 *Buy American Act. For purposes of this subsection, the term*
5 *“Buy American Act” means title III of the Act entitled “An*
6 *Act making appropriations for the Treasury and Post Of-*
7 *fice Departments for the fiscal year ending June 30, 1934,*
8 *and for other purposes”, approved March 3, 1933 (41*
9 *U.S.C. 10a et seq.).*

10 *SEC. 8065. Of the funds appropriated to the Depart-*
11 *ment of Defense under the heading “Operation and Mainte-*
12 *nance, Defense-Wide”, not less than \$8,000,000 shall be*
13 *made available only for the mitigation of environmental*
14 *impacts, including training and technical assistance to*
15 *tribes, related administrative support, the gathering of in-*
16 *formation, documenting of environmental damage, and de-*
17 *veloping a system for prioritization of mitigation, on In-*
18 *dian lands resulting from Department of Defense activities.*

19 *SEC. 8066. None of the funds appropriated by this Act*
20 *shall be available for a contract for studies, analyses, or*
21 *consulting services entered into without competition on the*
22 *basis of an unsolicited proposal unless the head of the activ-*
23 *ity responsible for the procurement determines—*

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

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

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

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

21 *SEC. 8067. To the extent authorized in law, the Sec-*
22 *retary of Defense shall issue loan guarantees in support of*
23 *U.S. defense exports not otherwise provided for: Provided,*
24 *That the total contingent liability of the United States for*
25 *guarantees issues under the authority of this section may*

1 *not exceed \$15,000,000,000: Provided further, That the ex-*
2 *posure fees charged and collected by the Secretary for each*
3 *guarantee, shall be paid by the country involved and shall*
4 *not be financed as part of a loan guaranteed by the United*
5 *States: Provided further, That the Secretary shall provide*
6 *quarterly reports to the Committees on Appropriations,*
7 *Armed Services and Foreign Relations of the Senate and*
8 *the Committees of Appropriations, National Security and*
9 *International Relations in the House of Representatives on*
10 *the implementation of this program.*

11 *SEC. 8068. Funds appropriated by this Act for intel-*
12 *ligence activities are deemed to be specifically authorized*
13 *by the Congress for purposes of section 504 of the National*
14 *Security Act of 1947 (50 U.S.C. 414) during fiscal year*
15 *1996 until the enactment of the Intelligence Authorization*
16 *Act for fiscal year 1996.*

17 *SEC. 8069. None of the funds provided in this Act may*
18 *be obligated or expended for the sale of zinc in the National*
19 *Defense Stockpile if zinc commodity prices decline more*
20 *than five percent below the London Metals Exchange market*
21 *price reported on the date of enactment of this Act.*

22 *SEC. 8070. During the current fiscal year, funds ap-*
23 *propriated in this Act are available to compensate members*
24 *of the National Guard for duty performed pursuant to a*
25 *plan submitted by a Governor of a State and approved by*

1 *the Secretary of Defense under section 112 of title 32, United*
2 *States Code: Provided, That during the performance of*
3 *such duty, the members of the National Guard shall be*
4 *under State command and control: Provided further, That*
5 *such duty shall be treated as full-time National Guard duty*
6 *for purposes of sections 3686(2) and 8686(2) of title 10,*
7 *United States Code.*

8 *SEC. 8071. Funds appropriated in this Act for oper-*
9 *ation and maintenance of the Military Departments, Uni-*
10 *fied and Specified Commands and Defense Agencies shall*
11 *be available for reimbursement of pay, allowances, and*
12 *other expenses which would otherwise be incurred against*
13 *appropriations of the National Guard and Reserve when*
14 *members of the National Guard and Reserve provide intel-*
15 *ligence support to Unified Commands, Defense Agencies*
16 *and Joint Intelligence Activities, including the activities*
17 *and programs included within the General Defense Intel-*
18 *ligence Program and the Consolidated Cryptologic Pro-*
19 *gram: Provided, That nothing in this section authorizes de-*
20 *viation from established Reserve and National Guard per-*
21 *sonnel and training procedures.*

22 *SEC. 8072. All refunds or other amounts collected in*
23 *the administration of the Civilian Health and Medical Pro-*
24 *gram of the Uniformed Services (CHAMPUS) shall be cred-*
25 *ited to current year appropriations.*

1 (RESCISSION)

2 *SEC. 8073. Of the funds provided in Department of*
3 *Defense Appropriations Acts, the following funds are hereby*
4 *rescinded from the following accounts in the specified*
5 *amounts:*

