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

OCTOBER 4 (legislative day, September 27), 1993
Received; read twice and referred to the Committee on Appropriations.

October 4 (legislative day, September 27), 1993
Reported with amendments.

[Report No. 103-153]
Making appropriations for the Department of Defense for the fiscal year ending September 30, 1994, and for other purposes.

AN ACT

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

1 Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

2 That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 1994, for military func-
tions administered by the Department of Defense, and for other purposes, namely:

TITLE I

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), to section 229(b) of the Social Security Act (42 U.S.C. 429(b)), and to the Department of Defense Military Retirement Fund; $21,571,207,000 $21,212,285,000.

MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; and for pay-
MENTS PURSUANT TO SECTION 156 OF PUBLIC LAW 97-377, AS AMENDED (42 U.S.C. 402 NOTE), TO SECTION 229(B) OF THE SOCIAL SECURITY ACT (42 U.S.C. 429(B)), AND TO THE DEPARTMENT OF DEFENSE MILITARY RETIREMENT FUND; $18,633,383,000 $18,156,982,000.

MILITARY PERSONNEL, MARINE CORPS

For pay, allowances, individual clothing, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except members of the Reserve provided for elsewhere); and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), to section 229(b) of the Social Security Act (42 U.S.C. 429(b)), and to the Department of Defense Military Retirement Fund; $5,763,117,000 $5,755,272,000.

MILITARY PERSONNEL, AIR FORCE

For pay, allowances, individual clothing, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; and
for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), to section 229(b) of the Social Security Act (42 U.S.C. 429(b)), and to the Department of Defense Military Retirement Fund; $15,916,937,000 $15,662,809,000.

RESERVE PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army Reserve on active duty under sections 265, 3021, and 3038 of title 10, United States Code, or while serving on active duty under section 672(d) of title 10, United States Code, in connection with performing duty specified in section 678(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and for members of the Reserve Officers' Training Corps, and expenses authorized by section 2131 of title 10, United States Code, as authorized by law; and for payments to the Department of Defense Military Retirement Fund; $2,143,272,000 $2,138,416,000.

RESERVE PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Navy Reserve on active duty under section 265 of title 10, United States Code, or while serving on active duty under section...
672(d) of title 10, United States Code, in connection with performing duty specified in section 678(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Reserve Officers’ Training Corps, and expenses authorized by section 2131 of title 10, United States Code, as authorized by law; and for payments to the Department of Defense Military Retirement Fund; $1,565,838,000 $1,550,989,000.

RESERVE PERSONNEL, MARINE CORPS

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Marine Corps Reserve on active duty under section 265 of title 10, United States Code, or while serving on active duty under section 672(d) of title 10, United States Code, in connection with performing duty specified in section 678(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Marine Corps platoon leaders class, and expenses authorized by section 2131 of title 10, United States Code, as authorized by law; and for payments to the Department of Defense Military Retirement Fund; $350,490,000 $311,661,000.
RESERVE PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air Force Reserve on active duty under sections 265, 8021, and 8038 of title 10, United States Code, or while serving on active duty under section 672(d) of title 10, United States Code, in connection with performing duty specified in section 678(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and for members of the Air Reserve Officers’ Training Corps, and expenses authorized by section 2131 of title 10, United States Code, as authorized by law; and for payments to the Department of Defense Military Retirement Fund; $783,158,000.

$778,919,000.

NATIONAL GUARD PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard while on duty under section 265, 3021, or 3496 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 672(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 678(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent
duty or other duty, and expenses authorized by section 2131 of title 10, United States Code, as authorized by law; and for payments to the Department of Defense Military Retirement Fund; $3,334,183,000 $3,332,556,000.

**NATIONAL GUARD PERSONNEL, AIR FORCE**

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under section 265, 8021, or 8496 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 672(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 678(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 2131 of title 10, United States Code, as authorized by law; and for payments to the Department of Defense Military Retirement Fund; $1,215,935,000 $1,230,471,000.

**TITLE II**

**OPERATION AND MAINTENANCE**

**OPERATION AND MAINTENANCE, ARMY**

**(INCLUDING TRANSFER OF FUNDS)**

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, as authorized by law; and not to exceed $14,437,000 can be used
for emergencies and extraordinary expenses, to be ex-

\[\text{périodically,}\] the approve or authority of the Secretary of

the Army, and payments may be made on his certificate

of necessity for confidential military purposes;

\$15,221,091,000 \quad \$15,706,229,000\] and, in addition,

\$880,200,000, to be derived by transfer from the Defense

Business Operations Fund and $150,000,000 shall be de-

derived by transfer from the National Defense Stockpile

Transaction Fund: Provided, That $450,000 shall be

made available only for the 1994 Memorial Day Celebra-

tion and $450,000 shall be made available only for the

1994 Capitol Fourth Project: Provided further, That of the

funds appropriated in this paragraph, not less than

\$6,500,000 shall be made available only for the Army Envi-

ronmental Policy Institute, of which \$2,000,000 shall be

made available only for a study on the effects of depleted

uranium on the environment.

\section*{Operation and Maintenance, Navy}

\subsection*{Intermediate Transfer of Funds}

For expenses, not otherwise provided for, necessary

for the operation and maintenance of the Navy and the

Marine Corps, as authorized by law; and not to exceed

\$4,667,000 can be used for emergencies and extraordinary

expenses, to be expended on the approval or authority of

the Secretary of the Navy, and payments may be made
on his certificate of necessity for confidential military purposes; $18,097,782,000 $19,845,083,000 and, in addition $1,092,700,000, to be derived by transfer from the Defense Business Operations Fund and addition, $150,000,000 shall be derived by transfer from the National Defense Stockpile Transaction Fund: Provided, That $350,000 shall be available only to connect residences located in the vicinity of the Naval Air Warfare Center, Warminster, to the Warminster municipal water supply system.

**Operation and Maintenance, Marine Corps**

*(including transfer of funds)*

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Marine Corps, as authorized by law; $1,773,889,000 and, in addition, $121,000,000, to be derived by transfer from the Defense Business Operations Fund $1,834,495,000.

**Operation and Maintenance, Air Force**

*(including transfer of funds)*

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Air Force, as authorized by law; and not to exceed $8,787,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Air Force, and payments may be made on his certifi-
cate of necessity for confidential military purposes; $18,305,447,000 to $19,107,389,000 and, in addition, $941,400,000, to be derived by transfer from the Defense Business Operations Fund and $200,000,000 shall be derived by transfer from the National Defense Stockpile Transaction Fund: Provided, That $15,500,000 shall only be used to operate, maintain and enhance the Tactical Interim CAMS and REMIS Reporting System (TICARRS–92): Provided further, That TICARRS–92 be reestablished, with direct maintenance data input, as the supporting system for at least one wing each of F–15, F–16, and F–117A aircraft by no later than February 1, 1994: Provided further, That TICARRS–92 be reestablished, with direct maintenance data input, as the supporting system for all F–15, F–16, and F–117A aircraft by no later than April 1, 1994: Provided further, That none of the funds appropriated or otherwise made available under this Act shall be used to operate, maintain or otherwise support an automated maintenance management system for F–15, F–16, and F–117A aircraft other than TICARRS–92 after April 1, 1994: Provided further, That of the funds appropriated under this heading, not more than $9,538,000 shall be available only for a grant to the Women in Military Service For America Memorial Foundation, Inc., to be used solely to perform the repair, res-
toration, and preservation of the main gate structures, center plaza, and Homicycle of the Arlington National Cemetery. These funds shall be made available solely for project costs and none of the funds are for remuneration of any entity or individual associated with fund raising for the project: Provided further, That of the funds appropriated under this heading, $5,000,000 shall be made available only for continued environmental restoration of the former Olmsted Air Force Base, Pennsylvania.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For expenses, not otherwise provided for, necessary for the operation and maintenance of activities and agencies of the Department of Defense (other than the military departments), as authorized by law; $9,487,133,000 $9,452,165,000, of which not to exceed $25,000,000 may be available for the CINC initiative fund account; and of which not to exceed $19,422,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payments may be made on his certificate of necessity for confidential military purposes:—Provided, That of the funds appropriated by this paragraph, $996,001,000 shall be made available only for the Special Operations Command: Provided further, That, of the funds appropriated in this paragraph $10,000,000 shall be available for activi-
ties to support the clearing of landmines for humanitarian purposes: Provided further, That of the funds appropriated in this paragraph, $427,705,000 shall not be obligated or expended until authorized by law: Provided, That of the funds appropriated under this heading, $58,000,000 shall be made available only for aiding school districts in accordance with authority granted under sections 3(a) through 3(e) of Public Law 81-874: Provided further, That of the funds appropriated in this paragraph, not less than $50,000,000 shall be made available only for the Legacy Resource Management Program, of which not less than $200,000 shall be made available for the Legacy Resource Management Program fellowships: Provided further, That of the funds appropriated under this heading, $10,000,000 shall be made available only for the repair and maintenance of federally owned education facilities located on military installations.

**Operation and Maintenance, Army Reserve**

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Army Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications; $1,115,095,000: Pro-
vided, That of the funds appropriated in this paragraph, $19,505,000 shall not be obligated or expended until authorized by law $1,057,740,000.

Operation and Maintenance, Navy Reserve

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Navy Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications; $807,200,000 $761,137,000:

Provided, That operational control of the Naval Reserve Personnel Center, including its functions and responsibilities, shall be under the command and control of the Commander, Naval Reserve Command: Provided further, That of the funds appropriated in this paragraph, $31,400,000 shall not be obligated or expended until authorized by law.

Operation and Maintenance, Marine Corps Reserve

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equip-
ment; and communications; $86,855,000: Provided, That of the funds appropriated in this paragraph, $11,805,000 shall not be obligated or expended until authorized by law $75,125,000.

Operation and Maintenance, Air Force Reserve

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Air Force Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications; $1,370,222,000: Provided, That of the funds appropriated in this paragraph, $15,644,000 shall not be obligated or expended until authorized by law $1,353,470,000.

Operation and Maintenance, Army National Guard

For expenses of training, organizing, and administering the Army National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; hire of passenger motor vehicles; personnel services in the National Guard Bureau; travel expenses (other than mileage), as authorized by law for Army personnel on active duty, for Army National Guard division,
regimental, and battalion commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Army National Guard as authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment (including aircraft); $2,272,018,000

$2,216,944,000: Provided, That of the funds appropriated in this paragraph, $10,000,000 shall be available only for a National Guard Outreach Program in the Los Angeles School District: Provided further, That of the funds appropriated in this paragraph, $48,763,000 shall not be obligated or expended until authorized by law: Provided, That of the funds appropriated under this heading, $3,000,000 shall be made available only for the MEDRETES program.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For operation and maintenance of the Air National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, repair, and other necessary expenses of facilities for the training and administration of the Air National Guard, including repair of facilities, maintenance, operation, and modification of aircraft; transportation of things; hire of passenger motor vehicles; supplies, materials, and equipment, as authorized by law for the Air Na-
tional Guard; and expenses incident to the maintenance
and use of supplies, materials, and equipment, including
such as may be furnished from stocks under the control
of agencies of the Department of Defense; travel expenses
(other than mileage) on the same basis as authorized by
law for Air National Guard personnel on active Federal
duty, for Air National Guard commanders while inspecting
units in compliance with National Guard Bureau regula-
tions when specifically authorized by the Chief, National
Guard Bureau; $2,695,233,000 $2,686,299,000:—Provided,
That of the funds appropriated under this paragraph,
$3,000,000 shall be made available only for the operation
of Air National Guard C–130H operational support air-
craft of the 159th Air National Guard Fighter Group and
the 169th Air National Guard Fighter Group: Provided
further, That of the funds appropriated in this paragraph,
$30,000,000 shall not be obligated or expended until au-
thorized by law.

NATIONAL BOARD FOR THE PROMOTION OF RIFLE
PRACTICE, ARMY

For the necessary expenses and personnel services
(other than pay and non-travel-related allowances of mem-
ers of the Armed Forces of the United States, except for
members of the reserve components thereof called or or-
dered to active duty to provide support for the national
matches) in accordance with law, for operation and main-
tenance of rifle ranges; the instruction of citizens in
marksmanship; the promotion of rifle practice; the conduct
of the national matches; the sale of ammunition under the
authority of title 10, United States Code, sections 4308
and 4311; the travel of rifle teams, military personnel, and
individuals attending regional, national, and international
competitions; and the payment to competitors at national
matches under section 4312 of title 10, United States
Code, of subsistence and travel allowances under section
4313 of title 10, United States Code; not to exceed
$2,483,000.

COURT OF MILITARY APPEALS, DEFENSE

For salaries and expenses necessary for the United
States Court of Military Appeals; $5,855,000 $6,055,000,
of which not to exceed $2,500 can be used for official rep-
resentation purposes. Provided, That of the funds appro-
priated in this paragraph, $245,000 shall not be obligated
or expended until authorized by law.

ENVIRONMENTAL RESTORATION, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For the Department of Defense; $1,716,800,000
$2,207,800,000, to remain available until transferred: Pro-
vided, That the Secretary of Defense shall, upon determin-
ing that such funds are required for environmental res-
oration, reduction and recycling of hazardous waste, re-
search and development associated with hazardous wastes
and removal of unsafe buildings and debris of the Depart-
ment of Defense, or for similar purposes (including pro-
grams and operations at sites formerly used by the De-
partment of Defense), transfer the funds made available
by this appropriation to other appropriations made avail-
able to the Department of Defense as the Secretary may
designate, to be merged with and to be available for the
same purposes and for the same time period as the appro-
priations of funds to which transferred: Provided further,
That upon a determination that all or part of the funds
transferred from this appropriation are not necessary for
the purposes provided herein, such amounts may be trans-
ferred back to this appropriation: Provided further, That
of the funds provided under this heading, not less than
$200,000,000 shall be available only for the expedited
cleanup of environmentally contaminated sites and only in
accordance with a comprehensive plan submitted to Con-
gress by the Secretary of Defense.

Support for International Sporting
Competitions, Defense
(Including Transfer of Funds)
For expenses of logistical support (including security
planning and services) and personnel services provided by
the Department of Defense for the World University Games, the 1996 Games of the XXVI Olympiad, and the World Cup USA Organizing Committee, (other than pay and nontravel related allowances of members of the Armed Forces of the United States, except for members of the Reserve components thereof called or ordered to active duty to provide support for such international sporting competitions), as authorized by law, provided by any component of the Department of Defense to such sporting competitions, $6,000,000, of which not less than $2,000,000 shall be available only for the 1996 Games of the XXVI Olympiad, to remain available until expended:

Provided, That unobligated balances of funds appropriated in the Department of Defense Appropriations Act, 1992 (Public Law 102–172) under the headings “World University Games” and “Summer Olympics” and unobligated balances of the funds appropriated in the Department of Defense Appropriations Act, 1993, (Public Law 102–396) under the headings “World University Games” and “Summer Olympics” and “World Cup USA 1994” in title II of that Act shall, notwithstanding section 8003 of Public Law 102–172 and section 9003 of Public Law 102–396, upon the enactment of this Act, be transferred to this appropriation, to be merged with and to be available for the same purposes, and for the same time period, as this ap-
appropriation: Provided further, That the funds so trans-
ferred from such Acts under the headings "Summer Olymp-
pics" shall be available only for expenses for, or incurred in anticipation of, the support provided, or to be provided, to the 1996 Games of the XXVI Olympiad: Provided fur-
ther, That funds appropriated in this paragraph shall not be obligated or expended until authorized by law.

**Summer Olympics**

For logistical support and personnel services (other than pay and nontravel related allowances of members of the Armed Forces of the United States, except for members of the reserve components thereof called or ordered to active duty to provide support for the 1996 Games of the XXVI Olympiad to be held in Atlanta, Georgia) provided by any component of the Department of Defense to the 1996 Games of the XXVI Olympiad; $2,000,000.

**World Cup USA 1994**

For logistical support and personnel services (other than pay and nontravel related allowances of members of the Armed Forces of the United States, except for members of the reserve components thereof called or ordered to active duty to provide support for the World Cup USA 1994 Organizing Committee) provided by any component of the Department of Defense to the World Cup USA 1994 Organizing Committee; $12,000,000.
HUMANITARIAN ASSISTANCE

For transportation for humanitarian relief for the people of Afghanistan, the Kurdish population and other minorities of northern Iraq, and the people of sub-Saharan Africa, acquisition and shipment of transportation assets to assist in the distribution of such relief, and for transportation and distribution of humanitarian relief supplies, and excess non-lethal property; $15,000,000 $48,000,000, to remain available for obligation until September 30, 1995: Provided, That of the funds appropriated in this paragraph, $15,000,000 shall not be obligated or expended until authorized by law: Provided, That of the funds appropriated under this heading, $30,000,000 shall be made available only for Kurdish relief activities, of which $15,000,000 shall be made available for a 1993-1994 winterization relief program: Provided further, That of the funds appropriated under this heading, $10,000,000 shall be made available for activities to support clearing of land mines for humanitarian purposes.

