

103<sup>RD</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 4301**

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**AMENDMENTS**

***In the Senate of the United States,***

*July 1 (legislative day, June 7), 1994.*

*Resolved*, That the bill from the House of Representatives (H.R. 4301) entitled “An Act to authorize appropriations for fiscal year 1995 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes”, do pass with the following

**AMENDMENTS:**

Strike out all after the enacting clause and insert:

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

2 *This Act may be cited as the “National Defense Au-*  
3 *thorization Act for Fiscal Year 1995”.*

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

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

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

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

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

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

- Sec. 1. Short title.*  
*Sec. 2. Organization of Act into divisions; table of contents.*  
*Sec. 3. Congressional defense committees defined.*  
*Sec. 4. General limitation.*

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

***TITLE I—PROCUREMENT***

***Subtitle A—Authorization of Appropriations***

- Sec. 101. Army.*  
*Sec. 102. Navy and Marine Corps.*  
*Sec. 103. Air Force.*  
*Sec. 104. Defense-wide activities.*  
*Sec. 105. Reserve components.*  
*Sec. 106. Chemical demilitarization program.*  
*Sec. 107. Joint Training, Analysis and Simulation Center.*

***Subtitle B—Army Programs***

- Sec. 111. Multiyear procurement authority for M1A2 tank upgrades.*  
*Sec. 112. Transfer of replacement Army tank to Marine Corps Reserve.*  
*Sec. 113. Replacement surveillance system for Korea.*  
*Sec. 114. Small arms industrial base.*  
*Sec. 115. Bunker defeat munition missiles.*

***Subtitle C—Navy Programs***

- Sec. 121. Nuclear aircraft carrier program.*  
*Sec. 122. Seawolf submarine program.*  
*Sec. 123. Naval amphibious ready groups.*

***Subtitle D—Air Force Programs***

- Sec. 131. Settlement of claims under the C-17 aircraft program.*  
*Sec. 132. Retirement of bomber aircraft.*

***Subtitle E—Other Matters***

- Sec. 141. Preserving the bomber industrial base.*  
*Sec. 142. Dual-use electric and hybrid vehicles.*  
*Sec. 143. Sales authority of working-capital funded Army industrial facilities.*

***TITLE II—RESEARCH, DEVELOPMENT, TEST, AND  
 EVALUATION***

***Subtitle A—Authorization of Appropriations***

- Sec. 201. Authorization of appropriations.*  
*Sec. 202. Amount for basic research and exploratory development.*  
*Sec. 203. Strategic environmental research and development program.*  
*Sec. 204. High resolution imaging.*

**Subtitle B—Programs Requirements, Restrictions, and  
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- Sec. 211. Tactical antisatellite technologies program.*  
*Sec. 212. Transfer of MILSTAR communications satellite program.*  
*Sec. 213. Transfer of funds for single-stage to orbit rocket.*  
*Sec. 214. Limitation on dismantlement of intercontinental ballistic missiles.*  
*Sec. 215. Limitation on obligation of funds for seismic monitoring research.*  
*Sec. 216. Federally funded research and development centers.*

**Subtitle C—Missile Defense Programs**

- Sec. 221. Compliance of ballistic missile defense systems and components with  
ABM treaty.*  
*Sec. 222. Revisions to the Missile Defense Act of 1991.*  
*Sec. 223. Limitation.*  
*Sec. 224. Management and budget responsibility for space-based chemical laser  
program.*  
*Sec. 225. Senate advice and consent on agreements that modify the Anti-Ballistic  
Missile Treaty.*

**Subtitle D—Defense Conversion, Reinvestment, and Transition  
Assistance Matters**

- Sec. 231. Funding of defense technology reinvestment programs for fiscal year  
1995.*  
*Sec. 232. Financial commitment requirements for small business concerns for  
participation in technology reinvestment projects.*  
*Sec. 233. Conditions on funding of defense technology reinvestment projects.*  
*Sec. 234. Federal defense laboratory diversification and Navy reinvestment in the  
technology and industrial base.*  
*Sec. 235. Small business defense conversion guaranteed loans.*

**Subtitle E—Other Matters**

- Sec. 241. Cooperative research and development agreements with NATO organiza-  
tions.*  
*Sec. 242. Defense women's health research program.*  
*Sec. 243. Requirement for submission of annual report of the Semiconductor  
Technology Council to Congress.*  
*Sec. 244. Report on oceanographic survey and research requirements to support  
littoral warfare.*  
*Sec. 245. LANSCE/LAMPF upgrades.*  
*Sec. 246. Study regarding live-fire survivability testing of F-22 aircraft.*  
*Sec. 247. University Research Initiative support program.*  
*Sec. 248. Manufacturing science and technology program.*  
*Sec. 249. Defense experimental program to stimulate competitive research.*  
*Sec. 250. Study on beaming high power laser energy to satellites.*  
*Sec. 251. Advanced threat radar jammer.*

**TITLE III—OPERATION AND MAINTENANCE**

**Subtitle A—Authorization of Appropriations**

- Sec. 301. Operation and maintenance funding.*  
*Sec. 302. Working capital funds.*  
*Sec. 303. Armed Forces Retirement Home funding.*

- Sec. 304. National Security Education Trust Fund obligations.*  
*Sec. 305. Transfer from National Defense Stockpile Transaction Fund.*  
*Sec. 306. Support for the 1995 Special Olympics World Games.*  
*Sec. 307. Air National Guard fighter aircraft.*

***Subtitle B—Defense Business Operations Fund***

- Sec. 311. Permanent authority for use of fund for managing working capital funds and certain activities.*  
*Sec. 312. Implementation of improvement plan.*  
*Sec. 313. Limitation on obligations against the capital asset fund.*  
*Sec. 314. Limitation on obligations against the supply management divisions.*

***Subtitle C—Environmental Matters***

- Sec. 321. Prohibition on the purchase of surety bonds and other guarantees for the Department of Defense.*  
*Sec. 322. Extension of prohibition on use of environmental restoration funds for payment of fines and penalties.*  
*Sec. 323. Participation of Indian tribes in agreements for defense environmental restoration.*  
*Sec. 324. Extension of authority to issue surety bonds for certain environmental programs.*

***Subtitle D—Matters Relating to Department of Defense Civilian Employees***

- Sec. 331. Extension of certain transition assistance authorities.*  
*Sec. 332. Extension and expansion of authority to conduct personnel demonstration projects.*  
*Sec. 333. Limitation on payment of severance pay to certain employees transferring to employment positions in nonappropriated fund instrumentalities.*  
*Sec. 334. Retirement credit for certain service in nonappropriated fund instrumentalities before January 1, 1987.*  
*Sec. 335. Travel, transportation, and relocation expenses of employees transferring to the United States Postal Service.*  
*Sec. 336. Foreign employees covered by the Foreign National Employees Separation Pay Account.*  
*Sec. 337. Increased authority to accept voluntary services.*

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- Sec. 341. Change of source for performance of depot-level workloads.*  
*Sec. 342. Civil Air Patrol.*  
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*Sec. 344. Clarification of authority to provide medical transportation under National Guard pilot program.*  
*Sec. 345. ARMS Initiative loan guarantee program.*  
*Sec. 346. Reauthorization of Department of Defense domestic elementary and secondary schools for dependents.*  
*Sec. 347. Assistance to local educational agencies that benefit dependents of members of the Armed Forces and Department of Defense civilian employees.*  
*Sec. 348. Disposition of proceeds from operation of the Naval Academy laundry.*  
*Sec. 349. Repeal of annual limitation on expenditures for emergency and extraordinary expenses of the Department of Defense Inspector General.*

- Sec. 350. Extension of authority for program to commemorate World War II.*
- Sec. 351. Extension of authority for aviation depots and naval shipyards to engage in defense-related production and services.*
- Sec. 352. Transfer of certain excess Department of Defense property to educational institutions and training schools.*
- Sec. 353. Ships' stores.*
- Sec. 354. Humanitarian program for clearing landmines.*
- Sec. 355. Assistance to Red Cross for emergency communications services for members of the Armed Forces and their families.*
- Sec. 356. Maritime prepositioning ship enhancement.*
- Sec. 357. Roll-on/roll-off vessels for the Ready Reserve force.*
- Sec. 358. Payment of certain stipulated civil penalties.*
- Sec. 359. Sale of articles and services of industrial facilities of the Armed Forces to persons outside Department of Defense.*
- Sec. 360. Study of establishment of Land Management and Training Center at Fort Riley, Kansas.*
- Sec. 361. Procurement of portable ventilators for the Defense Medical Facility Office, Fort Detrick, Maryland.*
- Sec. 362. Review by Defense Inspector General of cost growth in certain contracts.*
- Sec. 363. Cost comparison studies for contracts for advisory and assistance services.*

#### **TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS**

##### **Subtitle A—Active Forces**

- Sec. 401. End strengths for active forces.*
- Sec. 402. Extension of temporary variation of end strength limitations for Marine Corps majors and lieutenant colonels.*
- Sec. 403. Retention of authorized strength of general officers on active duty in the Marine Corps for fiscal years after fiscal year 1995.*
- Sec. 404. Exception to limitation on number of general officers and flag officers serving on active duty.*
- Sec. 405. Temporary exclusion of Superintendent of Naval Academy from counting toward number of senior admirals authorized to be on active duty.*

##### **Subtitle B—Reserve Forces**

- Sec. 411. End strengths for Selected Reserve.*
- Sec. 412. End strengths for Reserves on active duty in support of the reserves.*

##### **Subtitle C—Military Training Student Loads**

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

##### **Subtitle D—Authorization of Appropriations**

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

##### **Subtitle E—Other Matters**

- Sec. 441. Repeal of required reduction in recruiting personnel.*

**TITLE V—MILITARY PERSONNEL POLICY**

**Subtitle A—Officer Personnel Policy**

- Sec. 501. Service on successive selection boards.*
- Sec. 502. Promotion and other career management matters relating to warrant officers on active-duty lists.*
- Sec. 503. Enlistment or retirement of Navy and Marine Corps limited duty officers having twice failed of selection for promotion.*
- Sec. 504. Educational requirements for appointment in reserve components in grades above first lieutenant or lieutenant (junior grade).*
- Sec. 505. Limited exception from baccalaureate degree requirement for Alaska scout officers.*
- Sec. 506. Original appointments of limited duty officers of the Navy and Marine Corps serving in temporary grades.*
- Sec. 507. Selection for designated judge advocate positions.*

**Subtitle B—Reserve Component Matters**

- Sec. 511. Review of opportunities for ordering individual reserves to active duty with consent.*
- Sec. 512. Increased period of active duty service for Selected Reserve forces mobilized other than during war or national emergency.*
- Sec. 513. Repeal of obsolete provisions pertaining to transfer of regular enlisted members to reserve components.*
- Sec. 514. Sense of the Senate concerning the training and modernization of the reserve components.*

**Subtitle C—Other Matters**

- Sec. 521. Review of certain dismissals from the United States Military Academy.*
- Sec. 522. Transitional compensation and other benefits for dependents of members separated for dependent abuse.*

**TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS**

**Subtitle A—Pay and Allowances**

- Sec. 601. Military pay raise for fiscal year 1995.*

**Subtitle B—Bonuses and Special and Incentive Pays**

- Sec. 611. Extension of certain bonuses for reserve forces.*
- Sec. 612. Extension and modification of certain bonuses and special pay for nurse officer candidates, registered nurses, and nurse anesthetists.*
- Sec. 613. Extension of authority relating to payment of other bonuses and special pays.*

**Subtitle C—Travel and Transportation Allowances**

- Sec. 621. Responsibility for preparation of transportation mileage tables.*

**Subtitle D—Retired Pay and Survivor Benefits**

- Sec. 631. Clarification of calculation of retired pay for officers who retire in a grade lower than the grade held at retirement.*

- Sec. 632. Crediting of reserve service of enlisted members for computation of retired pay.*
- Sec. 633. Forfeiture of annuity or retired pay of members convicted of espionage.*
- Sec. 634. Computation of retired pay to prevent pay inversions.*
- Sec. 635. Cost-of-living increases in SBP contributions to be effective concurrently with payment of related retired pay cost-of-living increases.*
- Sec. 636. Requirement for equal treatment of civilian and military retirees in the event of delays in cost-of-living adjustments.*

***Subtitle E—Defense Conversion, Reinvestment, and Transition Assistance Matters***

- Sec. 641. Eligibility of members retired under temporary special retirement authority for Servicemen's Group Life Insurance.*
- Sec. 642. Annual payments for members retired under Guard and Reserve Transition Initiative.*
- Sec. 643. Increased eligibility and application periods for troops-to-teachers program.*
- Sec. 644. Assistance for eligible members to obtain employment with law enforcement agencies.*
- Sec. 645. Treatment of retired and retainer pay of members of cadre of Civilian Community Corps.*

***Subtitle F—Other Matters***

- Sec. 651. Disability coverage for officer candidates granted excess leave.*
- Sec. 652. Use of morale, welfare, and recreation facilities by members of reserve components and dependents.*
- Sec. 653. Special supplemental food program for Department of Defense personnel outside the United States.*
- Sec. 654. Reimbursement for certain losses of household effects caused by hostile action.*
- Sec. 655. Payment for transient housing for reserves performing certain training duty.*
- Sec. 656. Study of offset of disability compensation by receipt of separation benefits and incentives.*

***TITLE VII—HEALTH CARE PROVISIONS***

- Sec. 701. Revision of definition of dependents to include young people being adopted by members or former members.*
- Sec. 702. Availability of dependents' dental program outside the United States.*
- Sec. 703. Conditions under which medical and dental care of abused dependents is authorized.*
- Sec. 704. Coordination of benefits with medicare.*
- Sec. 705. Authority for reimbursement of professional license fees under resource sharing agreements.*
- Sec. 706. Chiropractic health care demonstration program.*
- Sec. 707. Implementation of annual health care survey requirement.*
- Sec. 708. Study and report on financial relief for certain medicare-eligible military retirees who incur medicare late enrollment penalties.*
- Sec. 709. Eligibility for participation in demonstration programs for sale of pharmaceuticals.*
- Sec. 710. Cost analysis of tidewater tricore delivery of pediatric health care to military families.*



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*Sec. 802. Continuation of expiring requirement for annual report on the use of competitive procedures for awarding certain contracts to colleges and universities.*

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- Sec. 811. Procurement technical assistance programs.*  
*Sec. 812. Pilot Mentor-Protege Program.*  
*Sec. 813. Infrastructure assistance for historically black colleges and other minority institutions of higher education.*  
*Sec. 814. Extension of test program for negotiation of comprehensive small business subcontracting plans.*  
*Sec. 815. Limitation regarding acquisition assistance regulations required by Public Law 103-160 but not issued.*  
*Sec. 816. Treatment under subcontracting plans of purchases from qualified non-profit agencies for the blind or severely disabled.*

**Subtitle C—Other Matters**

- Sec. 821. Use of certain funds pending submission of a national technology and industrial base periodic defense capability assessment and a periodic defense capability plan.*  
*Sec. 822. Delegation of industrial mobilization authority.*  
*Sec. 823. Permanent authority for the Department of Defense to share equitably the costs of claims under international armaments cooperative programs.*  
*Sec. 824. Determinations of public interest under the Buy American Act.*  
*Sec. 825. Documentation for awards for cooperative agreements or other transactions under the defense technology reinvestment program.*  
*Sec. 826. Comptroller General assessment of extent to which technology and industrial base programs attain policy objectives.*

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- Sec. 901. Additional Assistant Secretary of Defense.*  
*Sec. 902. Order of succession to Secretaries of the military departments.*

**Subtitle B—Commission on Roles and Missions of the Armed  
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- Sec. 911. Review of reserve components.*  
*Sec. 912. Support by federally funded research and development centers.*  
*Sec. 913. Revision in composition of Commission.*

**Subtitle C—Other Matters**

- Sec. 921. Composition of reserve forces policy board.*  
*Sec. 922. Continuation of Uniformed Services University of the Health Sciences.*

*Sec. 923. Joint duty credit for certain duty performed during military operations in support of unified, combined, or United Nations military operations.*

*Sec. 924. Assistance for certain workers dislocated due to reductions by the United States in the export of defense articles and services.*

**Subtitle D—Professional Military Education**

*Sec. 931. Authority for Marine Corps University to award the degree of master of military studies.*

*Sec. 932. Board of advisors of Marine Corps University.*

*Sec. 933. Authority for Air University to award the degree of master of airpower art and science.*

**TITLE X—GENERAL PROVISIONS**

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*Sec. 1001. Transfer authority.*

*Sec. 1002. Emergency supplemental authorization of appropriations for fiscal year 1994.*

*Sec. 1003. Date for submission of future-years mission budget.*

*Sec. 1004. Submission of future-years defense program in accordance with law.*

**Subtitle B—Matters Relating to Allies and Other Nations**

*Sec. 1011. Repeal of limitation on overseas military end strength.*

*Sec. 1012. Authorized end strength for military personnel in Europe.*

*Sec. 1013. Extension and revision of authorities relating to cooperative threat reduction.*

*Sec. 1014. Defense cooperation between the United States and Israel.*

*Sec. 1015. Military-to-military contacts and comparable activities.*

*Sec. 1016. Foreign disaster relief.*

*Sec. 1017. Burdensharing policy and report.*

*Sec. 1018. Review and report regarding Department of Defense programs relating to regional security and host nation development in the Western Hemisphere.*

*Sec. 1019. Payments-in-kind for release of United States overseas military facilities to NATO host countries.*

**Subtitle C—Nonproliferation and Counterproliferation of Weapon Systems and Related Systems**

*Sec. 1021. Extension and revision of nonproliferation authorities.*

*Sec. 1022. Joint Committee for the Review of Counterproliferation Programs of the United States.*

*Sec. 1023. Report on counterproliferation activities and programs.*

*Sec. 1024. Amounts for counterproliferation activities.*

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**Subtitle D—Peace Operations**

*Sec. 1031. Reports on reforming multilateral peace operations.*

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- Sec. 1041. Report on offensive biological warfare program of the states of the former Soviet Union.*
- Sec. 1042. Termination of certain Department of Defense reporting requirements.*

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- Sec. 1051. Use of inmate labor at military installations.*
- Sec. 1052. Revision of authority for use of Navy installations to provide employment training to nonviolent offenders in State penal systems.*
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**Subtitle G—Discrimination and Sexual harassment**

- Sec. 1056. Department of Defense policies and procedures on discrimination and sexual harassment.*

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- Sec. 1061. Redesignation of United States Court of Military Appeals and the Courts of Military Review.*
- Sec. 1062. Assistance to family members of certain POW/MIAs who remain unaccounted for.*
- Sec. 1063. National Guard assistance for certain youth and charitable organizations.*
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- Sec. 1065. Transfer of naval vessels to Brazil.*
- Sec. 1066. Transfers of M1A1 tanks to the Marine Corps.*
- Sec. 1067. Limitation regarding merger of telecommunications systems.*
- Sec. 1068. Acquisition of strategic sealift ships.*
- Sec. 1069. Requirement for Secretary of Defense to submit recommendations on certain provisions of law concerning missing persons.*
- Sec. 1070. Contact between the Department of Defense and the ministry of national defense of China on POW/MIA issues.*
- Sec. 1071. Disclosure of information concerning unaccounted for United States personnel from the Korean Conflict, and the Cold War.*
- Sec. 1072. Requirement for certification by Secretary of Defense concerning declassification of Vietnam-era POW/MIA records.*
- Sec. 1073. Information concerning unaccounted for United States personnel of the Vietnam conflict.*
- Sec. 1074. Report on POW/MIA matters concerning North Korea.*
- Sec. 1075. Elimination of disparity between effective dates for military and civilian retiree cost-of-living adjustments for fiscal year 1995.*
- Sec. 1076. Military recruiting on campus.*
- Sec. 1077. Study on convergence of Geosat and EOS altimetry programs.*
- Sec. 1078. Visas for officials of Taiwan.*
- Sec. 1079. Sense of the Senate concerning participation in allied defense cooperation.*
- Sec. 1080. Interagency placement program for Federal employees affected by reduction in force actions.*
- Sec. 1081. George C. Marshall European Center for Security Studies.*
- Sec. 1082. Changes in notice requirements upon pending or actual termination of defense programs.*
- Sec. 1083. Transfer of obsolete vessel Guadalcanal.*

- Sec. 1084. Study of spousal abuse involving Armed Forces personnel.*
- Sec. 1085. Review of the procedures used by Department of Defense investigative organizations when conducting an investigation into the death of a member of the Armed Forces who, while serving on active duty, died from a cause determined to be self-inflicted.*
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- Sec. 1091. Review of the bottom up review and the future year defense program and establishment of new funding requirements and priorities.*
- Sec. 1092. Genocide in Rwanda.*
- Sec. 1093. Studies of health consequences of military service or employment in Southwest Asia during the Persian Gulf War.*
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- Sec. 1095. Compatibility of health registries.*
- Sec. 1096. Technical amendments.*
- Sec. 1097. North Atlantic Treaty Organization.*
- Sec. 1098. Limitation on obligation of funds for Mark-6 guidance sets for Trident II missiles.*
- Sec. 1099. Military planning for the size and structure of a force required for a major regional contingency on the Korean Peninsula.*

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- Sec. 2001. Short title.*

### ***TITLE XXI—ARMY***

- Sec. 2101. Authorized Army construction and land acquisition projects.*
- Sec. 2102. Family housing.*
- Sec. 2103. Improvements to military family housing units.*
- Sec. 2104. Authorization of appropriations, Army.*
- Sec. 2105. Relocation of Army family housing units from Fort Hunter Liggett, California, to Fort Stewart, Georgia.*
- Sec. 2106. Highway safety at Hawthorne Army Ammunition Plant, Nevada.*

### ***TITLE XXII—NAVY***

- Sec. 2201. Authorized Navy construction and land acquisition projects.*
- Sec. 2202. Family housing.*
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- Sec. 2204. Authorization of appropriations, Navy.*
- Sec. 2205. Authority to carry out construction project, Naval Supply Center, Pensacola, Florida.*
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- Sec. 2301. Authorized Air Force construction and land acquisition projects.*
- Sec. 2302. Family housing.*

- Sec. 2303. Improvements to military family housing units.*  
*Sec. 2304. Authorization of appropriations, Air Force.*  
*Sec. 2305. Authorization of military construction projects at Tyndall Air Force Base, Florida, for which funds have been appropriated.*  
*Sec. 2306. Revision of authorized family housing project, Tyndall Air Force Base, Florida.*

**TITLE XXIV—DEFENSE AGENCIES**

- Sec. 2401. Authorized Defense Agencies construction and land acquisition projects.*  
*Sec. 2402. Family housing.*  
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*Sec. 2405. Authorization of appropriations, Defense Agencies.*  
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*Sec. 2407. Community impact assistance with regard to Naval Weapons Station, Charleston, South Carolina.*  
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- Sec. 2501. Authorized NATO construction and land acquisition projects.*  
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- Sec. 2601. Authorized Guard and Reserve construction and land acquisition projects.*  
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*Sec. 2702. Extension of authorization of certain fiscal year 1992 projects.*  
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- Sec. 2801. Clarification of requirement for notification of Congress of improvements in family housing units.*  
*Sec. 2802. Authority to pay closing costs under Homeowners Assistance Program.*

**Subtitle B—Base Closure Matters**

- Sec. 2811. Prohibition against consideration in base closure process of advance conversion planning undertaken by potential affected communities.*

- Sec. 2812. Clarifying and technical amendments to base closure laws.*  
*Sec. 2813. Sense of Senate on the activities of the Secretary of Defense in support of communities affected by base closures.*

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- Sec. 2821. Land transfer, Holloman Air Force Base, New Mexico.*  
*Sec. 2822. Joint use of property, Port Hueneme, California.*  
*Sec. 2823. Lease of property, Naval Radio Receiving Facility, Imperial Beach, Coronado, California.*  
*Sec. 2824. Release of reversionary interest on certain property in York County and James City County, Virginia, and Newport News, Virginia.*  
*Sec. 2825. Land transfer, Fort Devens, Massachusetts.*  
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*Sec. 2827. Transfer or conveyance of certain parcels of property through General Services Administration.*

***Subtitle D—Changes to Existing Land Transaction Authority***

- Sec. 2831. Modifications of land conveyance, Fort A.P. Hill Military Reservation, Virginia.*  
*Sec. 2832. Modification of conveyance of electricity distribution system, Fort Dix, New Jersey.*  
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- Sec. 2841. Joint construction contracting for commissaries and nonappropriated fund instrumentality facilities.*  
*Sec. 2842. National Guard facility contracts subject to performance supervision by the Army or the Navy.*  
*Sec. 2843. Waiver of reporting requirements for certain real property transactions in the event of war or national emergency.*  
*Sec. 2844. Report on use of funds for environmental restoration at Cornhusker Army Ammunition Plant, Hall County, Nebraska.*  
*Sec. 2845. Department of Defense laboratory revitalization demonstration program.*  
*Sec. 2846. Agreements of settlement for release of improvements at overseas military installations.*  
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*Sec. 2848. Transfer of jurisdiction, Air Force Housing at Radar Bomb Scoring Site, Holbrook, Arizona.*  
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*Sec. 3102. Environmental restoration and waste management.*  
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**Subtitle B—Recurring General Provisions**

- Sec. 3121. Reprogramming.*  
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*Sec. 3135. Limitation on use of funds for special access programs.*  
*Sec. 3136. Protection of nuclear weapons facilities workers.*  
*Sec. 3137. National security programs.*  
*Sec. 3138. Scholarship and Fellowship Program for Environmental Restoration and Waste Management.*  
*Sec. 3139. Hazardous materials management and hazardous materials emergency response training program.*  
*Sec. 3140. Programs for persons who may have been exposed to radiation released from Hanford Nuclear Reservation.*  
*Sec. 3141. Solar energy activities at Nevada Test Site, Nevada.*

**Subtitle D—Other Matters**

- Sec. 3151. Accounting procedures for Department of Energy funds.*  
*Sec. 3152. Approval for certain nuclear weapons activities.*  
*Sec. 3153. Study of feasibility of conducting certain activities at the Nevada Test Site, Nevada.*  
*Sec. 3154. Nuclear Weapons Council Membership.*  
*Sec. 3155. Office of Fissile Materials Disposition.*  
*Sec. 3156. Extension of authority to loan personnel and facilities at Idaho National Engineering Laboratory.*

- Sec. 3157. Elimination of requirement for five-year plan for defense nuclear facilities.*
- Sec. 3158. Authority for appointment of certain scientific, engineering, and technical personnel.*
- Sec. 3159. Department of Energy Declassification Productivity Initiative.*
- Sec. 3160. Safety oversight and enforcement at defense nuclear facilities.*
- Sec. 3161. Conditions on contracts between the Federal Government and certain lessees and transferees of Department of Energy property.*

**TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD AUTHORIZATION**

- Sec. 3201. Authorization.*

**TITLE XXXIII—NATIONAL DEFENSE STOCKPILE**

- Sec. 3301. Disposal of obsolete and excess materials contained in the National Defense Stockpile.*
- Sec. 3302. Authorized uses of stockpile funds.*
- Sec. 3303. Repeal of advisory committee requirement.*
- Sec. 3304. Rotation of materials to prevent technological obsolescence.*

**TITLE XXXIV—CIVIL DEFENSE**

- Sec. 3401. Authorization of appropriations.*

**TITLE XXXV—PANAMA CANAL COMMISSION**

- Sec. 3501. Short title.*
- Sec. 3502. Authorization of expenditures.*
- Sec. 3503. Expenditures in accordance with other laws.*
- Sec. 3504. Costs of educational services obtained in the United States.*
- Sec. 3505. Special immigrant status of Panamanians employed by the United States in the former Canal Zone.*

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

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

**6 SEC. 4. GENERAL LIMITATION.**

*7 Notwithstanding any other provision of this Act, the*  
*8 total amount authorized to be appropriated for fiscal year*  
*9 1995 under the provisions of this Act is \$263,130,327,000,*



1 *of which the total amount authorized to be appropriated*  
2 *for fiscal year 1995 under the provisions of—*

3 *(1) division A is \$244,063,401,000;*

4 *(2) division B is \$8,593,903,000; and*

5 *(3) division C is \$10,473,023,000.*

6 ***DIVISION A—DEPARTMENT OF***  
7 ***DEFENSE AUTHORIZATIONS***  
8 ***TITLE I—PROCUREMENT***  
9 ***Subtitle A—Authorization of***  
10 ***Appropriations***

11 ***SEC. 101. ARMY.***

12 *Funds are hereby authorized to be appropriated for fis-*  
13 *cal year 1995 for procurement for the Army as follows:*

14 *(1) For aircraft, \$1,073,781,000.*

15 *(2) For missiles, \$693,909,000.*

16 *(3) For weapons and tracked combat vehicles,*  
17 *\$1,132,886,000.*

18 *(4) For ammunition, \$870,361,000.*

19 *(5) For other procurement, \$2,677,719,000.*

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

21 *(a) NAVY.—Funds are hereby authorized to be appro-*  
22 *priated for fiscal year 1995 for procurement for the Navy*  
23 *as follows:*

24 *(1) For aircraft, \$4,535,601,000.*

1           (2) For weapons, including missiles and tor-  
2 pedoes, \$2,428,539,000.

3           (3) For shipbuilding and conversion,  
4 \$6,132,807,000.

5           (4) For other procurement, \$3,310,217,000.

6           (b) MARINE CORPS.—Funds are hereby authorized to  
7 be appropriated for fiscal year 1995 for procurement for  
8 the Marine Corps in the amount of \$528,857,000.

9 **SEC. 103. AIR FORCE.**

10          Funds are hereby authorized to be appropriated for fis-  
11 cal year 1995 for procurement for the Air Force as follows:

12           (1) For aircraft, \$6,587,994,000.

13           (2) For missiles, \$4,330,473,000.

14           (3) For other procurement, \$6,961,153,000.

15 **SEC. 104. DEFENSE-WIDE ACTIVITIES.**

16          Funds are hereby authorized to be appropriated for fis-  
17 cal year 1995 for Defense-wide procurement in the amount  
18 of \$1,935,616,000.

19 **SEC. 105. RESERVE COMPONENTS.**

20          Funds are hereby authorized to be appropriated for fis-  
21 cal year 1995 for procurement of aircraft, vehicles, commu-  
22 nications equipment, and other equipment for the reserve  
23 components of the Armed Forces as follows:

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

25           (2) For the Air National Guard, \$270,000,000.

1           (3) *For the Army Reserve, \$75,000,000.*

2           (4) *For the Naval Reserve, \$65,000,000.*

3           (5) *For the Air Force Reserve, \$60,000,000.*

4           (6) *For the Marine Corps Reserve, \$45,000,000.*

5 **SEC. 106. CHEMICAL DEMILITARIZATION PROGRAM.**

6           (a) *AUTHORIZATION.*—*There is hereby authorized to be*  
7 *appropriated for fiscal year 1995 the amount of*  
8 *\$590,149,000 for—*

9                 (1) *the destruction of lethal chemical agents and*  
10 *munitions in accordance with section 1412 of the De-*  
11 *partment of Defense Authorization Act, 1986 (50*  
12 *U.S.C. 1521); and*

13                 (2) *the destruction of chemical warfare material*  
14 *of the United States that is not covered by section*  
15 *1412 of such Act.*

16           (b) *LIMITATION.*—*Of the funds specified in subsection*  
17 *(a)—*

18                 (1) *\$363,584,000 is for operation and mainte-*  
19 *nance;*

20                 (2) *\$215,265,000 is for procurement; and*

21                 (3) *\$11,300,000 is for research and development*  
22 *efforts in support of the nonstockpile chemical weap-*  
23 *ons program.*

24           (c) *AUTHORITY FOR OBLIGATION OF UNAUTHORIZED*  
25 *APPROPRIATIONS.*—*The Department of Defense may obli-*

1 *gate and expend \$25,000,000 of the funds appropriated for*  
2 *research, development, test, and evaluation under the head-*  
3 *ing "CHEMICAL AGENTS AND MUNITIONS DESTRUCTION,*  
4 *DEFENSE" in title VI of Public Law 103-139 (107 Stat.*  
5 *1436) in accordance with the appropriation for such funds*  
6 *in that Act.*

7 *(d) IDENTIFICATION OF FUNDS FOR PROGRAM.—Sec-*  
8 *tion 1412(f) of the Department of Defense Authorization*  
9 *Act, 1986 (50 U.S.C. 1521(f)) is amended by striking out*  
10 *the last sentence and inserting in lieu thereof the following:*  
11 *"Funds for military construction projects necessary to*  
12 *carry out this section shall be set forth in the budget of the*  
13 *Department of Defense for any fiscal year as a separate*  
14 *account."*

15 **SEC. 107. JOINT TRAINING, ANALYSIS AND SIMULATION**  
16 **CENTER.**

17 *Of the funds authorized to be appropriated for other*  
18 *procurement for the Navy, \$10,500,000 shall be available*  
19 *for procurement of command, control, communications and*  
20 *computer equipment for a Joint Training, Analysis and*  
21 *Simulation Center for the United States Atlantic Com-*  
22 *mand.*

1           **Subtitle B—Army Programs**

2   **SEC. 111. MULTIYEAR PROCUREMENT AUTHORITY FOR**  
3                           **M1A2 TANK UPGRADES.**

4           *The Secretary of the Army may enter into multiyear*  
5 *procurement contracts for procurement of M1A2 Abrams*  
6 *tank upgrades in accordance with section 2306(h) of title*  
7 *10, United States Code.*

8   **SEC. 112. TRANSFER OF REPLACEMENT ARMY TANK TO MA-**  
9                           **RINE CORPS RESERVE.**

10           *The Secretary of the Army shall transfer one M1A1*  
11 *common tank to the Marine Corps Reserve not later than*  
12 *the latest date on which any of the additional 24 M1A2*  
13 *upgrades provided for under authorizations of appropria-*  
14 *tions in this Act is accepted by the Army.*

15   **SEC. 113. REPLACEMENT SURVEILLANCE SYSTEM FOR**  
16                           **KOREA.**

17           *(a) LEASE AUTHORIZED.—Funds available to the*  
18 *Army for procurement of OV-1 aircraft that remain unobli-*  
19 *gated by reason of the early retirement of OV-1 aircraft*  
20 *deployed in Korea may be used for leasing a moving target*  
21 *indicator radar or another surveillance system to replace*  
22 *the surveillance capability of such aircraft in Korea if—*

23                   *(1) the lease provides for deployment of the sys-*  
24                   *tem within 180 days after the date of the enactment*  
25                   *of this Act;*

1           (2) *the Republic of Korea pays 50 percent of the*  
2 *cost of the lease;*

3           (3) *the lease includes an option for the Republic*  
4 *of Korea to purchase the leased system after the joint*  
5 *surveillance and target attack radar surveillance sys-*  
6 *tem (JSTARS) program attains initial operational*  
7 *capability; and*

8           (4) *the lease expires within 180 days after the*  
9 *date on which the JSTARS system is planned, as of*  
10 *the date of the enactment of this Act, to attain initial*  
11 *operational capability.*

12       (b) *WAIVER AUTHORITY.—Section 1024(b) of the Na-*  
13 *tional Defense Authorization Act for Fiscal Years 1992 and*  
14 *1993 (Public Law 102–190; 105 Stat. 1460) is amended*  
15 *by striking out “section 1439(b)(2)” and inserting in lieu*  
16 *thereof “section 1439”.*

17 **SEC. 114. SMALL ARMS INDUSTRIAL BASE.**

18       (a) *FUNDING FOR PROCUREMENT.—Of the funds au-*  
19 *thorized to be appropriated pursuant to section 101(3)—*

20           (1) *\$38,902,000 shall be available for procure-*  
21 *ment of MK19–3 grenade machine guns;*

22           (2) *\$13,000,000 shall be available for procure-*  
23 *ment of M16A2 rifles;*

24           (3) *\$24,016,000 shall be available for procure-*  
25 *ment of M249 squad automatic weapons; and*

1           (4) \$13,165,000 shall be available for procure-  
2           ment of M4 carbines.

3           (b) *MULTIYEAR CONTRACTS AUTHORIZED.*—(1) Dur-  
4           ing fiscal year 1995, the Secretary of the Army may, in  
5           accordance with section 2306(h) of title 10, United States  
6           Code, enter into multiyear contracts to meet the following  
7           objectives for quantities of small arms weapons to be ac-  
8           quired for the Army:

9                   (A) 21,217 MK19–3 grenade machine guns;

10                   (B) 1,002,277 M16A2 rifles;

11                   (C) 71,769 M249 squad automatic weapons; and

12                   (D) 132,510 M4 carbines.

13           (2) If the Army does not enter into contracts in fiscal  
14           year 1995 that will meet all the objectives set forth in para-  
15           graph (1), the Secretary shall, to the extent provided for  
16           in appropriations Acts, enter into multiyear contracts on  
17           or after October 1, 1995, to meet such objectives.

18           (3) Notwithstanding the first sentence of section  
19           2306(h)(8) of title 10, United States Code, the period of a  
20           multiyear contract entered into under this subsection may  
21           not exceed 10 years.

22           (c) *FOLLOW-ON WEAPONS.*—The Secretary of the  
23           Army shall provide for procurement of product improve-  
24           ments for existing small arms weapons and may do so with-

1 *in multiyear contracts entered into pursuant to subsection*  
2 *(b).*

3 *(d) JOINT SMALL ARMS MASTER PLAN.—(1) The Sec-*  
4 *retaries of the military departments shall jointly develop*  
5 *a master plan for meeting the immediate and future needs*  
6 *of the Armed Forces for small arms. The Secretary of the*  
7 *Army shall coordinate the development of the joint small*  
8 *arms master plan. The joint small arms master plan shall*  
9 *include—*

10 *(A) an examination of the relative advantages*  
11 *and disadvantages of improving existing small arms*  
12 *weapons as compared to investing in new, advanced*  
13 *technology weapons; and*

14 *(B) an analysis of the effects of each such ap-*  
15 *proach on the small arms industrial base.*

16 *(2) Not later than April 1, 1995, the Under Secretary*  
17 *of Defense for Acquisition and Technology shall—*

18 *(A) review the joint small arms master plan and*  
19 *the results of the examination of relative advantages*  
20 *and disadvantages of the two courses of action de-*  
21 *scribed in paragraph (1); and*

22 *(B) transmit the plan, together with any com-*  
23 *ments that the Under Secretary considers appro-*  
24 *priate, to the congressional defense committees.*



1       (e) *FUNDING FOR RDT&E.*—Of the funds authorized  
2 to be appropriated under section 201(1)—

3           (1) *\$5,000,000 shall be available for the Objective*  
4 *Crew-Served Weapons System; and*

5           (2) *\$3,000,000 shall be available for product im-*  
6 *provements to existing small arms weapons.*

7 **SEC. 115. BUNKER DEFEAT MUNITION MISSILES.**

8       (a) *AUTHORITY.*—The Secretary of the Army may ac-  
9 quire up to 6,000 type classified standard bunker defeat  
10 munition weapons.