6 *“Procurement of Ammunition, Army, 1993/*
7 *1995”, \$15,000,000;*

8 *“Aircraft Procurement, Air Force, 1994/1996”,*
9 *\$53,654,000;*

10 *“Aircraft Procurement, Air Force, 1995/1997”,*
11 *\$53,100,000;*

12 *“Shipbuilding and Conversion, Navy, 1991/*
13 *1995”, \$13,570,000;*

14 *“Other Procurement, Navy, 1995/1997”,*
15 *\$8,600,000;*

16 *“Research, Development, Test and Evaluation,*
17 *Army, 1994/1995”, \$242,000;*

18 *“Research, Development, Test and Evaluation,*
19 *Army, 1995/1996”, \$11,156,000;*

20 *“Research, Development, Test and Evaluation,*
21 *Navy, 1994/1995”, \$4,416,000;*

22 *“Research, Development, Test and Evaluation,*
23 *Navy, 1995/1996”, \$10,150,000;*

24 *“Research, Development, Test and Evaluation,*
25 *Air Force, 1994/1995”, \$46,589,000; and*

1 *“Research, Development, Test and Evaluation,*
2 *Air Force, 1995/1996”*, \$15,767,000.

3 *SEC. 8074. None of the funds in this or any other Act*
4 *may be used to implement the plan to reorganize the re-*
5 *gional headquarters and basic camps structure of the Re-*
6 *serve Officer Training Corps program of the Army until*
7 *the Comptroller General of the United States has certified*
8 *to the congressional defense committees that the methodology*
9 *and evaluation of the potential sites were consistent with*
10 *the established criteria for the consolidation, that all data*
11 *used by the Army in the evaluation was accurate and com-*
12 *plete, and that the conclusions reached are based upon the*
13 *total costs of the Army’s final plan to establish the Eastern*
14 *Reserve Officer Training Corps Headquarters at Fort*
15 *Benning, Georgia: Provided, That all cost, including Mili-*
16 *tary Construction, shall be considered as well as an analysis*
17 *of the impact of the consolidation on the surrounding com-*
18 *munities for all affected installations.*

19 *SEC. 8075. During the current fiscal year, the mini-*
20 *imum number of personnel employed as military reserve*
21 *technicians (as defined in section 8401(30) of title 5, United*
22 *States Code) for reserve components as of the last day of*
23 *the fiscal year shall be as follows:*

24 *For the Army National Guard, 25,750;*

25 *For the Army Reserve, 7,000;*

1 *For the Air National Guard, 23,250; and*

2 *For the Air Force Reserve, 10,000:*

3 *Provided, That in addition to funds provided elsewhere in*
4 *this Act, the following amounts are appropriated to the fol-*
5 *lowing accounts only for the pay of military reserve techni-*
6 *cians (as defined in section 8401(30) of title 5, United*
7 *States Code):*

8 *Operation and Maintenance, Army Reserve,*
9 *\$24,822,000;*

10 *Operation and Maintenance, Air Force Reserve,*
11 *\$12,800,000;*

12 *Operation and Maintenance, Army National*
13 *Guard, \$27,628,000; and*

14 *Operation and Maintenance, Air National*
15 *Guard, \$30,800,000.*

16 *SEC. 8076. None of the funds appropriated or other-*
17 *wise made available in this Act may be obligated or ex-*
18 *pended for assistance to or programs in the Democratic*
19 *People's Republic of North Korea unless specifically appro-*
20 *priated for that purpose: Provided, That the Secretary of*
21 *Defense and the Secretaries of the military services must*
22 *notify the congressional defense committees within 24 hours*
23 *of any obligation, transfer, or expenditure of funds in excess*
24 *of \$500,000 pursuant to authorities granted for emergency*

1 *and extraordinary requirements provided in title II of this*
2 *Act.*

3 *SEC. 8077. (a) None of the funds appropriated in this*
4 *Act are available to establish a new FFRDC, either as a*
5 *new entity, or as a separate entity administered by an or-*
6 *ganization managing another FFRDC, or as a nonprofit*
7 *membership corporation consisting of a consortium of other*
8 *FFRDCs and other nonprofit entities.*

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

21 *(c) Notwithstanding any other provision of law, none*
22 *of the funds available to the Department of Defense from*
23 *any source during fiscal year 1996 may be used by a defense*
24 *FFRDC, through a fee or other payment mechanism, for*
25 *charitable contributions, for construction of new buildings,*