FORMER SOVIET UNION THREAT REDUCTION

For assistance to the republics of the former Soviet Union, including assistance provided by contract or by grants, for facilitating the elimination and the safe and secure transportation and storage of nuclear, chemical and other weapons; for providing incentives for demilitariza-
tion; for establishing programs to prevent the proliferation of weapons, weapons components, and weapons-related technology and expertise; for expansion of military-to-military contacts; for supporting the conversion of military technologies and capabilities into civilian activities; and for retraining military personnel of the former Soviet Union; $400,000,000, to remain available until expended: Provided, That of the funds appropriated under this heading, $10,000,000 shall be made available only for the continuing study, assessment, and identification of nuclear waste disposal by the former Soviet Union in the Arctic region: Provided further, That the transfer authority provided in section 9110(a) of the Department of Defense Appropriations Act, 1993, shall continue to be in effect during fiscal year 1994: Provided further, That any transfer made under the foregoing proviso in this paragraph shall be subject to the limitations and the reporting requirements stipulated in section 8006 of this Act.

TITLE III

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training
devices; expansion of public and private plants, including
the land necessary therefor, for the foregoing purposes,
and such lands and interest therein, may be acquired, and
construction prosecuted thereon prior to approval of title;
and procurement and installation of equipment, appli-
cances, and machine tools in public and private plants; re-
serve plant and Government and contractor-owned equip-
ment layaway; and other expenses necessary for the fore-
going purposes; $1,726,164,000 $1,125,303,000, to remain
available for obligation until September 30, 1996: Pro-
vided, That of the funds appropriated in this paragraph,
$219,627,000 shall not be obligated or expended until au-
thorized by law.

MISSILE PROCUREMENT, ARMY

For construction, procurement, production, modifica-
tion, and modernization of missiles, equipment, including
ordnance, ground handling equipment, spare parts, and
accessories therefor; specialized equipment and training
devices; expansion of public and private plants, including
the land necessary therefor, for the foregoing purposes,
and such lands and interests therein, may be acquired,
and construction prosecuted thereon prior to approval of
title; and procurement and installation of equipment, ap-
pliances, and machine tools in public and private plants;
reserve plant and Government and contractor-owned
equipment layaway; and other expenses necessary for the
foregoing purposes; $1,126,110,000 $934,123,000, to re-
main available for obligation until September 30, 1996:

Provided, That of the funds appropriated in this para-
graph, $41,795,000 shall not be obligated or expended
until authorized by law.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT
VEHICLES, ARMY

For construction, procurement, production, and
modification of weapons and tracked combat vehicles,
equipment, including ordnance, spare parts, and acces-
sories therefor; specialized equipment and training devices;
expansion of public and private plants, including the land
necessary therefor, for the foregoing purposes, and such
lands and interests therein, may be acquired, and con-
struction prosecuted thereon prior to approval of title; and
procurement and installation of equipment, appliances,
and machine tools in public and private plants; reserve
plant and Government and contractor-owned equipment
layaway; and other expenses necessary for the foregoing
purposes; $892,709,000 $805,074,000, to remain available
for obligation until September 30, 1996: Provided, That
of the funds appropriated in this paragraph, $15,712,000
shall not be obligated or expended until authorized by law.
PROCUREMENT OF AMMUNITION, ARMY

(INCLUDING TRANSFER OF FUNDS)

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities authorized by section 2854, title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; $620,787,000 $610,174,000, and, in addition, $100,000,000, to be derived by transfer from the Conventional Ammunition Working Capital Fund of the Department of Defense, to remain available for obligation until September 30, 1996.

OTHER PROCUREMENT, ARMY

For construction, procurement, production, and modification of vehicles, including tactical, support, and nontracked combat vehicles; the purchase of not to exceed 16 passenger motor vehicles for replacement only; communications and electronic equipment; other support equip-
ment; spare parts, ordnance, and accessories therefor; spe-
cialized equipment and training devices; expansion of pub-
lic and private plants, including the land necessary there-
for, for the foregoing purposes, and such lands and inter-
est therein, may be acquired, and construction prosecuted
thereon prior to approval of title; and procurement and
installation of equipment, appliances, and machine tools
in public and private plants; reserve plant and Govern-
ment and contractor-owned equipment layaway; and other
expenses necessary for the foregoing purposes;
$2,904,933,000 $2,784,474,000, to remain available for
obligation until September 30, 1996.

AIRCRAFT PROCUREMENT, NAVY

For construction, procurement, production, modifica-
tion, and modernization of aircraft, equipment, including
ordnance, spare parts, and accessories therefor; specialized
equipment; expansion of public and private plants, includ-
ing the land necessary therefor, and such lands and inter-
est therein, may be acquired, and construction prosecuted
thereon prior to approval of title; and procurement and
installation of equipment, appliances, and machine tools
in public and private plants; reserve plant and Govern-
ment and contractor-owned equipment layaway;
$5,664,216,000 $5,665,615,000, to remain available for
obligation until September 30, 1996.
WEAPONS PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of missiles, torpedoes, other weapons, other ordnance and ammunition, and related support equipment including spare parts, and accessories therefor; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; $2,808,986,000 $2,972,906,000, to remain available for obligation until September 30, 1996; Provided, That of the funds appropriated in this paragraph, $44,162,000 shall not be obligated or expended until authorized by law.

SHIPBUILDING AND CONVERSION, NAVY

For expenses necessary for the construction, acquisition, or conversion of vessels as authorized by law, including armor and armament thereof, plant equipment, appliances, and machine tools and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; procurement of critical, long leadtime components and designs for vessels to be constructed or converted in the future; and expansion of
public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, as follows:

Carrier replacement program, $3,403,600,000:
Provided, That these funds shall not be obligated or expended until authorized by law;
Refueling overhauls, $31,127,000;
DDG-51 destroyer program, $2,642,772,000
$2,610,972,000;
LHD-1 amphibious assault ship program, $893,848,000, of which $50,000,000 may be available for advance procurement on the LHD-7 amphibious assault ship;
Mine warfare command and control ship, $124,175,000;
Oceanographic ship program, $110,049,000:
Provided, That pursuant to 10 U.S.C. section 2304(c)(5), the last vessel of the T-AGS 60 oceanographic research ship program may be procured as an option to the contract for the construction of the lead ship of the class; Provided further, That none of the funds provided in this Act or any other Act may be obligated for T-AGS multibeam sonar systems prior to review by the Committees on Appro-
appropriations of a Navy plan detailing compliance with
the recommendations of the Comptroller General of
the United States set forth in his decision of August
19, 1993 (Case B–253129) $62,482,000;

For craft, outfitting, post delivery, production
design support, and first destination transportation,
and cost growth, $595,131,000 $330,104,000;

In all: $5,397,102,000 $7,332,133,000, to remain available
for obligation until September 30, 1998: Provided, That
additional obligations may be incurred after September
30, 1998, for engineering services, tests, evaluations, and
other such budgeted work that must be performed in the
final stage of ship construction: Provided further, That
none of the funds herein provided for the construction or
conversion of any naval vessel to be constructed in ship-
yards in the United States shall be expended in foreign
facilities for the construction of major components of such
vessel: Provided further, That none of the funds herein
provided shall be used for the construction of any naval
vessel in foreign shipyards: Provided further, That of the
funds appropriated in this paragraph, $1,236,914,000
shall not be obligated or expended until authorized by law.

OTHER PROCUREMENT, NAVY

For procurement, production, and modernization of
support equipment and materials not otherwise provided
for Navy ordnance (except ordnance for new aircraft, new ships, and ships authorized for conversion); the purchase of not to exceed 609 passenger motor vehicles for replacement only; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; $2,980,815,000 $2,794,718,000, to remain available for obligation until September 30, 1996: Provided, That of the funds herein provided for the Computer Acquisition Productivity Program, not less than $20,000,000 shall be available, obligated, and expended only for automatic data processing investment equipment and peripheral equipment and related software for Defense Accounting Office and Naval Computer and Telecommunications Station, New Orleans, the Enlisted Personnel Management Center, and the Naval Reserve Personnel Center: Provided further, That all Naval and Marine Corps active and reserve personnel central design activities and personnel accounting programs shall be managed and coordinated at the Enlisted Personnel Management Center and the Naval Reserve Personnel Center: Provided further, That the Sec-
Secretary of Defense shall provide a report on establishing a full service finance and accounting operation for joint reserve functions at the Defense Accounting Office, New Orleans and the Naval Reserve Forces Command: Provided further, That the operations and functions of the Reserve Financial Management System shall remain colocated with the Commander, Naval Reserve Force: Provided further, That of the funds appropriated in this paragraph, $119,335,000 shall not be obligated or expended until authorized by law.

Procurement, Marine Corps

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, ammunition, military equipment, spare parts, and accessories therefor; plant equipment, appliances, and machine tools, and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; vehicles for the Marine Corps, including the purchase of not to exceed 96 passenger motor vehicles for replacement only; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired and construction prosecuted thereon prior to approval of title; $527,754,000 $441,056,000, to remain available for obligation until September 30, 1996: Provided, That of the
funds appropriated in this paragraph, $56,733,000 shall not be obligated or expended until authorized by law.

AIRCRAFT PROCUREMENT, AIR FORCE

For construction, procurement, and modification of aircraft and equipment, including armor and armament, specialized ground handling equipment, and training devices, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things; $6,887,201,000 $4,017,475,000, to remain available for obligation until September 30, 1996: Provided, That of the funds appropriated in this paragraph, not less than $20,000,000 shall be available only for the C-130J aircraft.

MISSILE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of missiles, spacecraft, rockets, and related equipment, including spare parts and accessories therefor, ground han-
dling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things; $3,845,354,000 $4,127,514,000, to remain available for obligation until September 30, 1996:—Provided, That of the funds appropriated in this paragraph, $224,483,000 shall not be obligated or expended until authorized by law.

**Other Procurement, Air Force**

For procurement and modification of equipment (including ground guidance and electronic control equipment, and ground electronic and communication equipment), and supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of not to exceed 2 vehicles required for physical security of personnel, notwithstanding price limitations applicable to passenger vehicles but not to exceed $180,000 per vehicle; the purchase of not to exceed 710 passenger motor vehicles of which 695 shall be for replacement only; and expansion of public and
private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon, prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; $7,336,918,000 $7,527,084,000, to remain available for obligation until September 30, 1996.

NATIONAL GUARD AND RESERVE EQUIPMENT

For procurement of aircraft, missiles, tracked combat vehicles, ammunition, other weapons, and other procurement for the reserve components of the Armed Forces; $1,178,100,000 $785,000,000, to remain available for obligation until September 30, 1996. Provided, That of the funds appropriated in this paragraph, $184,825,000 shall not be obligated or expended until authorized by law.

PROCUREMENT, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments) necessary for procurement, production, and modification of equipment, supplies, materials, and spare parts therefore, not otherwise provided for; the purchase of not to exceed 1 vehicle required for physical security of personnel, notwithstanding price limitations applicable to passenger vehicles but not to exceed $180,000 per vehicle; and the
purchase of not to exceed 438 passenger motor vehicles, of which 420 shall be for replacement only; expansion of public and private plants, equipment, and installation thereof in such plants, erection of structures, and acquisition of land for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; $1,557,344,000 $1,602,726,000, to remain available for obligation until September 30, 1996:—Provided, That the funds available under this heading for the High Performance Computer Modernization plan may be used only for: (1) the execution of existing contract upgrade options of installed stable supercomputer facilities that have not kept technically current; or (2) the acquisition in open, competitive procurements of architecturally stable, fully user-operational, compatible supercomputers possessing essentially stable system software, which have been successfully demonstrated using statistically valid samples of the current workload of the laboratories in question without substantive reprogramming or program conversion.

**Defense Production Act Purchases**

For activities by the Department of Defense pursuant to sections 108, 301, 302, and 303 of the Defense Production Act of 1950, as amended (50 U.S.C. App. 2061);
$200,000,000, to remain available until expended: Provided, That none of these funds shall be obligated for any project unless a Presidential determination has been made in accordance with the Defense Production Act: Provided further, That the Department of Defense shall notify the Committees on Appropriations of the House of Representatives and the Senate sixty days prior to the release of funds for any project not previously approved by Congress.

TITLE IV

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, Army

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law; $5,560,082,000 $5,275,385,000, to remain available for obligation until September 30, 1995: Provided, That $2,000,000 shall be made available only for the Center for Prostate Disease Research at the Walter Reed Army Institute of Research: Provided further, That $5,000,000 shall be made available only for the Center of Excellence in Breast Cancer Research and Training at the National Naval Medical Center, in Bethesda, Maryland:--Provided
further, That not less than $1,000,000 of the funds appropriated in this paragraph shall be made available only to a joint research partnership involving an educational institution, not now engaged in a large volume of basic research, and a biomedical research institute, including a working arrangement with Canadian and German scientists, for the development and testing of a new insulin derivative for the treatment of diabetes and hypoglycemia in the dependents of active duty military members: Provided further, That $1,000,000 of the funds appropriated in this paragraph shall be available for a lyme disease program: Provided further, That of the funds appropriated in this paragraph, $142,941,000 shall not be obligated or expended until authorized by law: Provided further, That of the funds appropriated under this heading, $15,000,000 may be made available for an upgrade of the Los Alamos Meson Physics Facility/Los Alamos Neutron Scattering Center upon the determination by the Secretary of Defense and the Secretary of Energy that the project will make a significant contribution to enhancing the capabilities of United States armed forces.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For expenses necessary for basic and applied scientific research, development, test and evaluation, includ-
ing maintenance, rehabilitation, lease, and operation of
facilities and equipment, as authorized by law;
$8,604,777,000 $7,925,369,000, to remain available for
obligation until September 30, 1995: Provided, That for
continued research and development programs at the Na-
tional Center for Physical Acoustics, centering on ocean
acoustics as it applies to advanced antisubmarine warfare
acoustics issues with focus on ocean bottom acoustics,
seismic coupling, sea-surface and bottom scattering, oce-
anic ambient noise, underwater sound propagation, bubble
related ambient noise, acoustically active surfaces, ma-
achinery noise, propagation physics, solid state acoustics,
electrorheological fluids, transducer development, ultra-
sonic sensors, and other such projects as may be agreed
upon, $1,000,000 shall be made available, as a grant, to
the Mississippi Resource Development Corporation, of
which not to exceed $250,000 of such sum may be used
to provide such special equipment as may be required for
particular projects: Provided further, That none of the
funds appropriated in this paragraph may be obligated or
expended to develop or purchase equipment for an Aegis
destroyer variant (commonly known as "Flight IIA")
whose initial operating capability is budgeted to be
achieved prior to the initial operating capability of the
Ship Self-Defense program, nor to develop sensor, proc-
essor, or display capabilities which duplicate in any way those being developed in the Ship Self-Defense program:

Provided further, That funds appropriated in this paragraph for Aegis Combat System Engineering tactical display simplification may be obligated only to develop equipment on an interim basis which is planned to be installed in Aegis ships prior to the date that the first production unit of the Advanced Display System is planned to be accepted by the Government: Provided further, That funds appropriated in this paragraph for Aegis Combat System Engineering tactical display simplification may not be obligated on contracts which include production options for ship installations planned beyond the date that the first production unit of the Advanced Display System is planned to be accepted by the Government: Provided further, That funds appropriated in this paragraph for development of E–2C aircraft upgrades may not be obligated until the Under Secretary of Defense for Acquisition submits a plan to the Committees on Appropriations and Armed Services of each House of Congress for development and deployment of a fully participating cooperative engagement capability on E–2 aircraft to be fielded concurrent with and no later than major computer upgrades for the aircraft: Provided further, That funds appropriated in this paragraph for development of the L–X ship may
not be obligated unless the baseline design of the ship includes cooperative engagement capability and sufficient own-ship self-defense capability against advanced sea-skimming antiship cruise missiles in the baseline design to achieve an estimated probability of survival from attack by such missiles at a level no less than any other Navy ship: Provided further, That after January 1, 1994, funds appropriated in this paragraph for the Naval Research Laboratory may not be obligated unless the Navy’s Manufacturing Technology Program Office has responsibilities and position equivalent to the Science and Technology Directorates at the Office of Naval Research and is fully staffed to meet those responsibilities.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law; $12,608,995,000 $11,847,970,000, to remain available for obligation until September 30, 1995: Provided, That not less than $21,000,000 of the funds appropriated in this paragraph shall be made available only for the Joint Seismic Program and Global Seismic Network administered by the Incorporated Research Institutions for Seismol-
ogy: Provided further, That not less than $60,000,000 of the funds appropriated in this paragraph shall be made available only for the National Center for Manufacturing Sciences (NCMS): Provided, That not less than $74,000,000 of the funds appropriated in this paragraph shall be made available only for development of the Global Positioning System (GPS) Aided Relative Synthetic Aperture Radar Targeting/GPS-Aided Munitions (GATS/GAM) capability for the B-2 Advanced Technology Bomber: Provided further, That of the funds appropriated in this paragraph, not less than $15,000,000 of the funds in the Advanced Weapons program element shall be made available only to continue the establishment and operation of an image information processing center supporting the Air Force Maui Space Surveillance Site (MSSS): Provided further, That of the funds appropriated in this paragraph, $2,000,000 shall be made available only for development and testing of down-sized test equipment for the F-15.