11       (b) *FUNDING.*—Funds authorized to be appropriated  
12 for the Army for fiscal year 1994 shall be available for ac-  
13 quisition of bunker defeat munition weapons in accordance  
14 with subsection (a) as follows:

15           (1) *Of the amount authorized to be appropriated*  
16 *by section 101(4), \$7,761,000.*

17           (2) *Of the amount authorized to be appropriated*  
18 *by section 201(1), \$2,600,000.*

19           **Subtitle C—Navy Programs**

20 **SEC. 121. NUCLEAR AIRCRAFT CARRIER PROGRAM.**

21       (a) *TRANSFER OF FISCAL YEAR 1994 FUNDS.*—To the  
22 extent provided in appropriations Acts, \$1,200,000,000  
23 may be transferred from the National Defense Sealift Fund  
24 to the funds appropriated pursuant to the authorization in  
25 section 102(a)(3).

1       (b) *AVAILABILITY FOR CVN-76.*—The funds trans-  
2       ferred shall be available for the CVN-76 nuclear aircraft  
3       carrier program.

4       (c) *RELATIONSHIP TO OTHER AUTHORIZATION.*—The  
5       amount of the funds transferred shall be in addition to the  
6       amount authorized to be appropriated in section 102(a)(3)  
7       of the National Defense Authorization Act for Fiscal Year  
8       1994 (Public Law 103-160; 107 Stat. 1563).

9       (d) *RELATIONSHIP TO OTHER TRANSFER AUTHOR-*  
10      *ITY.*—The transfer authority in paragraph (1) is in addi-  
11      tion to any other transfer authority provided in this or any  
12      other Act.

13      **SEC. 122. SEAWOLF SUBMARINE PROGRAM.**

14      (a) *LIMITATION OF COSTS.*—Except as provided in  
15      subsection (b), the total amount obligated or expended for  
16      procurement of the SSN-21 and SSN-22 Seawolf sub-  
17      marines may not exceed \$4,759,571,000.

18      (b) *AUTOMATIC INCREASE OF LIMITATION AMOUNT.*—  
19      The amount of the limitation set forth in subsection (a) is  
20      increased by the following amounts:

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

24              (2) *The amounts of increases in costs attrib-*  
25              *utable to economic inflation.*

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

4   **SEC. 123. NAVAL AMPHIBIOUS READY GROUPS.**

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

6           (1) *Extensive and compelling testimony from*  
7           *uniformed military and Department of Defense lead-*  
8           *ership has been received which supports a military re-*  
9           *quirement for twelve Amphibious Ready Groups.*

10          (2) *An official Department of Navy report re-*  
11          *quired by the Fiscal Year 1993 National Defense Au-*  
12          *thorization Act clearly stipulates that a seventh LHD*  
13          *is required in order for the Navy to achieve a force*  
14          *structure of twelve Amphibious Ready Groups.*

15          (3) *The Department of Navy has identified funds*  
16          *for the purchase of LHD-7 in outyear budget projec-*  
17          *tions.*

18          (4) *A significant shortfall in amphibious ship-*  
19          *ping and amphibious lift exists, both in the fiscal*  
20          *year 1995 budget request and in outyear force struc-*  
21          *ture projections.*

22          (5) *Amphibious Assault Ships (LHDs) provide*  
23          *an important contingency capability and are unique-*  
24          *ly suited to respond to world crises and to provide as-*  
25          *sistance after natural disasters.*

1           (6) *Twelve Amphibious Ready Groups are the*  
2 *correct number to sustain forward deployment and*  
3 *contingency requirements of the Navy.*

4           (b) *SENSE OF CONGRESS.—It is the sense of*  
5 *Congress that the Secretary of the Navy should, plan*  
6 *for, and budget to provide for, the attainment of a*  
7 *twelfth Amphibious Ready Group as soon as possible.*  
8 *Further, the Secretary of the Navy should extend the*  
9 *existing contract option on the LHD-7 Amphibious*  
10 *Assault Ship in order to achieve twelve Amphibious*  
11 *Ready Groups.*

12          (c) *LHD-7 CONTRACT OPTION EXTENSION.—*

13           (1) *The Secretary of the Navy is authorized to*  
14 *extend the existing contract option for the LHD-7*  
15 *Amphibious Assault ship if the Secretary determines*  
16 *that the extension would be in the best interest of the*  
17 *United States.*

18           (2) *The Secretary of the Navy shall immediately*  
19 *begin negotiations to extend the existing contract op-*  
20 *tion for the LHD-7 Amphibious Assault Ship Pro-*  
21 *gram.*

22           (3) *On and after the date that is 30 days after*  
23 *the date on which the Secretary notifies Congress of*  
24 *an intention to do so, the Secretary may use such*  
25 *program funds authorized to be appropriated for*

1        *other Navy programs for such contract. The notifica-*  
2        *tion shall include a description of the intended use of*  
3        *the funds.*

4        *(d) REPORT REQUIREMENT.—The Secretary of the*  
5        *Navy shall report to the Congress, after December 31, 1994,*  
6        *but before March 31, 1995, Department of the Navy inten-*  
7        *tions related to contract execution of the existing contract*  
8        *option for the LHD-7 Amphibious Assault Ship. The report*  
9        *shall include an explanation of the Department's actions*  
10       *related to the attainment of a twelfth Amphibious Ready*  
11       *Group and the costs and benefits of extending the existing*  
12       *contract option on the LHD-7 Amphibious Assault Ship.*

13        ***Subtitle D—Air Force Programs***

14        ***SEC. 131. SETTLEMENT OF CLAIMS UNDER THE C-17 AIR-***  
15        ***CRAFT PROGRAM.***

16        *(a) SUPPLEMENTAL AGREEMENTS AUTHORIZED.—On*  
17        *or before September 30, 1995, but subject to subsection (e),*  
18        *the Secretary of the Air Force may enter into supplemental*  
19        *agreements pertaining to Air Force prime contract*  
20        *F33657-81-C-2108 and such other Air Force contracts re-*  
21        *lating to the C-17 aircraft program in effect on the date*  
22        *of enactment of this Act as the Secretary determines appro-*  
23        *priate—*

1           (1) to settle claims and disputes arising under  
2 such contracts as provided in the C-17 settlement  
3 agreement letter;

4           (2) to revise the delivery schedules under such  
5 contracts as provided in the C-17 settlement agree-  
6 ment letter, for aircraft T-1 and P-1 through P-6;  
7 and

8           (3) to revise range specifications, payload speci-  
9 fications, and other specifications under such con-  
10 tracts as provided in Attachment B to the C-17 settle-  
11 ment agreement letter.

12       (b) *FURTHER CONSIDERATION NOT REQUIRED.*—The  
13 supplemental agreements referred to in subsection (a) may  
14 be entered into without requiring further consideration from  
15 the contractor only to the extent provided for in the C-17  
16 settlement agreement letter.

17       (c) *RELEASE OF CONTRACTOR CLAIMS REQUIRED.*—  
18 Each supplemental agreement referred to in subsection (a)  
19 shall require the prime contractor to release and forever dis-  
20 charge the Government from all contractual claims, de-  
21 mands, requests for equitable adjustment, and any other  
22 causes of action, known or unknown, that the prime con-  
23 tractor may have on or before January 6, 1994 arising out  
24 of the C-17 program contracts as provided in the C-17 set-  
25 tlement agreement letter.

1           (d) *CONTRACT MODIFICATIONS REGARDING CONTRAC-*  
2 *TOR COMMITMENTS.*—The Secretary of the Air Force shall  
3 *incorporate in each appropriate C-17 contract the prime*  
4 *contractor’s commitment to extend the flight test program,*  
5 *redesign the wing, implement Computer Aided Design/Com-*  
6 *puter Aided Manufacturing System improvements, Man-*  
7 *agement Information System improvements, and Advanced*  
8 *Quality System improvements, implement product im-*  
9 *provement cost reduction projects, and resolve other C-17*  
10 *program issues on a nonreimbursable or cost-share basis as*  
11 *provided in the C-17 settlement agreement letter.*

12           (e) *NOTICE-AND-WAIT REQUIREMENT.*—The Secretary  
13 *of the Air Force may not enter into a supplemental agree-*  
14 *ment referred to in subsection (a) until 30 days after the*  
15 *date on which the Secretary of Defense certifies to Congress*  
16 *that the terms and conditions set forth in the C-17 settle-*  
17 *ment agreement letter, including the settlement of claims,*  
18 *are in the best interests of the Government.*

19           (f) *CONSTRUCTION REGARDING OTHER CONTRACTOR*  
20 *OBLIGATIONS.*—Nothing in this section shall be construed  
21 *as relieving the contractor of any obligation provided for*  
22 *in the C-17 settlement agreement letter.*

23           (g) *C-17 SETTLEMENT AGREEMENT LETTER.*—The  
24 *C-17 settlement agreement letter referred to in this section*  
25 *is the agreement that was proposed to the prime contractor*

1 for the C-17 aircraft program by the Under Secretary of  
2 Defense for Acquisition and Technology by letter dated Jan-  
3 uary 3, 1994, and was accepted by the prime contractor  
4 on January 6, 1994.

5 **SEC. 132. RETIREMENT OF BOMBER AIRCRAFT.**

6 No funds authorized to be appropriated by this Act  
7 or any other Act may be obligated or expended during fiscal  
8 year 1995 for retiring, or preparing to retire, any B-52H,  
9 B-1B, or F-111 bomber aircraft.

10 **Subtitle E—Other Matters**

11 **SEC. 141. PRESERVING THE BOMBER INDUSTRIAL BASE.**

12 (a) FUNDS TO PRESERVE THE BOMBER INDUSTRIAL  
13 BASE.—Of the funds authorized to be appropriated under  
14 section 103(1), not more than \$150,000,000 shall be avail-  
15 able only for the following purposes:

16 (1) To retain B-2 bomber production tooling in  
17 ready status.

18 (2) To preserve a production capability for spare  
19 parts and aircraft subsystems among lower-tier ven-  
20 dors.

21 (3) To develop detailed production plans for a  
22 derivative of the B-2 bomber that is not capable of  
23 delivering nuclear weapons.

24 (4) To carry out any other program, project, or  
25 activity, not prohibited by subsection (b) or (c), that



1        *the Secretary determines will help to preserve the*  
2        *bomber industrial base of the United States.*

3        *(b) PROHIBITION.—None of the funds made available*  
4        *pursuant to this section may be used to procure any major*  
5        *structural part for B-2 bomber aircraft or any other part*  
6        *for B-2 bomber aircraft that is not a part previously ac-*  
7        *quired or planned to be acquired for the B-2 bomber air-*  
8        *craft under the initial or sustaining spares program.*

9        *(c) NO AUTHORIZATION OF ADVANCE PROCURE-*  
10       *MENT.—Nothing in this section shall be construed as au-*  
11       *thorizing the procurement, including long-lead procure-*  
12       *ment, of a twenty-second B-2 bomber.*

13       *(d) EXEMPTION FROM LIMITATION ON TOTAL PRO-*  
14       *GRAM COST.—Obligations of funds made available pursu-*  
15       *ant to this section for the purposes set forth in subsection*  
16       *(a) may not be counted for purposes of the limitation in*  
17       *section 131(d) of the National Defense Authorization Act*  
18       *for Fiscal Year 1994 (Public Law 103-160; 107 Stat.*  
19       *1569).*

20       *(e) ESTIMATES OF TOTAL COST REQUIRED—(1) Not*  
21       *later than January 15, 1995, the Secretary of Defense shall*  
22       *submit to the congressional defense committees two esti-*  
23       *mates of the total cost of acquisition of 20 additional B-*  
24       *2 bomber aircraft, including the cost of research, develop-*

1 *ment, test and evaluation and the cost of related military*  
2 *construction.*

3       (2) *The Secretary shall assume for purposes of making*  
4 *one of the estimates that such aircraft will be procured at*  
5 *the rate of 2 aircraft in each of fiscal years 1997 and 1998,*  
6 *3 such aircraft in each of fiscal years 1999 through 2002,*  
7 *and 4 such aircraft in fiscal year 2003. The Secretary shall*  
8 *assume for purposes of making the other estimate that such*  
9 *aircraft will be procured at an annual rate of 2.5 aircraft*  
10 *beginning in fiscal year 1997.*

11       (3) *In addition to stating the estimates in terms of*  
12 *estimated total actual cost, the Secretary shall state the esti-*  
13 *mates in terms of fiscal year 1995 constant dollars.*

14 **SEC. 142. DUAL-USE ELECTRIC AND HYBRID VEHICLES.**

15       (a) *FUNDING.*—*Of the funds authorized to be appro-*  
16 *priated by this title, \$15,000,000 shall be available for pro-*  
17 *curement of electric and hybrid vehicles for military uses*  
18 *and for commercialization of such vehicles for nonmilitary*  
19 *uses.*

20       (b) *LIMITATION.*—(1) *Funds made available pursuant*  
21 *to subsection (a) may not be expended until the Secretary*  
22 *of Defense and the Secretary of Energy enter into a memo-*  
23 *randum of understanding that specifies the responsibilities*  
24 *of each Secretary for procurement and commercialization*  
25 *activities to be carried out with such funds.*

1       (2) *The provisions of the memorandum of understand-*  
2 *ing shall be consistent with the missions of the Department*  
3 *of Defense and the Department of Energy and with the*  
4 *goals and requirements set forth in the Energy Policy Act*  
5 *of 1992 (Public Law 102–486; 42 U.S.C. 13271 et seq.) and*  
6 *the amendments made to the Clean Air Act (42 U.S.C. 7401*  
7 *et seq.) by Public Law 101–549 (commonly known as the*  
8 *“Clean Air Act Amendments of 1990”; 104 Stat. 2399).*

9       **SEC. 143. SALES AUTHORITY OF WORKING-CAPITAL FUND-**  
10                                   **ED ARMY INDUSTRIAL FACILITIES.**

11       *Section 4543(a) of title 10, United States Code, is*  
12 *amended—*

13               (1) *in the matter above paragraph (1), by strik-*  
14 *ing out “nondefense-related commercial”;*

15               (2) *by striking out “and” at the end of para-*  
16 *graph (3);*

17               (3) *by striking out the period at the end of para-*  
18 *graph (4) and inserting in lieu thereof a semicolon;*  
19 *and*

20               (4) *by adding at the end the following new para-*  
21 *graphs:*

22               “(5) *the Secretary of the Army determines that*  
23 *the articles or services are not available from a com-*  
24 *mercial source located in the United States;*

1           “(6) the purchaser of an article or service agrees  
2           to hold harmless and indemnify the United States, ex-  
3           cept in cases of willful misconduct or extreme neg-  
4           ligence, from any claim for damages or injury to any  
5           person or property arising out of the article or serv-  
6           ice;

7           “(7) the article to be sold can be manufactured,  
8           or the service to be sold can be substantially per-  
9           formed, by the industrial facility with only incidental  
10          subcontracting and it is in the public interest to  
11          manufacture such article or perform such service; and

12          “(8) the sale will not interfere with performance  
13          of the military mission of the industrial facility.”.

14       **TITLE II—RESEARCH, DEVELOP-**  
15       **MENT, TEST, AND EVALUA-**  
16       **TION**

17               **Subtitle A—Authorization of**  
18               **Appropriations**

19       **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

20           Funds are hereby authorized to be appropriated for fis-  
21       cal year 1995 for the use of the Department of Defense for  
22       research, development, test, and evaluation, as follows:

23               (1) For the Army, \$5,152,308,000.

24               (2) For the Navy, \$8,796,129,000.

25               (3) For the Air Force, \$12,329,796,000.

1           (4) *For Defense-wide activities, \$9,565,299,000,*  
2       *of which—*

3                   (A) *\$230,495,000 is authorized for the ac-*  
4       *tivities of the Director, Test and Evaluation; and*

5                   (B) *\$12,501,000 is authorized for the Direc-*  
6       *tor of Operational Test and Evaluation.*

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

9           (a) *FISCAL YEAR 1995.—Of the amounts authorized*  
10       *to be appropriated by section 201, \$4,210,356,000 shall be*  
11       *available for basic research and exploratory development*  
12       *projects.*

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

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

20           *Of the amounts authorized to be appropriated by sec-*  
21       *tion 201, \$170,000,000 shall be available for the Strategic*  
22       *Environmental Research and Development Program.*

1 **SEC. 204. HIGH RESOLUTION IMAGING.**

2 *Of the funds authorized to be appropriated pursuant*  
3 *to section 201(3), \$10,000,000 shall be available for high*  
4 *resolution imaging of space objects using excimer lasers.*

5 **Subtitle B—Programs Require-**  
6 **ments, Restrictions, and Limita-**  
7 **tions**

8 **SEC. 211. TACTICAL ANTISATELLITE TECHNOLOGIES PRO-**  
9 **GRAM.**

10 (a) *DEMONSTRATION AND VALIDATION ACTIVITIES.—*  
11 *Subject to subsection (e), the Secretary of Defense shall con-*  
12 *tinue the demonstration and validation of kinetic energy*  
13 *antisatellite technologies under the tactical antisatellite*  
14 *technologies program.*

15 (b) *LEVEL FUNDING.—Subject to subsection (e), of the*  
16 *amounts authorized to be appropriated in this title,*  
17 *\$10,000,000 shall be available for fiscal year 1995 for engi-*  
18 *neering development under the tactical antisatellite tech-*  
19 *nologies program.*

20 (c) *REQUIREMENT OF OBLIGATION OF PRIOR YEAR*  
21 *FUNDS.—To the extent provided in appropriations Acts, the*  
22 *Secretary shall obligate for engineering development under*  
23 *the tactical antisatellite technologies program all funds*  
24 *available for fiscal year 1993 and fiscal year 1994 for the*  
25 *Kinetic Energy Antisatellite (KE-ASAT) program that re-*

1 *main available for obligation on the date of the enactment*  
2 *of this Act.*

3 (d) *REPORT.*—*The Secretary shall submit to Congress*  
4 *the report required by section 1363 of the National Defense*  
5 *Authorization Act for Fiscal Year 1993 (Public Law 102–*  
6 *484; 106 Stat. 2560).*

7 (e) *LIMITATION.*—*No funds appropriated to the De-*  
8 *partment of Defense for fiscal year 1995 may be obligated*  
9 *for the tactical antisatellite technologies program until the*  
10 *Secretary of Defense certifies to Congress that there is a re-*  
11 *quirement for an antisatellite program.*

12 **SEC. 212. TRANSFER OF MILSTAR COMMUNICATIONS SAT-**  
13 **ELLITE PROGRAM.**

14 (a) *TRANSFER TO NAVY.*—*The Secretary of Defense*  
15 *shall transfer responsibility for program management and*  
16 *funding for the MILSTAR communications satellite pro-*  
17 *gram from the Secretary of the Air Force to the Secretary*  
18 *of the Navy before October 1, 1995.*

19 (b) *FUNDING IN FUTURE YEARS DEFENSE PRO-*  
20 *GRAM.*—*It is the sense of Congress that the Secretary should*  
21 *transfer from the Air Force to the Navy sufficient proposed*  
22 *funding in the Future Years Defense Program to cover all*  
23 *costs for the MILSTAR communications satellite program*  
24 *and related programs, projects, and activities.*

1           (c) *RELATIONSHIP TO OTHER TRANSFER AUTHOR-*  
2 *ITY.—The transfer authority in subsection (b) is in addi-*  
3 *tion to the transfer authority provided in section 1001.*

4 **SEC. 213. TRANSFER OF FUNDS FOR SINGLE-STAGE TO**  
5 **ORBIT ROCKET.**

6           *The Secretary of Defense shall, to the extent provided*  
7 *in appropriations Acts, transfer to the National Aero-*  
8 *navtics and Space Administration the unobligated balance*  
9 *of funds appropriated to the Department of Defense for the*  
10 *Advanced Research Projects Agency for single-stage to orbit*  
11 *rocket research and development.*

12 **SEC. 214. LIMITATION ON DISMANTLEMENT OF INTER-**  
13 **CONTINENTAL BALLISTIC MISSILES.**

14           *Funds authorized to be appropriated in this Act may*  
15 *not be obligated or expended for deactivating or disman-*  
16 *tling United States intercontinental ballistic missiles*  
17 *(ICBMs) of the United States below that number of such*  
18 *missiles that is necessary to support 500 deployed inter-*  
19 *continental ballistic missiles until 180 days after the date*  
20 *on which the Secretary of Defense has delivered to the con-*  
21 *gressional defense committees a report on the results of a*  
22 *nuclear posture review being conducted by the Secretary.*



1 **SEC. 215. LIMITATION ON OBLIGATION OF FUNDS FOR SEIS-**  
2 **MIC MONITORING RESEARCH.**

3 *Funds authorized to be appropriated by this Act that*  
4 *are made available for seismic monitoring of nuclear explo-*  
5 *sions may not be obligated for a project unless the project*  
6 *is authorized in a plan approved in advance by the Sec-*  
7 *retary of Defense and the Secretary of Energy.*

8 **SEC. 216. FEDERALLY FUNDED RESEARCH AND DEVELOP-**  
9 **MENT CENTERS.**

10 *(a) CENTERS COVERED.—Funds appropriated or oth-*  
11 *erwise made available for the Department of Defense for fis-*  
12 *cal year 1995 pursuant to an authorization of appropria-*  
13 *tions in section 201 may be obligated to procure work from*  
14 *a federally funded research and development center only in*  
15 *the case of a center named in the report required by sub-*  
16 *section (b) and, in the case of such a center, only in an*  
17 *amount not in excess of the amount of the proposed funding*  
18 *level set forth for that center in such report.*

19 *(b) REPORT ON ALLOCATIONS FOR CENTERS.—Not*  
20 *later than 30 days after the date of the enactment of this*  
21 *Act, the Secretary of Defense shall submit to the congres-*  
22 *sional defense committees a report containing—*

23 *(1) the name of each federally funded research*  
24 *and development center from which work is proposed*  
25 *to be procured for the Department of Defense for fiscal*  
26 *year 1995; and*

1           (2) for each such center, the proposed funding  
2           level and the estimated personnel level for fiscal year  
3           1995.

4           The total of the proposed funding levels set forth in the re-  
5           port for all federally funded research and development cen-  
6           ters may not exceed the amount set forth in subsection (d).

7           (c) *LIMITATION PENDING SUBMISSION OF REPORT.*—  
8           No funds appropriated or otherwise made available for the  
9           Department of Defense for fiscal year 1995 may be obligated  
10          to obtain work from a federally funded research and devel-  
11          opment center until the Secretary of Defense submits the  
12          report required by subsection (b).

13          (d) *FUNDING.*—Of the amounts authorized to be ap-  
14          propriated to the Department of Defense for research, devel-  
15          opment, test, and evaluation for fiscal year 1995 pursuant  
16          to section 201, not more than a total of \$1,300,000,000 may  
17          be obligated to procure services from the federally funded  
18          research and development centers named in the report re-  
19          quired by subsection (b).

20          (e) *AUTHORITY TO WAIVE FUNDING LIMITATION.*—  
21          The Secretary of Defense may waive the limitation regard-  
22          ing the maximum funding amount that applies under sub-  
23          section (a) to a federally funded research and development  
24          center. Whenever the Secretary proposes to make such a  
25          waiver, the Secretary shall submit to the congressional de-

1 *fense committees notice of the proposed waiver and the rea-*  
2 *sons for the waiver. The waiver may then be made only*  
3 *after the end of the 60-day period that begins on the date*  
4 *on which the notice is submitted to those committees, unless*  
5 *the Secretary determines that it is essential to the national*  
6 *security that funds be obligated for work at that center in*  
7 *excess of that limitation before the end of such period and*  
8 *notifies the congressional defense committees of that deter-*  
9 *mination and the reasons for the determination.*

10 *(f) UNDISTRIBUTED REDUCTION.—The total amount*  
11 *authorized to be appropriated for research, development,*  
12 *test, and evaluation in section 201 is hereby reduced by*  
13 *\$52,650,000.*

14 *(g) LIMITATION ON COMPENSATION.—No employee or*  
15 *executive officer of a federally funded research and develop-*  
16 *ment center named in the report required by subsection (b)*  
17 *may be compensated at a rate exceeding Executive Schedule*  
18 *Level I by that federally funded research and development*  
19 *center.*

1                   **Subtitle C—Missile Defense**  
2                   **Programs**

3   **SEC. 221. COMPLIANCE OF BALLISTIC MISSILE DEFENSE**  
4                   **SYSTEMS AND COMPONENTS WITH ABM TREA-**  
5                   **TY.**

6           (a) *REQUIRED COMPLIANCE REVIEW FOR BRILLIANT*  
7 *EYES.*—*The Secretary of Defense shall review the space-*  
8 *based, midcourse missile tracking system known as Brill-*  
9 *iant Eyes to determine whether, and under what condi-*  
10 *tions, the development, testing, and deployment of that sys-*  
11 *tem in conjunction with a theater ballistic missile defense*  
12 *system, with a limited national missile defense system, and*  
13 *with both such systems, would be in compliance with the*  
14 *ABM Treaty, including the interpretation of that treaty set*  
15 *forth in the enclosure to the July 13, 1993, ACDA letter.*

16           (b) *LIMITATION.*—*Of the funds appropriated pursuant*  
17 *to the authorizations of appropriations in section 201 that*  
18 *are made available for the Brilliant Eyes program, not*  
19 *more than \$50,000,000 may be obligated until the Secretary*  
20 *of Defense submits to the appropriate congressional commit-*  
21 *tees a report on the compliance of the Brilliant Eyes pro-*  
22 *gram with the ABM Treaty.*

23           (c) *COMPLIANCE REVIEW FOR NAVY UPPER TIER SYS-*  
24 *TEM.*—(1) *If the funds made available for fiscal year 1995*  
25 *for the theater ballistic missile program known as the*

1 “Navy Upper Tier” program pursuant to the authoriza-  
2 tions of appropriations in section 201 or otherwise exceed  
3 \$17,725,000, the Secretary of Defense shall review the Navy  
4 Upper Tier program to determine whether the development,  
5 testing, and deployment of that system would be in compli-  
6 ance with the ABM Treaty, including the interpretation of  
7 the Treaty set forth in the enclosure to the July 13, 1993,  
8 ACDA letter.

9 (2) In the event a compliance review is necessary  
10 under paragraph (1), not more than \$17,725,000 may be  
11 obligated for the Navy Upper Tier program before the date  
12 on which the Secretary submits to the appropriate congres-  
13 sional committees a report on the compliance of the Navy  
14 Upper Tier program with the ABM Treaty.

15 (d) DEFINITIONS.—In this section:

16 (1) The term “July 13, 1993, ACDA letter”  
17 means the letter dated July 13, 1993, from the Acting  
18 Director of the Arms Control and Disarmament Agen-  
19 cy to the chairman of the Committee on Foreign Rela-  
20 tions of the Senate relating to the correct interpreta-  
21 tion of the ABM Treaty and accompanied by an en-  
22 closure setting forth such interpretation.

23 (2) The term “ABM Treaty” means the Treaty  
24 between the United States of America and the Union  
25 of Soviet Socialist Republics on the Limitation of

1 *Anti-Ballistic Missiles, signed in Moscow on May 26,*  
2 *1972.*

3 (3) *The term “appropriate congressional com-*  
4 *mittees” means—*

5 (A) *the Committee on Armed Services, the*  
6 *Committee on Foreign Affairs, and the Commit-*  
7 *tee on Appropriations of the House of Represent-*  
8 *atives; and*

9 (B) *the Committee on Armed Services, the*  
10 *Committee on Foreign Relations, and the Com-*  
11 *mittee on Appropriations of the Senate.*

12 **SEC. 222. REVISIONS TO THE MISSILE DEFENSE ACT OF**  
13 **1991.**

14 *The Missile Defense Act of 1991 (part C of title II of*  
15 *Public Law 102–190; 10 U.S.C. 2431 note) is amended—*

16 (1) *by striking out sections 235, 236, and 237;*

17 (2) *in section 238, by inserting before the period*  
18 *at the end of the second sentence the following: “, and*  
19 *shall submit to the Congress additional interim re-*  
20 *ports on the progress of such negotiations at six-*  
21 *month intervals thereafter until such time as the*  
22 *President notifies the congressional defense committees*  
23 *that such negotiations have been concluded or termi-*  
24 *nated”;* and

1           (3) by redesignating section 238, 239, and 240  
2           as sections 234, 235, and 236, respectively.

3   **SEC. 223. LIMITATION.**

4           No funds appropriated pursuant to an authorization  
5   of appropriations in this title or otherwise made available  
6   for fiscal year 1995 for programs managed by the Ballistic  
7   Missile Defense Organization may be obligated for such pro-  
8   grams until the Secretary of Defense submits to Congress  
9   the report required by section 235(b) of the National Defense  
10  Authorization Act for Fiscal Year 1994 (Public Law 103–  
11  160; 107 Stat. 1598).

12  **SEC. 224. MANAGEMENT AND BUDGET RESPONSIBILITY FOR**  
13                   **SPACE-BASED CHEMICAL LASER PROGRAM.**

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

15           (1) In section 243 of the National Defense Au-  
16   thorization Act for Fiscal Year 1994 (Public Law  
17   103–160; 107 Stat. 1615) Congress directed the Sec-  
18   retary of Defense to transfer management and budget  
19   responsibility for research and development regarding  
20   far-term follow-on technologies from the Ballistic Mis-  
21   sile Defense Organization unless the Secretary cer-  
22   tifies that it is in the national security interest of the  
23   United States for the Ballistic Missile Defense Orga-  
24   nization to retain that responsibility.

1           (2) *For purposes of section 243 of such Act, a*  
2 *far-term follow-on technology was defined as any tech-*  
3 *nology that is not incorporated into a ballistic missile*  
4 *defense architecture and is not likely to be incor-*  
5 *porated within 15 years into a weapon system for*  
6 *ballistic missile defense.*

7           (3) *The Secretary of Defense has recommended*  
8 *pursuant to section 243 of such Act that management*  
9 *and budget responsibility for chemical laser tech-*  
10 *nology be retained in the Ballistic Missile Defense Or-*  
11 *ganization.*

12           (b) *ASSIGNMENT OF RESPONSIBILITY.*—*Subject to sub-*  
13 *section (c), the Ballistic Missile Defense Organization is au-*  
14 *thorized to retain management and budget responsibility*  
15 *for chemical laser technology programs.*

16           (c) *REQUIREMENTS.*—(1) *The Director of the Ballistic*  
17 *Missile Defense Organization shall ensure that, to the extent*  
18 *practicable, the conduct of research and development related*  
19 *to space-based chemical lasers reflects appropriate consider-*  
20 *ation of a broad range of military missions and possible*  
21 *nonmilitary applications for such lasers.*

22           (2) *If, as a result of budgetary limitations, the Director*  
23 *of the Ballistic Missile Defense Organization is unable to*  
24 *program sufficient funds to ensure that the space-based*  
25 *chemical laser program remains an option for the acquisi-*



1 *tion process within the next fifteen years, the Secretary of*  
2 *Defense shall—*

3 *(A) establish a new high energy laser research*  
4 *and development program outside of the Ballistic*  
5 *Missile Defense Organization;*

6 *(B) transfer \$50,000,000 out of funds available*  
7 *for fiscal year 1995 for programs administered by the*  
8 *Ballistic Missile Defense Organization to the new*  
9 *high energy laser research and development program;*  
10 *and*

11 *(C) assign the duty to perform the management*  
12 *and budget responsibilities for the new program to the*  
13 *Secretary of the military department determined by*  
14 *the Secretary of Defense most appropriate to perform*  
15 *such responsibilities or, if the Secretary determines*  
16 *more appropriate, to the head of the Defense Agency*  
17 *of the Department of Defense that the Secretary deter-*  
18 *mines most appropriate to perform such responsibil-*  
19 *ities.*

20 **SEC. 225. SENATE ADVICE AND CONSENT ON AGREEMENTS**

21 **THAT MODIFY THE ANTI-BALLISTIC MISSILE**  
22 **TREATY.**

23 *(a) REQUIREMENT FOR ADVICE AND CONSENT OF SEN-*  
24 *ATE.—Whenever the President negotiates an international*  
25 *agreement that would substantively modify the ABM Trea-*

1 *ty, the United States shall not be bound by such agreement*  
2 *unless the agreement is entered into pursuant to the treaty*  
3 *making power of the President under the Constitution*  
4 *(which includes a requirement for advice and consent of the*  
5 *Senate).*

6 *(b) ABM TREATY DEFINED.—In this section, the term*  
7 *“ABM Treaty” means the Treaty Between the United States*  
8 *of America and the Union of Soviet Socialist Republics on*  
9 *the Limitation of Anti-Ballistic Missile Systems, signed in*  
10 *Moscow on May 26, 1972, with related protocol, signed in*  
11 *Moscow on July 3, 1974.*

12 ***Subtitle D—Defense Conversion, Re-***  
13 ***investment, and Transition As-***  
14 ***sistance Matters***

15 ***SEC. 231. FUNDING OF DEFENSE TECHNOLOGY REINVEST-***  
16 ***MENT PROGRAMS FOR FISCAL YEAR 1995.***

17 *(a) FUNDS AVAILABLE.—Of the amount authorized to*  
18 *be appropriated under section 201 for Defense-wide activi-*  
19 *ties, \$625,000,000 shall be available for activities described*  
20 *in the defense reinvestment program element of the budget*  
21 *of the Department of Defense for fiscal year 1995.*

22 *(b) ALLOCATION OF FUNDS.—The funds made avail-*  
23 *able under subsection (a) shall be allocated as follows:*

1           (1) \$245,000,000 shall be available for defense  
2 dual-use critical technology partnerships under sec-  
3 tion 2511 of title 10, United States Code.

4           (2) \$80,000,000 shall be available for commer-  
5 cial-military integration partnerships under section  
6 2512 of such title.

7           (3) \$80,000,000 shall be available for defense re-  
8 gional technology alliances under section 2513 of such  
9 title.

10          (4) \$30,000,000 shall be available for defense ad-  
11 vanced manufacturing technology partnerships under  
12 section 2522 of such title.

13          (5) \$50,000,000 shall be available for support of  
14 manufacturing extension programs under section  
15 2523 of such title.

16          (6) \$25,000,000 shall be available for defense  
17 manufacturing engineering education grants under  
18 section 2196 of such title.

19          (7) \$30,000,000 shall be available for the ad-  
20 vanced materials synthesis and processing partner-  
21 ship program.

22          (8) \$35,000,000 shall be available for the agile  
23 manufacturing/enterprise integration program.

24          (9) \$40,000,000 shall be available for the mari-  
25 time technology program, as provided for in section

1        *1352(c)(2) of the National Shipbuilding and Ship-*  
2        *yard Conversion Act of 1993 (subtitle D of title XIII*  
3        *of Public Law 103-160; 107 Stat. 1809; 10 U.S.C.*  
4        *2501 note).*

5            *(10) \$10,000,000 shall be available for grants*  
6        *under section 2198 of title 10, United States Code, to*  
7        *United States institutions of higher education and*  
8        *other United States not-for-profit organizations to*  
9        *support the management training program in Japa-*  
10       *nese language and culture.*

11        *(c) AVAILABILITY OF FUNDS FOR FISCAL YEAR 1994*  
12       *PROJECTS.—Funds made available under subsection (a)*  
13       *may also be used to make awards to projects of the types*  
14       *that were solicited under programs referred to in subsection*  
15       *(b) in fiscal year 1994.*

16       ***SEC. 232. FINANCIAL COMMITMENT REQUIREMENTS FOR***  
17                            ***SMALL BUSINESS CONCERNS FOR PARTICIPA-***  
18                            ***TION IN TECHNOLOGY REINVESTMENT***  
19                            ***PROJECTS.***

20        *(a) DEFENSE DUAL-USE CRITICAL TECHNOLOGY*  
21       *PARTNERSHIPS.—Section 2511(c) of title 10, United States*  
22       *Code, is amended by adding at the end the following new*  
23       *paragraph:*

24            *“(3) The Secretary shall consider a partnership pro-*  
25       *posal submitted by a small business concern without regard*

1 *to the ability of the small business concern to immediately*  
2 *meet its share of the anticipated partnership costs. Upon*  
3 *the selection of a partnership proposal submitted by a small*  
4 *business concern, the Secretary shall extend to the small*  
5 *business concern a period of not less than 120 days within*  
6 *which to arrange to meet its financial commitment require-*  
7 *ments under the partnership from sources other than a per-*  
8 *son of a foreign country. If the Secretary determines upon*  
9 *the expiration of that period that the small business concern*  
10 *will be unable to meet its share of the anticipated partner-*  
11 *ship costs, the Secretary may revoke the selection of the*  
12 *partnership proposal submitted by the small business con-*  
13 *cern.”.*

14 (b) *COMMERCIAL-MILITARY INTEGRATION PARTNER-*  
15 *SHIPS.—Section 2512(c)(3) of such title is amended by add-*  
16 *ing at the end the following new subparagraph:*

17 “(C) *The Secretary shall consider a partnership pro-*  
18 *posal submitted by a small business concern without regard*  
19 *to the ability of the small business concern to immediately*  
20 *meet its share of the anticipated partnership costs. Upon*  
21 *the selection of a partnership proposal submitted by a small*  
22 *business concern, the Secretary shall extend to the small*  
23 *business concern a period of not less than 120 days within*  
24 *which to arrange to meet its financial commitment require-*  
25 *ments under the partnership from sources other than a per-*

1 *son of a foreign country. If the Secretary determines upon*  
2 *the expiration of that period that the small business concern*  
3 *will be unable to meet its share of the anticipated partner-*  
4 *ship costs, the Secretary may revoke the selection of the*  
5 *partnership proposal submitted by the small business con-*  
6 *cern.”.*

7 (c) *REGIONAL TECHNOLOGY ALLIANCES ASSISTANCE*  
8 *PROGRAM.—Section 2513(e) of such title is amended by*  
9 *adding at the end the following new paragraph:*

10 “(4) *The Secretary shall consider a proposal for a re-*  
11 *gional technology alliance that is submitted by a small busi-*  
12 *ness concern without regard to the ability of the small busi-*  
13 *ness concern to immediately meet its share of the antici-*  
14 *pated costs of the alliance. Upon the selection of a proposal*  
15 *submitted by a small business concern, the Secretary shall*  
16 *extend to the small business concern a period of not less*  
17 *than 120 days within which to arrange to meet its financial*  
18 *commitment requirements under the regional technology al-*  
19 *liance from sources other than a person of a foreign country.*  
20 *If the Secretary determines upon the expiration of that pe-*  
21 *riod that the small business concern will be unable to meet*  
22 *its share of the anticipated costs, the Secretary may revoke*  
23 *the selection of the proposal submitted by the small business*  
24 *concern.”.*

1       (d) *DEFINITION OF PERSON OF A FOREIGN COUN-*  
2 *TRY.*—Section 2491 of such title is amended by adding at  
3 *the end the following new paragraph:*

4               “(16) The term ‘person of a foreign country’ has  
5       *the meaning given such term in section 3502(d) of the*  
6       *Primary Dealers Act of 1988 (22 U.S.C. 5342(d)).”.*

7 ***SEC. 233. CONDITIONS ON FUNDING OF DEFENSE TECH-***  
8                               ***NOLOGY REINVESTMENT PROJECTS.***

9       (a) *BENEFITS TO UNITED STATES ECONOMY.*—In pro-  
10 *viding for the establishment or financial support of partner-*  
11 *ships and other cooperative arrangements under chapter*  
12 *148 of title 10, United States Code, using funds made avail-*  
13 *able under section 231, the Secretary of Defense shall ensure*  
14 *that the principal economic benefits of such partnerships*  
15 *and other arrangements accrue to the economy of the United*  
16 *States.*

17       (b) *USE OF COMPETITIVE SELECTION PROCEDURES.*—  
18 *Funds made available under subsection (a) of section 231*  
19 *for defense reinvestment programs described in subsection*  
20 *(b) of such section shall be provided only to projects selected*  
21 *using competitive procedures pursuant to a solicitation in-*  
22 *corporating cost-sharing requirements for the non-Federal*  
23 *Government participants in the projects.*

1 **SEC. 234. FEDERAL DEFENSE LABORATORY DIVERSIFICA-**  
2 **TION AND NAVY REINVESTMENT IN THE**  
3 **TECHNOLOGY AND INDUSTRIAL BASE.**

4 (a) *REQUIREMENT FOR PROGRAMS.*—(1) *Subchapter*  
5 *III of chapter 148 of title 10 is amended by inserting at*  
6 *the end thereof the following:*

7 **“SEC. 2519. FEDERAL DEFENSE LABORATORY DIVERSI-**  
8 **FICATION PROGRAM.**

9 “(a) *ESTABLISHMENT OF PROGRAM.*—*The Secretary*  
10 *of Defense shall conduct a program in accordance with this*  
11 *section for the purpose of promoting cooperation between*  
12 *Department of Defense laboratories and industry on re-*  
13 *search and development of dual-use technologies in order*  
14 *to further the national security objectives set forth in section*  
15 *2501(a) of this title.*

16 “(b) *PARTNERSHIPS.*—(1) *The Secretary shall provide*  
17 *for the establishment under the program of cooperative ar-*  
18 *rangements (hereinafter in this section referred to as ‘part-*  
19 *nerships’) between a Department of Defense laboratory and*  
20 *eligible firms and nonprofit research corporations referred*  
21 *to in section 2511(b) of this title. A partnership may also*  
22 *include one or more additional Federal laboratories, insti-*  
23 *tutions of higher education, agencies of State and local gov-*  
24 *ernments, and other entities, as determined appropriate by*  
25 *the Secretary.*



1       “(2) For purposes of this section, a federally funded  
2 research and development center shall be considered a De-  
3 partment of Defense laboratory if the center is sponsored  
4 by the Department of Defense.