1 *for payment of cost sharing for projects funded by govern-*
2 *ment grants, or for absorption of contract overruns.*

3 *(d) Notwithstanding any other provision of law, of the*
4 *amounts available to the Department of Defense during fis-*
5 *cal year 1996, not more than \$1,162,650,000 may be obli-*
6 *gated for financing activities of defense FFRDCs: Provided,*
7 *That the total amounts appropriated in titles II, III, and*
8 *IV of this Act are hereby reduced by \$90,000,000 to reflect*
9 *the funding ceiling contained in this subsection.*

10 *SEC. 8078. During the current fiscal year, none of the*
11 *funds appropriated in this Act may be used to reduce the*
12 *civilian medical and medical support personnel assigned to*
13 *military treatment facilities below the September 30, 1995*
14 *level.*

15 *(TRANSFER OF FUNDS)*

16 *SEC. 8079. Upon enactment of this Act, the Secretary*
17 *of Defense shall make the following transfers of funds: Pro-*
18 *vided, That the amounts transferred shall be available for*
19 *the same purposes as the appropriations to which trans-*
20 *ferred, and for the same time period as the appropriation*
21 *from which transferred: Provided further, That the amounts*
22 *shall be transferred between the following appropriations in*
23 *the amount specified:*

24 *From:*

25 *Under the heading, "Shipbuilding and Conver-*
26 *sion, Navy, 1986/1990":*

1 *SSN-688 attack submarine program,*
2 *\$5,051,000;*

3 *CG-47 cruiser program, \$2,500,000;*

4 *BB battleship reactivation, \$4,000,000;*

5 *T-AGOS SURTASS ship program,*
6 *\$2,135,000;*

7 *LCAC landing craft air cushion program,*
8 *\$4,800,000;*

9 *For craft, outfitting, post delivery, and cost*
10 *growth, \$8,660,000;*

11 *Weapons Procurement, Navy, 1994/1996,*
12 *\$30,900,000;*

13 *Other Procurement, Navy, 1994/1996,*
14 *\$9,200,000;*

15 *Aircraft procurement, Navy, 1994/1996,*
16 *\$2,056,000;*

17 *To:*

18 *Under the heading, "Shipbuilding and Conver-*
19 *sion, Navy, 1986/1990":*

20 *MSH coastal mine hunter program,*
21 *\$69,302,000;*

22 *From:*

23 *Under the heading, "Shipbuilding and Conver-*
24 *sion, Navy, 1988/1992":*

1 *SSN-688 attack submarine program,*
2 *\$1,500,000;*

3 *To:*

4 *Under the heading, “Shipbuilding and Conver-*
5 *sion, Navy, 1988/1992”:*

6 *T-ACS auxiliary crane ship program,*
7 *\$1,500,000;*

8 *From:*

9 *Under the heading, “Shipbuilding and Conver-*
10 *sion, Navy, 1989/1993”:*

11 *SSN-688 attack submarine program,*
12 *\$23,535,000;*

13 *DDG-51 destroyer program, \$33,700,000;*

14 *T-AO fleet oiler program, \$38,969,000;*

15 *To:*

16 *Under the heading, “Shipbuilding and Conver-*
17 *sion, Navy, 1989/1993”:*

18 *SSN-21 attack submarine program,*
19 *\$65,886,000;*

20 *MHC coastal mine hunter program,*
21 *\$30,318,000;*

22 *From:*

23 *Under the heading, “Shipbuilding and Conver-*
24 *sion, Navy, 1990/1994”:*

1 *SSN-688 attack submarine program,*
2 *\$1,907,000;*

3 *DDG-51 destroyer program, \$22,669,000;*

4 *For craft, outfitting and post delivery,*
5 *\$3,900,000;*

6 *Aircraft Procurement, Navy, 1994/1996,*
7 *\$17,944,000;*

8 *Procurement of Ammunition, Navy and*
9 *Marine Corps, 1995/1997, \$5,116,000;*