**Research, Development, Test and Evaluation, Defense-Wide**

For expenses of activities and agencies of the Department of Defense (other than the military departments), necessary for basic and applied scientific research, development, test and evaluation; advanced research projects as may be designated and determined by the Secretary
of Defense, pursuant to law; maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law; $9,376,918,000 $8,296,588,000, to remain available for obligation until September 30, 1995: Provided, That not less than $97,000,000 of the funds appropriated in this paragraph are available only for the Extended Range Interceptor (ERINT) missile: Provided further, That the Ballistic Missile Defense Organization (BMDO) shall continue its current strategy of flight testing, ground testing, simulations, and other Government analyses of the Patriot Multimode Missile and the Extended Range Interceptor for selection of the best technology in terms of cost, schedule, risk, and performance to meet PAC-3 missile requirements for theater missile defense and that the Director, BMDO, will determine when there is adequate information to proceed to selection for engineering and manufacturing development: Provided further, That none of the funds in this paragraph may be used to operate more than one external affairs office in the Washington, D.C. area for ballistic missile defense programs: Provided further, That not less than $15,000,000 of the funds appropriated in this paragraph shall be made available as a grant awarded through competitive procedures to a State supported historically black college or university with a demonstrated expertise in
physics and materials science, a doubled enrollment over
the past seven years, and a leading enrollment of National
Achievement Scholars over the last several years, for con-
struction to expand facilities for basic sciences and engi-
eering associated with research, development, and other
programs of major importance to the Department of De-
fense; Provided further, That not less than 25 percent of
the funds appropriated in this paragraph for the High
Performance Computing initiative may be obligated only
for research designed to develop improved performance
from high performance computing systems and technology
utilizing parallel vector processing architecture; Provided
further, That not less than $20,000,000 of the funds ap-
propriated in this paragraph shall be available only for an
Experimental Program to Stimulate Competitive Research
(EPSCOR) in the Department of Defense which shall in-
clude all States eligible as of the date of enactment of this
Act for the National Science Foundation Experimental
Program to Stimulate Competitive Research; Provided fur-
ther, That none of the funds appropriated in this para-
graph for research, development, demonstration, or com-
mercialization of electric vehicles and the related infra-
structure; fuel cell research; natural gas research; or coal
research, authorized to be conducted by the Secretary of
Energy under statutes administered by such Secretary
shall be obligated by the Secretary of Defense except in accordance with the applicable provisions of the Energy Policy Act of 1992 and other relevant statutes and pursuant to an agreement, made available to the applicable legislative and appropriation Committees of Congress, between the Secretary of Defense and the Secretary of Energy that provides for coordination of all such activities with the relevant programs at the Department of Energy administered under such Acts: Provided further, That of the funds appropriated under this heading, not less than $52,000,000 shall be made available only for the Computer-aided Acquisition and Logistics Support (CALS) Shared Resource Center (CSRC) program. Of that amount, not less than $30,000,000 shall be made available only for the continued operation of the original CSRC by the current nonprofit institution or its successor in interest, as the Department’s tri-service CALS standards and technologies development, deployment, training, and education hub for the CSRC program; the continued operation of the CSRC Regional Satellite (CRS); and the establishment and continued operation of additional CRSs to be operated by educational or other nonprofit institutions. In addition, $20,000,000 shall be made available only for the continued operation of the six original CRSs: Provided further, That none of the funds in this Act can
be expended to pay the salaries or expenses of the Department's CSRC Program Management Office unless such office is located within the Office of the Secretary of Defense. Provided further, That nothing shall prohibit use of the CSRC or CRSS by industry, associations, other Department of Defense services and agencies, and other government agencies for efforts to be separately negotiated and funded: Provided further, That $2,300,000 shall be made available only for cell adhesion molecule research: Provided, That of the funds appropriated in this paragraph, not less than $5,000,000 of the funds in the High Performance Computing Modernization program element shall be made available only to upgrade the supercomputing capability and capacity of the Maui High Performance Computing Center.

DEVELOPMENTAL TEST AND EVALUATION, DEFENSE

For expenses, not otherwise provided for, of independent activities of the Director, Test and Evaluation in the direction and supervision of developmental test and evaluation, including performance and joint developmental testing and evaluation; and administrative expenses in connection therewith; $232,592,000 $228,047,000, to remain available for obligation until September 30, 1995.
For expenses, not otherwise provided for, necessary for the independent activities of the Director, Operational Test and Evaluation in the direction and supervision of operational test and evaluation, including initial operational test and evaluation which is conducted prior to, and in support of, production decisions; joint operational testing and evaluation; and administrative expenses in connection therewith; $12,650,000, to remain available for obligation until September 30, 1995.

TITLE V

REVOLVING AND MANAGEMENT FUNDS

DEFENSE BUSINESS OPERATIONS FUND

For the Defense Business Operations Fund; $1,091,100,000 $1,161,095,000. Provided, That none of the funds available in the Defense Business Operations Fund shall be used for any hardware procurement, new development, or expansion of the Defense Business Management System; except that funds may be used to continue minimal maintenance efforts of the Defense Business Management System for the Defense Logistics Agency to continue daily operations.
For National Defense Sealift Strategic Lift Fund programs, projects, and activities, $490,800,000 $2,669,100,000, to remain available until expended: Provided, That up to $200,000,000 shall be available for transfer to the Secretary of Transportation for costs (as defined in section 502 of the Federal Credit Reform Act of 1990) of loan guarantee commitments under title XII of the Merchant Marine Act, 1936, as amended by H.R. 2401, the National Defense Authorization Act for Fiscal Year 1994: Provided further, That any facilities financed by the foregoing loan guarantee commitments must make use of new technologies and processes which have been demonstrated by Department of Defense organizations prior to construction of facilities: Provided further, That all loan guarantees or loan guarantee commitments made by the Secretary of Transportation shall occur only after consultation with the Secretary of Defense: Provided further, That notwithstanding any other provision of law, the Secretary of Transportation shall give priority to providing loan guarantees to businesses located in enterprise zones and investing private funds in developing integrated design and manufacturing facilities technologies: Provided further, That notwithstanding any other provision of law,
all loan guarantees or loan guarantee commitments for
ship construction shall be made without regard to gross
ton weight.

TITLE VI
OTHER DEPARTMENT OF DEFENSE PROGRAMS
DEFENSE HEALTH PROGRAM
For expenses, not otherwise provided for, for medical
and health care programs of the Department of Defense,
as authorized by law; $9,644,447,000 $9,576,209,000, of
which $9,368,185,000 $9,303,447,000 shall be for Oper-
ation and maintenance, of which $276,262,000
$272,762,000, to remain available for obligation until Sep-
tember 30, 1996, shall be for Procurement: Provided,
That the Department shall competitively contract during
fiscal year 1994 for mail service pharmacy for at least two
multi-state regions in addition to the ongoing solicitations
for Florida, South Carolina, Georgia, Delaware, New Jer-
sey, Pennsylvania, and Hawaii, as well as each base clo-
sure area not supported by an at-risk managed care plan;
that such services shall be procured independent of any
other Department managed care contracts; that one multi-
state region shall include the State of Kentucky:—Provided
further, That of the funds appropriated in this Act, such
funds as necessary shall be used for the continuation of
the cooperative program model being established at Mad-
igan Medical Center for severely behavior disordered stu-

dents: Provided further, That of the funds appropriated
in this paragraph, $265,000,000 shall not be obligated or
expended until authorized by law: Provided further, That
of the funds appropriated under this heading, not less than
$1,410,000 shall be made available only for annual incen-
tive pay bonuses for certified nurse anesthetists: Provided
further, That of the funds appropriated under this heading,
not less than $3,000,000 shall be made available only for
nursing research programs: Provided further, That of the
funds appropriated under this heading, $1,500,000 shall be
made available for the National Museum of Health and
Medicine.

CHEMICAL AGENTS AND MUNITIONS DESTRUCTION,

DEFENSE

For expenses, not otherwise provided for, necessary
for the destruction of the United States stockpile of lethal
chemical agents and munitions in accordance with the pro-
visions of section 1412 of the Department of Defense Au-
 thorization Act, 1986, (50 U.S.C. 1521) and for the de-
struction of other chemical warfare materials that are not
in the chemical weapon stockpile, $397,561,000
$395,847,000, of which $292,061,000 $278,361,000 shall
be for Operation and maintenance, $74,800,000
$65,886,000, shall be for Procurement, to remain available
until September 30, 1996, shall be for Procurement, and
$30,700,000 $51,600,000, shall be for Research, development, test and evaluation, to remain available until September 30, 1995, shall be for Research, development, test and evaluation: Provided, That of the funds appropriated in this paragraph, $30,700,000 shall not be obligated or expended until authorized by law.

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

For drug interdiction and counter-drug activities of the Department of Defense, for transfer to appropriations available to the Department of Defense for military personnel of the reserve components serving under the provisions of title 10 and title 32, United States Code; for Operation and maintenance; for Procurement; and for Research, development, test and evaluation; $757,785,000 $1,080,656,000: Provided, That the funds appropriated by this paragraph shall be available for obligation for the same time period and for the same purpose as the appropriation to which transferred: Provided further, That the transfer authority provided in this paragraph is in addition to any transfer authority contained elsewhere in this Act: Provided further, That of the funds appropriated in
this paragraph, not less than $5,900,000 shall be available only for the Gulf States Counter-Narcotics Initiative.

OFFICE OF THE INSPECTOR GENERAL

For expenses and activities of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended; $169,801,000 $127,601,000, of which $169,001,000 $126,801,000 shall be for Operation and maintenance, of which not to exceed $400,000 is available for emergencies and extraordinary expenses to be expended on the approval or authority of the Inspector General, and payments may be made on his certificate of necessity for confidential military purposes; and of which $800,000, to remain available until September 30, 1996, shall be for Procurement.

TITLE VII
RELATED AGENCIES
NATIONAL FOREIGN INTELLIGENCE PROGRAM
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; $182,300,000.
NATIONAL SECURITY EDUCATION TRUST FUND

(RESCISSION)

Of the funds made available in Public Law 103–50 for the National Security Education Act under the heading “National Security Education Trust Fund”, $10,000,000 is hereby rescinded.

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

For the purposes of Title VIII of Public Law 102–183, $24,000,000 to be derived from the National Security Education Trust Fund, to remain available until expended.

COMMUNITY MANAGEMENT STAFF

For necessary expenses of the Community Management Staff; $114,688,000 $115,788,000.

TITLE VIII

GENERAL PROVISIONS

Sec. 8001. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

Sec. 8002. During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense:
Provided, That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense funded by this Act shall not be at a rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is computed under the provisions of section 5332 of title 5, United States Code, or at a rate in excess of the percentage increase provided by the appropriate host nation to its own employees, whichever is higher: Provided further, That this section shall not apply to Department of Defense foreign service national employees serving at United States diplomatic missions whose pay is set by the Department of State under the Foreign Service Act of 1980: Provided further, That the limitations of this provision shall not apply to foreign national employees of the Department of Defense in the Republic of Turkey.

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

SEC. 8004. No more than 20 per centum of the appropriations in this Act which are limited for obligation during the current fiscal year shall be obligated during the last two months of the fiscal year: Provided, That this section shall not apply to obligations for support of active duty training of reserve components or summer camp
training of the Reserve Officers’ Training Corps, or the National Board for the Promotion of Rifle Practice, Army.

SEC. 8005. Section 9005 of the Department of Defense Appropriations Act, 1993 (Public Law 102–396) is amended by striking out “contained in this Act” and inserting “or any other funds available to the Department of Defense” in lieu thereof.

SEC. 8005A. Title IV of the Department of Defense Appropriations Act, 1993 (Public Law 102–396; 106 Stat. 1890) is amended in the 9th proviso under the heading “Research, Development, Test and Evaluation, Army” by striking “six months” and inserting “18 months”.

(TRANSFER OF FUNDS)

SEC. 8006. Upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed $2,000,000,000 of working capital funds of the Department of Defense or funds made available in this Act to the Department of Defense for military functions (except military construction) between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided, That such authority to transfer may not
be used unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by Congress: Provided further, That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority or any other authority in this Act.

(TRANSFER OF FUNDS)

SEC. 8007. During the current fiscal year, cash balances in working capital funds of the Department of Defense established pursuant to section 2208 of title 10, United States Code, may be maintained in only such amounts as are necessary at any time for cash disbursements to be made from such funds: Provided, That transfers may be made between such funds and the “Foreign Currency Fluctuations, Defense” and “Operation and Maintenance” appropriation accounts in such amounts as may be determined by the Secretary of Defense, with the approval of the Office of Management and Budget, except that such transfers may not be made unless the Secretary of Defense has notified the Congress of the proposed transfer. Except in amounts equal to the amounts appropriated to working capital funds in this Act, no obligations may be made against a working capital fund to procure or increase the value of war reserve material inventory,
1 unless the Secretary of Defense has notified the Congress
2 prior to any such obligation.
3
4 SEC. 8008. Using funds available by this Act or any
5 other Act, the Secretary of the Air Force, pursuant to a
6 determination under section 2690 of title 10, United
7 States Code, may implement cost-effective agreements for
8 required heating facility modernization in the
9 Kaiserslautern Military Community in the Federal Repub-
10 lic of Germany: Provided, That in the City of
11 Kaiserslautern such agreements will include the use of
12 United States anthracite as the base load energy for mu-
13 nicipal district heat to the United States Defense installa-
14 tions: Provided further, That at Landstuhl Army Regional
15 Medical Center and Ramstein Air Base, furnished heat
16 may be obtained from private, regional or municipal serv-
17 ices, if provisions are included for the consideration of
18 United States coal as an energy source.
19
20 SEC. 8009. Funds appropriated by this Act may not
21 be used to initiate a special access program without prior
22 notification 30 calendar days in session in advance to the
23 Committees on Appropriations and Armed Services of the
24 Senate and House of Representatives.
25
26 SEC. 8010. None of the funds contained in this Act
27 available for the Civilian Health and Medical Program of
28 the Uniformed Services shall be available for payments to
physicians and other authorized individual health care providers in excess of the amounts allowed in fiscal year 1993 for similar services, except that: (a) for services for which the Secretary of Defense determines an increase is justified by economic circumstances, the allowable amounts may be increased in accordance with appropriate economic index data similar to that used pursuant to title XVIII of the Social Security Act; and (b) for services the Secretary determines are overpriced based on allowable payments under title XVIII of the Social Security Act, the allowable amounts shall be reduced by not more than 15 percent (except that the reduction may be waived if the Secretary determines that it would impair adequate access to health care services for beneficiaries). The Secretary shall solicit public comment prior to promulgating regulations to implement this section. Such regulations shall include a limitation, similar to that used under title XVIII of the Social Security Act, on the extent to which a provider may bill a beneficiary an actual charge in excess of the allowable amount.