5       “(c) ASSISTANCE AUTHORIZED.—(1) The Secretary  
6 may make grants, enter into contracts, enter into coopera-  
7 tive agreements and other transactions pursuant to section  
8 2371 of this title, and enter into cooperative research and  
9 development agreements under section 12 of the Stevenson-  
10 Wydler Technology Innovation Act of 1980 (15 U.S.C.  
11 3710a) in order to establish partnerships.

12       “(2) Subject subsection (d), the Secretary may provide  
13 a partnership with technical and other assistance in order  
14 to facilitate the achievement of the purpose of this section.

15       “(d) FINANCIAL COMMITMENT OF NON-FEDERAL GOV-  
16 ERNMENT PARTICIPANTS.—(1) The Secretary shall ensure  
17 that the non-Federal Government participants in a part-  
18 nership make a substantial contribution to the total cost  
19 of partnership activities. The amount of the contribution  
20 shall be commensurate with the risk undertaken by such  
21 participants and the potential benefits of the activities for  
22 such participants.

23       “(2) The regulations prescribed pursuant to section  
24 2511(c)(2) of this title shall apply to in-kind contributions

1 *made by non-Federal Government participants in a part-*  
2 *nership.*

3 “(e) *SELECTION PROCESS.*—*Competitive procedures*  
4 *shall be used in the establishment of partnerships.*

5 “(f) *SELECTION CRITERIA.*—*The criteria for the selec-*  
6 *tion of a proposed partnership for establishment under this*  
7 *section shall include the criteria set forth in section 2511(f)*  
8 *of this title.*

9 “(g) *REGULATIONS.*—*The Secretary shall prescribe*  
10 *regulations for the purposes of this section.*

11 **“SEC. 2520. NAVY REINVESTMENT PROGRAM.**

12 “(a) *ESTABLISHMENT OF PROGRAM.*—*The Secretary*  
13 *of the Navy shall conduct a program in accordance with*  
14 *this section for the purpose of promoting cooperation be-*  
15 *tween the Department of the Navy and industry on research*  
16 *and development of dual-use technologies in order to further*  
17 *the national security objectives set forth in section 2501(a)*  
18 *of this title.*

19 “(b) *PARTNERSHIPS.*—*The Secretary shall provide for*  
20 *the establishment under the program of cooperative ar-*  
21 *rangements (hereinafter in this section referred to as ‘part-*  
22 *nerships’) between Department of the Navy entities and eli-*  
23 *gible firms and nonprofit research corporations referred to*  
24 *in section 2511(b) of this title. A partnership may also in-*  
25 *clude one or more Federal laboratories, institutions of high-*

1 *er education, agencies of State and local governments, and*  
 2 *other entities, as determined appropriate by the Secretary.*

3 *“(c) PROGRAM REQUIREMENTS AND ADMINISTRA-*  
 4 *TION.—Subsections (c) through (f) of section 2519 of this*  
 5 *title shall apply in the administration of the program.*

6 *“(d) SELECTION CRITERIA.—In addition to the selec-*  
 7 *tion criteria referred to in section 2519(f) of this title, the*  
 8 *criteria for the selection of a proposed partnership for estab-*  
 9 *lishment under this section shall include the potential effec-*  
 10 *tiveness of the partnership in the further development and*  
 11 *application of each technology proposed to be developed by*  
 12 *the partnership for Navy acquisition programs.*

13 *“(e) REGULATIONS.—The Secretary shall prescribe*  
 14 *regulations for the purposes of this section.”.*

15 *(2) The table of sections at the beginning of such sub-*  
 16 *chapter is amended by adding at the end the following:*

*2519. Federal Defense Laboratory Diversification Program.*

*2520. Navy Reinvestment Program.*

17 *(b) CLARIFYING AMENDMENT.—Section 2491(5) of*  
 18 *title 10, United States Code, is amended by inserting before*  
 19 *the period at the end the following: “, and includes a feder-*  
 20 *ally funded research and development center sponsored by*  
 21 *a Federal agency”.*

22 *(c) FUNDING.—(1) Of the amount authorized to be ap-*  
 23 *propriated in section 201(4), \$56,600,000 shall be available*

1 *for the Federal Defense Laboratory Diversification Program*  
2 *under section 2519 of title 10, as added by subsection (a)(1).*

3 *(2) Of the amount authorized to be appropriated in*  
4 *section 201(2), \$50,000,000 shall be available for the Navy*  
5 *Reinvestment Program under section 2520 of title 10, as*  
6 *added by subsection (a)(1).*

7 **SEC. 235. SMALL BUSINESS DEFENSE CONVERSION GUAR-**  
8 **ANTEED LOANS.**

9 *(a) AUTHORIZATIONS.—Section 20 of the Small Busi-*  
10 *ness Act (15 U.S.C. 631 note) is amended—*

11 *(1) in subsection (l), as added by section 405(3)*  
12 *of the Small Business Credit and Business Oppor-*  
13 *tunity Enhancement Act of 1992—*

14 *(A) by striking “(l) There” and inserting*  
15 *“(3) There” and indenting appropriately; and*

16 *(B) by striking “subsection (k)”, and insert-*  
17 *ing “paragraphs (1) and (2)”;*

18 *(2) by redesignating subsection (k), as added by*  
19 *section 405(3) of the Small Business Credit and Busi-*  
20 *ness Opportunity Act of 1992, as subsection (l);*

21 *(3) in subsection (l), as so redesignated, by in-*  
22 *serting after paragraph (1), the following new para-*  
23 *graph:*

24 *“(2) The Administration is authorized to make*  
25 *not more than \$1,000,000,000 in loans on a guaran-*

1 *teed basis, in accordance with section 7(a)(21), such*  
2 *amount to remain available until expended.”;*

3 *(4) in subsection (n)—*

4 *(A) by striking “(n) There” and inserting*  
5 *“(3) There” and indenting appropriately; and*

6 *(B) by striking “subsection (m)” and insert-*  
7 *ing “paragraphs (1) and (2)”;*

8 *(5) in subsection (m), by inserting after para-*  
9 *graph (1), the following new paragraph:*

10 *“(2) The Administration is authorized to make*  
11 *not more than \$1,000,000,000 in loans on a guaran-*  
12 *teed basis, in accordance with section 7(a)(21), such*  
13 *amount to remain available until expended.”;*

14 *(6) by redesignating subsection (o) as subsection*  
15 *(n); and*

16 *(7) in subsection (p)—*

17 *(A) by striking “(p) There” and inserting*  
18 *“(2) There”, and indenting appropriately; and*

19 *(B) by striking “subsection (o)” and insert-*  
20 *ing “paragraph (1)”.*

21 *(b) TECHNICAL CLARIFICATION.—Section 7(a)(21)(A)*  
22 *of the Small Business Act (15 U.S.C. 636(a)(21)(A)) is*  
23 *amended by striking “under the” and inserting “on a guar-*  
24 *anteed basis under the”.*

1       (c) *JOB CREATION AND COMMUNITY BENEFIT.*—Sec-  
2       tion 7(a)(21) of the Small Business Act (15 U.S.C.  
3       636(a)(21)) is amended by adding at the end the following  
4       new subparagraph:

5               “(E) In providing assistance under this para-  
6       graph, the Administration shall develop procedures to  
7       ensure, to the maximum extent practicable, that such  
8       assistance is used for projects that have substantial  
9       potential for stimulating new economic activity in  
10       communities most impacted by reductions in Federal  
11       defense expenditures.”.

12       (d) *AUTHORITY TO TRANSFER APPROPRIATIONS.*—Of  
13       the amount authorized to be appropriated pursuant to sec-  
14       tion 201(4), \$27,400,000 may be transferred by the Sec-  
15       retary of Defense, to the extent provided in an act appro-  
16       priating funds for the Department of Defense, to the Small  
17       Business Administration for the purpose of providing loan  
18       guarantees under section 7(a)(21)(A) of the Small Business  
19       Act, such amount to remain available until expended.

## 20               **Subtitle E—Other Matters**

### 21       **SEC. 241. COOPERATIVE RESEARCH AND DEVELOPMENT**

#### 22               **AGREEMENTS WITH NATO ORGANIZATIONS.**

23       (a) *APPLICABILITY OF EXISTING AUTHORITY TO*  
24       *NATO ORGANIZATIONS.*—Section 2350a of title 10, United  
25       States Code, is amended in subsections (a), (e)(2), and

1 (i)(1) by inserting “or NATO organizations” after “major  
2 allies of the United States” each place it appears.

3 (b) *NATO ORGANIZATION DEFINED.*—Subsection (i)  
4 of such section is amended by adding at the end the follow-  
5 ing new paragraph:

6 “(4) The term ‘NATO organization’ means any  
7 North Atlantic Treaty Organization subsidiary body  
8 referred to in section 2350(2) of this title and any  
9 other organization of the North Atlantic Treaty Orga-  
10 nization.”

11 **SEC. 242. DEFENSE WOMEN’S HEALTH RESEARCH PRO-**  
12 **GRAM.**

13 (a) *CONTINUATION OF PROGRAM.*—The Secretary of  
14 Defense shall continue the Defense Women’s Health Re-  
15 search Program established in response to the enactment of  
16 section 251 of the National Defense Authorization Act for  
17 Fiscal Year 1994 (Public Law 103–160; 107 Stat. 1606).

18 (b) *PARTICIPATION BY ALL MILITARY DEPART-*  
19 *MENTS.*—The Departments of the Army, Navy, and Air  
20 Force shall each participate in the activities under the pro-  
21 gram.

22 (c) *ARMY TO BE EXECUTIVE AGENT.*—The Secretary  
23 of Defense shall designate the Secretary of the Army to be  
24 the executive agent for administering the program.

1       (d) *PROGRAM ACTIVITIES.*—*The program shall include*  
2 *the following activities regarding health risks and health*  
3 *care for women in the Armed Forces:*

4           (1) *The coordination and support activities de-*  
5 *scribed in section 251 of Public Law 103–160.*

6           (2) *Epidemiologic research regarding women de-*  
7 *ployed for military operations, including research on*  
8 *patterns of illness and injury, environmental and oc-*  
9 *cupational hazards (including exposure to toxins),*  
10 *side-effects of pharmaceuticals used by women so de-*  
11 *ployed, psychological stress associated with military*  
12 *training, deployment, combat and other traumatic in-*  
13 *cidents, and other conditions of life, and human fac-*  
14 *tor research regarding women so deployed.*

15           (3) *Development of a data base to facilitate long-*  
16 *term research studies on issues related to the health*  
17 *of women in military service, and continued develop-*  
18 *ment and support of a women’s health information*  
19 *clearinghouse to serve as an information resource for*  
20 *clinical, research, and policy issues affecting women*  
21 *in the Armed Forces.*

22           (4) *Research on policies and standards issues,*  
23 *including research supporting the development of*  
24 *military standards related to training, operations, de-*



1     *ployment, and retention and the relationship between*  
2     *such activities and factors affecting women's health.*

3             (5) *Research on interventions having a potential*  
4     *for addressing conditions of military service that ad-*  
5     *versely affect the health of women in the Armed*  
6     *Forces.*

7             (e) *IMPLEMENTATION PLAN.—If, before October 1,*  
8     *1995, the Secretary of Defense changes the implementation*  
9     *plan for the program that the Secretary submitted to the*  
10    *Committees on Armed Services of the Senate and the House*  
11    *of Representatives on May 2, 1994, the Secretary shall sub-*  
12    *mit the modified plan to such committees before executing*  
13    *the changes.*

14            (f) *FUNDING.—Of the amount authorized to be appro-*  
15    *priated pursuant to section 201, \$40,000,000 shall be avail-*  
16    *able for the Defense Women's Health Research Program re-*  
17    *ferred to in subsection (a).*

18    **SEC. 243. REQUIREMENT FOR SUBMISSION OF ANNUAL RE-**  
19                    **PORT OF THE SEMICONDUCTOR TECH-**  
20                    **NOLOGY COUNCIL TO CONGRESS.**

21            Section 273(b)(2)(I) of the National Defense Author-  
22    *ization Act for Fiscal Years 1988 and 1989 (15 U.S.C.*  
23    *4603) is amended by inserting “and submit to Congress by*  
24    *March 31 of each year after “Publish”.*

1 **SEC. 244. REPORT ON OCEANOGRAPHIC SURVEY AND RE-**  
2 **SEARCH REQUIREMENTS TO SUPPORT LIT-**  
3 **TORAL WARFARE.**

4 (a) *REPORT REQUIRED.*—Not later than March 1,  
5 1995, the Secretary of the Navy shall submit to Congress  
6 a report on the oceanographic survey and research and de-  
7 velopment requirements needed to support Navy operations  
8 in littoral regions.

9 (b) *CONTENT OF REPORT.*—The report shall contain  
10 the following:

11 (1) An identification of unique properties, in-  
12 cluding acoustics, bathymetry, bottom type, and ocean  
13 dynamics that affect shallow water operations in lit-  
14 toral regions.

15 (2) A list of the principal littoral regions that—  
16 (A) designates each region as high, medium,  
17 or low priority based on the probable need for  
18 Navy operations in such regions; and

19 (B) for each region, is annotated to iden-  
20 tify—

21 (i) the date of the most recent detailed  
22 survey; and

23 (ii) the extent to which that survey  
24 provides insight into the region's properties  
25 identified pursuant to paragraph (1).

1           (3) *An assessment of the Navy's current and pro-*  
2           *jected access to each region for surveying purposes.*

3           (4) *An assessment of the ability of current ocean-*  
4           *ographic survey and research assets to develop the in-*  
5           *formation identified in paragraph (1).*

6   **SEC. 245. LANSCE/LAMPF UPGRADES.**

7           *Of the amounts authorized to be appropriated by sec-*  
8           *tion 201(4), \$20,000,000 shall be available to complete the*  
9           *Los Alamos Neutron Scattering Experiment/Los Alamos*  
10          *Meson Physics Facility upgrades at the Los Alamos Na-*  
11          *tional Laboratory, Los Alamos, New Mexico.*

12   **SEC. 246. STUDY REGARDING LIVE-FIRE SURVIVABILITY**  
13                   **TESTING OF F-22 AIRCRAFT.**

14          (a) *REQUIREMENT.*—*The Secretary of Defense shall re-*  
15          *quest the National Research Council of the National Acad-*  
16          *emy of Sciences to conduct a study regarding the desirabil-*  
17          *ity of waiving for the F-22 aircraft program the surviv-*  
18          *ability tests required by section 2366(c) of title 10, United*  
19          *States Code, and to submit to the Secretary and Congress,*  
20          *within 180 days after the date of the enactment of this Act,*  
21          *a report containing the conclusions of the Council regarding*  
22          *the desirability of waiving such tests.*

23          (b) *CONTENT OF REPORT.*—*The report shall contain*  
24          *the following matters:*

1           (1) *Conclusions regarding the practicality of*  
2 *full-scale, full-up testing for the F-22 aircraft pro-*  
3 *gram.*

4           (2) *A discussion of the implications regarding*  
5 *the affordability of the F-22 aircraft program of con-*  
6 *ducting and of not conducting the survivability tests,*  
7 *including an assessment of the potential life cycle*  
8 *benefits that could be derived from full-scale, full-up*  
9 *live fire testing in comparison to the costs of such*  
10 *testing.*

11           (3) *A discussion of what, if any, changes of cir-*  
12 *cumstances affecting the F-22 aircraft program have*  
13 *occurred since completion of the milestone II program*  
14 *review to cause the program manager to request a*  
15 *waiver of the survivability tests for the F-22 aircraft*  
16 *program that was not requested at that time.*

17           (4) *The sufficiency of the F-22 aircraft program*  
18 *testing plans to fulfill the same requirements and*  
19 *purposes as are provided in subsection (e)(3) of sec-*  
20 *tion 2366 of title 10, United States Code, for realistic*  
21 *survivability testing for purposes of subsection*  
22 *(a)(1)(A) of such section.*

23           (5) *Any recommendations regarding surviv-*  
24 *ability testing for the F-22 aircraft program that the*



1       “(c) *EXECUTION.*—*The Secretary may carry out*  
2 *projects under the program through the Secretaries of the*  
3 *military departments and the heads of Defense Agencies.*

4       “(d) *COMPETITION AND COST SHARING.*—(1) *Com-*  
5 *petitive procedures shall be used for awarding all grants*  
6 *and entering into all contracts, cooperative agreements, and*  
7 *other transactions under the program.*

8       “(2) *A grant may not be awarded under the program,*  
9 *and a contract, cooperative agreement, or other transaction*  
10 *may not be entered into under the program, on any basis*  
11 *other than a cost-sharing basis unless the Secretary of De-*  
12 *fense determines that the grant, contract, cooperative agree-*  
13 *ment, or other transaction, as the case may be, is for a pro-*  
14 *gram that—*

15               “(A) *is not likely to have any immediate and di-*  
16 *rect commercial application; or*

17               “(B) *is of sufficiently high risk to discourage cost*  
18 *sharing by non-Federal Government sources.”.*

19       (2) *The item relating to section 2525 in the table of*  
20 *sections at the beginning of subchapter IV of chapter 148*  
21 *of such title is amended to read as follows:*

*“2525. Manufacturing Science and Technology Program.”.*

22       (b) *FUNDING.*—*Of the amounts appropriated pursuant*  
23 *to section 201, not more than \$125,000,000 shall be avail-*  
24 *able for the Manufacturing Science and Technology Pro-*

1 gram under section 2525 of title 10, United States Code  
2 (as amended by subsection (a)), of which—

3 (1) not more than \$30,000,000 shall be available  
4 for the Army;

5 (2) not more than \$35,000,000 shall be available  
6 for the Navy;

7 (3) not more than \$50,000,000 shall be available  
8 for the Air Force; and

9 (4) not more than \$10,000,000 shall be available  
10 for the Defense Logistics Agency.

11 **SEC. 249. DEFENSE EXPERIMENTAL PROGRAM TO STIMU-**  
12 **LATE COMPETITIVE RESEARCH.**

13 (a) *PROGRAM REQUIRED.*—The Secretary of Defense,  
14 acting through the Director of Defense Research and Engi-  
15 neering, shall carry out a Defense Experimental Program  
16 to Stimulate Competitive Research (DEPSCoR) as part of  
17 the university research programs of the Department of De-  
18 fense.

19 (b) *PROGRAM OBJECTIVES.*—The objectives of the pro-  
20 gram are as follows:

21 (1) To enhance the capabilities of institutions of  
22 higher education in eligible States to develop, plan,  
23 and execute science and engineering research that is  
24 competitive under the peer-review systems used for  
25 awarding Federal research assistance.

1           (2) *To increase the probability of long-term*  
2           *growth in the competitively awarded financial assist-*  
3           *ance that institutions of higher education in eligible*  
4           *States receive from the Federal Government for*  
5           *science and engineering research.*

6           (c) *PROGRAM ACTIVITIES.*—*In order to achieve the*  
7           *program objectives, the following activities are authorized*  
8           *under the program:*

9           (1) *Competitive award of research grants.*

10          (2) *Competitive award of financial assistance for*  
11          *graduate students.*

12          (d) *ELIGIBLE STATES.*—(1) *The Director of the Na-*  
13          *tional Science Foundation shall designate which States are*  
14          *eligible States for the purposes of this section and shall no-*  
15          *tify the Director of Defense Research and Engineering of*  
16          *the States so designated.*

17          (2) *The Director of the National Science Foundation*  
18          *shall designate a State as an eligible State if, as determined*  
19          *by the Director—*

20                (A) *the institutional average amount of Federal*  
21                *financial assistance for research and development re-*  
22                *ceived by the institutions of higher education in the*  
23                *State for the fiscal year preceding the fiscal year for*  
24                *which the designation is effective, or for the last fiscal*  
25                *year for which statistics are available, is less than the*



1        *amount equal to 50 percent of the national institu-*  
2        *tional average amount of Federal financial assistance*  
3        *for research and development received by the institu-*  
4        *tions of higher education in the United States for*  
5        *such preceding or last fiscal year, as the case may be;*

6            *(B) the State has demonstrated a commitment to*  
7        *developing research bases in the State and to improv-*  
8        *ing science and engineering research and education*  
9        *programs at institutions of higher education in the*  
10       *State; and*

11           *(C) the State is an eligible State for purposes of*  
12       *the Experimental Program to Stimulate Competitive*  
13       *Research conducted by the National Science Founda-*  
14       *tion.*

15        *(e) COORDINATION WITH SIMILAR FEDERAL PRO-*  
16       *GRAMS.—(1) The Secretary shall consult with the Director*  
17       *of the National Science Foundation and the Director of the*  
18       *Office of Science and Technology Policy in the planning,*  
19       *development, and execution of the program and shall co-*  
20       *ordinate the program with the Experimental Program to*  
21       *Stimulate Competitive Research conducted by the National*  
22       *Science Foundation and with similar programs sponsored*  
23       *by other departments and agencies of the Federal Govern-*  
24       *ment.*

1       (2) *All solicitations under the Defense Experimental*  
2 *Program to Stimulate Competitive Research shall be made*  
3 *to, and all awards shall be made through, the State commit-*  
4 *tees established for purposes of the Experimental Program*  
5 *to Stimulate Competitive Research conducted by the Na-*  
6 *tional Science Foundation.*

7       (3) *A State committee referred to in paragraph (2)*  
8 *shall ensure that activities carried out in the State of that*  
9 *committee under the Defense Experimental Program to*  
10 *Stimulate Competitive Research are coordinated with the*  
11 *activities carried out in the State under other similar ini-*  
12 *tiatives of the Federal Government to stimulate competitive*  
13 *research.*

14 **SEC. 250. STUDY ON BEAMING HIGH POWER LASER ENERGY**  
15 **TO SATELLITES.**

16       (a) *STUDY.*—(1) *The Secretary of Defense and the Ad-*  
17 *ministrator of the National Aeronautics and Space Admin-*  
18 *istration shall jointly carry out a study to determine the*  
19 *cost, feasibility, and advisability of the development and*  
20 *utilization of a system to deliver energy to satellites by*  
21 *beaming high power laser energy from ground sources.*

22       (2) *In determining the cost, feasibility, and advisabil-*  
23 *ity of the system referred to in paragraph (1), the Secretary*  
24 *and the Administrator shall take into account the impact*  
25 *on the environment of the development and utilization of*

1 *the system and the effect, if any, of the development and*  
2 *utilization of the system on the arms control efforts or obli-*  
3 *gations of the United States.*

4 *(3) In carrying out the study, the Secretary and the*  
5 *Administrator shall consider the development of a space en-*  
6 *ergy laser (SELENE) system using a free electron laser at*  
7 *the Naval Air Weapons Station, China Lake, California.*

8 *(b) REPORT.—The Secretary and the Administrator*  
9 *shall jointly submit to the congressional defense committees*  
10 *a report on the study required under subsection (a). The*  
11 *Secretary and the Administrator shall submit the report not*  
12 *later than July 1, 1995.*

13 **SEC. 251. ADVANCED THREAT RADAR JAMMER.**

14 *(a) LIMITATION REGARDING JOINT DEVELOPMENT*  
15 *PROGRAM WITH CERTAIN FOREIGN ENTITIES.—The Sec-*  
16 *retary of Defense may not negotiate or enter into any agree-*  
17 *ment with, nor accept funds from, a foreign government or*  
18 *an entity controlled by a foreign government for a joint pro-*  
19 *gram for the development of an advanced threat radar*  
20 *jammer for combat helicopters until 30 days after the Sec-*  
21 *retary, in consultation with the Secretary of State, the Sec-*  
22 *retary of the Army, and the Director of the Defense Security*  
23 *Assistance Agency, conducts a comprehensive review of the*  
24 *program and submits a report on the results of that review*  
25 *to the congressional defense committees.*

1       (b) *MATTERS COVERED BY REVIEW AND REPORT.*—  
2 *The matters relating to the program referred to in sub-*  
3 *section (a) that are required to be covered by the review*  
4 *and report are as follows:*

5           (1) *The legal basis for seeking for the program*  
6 *funds that are neither authorized to be appropriated*  
7 *nor appropriated.*

8           (2) *The consistency of the program with the De-*  
9 *partment of Defense policy that no foreign military*  
10 *sale of a defense system, and no commitment to for-*  
11 *foreign military sale of a defense system, be made before*  
12 *operational test and evaluation of the system is suc-*  
13 *cessfully completed and the Under Secretary of De-*  
14 *fense for Acquisition and Technology has specifically*  
15 *approved the system for sale to a foreign government.*

16           (3) *The mission requirement for an advanced*  
17 *threat radar jammer for combat helicopters.*

18           (4) *An assessment of each threat for which an*  
19 *advanced threat radar jammer would be developed,*  
20 *particularly with regard to each threat to a foreign*  
21 *country with which the United States would jointly*  
22 *develop an advanced threat radar jammer.*

23           (5) *The potential for sensitive electronic warfare*  
24 *technology to be made available to potential adversar-*

1        *ies of the United States as a result of United States*  
2        *participation in the program.*

3            (6) *The availability of other nondevelopmental*  
4        *items and less sophisticated technologies for counter-*  
5        *ing the emerging radar detection threats to United*  
6        *States combat helicopters and combat helicopters of*  
7        *United States allies.*

8            (7) *A capability assessment of similar tech-*  
9        *nologies available from other foreign countries and the*  
10       *consequences of proliferation of such technologies in*  
11       *regions of potential conflict.*

12        (c) *INAPPLICABILITY TO MAJOR ALLIES OF THE UNIT-*  
13       *ED STATES.—This section does not apply with respect to*  
14       *a major ally of the United States.*

15        (d) *DEFINITIONS.—In this section:*

16            (1) *The term “entity controlled by a foreign gov-*  
17        *ernment” includes—*

18            (A) *any domestic or foreign organization or*  
19        *corporation that is effectively owned or con-*  
20        *trolled by a foreign government; and*

21            (B) *any individual acting on behalf of a*  
22        *foreign government,*

23        *as determined by the Secretary of Defense. Such term*  
24        *does not include an organization or corporation that*  
25        *is owned, but is not controlled, either directly or indi-*

1 *rectly, by a foreign government if the ownership of*  
2 *that organization or corporation by that foreign gov-*  
3 *ernment was effective before October 23, 1992.*

4 *(2) The term “major ally of the United States”*  
5 *has the meaning given such term in section*  
6 *2350a(i)(2) of title 10, United States Code.*

7 ***TITLE III—OPERATION AND***  
8 ***MAINTENANCE***

9 ***Subtitle A—Authorization of***  
10 ***Appropriations***

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

12 *Funds are hereby authorized to be appropriated for fis-*  
13 *cal year 1995 for the use of the Armed Forces and other*  
14 *activities and agencies of the Department of Defense for ex-*  
15 *penses, not otherwise provided for, for operation and main-*  
16 *tenance in amounts as follows:*

17 *(1) For the Army, \$17,542,914,000.*

18 *(2) For the Navy, \$21,326,470,000.*

19 *(3) For the Marine Corps, \$2,096,695,000.*

20 *(4) For the Air Force, \$18,789,023,000.*

21 *(5) For Defense-wide activities, \$9,994,325,000.*

22 *(6) For Medical Programs, Defense,*  
23 *\$9,854,459,000.*

24 *(7) For the Army Reserve, \$1,253,709,000.*

25 *(8) For the Naval Reserve, \$828,319,000.*

1           (9) For the Marine Corps Reserve, \$81,462,000.

2           (10) For the Air Force Reserve, \$1,478,990,000.

3           (11) For the Army National Guard,  
4 \$2,452,148,000.

5           (12) For the Air National Guard,  
6 \$2,780,178,000.

7           (13) For the National Board for the Promotion  
8 of Rifle Practice, \$2,544,000.

9           (14) For the Defense Inspector General,  
10 \$140,798,000.

11           (15) For Drug Interdiction and Counter-drug  
12 Activities, Defense-wide, \$714,200,000.

13           (16) For the United States Court of Appeals for  
14 the Armed Services, \$6,126,000.

15           (17) For Environmental Restoration, Defense,  
16 \$2,180,200,000.

17           (18) For Humanitarian Assistance, \$71,900,000.

18           (19) For Former Soviet Union Threat Reduc-  
19 tion, \$400,000,000.

20           (20) For the Contributions for International  
21 Peacekeeping and Peace Enforcement Activities Fund,  
22 \$300,000,000.

23           (21) For support for the 1996 Summer Olym-  
24 pics, \$10,000,000.

1 **SEC. 302. WORKING CAPITAL FUNDS.**

2 *Funds are hereby authorized to be appropriated for fis-*  
3 *cal year 1995 for the use of the Armed Forces and other*  
4 *activities and agencies of the Department of Defense for*  
5 *providing capital for working capital and revolving funds*  
6 *in amounts as follows:*

7 (1) *For the Defense Business Operations Fund,*  
8 *\$798,400,000.*

9 (2) *For the National Defense Sealift Fund,*  
10 *\$227,800,000.*

11 **SEC. 303. ARMED FORCES RETIREMENT HOME FUNDING.**

12 *There is hereby authorized to be appropriated for fiscal*  
13 *year 1995 from the Armed Forces Retirement Home Trust*  
14 *Fund the sum of \$59,317,000 for the operation of the Armed*  
15 *Forces Retirement Home, including the United States Sol-*  
16 *diers' and Airmen's Home and the Naval Home.*

17 **SEC. 304. NATIONAL SECURITY EDUCATION TRUST FUND**  
18 **OBLIGATIONS.**

19 *During fiscal year 1995, \$14,300,000 is authorized to*  
20 *be obligated from the National Security Education Trust*  
21 *Fund established by section 804(a) of the David L. Boren*  
22 *National Security Education Act of 1991 (50 U.S.C.*  
23 *1904(a)).*



1 **SEC. 305. TRANSFER FROM NATIONAL DEFENSE STOCKPILE**  
2 **TRANSACTION FUND.**

3 (a) *TRANSFER AUTHORITY.*—To the extent provided in  
4 appropriations Acts, not more than \$250,000,000 is author-  
5 ized to be transferred from the National Defense Stockpile  
6 Transaction Fund to operation and maintenance accounts  
7 for fiscal year 1995 in amounts as follows:

8 (1) *For the Army, \$50,000,000.*

9 (2) *For the Navy, \$50,000,000.*

10 (3) *For the Air Force, \$50,000,000.*

11 (4) *For Defense-wide activities, \$100,000,000.*

12 (b) *TREATMENT OF TRANSFERS.*—Amounts trans-  
13 ferred under this section—

14 (1) *shall be merged with, and be available for the*  
15 *same purposes and the same period as, the amounts*  
16 *in the accounts to which transferred; and*

17 (2) *may not be expended for an item that has*  
18 *been denied authorization of appropriations by Con-*  
19 *gress.*

20 (c) *RELATIONSHIP TO OTHER TRANSFER AUTHOR-*  
21 *ITY.*—The transfer authority provided in this section is in  
22 addition to the transfer authority provided in section 1001.

23 **SEC. 306. SUPPORT FOR THE 1995 SPECIAL OLYMPICS**  
24 **WORLD GAMES.**

25 (a) *AUTHORITY TO PROVIDE SUPPORT.*—The Sec-  
26 retary of Defense may provide logistical support and per-

1 *sonnel services in connection with the 1995 Special Olym-*  
2 *pics World Games to be held in New Haven, Connecticut.*

3 *(b) PAY AND NONTRAVEL-RELATED ALLOWANCES.—*

4 *(1) Except as provided in paragraph (2), the costs for pay*  
5 *and nontravel-related allowances of members of the Armed*  
6 *Forces for the support and services referred to in subsection*  
7 *(a) may not be charged to appropriations made pursuant*  
8 *to the authorization of appropriations in subsection (c).*

9 *(2) Paragraph (1) does not apply in the case of mem-*  
10 *bers of a reserve component called or ordered to active duty*  
11 *to provide logistical support and personnel services for the*  
12 *1995 Special Olympics World Games.*

13 *(c) AUTHORIZATION OF APPROPRIATIONS.—There is*  
14 *authorized to be appropriated \$3,000,000 for the Depart-*  
15 *ment of Defense for fiscal year 1995 to carry out subsection*  
16 *(a).*

17 **SEC. 307. AIR NATIONAL GUARD FIGHTER AIRCRAFT.**

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

19 *(1) The Bottom-Up Review force structure pro-*  
20 *posal would accomplish most of the remaining reduc-*  
21 *tions in the total number of Air Force general pur-*  
22 *pose fighter wings by reducing the Air National*  
23 *Guard and Air Force Reserve fighter force from 10*  
24 *wings to 7 wings.*

1           (2) *The current plan for implementing the reduc-*  
2 *tion referred to in paragraph (1) is to reduce the*  
3 *number of fighter aircraft in each Air National*  
4 *Guard fighter unit from 24 or 18 primary aircraft*  
5 *authorized to 15 primary aircraft authorized and to*  
6 *convert some Air National Guard fighter units to*  
7 *other purposes.*

8           (3) *The number of Air National Guard Combat*  
9 *Readiness Training Centers in operation during fis-*  
10 *cal year 1995 should not be less than the number of*  
11 *such centers in operation at the end of fiscal year*  
12 *1994.*

13           (4) *The Commission on Roles and Missions of*  
14 *the Armed Forces established by section 952 of the*  
15 *National Defense Authorization Act for Fiscal Year*  
16 *1994 (Public Law 103-160; 10 U.S.C. 111 note; 107*  
17 *Stat. 1738) is required to submit to Congress a report*  
18 *under section 954(b) of such Act on possible changes*  
19 *to existing allocations among the Armed Forces of*  
20 *military roles, missions, and functions.*

21           (5) *The Commission is not expected to submit*  
22 *the report until the middle of fiscal year 1995.*

23           (6) *The report of the Commission should contain*  
24 *a review of and recommendations on the assignment*  
25 *of roles and missions to units of the Air National*

1        *Guard and the Air Force Reserve in relation to active*  
2        *component units that are the counterparts to such*  
3        *units and on requirements for resources for training*  
4        *of such units.*

5        *(b) REQUIREMENT.—After submission of the report re-*  
6        *ferred to in paragraph (3), the Secretary of Defense shall*  
7        *review its findings on the role and requirements for general*  
8        *purpose fighter units of the Air National Guard, and shall*  
9        *complete within 30 days a study which recommends the ap-*  
10       *propriate level of primary aircraft authorized (PAA) for*  
11       *such units, following which, if the Secretary determines*  
12       *changes in that level are appropriate, he may notify the*  
13       *Congress of his determination and he may seek any*  
14       *reprogramming of funds that he considers appropriate to*  
15       *ensure that such changes are implemented.*

16                    ***Subtitle B—Defense Business***  
17                    ***Operations Fund***

18        ***SEC. 311. PERMANENT AUTHORITY FOR USE OF FUND FOR***  
19                    ***MANAGING WORKING CAPITAL FUNDS AND***  
20                    ***CERTAIN ACTIVITIES.***

21        *Section 316(a) of the National Defense Authorization*  
22        *Act for Fiscal Years 1992 and 1993 (10 U.S.C. 2208 note)*  
23        *is amended by striking out “During” and all that follows*  
24        *through “December 31, 1994, the” and inserting in lieu*  
25        *thereof “The”.*

1 **SEC. 312. IMPLEMENTATION OF IMPROVEMENT PLAN.**

2 (a) *PROGRESS REPORT ON IMPLEMENTATION.*—Not  
3 later than February 1, 1995, the Secretary of Defense shall  
4 submit to the congressional defense committees a report on  
5 the progress made in implementing the Defense Business  
6 Operations Fund Improvement Plan, dated September,  
7 1993. The report shall describe the progress made in reach-  
8 ing the milestones established in the plan and provide an  
9 explanation for the failure to meet any of the milestones.  
10 The Secretary shall submit a copy of the report to the  
11 Comptroller General of the United States at the same time  
12 the Secretary submits the report to the congressional defense  
13 committees.