10 *To:*

11 *Under the heading, "Shipbuilding and Conver-*
12 *sion, Navy, 1990/1994":*

13 *MHC coastal mine hunter, \$9,536,000;*

14 *T-AGOS surveillance ship program,*
15 *\$42,000,000;*

16 *From:*

17 *Under the heading, "Shipbuilding and Conver-*
18 *sion, Navy, 1991/1995":*

19 *SSN-21 attack submarine program,*
20 *\$18,330,000;*

21 *To:*

22 *Under the heading, "Shipbuilding and Conver-*
23 *sion, Navy, 1991/1995":*

24 *LHD-1 amphibious assault ship program,*
25 *\$6,178,000;*

1 MHC coastal mine hunter program,
2 \$12,152,000;

3 From:

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

6 DDG-51 destroyer program, \$5,315,000;

7 For craft, outfitting, post delivery, and
8 DBOF transfer, \$9,675,000;

9 For escalation, \$3,347,000;

10 Weapons Procurement, Navy, 1995/1997,
11 \$7,500,000;

12 Procurement, Marine Corps, 1995/1997,
13 \$378,000;

14 Other Procurement, Navy, 1995/1997,
15 \$355,000;

16 Aircraft Procurement, Navy, 1995/1997,
17 \$3,600,000;

18 Research, Development, Test and Evalua-
19 tion, Navy, 1995/1996, \$5,600,000;

20 To:

21 Under the heading, "Shipbuilding and Conver-
22 sion, Navy, 1992/1996":

23 MHC coastal mine hunter program,
24 \$35,770,000;

25 From:

1 Under the heading, “Shipbuilding and Conver-
2 sion, Navy, 1993/1997”:

3 LSD-41 cargo variant ship program,
4 \$1,600,000;

5 For craft, outfitting, post delivery, and first
6 destination transportation, and inflation adjust-
7 ments, \$5,627,000;

8 Procurement of Ammunition, Navy and
9 Marine Corps, 1995/1997, \$1,784,000;

10 Other Procurement, Navy, 1995/1997,
11 \$645,000.

12 To:

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

15 DDG-51 destroyer program, \$7,356,000;

16 AOE combat support ship program,
17 \$2,300,000;

18 From:

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

21 MCS(C) program, \$5,300,000;

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

24 Nuclear submarine main steam condensor
25 industrial base, \$900,000;

1 *To:*

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

4 *LHD program, \$6,200,000.*

5 *SEC. 8080. The Department shall include, in the oper-*
6 *ation of TRICARE Regions 7/8, a region-wide wraparound*
7 *care package that requires providers of residential treat-*
8 *ment services to share financial risk through case rate reim-*
9 *bursement, to include planning and individualized wrap-*
10 *around services to prevent recidivism.*

11 *SEC. 8081. None of the funds available to the Depart-*
12 *ment of Defense shall be available to make progress pay-*
13 *ments based on costs to large business concerns at rates*
14 *lower than 85 percent on contract solicitations issued after*
15 *enactment of this Act.*

16 *SEC. 8082. Notwithstanding any other provision of*
17 *law, the Department of Defense shall execute payment in*
18 *not more than 24 days after receipt of a proper invoice.*

19 *SEC. 8083. Funds provided in title II of this Act for*
20 *real Property Maintenance may be obligated and expended*
21 *for the renovation, refurbishment and modernization of*
22 *bachelor enlisted living quarters up to a level of \$1,000,000*
23 *per facility project.*

24 *SEC. 8084. None of the funds appropriated by this Act*
25 *may be used to carry out the ship depot maintenance solici-*

1 *tation policy issued by the Secretary of the Navy in a*
2 *memorandum dated 16 June 1995.*

3 *SEC. 8085. None of the funds appropriated by this Act*
4 *may be used for the procurement of ball and roller bearings*
5 *other than those produced by a domestic source and of do-*
6 *mestic origin.*

7 *SEC. 8086. None of the funds appropriated or other-*
8 *wise made available under this Act may be used for the*
9 *destruction of pentaborane currently stored at Edwards Air*
10 *Force Base, California, until the Secretary of Energy cer-*
11 *tifies to the congressional defense committees that the Sec-*
12 *retary does not intend to use the pentaborane or the by-*
13 *products of such destruction at the Idaho National Engi-*
14 *neering Laboratory for—*

15 *(1) environmental remediation of high level, liq-*
16 *uid radioactive waste; or*

17 *(2) as a source of raw materials for boron drugs*
18 *for Boron Neutron Capture Therapy.*

19 *SEC. 8087. (a) ENERGY SAVINGS AT FEDERAL FACILI-*
20 *TIES.—The head of each agency for which funds are made*
21 *available under this Act shall take all actions necessary to*
22 *achieve during fiscal year 1996 a 5 percent reduction, from*
23 *fiscal year 1995 levels, in the energy costs of the facilities*
24 *used by the agency.*

1 (b) *USE OF COST SAVINGS.*—An amount equal to the
2 amount of cost savings realized by an agency under sub-
3 section (a) shall remain available for obligation through the
4 end of fiscal year 1997, without further authorization or
5 appropriation, as follows:

6 (1) *CONSERVATION MEASURES.*—Fifty percent of
7 the amount shall remain available for the implemen-
8 tation of additional energy conservation measures
9 and for water conservation measures at such facilities
10 used by the agency as are designated by the head of
11 the agency.