SEC. 8011. None of the funds provided in this Act shall be available to initiate (1) a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any one year of the contract or that includes an unfunded contingent liability in excess of
$20,000,000, or (2) a contract for advance procurement leading to a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any one year, unless the Committees on Appropriations and Armed Services of the Senate and House of Representatives have been notified at least thirty days in advance of the proposed contract award: Provided, That no part of any appropriation contained in this Act shall be available to initiate a multiyear contract for which the economic order quantity advance procurement is not funded at least to the limits of the Government’s liability: Provided further, That no part of any appropriation contained in this Act shall be available to initiate multiyear procurement contracts for any systems or component thereof if the value of the multiyear contract would exceed $500,000,000 unless specifically provided in this Act: Provided further, That no multiyear procurement contract can be terminated without 10-day prior notification to the Committees on Appropriations and Armed Services of the House of Representatives and the Senate: Provided further, That the execution of multiyear authority shall require the use of a present value analysis to determine lowest cost compared to an annual procurement.

SEC. 8012. (a) None of the funds appropriated by this Act shall be available to convert a position in support
of the Army Reserve, Air Force Reserve, Army National Guard, and Air National Guard occupied by, or programmed to be occupied by, a (civilian) military technician to a position to be held by a person in an active duty status or active Guard or Reserve status if that conversion would reduce the total number of positions occupied by, or programmed to be occupied by, (civilian) military technicians of the component concerned, below 69,061: Provided, That none of the funds appropriated by this Act shall be available to support more than 46,111 positions in support of the Army Reserve, Army National Guard, or Air National Guard occupied by, or programmed to be occupied by, persons in an active Guard or Reserve status: Provided further, That none of the funds appropriated by this Act may be used to include (civilian) military technicians in computing civilian personnel ceilings, including statutory or administratively imposed ceilings, on activities in support of the Army Reserve, Air Force Reserve, Army National Guard, or Air National Guard.

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

SEC. 8012. Within the funds appropriated for the operation and maintenance of the Armed Forces, funds are hereby appropriated pursuant to section 401 of title 10, United
States Code, for humanitarian and civic assistance costs under chapter 20 of title 10, United States Code. Such funds may also be obligated for humanitarian and civic assistance costs incidental to authorized operations and pursuant to authority granted in section 401 of chapter 20 of title 10, United States Code, and these obligations shall be reported to Congress on September 30 of each year: Provided, That funds available for operation and maintenance shall be available for providing humanitarian and similar assistance by using Civic Action Teams in the Trust Territories of the Pacific Islands and freely associated states of Micronesia, pursuant to the Compact of Free Association as authorized by Public Law 99-239: Provided further, That upon a determination by the Secretary of the Army that such action is beneficial for graduate medical education programs conducted at Army medical facilities located in Hawaii, the Secretary of the Army may authorize the provision of medical services at such facilities and transportation to such facilities, on a nonreimbursable basis, for civilian patients from American Samoa, the Commonwealth of the Northern Mariana Islands, the Marshall Islands, the Federated States of Micronesia, Palau, and Guam.

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

Sec. 8014. (a) The provisions of section 115(a)(4) of title 10, United States Code, shall not apply with respect to fiscal year 1994 or with respect to the appropriation of funds for that year.

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

(c) The fiscal year 1995 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 1995 Department of Defense budget request shall be prepared and submitted to the Congress as if subsections (a) and (b) of this provision were effective with regard to fiscal year 1995.

Sec. 8014. Notwithstanding any other provision of law, none of the funds made available by this Act shall be
used by the Department of Defense to exceed, outside the
fifty United States, its territories, and the District of Co-
lumbia, 131,250 civilian workyears: Provided, That
workyears shall be applied as defined in the Federal Person-
nel Manual: Provided further, That workyears expended in
dependent student hiring programs for disadvantaged
youths shall not be included in this workyear limitation.

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

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

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

SEC. 8018. Notwithstanding any other provision of
law, the Secretaries of the Army and Air Force may au-
thorize the retention in an active status until age sixty
of any officer who would otherwise be removed from an
active status and who is employed as a National Guard
or Reserve technician in a position in which active status
in a reserve component of the Army or Air Force is re-
quired as a condition of that employment.

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

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

(1) enlists in the armed services for a period of
active duty of less than three years; or
(2) receives an enlistment bonus under section 308a or 308f of title 37, United States Code, nor shall any amounts representing the normal cost of such future benefits be transferred from the Fund by the Secretary of the Treasury to the Secretary of Veterans Affairs pursuant to section 2006(d) of title 10, United States Code; nor shall the Secretary of Veterans Affairs pay such benefits to any such member: Provided, That, in the case of a member covered by clause (1), these limitations shall not apply to members in combat arms skills or to members who enlist in the armed services on or after July 1, 1989, under a program continued or established by the Secretary of Defense in fiscal year 1991 to test the cost-effective use of special recruiting incentives involving not more than nineteen noncombat arms skills approved in advance by the Secretary of Defense: Provided further, That this subsection applies only to active components of the Army.

(b) None of the funds appropriated by this Act shall be available for the basic pay and allowances of any member of the Army participating as a full-time student and receiving benefits paid by the Secretary of Veterans Affairs from the Department of Defense Education Benefits Fund when time spent as a full-time student is credited toward completion of a service commitment: Provided,
That this subsection shall not apply to those members who have reenlisted with this option prior to October 1, 1987: Provided further, That this subsection applies only to active components of the Army.

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

SEC. 8022. None of the funds appropriated by this Act shall be available to convert to contractor performance an activity or function of the Department of Defense that, on or after the date of enactment of this Act, is performed by more than ten Department of Defense civilian employees until a most efficient and cost-effective organization analysis is completed on such activity or function and certification of the analysis is made to the Committees on Appropriations of the House of Representatives and the Senate: Provided, That this section shall not apply to a commercial or industrial type function of the Department
of Defense that: (1) is included on the procurement list established pursuant to section 2 of the Act of June 25, 1938 (41 U.S.C. 47), popularly referred to as the Javits-Wagner-O'Day Act; (2) is planned to be converted to performance by a qualified nonprofit agency for the blind or by a qualified nonprofit agency for other severely handicapped individuals in accordance with that Act; or (3) is planned to be converted to performance by a qualified firm under 51 percent Native American ownership.

SEC. 8023. None of the funds appropriated or made available by this Act may be obligated for acquisition of major automated information systems which have not successfully completed oversight reviews required by Defense Department regulations: Provided, That the automated information systems oversight review board will be independent of any other Department review function and chaired by the Assistant Secretary of Defense (Command, Control, Communications and Intelligence): Provided further, That except for those programs to modernize and develop migration and standard automated information systems that have been certified by the Department's senior information resource management (I.R.M.) official as being fully compliant with the Department's information management initiative as defined in Defense Department Directive 8000.1, no funds may be expended for moderniza-
tion or development of any automated information system (AIS) by the military departments, services, defense agencies, Joint Staff or Military Commands in excess of $1,000,000 unless the senior official of the Office of the Secretary of Defense with primary responsibility for the functions being supported or to be supported certifies to the Assistant Secretary of Defense for Command, Control, Communications and Intelligence that the functional requirement(s) is valid and that the system modernization or development has no unnecessary duplication of other available or planned AISs: Provided further, That the Department shall develop the capability for open systems integration of commercial-off-the-shelf (COTS) applications within the Composite Health Care System (CHCS): Provided further, That the Department shall limit deployment of the Defense Blood Standard System (DBSS) to donor and processing centers, and shall procure, install, and integrate by April 1, 1994, at two or more CHCS sites an open system compliant COTS hospital-based blood bank/transfusion application, with security access by application function and developed in the same application language as CHCS: Provided further, That the Department shall procure and install at all CHCS alpha and beta sites by April 1, 1994, an open system integrated anatomic pathology COTS application with security access by application
function and developed with the same software application language as CHCS: Provided further, That notwithstanding any other provision of law, the one time investment cost, including the procurement or lease of new or reutilized automatic data processing investment equipment, peripheral equipment and related software, for the July 16, 1993 DOD Data Center Consolidation Plan shall not exceed $309,000,000.

Sec. 8023. None of the funds appropriated or made available by this Act may be obligated for acquisition of major automated information systems which have not successfully completed oversight reviews required by Defense Department regulations: Provided, That none of the funds appropriated or made available by this Act may be obligated on Composite Health Care System acquisition contracts if such contracts would cause the total life cycle cost estimate of $1,600,000,000 expressed in fiscal year 1986 constant dollars to be exceeded.

Sec. 8024. Notwithstanding any other provision of law, the Secretary of the Navy may use funds appropriated to charter ships to be used as auxiliary mine-sweepers providing that the owner agrees that these ships may be activated as Navy Reserve ships with Navy Reserve crews used in training exercises conducted in accordance with law and policies governing Naval Reserve forces:
Provided, That none of the funds appropriated or made available in this Act may be used to inactivate, disestablish, or discontinue the Navy's Craft of Opportunity Program.

SEC. 8025. Notwithstanding any other provision of law, the Department shall competitively award contracts in fiscal year 1994 for at least four new region-wide, at-risk, fixed price managed care support contracts consistent with the following requirements: (1) each contract or acquisition shall reflect the major features of the CHAMPUS Reform Initiative and include provision for the commanders of major military medical centers to participate as the regional lead agents; (2) each such contract or acquisition shall include a triple option benefit; (3) one similar contract or acquisition shall cover the State of Florida (which may include Department of Veterans Affairs' medical facilities with the concurrence of the Secretary of Veterans Affairs); (4) one similar contract shall cover the States of Washington and Oregon; (5) each other such contract or acquisition shall include at least one complete State; (6) the managed care support contracts for California and Hawaii, Florida, Washington and Oregon shall not be counted for purposes of the required four new contracts of acquisitions; and (7) the Department shall modify a currently operating CHAMPUS serv-
ice contract to include an at-risk managed health care pro-
vision, to provide services not later than 90 days after en-
actment of this Act, in the area of Homestead Air Force
Base, to include the Homestead and South Miami Hos-
pitals as institutional providers, with a benefit structure
substantially identical to that established in fiscal year
1993 for the Carswell, Bergstrom and England Air Force
Bases (including a retail pharmacy network available to
Medicare-eligible beneficiaries), said provision to remain
effective as an interim measure until implementation of
the competitive at-risk contract for Florida as required by
this section: Provided further, That none of the funds ap-
propriated, or otherwise made available to the Department
of Defense, by this or any other Act of Congress, shall
be used to implement or administer any changes to the
operating CHAMPUS Reform Initiative-like contracts un-
less the scope of benefits and program management struc-
ture are consistent with the basic CHAMPUS Reform Ini-
tiative design in operation on January 1, 1993: Provided
further, That any law or regulation of a State or local gov-
ernment relating to health insurance, prepaid health
plans, or other health care delivery, administration, and
financing methods shall be preempted and shall not apply
to any contract entered into pursuant to chapter 55 of
title 10, United States Code: Provided further, That any
requirements for the certification of cost effectiveness, access and quality of any managed health care programs will be construed to require that the certification compare on a national basis the program to be certified with the standard CHAMPUS program as determined by the application of sound actuarial principles: Provided further, That the Department shall competitively award at least two contracts in fiscal year 1994 for stand-alone, at-risk managed mental health services in high utilization, high-cost areas, consistent with the management and service delivery features in operation in the Contracted Provider Arrangement (CPA) Tidewater Demonstration.

SEC. 8025. None of the funds appropriated by this Act may be used to establish new region-wide, at-risk, fixed price managed care contracts possessing features similar to those of the CHAMPUS Reform Initiative until such time as the Secretary of Defense submits to the Congress a plan to implement a nation-wide managed health care program for the military health services system: Provided, That the program shall include, but not be limited to: (1) a uniform, stabilized benefit structure characterized by a triple option health benefit feature; (2) a regionally-based health care management system; (3) cost minimization incentives including "gatekeeping" and annual enrollment procedures, capitation budgeting, and at-risk provider contracts; and
(4) full and open competition for all managed care support contracts: Provided further, That the implementation of the nation-wide managed care military health services system shall be completed by September 30, 1996.

SEC. 8026. Funds appropriated or made available in this Act shall be obligated and expended to continue to fully utilize the facilities at the United States Army Engineer's Waterways Experiment Station, including the continued availability of the supercomputer capability: Provided, That none of the funds in this Act may be used to purchase any supercomputer which is not manufactured in the United States, unless the Secretary of Defense certifies to the Armed Services and Appropriations Committees of Congress that such an acquisition must be made in order to acquire capability for national security purposes that is not available from United States manufacturers.

SEC. 8027. For the purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99-177) as amended by the Balanced Budget and Emergency Deficit Control Reaffirmation Act of 1987 (Public Law 100-119) and by the Budget Enforcement Act of 1990 (Public Law 101-508), the term program, project, and activity for appropriations contained in this Act shall be defined as the most specific level of budget items identi-
fied in the Department of Defense Appropriations Act, 1994, the accompanying House and Senate Committee reports, the conference report and accompanying joint explanatory statement of the managers of the Committee of Conference, the related classified annexes and reports, and the P-1 and R-1 budget justification documents as subsequently modified by Congressional action: Provided, That the following exception to the above definition shall apply: For the Military Personnel and the Operation and Maintenance accounts, the term "program, project, and activity" is defined as the appropriations accounts contained in the Department of Defense Appropriations Act: Provided further, That at the time the President submits his budget for fiscal year 1995, the Department of Defense shall transmit to the Committees on Appropriations and the Committees on Armed Services of the Senate and the House of Representatives a budget justification document to be known as the "O-1" which shall identify, at the budget activity, activity group, and subactivity group level, the amounts requested by the President to be appropriated to the Department of Defense for operation and maintenance in any budget request, or amended budget request, for fiscal year 1995.

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

(1) except as approved by the Chief of the National Guard Bureau;

(2) unless RCAS resource management functions are performed by the National Guard Bureau;

(3) to pay the salary of an RCAS program manager who has not been selected and approved by the Chief of the National Guard Bureau and chartered by the Chief of the National Guard Bureau and the Secretary of the Army;

(4) unless the Program Manager (P.M.) charter makes the P.M. accountable to the Chief of the National Guard Bureau and fully defines his authority, responsibility, reporting channels and organizational structure;

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

(6) to pay contracted costs for the acquisition of RCAS unless RCAS is an integrated system consisting of software, hardware, and communications equipment and unless such contract continues to
preclude the use of Government furnished equipment, operating systems, and executive and applications software; and

(7) unless RCAS performs its own classified information processing: Provided further, That notwithstanding any other provision of law, none of the funds appropriated shall be available for procurement of computers for the Army Reserve Component which are used to network or expand the capabilities of existing or future information systems or duplicate functions to be provided under the RCAS contract unless the procurement meets the following criteria: (A) only RCAS automated data processing (ADP) equipment may be procured and only in the numbers and types allocated by the RCAS program to each site; (B) the requesting organizational element has no computer for stand-alone office automation usage; (C) replacement equipment will not exceed the minimum required to maintain the reliability of existing capabilities; (D) replacements will be justified solely on the cost and feasibility of repairs and maintenance of present ADP equipment as compared to the cost of replacement; and (E) the procurement is recommended by both the Chief of the respective Reserve Component and the Chief of
the National Guard Bureau, and approved by the
Functional Proponent in the Department of De-
fense.

SEC. 8028. None of the funds appropriated or other-
wise made available by this Act may be obligated or ex-
pended for development or procurement of any automated
Computer Aided Logistics system unless specific approval
for such system is provided in writing to the Committees
on Appropriations and Armed Services of the House and
Senate by the Deputy Under Secretary of Defense (Logis-
tics) at least 30 days prior to any contract solicitation.

SEC. 8029. None of the funds in this Act may be
available for the purchase by the Department of Defense
(and its departments and agencies) of welded shipboard
anchor and mooring chain 4 inches in diameter and under
unless the anchor and mooring chain are manufactured
in the United States from components which are substan-
tially manufactured in the United States: Provided, That
for the purpose of this section manufactured will include
cutting, heat treating, quality control, testing of chain and
welding (including the forging and shot blasting process):
Provided further, That for the purpose of this section sub-
stantially all of the components of anchor and mooring
chain shall be considered to be produced or manufactured
in the United States if the aggregate cost of the compo-
nents produced or manufactured in the United States exceeds the aggregate cost of the components produced or manufactured outside the United States: Provided further, That when adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis, the Secretary of the service responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations that such an acquisition must be made in order to acquire capability for national security purposes.

SEC. 8029. Notwithstanding any other provision of law, none of the funds appropriated in this Act may be used to purchase, install, replace, or otherwise repair any lock on a safe or security container which protects information critical to national security or any other classified materials and which has not been certified as passing the security lock specifications contained in regulation FF-L-2740 dated October 12, 1989, and has not passed all testing criteria and procedures established through February 28, 1992.