14 (b) *RESPONSIBILITIES OF THE COMPTROLLER GEN-*  
15 *ERAL.*—(1) The Comptroller General shall monitor and  
16 evaluate the progress of the Department of Defense in devel-  
17 oping and implementing the improvement plan referred to  
18 in subsection (a).

19 (2) Not later than March 1, 1995, the Comptroller Gen-  
20 eral shall submit to the congressional defense committees a  
21 report containing the following:

22 (A) The findings and conclusions of the Comp-  
23 troller General resulting from the monitoring and  
24 evaluation conducted under paragraph (1).

1           (B) *An evaluation of the progress report submit-*  
2           *ted to the congressional defense committees by the Sec-*  
3           *retary of Defense pursuant to subsection (a).*

4           (C) *Any recommendations for legislation or ad-*  
5           *ministrative action concerning the Fund that the*  
6           *Comptroller General considers appropriate.*

7   **SEC. 313. LIMITATION ON OBLIGATIONS AGAINST THE CAP-**  
8                                   **ITAL ASSET FUND.**

9           *The Secretary of Defense may not incur obligations*  
10          *against funds in the capital asset subaccount of the Defense*  
11          *Business Operations Fund during fiscal year 1995 in a*  
12          *total amount in excess of \$1,500,000.*

13   **SEC. 314. LIMITATION ON OBLIGATIONS AGAINST THE SUP-**  
14                                   **PLY MANAGEMENT DIVISIONS.**

15          (a) *LIMITATION.—(1) The Secretary of Defense may*  
16          *not incur obligations against the supply management divi-*  
17          *sions of the Defense Business Operations Fund during fiscal*  
18          *year 1995 in a total amount in excess of 65 percent of the*  
19          *total amount derived from sales from such divisions during*  
20          *that fiscal year.*

21          (2) *For purposes of determining the amount of obliga-*  
22          *tions incurred against, and sales from, such divisions dur-*  
23          *ing fiscal year 1995, the Secretary shall exclude obligations*  
24          *and sales for fuel, commissary and subsistence items, retail*  
25          *operations, repair of equipment and spare parts in support*

1 *of repair, direct vendor deliveries, foreign military sales,*  
2 *initial outfitting requiring equipment furnished by the Fed-*  
3 *eral Government, and the cost of operations.*

4 (b) *WAIVER AUTHORITY.—The Secretary of Defense*  
5 *may waive the limitation in subsection (a) if the Secretary*  
6 *determines that such waiver is necessary in order to main-*  
7 *tain the readiness and combat effectiveness of the Armed*  
8 *Forces. The Secretary shall immediately notify Congress of*  
9 *any such waiver and the reasons for such waiver.*

10 (c) *DETERMINATIONS OF EFFECTS OF LIMITATION ON*  
11 *READINESS AND COMBAT EFFECTIVENESS.—Not later than*  
12 *60 days after the date of the enactment of this Act, the sec-*  
13 *retaries of the military departments and the Director of the*  
14 *Defense Logistics Agency shall each submit to the Secretary*  
15 *of Defense a report containing the views of such official on*  
16 *the effects of the limitation in subsection (a) on the ability*  
17 *of the Department of Defense to maintain the readiness and*  
18 *combat effectiveness of the Armed Forces. If the Secretary*  
19 *of Defense determines, after considering the reports, that the*  
20 *limitation will impair the readiness and combat effective-*  
21 *ness of any of the Armed Forces, the Secretary shall exercise*  
22 *the waiver authority provided in subsection (b).*

1 **Subtitle C—Environmental Matters**

2 **SEC. 321. PROHIBITION ON THE PURCHASE OF SURETY**  
3 **BONDS AND OTHER GUARANTEES FOR THE**  
4 **DEPARTMENT OF DEFENSE.**

5 *No funds appropriated or otherwise made available to*  
6 *the Department of Defense for fiscal year 1995 may be obli-*  
7 *gated or expended for the purchase of surety bonds or other*  
8 *guarantees of financial responsibility in order to guarantee*  
9 *the performance of any direct function of the Department*  
10 *of Defense.*

11 **SEC. 322. EXTENSION OF PROHIBITION ON USE OF ENVI-**  
12 **RONMENTAL RESTORATION FUNDS FOR PAY-**  
13 **MENT OF FINES AND PENALTIES.**

14 *None of the funds appropriated for fiscal year 1995*  
15 *pursuant to the authorization of appropriations provided*  
16 *in section 301(17) may be used for the payment of a fine*  
17 *or penalty imposed against the Department of Defense un-*  
18 *less the act or omission for which the fine or penalty is*  
19 *imposed arises out of activities funded by the account.*

20 **SEC. 323. PARTICIPATION OF INDIAN TRIBES IN AGREE-**  
21 **MENTS FOR DEFENSE ENVIRONMENTAL RES-**  
22 **TORATION.**

23 *Section 2701(d) of title 10, United States Code, is*  
24 *amended—*



1           (1) by striking out “SERVICE OF OTHER AGEN-  
2           CIES.—The Secretary” and inserting in lieu thereof  
3           the following: “SERVICE OF OTHER AGENCIES.—

4           “(1) IN GENERAL.—The Secretary”;

5           (2) in paragraph (1), as so designated, by insert-  
6           ing “any Federally recognized Indian tribe or” before  
7           “any State or local government agency,”; and

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

9           “(2) DEFINITION.—For purposes of this sub-  
10          section, the term ‘Indian tribe’ has the meaning given  
11          such term in section 101(36) of the Comprehensive  
12          Environmental Response, Compensation, and Liabil-  
13          ity Act of 1980 (42 U.S.C. 9701(36)).”.

14 **SEC. 324. EXTENSION OF AUTHORITY TO ISSUE SURETY**

15                           **BONDS FOR CERTAIN ENVIRONMENTAL PRO-**

16                           **GRAMS.**

17          Section 2701(j) of title 10, United States Code, is  
18          amended by striking out “December 31, 1995” and insert-  
19          ing in lieu thereof “December 31, 1999”.

1 **Subtitle D—Matters Relating to De-**  
2 **partment of Defense Civilian**  
3 **Employees**

4 **SEC. 331. EXTENSION OF CERTAIN TRANSITION ASSIST-**  
5 **ANCE AUTHORITIES.**

6 (a) *REDUCTION-IN-FORCE NOTIFICATION REQUIRE-*  
7 *MENTS.*—Section 4433(b)(2) of the Defense Conversion, Re-  
8 *investment, and Transition Assistance Act of 1992 (division*  
9 *D of Public Law 102–484; 106 Stat. 2721; 5 U.S.C. 3502*  
10 *note) is amended by striking out “February 1, 1998” and*  
11 *inserting in lieu thereof “February 1, 2000”.*

12 (b) *SEPARATION PAY.*—(1) Section 5597(e) of title 5,  
13 *United States Code, is amended by striking out “September*  
14 *30, 1997” and inserting in lieu thereof “September 30,*  
15 *1999”.*

16 (2) Section 4436(d)(2) of the Defense Conversion, Re-  
17 *investment, and Transition Assistance Act of 1992 (5*  
18 *U.S.C. 8348 note) is amended by striking out “January*  
19 *1, 1998” and inserting in lieu thereof “January 1, 2000”.*

20 (c) *RESTORATION OF CERTAIN LEAVE.*—Section  
21 *6304(d)(3) of title 5, United States Code, is amended by*  
22 *striking out “the closure of an installation” and inserting*  
23 *in lieu thereof “the closure of an installation of the Depart-*  
24 *ment of Defense pursuant to the Defense Base Closure and*  
25 *Realignment Act of 1990 (part A of title XXIX of Public*

1 *Law 101–510; 10 U.S.C. 2687 note) during any period, and*  
2 *the closure of any other installation”.*

3 (d) *CONTINUED HEALTH BENEFITS.*—Section  
4 *8905a(d)(4)(B) of title 5, United States Code, is amended—*

5 (1) *by striking out “October 1, 1997” each place*  
6 *it appears and inserting in lieu thereof “October 1,*  
7 *1999”; and*

8 (2) *in clause (ii), by striking out “February 1,*  
9 *1998,” and inserting in lieu thereof “February 1,*  
10 *2000,”.*

11 **SEC. 332. EXTENSION AND EXPANSION OF AUTHORITY TO**  
12 **CONDUCT PERSONNEL DEMONSTRATION**  
13 **PROJECTS.**

14 (a) *CHINA LAKE DEMONSTRATION PROJECT.*—(1) *Sec-*  
15 *tion 6 of the Civil Service Miscellaneous Amendments Act*  
16 *of 1983 (Public Law 98–224; 98 Stat. 49) is amended by*  
17 *striking out “September 30, 1995,”.*

18 (2) *In the event of a reorganization of the organization*  
19 *carrying out the personnel demonstration project referred*  
20 *to in section 6 of Public Law 98–224, such section shall*  
21 *apply with respect to the successor to that organization.*

22 (b) *DEFENSE LABORATORIES PERSONNEL DEM-*  
23 *ONSTRATION PROJECTS.*—(1) *The Secretary of Defense may*  
24 *carry out personnel demonstration projects at Department*  
25 *of Defense laboratories designated by the Secretary as De-*

1 *partment of Defense science and technology reinvention lab-*  
2 *oratories.*

3       (2) *Each personnel demonstration project carried out*  
4 *under the authority of paragraph (1) shall be similar to*  
5 *the personnel demonstration project that is authorized by*  
6 *section 6 of Public Law 98–224 to be continued at the Naval*  
7 *Weapons Center, China Lake, California, and at the Naval*  
8 *Ocean Systems Center, San Diego, California.*

9       (3) *If the Secretary carries out a demonstration project*  
10 *at a laboratory pursuant to paragraph (1), section 4703*  
11 *(other than subsection (d)) of title 5, United States Code,*  
12 *shall apply to such demonstration project, except that the*  
13 *authority of the Secretary to carry out the demonstration*  
14 *project is that which is provided in paragraph (1) rather*  
15 *than the authority that is provided in such section 4703.*

16 **SEC. 333. LIMITATION ON PAYMENT OF SEVERANCE PAY TO**  
17 **CERTAIN EMPLOYEES TRANSFERRING TO EM-**  
18 **PLOYMENT POSITIONS IN**  
19 **NONAPPROPRIATED FUND INSTRUMENTAL-**  
20 **ITIES.**

21       (a) *IN GENERAL.*—*Section 5595 of title 5, United*  
22 *States Code, is amended by adding at the end the following:*

23       “(h)(1) *Severance pay under this section may not be*  
24 *paid to—*

1           “(A) a person described in paragraph (4)(A)  
2           during any period in which the person is employed  
3           in a defense nonappropriated fund instrumentality;  
4           or

5           “(B) a person described in paragraph (4)(B)  
6           during any period in which the person is employed  
7           in a Coast Guard nonappropriated fund instrumen-  
8           tality.

9           “(2)(A) Except as provided in subparagraph (B), pay-  
10          ment of severance pay to a person referred to in paragraph  
11          (1) may be resumed upon any involuntary separation of  
12          the person from the position of employment in a  
13          nonappropriated fund instrumentality, not by removal for  
14          cause on charges of misconduct, delinquency, or ineffi-  
15          ciency.

16          “(B) Payment of severance pay may not be resumed  
17          under subparagraph (A) in the case of a person who, upon  
18          separation, is entitled to immediate payment of retired or  
19          retainer pay as a member or former member of the uni-  
20          formed services or to an immediate annuity under—

21                 “(i) a retirement system for persons retiring  
22                 from employment by a nonappropriated fund instru-  
23                 mentality;

24                 “(ii) subchapter III of chapter 83 of this title;

25                 “(iii) subchapter II of chapter 84 of this title; or

1           “(iv) any other retirement system of the Federal  
2           Government for persons retiring from employment by  
3           the Federal Government.

4           “(3) Upon resumption of payment of severance pay  
5           under paragraph (2)(A) in the case of a person separated  
6           as described in such paragraph, the amount of the severance  
7           pay so payable for a period shall be reduced (but not below  
8           zero) by the portion (if any) of the amount of any severance  
9           pay payable for such period to the person by the  
10          nonappropriated fund instrumentality that is attributable  
11          to credit for service taken into account under subsection (c)  
12          in the computation of the amount of the severance pay so  
13          resumed.

14          “(4) Paragraph (1) applies to a person who, on or  
15          after January 1, 1987, moves without a break in service—

16                 “(A) from employment in the Department of De-  
17                 fense that is not employment in a defense  
18                 nonappropriated fund instrumentality to employment  
19                 in a defense nonappropriated fund instrumentality;  
20                 or

21                 “(B) from employment in the Coast Guard that  
22                 is not employment in a Coast Guard  
23                 nonappropriated fund instrumentality to employment  
24                 in a Coast Guard nonappropriated fund instrumen-  
25                 tality.

1       “(5) *The Secretary of Defense, in consultation with the*  
2 *Secretary of Transportation, shall prescribe regulations to*  
3 *carry out this subsection.*

4       “(6) *In this subsection:*

5               “(A) *The term ‘defense nonappropriated fund in-*  
6 *strumentality’ means a nonappropriated fund instru-*  
7 *mentality of the Department of Defense.*

8               “(B) *The term ‘Coast Guard nonappropriated*  
9 *fund instrumentality’ means a nonappropriated fund*  
10 *instrumentality of the Coast Guard.*

11               “(C) *The term ‘nonappropriated fund instru-*  
12 *mentality’ means a nonappropriated fund instrumen-*  
13 *tality described in section 2105(c) of this title.’”.*

14       (b) *APPLICABILITY.—Subsection (h) of section 5595 of*  
15 *title 5, United States Code, as added by subsection (a), shall*  
16 *take effect on the date of the enactment of this Act and*  
17 *apply with respect to pay periods that begin on or after*  
18 *such date.*

19       ***SEC. 334. RETIREMENT CREDIT FOR CERTAIN SERVICE IN***  
20                       ***NONAPPROPRIATED FUND INSTRUMENTAL-***  
21                       ***ITIES BEFORE JANUARY 1, 1987.***

22       (a) *STUDY REQUIRED.—The Secretary of Defense shall*  
23 *conduct a study to determine the level of interest among*  
24 *employees of the Department of Defense referred to in sub-*  
25 *section (b) in obtaining credit under the Civil Service Re-*

1 *tirement and Disability System or the Federal Employees'*  
2 *Retirement System for former service described in such sub-*  
3 *section as an employee of a nonappropriated fund instru-*  
4 *mentality of the United States.*

5 (b) *EMPLOYEES CONCERNED.*—*The employees referred*  
6 *to in subsection (a) are employees who, for at least 12*  
7 *months during the period beginning on January 1, 1966,*  
8 *and ending on December 31, 1986, performed service as an*  
9 *employee described in section 2105(c) of title 5, United*  
10 *States Code, conducting a program described in section*  
11 *8332(b)(16)(A) of such title.*

12 (c) *CONDUCT OF STUDY.*—*In carrying out the study*  
13 *under subsection (a), the Secretary shall—*

14 (1) *provide an opportunity for all employees re-*  
15 *ferred to in that subsection to express interest in ob-*  
16 *taining retirement credit for the former service in a*  
17 *nonappropriated fund instrumentality of the United*  
18 *States; and*

19 (2) *inform such employees that deposits to the*  
20 *Civil Service Retirement and Disability Fund would*  
21 *be required of the interested employees under section*  
22 *8334(c) of title 5, United States Code, or section*  
23 *8411(f) of such title.*

24 (d) *REPORT.*—*Not later than February 1, 1995, the*  
25 *Secretary shall submit to Congress a report on the results*



1 *of the study required by subsection (a). The report shall con-*  
2 *tain the following matters:*

3 *(1) An analysis of the issues, to include existing*  
4 *legal rights of the employees described in paragraph*  
5 *(b) above under the Civil Service Retirement Disabil-*  
6 *ity System or the Federal Employees' Retirement*  
7 *System.*

8 *(2) An Analysis of the inequities, if any, that*  
9 *may have been caused by conversion from employ-*  
10 *ment by nonappropriated fund instrumentalities of*  
11 *the United States to employment by the Department*  
12 *of Defense.*

13 *(3) The number of full time and part time em-*  
14 *ployees described in paragraph (b) above that are af-*  
15 *ected by any inequities described in paragraph (2).*

16 *(4) The Department of Defense recommendations,*  
17 *if any, to redress any inequities described in para-*  
18 *graph (2), and*

19 *(5) The cost to the Federal Government of any*  
20 *recommendation described in paragraph (4).*

1 **SEC. 335. TRAVEL, TRANSPORTATION, AND RELOCATION**  
2 **EXPENSES OF EMPLOYEES TRANSFERRING**  
3 **TO THE UNITED STATES POSTAL SERVICE.**

4 (a) *IN GENERAL.*—(1) *Subchapter II of chapter 57 of*  
5 *title 5, United States Code, is amended by adding at the*  
6 *end the following:*

7 **“§ 5735. Travel, transportation, and relocation ex-**  
8 **penses of employees transferring to the**  
9 **United States Postal Service**

10 *“(a) IN GENERAL.—Notwithstanding any other provi-*  
11 *sion of law, employees of the Department of Defense de-*  
12 *scribed in subsection (b) may be authorized travel, trans-*  
13 *portation, and relocation expenses and allowances in con-*  
14 *nection with appointments referred to in such subsection*  
15 *under the same conditions and to the same extent author-*  
16 *ized by this subchapter for transferred employees.*

17 *“(b) COVERED EMPLOYEES.—Subsection (a) applies to*  
18 *any employee of the Department of Defense who—*

19 *“(1) is scheduled for separation from the Depart-*  
20 *ment, other than for cause;*

21 *“(2) is selected for appointment to a continuing*  
22 *position with the United States Postal Service; and*

23 *“(3) accepts the appointment.”.*

24 (2) *The table of sections at the beginning of such sub-*  
25 *chapter is amended by adding at the end the following:*

*“5735. Travel, transportation, and relocation expenses of employees transferring to the United States Postal Service.”.*

1           **(b) EFFECTIVE DATE.**—*The amendments made by sub-*  
2 *section (a) shall take effect on the date of the enactment*  
3 *of this Act and apply to persons separated from employ-*  
4 *ment by the Department of Defense on or after such date.*

5   **SEC. 336. FOREIGN EMPLOYEES COVERED BY THE FOREIGN**  
6                           **NATIONAL EMPLOYEES SEPARATION PAY AC-**  
7                           **COUNT.**

8           *Section 1581 of title 10, United States Code, is amend-*  
9 *ed—*

10                   (1) *by striking out “foreign national employees*  
11 *of the Department of Defense” each place it appears*  
12 *in subsections (a) and (b) and inserting in lieu there-*  
13 *of “foreign nationals referred to in subsection (e)”;*  
14 *and*

15                   (2) *by striking out subsection (e) and inserting*  
16 *in lieu thereof the following:*

17           **“(e) EMPLOYEES COVERED.**—*This section applies only*  
18 *with respect to separation pay of foreign nationals em-*  
19 *ployed by the Department of Defense, and foreign nationals*  
20 *employed by a foreign government for the benefit of the De-*  
21 *partment of Defense, under any of the following agreements*  
22 *that provide for payment of separation pay:*

23                   **“(1) A contract.**

24                   **“(2) A treaty.**

1           “(3) A memorandum of understanding with a  
2           foreign nation.

3   **SEC. 337. INCREASED AUTHORITY TO ACCEPT VOLUNTARY**  
4           **SERVICES.**

5           (a) *EXPANSION OF AUTHORITY.*—The text of section  
6   1588 of title 10, United States Code, is amended to read  
7   as follows:

8           “(a) *AUTHORITY TO ACCEPT SERVICES.*—Subject sub-  
9   section (b) and notwithstanding section 1342 of title 31,  
10   the Secretary concerned may accept from any person the  
11   following services:

12           “(1) *Voluntary medical services, dental services,*  
13   *nursing services, or other health-care related services.*

14           “(2) *Voluntary services to be provided for a mu-*  
15   *seum or a natural resources program.*

16           “(3) *Voluntary services to be provided for pro-*  
17   *grams providing services to members of the armed*  
18   *forces and the families of such members, including the*  
19   *following programs:*

20           “(A) *Family support programs.*

21           “(B) *Child development and youth services*  
22   *programs.*

23           “(C) *Library and education programs.*

24           “(D) *Religious programs.*

25           “(E) *Housing referral programs.*

1                   “(F) *Programs providing employment as-*  
2                   *stance to spouses of such members.*

3                   “(b) *REQUIREMENTS AND LIMITATIONS.—(1) The Sec-*  
4                   *retary concerned shall notify the person of the scope of the*  
5                   *services accepted.*

6                   “(2) *With respect to a person providing voluntary*  
7                   *services accepted under subsection (a), the Secretary con-*  
8                   *cerned—*

9                   “(A) *shall—*

10                   “(i) *supervise the person to the same extent*  
11                   *as the Secretary would supervise a compensated*  
12                   *employee providing similar services; and*

13                   “(ii) *ensure that the person is licensed,*  
14                   *privileged, has appropriate credentials, or is oth-*  
15                   *erwise qualified under applicable law or regula-*  
16                   *tions to provide such services; and*

17                   “(B) *may not—*

18                   “(i) *place the person in a policy-making po-*  
19                   *sition; or*

20                   “(ii) *except as provided subsection (e), com-*  
21                   *pensate the person for the provision of such serv-*  
22                   *ices.*

23                   “(c) *AUTHORITY TO RECRUIT AND TRAIN PERSONS*  
24                   *PROVIDING SERVICES.—The Secretary concerned may re-*

1 *cruit and train persons to provide voluntary services ac-*  
2 *cepted under subsection (a).*

3       “(d) *STATUS OF PERSONS PROVIDING SERVICES.—(1)*  
4 *Subject to paragraph (3), while providing voluntary serv-*  
5 *ices accepted under subsection (a) or receiving training*  
6 *under subsection (c) a person, other than a person referred*  
7 *to in paragraph (2), shall be considered to be an employee*  
8 *of the Federal Government only for purposes of the following*  
9 *provisions of law:*

10           “(A) *Subchapter I of chapter 81 of title 5, relat-*  
11 *ing to compensation for work-related injuries.*

12           “(B) *Section 2733 of this title and section 2733*  
13 *of title 28, relating to claims for damages or loss.*

14           “(C) *Section 522a of title 5, relating to mainte-*  
15 *nance of records on individuals.*

16           “(D) *Chapter 11 of title 18, relating to conflicts*  
17 *of interest.*

18       “(2) *Subject to paragraph (3), while providing a*  
19 *nonappropriated fund instrumentality of the United States*  
20 *with voluntary services accepted under subsection (a), or*  
21 *receiving training under subsection (c) to provide such an*  
22 *instrumentality with services accepted under subsection (a),*  
23 *a person shall be considered an employee of that instrumen-*  
24 *tality only for the following purposes:*

1           “(A) Subchapter II of chapter 81 of title 5, relat-  
2           ing to compensation of nonappropriated fund employ-  
3           ees for work-related injuries.

4           “(B) Section 2733 of this title and section 2733  
5           of title 28, relating to tort claims.

6           “(3) A person providing voluntary services accepted  
7           under subsection (a) shall be considered to be an employee  
8           of the Federal Government under paragraph (1) or (2) only  
9           with respect to services that are within the scope of the serv-  
10          ices so accepted.

11          “(4) For purposes of determining the compensation for  
12          work-related injuries payable under chapter 81 of title 5  
13          (pursuant to this subsection) to a person providing vol-  
14          untary services accepted under subsection (a), the monthly  
15          pay of the person for such services shall be deemed to be  
16          the amount determined by multiplying—

17                 “(A) the average monthly number of hours that  
18                 the person provided the services, by

19                 “(B) the minimum wage determined in accord-  
20                 ance with section 6(a)(1) of the Fair Labor Stand-  
21                 ards Act of 1938 (29 U.S.C. 206(a)(1)).

22          “(e) REIMBURSEMENT OF INCIDENTAL EXPENSES.—  
23          The Secretary concerned may provide for reimbursement of  
24          a person for incidental expenses incurred by the person in  
25          providing voluntary services accepted under subsection (a).

1 *The Secretary shall determine which expenses are eligible*  
2 *for reimbursement under this subsection. Any such reim-*  
3 *bursement may be made from appropriated or*  
4 *nonappropriated funds.”.*

5 *(b) CONFORMING AND TECHNICAL AMENDMENTS.—(1)*  
6 *Section 8171(a) of title 5, United States Code, is amended*  
7 *by inserting “, or to a volunteer providing such an instru-*  
8 *mentality with services accepted under section 1588 of title*  
9 *10,” after “described by section 2105(c) of this title”.*

10 *(2) Subchapter II of chapter 81 of such title is amend-*  
11 *ed—*

12 *(A) in section 8171—*

13 *(i) in subsection (a)—*

14 *(I) by striking out “Chapter 18 of title*  
15 *33” in the first sentence and inserting in*  
16 *lieu thereof “The Longshore and Harbor*  
17 *Workers’ Compensation Act (33 U.S.C. 901*  
18 *et seq.)”;*

19 *(II) by striking out “section 902(2) of*  
20 *title 33” in the first sentence and inserting*  
21 *in lieu thereof “section 2(2) of such Act (33*  
22 *U.S.C. 902(2))”;* and

23 *(III) by striking out “section 903(a) of*  
24 *title 33 which follows the first comma” in*  
25 *the second sentence and inserting in lieu*



1           *thereof “section 3(a) of such Act (33 U.S.C.*  
2           *903(3)) which follows the second comma”;*

3           *(ii) in subsection (b), by striking out “sec-*  
4           *tion 902(4) of title 33” and inserting in lieu*  
5           *thereof “section 2(4) of the Longshore and Har-*  
6           *bor Workers’ Compensation Act (33 U.S.C.*  
7           *902(4))”;*

8           *(iii) in subsection (c)(1), by striking out*  
9           *“section 939(b) of title 33” and inserting in lieu*  
10          *thereof “39(b) of the Longshore and Harbor*  
11          *Workers’ Compensation Act (33 U.S.C. 939(b))”;*  
12          *and*

13          *(iv) in subsection (d), by striking out “sec-*  
14          *tions 918 and 921 of title 33” and inserting in*  
15          *lieu thereof “sections 18 and 21 of the Longshore*  
16          *and Harbor Workers’ Compensation Act (33*  
17          *U.S.C. 18 and 21, respectively)”;* and

18          *(B) by striking out “section 902(2) of title 33”*  
19          *in sections 8172 and 8173 and inserting in lieu there-*  
20          *of “section 2(2) of the Longshore and Harbor Work-*  
21          *ers’ Compensation Act (33 U.S.C. 2(2))”.*

1                   **Subtitle E—Other Matters**

2   **SEC. 341. CHANGE OF SOURCE FOR PERFORMANCE OF**  
3                   **DEPOT-LEVEL WORKLOADS.**

4           *The text of section 2469 of title 10, United States Code,*  
5   *is amended to read as follows:*

6           “(a) *REQUIREMENT FOR COMPETITION.*—*The Sec-*  
7   *retary of Defense shall ensure that the performance of a*  
8   *depot-level maintenance workload described in subsection*  
9   *(b) is not changed to performance by a contractor or by*  
10   *another depot-level maintenance activity of the Department*  
11   *of Defense unless the change is made using—*

12           “(1) *merit-based selection procedures for com-*  
13    *petitions among all depot-level maintenance activities*  
14    *of the Department of Defense; or*

15           “(2) *competitive procedures for competitions*  
16    *among private and public sector entities.*

17           “(b) *SCOPE.*—*Subsection (a) applies to any depot-level*  
18    *maintenance workload that has a value of not less than*  
19    *\$3,000,000 and is being performed by a depot-level activity*  
20    *of the Department of Defense.*

21           “(c) *INAPPLICABILITY OF OMB CIRCULAR A-76.*—*Of-*  
22    *fice of Managment and Budget Circular A-76 does not*  
23    *apply to a performance change to which subsection (a) ap-*  
24    *plies.”.*

1 **SEC. 342. CIVIL AIR PATROL.**

2 (a) *PROVISION OF FUNDS.*—Subsection (b) of section  
3 9441 of title 10, United States Code, is amended—

4 (1) by redesignating paragraphs (8), (9), (10),  
5 and (11) as paragraphs (9), (10), (11), and (12), re-  
6 spectively; and

7 (2) by inserting after paragraph (7) the follow-  
8 ing new paragraph (8):

9 “(8) provide funds for the national headquarters  
10 of the Civil Air Patrol, including funds for the pay-  
11 ment of staff compensation and benefits, administra-  
12 tive expenses, travel, per diem and allowances, rent  
13 and utilities, and other operational expenses;”.

14 (b) *LIAISONS.*—Such section is further amended by  
15 adding at the end the following new subsection:

16 “(d)(1) The Secretary of the Air Force may authorize  
17 the Civil Air Patrol to employ, as administrators and liai-  
18 son officers, persons retired from service in the Air Force  
19 whose qualifications are approved under regulations pre-  
20 scribed by the Secretary and who request such employment.

21 “(2) A person employed pursuant to paragraph (1)  
22 may receive the person’s retired pay and an additional  
23 amount for such employment that is not more than the dif-  
24 ference between the person’s retired pay and the pay and  
25 allowances the person would be entitled to receive if ordered  
26 to active duty in the grade in which the person retired from

1 *service in the Air Force. The additional amount shall be*  
2 *paid to the Civil Air Patrol by the Secretary from funds*  
3 *appropriated for that purpose.*

4 “(3) A person employed pursuant to paragraph (1)  
5 may not, while so employed, be considered to be on active  
6 duty or inactive-duty training for any purpose.”

7 **SEC. 343. ARMED FORCES RETIREMENT HOME.**

8 (a) *INCREASED MAXIMUM LIMITATION ON DEDUC-*  
9 *TIONS FROM PAY.*—Section 1007(i) of title 37, United  
10 *States Code, is amended—*

11 (1) *in paragraph (1), by striking out “50 cents”*  
12 *and inserting in lieu thereof “\$2.00”; and*

13 (2) *in paragraph (3), by adding at the end the*  
14 *following: “The amount fixed for a grade or length of*  
15 *service may not be increased by more than 50 cents*  
16 *during any 12-month period.”*

17 (b) *MODIFICATION OF FEES PAID BY RESIDENTS.*—

18 (1) *Paragraph (2) of section 1514(c) of the Armed Forces*  
19 *Retirement Home Act of 1991 (24 U.S.C. 414(c)) is amend-*  
20 *ed to read as follows:*

21 “(2) *The fee shall be fixed as a percentage of the month-*  
22 *ly income and monthly payments (including Federal pay-*  
23 *ments) received by a resident, subject to such adjustments*  
24 *in the fee as the Retirement Home Board may make under*

1 *paragraph (1). The percentage shall be the same for each*  
2 *establishment of the Retirement Home.”.*

3 *(2)(A) Subsections (d) and (e) of section 1514 of such*  
4 *Act are repealed.*

5 *(B) Such section is further amended by adding after*  
6 *subsection (c) the following new subsection (d):*

7 *“(d) APPLICATION OF FEES.—Subject to such adjust-*  
8 *ments in the fee as the Retirement Home Board may make*  
9 *under subsection (c), each resident of the Retirement Home*  
10 *shall be required to pay a monthly fee equal to the amount*  
11 *determined by multiplying the total amount of all monthly*  
12 *income and monthly payments (including Federal pay-*  
13 *ments) received by the resident by a percentage as follows:*

14 *“(1) In the case of a permanent health care resi-*  
15 *dent—*

16 *“(A) in fiscal year 1998, 35 percent;*

17 *“(B) in fiscal year 1999, 45 percent; and*

18 *“(C) in fiscal year 2000, 65 percent.*

19 *“(2) In the case of a resident who is not a per-*  
20 *manent health care resident—*

21 *“(A) in fiscal year 1998, 30 percent;*

22 *“(B) in fiscal year 1999, 35 percent; and*

23 *“(C) in fiscal year 2000, 40 percent.*

24 *(c) MODERNIZATION OF FACILITIES.—(1) The Chair-*  
25 *man of the Armed Forces Retirement Home Board shall*

1 *carry out a study to identify and evaluate alternatives for*  
2 *modernization of the facilities at the United States Soldiers'*  
3 *and Airmen's Home.*

4 *(2) The Chairman shall submit an interim report and*  
5 *a final report on the results of the study to the Committees*  
6 *on Armed Services of the Senate and House of Representa-*  
7 *tives. The Chairman shall submit the interim report not*  
8 *later than April 1, 1995, and the final report not later than*  
9 *December 31, 1995.*

10 *(d) EFFECTIVE DATES.—(1) The amendments made*  
11 *by subsection (a) shall take effect on January 1, 1995, and*  
12 *apply to years that begin on or after that date.*

13 *(2) The amendments made by subsection (b) shall take*  
14 *effect October 1, 1997.*

15 **SEC. 344. CLARIFICATION OF AUTHORITY TO PROVIDE MED-**  
16 **ICAL TRANSPORTATION UNDER NATIONAL**  
17 **GUARD PILOT PROGRAM.**

18 *Paragraph (1) of section 376(h) of the National De-*  
19 *fense Authorization Act for Fiscal Year 1993 (32 U.S.C.*  
20 *501 note) is amended to read as follows:*

21 *“(1) The term ‘health care’ includes the following*  
22 *services:*

23 *“(A) Medical care services.*

24 *“(B) Dental care services.*

1                   “(C) Transportation, by air ambulance or  
2                   other means, for medical reasons.”.

3 **SEC. 345. ARMS INITIATIVE LOAN GUARANTEE PROGRAM.**

4           (a) *PROGRAM AUTHORIZED.*—Subject to subsection  
5 (b), the Secretary of the Army may carry out a loan guar-  
6 antee program to encourage commercial firms to use ammu-  
7 nition manufacturing facilities pursuant to section 193 of  
8 the Armament Retooling and Manufacturing Support Act  
9 of 1992 (subtitle H of title I of Public Law 102–484; 106  
10 Stat. 2348). Under such program, the Secretary may guar-  
11 antee the repayment of any loan made to a commercial firm  
12 to fund, in whole or in part, the establishment of a commer-  
13 cial activity under the Act.

14           (b) *ADVANCED BUDGET AUTHORITY.*—Loan guaran-  
15 tees under this section may not be committed except to the  
16 extent that appropriations of budget authority to cover their  
17 costs are made in advance, as required by section 504 of  
18 the Federal Credit Reform Act of 1990 (title V of the Con-  
19 gressional Budget Act of 1974; 2 U.S.C. 661c).

20           (c) *PROGRAM ADMINISTRATION.*—(1) The Secretary  
21 may enter into agreements with the Administrator of the  
22 Small Business Administration, the Administrator of the  
23 Farmers Home Administration, and the Administrator of  
24 the Rural Development Administration under which such  
25 Administrators may, under this section—

1           (A) process applications for loan guarantees;

2           (B) guarantee repayment of loans; and

3           (C) provide any other services to the Secretary to  
4       administer the loan guarantee program.

5       (2) Each Administrator may guarantee loans under  
6       this section to commercial firms of any size, notwithstand-  
7       ing any size limitations imposed on other loan guarantee  
8       programs that the Administrator administers.

9       (3) To the extent practicable, each Administrator shall  
10      use the same procedures for processing loan guarantee ap-  
11      plications under this section as the Administrator uses for  
12      processing loan guarantee applications under other loan  
13      guarantee programs that the Administrator administers.

14      (d) *LOAN LIMITS.*—Loan guarantees under this section  
15      may not exceed—

16           (1) \$20,000,000 for any borrower; and

17           (2) \$65,000,000 for all borrowers.

18      (e) *TRANSFER OF FUNDS.*—The Secretary of the Army  
19      may transfer to an Administrator providing services under  
20      subsection (c), and an Administrator may accept, such  
21      funds as may be necessary to administer the loan guarantee  
22      program under this section.

23      (f) *REPORTING REQUIREMENT.*—Not later than July  
24      1 of each year in which a guarantee issued under this sec-  
25      tion is in effect, the Secretary shall submit to the congres-



1 *sional defense committees a report containing the amounts*  
2 *of loans guaranteed under this section during the preceding*  
3 *calendar year. No report is required after fiscal year 1997.*

4 (g) *AUTHORIZATION FOR USE OF EXISTING BUDGET*  
5 *AUTHORITY.—Funds appropriated for the Armament Re-*  
6 *tooling and Manufacturing Support Initiative by title III*  
7 *of Public Law 102–396 under the heading “PROCUREMENT*  
8 *OF AMMUNITION, ARMY” (106 Stat. 1887) may be made*  
9 *available for loan guarantees under this section only to the*  
10 *extent provided in an appropriations Act enacted after the*  
11 *date of the enactment of this Act.*

12 (h) *EXTENSION OF AUTHORITY.—Section 193(a) of the*  
13 *Armament Retooling and Manufacturing Support Act of*  
14 *1992 (subtitle H of title I of Public Law 102–484; 106 Stat.*  
15 *2348) is amended by striking out “During fiscal years 1993*  
16 *and 1994,” and inserting in lieu thereof “During fiscal*  
17 *years 1993 through 1996.”*

18 **SEC. 346. REAUTHORIZATION OF DEPARTMENT OF DE-**  
19 **FENSE DOMESTIC ELEMENTARY AND SEC-**  
20 **ONDARY SCHOOLS FOR DEPENDENTS.**

21 (a) *CONTINUED AUTHORITY.—Chapter 108 of title 10,*  
22 *United States Code, is amended by adding at the end the*  
23 *following new section:*

1 **“§ 2164. Department of Defense domestic dependent el-**  
2 **ementary and secondary schools**

3       “(a) *AUTHORITY OF SECRETARY.*—If the Secretary of  
4 Defense makes a determination that appropriate edu-  
5 cational programs are not available through a local edu-  
6 cational agency for dependents of members of the armed  
7 forces and dependents of civilian employees of the Federal  
8 Government residing on a military installation in the  
9 United States (including territories, commonwealths, and  
10 possessions of the United States), the Secretary may provide  
11 for the elementary or secondary education of the dependents  
12 of such members of the armed forces and, to the extent au-  
13 thorized in subsection (c), the dependents of such civilian  
14 employees.