12 (2) *OTHER PURPOSES.*—Fifty percent of the
13 amount shall remain available for use by the agency
14 for such purposes as are designated by the head of the
15 agency, consistent with applicable law.

16 (c) *REPORT.*—

17 (1) *IN GENERAL.*—Not later than December 31,
18 1996, the head of each agency described in subsection
19 (a) shall submit a report to Congress specifying the
20 results of the actions taken under subsection (a) and
21 providing any recommendations concerning how to
22 further reduce energy costs and energy consumption
23 in the future.

24 (2) *CONTENTS.*—Each report shall—

1 (A) specify the total energy costs of the fa-
2 cilities used by the agency;

3 (B) identify the reductions achieved; and

4 (C) specify the actions that resulted in the
5 reductions.

6 SEC. 8088. (a)(1) Not later than October 1, 1995, the
7 Secretary of Defense shall require that each disbursement
8 by the Department of Defense in an amount in excess of
9 \$1,000,000 be matched to a particular obligation before the
10 disbursement is made.

11 (2) Not later than September 30, 1996, the Secretary
12 of Defense shall require that each disbursement by the De-
13 partment of Defense in an amount in excess of \$500,000
14 be matched to a particular obligation before the disburse-
15 ment is made.

16 (b) The Secretary shall ensure that a disbursement in
17 excess of the threshold amount applicable under subsection
18 (a) is not divided into multiple disbursements of less than
19 that amount for the purpose of avoiding the applicability
20 of such subsection to that disbursement.

21 (c) The Secretary of Defense may waive a requirement
22 for advance matching of a disbursement of the Department
23 of Defense with a particular obligation in the case of (1)
24 a disbursement involving deployed forces, (2) a disburse-
25 ment for an operation in a war declared by Congress or

1 *a national emergency declared by the President or Congress,*
2 *or (3) a disbursement under any other circumstances for*
3 *which the waiver is necessary in the national security inter-*
4 *ests of the United States, as determined by the Secretary*
5 *and certified by the Secretary to the congressional defense*
6 *committees.*

7 *(d) This section shall not be construed to limit the au-*
8 *thority of the Secretary of Defense to require that a dis-*
9 *bursement not in excess of the amount applicable under sub-*
10 *section (a) be matched to a particular obligation before the*
11 *disbursement is made.*

12 *SEC. 8089. (a) Except as provided in subsection (b),*
13 *the total amount obligated or expended for procurement of*
14 *the SSN-21, SSN-22, and SSN-23 Seawolf class sub-*
15 *marines may not exceed \$7,223,695,000.*

16 *(b) The amount of the limitation set forth in subsection*
17 *(a) is increased after fiscal year 1995 by the following*
18 *amounts:*

19 *(1) The amounts of outfitting costs and post-de-*
20 *livery costs incurred for the submarines referred to in*
21 *such subsection.*

22 *(2) The amounts of increases in costs attrib-*
23 *utable to economic inflation after fiscal year 1995.*

1 (3) *The amounts of increases in costs attrib-*
2 *utable to compliance with changes in Federal, State,*
3 *or local laws enacted after fiscal year 1995.*

4 **SEC. 8090. RESTRICTION ON REIMBURSEMENT OF COSTS.**

5 *None of the funds provided in this Act may be obli-*
6 *gated for payment on new contracts on which allowable*
7 *costs charged to the government include payments for indi-*
8 *vidual compensation at a rate in excess of \$250,000 per*
9 *year.*

10 *SEC. 8091. None of the funds available to the Depart-*
11 *ment of Defense during fiscal year 1996 may be obligated*
12 *or expended to support or finance the activities of the De-*
13 *fense Policy Advisory Committee on Trade.*

14 **SEC. 8092. PROHIBITION OF PAY AND ALLOWANCES FOR**

15 **MILITARY PERSONNEL CONVICTED OF SERI-**
16 **OUS CRIMES.**

17 *(a) Notwithstanding any other provision of law, none*
18 *of the funds appropriated by this Act shall be obligated for*
19 *the pay or allowances of any member of the Armed Forces*
20 *who has been sentenced by a court-martial to any sentence*
21 *that includes confinement for one year or more, death, dis-*
22 *honorable discharge, bad-conduct discharge, or dismissal*
23 *during any period of confinement or parole.*

24 *(b) In a case involving an accused who has dependents,*
25 *the convening authority or other person acting under title*

1 10, section 860, may waive any or all of the forfeitures of
2 pay and allowances required by subsection (a) for a period
3 not to exceed six months. Any amount of pay or allowances
4 that, except for a waiver under this subsection, would be
5 forfeited shall be paid, as the convening authority or other
6 person taking action directs, to the dependents of the ac-
7 cused.