(TRANSFER OF FUNDS)

SEC. 8030. Notwithstanding any other provision of law, the Department of Defense may transfer prior year, unobligated balances and funds appropriated in this Act to the operation and maintenance appropriations for the purpose of providing military technician and Department
of Defense medical personnel pay and medical programs (including CHAMPUS) the same exemption from sequestration set forth in the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99–177) as amended by the Balanced Budget and Emergency Deficit Control Reaffirmation Act of 1987 (Public Law 100–119) and by the Budget Enforcement Act of 1990 (Public Law 101–508) as that granted the other military personnel accounts: Provided, That any transfer made pursuant to any use of the authority provided by this provision shall be limited so that the amounts reprogrammed to the operation and maintenance appropriations do not exceed the amounts sequestered under the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99–177) as amended by the Balanced Budget and Emergency Deficit Control Reaffirmation Act of 1987 (Public Law 100–119) and by the Budget Enforcement Act of 1990 (Public Law 101–508): Provided further, That the authority to make transfers pursuant to this section is in addition to the authority to make transfers under other provisions of this Act: Provided further, That the Secretary of Defense may proceed with such transfer after notifying the Appropriations Committees of the House of Representa-
sion before any such transfer of funds under this provision.

SEC. 8030. None of the funds available to the Department of the Navy may be used to enter into any contract for the overhaul, repair, or maintenance of any naval vessel homeported on the West Coast of the United States which includes charges for interport differential as an evaluation factor for award.

SEC. 8031. None of the funds appropriated by this Act available for the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) shall be available for the reimbursement of any health care provider for inpatient mental health service for care received when a patient is referred to a provider of inpatient mental health care or residential treatment care by a medical or health care professional having an economic interest in the facility to which the patient is referred: Provided, That this limitation does not apply in the case of inpatient mental health services provided under the program for the handicapped under subsection (d) of section 1079 of title 10, United States Code, provided as partial hospital care, or provided pursuant to a waiver authorized by the Secretary of Defense because of medical or psychological circumstances of the patient that are confirmed by a health professional who is not a Federal employee after a review,
pursuant to rules prescribed by the Secretary, which takes into account the appropriate level of care for the patient, the intensity of services required by the patient, and the availability of that care.

SEC. 8032. All new Department of Defense procurements shall separately identify software costs in the work breakdown structure defined by MIL-STD-881 in those instances where software is considered to be a major category of cost.

SEC. 8033. During the current fiscal year and thereafter, of the funds appropriated, reimbursable expenses incurred by the Department of Defense on behalf of the Soviet Union or its successor entities in monitoring United States implementation of the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range or Shorter-Range Missiles ("INF Treaty"), concluded December 8, 1987, may be treated as orders received and obligation authority for the applicable appropriation, account, or fund increased accordingly. Likewise, any reimbursements received for such costs may be credited to the same appropriation, account, or fund to which the expenses were charged: Provided, That reimbursements which are not received within one hundred and eighty days after submission of an appropriate request for payment.
shall be subject to interest at the current rate established pursuant to section 2(b)(1)(B) of the Export-Import Bank Act of 1945 (59 Stat. 526). Interest shall begin to accrue on the one hundred and eighty-first day following submission of an appropriate request for payment: Provided further, That funds appropriated in this Act may be used to reimburse United States military personnel for reasonable costs of subsistence, at rates to be determined by the Secretary of Defense, incurred while accompanying Soviet Inspection Team members or inspection team members of the successor entities of the Soviet Union engaged in activities related to the INF Treaty: Provided further, That this provision includes only the in-country period (referred to in the INF Treaty) and is effective whether such duty is performed at, near, or away from an individual’s permanent duty station.

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

SEC. 8035. None of the funds available in this Act to the Department of Defense or Navy shall be obligated or expended for (or to implement) automatic data process-
ing, data processing center, central design activity, DMRD-918, defense information infrastructure, military or civilian personnel and finance and accounting function consolidation plans, consolidations, and disestablishment or realignment plans that impact, in terms of reductions in force or transfers in military and civilian personnel, end strength, billets, functions, or missions, the Enlisted Personnel Management Center, the Naval Computer and Telecommunications Station and Defense Accounting Office, New Orleans, and the Naval Reserve Personnel Center and related missions, functions, and commands until sixty legislative days after the Secretary of Defense submits to the House and Senate Committees on Appropriations a report, including complete review comments and a certification, by both the Secretary of Defense and the Comptroller General, justifying and certifying that such plans and actions: (1) do not consolidate, plan to consolidate, disestablish or realign Department of Defense or Service data processing functions or centers, central design activities, finance and accounting or military and civilian personnel functions and activities, or claim savings from such function and activity consolidations and disestablishment, realignment, or consolidation plans, that are in more than one defense management report plan or decision or any other Department of Defense or Service
consolidation, disestablishment, or realignment plan; (2) utilize criteria primarily weighted to evaluate, measure, and compare how data processing centers, central design activities, financing and accounting and military and civilian personnel functions and activities are ranked in terms of operational readiness, customer satisfaction, and the most cost effective and least expensive from a business performance, and regional operations cost standpoint; (3) will provide equal or better service for DOD customers; (4) will not adversely impact the quality of life and benefits of the individual service person, dependents, and civilian personnel; and (5) will not adversely impact the mission and readiness of the Navy and Naval Reserves: Provided, That none of the provisions in this section shall, in any way, affect the implementation of the Defense Base Closure and Realignment Commission recommendations.

SEC. 8035. Such sums as may be necessary for fiscal year 1994 pay raises for programs funded by this Act shall be derived from funds within the amounts appropriated in this Act.

SEC. 8036. Notwithstanding any other provision of law, during the current fiscal year, the Secretary of Defense may, by Executive Agreement, establish with host nation governments in NATO member states a separate account into which such residual value amounts negotiated
in the return of United States military installations in NATO member states may be deposited, in the currency of the host nation, in lieu of direct monetary transfers to the United States Treasury: Provided, That such credits may be utilized only for the construction of facilities to support United States military forces in that host nation, or such real property maintenance and base operating costs that are currently executed through monetary transfers to such host nations: Provided further, That the Department of Defense’s budget submission for fiscal year 1995 shall identify such sums anticipated in residual value settlements, and identify such construction, real property maintenance or base operating costs that shall be funded by the host nation through such credits: Provided further, That all military construction projects to be executed from such accounts must be previously approved in a prior Act of Congress: Provided further, That each such Executive Agreement with a NATO member host nation shall be reported to the Committees on Appropriations and Armed Services of the House of Representatives and the Senate thirty days prior to the conclusion and endorsement of any such agreement established under this provision.

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

SEC. 8038. None of the funds available to the Department of Defense in this Act shall be used to demilitarize or dispose of more than 310,784 unserviceable M1 Garand rifles and M1 Carbines.

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

SEC. 8040. None of the funds appropriated by this Act may be used by the Department of Defense to assign a supervisor’s title or grade when the number of people he or she supervises is considered as a basis for this determination: Provided, That savings that result from this provision are represented as such in future budget proposals.

SEC. 8041. Of the funds appropriated by this Act, no more than $18,500,000 shall be available for the mental health care demonstration project at Fort Bragg, North Carolina: Provided, That adjustments may be made for normal and reasonable price and program growth.

SEC. 8042. None of the funds appropriated by this Act may be used to pay health care providers under the
Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) for services determined under the CHAMPUS Peer Review Organization (PRO) Program to be not medically or psychologically necessary. The Secretary of Defense may by regulation adopt any quality and utilization review requirements and procedures in effect for the Peer Review Organization Program under title XVIII of the Social Security Act (Medicare) that the Secretary determines necessary, and may adapt the Medicare requirements and procedures to the circumstances of the CHAMPUS PRO Program as the Secretary determines appropriate.

SEC. 8043. None of the funds appropriated by this Act shall be available for payments under the Department of Defense contract with the Louisiana State University Medical Center involving the use of cats for Brain Missile Wound Research, and the Department of Defense shall not make payments under such contract from funds obligated prior to the date of the enactment of this Act, except as necessary for costs incurred by the contractor prior to the enactment of this Act, and until thirty legislative days after the final General Accounting Office report on the aforesaid contract is submitted for review to the Committees on Appropriations of the House of Representatives.
and the Senate: Provided, That funds necessary for the
care of animals covered by this contract are allowed.

SEC. 8044. None of the funds provided in this Act
or any other Act shall be available to conduct bone trauma
research at the Letterman Army Institute of Research any
Army Research Laboratory until the Secretary of the Army
certifies that the synthetic compound to be used in the
experiments is of such a type that its use will result in
a significant medical finding, the research has military ap-
lication, the research will be conducted in accordance
with the standards set by an animal care and use commit-
tee, and the research does not duplicate research already
conducted by a manufacturer or any other research orga-
nization.

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

SEC. 8046. No more than $50,000 of the funds ap-
propriated or made available in this Act shall be used for
any single relocation of an organization, unit, activity or
function of the Department of Defense into or within the
National Capital Region: Provided, That the Secretary of
Defense may waive this restriction on a case-by-case basis
by certifying in writing to the Committees on Appropria-
tions of the House of Representatives and Senate that
such a relocation is required in the best interest of the
Government: Provided further, That no funds appropriated
or made available in this Act shall be used for the reloca-
tion into the National Capital Region of the Air Force Of-
fice of Medical Support located at Brooks Air Force Base.

SEC. 8046. Notwithstanding any other provision of
law, each contract awarded by the Department of Defense
in fiscal year 1994 for construction or service performed
in whole or in part in a State which is not contiguous with
another State and has an unemployment rate in excess of
the national average rate of unemployment as determined
by the Secretary of Labor shall include a provision requir-
ing the contractor to employ, for the purpose of performing
that portion of the contract in such State that is not contig-
uous with another State, individuals who are residents of such State and who, in the case of any craft or trade, possess or would be able to acquire promptly the necessary skills: Provided, That the Secretary of Defense may waive the requirements of this section in the interest of national security.

SEC. 8047. During the current fiscal year, funds appropriated or otherwise available for any Federal agency, the Congress, the judicial branch, or the District of Columbia may be used for the pay, allowances, and benefits of an employee as defined by section 2105 of title 5 or an individual employed by the government of the District of Columbia, permanent or temporary indefinite, who—

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

(2) performs, for the purpose of providing military aid to enforce the law or providing assistance to civil authorities in the protection or saving of life or property or prevention of injury—

(A) Federal service under section 331, 332, 333, 3500, or 8500 of title 10, or other provision of law, as applicable, or
(B) full-time military service for his State, the District of Columbia, the Commonwealth of Puerto Rico, or a territory of the United States; and

(3) requests and is granted—

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

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

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

SEC. 8048. None of the funds appropriated by this Act shall be available to perform any cost study pursuant to the provisions of OMB Circular A-76 if the study being performed exceeds a period of twenty-four months after initiation of such study with respect to a single function activity or forty-eight months after initiation of such study for a multi-function activity.
SEC. 8049. Funds appropriated by this Act for the American Forces Information Service shall not be used for any national or international political or psychological activities.

SEC. 8050. Notwithstanding any other provision of law or regulation, the Secretary of Defense may adjust wage rates for civilian employees hired for certain health care occupations as authorized for the Secretary of Veterans Affairs by section 7455 of title 38, United States Code.

SEC. 8051. During the current fiscal year, none of the funds appropriated in this Act may be used to reduce the military or civilian medical and medical support personnel end strength as of September 30, 1993, as defined by section 711(c) of Public Law 101–510: Provided, That none of the funds appropriated in this Act may be used to reduce the military or civilian medical and medical support personnel end strength at a base undergoing a partial closure or realignment, where more than one joint command is located, below the September 30, 1991 level.

SEC. 8052. Of the funds made available in this Act, not less than $11,679,000 $10,596,000 shall be available for the Civil Air Patrol, of which $4,642,000 $4,471,000 shall be available for Operation and Maintenance.
SEC. 8053. None of the funds appropriated or made available in this Act shall be used to reduce or disestablish the operation of the 815th Weather Squadron of the Air Force Reserve, if such action would reduce the WC-130 Weather Reconnaissance mission below the levels funded in this Act.

SEC. 8054. During the current fiscal year, withdrawal credits may be made by the Defense Business Operations Fund to the credit of current applicable appropriations of an activity of the Department of Defense in connection with the acquisition by that activity of supplies that are repairable components which are repairable at a repair depot and that are capitalized into the Defense Business Operations Fund as the result of management changes concerning depot level repairable assets charged to an activity of the Department of Defense which is a customer of the Defense Business Operations Fund that became effective on April 1, 1992.

SEC. 8055. (a) Of the funds for the procurement of supplies or services appropriated by this Act, qualified nonprofit agencies for the blind or other severely handicapped shall be afforded the maximum practicable opportunity to participate as subcontractors and suppliers in the performance of contracts let by the Department of Defense.
(b) During the current fiscal year, a business concern which has negotiated with a military service or defense agency a subcontracting plan for the participation by small business concerns pursuant to section 8(d) of the Small Business Act (15 U.S.C. 637(d)) shall be given credit toward meeting that subcontracting goal for any purchases made from qualified nonprofit agencies for the blind or other severely handicapped.

(c) For the purpose of this section, the phrase “qualified nonprofit agency for the blind or other severely handicapped” means a nonprofit agency for the blind or other severely handicapped that has been approved by the Committee for the Purchase from the Blind and Other Severely Handicapped under the Javits-Wagner-O’Day Act (41 U.S.C. 46-48).

Sec. 8056. During the current fiscal year and thereafter, there is established, under the direction and control of the Attorney General, the National Drug Intelligence Center, whose mission it shall be to coordinate and consolidate drug intelligence from all national security and law enforcement agencies, and produce information regarding the structure, membership, finances, communications, and activities of drug trafficking organizations: Provided, That funding for the operation of the National Drug Intelligence Center, including personnel costs associ-
ated therewith, shall be provided from the funds appropriated to the Department of Defense.

SEC. 8056. Notwithstanding any other provision of law, in addition to the funds made available elsewhere in this Act to the Department of the Navy, $60,000,000 to remain available until expended, shall be made available only for obligations incurred in the conveyance, clean-up, and restoration of Kaho'olawe Island.

SEC. 8057. During the current fiscal year and thereafter, the Navy may provide notice to exercise options under the LEASAT program for the next fiscal year, in accordance with the terms of the Aide Memoire, dated January 5, 1981, as amended by the Aide Memoire dated April 30, 1986, and as implemented in the LEASAT contract.

SEC. 8058. During the current fiscal year, net receipts pursuant to collections from third party payers pursuant to section 1095 of title 10, United States Code, shall be made available to the local facility of the uniformed services responsible for the collections and shall be over and above the facility’s direct budget amount.

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

SEC. 8059. Of the funds made available by this Act in title III, Procurement, $8,000,000, drawn pro rata from each appropriations account in title III, shall be available for incentive payments authorized by section 504 of the Indian Financing Act of 1974, 25 U.S.C. 1544. These payments shall be available only to contractors which have submitted subcontracting plans pursuant to 15 U.S.C. 637(d)(4)(B), and according to regulations which shall be promulgated by the Secretary of Defense within 90 days of the passage of this Act.

SEC. 8060. During the current fiscal year and thereafter, notwithstanding any other provision of law, the Department of Defense is hereby authorized to develop and procure the LANDSAT 7 vehicle.

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

SEC. 8062. Of the funds appropriated by this Act for the Defense Health Program, notwithstanding any other provision of law, the amount payable for services provided under this section shall not be less than the amount calculated under the coordination of benefits reimbursement formula utilized when CHAMPUS is a secondary payor to medical insurance programs other than Medicare, and such appropriations as necessary, $20,000,000, shall be available (notwithstanding the last sentence of section 1086(c) of title 10, United States Code) to continue Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) benefits, until age 65, under such section for a former member of a uniformed service who is entitled to retired or retainer pay or equivalent pay, or a dependent of such a member, or any other beneficiary described by section 1086(c) of title 10, United States Code, who becomes eligible for hospital insurance benefits under part A of title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) solely on the grounds of physical disability, or end stage renal disease: Provided, That expenses under this section shall only be covered to the extent that such expenses are not covered under parts A and B of title XVIII of the Social Security Act and are otherwise
covered under CHAMPUS: Provided further, That no reimbursement shall be made for services provided prior to October 1, 1991.