15       “(b) *FACTORS FOR SECRETARY TO CONSIDER.*—(1)  
16 Factors to be considered by the Secretary of Defense in mak-  
17 ing a determination under subsection (a) shall include the  
18 following:

19               “(A) The extent to which such dependents are eli-  
20 gible for free public education in the local area adja-  
21 cent to the military installation.

22               “(B) The extent to which the local educational  
23 agency is able to provide a comparable educational  
24 program for such dependents.

25       “(2) For purposes of paragraph (1)(B), an appro-  
26 priate educational program is a program that, as deter-

1 *mined by the Secretary, is comparable to a program of free*  
2 *public education provided for children in the following com-*  
3 *munities:*

4           “(A) *In the case of a military installation lo-*  
5 *cated in a State (other than an installation referred*  
6 *to in subparagraph (B)), similar communities in the*  
7 *State.*

8           “(B) *In the case of a military installation with*  
9 *boundaries contiguous to two or more States, similar*  
10 *communities in the contiguous States.*

11           “(C) *In the case of a military installation lo-*  
12 *cated in a territory, commonwealth, or possession, the*  
13 *District of Columbia, except that an educational pro-*  
14 *gram determined comparable under this subpara-*  
15 *graph may be considered appropriate for the purposes*  
16 *of paragraph (1)(B) only if the program is conducted*  
17 *in the English language.*

18           “(c) *ELIGIBILITY OF DEPENDENTS OF FEDERAL EM-*  
19 *PLOYEES.—(1) A dependent of a Federal employee residing*  
20 *on a military installation at any time during the school*  
21 *year may enroll in an educational program provided by*  
22 *the Secretary of Defense pursuant to subsection (a) for de-*  
23 *pendents residing on such installation.*

24           “(2)(A) *Except as provided in subparagraph (B), a*  
25 *dependent of a Federal employee who is enrolled in an edu-*

1 *cational program provided by the Secretary pursuant to*  
2 *subsection (a) and who is not residing on a military instal-*  
3 *lation may be enrolled in the program for not more than*  
4 *five consecutive school years.*

5       “(B) A dependent referred to in subparagraph (A) may  
6 be enrolled in the program for more than five consecutive  
7 school years if the Secretary determines that, in the interest  
8 of the dependent’s educational well-being, there is good  
9 cause to extend the enrollment for more than the five-year  
10 period described in such subparagraph. Any such extension  
11 may be made for only one school year at a time.

12       “(3) A dependent of a Federal employee may continue  
13 enrollment in a program under this subsection for the re-  
14 mainder of a school year notwithstanding a change during  
15 such school year in the status of the Federal employee that,  
16 except for this paragraph, would otherwise terminate the  
17 eligibility of the dependent to be enrolled in the program.  
18 The preceding sentence does not limit the authority of the  
19 Secretary to remove the dependent from enrollment in the  
20 program at any time for good cause determined by the Sec-  
21 retary.

22       “(d) SCHOOL BOARDS.—(1) The Secretary of Defense  
23 shall provide for the establishment of a school board for each  
24 Department of Defense elementary or secondary school es-  
25 tablished for a military installation under this section.

1       “(2) *The school board shall be composed of the number*  
2 *of members, not less than three, prescribed by the Secretary.*

3       “(3) *The parents of the students attending the school*  
4 *shall elect the school board in accordance with procedures*  
5 *which the Secretary shall prescribe.*

6       “(4) *The elected school board shall be considered a local*  
7 *civic group with a function of rendering a public service*  
8 *of providing counsel through oversight of school expendi-*  
9 *tures and operations. The Secretary shall prescribe the over-*  
10 *sight procedures and audit standards applicable to the func-*  
11 *tions of the school board.*

12       “(5) *Meetings conducted by the school board shall be*  
13 *open to the public.*

14       “(6) *A school board need not comply with the provi-*  
15 *sions of the Federal Advisory Committee Act (5 U.S.C.*  
16 *App.), but may close meetings in accordance with such Act.*

17       “(e) *ADMINISTRATION AND STAFF.—(1) The Secretary*  
18 *of Defense may enter into such arrangements as may be*  
19 *necessary to provide educational programs at the school.*

20       “(2) *The Secretary may, without regard to the provi-*  
21 *sions of any other law relating to the number, classification,*  
22 *or compensation of employees—*

23               “(A) *establish such positions for civilian employ-*  
24 *ees in schools established under this section;*

25               “(B) *appoint individuals to such positions; and*

1           “(C) fix the compensation of such individuals for  
2           service in such positions.

3           “(3)(A) Except as provided in subparagraph (B), in  
4           fixing the compensation of employees appointed for a school  
5           pursuant to paragraph (2), the Secretary shall consider—

6           “(i) the compensation of comparable employees  
7           of the local educational agency in the capital of the  
8           State where the military installation is located;

9           “(ii) the compensation of comparable employees  
10          in the local educational agency that provides public  
11          education to students who reside adjacent to the mili-  
12          tary installation; or

13          “(iii) the average compensation for similar posi-  
14          tions in not more than three other local educational  
15          agencies in the State in which the military installa-  
16          tion is located.

17          “(B) In fixing the compensation of employees in  
18          schools established in the territories, commonwealths, and  
19          possessions pursuant to the authority of this section, the  
20          Secretary shall determine the level of compensation required  
21          to attract qualified employees. For employees in such  
22          schools, the Secretary, without regard to the provisions of  
23          title 5, may provide for the tenure, leave, hours of work,  
24          and other incidents of employment to be similar to that pro-  
25          vided for comparable positions in the public schools of the

1 *District of Columbia. For purposes of the first sentence, a*  
2 *school shall be considered to have been established pursuant*  
3 *to the authority of this section if the school was established*  
4 *pursuant to other similar authority before the date on which*  
5 *this section takes effect.*

6       “(f) *SUBSTANTIVE AND PROCEDURAL RIGHTS AND*  
7 *PROTECTIONS FOR CHILDREN.—(1) The Secretary shall*  
8 *provide the following substantive rights, protections, and*  
9 *procedural safeguards (including due process procedures) in*  
10 *the educational programs provided for under this section:*

11           “(A) *In the case of children with disabilities*  
12 *aged 3 to 5, inclusive, all substantive rights, protec-*  
13 *tions, and procedural safeguards (including due proc-*  
14 *ess procedures) available to children with disabilities*  
15 *aged 3 to 5, inclusive, under part B of the Individ-*  
16 *uals with Disabilities Education Act (20 U.S.C. 1411*  
17 *et seq.).*

18           “(B) *In the case of infants and toddlers with dis-*  
19 *abilities, all substantive rights, protections, and pro-*  
20 *cedural safeguards (including due process procedures)*  
21 *available to infants and toddlers with disabilities*  
22 *under part H of such Act (20 U.S.C. 1471 et seq.).*

23           “(C) *In the case of all other children with dis-*  
24 *abilities, all substantive rights, protections, and pro-*  
25 *cedural safeguards (including due process procedures)*

1       *available to children with disabilities who are 3 to 5*  
2       *years old under part B of such Act.*

3       “(2) Paragraph (1) may not be construed as diminish-  
4       *ing for children with disabilities enrolled in day edu-*  
5       *cational programs provided for under this section the extent*  
6       *of substantive rights, protections, and procedural safeguards*  
7       *that were available under section 6(a) of Public Law 81-*  
8       *874 (20 U.S.C. 241(a)) to children with disabilities as of*  
9       *October 7, 1991.*

10       “(3) In this subsection:

11               “(A) The term ‘children with disabilities’ has the  
12       *meaning given the term in section 602(a)(1) of the*  
13       *Individuals with Disabilities Education Act (20*  
14       *U.S.C. 1401(a)(1)).*

15               “(B) The term ‘children with disabilities aged 3  
16       *to 5, inclusive’ means such term as used in such Act*  
17       *(20 U.S.C. 1400 et seq.).*

18               “(C) The term ‘infants and toddlers with disabil-  
19       *ities’ has the meaning given the term in section*  
20       *672(1) of such Act (20 U.S.C. 1472(1)).*

21       “(g) REIMBURSEMENT.—When the Secretary of De-  
22       *fense provides educational services under this section to an*  
23       *individual who is a dependent of an employee of a Federal*  
24       *agency outside the Department of Defense, the head of the*  
25       *other Federal agency shall, upon request of the Secretary*



1 of Defense, reimburse the Secretary for those services at  
2 rates routinely prescribed by the Secretary for those serv-  
3 ices. Any payments received by the Secretary under this  
4 subsection shall be credited to the account designated by the  
5 Secretary for the operation of educational programs under  
6 this section.”.

7 (b) CLERICAL AMENDMENT.—The table of sections at  
8 the beginning of such chapter is amended by adding at the  
9 end the following new item:

“2164. Department of Defense domestic dependent elementary and secondary  
schools.”.

10 **SEC. 347. ASSISTANCE TO LOCAL EDUCATIONAL AGENCIES**  
11 **THAT BENEFIT DEPENDENTS OF MEMBERS**  
12 **OF THE ARMED FORCES AND DEPARTMENT**  
13 **OF DEFENSE CIVILIAN EMPLOYEES.**

14 (a) AVAILABILITY OF FUNDS.—Of the amounts author-  
15 ized to be appropriated pursuant to section 301(5)—

16 (1) \$50,000,000 shall be available for providing  
17 assistance to local educational agencies under sub-  
18 section (b) of section 386 of Public Law 102-484; and

19 (2) \$8,000,000 shall be available for making  
20 payments to local educational agencies under sub-  
21 section (d) of such section.

22 (b) NOTIFICATION AND DISBURSAL.—(1) On or before  
23 June 30, 1995, the Secretary of Defense (with respect to  
24 assistance provided in subsection (b) of section 386 of Pub-

1 *lic Law 102-484) and the Secretary of Education (with re-*  
2 *spect to payments made under subsection (d) of such sec-*  
3 *tion) shall notify each local educational agency eligible for*  
4 *assistance under subsections (b) and (d) of such section, re-*  
5 *spectively, for fiscal year 1995 of such agency's eligibility*  
6 *for such assistance and the amount of such assistance.*

7       (2) *The Secretary of Defense (with respect to funds*  
8 *made available under subsection (a)(1)) and the Secretary*  
9 *of Education (with respect to funds made available under*  
10 *subsection (a)(2)) shall disburse such funds not later than*  
11 *30 days after notification to eligible local education agen-*  
12 *cies.*

13 **SEC. 348. DISPOSITION OF PROCEEDS FROM OPERATION OF**  
14 **THE NAVAL ACADEMY LAUNDRY.**

15       *Section 6971 of title 10, United States Code, is amend-*  
16 *ed—*

17               (1) *in subsection (a)—*

18                       (A) *by striking out “(a)”;* and

19                       (B) *in the first sentence, by striking out*  
20 *“and the Academy dairy” and inserting in lieu*  
21 *thereof “the Academy dairy, and the Academy*  
22 *laundry”;* and

23               (2) *by striking out subsection (b).*

1 **SEC. 349. REPEAL OF ANNUAL LIMITATION ON EXPENDI-**  
2 **TURES FOR EMERGENCY AND EXTRAOR-**  
3 **DINARY EXPENSES OF THE DEPARTMENT OF**  
4 **DEFENSE INSPECTOR GENERAL.**

5 *Section 127(c) of title 10, United States Code, is*  
6 *amended—*

7 *(1) by striking out “(1)” after “(c)”; and*

8 *(2) by striking out paragraph (2).*

9 **SEC. 350. EXTENSION OF AUTHORITY FOR PROGRAM TO**  
10 **COMMEMORATE WORLD WAR II.**

11 *Section 378 of the National Defense Authorization Act*  
12 *for Fiscal Year 1993 (Public Law 102-484; 106 Stat. 2387;*  
13 *10 U.S.C. 113 note) is amended by striking out “1995” each*  
14 *place it appears in subsections (a) and (b) and inserting*  
15 *in lieu thereof “1996”.*

16 **SEC. 351. EXTENSION OF AUTHORITY FOR AVIATION DE-**  
17 **POTS AND NAVAL SHIPYARDS TO ENGAGE IN**  
18 **DEFENSE-RELATED PRODUCTION AND SERV-**  
19 **ICES.**

20 *Section 1425(e) of the National Defense Authorization*  
21 *Act for Fiscal Year 1991 (Public Law 101-510), as amend-*  
22 *ed by section 370(b) of Public Law 103-160 (107 Stat.*  
23 *1634), is further amended by striking out “September 30,*  
24 *1994” and inserting in lieu thereof “September 30, 1995”.*

1 **SEC. 352. TRANSFER OF CERTAIN EXCESS DEPARTMENT OF**  
2 **DEFENSE PROPERTY TO EDUCATIONAL INSTI-**  
3 **TUTIONS AND TRAINING SCHOOLS.**

4 (a) *AUTHORITY TO TRANSFER.*—Subsection (b)(1) of  
5 section 2535 of title 10, United States Code, is amended  
6 by striking out subparagraph (G) and inserting in lieu  
7 thereof the following:

8 “(G) notwithstanding title II of the Federal  
9 Property and Administrative Services Act of 1949 (40  
10 U.S.C. 481 et seq.) and any other provision of law,  
11 authorize the transfer to a nonprofit educational in-  
12 stitution or training school, on a nonreimbursable  
13 basis, of any such property already in the possession  
14 of such institution or school whenever the program  
15 proposed by such institution or school for the use of  
16 such property will contribute materially to national  
17 defense; and”.

18 (b) *TREATMENT OF PROPERTY LOANED BEFORE DE-*  
19 *CEMBER 31, 1993.*—Except for property determined by the  
20 Secretary to be needed by the Department of Defense, prop-  
21 erty loaned before December 31, 1993, to an educational in-  
22 stitution or training school under section 2535(b) of title  
23 10, United States Code, or section 4(a)(7) of the Defense  
24 Industrial Reserve Act (as in effect before October 23, 1992)  
25 shall be regarded as surplus property. Upon certification  
26 by the Secretary to the Administrator of General Services

1 *that the property is being used by the borrowing edu-*  
2 *cational institution or training school for a purpose consist-*  
3 *ent with that for which the property was loaned, the Admin-*  
4 *istrator may authorize the conveyance of all right, title, and*  
5 *interest of the United States in such property to the bor-*  
6 *rower if the borrower agrees to accept the property. The Ad-*  
7 *ministrators may require any additional terms and condi-*  
8 *tions in connection with a conveyance so authorized that*  
9 *the Administrator considers appropriate to protect the in-*  
10 *terests of the United States.*

11 **SEC. 353. SHIPS' STORES.**

12 *Section 371 of the National Defense Authorization Act*  
13 *for Fiscal Year 1994 (Public Law 103-160; 107 Stat. 1634;*  
14 *10 U.S.C. 7604 note) is amended—*

15 *(1) by striking out subsections (a), (b), and (d);*

16 *and*

17 *(2) in subsection (c), by striking out “(c) CODI-*  
18 *FICATION.—Section 7604” and inserting in lieu there-*  
19 *of “Effective as of November 30, 1993, section 7604”.*

20 **SEC. 354. HUMANITARIAN PROGRAM FOR CLEARING LAND-**  
21 **MINES.**

22 *(a) PROGRAM AUTHORIZED.—The Secretary of De-*  
23 *fense may carry out a program for humanitarian purposes*  
24 *to provide for the instruction, education, training, and ad-*  
25 *vising of personnel of other nations in the various proce-*

1 *dures that have been determined effective for detecting and*  
2 *clearing landmines.*

3 *(b) FORMS OF ASSISTANCE.—Under the program the*  
4 *Secretary may provide personnel to conduct the instruction,*  
5 *education, or training or to furnish advice. In addition or*  
6 *alternatively, the Secretary may provide financial assist-*  
7 *ance or in-kind assistance in support of such instruction,*  
8 *education, or training.*

9 *(c) LIMITATIONS ON ACTIONS OF UNITED STATES*  
10 *PERSONNEL.—The Secretary of Defense shall ensure that*  
11 *no member of the Armed Forces of the United States—*

12 *(1) while providing assistance under subsection*  
13 *(a), engages in the physical detection, lifting, or de-*  
14 *stroying of landmines unless the member does so for*  
15 *the concurrent purpose of supporting a United States*  
16 *military operation; or*

17 *(2) provides such assistance as part of a mili-*  
18 *tary operation that does not involve the Armed Forces*  
19 *of the United States.*

20 *(d) FUNDING.—Of the funds authorized to be appro-*  
21 *priated in section 301, not more than \$10,000,000 shall be*  
22 *available for a program carried out under subsection (a).*

1 **SEC. 355. ASSISTANCE TO RED CROSS FOR EMERGENCY**  
2 **COMMUNICATIONS SERVICES FOR MEMBERS**  
3 **OF THE ARMED FORCES AND THEIR FAMI-**  
4 **LIES.**

5 (a) *FISCAL YEAR 1995.*—Of the funds authorized to  
6 be appropriated by section 301(5), \$14,500,000 shall be  
7 available for obtaining emergency communications services  
8 for members of the Armed Forces and their families from  
9 the American National Red Cross.

10 (b) *FISCAL YEARS 1996 AND 1997.*—Of the amounts  
11 authorized to be appropriated for the Department of Defense  
12 for fiscal years 1996 and 1997 for operation and mainte-  
13 nance for Defense-wide activities, \$14,500,000 shall be  
14 available for each such fiscal year for obtaining emergency  
15 communications services for members of the Armed Forces  
16 and their families from the American National Red Cross.

17 **SEC. 356. MARITIME PREPOSITIONING SHIP ENHANCE-**  
18 **MENT.**

19 *Section 2218 of title 10, United States Code, is amend-*  
20 *ed by adding at the end of subsection (f) the following new*  
21 *paragraph:*

22 “(3) Not more than three vessels built in foreign ship-  
23 yards may be purchased for the Marine Corps maritime  
24 prepositioning ship program with funds in the National  
25 Defense Sealift Fund. Vessels purchased under the authority

1 *of this paragraph may not be counted for purposes of the*  
2 *limitation in paragraph (1).”.*

3 **SEC. 357. ROLL-ON/ROLL-OFF VESSELS FOR THE READY RE-**  
4 **SERVE FORCE.**

5 (a) *TRANSFER AUTHORIZED.*—*To the extent provided*  
6 *in appropriations Acts, in order to provide for purchase*  
7 *of up to seven roll-on/roll-off vessels for the Ready Reserve*  
8 *Force of the National Defense Reserve Fleet maintained*  
9 *under section 11 of the Merchant Ship Sales Act of 1946*  
10 *(50 U.S.C. App. 1744), the Secretary of Defense may trans-*  
11 *fer to the Maritime Administration not more than*  
12 *\$43,000,000 out of funds authorized by this Act to be appro-*  
13 *priated to the Department of Defense for fiscal year 1995,*  
14 *other than funds for procurement of national defense fea-*  
15 *tures for vessels.*

16 (b) *USE BY MARITIME ADMINISTRATION.*—*Funds*  
17 *transferred to the Maritime Administration pursuant to*  
18 *subsection (a) shall be used only for the purpose set forth*  
19 *in such subsection.*

20 **SEC. 358. PAYMENT OF CERTAIN STIPULATED CIVIL PEN-**  
21 **ALTIES.**

22 *Of the funds authorized to be appropriated by section*  
23 *301(17), the Secretary of Defense may pay not more than*  
24 *\$500,000 to the Hazardous Substance Superfund estab-*  
25 *lished under section 9507 of the Internal Revenue Code of*



1 1986 (26 U.S.C. 9507) as payment of stipulated civil pen-  
2 alties assessed under the Comprehensive Environmental Re-  
3 sponse, Compensation and Liability Act of 1980 (42 U.S.C.  
4 9601 et seq.).

5 **SEC. 359. SALE OF ARTICLES AND SERVICES OF INDUS-**  
6 **TRIAL FACILITIES OF THE ARMED FORCES TO**  
7 **PERSONS OUTSIDE DEPARTMENT OF DE-**  
8 **FENSE.**

9 (a) *AUTHORITY TO SELL OUTSIDE DOD.*—The Sec-  
10 retary of Defense may sell in accordance with this section  
11 to persons outside the Department of Defense articles and  
12 services produced in working-capital funded industrial fa-  
13 cilities of the Armed Forces that are not available from any  
14 United States commercial source.

15 (b) *DESIGNATION OF PARTICIPATING INDUSTRIAL FA-*  
16 *CILITIES.*—The Secretary may designate up to three facili-  
17 ties referred to in subsection (a) as the facilities from which  
18 articles and services produced in such facilities may be sold  
19 under this section.

20 (c) *CONDITIONS FOR SALES.*—A sale of articles or  
21 services may be made under this section only if—

22 (1) the Secretary of Defense determines that the  
23 articles or services are not available from a commer-  
24 cial source in the United States;

1           (2) *the purchaser agrees to hold harmless and in-*  
2           *demnify the United States, except in cases of willful*  
3           *misconduct or extreme negligence, from any claim for*  
4           *damages or injury to any person or property arising*  
5           *out of the articles or services;*

6           (3) *the articles or services can be substantially*  
7           *performed by the industrial facility concerned with*  
8           *only incidental subcontracting and that performance*  
9           *is in the public interest;*

10          (4) *the Secretary determines that the sale of the*  
11          *articles or services will not interfere with the military*  
12          *mission of the industrial facility concerned; and*

13          (5) *the sale of the goods and services is made on*  
14          *the basis that it will not interfere with performance*  
15          *of work by the industrial facility concerned for the*  
16          *Department of Defense.*

17          (d) *METHODS OF SALE.*—(1) *The Secretary shall per-*  
18          *mit a purchaser of articles or services under this section*  
19          *to use advance incremental funding to pay for the articles*  
20          *or services.*

21          (2) *In the sale of articles and services under this sec-*  
22          *tion, the Secretary shall—*

23                 (A) *charge the purchaser, at a minimum, the*  
24                 *variable costs, capital improvement costs, and equip-*

1 *ment depreciation costs that are associated with the*  
2 *articles or services sold;*

3 *(B) enter into a firm, fixed-price contract or, if*  
4 *agreed by the purchaser, a cost reimbursement con-*  
5 *tract for the sale; and*

6 *(C) develop and maintain (from sources other*  
7 *than appropriated funds) working capital to be avail-*  
8 *able for paying design costs, planning costs, procure-*  
9 *ment costs, and other costs associated with the articles*  
10 *or services sold.*

11 *(e) DELEGATION OF AUTHORITY.—The Secretary may*  
12 *delegate the authority to sell articles and services in accord-*  
13 *ance with this section to the commander of each industrial*  
14 *facility designated pursuant to subsection (b) in accordance*  
15 *with regulations prescribed by the Secretary.*

16 *(f) DEPOSIT OF PROCEEDS.—Proceeds from sales of*  
17 *articles and services under this section shall be credited to*  
18 *the funds, including working capital funds and operation*  
19 *and maintenance funds, incurring the costs of performance.*

20 *(g) RELATIONSHIP TO ARMS EXPORT CONTROL ACT.—*  
21 *Nothing in this section shall be construed to affect the appli-*  
22 *cation of the export controls provided for in section 38 of*  
23 *the Arms Export Control Act (22 U.S.C. 2778) to items*  
24 *which incorporate or are produced through the use of an*  
25 *article sold under this section.*

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

2           (1) *The term “advance incremental funding”,*  
3 *with respect to a sale of articles or services, means a*  
4 *series of partial payments for the articles or services*  
5 *that includes—*

6                   (A) *one or more partial payments before the*  
7 *commencement of work or the incurring of costs*  
8 *in connection with the production of the articles*  
9 *or the performance of the services, as the case*  
10 *may be; and*

11                   (B) *subsequent progress payments that re-*  
12 *sult in full payment being completed as the re-*  
13 *quired work is being completed.*

14           (2) *The term “variable costs”, with respect to*  
15 *sales of articles or services, means the costs that are*  
16 *expected to fluctuate directly with the volume of sales*  
17 *and—*

18                   (A) *in the case of articles, the volume of*  
19 *production necessary to satisfy the sales orders;*  
20 *or*

21                   (B) *in the case of services, the extent of the*  
22 *services sold.*

1 **SEC. 360. STUDY OF ESTABLISHMENT OF LAND MANAGE-**  
2 **MENT AND TRAINING CENTER AT FORT**  
3 **RILEY, KANSAS.**

4 (a) *STUDY.*—The Secretary of the Army shall carry  
5 out a study of the feasibility and advisability of establishing  
6 at Fort Riley, Kansas, a center for the land management  
7 activities and land management training activities of the  
8 Department of Defense.

9 (b) *REPORT.*—The Secretary shall submit to the con-  
10 gressional defense committees a report on the study required  
11 under subsection (a). The Secretary shall submit the report  
12 not later than May 1, 1996.

13 **SEC. 361. PROCUREMENT OF PORTABLE VENTILATORS FOR**  
14 **THE DEFENSE MEDICAL FACILITY OFFICE,**  
15 **FORT DETRICK, MARYLAND.**

16 *Of the funds authorized to be appropriated by section*  
17 *301(5), \$2,500,000 shall be available for the procurement*  
18 *of portable ventilators for the Defense Medical Facility Of-*  
19 *fice, Fort Detrick, Maryland.*

20 **SEC. 362. REVIEW BY DEFENSE INSPECTOR GENERAL OF**  
21 **COST GROWTH IN CERTAIN CONTRACTS.**

22 (a) *REVIEW.*—The Inspector General of the Depart-  
23 ment of Defense shall carry out a review of a representative  
24 sample of existing contracts for the performance of commer-  
25 cial activities which resulted from a cost comparison study  
26 conducted by the Department of Defense under Office of

1 *Management and Budget Circular A-76 (or any other suc-*  
2 *cessor administrative regulation or policy) to determine the*  
3 *extent to which the cost incurred by a contractor under any*  
4 *such contract has exceeded the cost of the contract at the*  
5 *time the contract was entered into.*

6 (b) *REPORT.*—*Not later than April 1, 1995, the In-*  
7 *spector General shall submit to the Committees on Armed*  
8 *Services of the Senate and the House of Representatives a*  
9 *report containing the results of the review carried out under*  
10 *subsection (a).*

11 **SEC. 363. COST COMPARISON STUDIES FOR CONTRACTS**  
12 **FOR ADVISORY AND ASSISTANCE SERVICES.**

13 (a) *IN GENERAL.*—(1) *Chapter 141 of title 10, United*  
14 *States Code, is amended by adding at the end the following*  
15 *new section:*

16 **“§2410l. Contracts for advisory and assistance serv-**  
17 **ices: cost comparison studies**

18 “(a) *REQUIREMENT.*—(1)(A) *Before the Secretary of*  
19 *Defense enters into a contract described in subparagraph*  
20 *(B), the Secretary shall determine whether Department of*  
21 *Defense personnel have the capability to perform the serv-*  
22 *ices proposed to be covered by the contract.*

23 “(B) *Subparagraph (A) applies to any contract of the*  
24 *Department of Defense for advisory and assistance services*  
25 *which contract will have a value in excess of \$100,000.*

1       “(2) If the Secretary determines that such personnel  
2 have that capability, the Secretary shall conduct a study  
3 comparing the cost of performing the services with Depart-  
4 ment of Defense personnel and the cost of performing the  
5 services with contractor personnel.

6       “(b) *WAIVER.*—The Secretary of Defense may, pursu-  
7 ant to guidelines prescribed by the Secretary, waive the re-  
8 quirement under subsection (a)(2) to perform a cost com-  
9 parison study based on factors that are not related to cost.”.

10       (2) The table of sections at the beginning of such chap-  
11 ter is amended by adding at the end the following new item:  
      “2410l. Contracts for advisory and assistance services: cost comparison studies.”.

12       (b) *PROCEDURES FOR CONDUCT OF STUDIES.*—The  
13 Secretary of Defense shall prescribe the following proce-  
14 dures:

15               (1) Procedures for carrying out a cost compari-  
16 son study under subsection (a)(2) of section 2410l of  
17 title 10, United States Code, as added by subsection  
18 (a), which may contain a requirement that the cost  
19 comparison study include consideration of factors  
20 that are not related to cost, including the quality of  
21 the service required to be performed, the availability  
22 of Department of Defense personnel, the duration and  
23 recurring nature of the services to be performed, and  
24 the consistency of the workload.

1           (2) *Procedures for reviewing contracts entered*  
2           *into after a waiver under subsection (b) of such sec-*  
3           *tion to determine whether the contract is justified and*  
4           *sufficiently documented.*

5           (c) *EFFECTIVE DATE.*—*Section 2410l of title 10, Unit-*  
6           *ed States Code, as added by subsection (a), shall take effect*  
7           *180 days after the date of the enactment of this Act.*

8           ***TITLE IV—MILITARY PERSONNEL***  
9                           ***AUTHORIZATIONS***

10                           ***Subtitle A—Active Forces***

11           ***SEC. 401. END STRENGTHS FOR ACTIVE FORCES.***

12           *The Armed Forces are authorized strengths for active*  
13           *duty personnel as of September 30, 1995, as follows:*

14                   (1) *The Army, 510,000.*

15                   (2) *The Navy, 441,641.*

16                   (3) *The Marine Corps, 174,000.*

17                   (4) *The Air Force, 400,051.*

18           ***SEC. 402. EXTENSION OF TEMPORARY VARIATION OF END***  
19                           ***STRENGTH LIMITATIONS FOR MARINE CORPS***  
20                           ***MAJORS AND LIEUTENANT COLONELS.***

21           (a) *EXTENSION OF AUTHORITY.*—*Subsection (a) of sec-*  
22           *tion 402 of the National Defense Authorization Act for Fis-*  
23           *cal Year 1994 (Public Law 103–160; 107 Stat. 1639; 10*  
24           *U.S.C. 523 note) is amended by striking out “and 1995”*  
25           *and inserting in lieu thereof “through 1997”*



1           (b) *LIMITATION.*—The table in subsection (b) of such  
2 section is amended to read as follows:

"Fiscal year:	Number of officers who may be serving on active duty in the grade of:	
	Major	Lieutenant colonel
1994 .....	3,023	1,578
1995 .....	3,157	1,634
1996 .....	3,157	1,634
1997 .....	3,157	1,634."

3           (c) *CLERICAL AMENDMENT.*—The caption of subsection  
4 (b) of such section is amended by striking out "AND 1995.—  
5 " and inserting in lieu thereof "THROUGH 1997.—".

6 **SEC. 403. RETENTION OF AUTHORIZED STRENGTH OF GEN-**  
7 **ERAL OFFICERS ON ACTIVE DUTY IN THE MA-**  
8 **RINE CORPS FOR FISCAL YEARS AFTER FIS-**  
9 **CAL YEAR 1995.**

10           Section 526(a)(4) of title 10, United States Code, is  
11 amended by striking out "before October 1, 1995," and all  
12 that follows through "that date".

13 **SEC. 404. EXCEPTION TO LIMITATION ON NUMBER OF GEN-**  
14 **ERAL OFFICERS AND FLAG OFFICERS SERV-**  
15 **ING ON ACTIVE DUTY.**

16           Section 525(b) of title 10, United States Code, is  
17 amended by adding at the end the following new paragraph:

18           “(5)(A) Subject to subparagraph (C), an officer while  
19 serving in a position referred to in subparagraph (B), if  
20 serving in the grade of general or admiral, is in addition  
21 to the number that would otherwise be permitted for that

1 *officer's armed force for that grade under paragraph (1)*  
2 *or (2).*

3 *“(B) Subparagraph (A) applies to the following posi-*  
4 *tions:*

5 *“(i) Commander in Chief of a combatant com-*  
6 *mand.*

7 *“(ii) Commander, United States Forces, Korea.*

8 *“(iii) Deputy Commander in Chief, United*  
9 *States European Command, but only while the Com-*  
10 *mander in Chief of such command is also the Su-*  
11 *preme Allied Commander Europe.*

12 *“(C) Subparagraph (A) does not apply to an officer*  
13 *serving in a position referred to in subparagraph (B) unless*  
14 *the Secretary of Defense, when considering that officer for*  
15 *recommendation to the President for appointment to such*  
16 *position, concurrently considered one officer from each of*  
17 *the other armed forces (other than the Coast Guard) for rec-*  
18 *ommendation to the President for appointment to the posi-*  
19 *tion.*

20 *“(D) The Chairman of the Joint Chiefs of Staff may*  
21 *recommend officers to the Secretary of Defense for consider-*  
22 *ation by the President for appointment to any of the posi-*  
23 *tions referred to in subparagraph (B).*

24 *“(E) This paragraph shall cease to be effective at the*  
25 *end of September 30, 1997.”.*

1 **SEC. 405. TEMPORARY EXCLUSION OF SUPERINTENDENT**  
2 **OF NAVAL ACADEMY FROM COUNTING TO-**  
3 **WARD NUMBER OF SENIOR ADMIRALS AU-**  
4 **THORIZED TO BE ON ACTIVE DUTY.**

5 (a) *GRADE RELIEF.*—If the next officer appointed to  
6 serve as Superintendent of the United States Naval Acad-  
7 emy after April 1, 1994, is an officer described in subsection  
8 (b), that officer, while so serving, shall not be counted for  
9 purposes of the limitations contained in section 525(b)(2)  
10 of title 10, United States Code.

11 (b) *QUALIFYING OFFICER.*—Subsection (a) applies in  
12 the case of a retired officer who—

13 (1) holds the grade of admiral on the retired list;

14 (2) is ordered to active duty pursuant to section  
15 688 of title 10, United States Code, to serve as Super-  
16 intendent of the United States Naval Academy; and

17 (3) is appointed pursuant to section 601 of that  
18 title to have the grade of admiral while serving on ac-  
19 tive duty in that position.

20 **Subtitle B—Reserve Forces**

21 **SEC. 411. END STRENGTHS FOR SELECTED RESERVE.**

22 (a) *IN GENERAL.*—The Armed Forces are authorized  
23 strengths for Selected Reserve personnel of the reserve com-  
24 ponents as of September 30, 1995, as follows:

25 (1) The Army National Guard of the United  
26 States, 400,000.

1           (2) *The Army Reserve, 242,000.*

2           (3) *The Naval Reserve, 109,000.*

3           (4) *The Marine Corps Reserve, 42,000.*

4           (5) *The Air National Guard of the United*  
5 *States, 115,581.*

6           (6) *The Air Force Reserve, 78,706.*

7           (7) *The Coast Guard Reserve, 8,000.*

8           (b) *WAIVER AUTHORITY.—The Secretary of Defense*  
9 *may increase the end strength authorized by subsection (a)*  
10 *by not more than 2 percent.*

11          (c) *ADJUSTMENTS.—The end strengths prescribed by*  
12 *subsection (a) for the Selected Reserve of any reserve compo-*  
13 *nent shall be reduced proportionately by—*

14           (1) *the total authorized strength of units orga-*  
15 *nized to serve as units of the Selected Reserve of such*  
16 *component which are on active duty (other than for*  
17 *training) at the end of the fiscal year, and*

18           (2) *the total number of individual members not*  
19 *in units organized to serve as units of the Selected*  
20 *Reserve of such component who are on active duty*  
21 *(other than for training or for unsatisfactory partici-*  
22 *pation in training) without their consent at the end*  
23 *of the fiscal year.*

24 *Whenever such units or such individual members are re-*  
25 *leased from active duty during any fiscal year, the end*

1 *strength prescribed for such fiscal year for the Selected Re-*  
2 *serve of such reserve component shall be increased propor-*  
3 *tionately by the total authorized strengths of such units and*  
4 *by the total number of such individual members.*

5 **SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE**  
6 **DUTY IN SUPPORT OF THE RESERVES.**

7 *Within the end strengths prescribed in section 411(a),*  
8 *the reserve components of the Armed Forces are authorized,*  
9 *as of September 30, 1995, the following number of Reserves*  
10 *to be serving on full-time active duty or, in the case of mem-*  
11 *bers of the National Guard, full-time National Guard duty*  
12 *for the purpose of organizing, administering, recruiting, in-*  
13 *structing, or training the reserve components:*

14 *(1) The Army National Guard of the United*  
15 *States, 23,650.*

16 *(2) The Army Reserve, 11,940.*

17 *(3) The Naval Reserve, 17,510.*

18 *(4) The Marine Corps Reserve, 2,285.*

19 *(5) The Air National Guard of the United*  
20 *States, 9,098.*

21 *(6) The Air Force Reserve, 648.*

1           **Subtitle C—Military Training**  
2                           **Student Loads**

3   **SEC. 421. AUTHORIZATION OF TRAINING STUDENT LOADS.**

4           (a) *IN GENERAL.*—For fiscal year 1995, the Armed  
5   Forces are authorized average military training student  
6   loads as follows:

7                   (1) *The Army, 69,420.*

8                   (2) *The Navy, 43,064.*

9                   (3) *The Marine Corps, 25,377.*

10                  (4) *The Air Force, 36,840.*

11          (b) *SCOPE.*—The average military training student  
12   load authorized for an armed force under subsection (a) ap-  
13   plies to the active and reserve components of that armed  
14   force.

15          (c) *ADJUSTMENTS.*—The average military training  
16   student loads authorized in subsection (a) shall be adjusted  
17   consistent with the end strengths authorized in subtitles A  
18   and B. The Secretary of Defense shall prescribe the manner  
19   in which such adjustments shall be apportioned.

20                   **Subtitle D—Authorization of**  
21                           **Appropriations**

22   **SEC. 431. AUTHORIZATION OF APPROPRIATIONS FOR MILI-**  
23                           **TARY PERSONNEL.**

24           There is hereby authorized to be appropriated to the  
25   Department of Defense for military personnel for fiscal year

1 1995 a total of \$70,790,397,000. The authorization in the  
2 preceding sentence supersedes any other authorization of  
3 appropriations (definite or indefinite) for such purpose for  
4 fiscal year 1995.