8 (c) If the sentence of a member who forfeits pay and
9 allowances under subsection (a) is set aside or disapproved
10 or, as finally approved, does not provide for a punishment
11 referred to in subsection (a), the member shall be paid the
12 pay and allowances which the member would have been
13 paid, except for the forfeiture, for the period during which
14 the forfeiture was in effect.

15 SEC. 8093. None of the funds made available in this
16 Act under the heading "Procurement of Ammunition,
17 Army" may be obligated or expended for the procurement
18 of munitions unless such acquisition fully complies with the
19 Competition in Contracting Act.

20 SEC. 8094. Six months after the date of enactment of
21 this Act the General Accounting Office shall report to the
22 Committees on Appropriations of the Senate and the House
23 of Representatives on any changes in Department of Defense
24 commissary access policy, including providing reservists
25 additional or new privileges, and addressing the financial

1 *impact on the commissaries as a result of any policy*
2 *changes.*

3 *SEC. 8095. The Secretary of Defense shall develop and*
4 *provide to the congressional defense committees an Elec-*
5 *tronic Combat Master Plan to establish an optimum infra-*
6 *structure for electronic combat assets no later than March*
7 *31, 1996.*

8 *SEC. 8096. The Secretary of Defense and the Secretary*
9 *of the Army shall reconsider the decision not to include the*
10 *infantry military occupational specialty among the mili-*
11 *tary skills and specialties for which special pays are pro-*
12 *vided under the Selected Reserve Incentive Program.*

13 ***SEC. 8097. INTERIM LEASES OF PROPERTY APPROVED FOR***
14 ***CLOSURE OR REALIGNMENT.***

15 *Section 2667(f) of title 10, United States Code, is*
16 *amended by adding at the end the following:*

17 *“(4)(A) Notwithstanding the National Environmental*
18 *Policy Act of 1969 (42 U.S.C. 4321 et seq.), the scope of*
19 *any environmental impact analysis necessary to support an*
20 *interim lease of property under this subsection shall be lim-*
21 *ited to the environmental consequences of activities author-*
22 *ized under the proposed lease and the cumulative impacts*
23 *of other past, present, and reasonably foreseeable future ac-*
24 *tions during the period of the proposed lease.*

1 “(B) Interim leases entered into under this subsection
2 shall be deemed not to prejudice the final property disposal
3 decision, even if final property disposal may be delayed
4 until completion of the interim lease term. An interim lease
5 under this subsection shall not be entered into without prior
6 consultation with the redevelopment authority concerned.

7 “(C) The provisions of subparagraphs (A) and (B)
8 shall not apply to an interim lease under this subsection
9 if authorized activities under the lease would—

10 “(i) significantly effect the quality of the human
11 environment; or

12 “(ii) irreversibly alter the environment in a way
13 that would preclude any reasonable disposal alter-
14 native of the property concerned.”.

15 SEC. 8098. (a) If, on February 18, 1996, the Secretary
16 of the Navy has not certified in writing to the Committees
17 on Appropriations of the Senate and the House of Rep-
18 resentatives that—

19 (1) the Secretary has restructured the new attack
20 submarine program to provide for—

21 (A) procurement of the lead vessel under the
22 program from General Dynamics Corporation
23 Electric Boat Division (hereafter in this section
24 referred to as “Electric Boat Division”) begin-
25 ning in fiscal year 1998 (subject to the price of-

1 ferred by Electric Boat Division being determined
2 fair and reasonable by the Secretary),

3 (B) procurement of the second vessel under
4 the program from Newport News Shipbuilding
5 and Drydock Company beginning in fiscal year
6 1999 (subject to the price offered by Newport
7 News Shipbuilding and Drydock Company being
8 determined fair and reasonable by the Sec-
9 retary), and

10 (C) procurement of other vessels under the
11 program under one or more contracts that are
12 entered into after competition between Electric
13 Boat Division and Newport News Shipbuilding
14 and Drydock Company for which the Secretary
15 shall solicit competitive proposals and award the
16 contract or contracts on the basis of price, and
17 (2) the Secretary has directed, as set forth in de-
18 tail in such certification that—