Sec. 8063. During the current fiscal year, the Secretary of Defense may accept burdensharing contributions in the form of money from Japan, the Republic of Korea, and the State of Kuwait for the costs of local national employees, supplies, and services of the Department of Defense to be credited to applicable Department of Defense operation and maintenance appropriations available for the salaries and benefits of national employees of Japan, the Republic of Korea, and the State of Kuwait, supplies, and services to be merged with and to be available for the same purposes and time period as those appropriations to which credited: Provided, That not later than 30 days after the end of each quarter of the fiscal year, the Secretary of Defense shall submit to the Congress a report of contributions accepted by the Secretary under this provision during the preceding quarter.

Sec. 8064. (a) Funds appropriated in this Act to finance activities of Department of Defense (DOD) Federally Funded Research and Development Centers (FFRDCs) may not be obligated or expended for an FFRDC if a member of its Board of Directors or Trustees simultaneously serves on the Board of Directors or Trust-
ees of a profit-making company under contract to the Department of Defense unless the FFRDC has a DOD approved conflict of interest policy for its members.

(b) None of the funds appropriated in this Act are available to establish a new FFRDC, either as a new entity, or as a separate entity administered by an organization managing another FFRDC, or as a nonprofit membership corporation consisting of a consortium of other FFRDCs and other nonprofit entities.

(c) Notwithstanding any other provision of law, of the amounts available to the Department of Defense during fiscal year 1994, not more than $1,352,650,000 may be obligated for financing activities of federally funded research and development centers.

(d) The total amount appropriated for research, development, test and evaluation by this Act is hereby reduced by $200,000,000 to reflect the obligation limitation contained in subsection (c).

SEC. 8065. None of the funds appropriated or made available in this Act shall be used to procure carbon, alloy or armor steel plate for use in any Government-owned facility or property under the control of the Department of Defense which were not melted and rolled in the United States or Canada: Provided, That these procurement restrictions shall apply to any and all Federal Supply Class
9515, American Society of Testing and Materials (ASTM)
or American Iron and Steel Institute (AISI) specifications
of carbon, alloy or armor steel plate: Provided further,
That the Secretary of the military department responsible
for the procurement may waive this restriction on a case-
by-case basis by certifying in writing to the Committees
on Appropriations of the House of Representatives and the
Senate that adequate domestic supplies are not available
to meet Department of Defense requirements on a timely
basis and that such an acquisition must be made in order
to acquire capability for national security purposes: Pro-
vided further, That these restrictions shall not apply to
contracts which are in being as of the date of enactment
of this Act.

Sec. 8066. Notwithstanding any other provision of
law, no more than 15 percent of the funds available to
the Department of Defense for sealift may be used to ac-
quire, directly or indirectly, through charter or purchase,
ships constructed in foreign shipyards: Provided, That
ships acquired as provided above shall be necessary to sat-
isfy the shortfalls identified in the Mobility Requirements
Study: Provided further, That any work required to con-
vert foreign built ships acquired as provided above to United
States Coast Guard and American Bureau of Shipping
standards, or conversion to a more useful military configu-
ration, must be accomplished in United States domestic shipyards: Provided further, That none of the funds shall be used to purchase the following major components: bridge or machinery control systems, or interior communications equipment, auxiliary equipment, including pumps for all shipboard services, propulsion system components (that is, engines, reduction gears, and propellers), shipboard cranes, and spreaders for shipboard cranes for sealift ships unless the systems or equipment, and their components, are manufactured in the United States: Provided further, That the Secretary of the military department responsible for such procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes.

SEC. 8065. None of the funds available to the Department of Defense during the current fiscal year may be obligated or expended to develop for aircraft or helicopter weapons systems an airborne instrumentation system for flight test data acquisition, or to develop or implement modifications to an existing airborne instrumentation system, other
than the Common Airborne Instrumentation System under
development in the Central Test and Evaluation Investment
Development program element funded in the "Developmental Test and Evaluation, Defense" appropriations account.

SEC. 8066. None of the unobligated balances available in the National Defense Stockpile Transaction Fund during the current fiscal year may be obligated or expended to finance any grant or contract to conduct research, development, test and evaluation activities for the development or production of advanced materials, unless amounts for such purposes are specifically appropriated in a subsequent appropriations Act.

SEC. 8067. For the purposes of this Act, the term "congressional defense committees" means the Committees on Armed Services, the Committees on Appropriations, and the subcommittees on Defense of the Committee on Appropriations, of the Senate and the House of Representatives.

SEC. 8068. Notwithstanding any other provision of law, during the current fiscal year, the Secretary of Defense may acquire the modification, depot maintenance and repair of aircraft, vehicles and vessels as well as the production of components and other Defense-related articles, through competition between Department of Defense depot maintenance activities and private firms: Provided,
That the Senior Acquisition Executive of the military department or defense agency concerned, with power of delegation, shall certify that successful bids include comparable estimates of all direct and indirect costs for both public and private bids: Provided further, That Office of Management and Budget Circular A-76 shall not apply to competitions conducted under this section.

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

(2) An agreement referred to in paragraph (1) is any reciprocal defense procurement memorandum of understanding, between the United States and a foreign country pursuant to which the Secretary of Defense has prospectively waived the Buy American Act for certain products in that country.

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

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

SEC. 8070. (a) Of the funds made available in this Act in title II, Operation and Maintenance, Army, $5,000,000 shall be available only to execute the cleanup of uncontrolled hazardous waste contamination affecting the Sale Parcel at Hamilton Air Force Base, in Novato, in the State of California.

(b) Notwithstanding any other provision of law, in the event that the purchaser of the Sale Parcel exercises its option to withdraw from all or a portion of the sale, as provided in the Agreement and Modification, dated September 25, 1990, between the Department of Defense, the General Services Administration, and the purchaser, as
amended, the purchaser’s deposit of $4,500,000 shall be
returned by the General Services Administration and
funds eligible for reimbursement under the Agreement and
Modification, as amended, shall come from the funds made
available to the Department of Defense by this Act.

(c) Notwithstanding any other provision of law, in the
event that the purchaser purchases only a portion of the
Sale Parcel and exercises its option to withdraw from the
sale as to the rest of the Sale Parcel, the portion of the
Sale Parcel that is not purchased (other than Landfill 26
and an appropriate buffer area around it), together with
any of the land referred to in section 9099(e) of Public
Law 102–396 that is not purchased by the purchaser,
shall be sold to the City of Novato, in the State of Califor-
nia, for the sum of One Dollar as a public benefit transfer
for school, classroom or other educational use, for use as
a public park or recreation area or for further conveyance
as provided herein, subject to the following restrictions:
(1) if the City sells any portion of such land to any third
party within ten years after the transfer to the City, which
sale may be made without the foregoing use restrictions,
any proceeds received by the City in connection with such
sale, minus the demonstrated reasonable costs of conduct-
ing the sale and of any improvements made by the City
to the land following its acquisition of the land (but only
to the extent such improvements increase the value of the portion sold), shall be immediately turned over to the Army in reimbursement of the withdrawal payment made by the Army to the contract purchaser and the costs of cleaning up the Landfill and (2) until one year following completion of the cleanup of contaminated soil in the landfill and completion of the groundwater treatment facilities, the sale must be at a per-acre price for the portion sold that is at least equal to the per-acre contract price paid by the purchaser for the portion of the Sale Parcel purchased under the Agreement and Modification, as amended, and thereafter must be at a price at least equal to the fair market value of the portion sold. The foregoing restrictions shall not apply to a transfer to another public or quasi-public agency for public uses of the kind described above. The deed to the City shall contain a clause providing that, if any of the proceeds referred to in clause (1) are not delivered to the Army within 30 days after sale, or any portion of the land not sold as provided herein is used for other than educational, park or recreational uses, title to the applicable portion of such land shall revert to the United States Government at the election of the General Services Administration. The Army shall agree to deliver into the applicable closing escrow an acknowledgement of receipt of any proceeds described in
clause (1) above and a release of the reverter right as to
the affected land, effective upon such receipt.

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

SEC. 8070. Notwithstanding any other provision of
law, any statutorily-required analysis of the impact on the
defense technology and industrial base of terminations and
significant reductions of major research and development
programs and procurement programs of the Department of
Defense shall address only those actions recommended by
the Defense Department in its annual budget request and
amendments thereto, supplemental requests, or proposed re-
scissions.

SEC. 8071. Notwithstanding any other provision of
law, the Secretary of Defense may, when he considers it
in the best interest of the United States, cancel any part
of an indebtedness, up to $2,500, that is or was owed to
the United States by a member or former member of a
uniformed service if such indebtedness, as determined by
the Secretary, was incurred in connection with Operation
Desert Shield/Storm: Provided, That the amount of an in-
debt edness previously paid by a member or former mem-
ber and cancelled under this section shall be refunded to
the member.

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

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

(INCLUDING TRANSFER OF FUNDS)

SEC. 8074. Amounts deposited during fiscal years
1993 and 1994 to the special account established under
40 U.S.C. 485(h)(2) and to the special account established
under 10 U.S.C. 2667(d)(1) are appropriated and shall
be available until transferred by the Secretary of Defense
to current applicable appropriations or funds of the De-
partment of Defense under the terms and conditions spec-
fied by 40 U.S.C. 485(h)(2) (A) and (B) and 10 U.S.C.
2667(d)(1)(B), to be merged with and to be available for
the same time period and the same purposes as the appro-
propriation to which transferred.

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

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

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

SEC. 8075. None of the funds in this or any other Act
shall be available for the preparation of studies on—

(a) the feasibility of removal and transportation
of unitary chemical weapons from the eight chemical
storage sites within the continental United States:
Provided, That this prohibition shall not apply to
non-stockpile material in the United States or to
studies needed for environmental analysis required by
the National Environmental Policy Act; and

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

SEC. 8076. During the current fiscal year, none of the funds available to the Department of Defense may be used to procure or acquire (1) defensive handguns or defensive handgun ammunition unless such handguns or handgun ammunition are the M9 9mm Department of Defense standard handgun or ammunition for such handguns, or (2) offensive handguns and ammunition except for the Special Operations Forces.

SEC. 8077. During the current fiscal year, appropriations available to the Department of Defense may be used to reimburse a member of a reserve component of the Armed Forces who is not otherwise entitled to travel and transportation allowances and who occupies transient government housing while performing active duty for training or inactive duty training: Provided, That such members may be provided lodging in kind if transient government quarters are unavailable as if the member was entitled to such allowances under subsection (a) of section 404 of title 37, United States Code: Provided further, That if lodging in kind is provided, any authorized service charge or cost of such lodging may be paid directly from funds appro-
appropriated for operation and maintenance of the reserve component of the member concerned.

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

SEC. 8079. None of the funds available in this Act may be used to support in any manner, including travel or other related expenses, the “Tailhook Association”: Provided, That investigations by the Secretary of the Navy or consultation with the Tailhook Association are not prohibited by this provision.

SEC. 8080. During the current fiscal year and thereafter, from funds available to the Department of Defense, the Director of the Air National Guard shall operate a Command, Control, Communications and Intelligence planning office manned by three full-time Air Guard officers in the rank of O–6, O–5, and O–4: Provided, That these officers shall be in addition to the strengths authorized in section 524 of title 10, United States Code.

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

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

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

SEC. 8083. Notwithstanding any other provision of
law, the Naval shipyards of the United States shall be eligi-
ble to participate in any manufacturing extension program
financed by funds appropriated in this or any other Act.

SEC. 8084. The $15,000,000 made available in sec-
tion 9088 of the Department of Defense Appropriations
Act, 1993 (Public Law 102–396) for payment of claims
to United States military and civilian personnel for dam-
ages incurred as a result of the volcanic eruption of Mount
Pinatubo in the Philippines, shall remain available for obligation until September 30, 1994, notwithstanding section 9003 of that Act: Provided further, That $5,000,000 of the funds made available by this section shall be available until September 30, 1995 for expenses associated with the construction and modification of facilities to support the relocation of military training programs from installations in the Philippines to sites in the United States.

(TRANSFER OF FUNDS)

Sec. 8085. In addition to any other transfer authority contained in this Act, $100,000,000 appropriated in this Act under the heading “Operation and Maintenance, Defense-Wide” may be transferred to appropriations contained in this Act which are available for the payment of civilian voluntary separation incentives, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred.

Sec. 8086. During the current fiscal year, amounts contained in the Department of Defense Overseas Military Facility Investment Recovery Account established by section 2921(c)(1) of the National Defense Authorization Act of 1991, (Public Law 101-510; 10 U.S.C. 2687 note) shall be available until expended for the payments specified by section 2921(c)(2) of that Act.

Sec. 8087. During the current fiscal year, annual payments granted under the provisions of section 4416 of
the National Defense Authorization Act for fiscal year 1993 (Public Law 102–428; 106 Stat. 2714) shall be made from appropriations in this Act which are available for the pay of reserve component personnel.

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

SEC. 8088. None of the funds available to the Department of Defense for establishing a Naval East Coast Electronics Engineering Center may be obligated or expended for the establishment of such Headquarters at any location other than Charleston, South Carolina: Provided, That no such funds may be obligated or expended for the establishment or operation of subordinate detachments at St. Inigoes, Maryland, and Portsmouth, Virginia, with manning levels or broader functions than that specifically stated in the 1993 Report to the President of the Defense Base Closure and Realignment Commission.

SEC. 8089. (a) IN GENERAL.—Subject to subsection (b), the Secretary of the Army may release, discharge, waive, and quitclaim all right, title, and interest which the United States may have by virtue of the quitclaim deed dated June 18, 1956, in and to approximately 6.89 acres
1 of real property, with improvements thereon, in Harris
2 County, Texas.
3 (b) CONDITION.—The Secretary may carry out sub-
4 section (a) only after obtaining satisfactory assurances
5 that the State of Texas shall obtain, in exchange for the
6 real property referred to in subsection (a), a tract of real
7 property—
8 (1) which is at least equal in value to the real
9 property referred to in subsection (a), and
10 (2) which shall be, on the date on which the
11 State obtains it, subject to the same restrictions and
12 covenants with respect to the Federal Government
13 as are applicable on the date of the enactment of
14 this Act to the real property referred to in sub-
15 section (a).
16 (c) LEGAL DESCRIPTION OF REAL PROPERTY.—The
17 exact acreage and legal description of the real property
18 referred to in subsection (a) shall be based upon surveys
19 that are satisfactory to the Secretary.
20 Sec. 8089. (a) Notwithstanding any other provision
21 of law, funds appropriated under this Act for the Depart-
22 ment of Defense shall be made available for the Overseas
23 Workload Program: Provided, That a firm of any member
24 nation of the North Atlantic Treaty Organization (NATO)
25 or of any major non-NATO ally or countries in the Euro-
pean Theater, shall be eligible to bid on any contract for
the maintenance, repair, or overhaul of equipment of the
Department of Defense to be awarded under competitive
procedures as part of the program of the Department of De-
fense known as the Overseas Workload Program.
(b) A contract awarded during fiscal year 1994, or
thereafter, to a firm described in subsection (a) may be per-
formed in the theater in which the equipment is normally
located or in the country in which the firm is located.
(c) For purposes only of this section, Israel shall be
considered in the European Theater in every respect, with
its firms fully eligible for nonrestrictive, nondiscriminatory
contract competition under the Overseas Workload Pro-
gram.
(d) No funds appropriated for the Overseas Workload
Program for fiscal year 1994 or thereafter shall be used for
contracts awarded in fiscal year 1994 or thereafter which
have not been opened for competition in a manner consist-
ent with this provision.
Sec. 8090. None of the funds appropriated by this
Act shall be used to procure aircraft fuel cells unless the
fuel cells are produced or manufactured in the United
States by a domestic-owned and domestic-operated entity:
Provided, That the Secretary of the military department
responsible for the procurement may waive this restriction
on a case-by-case basis by certifying in writing to the
Committees on Appropriations of the House of Represent-
atives and the Senate that adequate domestic supplies are
not available to meet Department of Defense requirements
on a timely basis and that such an acquisition must be
made in order to acquire capability for national security
purposes.

SEC. 8090. None of the funds available to the Depart-
ment of the Air Force shall be available to establish or sup-
port any organic depot maintenance support activity for
the B-2 bomber.

SEC. 8091. (a) Notwithstanding any other provision
of law, not less than $750,000 of the funds appropriated
under the heading “Operation and Maintenance, Army”
in title II of this Act shall be made available until ex-
pended to conduct a demonstration program involving the
Army Senior Reserve Officers’ Training Corps battalion
at Indiana University-Northwest and Army Junior Re-
serve Officers’ Training Corps units near the University.
The purpose of the program shall be to encourage minor-
ity students in secondary educational institutions to con-
tinue their education.