5 **Subtitle E—Other Matters**

6 **SEC. 441. REPEAL OF REQUIRED REDUCTION IN RECRUIT-**  
7 **ING PERSONNEL.**

8 *Section 431 of the National Defense Authorization Act*  
9 *for Fiscal Year 1993 (Public Law 102-484; 106 Stat. 2400)*  
10 *is repealed.*

11 **TITLE V—MILITARY PERSONNEL**  
12 **POLICY**

13 **Subtitle A—Officer Personnel Policy**

14 **SEC. 501. SERVICE ON SUCCESSIVE SELECTION BOARDS.**

15 *(a) SERVICE ON SUCCESSIVE BOARDS AUTHORIZED.—*  
16 *Section 628 of title 10, United States Code, is amended by*  
17 *adding at the end the following new subsection:*

18 *“(f)(1) A special selection board convened under this*  
19 *section shall be composed in accordance with section 612*  
20 *of this title or, in the case of a warrant officer, composed*  
21 *in accordance with section 573 of this title and regulations*  
22 *prescribed by the Secretary of the military department con-*  
23 *cerned, except that the prohibitions on service on successive*  
24 *selection boards set forth in sections 612(b) and 573(e) of*

1 *this title do not apply to service on successive selection*  
2 *boards authorized under paragraph (2).*

3       “(2) *An officer may serve on a selection board con-*  
4 *vened under section 611(a) of this title or, in the case of*  
5 *a warrant officer, section 573(a) of this title and on a suc-*  
6 *cessive special selection board convened under this section*  
7 *if the service on the successive board is approved by the*  
8 *Secretary of the military department concerned and the*  
9 *successive board does not consider any officer who was con-*  
10 *sidered by the first board.”.*

11       (b) *CONFORMING AMENDMENT.*—Subsections (a)(1)  
12 *and (b)(1) of section 628 of such title are amended by strik-*  
13 *ing out “(composed in accordance with” and all that follows*  
14 *through “concerned)” and inserting in lieu thereof “(com-*  
15 *posed as provided in subsection (f))”.*

16 ***SEC. 502. PROMOTION AND OTHER CAREER MANAGEMENT***  
17 ***MATTERS RELATING TO WARRANT OFFICERS***  
18 ***ON ACTIVE-DUTY LISTS.***

19       (a) *EXCEPTION FROM MANDATORY CONSIDERATION BY*  
20 *PROMOTION SELECTION BOARD.*—Section 575(d) of such  
21 *title is amended by inserting “(except for warrant officers*  
22 *precluded from consideration under regulations prescribed*  
23 *by the Secretary concerned under section 577 of this title)”*  
24 *after “under consideration”.*



1           (b) *SECRETARIAL SUBMISSION OF PROMOTION SELEC-*  
2 *TION BOARD REPORT.*—Section 576(f)(1) of such title is  
3 *amended by striking out the second sentence.*

4           (c) *PROMOTION FORMALITIES DEEMED COM-*  
5 *PLETED.*—Section 578 of such title is amended by adding  
6 *at the end the following new subsections:*

7           “(e) *A warrant officer who is appointed to a higher*  
8 *grade under this section is considered to have accepted such*  
9 *appointment on the date on which the appointment is made*  
10 *unless the officer expressly declines the appointment.*

11           “(f) *A warrant who has served continuously as an offi-*  
12 *cer since the officer took the oath of office set forth under*  
13 *section 3331 of title 5 is not required to take a new oath*  
14 *upon appointment to a higher grade under this section.”.*

15           (d) *WARRANT OFFICERS SUBJECT TO MANAGEMENT*  
16 *AUTHORITIES.*—Section 582(2) of such title is amended by  
17 *inserting before the period at the end the following: “(other*  
18 *than such officers recalled to active duty before February*  
19 *1, 1992, who have served continuously on active duty since*  
20 *such date)”.*

1 **SEC. 503. ENLISTMENT OR RETIREMENT OF NAVY AND MA-**  
2 **RINE CORPS LIMITED DUTY OFFICERS HAV-**  
3 **ING TWICE FAILED OF SELECTION FOR PRO-**  
4 **MOTION.**

5 (a) *AUTHORITY.*—Subsection (f) of section 6383 of title  
6 10, United States Code, is amended to read as follows:

7 “(f)(1) An officer subject to discharge under subsection  
8 (b), (d), or (e) who is not eligible for retirement or for reten-  
9 tion under paragraph (2) may, upon the officer’s request  
10 and in the discretion of the Secretary of the Navy, be en-  
11 listed in the grade prescribed by the Secretary.

12 “(2) If an officer subject to discharge under subsection  
13 (b) or (d) is within two years of qualifying for retirement  
14 under section 6323 of this title as of the date on which the  
15 officer is to be discharged, the officer shall be retained on  
16 active duty until becoming qualified for retirement under  
17 that section (unless sooner retired or discharged under an-  
18 other provision of law) and shall then be retired.”.

19 (b) *CONFORMING AMENDMENTS.*—Section 6383 of such  
20 title is amended—

21 (1) in subsection (i), by striking out “or the dis-  
22 charge under subsection (d)” and inserting in lieu  
23 thereof “or the discharge under subsection (b) or (d)”;

24 (2) by striking out subsection (g);

25 (3) by redesignating subsections (h), (i), and (j)  
26 as subsections (g), (h), and (i), respectively; and

1           (4) in subsections (a), (b), and (d), by striking  
2 out “Except as provided in subsection (i),” each place  
3 it appears and inserting in lieu thereof “Except as  
4 provided in subsection (h),”.

5 **SEC. 504. EDUCATIONAL REQUIREMENTS FOR APPOINT-**  
6 **MENT IN RESERVE COMPONENTS IN GRADES**  
7 **ABOVE FIRST LIEUTENANT OR LIEUTENANT**  
8 **(JUNIOR GRADE).**

9           Section 596(a) of title 10, United States Code, is  
10 amended—

11           (1) by inserting “(1)” after “(a) IN GENERAL.—  
12 ”; and

13           (2) by striking out “an accredited educational  
14 institution” and inserting in lieu thereof “an edu-  
15 cational institution described in paragraph (2)”; and

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

18           “(2) An educational institution referred to in para-  
19 graph (1) is—

20           “(A) an accredited educational institution; or

21           “(B) an unaccredited educational institution if  
22 at least three accredited educational institutions gen-  
23 erally grant baccalaureate degree credit for comple-  
24 tion of courses of the unaccredited institution equiva-  
25 lent to the baccalaureate degree credit granted by the

1        *unaccredited institution for the completion of such*  
2        *courses.”.*

3        **SEC. 505. LIMITED EXCEPTION FROM BACCALAUREATE DE-**  
4                                    **GREE REQUIREMENT FOR ALASKA SCOUT OF-**  
5                                    **FICERS.**

6        *Section 596 of title 10, United States Code, is amend-*  
7        *ed—*

8                    *(1) by adding at the end of subsection (b) the fol-*  
9        *lowing new paragraph:*

10                    *“(5) The appointment or recognition of an indi-*  
11        *vidual referred to in subsection (c) in a higher grade*  
12        *(not above major) of the Alaska Army National*  
13        *Guard while such individual is serving in a Scout*  
14        *unit or a Scout supporting unit.”; and*

15                    *(2) by adding at the end the following new sub-*  
16        *section:*

17                    *“(c) PERSONS COVERED BY ALASKA SCOUT EXCEP-*  
18        *TION.—Subsection (b)(5) applies to a member of the Alaska*  
19        *Army National Guard who resides permanently at a loca-*  
20        *tion in Alaska that is more than 50 miles from the cities*  
21        *of Anchorage, Fairbanks, and Juneau, Alaska, by paved*  
22        *road.”.*

1 **SEC. 506. ORIGINAL APPOINTMENTS OF LIMITED DUTY OF-**  
2 **FICERS OF THE NAVY AND MARINE CORPS**  
3 **SERVING IN TEMPORARY GRADES.**

4 *Section 5589 of title 10, United States Code, is amend-*  
5 *ed—*

6 *(1) by redesignating subsection (f) as subsection*  
7 *(g); and*

8 *(2) by inserting after subsection (e) the following*  
9 *new subsection (f):*

10 *“(f) Original appointments as regular officers of the*  
11 *Navy or Marine Corps may be made from among officers*  
12 *serving on active duty in a higher grade pursuant to a tem-*  
13 *porary appointment in that grade under section 5596 of*  
14 *this title. The grade in which an officer is appointed under*  
15 *this subsection shall be the grade in which the officer is serv-*  
16 *ing pursuant to the temporary appointment. The officer’s*  
17 *date of rank for the grade of the original appointment shall*  
18 *be the same as the date of rank for the grade of the tem-*  
19 *porary appointment.”.*

20 **SEC. 507. SELECTION FOR DESIGNATED JUDGE ADVOCATE**  
21 **POSITIONS.**

22 *(a) To the extent that selection for the positions de-*  
23 *scribed in subsection (b) is not governed by Chapter 36 of*  
24 *title 10, United States Code, the Secretary of Defense shall*  
25 *prescribe regulations to ensure that officers selected to serve*  
26 *in such positions are selected for such service by boards gov-*

1 *erned, insofar as practicable, by the procedures prescribed*  
2 *for selection boards under Chapter 36 of title 10, United*  
3 *States Code.*

4 *(b) The positions referred to in subsection (a) are—*

5 *(1) the Judge Advocate General and Assistant*  
6 *Judge Advocate General of the Army,*

7 *(2) the Judge Advocate General and Deputy*  
8 *Judge Advocate General of the Navy,*

9 *(3) the Staff Judge Advocate to the Commandant*  
10 *of the Marine Corps, and*

11 *(4) the Judge Advocate General and Deputy*  
12 *Judge Advocate General of the Air Force.*

13 ***Subtitle B—Reserve Component***  
14 ***Matters***

15 ***SEC. 511. REVIEW OF OPPORTUNITIES FOR ORDERING INDI-***  
16 ***VIDUAL RESERVES TO ACTIVE DUTY WITH***  
17 ***CONSENT.***

18 *(a) REVIEW REQUIRED.—The Secretary of Defense*  
19 *shall—*

20 *(1) review the opportunities for individual mem-*  
21 *bers of the reserve components of the Armed Forces to*  
22 *be ordered to active duty, with the consent of the*  
23 *members concerned, during peacetime in positions*  
24 *traditionally filled by active duty personnel; and*

1           (2) *identify and remove any impediments, in*  
2           *regulations or other administrative rules, to increas-*  
3           *ing such opportunities.*

4           (b) *REPORT.*—*Not later than 90 days after the date*  
5           *of the enactment of this Act, the Secretary shall submit to*  
6           *the Committees on Armed Services of the Senate and the*  
7           *House of Representatives a report on the results of the re-*  
8           *view. The report shall contain—*

9           (1) *a plan for increasing the opportunities for*  
10           *individual members of the reserve components of the*  
11           *Armed Forces to be ordered to active duty, with the*  
12           *consent of the members concerned, during peacetime*  
13           *in positions traditionally filled by active duty person-*  
14           *nel; and*

15           (2) *any additional legislation that the Secretary*  
16           *considers necessary in order to increase such opportu-*  
17           *nities.*

18   **SEC. 512. INCREASED PERIOD OF ACTIVE DUTY SERVICE**  
19                           **FOR SELECTED RESERVE FORCES MOBILIZED**  
20                           **OTHER THAN DURING WAR OR NATIONAL**  
21                           **EMERGENCY.**

22           (a) *REVISION TO PERIOD OF EXTENSION OF ACTIVE*  
23           *DUTY.*—*Section 673b of title 10, United States Code, is*  
24           *amended—*

1           (1) in subsection (a), by striking out “90 days.”  
2           and inserting in lieu thereof “180 days.”; and

3           (2) by striking out subsection (i).

4           (b) *REPORT REQUIRED.*—(1) Not later than April 1,  
5 1995, the Secretary of Defense shall submit to the congres-  
6 sional defense committees a report on increasing the author-  
7 ity of the President to order units and members of the re-  
8 serve components to active duty without the consent of the  
9 members concerned.

10          (2) The report shall include the following:

11           (A) An analysis of options for increased presi-  
12 dential authority.

13           (B) An assessment of the effects of each option on  
14 recruiting, retention, employer support for the reserve  
15 components, and the families of members of the re-  
16 serve components.

17           (C) Programs that the Secretary recommends to  
18 mitigate any negative effects.

19           (D) Any option that the Secretary recommends.

20           (E) Any proposed legislation that the Secretary  
21 considers necessary to implement any recommended  
22 option.



1 **SEC. 513. REPEAL OF OBSOLETE PROVISIONS PERTAINING**  
2 **TO TRANSFER OF REGULAR ENLISTED MEM-**  
3 **BERS TO RESERVE COMPONENTS.**

4 (a) *ARMY.*—Section 3914 of title 10, United States  
5 Code, is amended by striking out the second and third sen-  
6 tences.

7 (b) *AIR FORCE.*—Section 8914 of such title, is amend-  
8 ed by striking out the second and third sentences.

9 **SEC. 514. SENSE OF THE SENATE CONCERNING THE TRAIN-**  
10 **ING AND MODERNIZATION OF THE RESERVE**  
11 **COMPONENTS.**

12 (a) *FINDINGS.*—(1) *The force structure specified in the*  
13 *Pentagon's Bottom Up Review assumes increased reliance*  
14 *on the reserve components of the Armed Forces;*

15 (2) *The mobilization of the reserve components for the*  
16 *Persian Gulf War was handicapped by training, readiness,*  
17 *and equipment shortfalls;*

18 (3) *The mobilization of the Army reserve components*  
19 *for the Persian Gulf War was handicapped by lack of a*  
20 *standard readiness evaluation system, which resulted in a*  
21 *lengthy reevaluation of training and equipment readiness*  
22 *of Army National Guard and Reserve units before they*  
23 *could be deployed;*

24 (4) *Funding and scheduling constraints continue to*  
25 *limit the opportunity for combat units of the Army Na-*  
26 *tional Guard to carry out adequate maneuver training;*

1       (5) *Funding constraints continue to handicap the*  
2 *readiness and modernization of the reserve components and*  
3 *their interoperability with the active forces: Now, therefore*

4       (b) *PURPOSE.*—*It is the sense of the Senate that the*  
5 *Department of Defense should establish a standard readi-*  
6 *ness and evaluation system and that it should provide in*  
7 *its annual budget submissions adequate resources to ensure*  
8 *that National Guard and reserve units are trained and*  
9 *modernized to the standards needed for them to carry out*  
10 *the full range of missions required of them under the Bottom*  
11 *Up Review.*

## 12                   ***Subtitle C—Other Matters***

### 13       ***SEC. 521. REVIEW OF CERTAIN DISMISSALS FROM THE*** 14                   ***UNITED STATES MILITARY ACADEMY.***

15       (a) *REVIEW REQUIRED.*—*The Secretary of the Army*  
16 *shall promptly carry out a thorough review of the dismissals*  
17 *from the Corps of Cadets of the United States Military*  
18 *Academy of James Webster Smith in 1874 and Johnson*  
19 *Chesnut Whittaker in 1882.*

20       (b) *PURPOSES OF REVIEW.*—*The purpose of each re-*  
21 *view shall be to determine the validity of the original pro-*  
22 *ceedings and the extent, if any, to which racial prejudice*  
23 *or other improper factors now known may have tainted the*  
24 *original proceedings.*

1           (c) *CORRECTION OF RECORDS.*—If the Secretary deter-  
2 mines that the dismissal of James Webster Smith or John-  
3 son Chesnut Whittaker was in error or an injustice, the Sec-  
4 retary may correct that person’s military records (includ-  
5 ing the records of proceedings in such case).

6           (d) *POSTHUMOUS COMMISSION.*—Upon recommenda-  
7 tion of the Secretary in the case of James Webster Smith  
8 or Johnson Chesnut Whittaker, the President may issue in  
9 the name of James Webster Smith or Johnson Chesnut  
10 Whittaker, as the case may be, a posthumous commission  
11 as an officer in the regular Army in the grade of second  
12 lieutenant. Sections 1521(b) and 1523 of title 10, United  
13 States Code, shall apply with respect to a commission so  
14 issued.

15 **SEC. 522. TRANSITIONAL COMPENSATION AND OTHER BEN-**  
16 **EFITS FOR DEPENDENTS OF MEMBERS SEPA-**  
17 **RATED FOR DEPENDENT ABUSE.**

18           (a) *REQUIREMENT.*—Subsection (a) of section 1058 of  
19 title 10, United States Code, as added by section 554(a)(1)  
20 of Public Law 103–160 (197 Stat. 1663), is amended by  
21 amending subsection (e) to read as follows:

22           “(e) *COMMENCEMENT AND DURATION OF PAYMENT.*—  
23 (1) Payment of transitional compensation under this sec-  
24 tion—

1           “(A) in the case of a member convicted by a  
2           court-martial for a dependent-abuse offense, may com-  
3           mence as of the date of the approval of the court-mar-  
4           tial sentence by the person acting under section  
5           860(c) of this title (article 60(c) of the Uniform Code  
6           of Military Justice) if the sentence, as approved, in-  
7           cludes a dismissal, dishonorable discharge, bad con-  
8           duct discharge, or forfeiture of all pay and allow-  
9           ances; and

10           “(B) in the case of a member being considered  
11           under applicable regulations for administrative sepa-  
12           ration from active duty in accordance with such regu-  
13           lations (if the basis for the separation includes a de-  
14           pendent-abuse offense), may commence as of the date  
15           on which the separation action is initiated by a com-  
16           mander of the member pursuant to such regulations,  
17           as determined by the Secretary concerned.

18           “(2) Transitional compensation with respect to a  
19           member may be paid for a period of 36 months, except that,  
20           if as of the date on which payment of transitional com-  
21           pensation commences the unserved portion of the member’s  
22           period of obligated active duty service is less than 36  
23           months, the period for which transitional compensation is  
24           paid shall be equal to the greater of—

1           “(A) the unserved portion of the member’s period  
2           of obligated active duty service; or

3           “(B) 12 months.

4           “(3)(A) If a member is sentenced by a court-martial  
5           to receive punishment that includes a dismissal, dishonor-  
6           able discharge, bad conduct discharge, or forfeiture of all  
7           pay and allowances as a result of a conviction by a court-  
8           martial for a dependent-abuse offense and each such punish-  
9           ment applicable to the member under the sentence is remit-  
10          ted, set aside, or mitigated to a lesser punishment that does  
11          not include any such punishment, any payment of transi-  
12          tional compensation that has commenced under this section  
13          on the basis of such sentence in that case shall cease.

14          “(B) If administrative separation of a member from  
15          active duty is proposed on a basis that includes a depend-  
16          ent-abuse offense and the proposed administrative separa-  
17          tion is disapproved by competent authority under applica-  
18          ble regulations, payment of transitional compensation in  
19          such case shall cease.

20          “(C) Cessation of payments under subparagraph (A)  
21          or (B) shall be effective as of the first day of the first month  
22          following the month in which the Secretary concerned noti-  
23          fies the recipient of such transitional compensation in writ-  
24          ing that payment of the transitional compensation will  
25          cease. The recipient may not be required to repay amounts

1 *of transitional compensation received before that effective*  
2 *date (except to the extent necessary to recoup any amount*  
3 *that was erroneous when paid).”.*

4 *(c) HEALTH, COMMISSARY, AND OTHER BENEFITS.—*  
5 *Such section is further amended—*

6 *(1) by redesignating subsections (j) and (k) as*  
7 *subsections (k) and (l), respectively; and*

8 *(2) by inserting after subsection (i) the following*  
9 *new subsection (j):*

10 *“(j) HEALTH, COMMISSARY, AND OTHER BENEFITS.—*

11 *(1) A dependent or former dependent entitled to payment*  
12 *of monthly transitional compensation under this section*  
13 *shall, while receiving payments in accordance with this sec-*  
14 *tion, be entitled to receive medical and dental care, to use*  
15 *commissary and exchange stores, and to receive any other*  
16 *benefit that a dependent of a member of the armed forces*  
17 *is entitled to receive on the basis of being a dependent of*  
18 *a member of the armed forces to the same extent and in*  
19 *the same manner as a dependent of a member of the armed*  
20 *forces on active duty for a period of not more than 30 days.*

21 *“(2) If a dependent or former dependent eligible or en-*  
22 *titled to receive a particular benefit under this subsection*  
23 *is eligible or entitled to receive that benefit under another*  
24 *provision of law, the eligibility or entitlement of that de-*  
25 *pendent or former dependent to such benefit shall be deter-*

1 *mined under such other provision of law instead of this sub-*  
 2 *section.”.*

3 (c) *CONFORMING AMENDMENTS.—(1) The heading for*  
 4 *such section is amended to read as follows:*

5 **“§ 1058. Dependents of members separated for depend-**  
 6 **ent abuse: transitional compensation and**  
 7 **other benefits”.**

8 (2) *The table of sections at the beginning of chapter*  
 9 *53 of such title is amended by striking out the item relating*  
 10 *to section 1058 (as added by section 554(a)(2) of Public*  
 11 *Law 103–160 (107 Stat. 1066)) and inserting in lieu there-*  
 12 *of the following:*

*“1058. Dependents of members separated for dependent abuse: transitional com-*  
*penensation and other benefits.”.*

13 **TITLE VI—COMPENSATION AND**  
 14 **OTHER PERSONNEL BENEFITS**  
 15 **Subtitle A—Pay and Allowances**

16 **SEC. 601. MILITARY PAY RAISE FOR FISCAL YEAR 1995.**

17 (a) *WAIVER OF SECTION 1009 ADJUSTMENT.—Any*  
 18 *adjustment required by section 1009 of title 37, United*  
 19 *States Code, in elements of compensation of members of the*  
 20 *uniformed services to become effective during fiscal year*  
 21 *1995 shall not be made.*

22 (b) *INCREASE IN BASIC PAY, BAS, AND BAQ.—Effec-*  
 23 *tive on January 1, 1995, the rates of basic pay, basic allow-*  
 24 *ance for subsistence, and basic allowance for quarters of*

1 *members of the uniformed services are increased by 2.6 per-*  
2 *cent.*

3       ***Subtitle B—Bonuses and Special***  
4                       ***and Incentive Pays***

5       ***SEC. 611. EXTENSION OF CERTAIN BONUSES FOR RESERVE***  
6                       ***FORCES.***

7           (a) *SELECTED RESERVE REENLISTMENT BONUS.*—  
8 *Section 308b(f) of title 37, United States Code, is amended*  
9 *by striking out “September 30, 1995” and inserting in lieu*  
10 *thereof “September 30, 1996”.*

11          (b) *SELECTED RESERVE ENLISTMENT BONUS.*—*Sec-*  
12 *tion 308c(e) of title 37, United States Code, is amended by*  
13 *striking out “September 30, 1995” and inserting in lieu*  
14 *thereof “September 30, 1996”.*

15          (c) *SELECTED RESERVE AFFILIATION BONUS.*—*Sec-*  
16 *tion 308e(e) of title 37, United States Code, is amended by*  
17 *striking out “September 30, 1995” and inserting in lieu*  
18 *thereof “September 30, 1996”.*

19          (d) *READY RESERVE ENLISTMENT AND REENLIST-*  
20 *MENT BONUS.*—*Section 308h(g) of title 37, United States*  
21 *Code, is amended by striking out “September 30, 1995” and*  
22 *inserting in lieu thereof “September 30, 1996”.*

23          (e) *PRIOR SERVICE ENLISTMENT BONUS.*—*Section*  
24 *308i(i) of title 37, United States Code, is amended by strik-*



1 ing out “September 30, 1995” and inserting in lieu thereof  
2 “September 30, 1996”.

3 **SEC. 612. EXTENSION AND MODIFICATION OF CERTAIN BO-**  
4 **NUSES AND SPECIAL PAY FOR NURSE OFFI-**  
5 **CER CANDIDATES, REGISTERED NURSES, AND**  
6 **NURSE ANESTHETISTS.**

7 (a) *NURSE OFFICER CANDIDATE ACCESSION PRO-*  
8 *GRAM.*—Section 2130a(a)(1) of title 10, United States Code,  
9 is amended by striking out “September 30, 1995,” and in-  
10 serting in lieu thereof “September 30, 1998,”.

11 (b) *ACCESSION BONUS FOR REGISTERED NURSES.*—  
12 Section 302d(a)(1) of title 37, United States Code, is  
13 amended by striking out “September 30, 1995,” and insert-  
14 ing in lieu thereof “September 30, 1998,”.

15 (c) *INCENTIVE SPECIAL PAY FOR NURSE ANES-*  
16 *THETISTS.*—Section 302e(a)(1) of title 37, United States  
17 Code, is amended—

18 (1) by striking out “September 30, 1995,” and  
19 inserting in lieu thereof “September 30, 1998,”; and

20 (2) by striking out “\$6,000” and inserting in  
21 lieu thereof “\$15,000”.

1 **SEC. 613. EXTENSION OF AUTHORITY RELATING TO PAY-**  
2 **MENT OF OTHER BONUSES AND SPECIAL**  
3 **PAYS.**

4 (a) *AVIATION OFFICER RETENTION BONUS.*—Section  
5 301b(a) of title 37, United States Code, is amended by strik-  
6 ing out “September 30, 1994” and inserting in lieu thereof  
7 “September 30, 1995”.

8 (b) *REENLISTMENT BONUS FOR ACTIVE MEMBERS.*—  
9 Section 308(g) of title 37, United States Code, is amended  
10 by striking out “September 30, 1995” and inserting in lieu  
11 thereof “September 30, 1996”.

12 (c) *ENLISTMENT BONUSES FOR CRITICAL SKILLS.*—  
13 Sections 308a(c) and 308f(c) of title 37, United States Code,  
14 are each amended by striking out “September 30, 1995”  
15 and inserting in lieu thereof “September 30, 1996”.

16 (d) *SPECIAL PAY FOR ENLISTED MEMBERS OF THE*  
17 *SELECTED RESERVE ASSIGNED TO CERTAIN HIGH PRIOR-*  
18 *ITY UNITS.*—Section 308d(c) of title 37, United States  
19 Code, is amended by striking out “September 30, 1995” and  
20 inserting in lieu thereof “September 30, 1996”.

21 (e) *REPAYMENT OF EDUCATION LOANS FOR CERTAIN*  
22 *HEALTH PROFESSIONALS WHO SERVE IN THE SELECTED*  
23 *RESERVE.*—Section 2172(d) of title 10, United States Code,  
24 is amended by striking out “October 1, 1995” and inserting  
25 in lieu thereof “October 1, 1996”.

1       (f) *SPECIAL PAY FOR CRITICALLY SHORT WARTIME*  
2 *HEALTH SPECIALISTS IN THE SELECTED RESERVES.*—Section  
3 *613(d) of the National Defense Authorization Act, Fis-*  
4 *cal Year 1989 (37 U.S.C. 302 note) is amended by striking*  
5 *out “September 30, 1995” and inserting in lieu thereof*  
6 *“September 30, 1996”.*

7       (g) *SPECIAL PAY FOR NUCLEAR-QUALIFIED OFFICERS*  
8 *EXTENDING PERIOD OF ACTIVE SERVICE.*—Section 312(e)  
9 *of title 37, United States Code, is amended by striking out*  
10 *“September 30, 1995” and inserting in lieu thereof “Sep-*  
11 *tember 30, 1996”.*

12       (h) *NUCLEAR CAREER ACCESSION BONUS.*—Section  
13 *312b(c) of title 37, United States Code, is amended by strik-*  
14 *ing out “September 30, 1995,” and inserting in lieu thereof*  
15 *“September 30, 1996,”.*

16       (i) *NUCLEAR CAREER ANNUAL INCENTIVE BONUS.*—  
17 *Section 312c(d) of title 37, United States Code, is amended*  
18 *by striking out “October 1, 1995” and inserting in lieu*  
19 *thereof “October 1, 1996”.*

1                   **Subtitle C—Travel and**  
2                   **Transportation Allowances**

3   **SEC. 621. RESPONSIBILITY FOR PREPARATION OF TRANS-**  
4                   **PORTATION MILEAGE TABLES.**

5           *Section 404(d)(1)(A) of title 37, United States Code,*  
6   *is amended by striking out “the Secretary of the Army”*  
7   *and inserting in lieu thereof “the Secretary of Defense”.*

8                   **Subtitle D—Retired Pay and**  
9                   **Survivor Benefits**

10   **SEC. 631. CLARIFICATION OF CALCULATION OF RETIRED**  
11                   **PAY FOR OFFICERS WHO RETIRE IN A GRADE**  
12                   **LOWER THAN THE GRADE HELD AT RETIRE-**  
13                   **MENT.**

14           *(a) PREVENTION OF RETIRED PAY BASED ON GRADE*  
15   *HIGHER THAN RETIRED GRADE.—Section 1401a(f) of title*  
16   *10, United States Code, is amended—*

17                   *(1) in the first sentence, by inserting “based on*  
18                   *the grade in which the member is retired” after “at*  
19                   *an earlier date”;*

20                   *(2) in the second sentence, by inserting “, except*  
21                   *that such computation may not be based on a rate of*  
22                   *basic pay for a grade higher than the grade in which*  
23                   *the member is retired” before the period at the end;*  
24                   *and*

25                   *(3) by striking out the third sentence.*

1       (b) *EFFECTIVE DATE.*—The amendments made by sub-  
2 section (a) shall apply with respect to the computation of  
3 the retired pay of a member of the armed forces who retires  
4 on or after the date of the enactment of this Act.

5       **SEC. 632. CREDITING OF RESERVE SERVICE OF ENLISTED**  
6                               **MEMBERS FOR COMPUTATION OF RETIRED**  
7                               **PAY.**

8       (a) *ARMY.*—(1) Section 3925 of title 10, United States  
9 Code, is amended—

10               (A) in subsection (a), by striking out “and of  
11 computing his retired pay under section 3991 of this  
12 title,”; and

13               (B) by striking out subsection (c).

14       (2) Section 3991 of such title is amended—

15               (A) in subsection (a)—

16                       (i) by striking out paragraph (1) and in-  
17 serting in lieu thereof the following:

18               “(1) *FORMULA.*—The monthly retired pay of a  
19 member entitled to such pay under this subtitle by  
20 reason of retirement under a provision of law referred  
21 to in paragraph (3) is computed by multiplying the  
22 retired pay base (as computed under section 1406(c)  
23 or 1407 of this title) by the retired pay multiplier  
24 prescribed in section 1409 of this title for the number

1       of years credited to the member under section 1405 of  
2       this title.”; and

3               (ii) by adding at the end the following new  
4       paragraph:

5               “(3) *APPLICABILITY.*—Paragraph (1) applies to  
6       a member retired under the authority of section 3911,  
7       3914, 3917, 3918, 3920, or 3924 of this title.”; and

8               (B) in subsection (b), by striking out paragraph  
9       (3).

10       (3) The text of section 3992 of such title is amended  
11       to read as follows:

12               “(a) *RECOMPUTATION REQUIRED.*—An enlisted mem-  
13       ber or warrant officer of the Army who is advanced on the  
14       retired list under section 3964 of this title is entitled to  
15       recompute the member’s or officer’s retired pay in accord-  
16       ance with this section.

17               “(b) *FORMULA.*—To recompute an enlisted member’s  
18       retired pay or a warrant officer’s retired pay, multiply the  
19       retired pay base (as computed under section 1406(c) or  
20       1407 of this title) by the retired pay multiplier prescribed  
21       in section 1409 of this title for the number of years credited  
22       to the member or officer under section 1405 of this title.

23               “(c) *ROUNDING TO NEXT LOWER DOLLAR.*—The  
24       amount computed under subsection (b), if not a multiple  
25       of \$1, shall be rounded to the next lower multiple of \$1.”.

1           (b) *NAVY AND MARINE CORPS.*—*The table in section*  
2 *6333(a) of title 10, United States Code, is amended by strik-*  
3 *ing out “his years of active service in the armed forces”*  
4 *in formula C under the column designated “Column 2” and*  
5 *inserting in lieu thereof “the years of service credited to*  
6 *him under section 1405”.*

7           (c) *AIR FORCE.*—(1) *Section 8925 of title 10, United*  
8 *States Code, is amended—*

9                   (A) *in subsection (a), by striking out “and of*  
10 *computing his retired pay under section 8991 of this*  
11 *title.”; and*

12                   (B) *by striking out subsection (c).*

13           (2) *Section 8991 of such title is amended—*

14                   (A) *in subsection (a)—*

15                           (i) *by striking out paragraph (1) and in-*  
16 *serting in lieu thereof the following:*

17                                   “(1) *FORMULA.*—*The monthly retired pay of a*  
18 *member entitled to such pay under this subtitle by*  
19 *reason of retirement under a provision of law referred*  
20 *to in paragraph (3) is computed by multiplying the*  
21 *retired pay base (as computed under section 1406(e)*  
22 *or 1407 of this title) by the retired pay multiplier*  
23 *prescribed in section 1409 of this title for the number*  
24 *of years credited to the member under section 1405 of*  
25 *this title.”; and*

1           (ii) by adding at the end the following new  
2           paragraph:

3           “(3) *APPLICABILITY.*—Paragraph (1) applies to  
4           a member retired under the authority of section 8911,  
5           8914, 8917, 8918, 8920, or 8924 of this title.”; and

6           (B) in subsection (b), by striking out paragraph  
7           (3).

8           (3) The text of section 8992 of such title is amended  
9           to read as follows:

10          “(a) *RECOMPUTATION REQUIRED.*—An enlisted mem-  
11          ber or warrant officer of the Air Force who is advanced  
12          on the retired list under section 8964 of this title is entitled  
13          to recompute the member’s or officer’s retired pay in accord-  
14          ance with this section.

15          “(b) *FORMULA.*—To recompute an enlisted member’s  
16          retired pay or a warrant officer’s retired pay, multiply the  
17          retired pay base (as computed under section 1406(e) or  
18          1407 of this title) by the retired pay multiplier prescribed  
19          in section 1409 of this title for the number of years credited  
20          to the member or officer under section 1405 of this title.

21          “(c) *ROUNDING TO NEXT LOWER DOLLAR.*—The  
22          amount computed under subsection (b), if not a multiple  
23          of \$1, shall be rounded to the next lower multiple of \$1.”.



1       (d) *CONFORMING AMENDMENT.*—Section 1405 of such  
2 title is amended by adding at the end the following new  
3 subsection:

4       “(c) *EXCLUSION OF TIME REQUIRED TO BE MADE*  
5 *UP.*—Time required to be made up by an enlisted member  
6 of the Army or Air Force under section 972 of this title  
7 may not be counted in determining years of service under  
8 subsection (a).”.

9       (e) *EFFECTIVE DATE.*—This section shall apply to the  
10 computation of the retired or retainer pay of any enlisted  
11 member who retires or is transferred to the Fleet Reserve  
12 or the Fleet Marine Corps Reserve on or after the date of  
13 the enactment of this Act.

14 **SEC. 633. FORFEITURE OF ANNUITY OR RETIRED PAY OF**  
15 **MEMBERS CONVICTED OF ESPIONAGE.**

16       (a) *FORFEITURE.*—Section 8312(b)(2)(A) of title 5,  
17 United States Code, is amended—

18           (1) by striking out “or article 106 (spies)” and  
19 inserting in lieu thereof “, article 106 (spies), or arti-  
20 cle 106a (espionage)”; and

21           (2) by striking out “or article 106” and insert-  
22 ing in lieu thereof “, article 106, or article 106a”.

23       (b) *EFFECTIVE DATE.*—The amendment made by sub-  
24 section (a) shall take effect on the date of the enactment  
25 of this Act and shall apply to persons convicted of espionage

1 *under section 906a of title 10, United States Code (article*  
2 *106a of the Uniform Code of Military Justice), on or after*  
3 *the date of the enactment of this Act.*

4 **SEC. 634. COMPUTATION OF RETIRED PAY TO PREVENT PAY**  
5 **INVERSIONS.**

6 *Section 1401a(f) of title 10, United States Code, is*  
7 *amended—*

8 *(1) by inserting “(1)” after “(f) PREVENTION OF*  
9 *PAY INVERSIONS.—”; and*

10 *(2) by adding at the end the following new para-*  
11 *graph:*

12 *“(2)(A) Subject to subparagraph (B), for the purpose*  
13 *of computing the monthly retired pay of a member or*  
14 *former member of an armed force under paragraph (1), the*  
15 *Secretary concerned may waive any provision of a regula-*  
16 *tion that, as such provision was in effect on the earlier date*  
17 *applicable to the member or former member under para-*  
18 *graph (1), required a member to serve for a minimum pe-*  
19 *riod in a grade as a condition for retirement in that grade.*

20 *“(B) Any waiver under subparagraph (A) shall apply*  
21 *in the case of a member or former member only to that*  
22 *part of the minimum period of service provided for a grade*  
23 *in the regulation that exceeds the minimum period of serv-*  
24 *ice in such grade that was authorized by a provision of*  
25 *this title to be required as a condition for retirement in*

1 *that grade (as such provision of this title was in effect on*  
2 *the earlier date applicable to the member or former member*  
3 *under paragraph (1)).*

4 *“(C) The Secretary concerned may waive the provision*  
5 *of a regulation under subparagraph (A) in the case of a*  
6 *particular member or former member or for any group of*  
7 *members or former members.”.*

8 **SEC. 635. COST-OF-LIVING INCREASES IN SBP CONTRIBU-**  
9 **TIONS TO BE EFFECTIVE CONCURRENTLY**  
10 **WITH PAYMENT OF RELATED RETIRED PAY**  
11 **COST-OF-LIVING INCREASES.**

12 *(a) SURVIVOR BENEFIT PLAN.—Section 1452(h) of*  
13 *title 10, United States Code, is amended—*

14 *(1) by inserting “(1)” after “(h)”;* and

15 *(2) by adding at the end the following new sub-*  
16 *section:*

17 *“(2)(A) Notwithstanding paragraph (1), when the ini-*  
18 *tial payment of an increase in retired pay under section*  
19 *1401a of this title (or any other provision of law) to a per-*  
20 *son is later than the effective date of that increase by reason*  
21 *of the application of subsection (b)(2)(B) of such section,*  
22 *then the amount of the reduction in the person’s retired pay*  
23 *shall be effective on the date of that initial payment of the*  
24 *increase in retired pay rather than the effective date of the*  
25 *increase in retired pay.*

1       “(B) Subparagraph (A) may not be construed as de-  
2       laying, for purposes of determining the amount of a month-  
3       ly annuity under section 1451 of this title, the effective date  
4       of an increase in a base amount under subsection (h) of  
5       such section from the effective date of an increase in retired  
6       pay under section 1401a of this title to the date on which  
7       the initial payment of that increase in retired pay is made  
8       in accordance with subsection (b)(2)(B) of such section  
9       1401a.”.

10       (b) *EFFECTIVE DATE.*—The amendment made by sub-  
11       section (a) shall take effect with respect to retired pay pay-  
12       able for months beginning on or after the date of the enact-  
13       ment of this Act.