19 (A) no action is to be taken to terminate or
20 to fail to extend either the existing Planning
21 Yard contract for the Trident class submarines
22 or the existing Planning Yard contract for the
23 SSN-688 Los Angeles class submarines except by
24 reason of a breach of contract by the contractor
25 or an insufficiency of appropriations,

1 (B) no action is to be taken to terminate
2 any existing Lead Design Yard contract for the
3 SSN-21 Seawolf class submarines or for the
4 SSN-688 Los Angeles class submarines, except
5 by reason of a breach of contract by the contrac-
6 tor or an insufficiency of appropriations,

7 (C) both Electric Boat Division and New-
8 port News Shipbuilding and Drydock Company
9 are to have access to sufficient information con-
10 cerning the design of the new attack submarine
11 to ensure that each is capable of constructing the
12 new attack submarine, and

13 (D) no action is to be taken to impair the
14 design, engineering, construction, and mainte-
15 nance competencies of either Electric Boat Divi-
16 sion or Newport News Shipbuilding and Dry-
17 dock Company to construct the new attack sub-
18 marine,

19 then, funds appropriated in title III under the heading
20 “SHIPBUILDING AND CONVERSION, NAVY” may not be obli-
21 gated for the SSN-21 attack submarine program or for the
22 new attack submarine program (NSSN-1 and NSSN-2).

23 (b) Funds referred to in subsection (a) for procurement
24 of the lead and second vessels under the new attack sub-
25 marine program may not be expended during fiscal year

1 1996 for the lead vessel under that program (other than for
2 class design) unless funds are obligated or expended during
3 such fiscal year for a contract in support of procurement
4 of the second vessel under the program.

5 **SEC. 8099. LIMITATION ON USE OF FUNDS FOR COOPERA-**
6 **TIVE THREAT REDUCTION.**

7 (a) *LIMITATION.*—Of the funds available under title II
8 under the heading “FORMER SOVIET UNION THREAT RE-
9 Duction” for dismantlement and destruction of chemical
10 weapons, not more than \$52,000,000 may be obligated or
11 expended for that purpose until the President certifies to
12 Congress the following:

13 (1) That the United States and Russia have
14 completed a joint laboratory study evaluating the pro-
15 posal of Russia to neutralize its chemical weapons
16 and the United States agrees with the proposal.

17 (2) That Russia is in the process of preparing,
18 with the assistance of the United States as necessary,
19 a comprehensive plan to manage the dismantlement
20 and destruction of the Russia chemical weapons stock-
21 pile.

22 (3) That the United States and Russia are com-
23 mitted to resolving outstanding issues under the 1989
24 Wyoming Memorandum of Understanding and the
25 1990 Bilateral Destruction Agreement.

1 (b) *DEFINITIONS.*—*In this section:*

2 (1) *The term “1989 Wyoming Memorandum of*
3 *Understanding” means the Memorandum of Under-*
4 *standing between the Government of the United States*
5 *of America and the Government of the Union of So-*
6 *viet Socialist Republics Regarding a Bilateral Ver-*
7 *ification Experiment and Data Exchange Related to*
8 *Prohibition on Chemical Weapons, signed at Jackson*
9 *Hole, Wyoming, on September 23, 1989.*

10 (2) *The term “1990 Bilateral Destruction Agree-*
11 *ment” means the Agreement between the United*
12 *States of America and the Union of Soviet Socialist*
13 *Republics on destruction and non-production of chem-*
14 *ical weapons and on measures to facilitate the multi-*
15 *lateral convention on banning chemical weapons*
16 *signed on June 1, 1990.*

17 **SEC. 8100. SENSE OF SENATE REGARDING UNDERGROUND**
18 **NUCLEAR TESTING.**

19 (a) *FINDINGS.*—*The Senate makes the following find-*
20 *ings:*

21 (1) *The President of France stated on June 13,*
22 *1995, that the Republic of France plans to conduct*
23 *eight nuclear test explosions over the next several*
24 *months.*

1 (2) *The People's Republic of China continues to*
2 *conduct underground nuclear weapons tests.*

3 (3) *The United States, France, Russia, and*
4 *Great Britain have observed a moratorium on nuclear*
5 *testing since 1992.*

6 (4) *A resumption of testing by the Republic of*
7 *France could result in the disintegration of the cur-*
8 *rent testing moratorium and a renewal of under-*
9 *ground testing by other nuclear weapon states.*