(b) Under the program, Senior Reserve Officers’
Corps cadets may serve as mentors and tutors for students
in Junior Reserve Officers’ Corps units. Cadets and stu-
dents may participate in combined activities, including
summer camps, field training, and other traditional mili-
tary activities.
(c) Senior Reserve Officers' Corps cadets who serve
as mentors and tutors may be paid a stipend.
(d) After a cadet has satisfactorily served in the pro-
gram, under criteria established by the Secretary of the
Army and for a period of time determined by the Sec-
retary, the cadet may be provided financial assistance tuition,
books, laboratory fees, and similar educational ex-
penses if the cadet continues to serve satisfactorily in the
program.

SEC. 8091. (a) Any college, university, or other institu-
tion which has been determined by the Defense Contract
Audit Agency to have overbilled the Federal Government for
indirect costs which are unreasonable, unallowable, or
unallocable under Office of Management and Budget Circu-
lars A-21 and A-133 may not receive from the Department
of Defense, during fiscal year 1994, any grant or contract,
or combination of grants or contracts, which totals the
amount overbilled to the Department of Defense.
(b) The restriction in subsection (a) shall not apply
if, within six months after an official determination of
overbilling—
(1) the institution in question either repays in full to the United States Treasury the amount overbilled to the Federal Government, plus interest, or

(2) the Under Secretary of Defense for Acquisition certifies in writing to Congress that the institution is no longer liable for such restitution, or that the dispute has become the subject of formal judicial review.

(c) The restriction in subsection (a) shall only apply to any college, university, or other institution which has been determined by the Defense Contract Audit Agency to have overbilled the Federal Government by an amount which equals or exceeds $15,000,000.

SEC. 8092. During the current fiscal year, appropriations which are available to the Department of Defense for operation and maintenance may be used to purchase items having an investment item unit cost of not more than $50,000.

SEC. 8093. None of the funds appropriated by this Act shall be available for direct or indirect support of the joint Department of Defense/Department of Energy Safeguard C contingent nuclear testing program.

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

SEC. 8094. Of the funds appropriated to the Department of Defense for Operation and Maintenance, Defense Wide, not less than $8,000,000 shall be made available until expended to the Administration for Native Americans within 90 days of enactment of this Act only for the mitigation of environmental impacts, including the gathering of information, documenting of environmental damage, and developing a system for prioritization of mitigation, on Indian lands resulting from Department of Defense activities.

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

SEC. 8096. None of the funds appropriated in this Act may be used to pay the salaries of more than two Senior Executive Service positions within the Office of the Assistant Secretary of the Army for Civil Works: Provided, That the individuals in these positions may not be compensated at a rate higher than level three of the Senior Executive Service.
SEC. 8096. None of the funds available to the Department of Defense shall be used for the training or utilization of psychologists in the prescription of drugs, except pursuant to the findings and recommendations of the Army Surgeon General's Blue Ribbon Panel as specified in its February and August 1990 meeting minutes.

SEC. 8097. (a) During the current fiscal year, none of the appropriations or funds available to the Defense Business Operations Fund shall be used for the purchase of an investment item for the purpose of acquiring a new inventory item for sale or anticipated sale during the current fiscal year or a subsequent fiscal year to customers of the Defense Business Operations Fund if such an item would not have been chargeable to the Defense Business Operations Fund during fiscal year 1993 and if the purchase of such an investment item would be chargeable during the current fiscal year to appropriations made to the Department of Defense for procurement.

(b) The fiscal year 1995 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 1995 Department of Defense budget shall be prepared and submitted to the Congress on the basis that any equipment which was classified as an end item and funded in a procurement appropriation contained in this Act shall be
budgeted for in a proposed fiscal year 1995 procurement appropriation and not in the supply management business area or any other area or category of the Defense Business Operations Fund.

SEC. 8097. During the current fiscal year, obligations against the stock funds of the Department of Defense may not be incurred in excess of 70 percent of sales from such stock funds during the current fiscal year: Provided, That in determining the amount of obligations against, and sales from the stock funds, obligations and sales for fuel, subsistence, commissary items, retail operations, the cost of operations, and repair of spare parts shall be excluded: Provided further, That upon a determination by the Secretary of Defense that such action is critical to the national security of the United States, the Secretary may waive the provisions of this section: Provided further, That if the provisions of this section are waived, the Secretary shall immediately notify the Congress of the waiver and the reasons for such a waiver.

SEC. 8098. (a) The prohibition in section 133(a)(2) of the National Defense Authorization Act for fiscal years 1990 and 1991 (Public Law 101-189; 103 Stat. 1383) does not apply to the obligation of funds in amounts not to exceed $216,000,000 for the procurement of not more
than 36 OH–58D Scout aircraft from funds appropriated in title III of this Act.

(b) The prohibition in section 132(a)(2) of the National Defense Authorization Act for 1990 and 1991 (Public Law 101–189; 103 Stat. 1383) does not apply to the obligation of funds in amounts not to exceed $368,430,000 for the procurement of not more than 24 AH–64 aircraft from funds appropriated in title III of this Act.

Sec. 8098. None of the funds provided in this Act shall be available for use by a Military Department to modify an aircraft, weapon, ship or other item of equipment, that the Military Department concerned plans to retire or otherwise dispose of within five years after completion of the modification: Provided, That this prohibition shall not apply to safety modifications: Provided further, That this prohibition may be waived by the Secretary of a Military Department if the Secretary determines it is in the best national security interest of the country to provide such waiver and so notifies the congressional defense committees in writing.

Sec. 8099. (a) Findings.—The Congress finds that—

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

(2) in failing to make such efforts adequately, the United States Government has failed in its obligation to support the servicemen and their families involved in the incident and generally to support members of the Armed Forces carrying out missions on behalf of the United States.

(b) **Semiannual Report.**—The Secretary of Defense shall submit a report to Congress on December 1 and June 1 of each year on the efforts made by the Government of the United States during the preceding six-month period to seek the payment of fair and equitable compensation by the Government of Peru (1) to the survivors of Master Sergeant Joseph Beard, Jr., United States Air Force, who was killed in the attack described in subsection (a), and (2) to the other crew members who were wounded in the attack and survived.

(c) **Termination of Report Requirement.**—The requirement in subsection (b) shall terminate upon certification by the Secretary of Defense to Congress that the
Government of Peru has paid fair and equitable compensation as described in subsection (b).

SEC. 8099. None of the funds appropriated by this Act shall be used for the support of any nonappropriated funds activity of the Department of Defense that procures malt beverages, wine and cigarettes with nonappropriated funds for resale (including such alcoholic beverages sold by the drink) on a military installation located in the United States unless such malt beverages, wine and cigarettes are procured within that State, or in the case of the District of Columbia, within the District of Columbia, in which the military installation is located: Provided, That in a case in which the military installation is located in more than one State, purchases may be made in any State in which the installation is located: Provided further, That such local procurement requirements for malt beverages, wine and cigarettes shall apply to all alcoholic beverages and cigarettes only for military installations in States which are not contiguous with another State: Provided further, That alcoholic beverages other than wine and malt beverages, and cigarettes, in contiguous States and the District of Columbia shall be procured from the most competitive source, price and other factors considered.

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

SEC. 8101. No part of the funds in this Act shall be available to prepare or present a request to the Committees on Appropriations for reprogramming of funds, unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which reprogramming is requested has been denied by the Congress.

SEC. 8102. None of the funds appropriated by this Act shall be available for payment of the compensation of personnel assigned to or serving in the National Foreign Intelligence Program in excess of 96 percent of such personnel actually assigned to or serving in the National Foreign Intelligence Program on September 30, 1992; Provided, That in making any reduction in the number of such personnel that may be required pursuant to this section, the percentage of reductions to Senior Intelligence Service positions shall be equal to or exceed the percentage of reductions to non-Senior Intelligence Service positions; Provided further, That in making any reduction in the number of such personnel that may be required pursuant to this section, the percentage of reductions to positions
in the National Capital Region shall be equal to or exceed
the percentage of reductions to positions outside of the
National Capital Region.

SEC. 8102. (a) Of the amounts available to the Depart-
ment of Defense for fiscal year 1994, not less than
$10,000,000 shall be available for National Defense Science
and Engineering Graduate Fellowships to be awarded on
a competitive basis by the Secretary of Defense to United
States citizens or nationals pursuing advanced degrees in
fields of primary concern and interest to the Department.

(b) Fellowships awarded pursuant to subsection (a)
above shall not be restricted on the basis of the geographical
locations in the United States of the institutions at which
the recipients are pursuing the aforementioned advanced
degrees.

(c) Not less than 50 per centum of the funds necessary
to carry out this section shall be derived from the amounts
available for the University Research Initiatives Program
in “Research, Development, Test and Evaluation, Defense-
Wide”, and the balance necessary shall be derived from
amounts available for Defense Research Sciences under title
IV of this Act.

SEC. 8103. None of the funds provided by this Act
may be used to pay the salaries of any person or persons
who authorize the transfer of obligated and deobligated
appropriations into the Reserve for Contingencies of the Central Intelligence Agency.

SEC. 8104. During the current fiscal year and thereafter, funds appropriated for construction projects of the Central Intelligence Agency, which are transferred to another Agency for execution, shall remain available until expended.

SEC. 8105. During the current fiscal year and thereafter, monetary limitations on the purchase price of a passenger motor vehicle shall not apply to vehicles purchased for intelligence activities conducted pursuant to Executive Order 12333 or successor orders.

SEC. 8106. None of the funds appropriated by this Act for programs of the Central Intelligence Agency shall remain available for obligation beyond the current fiscal year, except for funds appropriated for the Reserve for Contingencies, which shall remain available until September 30, 1995.

(TRANSFER OF FUNDS)

SEC. 8107. During the current fiscal year and thereafter, no funds may be made available through transfer, reprogramming, or other means between the Central Intelligence Agency and the Department of Defense for any intelligence or special activity different from that previously justified to the Congress unless the Director of Central Intelligence or the Secretary of Defense has noti-
fied the House and Senate Appropriations Committees of
the intent to make such funds available for such activity.

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

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

SEC. 8110. After March 1, 1994, none of the funds
appropriated by this Act shall be available for any Na-
tional Foreign Intelligence Program: Provided, That this
provision shall not apply for any National Foreign Intel-
ligence Program for which budget exhibits were submitted
to the House Committee on Appropriations which justifies
in detail all funds requested for "base", "ongoing", and
"new" programs for fiscal year 1995.

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

(INCLUDING TRANSFER OF FUNDS)

Sec. 8112. In addition to amounts appropriated or
otherwise made available by this Act, $21,700,000 is here-
by appropriated to the Department of Defense and shall
be available only for transfer to the United States Coast
Guard for a 2.2 percent pay increase for uniformed mem-
ers.

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

Sec. 8114. Notwithstanding any other provision of
law, and in accordance with section 2905 of the Defense
Base Closure and Realignment Act of 1990, Public Law
101-510, the Department of Defense shall proceed with
implementation of the 1993 Defense Base Closure and Re-
alignment Commission recommendation concerning the
consolidation of tactical missile maintenance at Letterkenny Army Depot.

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

Sec. 8116. In addition to amounts appropriated elsewhere in this Act, $200,000 shall be available only for settlement of claims and interest thereon, associated with contract numbered N-62474-86-C-0253 for construction of a multipurpose range complex at the Marine Corps Air Ground Combat Center in Twentynine Palms, California:

Provided, That such settlement shall be made pursuant to the recommendation of August 19, 1993, of the Comptroller General of the United States (case B-230871.3).

Sec. 8117. Notwithstanding any other provision of law, none of the funds appropriated for fiscal year 1993 and fiscal year 1994 for the DDG-51 destroyer program shall be obligated or expended for procurement of the ring laser gyroscope inertial navigation system under a sole source contract.

Sec. 8118. The Secretary of the Navy shall carry out the establishment of the Mine Warfare Center of Excellence at the naval station at Ingleside, Texas (including the establishment of all subordinate units and the reloca-
tion of Navy mine warfare forces), in accordance with the
schedule of the Navy for the establishment of such center
and without regard to any alteration in that schedule that
would otherwise be required pursuant to any other provi-
sion of law enacted during the first session of the 103d
Congress that applies specifically to the construction and
operation of that center or to the relocation of Navy mine
warfare forces to Ingleside, Texas.

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

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

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

(d) Any payment required to be made by the Depart-
ment of Defense to a business concern that, but for this
subsection, would be required to be made during Septem-
ber, 1994 may be made during the period beginning on
October 1, 1994, and ending on the date that is 30 days after the date on which the payment would otherwise be required to be made. In determining the amount of any interest penalty under section 3902 of title 31, United States Code, for failure to make any such payment, any period for which the Secretary of Defense, under the preceding sentence, deferred the required payment date shall not be taken into account.

(e)(1) The Secretary of Defense shall, on each of the dates specified in paragraph (2), submit to the Committees on Appropriations and the Committees on Armed Services of the Senate and House of Representatives a report on the implementation of this section. Each such report shall include—

(A) an analysis of cumulative obligations and cumulative expenditures from accounts subject to the limitation in subsection (a) during the period beginning on October 1, 1993, and ending on the last day of the month preceding the month in which the report is to be submitted, including a comparison of such obligations and expenditures with the relevant estimates of outlays made by the Office of Management and Budget and the Congressional Budget Office; and
(B) a description of the specific actions taken by the Secretary to ensure that the Department of Defense meets the requirements of subsection (a).

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

Sec. 8109. None of the funds appropriated by this Act shall be used to begin closing a military treatment facility unless the Secretary of Defense notifies the Committees on Appropriations of the House of Representatives and the Senate ninety days prior to such action.

Sec. 8110. None of the funds made available by this Act shall be available for any Military Department of the United States to conduct bombing training, gunnery training, or similar munitions delivery training on the parcel of land known as Kaho'olawe Island, Hawaii.

Sec. 8111. The Secretary of Defense is authorized to provide optional summer school programs in addition to the programs otherwise authorized by the Defense Dependents Education Act of 1978 (Public Law 95-561), and to charge a fee for participation in such optional education programs. Optional summer school program fees shall be made available for use by the Secretary to defray the costs of summer school operations.

SEC. 8113. Notwithstanding any other provision of law, reimbursements received from the North Atlantic Treaty Organization for the E–3 Airborne Warning and Control System (AWACS) Radar System Improvement Program (RSIP) attributable to development work for fiscal years 1987 through 1992 shall be available to the Air Force until September 30, 1994, for meeting that service’s financial commitments for the AWACS RSIP.

SEC. 8114. (a) None of the funds appropriated or otherwise made available in this Act may be used to transport or provide for the transportation of chemical munitions to the Johnston Atoll for the purpose of storing or demilitarizing such munitions.

(b) The prohibition in subsection (a) shall not apply to any obsolete World War II chemical munition of the United States found in the World War II Pacific Theater of Operations.
(c) The President may suspend the application of subsection (a) during a period of war in which the United States is a party.

SEC. 8115. None of the funds available to the Department of Defense may be used to support the relocation of P-3 aircraft squadrons or other aircraft or units from the Naval Air Station at Barbers Point, Hawaii unless such relocation was specifically stated in the 1993 Report to the President of the Defense Base Closure and Realignment Commission.

SEC. 8116. (a) No funds available to the Air Force during fiscal year 1994 may be obligated or expended for any research, development, test, or evaluation activities to upgrade the current capabilities of the B-1B bomber unless the Secretary of Defense certifies to the Congressional defense committees that the entire B-1B upgrade program is militarily-required, affordable, and fully funded in the Future Years Defense Program for fiscal years 1995-2000.

(b) Of the funds appropriated for the Department of Defense for fiscal year 1993 under the heading "Research, Development, Test and Evaluation, Air Force" in Title IV of Public Law 102-396, the following amount is hereby rescinded: $31,000,000.

SEC. 8117. The Secretary of Defense is authorized to use, for foreign military sales otherwise authorized under
Chapter 39, title 22 United States Code or for transfer to United States Army, Army National Guard, or Army Reserves, articles and services procured for the implementation of the Italian air defense agreements: Provided, That the term "Italian air defense agreements" has the meaning given such term in Section 1050 of Public Law 102-190, (105 Stat. 1469): Provided further, That section 1050 of Public Law 102-190 (105 Stat. 1469) is repealed.

SEC. 8118. None of the funds appropriated or otherwise made available by this or any other Act may be made available for the Department of Defense to develop, acquire, by purchase or otherwise, any 52 caliber-variant of the M109 155mm self-propelled howitzer.