14       **SEC. 636. REQUIREMENT FOR EQUAL TREATMENT OF CIVIL-**  
15                               **IAN AND MILITARY RETIREES IN THE EVENT**  
16                               **OF DELAYS IN COST-OF-LIVING ADJUST-**  
17                               **MENTS.**

18       (a) *CIVIL SERVICE ANNUITIES.*—(1) Section 8340 of  
19       title 5, United States Code, is amended—

20               (A) in subsection (b), by striking out “Except as  
21       provided in subsection (c)” and inserting in lieu  
22       thereof “Except as provided in subsections (c) and  
23       (h)”; and

24               (B) by adding at the end the following new sub-  
25       section:

1       “(h)(1) Whenever, by law, there is a difference between  
2 the date on which a cost-of-living adjustment under this sec-  
3 tion is to take effect and the date on which a corresponding  
4 cost-of-living adjustment of the retired pay of members and  
5 former members of the uniformed services under section  
6 1401a of title 10 is to take effect, then, notwithstanding sub-  
7 section (b) and any other provision of law, the date on  
8 which the cost-of-living adjustment under this section takes  
9 effect shall be the earlier of the two dates.

10       “(2) Whenever, by law, there is a difference between  
11 the first month for which a cost-of-living adjustment taking  
12 effect under this section is payable and the first month for  
13 which a corresponding cost-of-living adjustment of the re-  
14 tired pay of members and former members of the uniformed  
15 services taking effect under section 1401a of title 10 is pay-  
16 able, then the first month for which the cost-of-living adjust-  
17 ment under this section is first payable shall (notwithstand-  
18 ing the effective date provided for such adjustment in sub-  
19 section (b) of this section or in any other law) be the earlier  
20 of the two months.

21       “(3) For purposes of this subsection, a cost-of-living  
22 adjustment of the retired pay of members and former mem-  
23 bers of the uniformed services under section 1401a of title  
24 10 corresponds to a cost-of-living adjustment under this sec-  
25 tion when, without regard to any provision of law other

1 *than subsection (b) of this section and section 1401a(b)(1)*  
2 *of title 10, the cost-of-living adjustments under this section*  
3 *and under section 1401a of title 10 would take effect on*  
4 *the same date.”.*

5 *(2) Section 8462 of title 5, United States Code, is*  
6 *amended—*

7 *(A) in subsection (b)(1), by striking out “Except*  
8 *as provided in subsection (c)” and inserting in lieu*  
9 *thereof “Except as provided in subsections (c) and*  
10 *(f)”;* and

11 *(B) by adding at the end the following new sub-*  
12 *section:*

13 *“(f)(1) Whenever, by law, there is a difference between*  
14 *the date on which a cost-of-living adjustment under this sec-*  
15 *tion is to take effect and the date on which a corresponding*  
16 *cost-of-living adjustment of the retired pay of members and*  
17 *former members of the uniformed services under section*  
18 *1401a of title 10 is to take effect, then, notwithstanding sub-*  
19 *section (b)(1) and any other provision of law, the date on*  
20 *which the cost-of-living adjustment under this section takes*  
21 *effect shall be the earlier of the two dates.*

22 *“(2) Whenever, by law, there is a difference between*  
23 *the first month for which a cost-of-living adjustment taking*  
24 *effect under this section is payable and the first month for*  
25 *which a corresponding cost-of-living adjustment of the re-*

1 *tired pay of members and former members of the uniformed*  
2 *services taking effect under section 1401a of title 10 is pay-*  
3 *able, then the first month for which the cost-of-living adjust-*  
4 *ment under this section is first payable shall (notwithstand-*  
5 *ing the effective date provided for such adjustment in sub-*  
6 *section (b)(1) of this section or in any other law) be the*  
7 *earlier of the two months.*

8       “(3) For purposes of this subsection, a cost-of-living  
9 adjustment of the retired pay of members and former mem-  
10 bers of the uniformed services under section 1401a of title  
11 10 corresponds to a cost-of-living adjustment under this sec-  
12 tion when, without regard to any provision of law other  
13 than subsection (b)(1) of this section and section  
14 1401a(b)(1) of title 10, the cost-of-living adjustments under  
15 this section and under section 1401a of title 10 would take  
16 effect on the same date.”

17       (b) *UNIFORMED SERVICES RETIRED PAY.*—Section  
18 *1401a of title 10, United States Code, is amended—*

19           (1) *in subsection (b)(1), by inserting (except as*  
20 *provided in subsection (i))” after “Effective on De-*  
21 *cember 1 of each year”; and*

22           (2) *by adding at the end the following new sub-*  
23 *section:*

24           “(i)(1) *Whenever, by law, there is a difference between*  
25 *the date on which a cost-of-living adjustment under this sec-*

1 *tion is to take effect and the date on which a corresponding*  
2 *cost-of-living adjustment of annuities of retired employees*  
3 *of the United States under section 8340 or 8462 of title*  
4 *5 is to take effect, then, notwithstanding subsection (b) and*  
5 *any other provision of law, the date on which the cost-of-*  
6 *living adjustment under this section takes effect shall be the*  
7 *earlier (or earliest) such date.*

8       “(2) *Whenever, by law, there is a difference between*  
9 *the first month for which a cost-of-living adjustment taking*  
10 *effect under this section is payable and the first month for*  
11 *which a corresponding cost-of-living adjustment of annu-*  
12 *ities of retired employees of the United States taking effect*  
13 *under section 8340 or 8462 of title 5 is payable, then the*  
14 *first month for which the cost-of-living adjustment under*  
15 *this section is first payable shall (notwithstanding the effec-*  
16 *tive date provided for such adjustment in subsection (b)(1)*  
17 *of this section or in any other law) be the earlier (or earli-*  
18 *est) such month.*

19       “(3) *For purposes of this subsection, a cost-of-living*  
20 *adjustment of annuities of retired employees of the United*  
21 *States under section 8340 or 8462 of title 5 corresponds*  
22 *to a cost-of-living adjustment under this section when, with-*  
23 *out regard to any provision of law other than subsection*  
24 *(b)(1) of this section and sections 8340(b) and 8462(b)(1)*  
25 *of title 5, the cost-of-living adjustments under this section*



1 *and under sections 8340 and 8462 of title 5 would take*  
2 *effect on the same date.”.*

3 (c) *EFFECTIVE DATE.*—*This section and the amend-*  
4 *ments made by this section shall take effect on October 1,*  
5 *1998.*

6 ***Subtitle E—Defense Conversion, Re-***  
7 ***investment, and Transition As-***  
8 ***sistance Matters***

9 ***SEC. 641. ELIGIBILITY OF MEMBERS RETIRED UNDER TEM-***  
10 ***PORARY SPECIAL RETIREMENT AUTHORITY***  
11 ***FOR SERVICEMEN'S GROUP LIFE INSURANCE.***

12 (a) *ELIGIBILITY.*—*Section 1965(5) of title 38, United*  
13 *States Code, is amended—*

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

16 (2) *by redesignating subparagraph (D) as sub-*  
17 *paragraph (E); and*

18 (3) *by inserting after subparagraph (C) the fol-*  
19 *lowing new subparagraph (D):*

20 “(D) *a person transferred to the Retired Re-*  
21 *serve of a uniformed service under the temporary*  
22 *special retirement authority provided in section*  
23 *1331a of title 10 who has not received the first*  
24 *increment of retirement pay or has not reached*  
25 *sixty-one years of age; and”.*

1       (b) *INSURANCE COVERAGE.*—Section 1967(a) of such  
2 title is amended—

3           (1) by striking out “and” at the end of para-  
4 graph (2);

5           (2) by adding “and” at the end of paragraph  
6 (3);

7           (3) by inserting after paragraph (3) the follow-  
8 ing:

9           “(4) any member assigned to the Retired Reserve  
10 of a uniform service who meets the qualifications set  
11 forth in section 1965(5)(D) of this title;” and

12           (4) in the second sentence, by inserting after  
13 “section 1965(5)(C) of this title,” the following: “or  
14 the first day a member of the Reserves meets the  
15 qualifications of section 1965(5)(D) of this title,”.

16       (c) *DURATION OF COVERAGE.*—Section 1968(a) of such  
17 title is amended—

18           (1) in the matter above paragraph (1), by strik-  
19 ing out “section 1965(5)(B) or (C)” and inserting in  
20 lieu thereof “subparagraphs (B), (C), or (D) of section  
21 1965(5)”;

22           (2) in paragraph (4)—

23           (A) by striking out “or” at the end of sub-  
24 paragraph (A);

1           (B) by striking out the period at the end of  
2           subparagraph (B) and inserting in lieu thereof  
3           “; or”; and

4           (C) by adding at the end the following new  
5           subparagraph:

6           “(C) unless on the date of such separation  
7           or release the member is transferred to the Re-  
8           tired Reserve of a uniformed service under the  
9           temporary special retirement authority provided  
10          in section 1331a of title 10, in which event the  
11          insurance, unless converted to an individual pol-  
12          icy under terms and conditions set forth in sec-  
13          tion 1977(e) of this title, shall, upon timely pay-  
14          ment of premiums under terms prescribed by the  
15          Secretary directly to the administrative office es-  
16          tablished under section 1966(b) of this title, con-  
17          tinue in force until receipt of the first increment  
18          of retirement pay by the member or the member’s  
19          sixty-first birthday, whichever occurs earlier.”;  
20          and

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

22          “(6) with respect to a member of the Retired Re-  
23          serve who meets the qualifications of section  
24          1965(5)(D) of this title, at such time as the member  
25          receives the first increment of retirement pay, or the

1 *member's sixty-first birthday, whichever occurs ear-*  
2 *lier, subject to the timely payment of the initial and*  
3 *subsequent premiums, under terms prescribed by the*  
4 *Secretary, directly to the administrative office estab-*  
5 *lished under section 1966(b) of this title."*

6 (d) *DEDUCTIONS.*—Section 1969 of such title is  
7 amended—

8 (1) in subsection (a)(2)—

9 (A) by striking out “or is assigned” and in-  
10serting in lieu thereof “is assigned”; and

11 (B) by inserting after “section 1965(5)(C)  
12of this title,” the following: “or is assigned to the  
13Retired Reserve and meets the qualifications of  
14section 1965(5)(D) of this title,”; and

15 (2) in subsection (e), by striking out “section  
161965(5)(C)” in the first sentence and inserting in lieu  
17thereof “subparagraph (C) or (D) of section 1965(5)“.

18 **SEC. 642. ANNUAL PAYMENTS FOR MEMBERS RETIRED**  
19 **UNDER GUARD AND RESERVE TRANSITION**  
20 **INITIATIVE.**

21 (a) *ANNUAL PAYMENT FOR ONE TO FIVE YEARS.*—  
22 *Subsection (d) of section 4416 of the Defense Conversion,*  
23 *Reinvestment, and Transition Assistance Act of 1992 (divi-*  
24 *sion D of Public Law 102–484; 10 U.S.C. 1162 note) is*  
25 *amended—*

1           (1) by striking out “for 5 years” and inserting  
2           in lieu thereof “for a period of years prescribed by the  
3           Secretary concerned”;

4           (2) by striking out “5-year”; and

5           (3) by adding at the end the following: “A period  
6           prescribed for purposes of this subsection may not be  
7           less than one year nor more than five years.”.

8           (b) COMPUTATION OF ANNUAL PAYMENT.—Subsection  
9           (e) of such section is amended by adding at the end the  
10          following:

11          “(3) In the case of a member who will attain 60 years  
12          of age within one year after the date on which an annual  
13          payment would otherwise be made to the member under this  
14          section, the amount of the payment made on that date shall  
15          be computed under this paragraph instead of paragraph  
16          (1). The amount of such payment shall be equal to  $\frac{1}{12}$  of  
17          the product of—

18                 “(A) the amount computed for the member under  
19                 paragraph (1); and

20                 “(B) the number equal to  $\frac{1}{30}$  of the total number  
21                 of days in the period beginning on such date and end-  
22                 ing on the day before the date of the member’s 60th  
23                 birthday.”.

24          (c) COORDINATION WITH RETIRED PAY.—Such section  
25          is further amended by adding at the end the following:

1       “(i) *COORDINATION WITH RETIRED PAY.*—Fifty per-  
2 cent of the monthly amount of retired pay payable under  
3 chapter 67 of this title to a member who receives one or  
4 more annual payments under this section shall be deducted  
5 and withheld from such monthly amount of retired pay. The  
6 deductions shall be terminated when the total amount so  
7 deducted and withheld equals the total amount paid to the  
8 member under this section. The amount deducted and with-  
9 held from the last monthly payment of retired pay before  
10 termination of deductions may be less than 50 percent of  
11 the monthly amount.”.

12       **SEC. 643. INCREASED ELIGIBILITY AND APPLICATION PERI-**  
13                               **ODS FOR TROOPS-TO-TEACHERS PROGRAM.**

14       (a) *PERIOD OF ELIGIBILITY.*—Subsection (c) of section  
15 1151 of title 10, United States Code, is amended—

16               (1) in paragraph (1)(A), by striking out “seven-  
17 year period beginning on October 1, 1992,” and in-  
18 serting in lieu thereof “nine-year period beginning on  
19 October 1, 1990,”; and

20               (2) by striking out paragraph (4).

21       (b) *APPLICATION PERIOD.*—Subsection (e)(1) of such  
22 section is amended by striking out “submitted” in the first  
23 sentence and all that follows through the end of the second  
24 sentence and inserting in lieu thereof “timely submitted to  
25 the Secretary of Defense. An application is timely submit-

1 *ted if the application is submitted not later than the latest*  
2 *date applicable to the applicant under this paragraph. An*  
3 *application shall be submitted not later than one year after*  
4 *the date of the discharge or release of the applicant from*  
5 *active duty. In the case of an applicant discharged or re-*  
6 *leased from active duty before January 19, 1994, an appli-*  
7 *cation shall be submitted not later than one year after the*  
8 *date of the enactment of the National Defense Authorization*  
9 *Act for Fiscal Year 1995. In the case of an applicant becom-*  
10 *ing educationally qualified for teacher placement assistance*  
11 *in accordance with subsection (c)(2), an application shall*  
12 *be submitted not later than one year after the date on which*  
13 *the applicant becomes educationally qualified.”.*

14 **SEC. 644. ASSISTANCE FOR ELIGIBLE MEMBERS TO OBTAIN**  
15 **EMPLOYMENT WITH LAW ENFORCEMENT**  
16 **AGENCIES.**

17 (a) *REVISED PROGRAM AUTHORITY.*—Section 1152 of  
18 *title 10, United States Code, is amended to read as follows:*

19 **“§1152. Assistance to eligible members and former**  
20 **members to obtain employment with law**  
21 **enforcement agencies**

22 *“(a) PLACEMENT PROGRAM.*—The Secretary of De-  
23 *fense may enter into an agreement with the Attorney Gen-*  
24 *eral to establish or participate in a program to assist eligi-*  
25 *ble members and former members of the armed forces to ob-*

1 *tain employment as law enforcement officers with State law*  
2 *enforcement agencies, local law enforcement agencies, or In-*  
3 *dian tribes that perform law enforcement functions (as de-*  
4 *termined by the Secretary of the Interior) following the dis-*  
5 *charge or release of such members or former members from*  
6 *active duty.*

7       “(b) *ELIGIBLE MEMBERS.*—Any member or former  
8 member who, during the 6-year period beginning on October  
9 1, 1993, is separated from the armed forces with an honor-  
10 able discharge or is released from service on active duty  
11 characterized as honorable by the Secretary concerned shall  
12 be eligible to participate in a program covered by an agree-  
13 ment referred to in subsection (a).

14       “(c) *SELECTION.*—In the selection of applicants for  
15 participation in a program covered by an agreement re-  
16 ferred to in subsection (a), preference shall be given to a  
17 member or former member who—

18               “(1) is selected for involuntary separation, is ap-  
19 proved for separation under section 1174a or 1175 of  
20 this title, or retires pursuant to the authority pro-  
21 vided in section 4403 of Public Law 102–484 (10  
22 U.S.C. 1293 note); and

23               “(2) has a military occupational specialty,  
24 training, or experience related to law enforcement  
25 (such as service as a member of the military police)



1        *or satisfies such other criteria for selection as, in ac-*  
2        *cordance with the agreement, the Secretary, the Attor-*  
3        *ney General, or a participating State or local law en-*  
4        *forcement agency or participating Indian tribe may*  
5        *prescribe.*

6        *“(d) GRANTS TO FACILITATE EMPLOYMENT.—(1) The*  
7        *Secretary may provide funds to the Attorney General for*  
8        *grants under this section to reimburse State law enforce-*  
9        *ment agencies, local law enforcement agencies, or Indian*  
10       *tribes that perform law enforcement functions (as deter-*  
11       *mined by the Secretary of the Interior) for costs, including*  
12       *salary and fringe benefits, of employing members or former*  
13       *members pursuant to a program referred to in subsection*  
14       *(a).*

15       *“(2) No grant with respect to an eligible member or*  
16       *former member may exceed a total of \$50,000.*

17       *“(3) Any grant with respect to an eligible member or*  
18       *former member shall be disbursed within 5 years after the*  
19       *date of the placement of a member or former member with*  
20       *a participating law enforcement agency or Indian tribe.*

21       *“(4) Preference in awarding grants through existing*  
22       *law enforcement hiring programs shall be given to State*  
23       *or local law enforcement agencies or Indian tribes that*  
24       *agree to hire eligible members and former members.*

1       “(e) *ADMINISTRATIVE EXPENSES.*—Ten percent of the  
2 amount, if any, appropriated for a fiscal year to carry out  
3 a program established pursuant to subsection (a) may be  
4 used to administer the program.

5       “(f) *REQUIREMENT FOR APPROPRIATION.*—No member  
6 or former member may be selected to participate in the pro-  
7 gram established by this section unless a sufficient amount  
8 of appropriated funds are available at the time of the selec-  
9 tion to satisfy the obligations to be incurred by the United  
10 States under an agreement referred to in subsection (a) that  
11 applies with respect to such member or former member.”.

12       (b) *CLERICAL AMENDMENT.*—The item relating to  
13 such section in the table of sections at the beginning of chap-  
14 ter 58 of title 10, United States Code, is amended to read  
15 as follows:

“1152. Assistance to eligible members and former members to obtain employment  
with law enforcement agencies.”.

16       **SEC. 645. TREATMENT OF RETIRED AND RETAINER PAY OF**  
17                                   **MEMBERS OF CADRE OF CIVILIAN COMMU-**  
18                                   **NITY CORPS.**

19       Section 159(c)(3) of the National and Community  
20 Service Act of 1990 (42 U.S.C. 12619(c)(3)) is amended by  
21 adding at the end the following: “In the case of a member  
22 of the permanent cadre who was recommended for appoint-  
23 ment in accordance with section 162(a)(2)(A) and is enti-  
24 tled to retired or retainer pay, section 5532 of title 5, Unit-

1 *ed States Code, shall not apply to reduce the member's re-*  
 2 *tired or retainer pay by reason of the member being paid*  
 3 *as a member of the cadre.”.*

## 4 **Subtitle F—Other Matters**

### 5 **SEC. 651. DISABILITY COVERAGE FOR OFFICER CAN-** 6 **DIDATES GRANTED EXCESS LEAVE.**

7 (a) *ELIGIBILITY FOR RETIREMENT.*—Section 1201 of  
 8 *title 10, United States Code, is amended—*

9 (1) *by inserting “(a) MEMBERS ON ACTIVE*  
 10 *DUTY ENTITLED TO PAY.—” before “Upon a deter-*  
 11 *mination”;* and

12 (2) *by adding at the end the following new sub-*  
 13 *section:*

14 “(b) *MEMBERS ON EXCESS LEAVE.*—(1) *Upon a deter-*  
 15 *mination by the Secretary concerned that a member re-*  
 16 *ferred to in paragraph (2) is unfit to perform the duties*  
 17 *of the member's office, grade, rank, or rating because of a*  
 18 *physical disability incurred during a period described in*  
 19 *such paragraph, the Secretary may retire the member, with*  
 20 *retired pay computed under section 1401 of this title, if*  
 21 *the Secretary also makes the determinations described in*  
 22 *paragraphs (1), (2), and (3) of subsection (a) with regard*  
 23 *to such member.*

24 “(2) *Paragraph (1) applies to a member of the armed*  
 25 *forces who, during a period of authorized absence—*

1           “(A) is participating in a program leading to  
2           appointment, designation, or assignment in the  
3           armed forces in an officer category; and

4           “(B) is not entitled to basic pay by reason of the  
5           application of section 502(b) of title 37 to such ab-  
6           sence.”.

7           (b) *ELIGIBILITY FOR PLACEMENT ON TEMPORARY DIS-*  
8           *ABILITY RETIRED LIST.*—Section 1202 of such title is  
9           amended—

10           (1) by striking out “or any other members” and  
11           inserting in lieu thereof “any other members”; and

12           (2) by inserting after “more than 30 days,” the  
13           following: “or any member referred to in section  
14           1201(b)(2) of this title”.

15           (c) *ELIGIBILITY FOR SEPARATION.*—Section 1203 of  
16           such title is amended—

17           (1) by inserting “(a) *MEMBERS ON ACTIVE*  
18           *DUTY ENTITLED TO PAY.*—” before “Upon a deter-  
19           mination”;

20           (2) by striking out the second sentence (relating  
21           to transfer to inactive status); and

22           (3) by adding at the end the following new sub-  
23           sections:

24           “(b) *MEMBERS ON EXCESS LEAVE.*—Upon a deter-  
25           mination by the Secretary concerned that a member re-

1 *ferred to in paragraph (2) of section 1201(b) of this title*  
2 *is unfit to perform the duties of the member's office, grade,*  
3 *rank, or rating because of a physical disability incurred*  
4 *during a period described in such paragraph, the Secretary*  
5 *may separate the member, with severance pay computed*  
6 *under section 1212 of this title, if the Secretary also makes*  
7 *the determinations described in paragraphs (1), (2), (3),*  
8 *and (4) of subsection (a) with regard to such member.*

9       “(c) *TRANSFER TO INACTIVE STATUS LIST.—If a*  
10 *member authorized to be separated under subsection (a) or*  
11 *(b) is eligible for transfer to the inactive status list under*  
12 *section 1209 of this title, and so elects, the member shall*  
13 *be transferred to that list instead of being separated.*”.

14       (d) *CONFORMING AMENDMENTS.—(1) Chapter 61 of*  
15 *title 10, United States Code, is amended—*

16               (A) *by striking out the heading of section 1201*  
17 *and inserting in lieu thereof the following:*

18       “**§ 1201. Regulars, members on active duty for more**  
19               **than 30 days, certain members on excess**  
20               **leave: retirement”;**

21               (B) *by striking out the heading of section 1202*  
22 *and inserting in lieu thereof the following:*

1 **“§ 1202. Regulars, members on active duty for more**  
 2 **than 30 days, certain members on excess**  
 3 **leave: temporary disability retired list”;**

4 *and*

5 *(C) by striking out the heading of section 1203*  
 6 *and inserting in lieu thereof the following:*

7 **“§ 1203. Regulars, members on active duty for more**  
 8 **than 30 days, certain members on excess**  
 9 **leave: separation”.**

10 *(2) The table of sections at the beginning of such chap-*  
 11 *ter is amended by striking out the items relating to sections*  
 12 *1201, 1202, and 1203 and inserting in lieu thereof the fol-*  
 13 *lowing:*

*“1201. Regulars, members on active duty for more than 30 days, certain members  
 on excess leave: retirement*

*“1202. Regulars, members on active duty for more than 30 days, certain members  
 on excess leave: temporary disability retired list.*

*“1203. Regulars, members on active duty for more than 30 days, certain members  
 on excess leave: separation.”.*

14 *(e) EFFECTIVE DATE.—The amendments made by this*  
 15 *section shall take effect on the date of the enactment of this*  
 16 *Act and apply with respect to physical disabilities incurred*  
 17 *on or after such date.*

18 **SEC. 652. USE OF MORALE, WELFARE, AND RECREATION FA-**  
 19 **CILITIES BY MEMBERS OF RESERVE COMPO-**  
 20 **NENTS AND DEPENDENTS.**

21 *Section 1065 of title 10, United States Code, is amend-*  
 22 *ed to read as follows:*

1 **“§ 1065. Use of certain morale, welfare, and recre-**  
2 **ation facilities by members of reserve com-**  
3 **ponents and dependents**

4 “(a) *MEMBERS OF THE SELECTED RESERVE.*—Mem-  
5 *bers of the Selected Reserve in good standing (as determined*  
6 *by the Secretary concerned) shall be permitted to use MWR*  
7 *retail facilities on the same basis as members on active*  
8 *duty.*

9 “(b) *RETIREES UNDER AGE 60.*—Members of the re-  
10 *serve components who would be eligible for retired pay*  
11 *under chapter 67 of this title but for the fact that the mem-*  
12 *ber is under 60 years of age shall be permitted to use MWR*  
13 *retail facilities on the same basis as retired members and*  
14 *retired former members of the Regular Army, Regular*  
15 *Navy, Regular Air Force, and Regular Marine Corps.*

16 “(c) *MEMBERS OF READY RESERVE NOT IN SELECTED*  
17 *RESERVE.*—Subject to such regulations as the Secretary of  
18 *Defense may prescribe, members of the Ready Reserve (other*  
19 *than members of the Selected Reserve) may be permitted*  
20 *to use MWR retail facilities on the same basis as members*  
21 *serving on active duty.*

22 “(d) *DEPENDENTS.*—(1) *Dependents of members re-*  
23 *ferred to in subsection (a) shall be permitted to use MWR*  
24 *retail facilities on the same basis as dependents of members*  
25 *on active duty.*

1       “(2) Dependents of members referred to in subsection  
2 (b) shall be permitted to use MWR retail facilities on the  
3 same basis as dependents of retired members and retired  
4 former members of the Regular Army, Regular Navy, Regu-  
5 lar Air Force, and Regular Marine Corps.

6       “(e) *MWR RETAIL FACILITY DEFINED.*—In this sec-  
7 tion, the term ‘MWR retail facilities’ means exchange stores  
8 and other revenue generating facilities operated by  
9 nonappropriated fund activities of the Department of De-  
10 fense for the morale, welfare, and recreation of members of  
11 the armed forces.”.

12 **SEC. 653. SPECIAL SUPPLEMENTAL FOOD PROGRAM FOR**  
13 **DEPARTMENT OF DEFENSE PERSONNEL OUT-**  
14 **SIDE THE UNITED STATES.**

15       (a) *IN GENERAL.*—Chapter 53 of Title 10, United  
16 States Code, is amended by adding at the end the following  
17 new section:

18 **“§ 1060a. Special supplemental food program**

19       “(a) *AUTHORITY.*—The Secretary of Defense may  
20 carry out a program to provide special supplemental food  
21 benefits to members of the armed forces on duty at stations  
22 outside the United States (and its territories and posses-  
23 sions) and to eligible civilians serving with, employed by,  
24 or accompanying the armed forces outside the United States  
25 (and its territories and possessions).



1       “(b) *FEDERAL PAYMENTS AND COMMODITIES.*—For  
2 *the purpose of obtaining Federal payments and commod-*  
3 *ities in order to carry out the program referred to in sub-*  
4 *section (a), the Secretary of Agriculture shall make avail-*  
5 *able to the Secretary of Defense from funds appropriated*  
6 *for such purpose, the same payments and commodities as*  
7 *are made for the special supplemental food program in the*  
8 *United States under section 17 of the Child Nutrition Act*  
9 *of 1966 (42 U.S.C. 1786).*

10       “(c) *PROGRAM ADMINISTRATION.*—(1)(A) *The Sec-*  
11 *retary of Defense shall administer the program referred to*  
12 *in subsection (a) and, except as provided in subparagraph*  
13 *(B), shall determine eligibility for program benefits under*  
14 *the criterion published by the Secretary of Agriculture*  
15 *under section 17 of the Child Nutrition Act of 1966 (42*  
16 *U.S.C. 1786).*

17       “(B) *The Secretary of Defense shall prescribe regula-*  
18 *tions governing computation of income eligibility standards*  
19 *for families of individuals participating in the program*  
20 *under this section.*

21       “(2) *The program benefits provided under the program*  
22 *shall be similar to benefits provided by State and local*  
23 *agencies in the United States.*

24       “(d) *DEPARTURE FROM STANDARDS.*—*The Secretary*  
25 *of Defense may authorize departures from standards pre-*

1 *scribed by the Secretary of Agriculture regarding the sup-*  
2 *plemental foods to be made available in the program when*  
3 *local conditions preclude strict compliance or when such*  
4 *compliance is highly impracticable.*

5       “(e) *REGULATIONS.*—*The Secretary of Defense shall*  
6 *prescribe regulations to administer the program authorized*  
7 *by this section.*

8       “(f) *DEFINITIONS.*—*In this section:*

9           “(1) *The term ‘eligible civilian’ means—*

10                   “(A) *a dependent of a member of the armed*  
11 *forces residing with the member outside the Unit-*  
12 *ed States;*

13                   “(B) *an employee of a military department*  
14 *who is a national of the United States and is re-*  
15 *siding outside the United States in connection*  
16 *with such individual’s employment or a depend-*  
17 *ent of such individual residing with the employee*  
18 *outside the United States; or*

19                   “(C) *an employee of a Department of De-*  
20 *fense contractor who is a national of the United*  
21 *States and is residing outside the United States*  
22 *in connection with such individual’s employment*  
23 *or a dependent of such individual residing with*  
24 *the employee outside the United States.*

1           “(2) The term ‘national of the United States’  
2       *means—*

3           “(A) a citizen of the United States; or

4           “(B) a person who, though not a citizen of  
5       *the United States, owes permanent allegiance to*  
6       *the United States (as defined in section*  
7       *101(a)(22) of the Immigration and Nationality*  
8       *Act (8 U.S.C. 1101(a)(22))).*

9           “(3) The term ‘dependent’ has the meaning given  
10       *such term in subparagraph (A), (D), (E), and (I) of*  
11       *section 1072(2) of this title.”.*

12       (b) *CLERICAL AMENDMENT.—The table of sections at*  
13       *the beginning of chapter 53 of title 10, United States Code,*  
14       *is amended by adding at the end the following new item:*  
15       *“1060a. Special supplemental food program.”.*

16       **SEC. 654. REIMBURSEMENT FOR CERTAIN LOSSES OF**  
17       **HOUSEHOLD EFFECTS CAUSED BY HOSTILE**  
18       **ACTION.**

19       (a) *AUTHORITY TO REIMBURSE.—Chapter 163 of title*  
20       *10, United States Code, is amended by adding at the end*  
21       *the following new section:*

22       **“§2738. Reimbursement for certain losses of house-**  
23       **hold effects caused by hostile action**

24       “(a) *AUTHORITY TO REIMBURSE.—The Secretary con-*  
25       *cerned or, subject to appeal to the Secretary, the Judge Ad-*  
      *vocate General of an armed force under the Secretary’s ju-*

1 *risdiction, or the Chief Counsel of the Coast Guard, as ap-*  
2 *propriate, if designated by the Secretary, may reimburse*  
3 *a member of the armed forces in an amount not more than*  
4 *\$100,000 for a loss described in subsection (b).*

5       “(b) *COVERED LOSSES.*—*This section applies with re-*  
6 *spect to a loss of household effects sustained during a move*  
7 *made incident to a change of permanent station when, as*  
8 *determined by the Secretary, the loss was caused by a hostile*  
9 *action incident to war or a warlike action by a military*  
10 *force.*

11       “(c) *LIMITATION.*—*The Secretary may provide reim-*  
12 *bursement under this section for a loss described in sub-*  
13 *section (b) only to the extent that the loss is not reimbursed*  
14 *under insurance or under the authority of another provision*  
15 *of law.*

16       “(d) *APPLICABILITY OF OTHER AUTHORITIES AND RE-*  
17 *QUIREMENTS.*—*Subsections (b), (d), (e), (f), and (g) of sec-*  
18 *tion 2733 of this title shall apply to a request for a reim-*  
19 *bursement under this section as if the request were a claim*  
20 *against the United States.”.*

21       “(b) *CLERICAL AMENDMENT.*—*The table of sections at*  
22 *the beginning of such chapter is amended by adding at the*  
23 *end the following:*

“2738. *Reimbursement for certain losses of household effects caused by hostile ac-*  
*tion.”.*

1       (c) *EFFECTIVE DATE.*—(1) *Section 2738 of title 10,*  
2 *United States Code, as added by subsection (a), applies*  
3 *with respect to losses incurred after June 30, 1990.*

4       (2) *In the case of a loss incurred after June 30, 1990,*  
5 *and before the date of the enactment of this Act, a request*  
6 *for reimbursement shall be filed with the Secretary of the*  
7 *military department concerned not later than two years*  
8 *after such date of enactment.*

9       **SEC. 655. PAYMENT FOR TRANSIENT HOUSING FOR RE-**  
10                               **SERVES PERFORMING CERTAIN TRAINING**  
11                               **DUTY.**

12       *Section 404 of title 37, United States Code, is amend-*  
13 *ed—*

14               (1) *by redesignating subsection (j) as subsection*  
15 *(k); and*

16               (2) *by inserting after subsection (i) the following*  
17 *new subsection (j):*

18       “(j)(1) *In the case of a member of a reserve component*  
19 *performing annual training duty or inactive-duty training*  
20 *who is not otherwise entitled to travel and transportation*  
21 *allowances in connection with such duty under subsection*  
22 *(a) of this section, the Secretary concerned may reimburse*  
23 *the member for housing service charge expenses incurred by*  
24 *the member in occupying transient government housing*  
25 *during the performance of such duty.*

1       “(2) Any payment or other benefit under this section  
2 shall be provided in accordance with regulations prescribed  
3 by the Secretaries concerned.

4       “(3) The Secretary may pay service charge expenses  
5 under paragraph (1) out of funds appropriated for oper-  
6 ation and maintenance for the reserve component con-  
7 cerned.”.

8       **SEC. 656. STUDY OF OFFSET OF DISABILITY COMPENSA-**  
9                               **TION BY RECEIPT OF SEPARATION BENEFITS**  
10                              **AND INCENTIVES.**

11       (a) *STUDY.*—(1) The Comptroller General shall carry  
12 out a study of the offset of the amount of disability com-  
13 pensation from the Department of Veterans Affairs that is  
14 received by an individual separated from the Armed Forces  
15 by the amount of any of the following benefits:

16               (A) Separation pay under section 1174 of title  
17 10, United States Code.

18               (B) A special separation benefit under a special  
19 separation benefits program carried out under section  
20 1174a(a) of such title.

21               (C) A voluntary separation incentive under sec-  
22 tion 1175 of such title.

23       (2) In carrying out the study, the Comptroller General  
24 shall—

1           (A) determine the purposes for the availability of  
2           the benefits referred to paragraph (1);

3           (B) determine the justifications for the offset re-  
4           ferred to in that paragraph;

5           (C) assess the effect of the offset by—

6                 (i) determining the number of members of  
7                 the Armed Forces who will separate from the  
8                 Armed Forces during the period beginning on the  
9                 date of the enactment of this Act and ending on  
10                September 30, 1999;

11               (ii) determining the number of such mem-  
12               bers who will be provided a benefit referred to in  
13               that paragraph, and the average amount of the  
14               benefit to be provided;

15               (iii) determining the number of such mem-  
16               bers who will be entitled to disability compensa-  
17               tion from the Department of Veterans Affairs,  
18               and the average monthly amount of the com-  
19               pensation to which the members will be entitled;  
20               and

21               (iv) evaluating the extent, if any, to which  
22               the offset affects the capacity of members who are  
23               separated from the Armed Forces to meet finan-  
24               cial obligations (including obligations relating to  
25               housing and medical care) of such members that

1           *arise as a result of the service of the members in*  
2           *the Armed Forces or the separation of such mem-*  
3           *bers from that service;*

4           *(D) determine the extent, if any, to which the off-*  
5           *set of disability compensation by the amount of a*  
6           *benefit referred to in subparagraph (B) or (C) of*  
7           *paragraph (1) reduces the effectiveness of the benefits*  
8           *in meeting the purposes determined under subpara-*  
9           *graph (A) of this paragraph; and*

10           *(E) determine the cost of the repeal of the offset.*

11           *(b) REPORT.—(1) The Comptroller General shall sub-*  
12           *mit to the Committees on Armed Services and the Commit-*  
13           *tees on Veterans' Affairs of the Senate and the House of*  
14           *Representatives a report on the results of the study required*  
15           *under subsection (a). The report shall include the rec-*  
16           *ommendations of the Comptroller General on improvements*  
17           *to the provision of the benefits referred to in subsection*  
18           *(a)(1).*

19           *(2) The Comptroller General shall submit the report*  
20           *not later than 180 days after the date of the enactment of*  
21           *this Act.*



1                   **TITLE VII—HEALTH CARE**  
2                   **PROVISIONS**

3   **SEC. 701. REVISION OF DEFINITION OF DEPENDENTS TO IN-**  
4                   **CLUDE YOUNG PEOPLE BEING ADOPTED BY**  
5                   **MEMBERS OR FORMER MEMBERS.**

6           (a) *ELIGIBILITY FOR HEALTH BENEFITS.*—Section  
7   1072 of title 10, United States Code, is amended—

8                   (1) *in paragraph (2)(D), by striking out the*  
9                   *matter above clause (i) and inserting in lieu thereof*  
10                   *the following:*

11                           “(D) a child who—”; and

12                   (2) *by adding at the end the following new para-*  
13                   *graph:*

14                           “(6) *The term ‘child’, with respect to a member*  
15                   *or former member of a uniformed service, means the*  
16                   *following:*

17                                   “(A) *An unmarried natural child.*

18                                   “(B) *An unmarried adopted child.*

19                                   “(C) *An unmarried stepchild.*

20                                   “(D) *An unmarried person—*

21   “(i) *who is placed in the home of the*  
22                   *member or former member by a placement*  
23                   *agency (recognized by the Secretary of De-*  
24                   *fense) in anticipation of the legal adoption*

1                   of the person by the member or former mem-  
2                   ber; and

3                   “(ii) who otherwise meets the require-  
4                   ments specified in paragraph (2)(D).”.

5           (b) *CONFORMING AMENDMENT.*—Section 401(b)(1)(B)  
6 of title 37, United States Code, is amended by striking out  
7 “placement agency for the purpose of adoption” and insert-  
8 ing in lieu thereof “placement agency (recognized by the  
9 Secretary of Defense) in anticipation of the legal adoption  
10 of the child by the member”.