10 (5) *A resumption of nuclear testing by the Re-*
11 *public of France raises serious environmental and*
12 *health concerns.*

13 (6) *The United Nations Conference on Disar-*
14 *mament presently is meeting in Geneva, Switzerland,*
15 *for the purpose of negotiating a Comprehensive Nu-*
16 *clear Test Ban Treaty (CTBT), which would halt per-*
17 *manently the practice of conducting nuclear test ex-*
18 *plosions.*

19 (7) *Continued underground weapons testing by*
20 *the Republic of France and the People's Republic of*
21 *China undermines the efforts of the international*
22 *community to conclude a CTBT by 1996, a goal en-*
23 *dorsed by 175 nations, at the recently completed NPT*
24 *Extension and Review Conference (the conference for*

1 *the extension and review of the Nuclear Non-Pro-*
2 *liferation Treaty).*

3 *(b) SENSE OF THE SENATE.—It is the sense of the Sen-*
4 *ate that the Republic of France and the People’s Republic*
5 *of China should abide by the current international morato-*
6 *rium on nuclear test explosions and refrain from conduct-*
7 *ing underground nuclear tests in advance of a Comprehen-*
8 *sive Test Ban Treaty.*

9 **SEC. 8101. TESTING OF THEATER MISSILE DEFENSE INTER-**
10 **CEPTORS.**

11 *(a) APPROVAL BEYOND LOW-RATE INITIAL PRODUC-*
12 *TION.—The Secretary of Defense may not approve a theater*
13 *missile defense interceptor program beyond the low-rate ini-*
14 *tial production acquisition stage until the Secretary cer-*
15 *tifies to the congressional defense committees that the pro-*
16 *gram—*

17 *(1) has successfully completed initial operational*
18 *test and evaluation; and*

19 *(2) involves a suitable and effective system.*

20 *(b) CERTIFICATION REQUIREMENTS.—(1) In order to*
21 *be certified under subsection (a), the initial operational test*
22 *and evaluation conducted with respect to a program shall*
23 *include flight tests—*

1 (A) that were conducted with multiple intercep-
2 tors and multiple targets in the presence of realistic
3 countermeasures; and

4 (B) the results of which demonstrate the achieve-
5 ment of baseline performance thresholds by such inter-
6 ceptors.

7 (2) The Director of Operational Test and Evaluation
8 shall specify the number of flight tests required with respect
9 to a program under paragraph (1) in order to make a cer-
10 tification referred to in subsection (a).

11 (3) The Secretary may utilize modeling and simula-
12 tion validated by ground and flight testing in order to aug-
13 ment flight testing to demonstrate weapons system perform-
14 ance for purposes of a certification under subsection (a).

15 (c) *REPORTS.*—(1) The Director of Operational Test
16 and Evaluation and the head of the Ballistic Missile De-
17 fense Organization shall include in the annual reports to
18 Congress of such officials plans to test adequately theater
19 missile defense interceptor programs throughout the acquisi-
20 tion process.

21 (2) As each theater missile defense system progresses
22 through the acquisition process, the officials referred to in
23 paragraph (1) shall include in the annual reports to Con-
24 gress of such officials an assessment of the extent to which

1 *such programs satisfy the planned test objectives for such*
2 *programs.*

3 (d) *DEFINITION.*—*For purposes of this section, the*
4 *baseline performance thresholds for a program are the*
5 *weapon system performance thresholds specified in the base-*
6 *line description for the weapon system established pursuant*
7 *to section 2435(a)(1) of title 10, United States Code, before*
8 *the program entered into the engineering and manufactur-*
9 *ing development stage.*

10 ***SEC. 8102. ELIGIBILITY FOR DEFENSE DUAL-USE ASSIST-***
11 ***ANCE EXTENSION PROGRAM.***

12 *Section 2524(e) of title 10, United States Code, is*
13 *amended—*

14 (1) *in paragraph (3), by striking out “at least*
15 *25 percent of the value of the borrower’s sales during*
16 *the preceding year” in the matter preceding subpara-*
17 *graph (A) and inserting in lieu thereof “at least 25*
18 *percent of the amount equal to the average value of*
19 *the borrower’s sales during the preceding 5 fiscal*
20 *years”;*

21 (2) *by redesignating paragraph (4) as para-*
22 *graph (5); and*

23 (3) *by inserting after paragraph (3) the follow-*
24 *ing new paragraph (4):*