SEC. 8119. Notwithstanding any other provision of law, funds and credits received from the contractor under contract warranties for the failure of the first ultra high frequency follow-on satellite shall no longer be available for a replacement ultra high frequency satellite but shall be made available to finance a replacement extremely high frequency satellite and its launch.

(TRANSFER OF FUNDS)

SEC. 8120. Upon enactment of this Act, the Secretary of Defense shall make the following transfers of funds: Provided, That the amounts transferred shall be available for the same purposes as the appropriations to which transferred, and for the same time period as the
appropriation from which transferred: Provided further, that the amounts shall be transferred between the following appropriations in the amounts specified:

From:


AOE combat support ship program, $3,459,000;


To:


MHC coastal mine hunter program, $3,459,000;

From:


AOE combat support ship program, $46,000;

Oceanographic ship program, $538,000;
For craft, outfitting, post delivery, and ship special support equipment, $994,000;


For craft, outfitting, and post delivery, $3,806,000;


Under the heading, "Shipbuilding and Conversion, Navy, 1992/1996":

DDG-51 destroyer program, $41,800,000;

For craft, outfitting, and post delivery, $1,560,000;

Under the heading, "Weapons Procurement, Navy, 1992/1994", $36,000,000;


Under the heading, "National Guard and Reserve Equipment, 1993/1995", $21,208,000;


To:

SSN-688 attack submarine program, $26,596,000;
CVN nuclear aircraft carrier program, $83,600,000;
LHD-1 amphibious assault ship program, $3,258,000;

From:

Under the heading, “Aircraft Procurement, Navy, 1992/1994”, $28,890,000 $57,600,000;

Refueling overhauls, $909,000;
DDG-51 destroyer programs, $14,400,000;
MHC coastal mine hunter program, $9,343,000;
For craft, outfitting and post delivery, $27,250,000;
Under the heading, “Weapons Procurement, Navy, 1992/1994”, $36,000,000;
Under the heading, “Other Procurement, Navy, 1993/1995”, $66,756,000;
To:
- TRIDENT ballistic missile submarine program, $11,655,000;
- SSN-688 attack submarine program, $26,972,000;
- SSN-21 attack submarine program, $40,800,000;
- DDG-51 destroyer program, $71,500,000;
- MHC coastal mine hunter program, $9,429,000;
From:
Under the heading, “Research, Development, Test and Evaluation, Navy, 1993/1995”, $45,000,000;
AOE combat support ship program, $3,505,000;
Oceanographic ship program, $538,000;
Craft, outfitting, post delivery, and ship special support equipment, $994,000;

To:


TRIDENT ballistic missile submarine program, $7,241,000;
DDG-51 destroyer program, $40,100,000;
MCM mine countermeasures program, $7,564,000;
T-AGOS surveillance ship program $58,456,000;

From:


For craft, outfitting, and post delivery, $45,865,000;

DDG-51 destroyer program, $41,800,000; 
For craft, outfitting, post delivery, and DBOF transfer, $6,260,000; 


DDG-51 destroyer program, $14,400,000; 
MHC coastal mine hunter program, $9,343,000; 
For craft, outfitting, post delivery, and first destination transportation, and inflation adjustments, $45,177,000; 

Under the heading, “Weapons Procurement, Navy, 1993/1995”, $24,015,000 $100,382,000; 

Under the heading, “Other procurement, Navy, 1993/1995”, $102,439,000 $6,044,000; 

To: 


SSN-21 attack submarine program, $70,654,000 $237,971,000;
DDG-51 destroyer program, $31,300,000;


LSD cargo variant ship program, $24,500,000.

Sec. 8121. None of the funds in this Act are available for any board, committee, or panel which develops, sets, defines, or recommends National Foreign Intelligence Program requirements: Provided, That this provision shall not apply to any such board, committee, or panel for which a majority of the members are not career intelligence or cryptologic professionals.

Sec. 8122. The Departments of Defense and Air Force are directed to obligate, no later than thirty days after enactment of this Act, the $55,500,000 appropriated for research and development in Public Law 102–396 only for the continuance of the Space Nuclear Thermal Propulsion Program.

Sec. 8121. Notwithstanding any other provision of law, funds appropriated in this Act for the upgrade, purchase, or modernization of supercomputing capability and capacity under the High Performance Computing Modernization program shall only be available for contracts, contract modifications, or contract options which are
awarded without regard to the architecture or design of the
supercomputer system.

SEC. 8122. Amounts collected for the use of the facili-
ties of the National Science Center for Communications and
Electronics during the current fiscal year pursuant to sec-
tion 1459(g) of the Department of Defense Authorization
Act, 1986 and deposited to the special account established
under subsection 1459(g)(2) of that Act are appropriated
and shall be available until expended for the operation and
maintenance of the Center as provided for in subsection
1459(g)(2).

SEC. 8123. The Secretary of Defense and the Direc-
tor of Central Intelligence shall deliver, in conjunction
with the fiscal year 1995 budget request, a report provid-
ing the following information about all research and devel-
opment projects involving the implementation, monitoring,
or verification of current and projected international arms
control agreements: (a) annual and total budgets, goals,
schedules, and priorities; (b) relationships among related
projects being funded by the Department of Defense, the
National Foreign Intelligence Program, and other depart-
ments and agencies of the Federal Government; and (c)
comments by the Arms Control and Disarmament Agency
about the relevance of each project to the arms control
priorities of the United States.
SEC. 8124. Notwithstanding any other provision of law, none of the funds appropriated in this or any other Act shall be used for the purchase of a totally enclosed lifeboat survival system, which consists of the lifeboat and associated davits and winches, if less than 75 percent of the entire system’s components are manufactured in the United States, and if less than 75 percent of the labor in the manufacture and assembly of the entire system is performed in the United States.

SEC. 8125. None of the funds appropriated by this Act may be used (1) to transfer to the United Nations a facility in the continental United States for use as a United Nations peacekeeping facility, or (2) for the renovation of such a facility in preparation for such a transfer.

SEC. 8124. During the current fiscal year, funds received from the sale of tanks and infantry fighting vehicles under section 21 of the Arms Export Control Act (22 U.S.C. 2761) shall be available for the upgrading of tanks, infantry fighting vehicles or armored personnel carriers in the manner and to the extent specified by subsections 21(j)(1) and (2) of that Act (22 U.S.C. 2761(j)(1) and (2)).

SEC. 8125. Amounts appropriated in this Act which are available for the Small Business Innovation Research Program and the Small Business Technology Transfer Pilot
Program portions of the extramural research and development budget of the Department of Defense shall be the amounts specifically identified for those programs in the supporting documentation accompanying the Budget submitted for the Department of Defense, notwithstanding sections 9(f)(1) and (n)(1) of the Small Business Act (15 U.S.C. 638(f)(1) and (n)(1)).

COMPLIANCE WITH BUY AMERICAN ACT

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

SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE

SEC. 8127. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or products that may be authorized to be purchased with financial assistance provided under this Act, it is the sense of the Congress that entities receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

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

PROHIBITION OF CONTRACTS

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

RECIROCITY

Sec. 8129. (a) General Rule.—Except as provided
in subsection (b), no contract or subcontract may be made
with funds authorized under this Act to a company orga-
nized under the laws of a foreign country unless the Sec-
retary finds that such country affords comparable oppor-
tunities to companies organized under laws of the United
States.

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

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

SEC. 8126. None of the funds appropriated by this or any other Act with respect to any fiscal year for the Navy may be used to carry out an electromagnetic pulse program in the Chesapeake Bay area in connection with the Electromagnetic Pulse Radiation Environment Simulator for Ships (EMPRESS II) program unless or until the Secretary of Defense certifies to the Congress that conduct of the EMPRESS II program is essential to the national security of the United States and to achieving requisite military capability for United States naval vessels, and that the economic, environmental, and social costs to the United States of conducting the EMPRESS II program in the Chesapeake Bay area are far less than the economic, environmental, and social costs caused by conducting the EMPRESS II program elsewhere.

SEC. 8127. Military personnel who separate from a military department under the Voluntary Separation Initiative (VSI) or the Special Separation Bonus (SSB), and who are eligible for service continuation bonuses such as
the reenlistment bonus or aviation continuation pay during the same year in which they separate, will receive separation payments reduced by an amount equal to the amount of the continuation bonus received by the member in the year in which the member separates: Provided, That any future continuation bonus payments to which the member would otherwise be entitled are rescinded: Provided further, That civilian employees of the Department of Defense are prohibited from receiving voluntary separation payments if such employees are rehired by another agency of the Federal Government within one hundred and eighty days of separating from the Department of Defense.

Sec. 8128. Under the heading “Research, Development, Test and Evaluation, Army” in the Department of Defense Appropriations Act, 1993 (Public Law 102-396), delete the final proviso and insert in lieu thereof:

"Provided further, That of the funds appropriated in this paragraph, $4,000,000 shall be used only for a grant to the Assistive Technology Center at the National Rehabilitation Hospital for laboratory and other efforts associated with research and development and other programs of major importance to the Department of Defense."

Sec. 8129. None of the funds appropriated in this Act may be used to pay for the costs of personnel, operations,
procurement of supplies or other items in support of the
Marshall Center.

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

SEC. 8131. The appropriations made under the head-
ings “Operation and Maintenance, Navy” and “Operation
and Maintenance, Air Force” under chapter III of title XI
of the Dire Emergency Supplemental Appropriations Act,
1992, including disaster assistance to meet the present
emergencies arising from the consequences of Hurricane An-
drew, Typhoon Omar, Hurricane Iniki and other natural
disasters, and additional assistance to distressed commu-
nities (Public Law 102-368) are each amended by inserting
“, the August 8, 1993 earthquake in Guam” immediately
after “Typhoon Omar” and by striking out “September 30,
1993” and inserting “September 30, 1994” in lieu thereof.

SEC. 8132. The appropriation, “Emergency Response
Fund, Defense” made under the heading “Emergency Re-
sponse Fund” by the Department of Defense Appropriations
Act, 1990 (Public Law 101-165) is amended by inserting
the following immediately after the third sentence: “In ad-
dition to the foregoing, upon a determination by the Sec- 1
retary of Defense that such action is necessary, the Fund 2
may be used, in addition to other funds available to the 3
Department of Defense for such purposes, for expenses of 4
the Department of Defense which are incurred in supplying 5
supplies or services furnished in response to natural or 6
manmade disasters.”.

Sec. 8133. Of the funds appropriated or otherwise 8
made available by this Act not more than $155,000,000 9
shall be available for payment of the operating costs of 10
NATO Headquarters.

Sec. 8134. None of the funds appropriated by this Act 12
shall be available for a contract for studies, analyses, or 13
consulting services entered into without competition on the 14
basis of an unsolicited proposal unless the head of the activ- 15
ity responsible for the procurement determines:

(1) as a result of thorough technical evaluation, 17
only one source is found fully qualified to perform the 18
proposed work, or

(2) the purpose of the contract is to explore an 20
unsolicited proposal which offers significant scientific 21
or technological promise, represents the product of 22
original thinking, and was submitted in confidence 23
by one source, or
(3) the purpose of the contract is to take advantage of unique and significant industrial accomplishment by a specific concern, or to insure that a new product or idea of a specific concern is given financial support:

Provided, That this limitation shall not apply to contracts in an amount of less than $25,000, contracts related to improvements of equipment that is in development or production, or contracts as to which a civilian official of the Department of Defense, who has been confirmed by the Senate, determines that the award of such contract is in the interest of the national defense.

SEC. 8135. Not later than January 1, 1994, the Secretary of the Navy shall transfer, without reimbursement, to the Secretary of State a tract of land consisting of approximately 10 acres, together with improvements thereon, which comprise that portion of the Naval Base, Charleston, South Carolina, bounded by Bainbridge Avenue, Holland Street, and Dyess Avenue and known as buildings 646, 646A, 647, 643, 645, and 649, excluding building 644, and all walkways and parking areas associated with such buildings: Provided, That the real property transferred pursuant to this section shall be used by the Secretary of State in support of diplomatic and consular operations: Provided further, That the exact acreage and legal description of the
property to be transferred under this section shall be deter-
mined by a survey approved by the Secretary of the Navy.

SEC. 8136. Notwithstanding any other provision of
law, the Secretary of Defense shall pay a death gratuity
to each Servicemen's Group Life Insurance (SGLI) bene-
ficiary of each deceased member of the uniformed services
who died after October 28, 1992 and before December 1,
1992, and whose death was a death in the performance of
duty: Provided, That the amount of the death gratuity pay-
able to each beneficiary under this section shall be equal
to the SGLI paid or payable to such beneficiary under Sub-
chapter III of chapter 19 of title 38, United States Code,
by reason of the death of such member: Provided further,
That no death gratuity shall be paid under this section
where the deceased member of the uniformed services affirm-
atively elected, in writing, to decline to apply for increased
SGLI coverage under paragraph (e) of section 1922A of title
38, United States Code: Provided further, That in the case
of a deceased member of the uniformed services who, prior
to death, affirmatively elected, in writing, to apply for an
increase in SGLI coverage in an amount less than $100,000
under paragraph (e) of section 1922A of title 38, U.S.C.,
the death gratuity paid under this section shall be equal
to the amount of the increase so elected: Provided further,
That a death gratuity shall be payable under this section
to a SGLI beneficiary upon receipt of a written application therefor by the Secretary of Defense not later than September 30, 1994: Provided further, That, in addition to amounts appropriated elsewhere in this Act, $5,300,000 is appropriated and shall be available only for the settlement of death gratuity claims under this section.

(TRANSFER OF FUNDS)

SEC. 8137. During the current fiscal year and thereafter, sales of stockpiled material in the National Defense Stockpile Transaction Fund in the Defense Business Operations Fund may be made in amounts not to exceed $500,000,000 in each fiscal year: Provided, That receipts from such sales as well as available fund balances may be transferred to any appropriation available to the Department of Defense to be merged with and to be available for the same purposes and same time period as the appropriation to which transferred, or may be deposited to the miscellaneous receipts of the Treasury: Provided further, That the Secretary of Defense may impose a moratorium on the acquisition of new material for the National Defense Stockpile for the purpose of reducing existing excess material in the Stockpile.

SEC. 8138. The Assistant Secretary of Defense for Health Affairs shall, during the current fiscal year, initiate a managed health care program for eligible beneficiaries in the area of Homestead Air Force Base: Provided, That this
program shall provide benefits and services substantially identical to those established to serve beneficiary populations in areas where military medical facilities have been terminated, to include retail pharmacy networks available to Medicare-eligible beneficiaries: Provided further, That the Assistant Secretary of Defense for Health Affairs shall present a plan to implement this program to the House and Senate Committees on Appropriations not later than January 15, 1994.

(RESCISIONS)

SEC. 8139. Of the funds provided in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts in the specified amounts:

“Aircraft Procurement, Army, 1993/1994”, $42,700,000;

“Wheeled and Tracked Combat Vehicles, Army, 1993/1995”, $4,700,000;


“Procurement of Ammunition, Army, 1993/1995”, $32,580,000;

“Weapons Procurement, Navy, 1992/1994”, $15,000,000;

“Weapons Procurement, Navy, 1993/1995”, $47,500,000;
"Other Procurement, Navy, 1993/1995", $26,600,000;
"Procurement, Marine Corps, 1993/1995", $6,508,000;
"Missile Procurement, Air Force, 1993/1995", $57,600,000;
"Other Procurement, Air Force, 1993/1995", $63,206,000;
"Other Procurement, Air Force, 1992/1994", $17,276,000;

SEC. 8140. In addition to amounts appropriated elsewhere in this Act, $25,000,000 is appropriated for the subsidy of loan guarantees to carry out the program established under section 1052 of S. 1298 as it passed the Senate on September 14, 1993: Provided, That such section is enacted into law.

SEC. 8141. The Under Secretary of Defense for Acquisition shall develop a detailed plan and schedule to implement the transition of the Defense Nuclear Agency and the integration of its militarily essential functions into the military services and Advanced Research Projects Agency:
Provided, That none of the funds made available by this Act shall be available to implement changes in current DNA operations until 30 days after the plan and schedule have been approved by the Under Secretary of Defense for Acquisition and submitted to the Congressional defense committees for review: Provided further, That the Under Secretary of Defense for Acquisition shall submit the aforementioned transition plan and schedule not later than February 1, 1994.

This Act may be cited as the "Department of Defense Appropriations Act, 1994".


Attest: DONNALD K. ANDERSON,
Clerk.