11 **SEC. 702. AVAILABILITY OF DEPENDENTS’ DENTAL PRO-**  
12 **GRAM OUTSIDE THE UNITED STATES.**

13           Section 1076a of title 10, United States Code, is  
14 amended—

15           (1) by redesignating subsection (g) as subsection  
16           (h); and

17           (2) by inserting after subsection (f) the following  
18           new subsection (g):

19           “(g) *CARE OUTSIDE THE UNITED STATES.*—The Sec-  
20 retary shall exercise the authority provided under sub-  
21 section (a) to establish basic dental benefits plans for pro-  
22 viding dental benefits outside the United States for spouses  
23 and children of members of the uniformed services accom-  
24 panying the members on permanent assignments to duty  
25 outside the United States.”.

1 **SEC. 703. CONDITIONS UNDER WHICH MEDICAL AND DEN-**  
2 **TAL CARE OF ABUSED DEPENDENTS IS AU-**  
3 **THORIZED.**

4 *Section 1076(e)(1)(A) of title 10, United States Code,*  
5 *is amended to read as follows:*

6 “(A) a member of a uniformed service is con-  
7 victed by a court-martial or a civil court for an of-  
8 fense involving abuse of a dependent of the member,  
9 as determined in accordance with regulations pre-  
10 scribed by the administering Secretary for such uni-  
11 formed service, and—

12 “(i) in the case of a court-martial convic-  
13 tion, the member receives a dishonorable or bad-  
14 conduct discharge or is dismissed or administra-  
15 tively discharged from a uniformed service as a  
16 result of the conviction; or

17 “(ii) in the case of a civil court conviction,  
18 the member is administratively discharged from  
19 a uniformed service as a result of the conviction;  
20 and”.

21 **SEC. 704. COORDINATION OF BENEFITS WITH MEDICARE.**

22 *Section 1086(d) of title 10, United States Code, is*  
23 *amended by striking out paragraph (3) and inserting in*  
24 *lieu thereof the following:*

25 “(3)(A) Subject to subparagraph (B), if a person de-  
26 scribed in paragraph (2) receives medical or dental care

1 *for which payment may be made under medicare and a*  
2 *plan contracted for under subsection (a), the amount pay-*  
3 *able for that care under the plan shall be the amount equal*  
4 *to the excess of the total amount of the charges imposed by*  
5 *the provider or providers of such care over the sum of—*

6           “(i) *the amount paid for that care under medi-*  
7 *care; and*

8           “(ii) *the total of all amounts paid or payable by*  
9 *third party payers other than medicare.*

10          “(B) *The amount payable for care under a plan pursu-*  
11 *ant to subparagraph (A) may not exceed the total amount*  
12 *that would be paid under the plan if payment for that care*  
13 *were made solely under the plan.*

14          “(C) *In this paragraph:*

15           “(i) *The term ‘medicare’ means title XVIII of the*  
16 *Social Security Act (42 U.S.C. 1395 et seq.).*

17           “(ii) *The term ‘third party payer’ has the mean-*  
18 *ing given such term in section 1095(h)(1) of this*  
19 *title.”.*

20 **SEC. 705. AUTHORITY FOR REIMBURSEMENT OF PROFES-**  
21 **SIONAL LICENSE FEES UNDER RESOURCE**  
22 **SHARING AGREEMENTS.**

23          *Section 1096 of title 10, United States Code, is amend-*  
24 *ed by adding at the end the following:*

1       “(d) *REIMBURSEMENT FOR LICENSE FEES.*—In any  
2 case in which it is necessary for a member of the uniformed  
3 services to pay a professional license fee imposed by a gov-  
4 ernment in order to provide health care services at a facility  
5 of a civilian health care provider pursuant to an agreement  
6 entered into under subsection (a), the Secretary of Defense  
7 may reimburse the member for up to \$500 of the amount  
8 of the license fee paid by the member.”.

9       **SEC. 706. CHIROPRACTIC HEALTH CARE DEMONSTRATION**  
10   **PROGRAM.**

11       (a) *REQUIREMENT FOR PROGRAM.*—(1) Not later than  
12 120 days after the date of enactment of this Act, the Sec-  
13 retary of Defense, in consultation with the secretaries of the  
14 military departments, shall develop and carry out a dem-  
15 onstration program to evaluate the feasibility and advis-  
16 ability of furnishing chiropractic care through the medical  
17 care facilities of the Armed Forces.

18       (2) In carrying out the program, the Secretary of De-  
19 fense shall—

20               (A) subject to paragraph (3), designate not less  
21 than 10 major military medical treatment facilities of  
22 the Department of Defense to furnish chiropractic  
23 care under the program; and

24               (B) enter into agreements with such number of  
25 chiropractors as the Secretary determines sufficient

1        *for the purposes of the program to furnish chiroprac-*  
2        *tic care at such facilities under the program.*

3        *(3) The Secretary may not designate under paragraph*  
4        *(2) any treatment facility that is located on a military in-*  
5        *stallation scheduled for closure or realignment under a base*  
6        *closure law.*

7        *(b) PROGRAM PERIOD.—The Secretary shall carry out*  
8        *the demonstration program in fiscal years 1995 through*  
9        *1997.*

10       *(c) REPORTING REQUIREMENTS.—(1) Not later than*  
11       *January 30, 1995, the Secretary of Defense shall submit*  
12       *to the Committees on Armed Services of the Senate and the*  
13       *House of Representatives a report on the demonstration*  
14       *program. The report shall—*

15                *(A) identify the treatment facilities designated*  
16                *pursuant to subsection (a)(2)(A); and*

17                *(B) include a discussion of the plan for the con-*  
18                *duct of the program.*

19        *(2) Not later than May 1, 1995, the Secretary of De-*  
20        *fense shall submit to the committees referred to in para-*  
21        *graph (1) a plan for evaluating the program, including a*  
22        *schedule for conducting progress reviews and for submitting*  
23        *a final report to the committees.*

24        *(3) The Secretary shall submit to the committees re-*  
25        *ferred to in paragraph (1) a final report in accordance with*

1 *the plan submitted to such committees pursuant to para-*  
2 *graph (2).*

3 *(d) OVERSIGHT ADVISORY COMMITTEE.—(1)(A) Not*  
4 *later than 30 days after the date of the enactment of this*  
5 *Act, the Secretary of Defense shall establish an oversight*  
6 *advisory committee to assist and advise the Secretary with*  
7 *regard to the development and conduct of the demonstration*  
8 *program.*

9 *(B) The oversight advisory committee shall include the*  
10 *following members:*

11 *(i) The Comptroller General of the United States,*  
12 *or a designee from within the General Accounting Of-*  
13 *fice.*

14 *(ii) The Assistant Secretary of Defense for*  
15 *Health Affairs, or a designee.*

16 *(iii) The Surgeon General of the Army, or a des-*  
17 *ignee.*

18 *(iv) The Surgeon General of the Navy, or a des-*  
19 *ignee.*

20 *(v) The Surgeon General of the Air Force, or a*  
21 *designee.*

22 *(vi) Not fewer than four independent representa-*  
23 *tives of the chiropractic health care profession, ap-*  
24 *pointed by the Secretary of Defense.*

1       (2) *The oversight advisory committee shall assist the*  
2 *Secretary of Defense regarding—*

3           (A) *issues involving the professional credentials*  
4 *of the chiropractors participating in the program;*

5           (B) *the granting of professional practice privi-*  
6 *leges for the chiropractors at the treatment facilities*  
7 *participating in the program;*

8           (C) *the preparation of the reports required under*  
9 *subsection (c); and*

10          (D) *the evaluation of the program.*

11       (e) *DEFINITION.—For purposes of this section, the*  
12 *term “base closure law” means each of the following:*

13           (1) *The Defense Base Closure and Realignment*  
14 *Act of 1990 (part A of title XXIX of Public Law 101–*  
15 *510; 10 U.S.C. 2687 note).*

16           (2) *Title II of the Defense Authorization Amend-*  
17 *ments and Base Closure and Realignment Act (Public*  
18 *Law 100–526; 10 U.S.C. 2687 note).*

19           (3) *Section 2687 of title 10, United States Code.*

20 **SEC. 707. IMPLEMENTATION OF ANNUAL HEALTH CARE**

21 **SURVEY REQUIREMENT.**

22       *Section 724 of the National Defense Authorization Act*  
23 *for Fiscal Year 1993 (Public Law 102–484; 106 Stat. 2440;*  
24 *10 U.S.C. 1071 note) is amended—*



1           (1) by redesignating subsection (b) as subsection  
2           (c); and

3           (2) by inserting after subsection (a) the following  
4           new subsection (b):

5           “(b) *EXEMPTION.*—An annual survey under subsection  
6           (a) shall be treated as not a collection of information for  
7           the purposes for which such term is defined in section  
8           3502(4) of title 44.”.

9           **SEC. 708. STUDY AND REPORT ON FINANCIAL RELIEF FOR**  
10                               **CERTAIN MEDICARE-ELIGIBLE MILITARY RE-**  
11                               **TIREES WHO INCUR MEDICARE LATE ENROLL-**  
12                               **MENT PENALTIES.**

13           (a) *STUDY.*—The Secretary of Defense, in consultation  
14           with the Secretary of Health and Human Services, shall  
15           conduct a study regarding possible financial relief from late  
16           enrollment penalties for military retirees and dependents  
17           of such retirees who reside within the service area of a base  
18           closure site and who have failed to timely enroll in medicare  
19           part B due to reliance upon the military treatment facility  
20           located at such site.

21           (b) *REPORT.*—Not later than March 31, 1995, the Sec-  
22           retary of Defense shall report to Congress the results of the  
23           study under paragraph (1). Such report shall also—

24                       (1) identify by base closure site the number of  
25                       military retirees within a 65 mile catchment area

1        *who have failed to enroll in medicare part B and are*  
2        *subjected to late enrollment penalties;*

3            *(2) determine the estimated aggregate amount of*  
4        *the penalties by base closure site;*

5            *(3) describe the characteristics of the population*  
6        *that are subject to the penalties, such as age and in-*  
7        *come level;*

8            *(4) address the appropriateness of waiving such*  
9        *penalties;*

10           *(5) identify the Department of Defense funds*  
11        *that should be used to pay the penalties if waiving*  
12        *such penalties is not recommended;*

13           *(6) outline a program for a special medicare*  
14        *part B enrollment period for affected retirees living*  
15        *near bases already closed and bases which are des-*  
16        *ignated for closure in the future; and*

17           *(7) include legislative recommendations for im-*  
18        *plementing a program which removes the financial*  
19        *burden from the medicare-eligible beneficiaries who*  
20        *have been or will be adversely impacted by base-clo-*  
21        *sure actions.*

22        *(c) DEFINITIONS.—For purposes of this section:*

23           *(1) The term “base closure” means a base closure*  
24        *under a base closure law (within the meaning given*  
25        *such term in section 2825(d) of the National Defense*

1 *Authorization Act for Fiscal Years 1992 and 1993 (10*  
2 *U.S.C. 2687 note).*

3 (2) *The term “medicare part B” means the pub-*  
4 *lic health insurance program under part B of title*  
5 *XVIII of the Social Security Act.*

6 (3) *The term “military treatment facility”*  
7 *means a facility of a uniformed service referred to in*  
8 *section 1074(a) of title 10, United States Code, in*  
9 *which health care is provided.*

10 **SEC. 709. ELIGIBILITY FOR PARTICIPATION IN DEMONSTRA-**  
11 **TION PROGRAMS FOR SALE OF PHARMA-**  
12 **CEUTICALS.**

13 *Subparagraph (B) of section 702(c)(2) of the National*  
14 *Defense Authorization Act for Fiscal Year 1993 (10 U.S.C.*  
15 *1079 note) is amended to read as follows:*

16 “(B) either—

17 “(i) *resides in an area that is ad-*  
18 *versely affected (as determined by the Sec-*  
19 *retary) by the closure of a health care facil-*  
20 *ity of the uniformed services as a result of*  
21 *the closure or realignment of the military*  
22 *installation at which such facility is lo-*  
23 *cated; or*

24 “(ii) *can demonstrate to the satisfac-*  
25 *tion of the Secretary that the person ob-*

1            *tained pharmaceuticals at a health care fa-*  
2            *cility referred to in clause (i) before the clo-*  
3            *sure of the facility.”.*

4    **SEC. 710. COST ANALYSIS OF TIDEWATER TRICARE DELIV-**  
5            **ERY OF PEDIATRIC HEALTH CARE TO MILI-**  
6            **TARY FAMILIES.**

7            (a) *COST ANALYSIS REQUIRED.*—Not later than July  
8    1, 1995, the Assistant Secretary of Defense (Health Affairs)  
9    shall determine the amount of the expenditures made by the  
10   Department of Defense for pediatric care for each of fiscal  
11   years 1992, 1993, and 1994 under the program for delivery  
12   of health care services in the Tidewater region of Virginia  
13   carried out pursuant to section 712(b) of Public Law 102–  
14   190 (105 Stat. 1402). The Assistant Secretary shall deter-  
15   mine the total amount of such expenditures and the amount  
16   of such expenditures for each case.

17            (b) *USE OF ANALYSIS.*—In establishing any managed  
18   care system involving the furnishing of pediatric care by  
19   the Department of Defense (including the furnishing of pe-  
20   diatric care under the Civilian Health and Medical Pro-  
21   gram of the Uniformed Services), the Assistant Secretary  
22   shall consider the amounts determined under subsection (a)  
23   in determining the appropriate standards, limitations, and  
24   requirements to apply to the cost of pediatric care under  
25   the system.

1 **TITLE VIII—ACQUISITION POL-**  
2 **ICY, ACQUISITION MANAGE-**  
3 **MENT, AND RELATED MAT-**  
4 **TERS**

5 **Subtitle A—Use of Merit Based**  
6 **Selection Procedures**

7 **SEC. 801. POLICY FOR MERIT BASED AWARD OF CONTRACTS**  
8 **AND GRANTS.**

9 (a) *POLICY.*—Section 2301 of title 10, United States  
10 Code, is amended by adding at the end the following new  
11 subsection:

12 “(e)(1) It is the policy of Congress that the Department  
13 of Defense should not be required by legislation to award  
14 a new contract or grant to a specific non-Federal Govern-  
15 ment entity. It is further the policy of Congress that any  
16 program, project, or technology identified in legislation be  
17 procured through merit-based selection procedures.

18 “(2) A provision of law may not be construed as re-  
19 quiring the Department of Defense to award a new contract  
20 or grant to a specific non-Federal Government entity unless  
21 that provision of law—

22 “(A) specifically refers to this subsection;

23 “(B) specifically identifies the particular non-  
24 Federal Government entity to be awarded the contract  
25 or grant; and

1           “(C) sets forth the national defense purpose to be  
2 fulfilled by requiring the department to award a new  
3 contract or grant to the specified non-Federal Govern-  
4 ment entity.

5           “(3) The head of an agency may not award a contract  
6 or make a grant pursuant to a provision of law that author-  
7 izes or requires the awarding of the contract or the making  
8 of the grant, as the case may be, in a manner that is incon-  
9 sistent with the policy set forth in paragraph (1) until—

10           “(A) the Secretary of Defense submits to Con-  
11 gress a notice in writing of the intent to award such  
12 contract or to make such grant; and

13           “(B) a period of 180 days elapses after the date  
14 on which the notice is received by Congress.

15           “(4) For purposes of this subsection—

16           “(A) a contract is a new contract unless the  
17 work provided for in the contract is a continuation  
18 of the work provided for in a preceding contract; and

19           “(B) a grant is a new grant unless the work  
20 funded by the grant is substantially a continuation of  
21 the work for which funding is provided in a preceding  
22 grant.

23           “(4) Paragraph (3) does not apply to the Secretary  
24 of Transportation or the Administrator of the National  
25 Space and Aeronautics Administration.”

1 **SEC. 802. CONTINUATION OF EXPIRING REQUIREMENT FOR**  
2 **ANNUAL REPORT ON THE USE OF COMPETI-**  
3 **TIVE PROCEDURES FOR AWARDING CERTAIN**  
4 **CONTRACTS TO COLLEGES AND UNIVER-**  
5 **SITIES.**

6 *Paragraph (3) of section 2361(c) of title 10, United*  
7 *States Code, is repealed.*

8 **Subtitle B—Acquisition Assistance**  
9 **Programs**

10 **SEC. 811. PROCUREMENT TECHNICAL ASSISTANCE PRO-**  
11 **GRAMS.**

12 *(a) FUNDING.—Of the amount authorized to be appro-*  
13 *priated under section 301(5), \$12,000,000 shall be available*  
14 *for carrying out the provisions of chapter 142 of title 10,*  
15 *United States Code.*

16 *(b) SPECIFIC PROGRAMS.—Of the amounts made*  
17 *available pursuant to subsection (a), \$600,000 shall be*  
18 *available for fiscal year 1995 for the purpose of carrying*  
19 *out programs sponsored by eligible entities referred to in*  
20 *subparagraph (D) of section 2411(1) of title 10, United*  
21 *States Code, that provide procurement technical assistance*  
22 *in distressed areas referred to in subparagraph (B) of sec-*  
23 *tion 2411(2) of such title. If there is an insufficient number*  
24 *of satisfactory proposals for cooperative agreements in such*  
25 *distressed areas to allow effective use of the funds made*  
26 *available in accordance with this subsection in such areas,*

1 *the funds shall be allocated among the Defense Contract Ad-*  
2 *ministration Services regions in accordance with section*  
3 *2415 of such title.*

4 **SEC. 812. PILOT MENTOR-PROTEGE PROGRAM.**

5 *Of the amounts authorized to be appropriated for fiscal*  
6 *year 1995 pursuant to title I of this Act, \$50,000,000 shall*  
7 *be available for conducting the pilot Mentor-Protege Pro-*  
8 *gram established pursuant to section 831 of the National*  
9 *Defense Authorization Act for Fiscal Year 1991 (Public*  
10 *Law 101-510; 10 U.S.C. 2301 note).*

11 **SEC. 813. INFRASTRUCTURE ASSISTANCE FOR HISTORI-**  
12 **CALLY BLACK COLLEGES AND OTHER MINOR-**  
13 **ITY INSTITUTIONS OF HIGHER EDUCATION.**

14 *Of the amounts authorized to be appropriated for fiscal*  
15 *year 1995 pursuant to title II of this Act, \$35,000,000 shall*  
16 *be available for such fiscal year for infrastructure assistance*  
17 *to historically Black colleges and universities and minority*  
18 *institutions under section 2323(c)(3) of title 10, United*  
19 *States Code.*

20 **SEC. 814. EXTENSION OF TEST PROGRAM FOR NEGOTIA-**  
21 **TION OF COMPREHENSIVE SMALL BUSINESS**  
22 **SUBCONTRACTING PLANS.**

23 *Section 834(e) of the National Defense Authorization*  
24 *Act for Fiscal Years 1990 and 1991 (15 U.S.C. 637 note)*  
25 *is amended by striking out "September 30, 1994" in the*



1 *second sentence and inserting in lieu thereof “September 30,*  
2 *1998”.*

3 **SEC. 815. LIMITATION REGARDING ACQUISITION ASSIST-**  
4 **ANCE REGULATIONS REQUIRED BY PUBLIC**  
5 **LAW 103-160 BUT NOT ISSUED.**

6 (a) *LIMITATION ON THE USE OF FUNDS.*—None of the  
7 funds authorized to be appropriated by this Act that are  
8 made available for program element 65104D activities may  
9 be expended until the Secretary of Defense takes the actions  
10 required by the following provisions of the National Defense  
11 Authorization Act for Fiscal Year 1994 (Public Law 103–  
12 160):

13 (1) *Section 811(d)(1), relating to regulations*  
14 *that address the matters described in subsections (g)*  
15 *and (h)(2) of section 2323 of title 10, United States*  
16 *Code.*

17 (2) *Section 813(b)(1), relating to the Department*  
18 *of Defense policy regarding the pilot Mentor-Protege*  
19 *Program.*

20 (b) *ACTIONS REQUIRED.*—(1) *With respect to the regu-*  
21 *lations referred to in subsection (a)(1), the Secretary*  
22 *shall—*

23 (A) *publish proposed regulations within 15 days*  
24 *after the date of the enactment of this Act in accord-*

1        *ance with section 22 of the Office of Federal Procure-*  
2        *ment Policy Act (41 U.S.C. 418b);*

3            *(B) provide a period of not less than 60 days for*  
4        *public comment on the proposed regulations; and*

5            *(C) publish the final regulations not later than*  
6        *120 days after the date of the enactment of this Act.*

7        *(2) With respect to the action referred to in subsection*  
8 *(a)(2), the Secretary shall ensure that—*

9            *(A) within 30 days after the date of the enact-*  
10        *ment of this Act, the Department of Defense policy re-*  
11        *garding the pilot Mentor-Protege Program is incor-*  
12        *porated into the Department of Defense Supplement*  
13        *to the Federal Acquisition Regulation as an appen-*  
14        *dix; and*

15            *(B) any subsequent revision to such policy (or*  
16        *any successor to such policy) is published and main-*  
17        *tained in such supplement as an appendix.*

18        *(c) PROGRAM ELEMENT 65104D ACTIVITIES DE-*  
19 *FINED.—For purposes of this section, the program element*  
20 *65104D activities referred to in subsection (a) are the ac-*  
21 *tivities described as program element 65104D in the mate-*  
22 *rials submitted to Congress by the Secretary of Defense in*  
23 *support of the budget for fiscal year 1995 that was submit-*  
24 *ted to Congress pursuant to section 1105(a) of title 31,*  
25 *United States Code.*

1 **SEC. 816. TREATMENT UNDER SUBCONTRACTING PLANS**  
2 **OF PURCHASES FROM QUALIFIED NON-**  
3 **PROFIT AGENCIES FOR THE BLIND OR SE-**  
4 **VERELY DISABLED.**

5 (a) *REVISION AND EXTENSION OF AUTHORITY.*—Sec-  
6 *tion 2410d of title 10, United States Code, relating to credit*  
7 *under small business subcontracting plans for certain pur-*  
8 *chases, is amended—*

9 (1) *in subsection (b)—*

10 (A) *in paragraph (2)—*

11 (i) *by striking out “and” at the end of*  
12 *subparagraph (A);*

13 (ii) *by striking out the period at the*  
14 *end of subparagraph (B) and inserting in*  
15 *lieu thereof “; and”; and*

16 (iii) *by adding at the end the following*  
17 *new subparagraph:*

18 “(C) *a central nonprofit agency designated*  
19 *by the Committee for Purchase from People Who*  
20 *Are Blind or Severely Disabled under section*  
21 *2(c) of such Act (41 U.S.C. 47(c).”;*

22 (B) *by striking out paragraph (3); and*

23 (C) *by redesignating paragraph (4) as*  
24 *paragraph (3); and*

1           (2) in subsection (c), by striking out “September  
2           30, 1994” and inserting in lieu thereof “September  
3           30, 1997”.

4           (b) *CONFORMING AMENDMENT.*—Section 2301(d) of  
5 such title is amended by striking out “approved commod-  
6 ities and services (as defined in such section)” and inserting  
7 in lieu thereof “commodities and services”.

## 8           ***Subtitle C—Other Matters***

### 9           ***SEC. 821. USE OF CERTAIN FUNDS PENDING SUBMISSION*** 10                                   ***OF A NATIONAL TECHNOLOGY AND INDUS-*** 11                                   ***TRIAL BASE PERIODIC DEFENSE CAPABILITY*** 12                                   ***ASSESSMENT AND A PERIODIC DEFENSE CA-*** 13                                   ***PABILITY PLAN.***

14           (a) *LIMITATION.*—None of the funds authorized to be  
15 appropriated by this Act that are made available for pro-  
16 gram element 65104D activities may be expended until the  
17 Secretary of Defense submits to Congress—

18                   (1) a national technology and industrial base  
19 periodic defense capability assessment required by sec-  
20 tion 2505 of title 10, United States Code; and

21                   (2) and a periodic defense capability plan re-  
22 quired by section 2506 of such title.

23           (b) *PROGRAM ELEMENT 65104D ACTIVITIES DE-*  
24 *FINED.*—For purposes of this section, the program element  
25 65104D activities referred to in subsection (a) are the ac-

1 *tivities described as program element 65104D in the mate-*  
2 *rials submitted to Congress by the Secretary of Defense in*  
3 *support of the budget for fiscal year 1995 that was submit-*  
4 *ted to Congress pursuant to section 1105(a) of title 31,*  
5 *United States Code.*

6 **SEC. 822. DELEGATION OF INDUSTRIAL MOBILIZATION AU-**  
7 **THORITY.**

8 *Section 2538 of title 10, United States Code, is amend-*  
9 *ed—*

10 *(1) by striking out “through the Secretary of De-*  
11 *fense” each place it appears in subsections (a), (c),*  
12 *and (d) and inserting in lieu thereof “through the*  
13 *head of any department”; and*

14 *(2) in subsection (c)—*

15 *(A) by striking out “in the opinion of the*  
16 *Secretary of Defense” in the matter above para-*  
17 *graph (1) and inserting in lieu thereof “in the*  
18 *opinion of the head of any department”; and*

19 *(B) by striking out “Secretary” each place*  
20 *it appears in paragraphs (2) and (3) and insert-*  
21 *ing in lieu thereof “head of the department”.*

1 **SEC. 823. PERMANENT AUTHORITY FOR THE DEPARTMENT**  
2 **OF DEFENSE TO SHARE EQUITABLY THE**  
3 **COSTS OF CLAIMS UNDER INTERNATIONAL**  
4 **ARMAMENTS COOPERATIVE PROGRAMS.**

5 *Subsection (c) of section 843 of the National Defense*  
6 *Authorization Act for Fiscal Year 1993 (Public Law 102–*  
7 *484; 106 Stat. 2469; 10 U.S.C. 2350a note) is repealed.*

8 **SEC. 824. DETERMINATIONS OF PUBLIC INTEREST UNDER**  
9 **THE BUY AMERICAN ACT.**

10 *(a) CONSIDERATIONS.—Section 2533 of title 10, Unit-*  
11 *ed States Code, is amended—*

12 *(1) by striking out subsections (a) and (b) and*  
13 *inserting in lieu thereof the following:*

14 *“(a) In determining under section 2 of title III of the*  
15 *Act of March 3, 1993 (41 U.S.C. 10a), popularly known*  
16 *as the ‘Buy American Act’, whether application of title III*  
17 *of such Act is inconsistent with the public interest, the Sec-*  
18 *retary of Defense shall consider the following:*

19 *“(1) The bids or proposals of small business*  
20 *firms in the United States which have offered to fur-*  
21 *nish American goods.*

22 *“(2) The bids or proposals of all other firms in*  
23 *the United States which have offered to furnish Amer-*  
24 *ican goods.*

25 *“(3) The United States balance of payments.*

1           “(4) *The cost of shipping goods which are other*  
2 *than American goods.*

3           “(5) *Any duty, tariff, or surcharge which may*  
4 *enter into the cost of using goods which are other than*  
5 *American goods.*

6           “(6) *Any need to coordinate acquisition activi-*  
7 *ties of the Department of Defense with obligations*  
8 *contained in international agreements and with the*  
9 *acquisition activities of major United States allies.*

10           “(7) *A need to ensure that the Department of De-*  
11 *fense has access to advanced state-of-the-art commer-*  
12 *cial technology.*

13           “(8) *A need to protect the national technology*  
14 *and industrial base and to provide for a defense mo-*  
15 *bilization base.*

16           “(9) *A need to ensure that application of dif-*  
17 *ferent rules of origin for United States end items and*  
18 *foreign end items does not result in an award to a*  
19 *firm other than a firm providing a product produced*  
20 *in the United States.*

21           “(10) *Any need—*

22                   “(A) *to maintain the same source of supply*  
23 *for spare and replacement parts for an end item*  
24 *that qualifies as an American good; or*

1           “(B) to maintain the same source of supply  
2           for spare and replacement parts in order not to  
3           impair integration of the military and commer-  
4           cial industrial base.

5           “(11) The national security interests of the Unit-  
6           ed States.”; and

7           (2) by redesignating subsection (c) as subsection  
8           (b).

9           (b) CONFORMING AND CLERICAL AMENDMENTS.—(1)  
10          The heading of section 2533 of such title is amended to read  
11          as follows:

12          “**§ 2533. Determinations of public interest under the**  
13                 **Buy American Act”.**

14          (2) The item relating to such section in the table of  
15          sections at the beginning of subchapter V of chapter 148  
16          of such title is amended to read as follows:

          “2533. Determinations of public interest under the Buy American Act.”.

17          **SEC. 825. DOCUMENTATION FOR AWARDS FOR COOPERA-**  
18                 **TIVE AGREEMENTS OR OTHER TRANS-**  
19                 **ACTIONS UNDER THE DEFENSE TECHNOLOGY**  
20                 **REINVESTMENT PROGRAM.**

21          At the time of the award for a cooperative agreement  
22          or other transaction under a program carried out under  
23          chapter 148 of title 10, United States Code, the head of the  
24          agency concerned shall include in the file pertaining to such  
25          agreement or transaction a brief explanation of the manner



1 *in which the award advances and enhances a particular*  
2 *national security objective set forth in section 2501(a) of*  
3 *such title or a particular policy objective set forth in section*  
4 *2501(b) of such title.*

5 **SEC. 826. COMPTROLLER GENERAL ASSESSMENT OF EX-**  
6 **TENT TO WHICH TECHNOLOGY AND INDUS-**  
7 **TRIAL BASE PROGRAMS ATTAIN POLICY OB-**  
8 **JECTIVES.**

9 *Not later than 180 days after the date of the enactment*  
10 *of this Act, the Comptroller General of the United States*  
11 *shall submit to Congress an assessment of the extent to*  
12 *which awards for cooperative agreements and other trans-*  
13 *actions under programs carried out under chapter 148 of*  
14 *title 10, United States Code, have been made specifically*  
15 *to advance and enhance a particular national security ob-*  
16 *jective set forth in section 2501(a) of such title or to achieve*  
17 *a particular policy objective set forth in section 2501(b) of*  
18 *such title.*

1 **TITLE IX—DEPARTMENT OF DE-**  
2 **FENSE ORGANIZATION AND**  
3 **MANAGEMENT**

4 **Subtitle A—Secretarial Matters**

5 **SEC. 901. ADDITIONAL ASSISTANT SECRETARY OF DE-**  
6 **FENSE.**

7 (a) *ESTABLISHMENT OF POSITION.*—Section 138(a) of  
8 title 10, United States Code, is amended by striking out  
9 “ten” and inserting in lieu thereof “eleven”.

10 (b) *EXECUTIVE LEVEL IV.*—Section 5315 of title 5,  
11 United States Code, is amended by striking out “Assistant  
12 Secretaries of Defense (10).” and inserting in lieu thereof  
13 the following:

14 “Assistant Secretaries of Defense (11).”

15 **SEC. 902. ORDER OF SUCCESSION TO SECRETARIES OF THE**  
16 **MILITARY DEPARTMENTS.**

17 (a) *ARMY.*—Section 3017 of title 10, United States  
18 Code, is amended—

19 (1) by redesignating paragraph (3) as para-  
20 graph (4); and

21 (2) by inserting after paragraph (2) the follow-  
22 ing new paragraph (3):

23 “(3) The General Counsel of the Department of  
24 the Army.”

25 (b) *NAVY.*—Section 5017 of such title is amended—

1           (1) by redesignating paragraphs (3) and (4) as  
2           paragraphs (5) and (6), respectively; and

3           (2) by inserting after paragraph (2) the follow-  
4           ing new paragraph (3):

5           “(3) The General Counsel of the Department of  
6           the Navy.”.

7           (c) AIR FORCE.—Section 8017 of such title is amend-  
8           ed—

9           (1) by redesignating paragraph (3) as para-  
10          graph (4); and

11          (2) by inserting after paragraph (2) the follow-  
12          ing new paragraph (3):

13          “(3) The General Counsel of the Department of  
14          the Air Force.”.

15           ***Subtitle B—Commission on Roles***  
16           ***and Missions of the Armed Forces***

17           ***SEC. 911. REVIEW OF RESERVE COMPONENTS.***

18           Section 953(d) of the National Defense Authorization  
19           Act for Fiscal Year 1994 (Public Law 103–160; 107 Stat.  
20           1739) is amended—

21           (1) in subsection (d)—

22                   (A) by striking out “and” at the end of  
23           paragraph (7);

1           (B) by striking out the period at the end of  
2           paragraph (8) and inserting in lieu thereof “;  
3           and”; and

4           (C) by adding at the end the following new  
5           paragraph:

6           “(9) the role of the National Guard and the other  
7           reserve components.”;

8           (2) in subsection (e)(3), by inserting after “De-  
9           partment of Defense” the following: “, including the  
10          National Guard and the other reserve components”;  
11          and

12          (3) by adding at the end the following new sub-  
13          section:

14          “(h) *RECOMMENDATIONS CONCERNING RESERVE COM-*  
15          *PONENTS.—The Commission shall address the roles, mis-*  
16          *sions, and functions of the reserve components within the*  
17          *total force of the armed forces, particularly in light of lower*  
18          *budgetary resources that will be available to the Depart-*  
19          *ment of Defense in the future. The Commission should em-*  
20          *ploy or consult private citizens with extensive experience*  
21          *in matters concerning the National Guard and other reserve*  
22          *components.”.*

1 **SEC. 912. SUPPORT BY FEDERALLY FUNDED RESEARCH**  
2 **AND DEVELOPMENT CENTERS.**

3 *Section 957 of the National Defense Authorization Act*  
4 *for Fiscal Year 1994 (Public Law 103–160; 107 Stat. 1741;*  
5 *10 U.S.C. 111 note) is amended—*

6 *(1) by adding at the end the following new sub-*  
7 *section:*

8 *“(f) SUPPORT FROM FEDERALLY FUNDED RESEARCH*  
9 *AND DEVELOPMENT CENTERS.—Upon the request of the*  
10 *chairman of the Commission, the Secretary of Defense shall*  
11 *make available to the Commission, without reimbursement,*  
12 *the services of one or more federally funded research and*  
13 *development centers covered by sponsoring agreements of the*  
14 *Department of Defense. The cost of the services made avail-*  
15 *able pursuant to this subsection may not exceed*  
16 *\$20,000,000.”; and*

17 *(2) by striking out the section heading and in-*  
18 *serting in lieu thereof the following:*

19 **“SEC. 957. PERSONNEL MATTERS; EXPERT SERVICES.”.**

20 **SEC. 913. REVISION IN COMPOSITION OF COMMISSION.**

21 *(a) REVISION.—Section 952(b) of the National Defense*  
22 *Authorization Act for Fiscal Year 1994 (Public Law 103–*  
23 *160; 10 U.S.C. 111 note; 107 Stat. 1738) is amended—*

24 *(1) in the first sentence of paragraph (1), by*  
25 *striking out “seven” and inserting in lieu thereof*  
26 *“eight”; and*

1           (2) in paragraph (2)—

2                   (A) by inserting “(A)” before “The Commis-  
3           sion”; and

4                   (B) by adding at the end the following new  
5           subparagraph:

6           “(B) The additional member of the Commission ap-  
7           pointed under this paragraph after the date of the enact-  
8           ment of the National Defense Authorization Act for Fiscal  
9           Year 1995 shall have previous military experience and  
10          management experience with the reserve components.”.

11          (b) APPOINTMENT.—The Secretary of Defense shall  
12          make the appointment required as a result of the amend-  
13          ments made by subsection (a) not later than 15 days after  
14          the date of the enactment of this Act.

## 15                   **Subtitle C—Other Matters**

### 16          **SEC. 921. COMPOSITION OF RESERVE FORCES POLICY**

#### 17                   **BOARD.**

18          Section 175(a) of title 10, United States Code, is  
19          amended—

20                   (1) in paragraph (4), by striking out “or Regu-  
21           lar Marine Corps” and inserting in lieu thereof “and  
22           an officer of the Regular Marine Corps each”;

23                   (2) by striking out “and” at the end of para-  
24           graph (8);

1           (3) by striking out the period at the end of para-  
2           graph (9) and inserting in lieu thereof “; and”; and

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

4           “(10) an officer of the Regular Army, Regular  
5           Navy, Regular Air Force, or Regular Marine Corps  
6           serving in a position on the Joint Staff who is des-  
7           ignated by the Chairman of the Joint Chiefs of  
8           Staff.”.

9   **SEC. 922. CONTINUATION OF UNIFORMED SERVICES UNI-**  
10                                   **VERSITY OF THE HEALTH SCIENCES.**

11           (a) *CLOSURE PROHIBITED.*—The Uniformed Services  
12           University of the Health Sciences may not be closed.

13           (b) *BUDGETARY COMMITMENT TO CONTINUATION.*—It  
14           is the sense of Congress that the Secretary of Defense should  
15           budget for the ongoing operation of the Uniformed Services  
16           University of the Health Sciences as an institution of pro-  
17           fessional education that is vital to the education and train-  
18           ing each year of significant numbers of personnel of the uni-  
19           formed services for careers as uniformed services health care  
20           providers.

21           (c) *EVALUATION OF THE UNIFORMED SERVICES UNI-*  
22           *VERSITY OF THE HEALTH SCIENCES.*—

23           (1) *GAO REPORT.*—By June 1, 1995, the Comp-  
24           troller General of the United States shall submit to

1       *the appropriate Committees of the Congress a detailed*  
2       *report that—*

3               *(A) compares the cost of obtaining physi-*  
4               *cians from the Uniformed Services University of*  
5               *the Health Sciences with other sources of mili-*  
6               *tary physicians;*

7               *(B) assesses the retention rate needs of the*  
8               *military for physicians in relation to the respec-*  
9               *tive retention rates of Uniformed Services Uni-*  
10              *versity of the Health Sciences physicians and*  
11              *physicians obtained from other sources and the*  
12              *factors which contribute to retention rates among*  
13              *military physicians obtained from all sources;*

14              *(C) reviews the quality of the medical edu-*  
15              *cation provided at the Uniformed Services Uni-*  
16              *versity of the Health Sciences with the quality of*  
17              *medical education provided by other sources of*  
18              *military physicians;*

19              *(D) reviews the overall issue of the special*  
20              *needs of military medicine and how these special*  
21              *needs are being met by Uniformed Services Uni-*  
22              *versity of Health Sciences physicians and physi-*  
23              *cians obtained from other sources;*

24              *(E) assesses the extent to which the Uni-*  
25              *formed Services University of the Health*



1           *Sciences has responded to the 1990 report of the*  
2           *Inspector General of the Department of Defense*  
3           *and make recommendations as to resolution of*  
4           *any continuing issues relating to management*  
5           *and internal fiscal controls of the Uniformed*  
6           *Services University of the Health Sciences, in-*  
7           *cluding issues relating to the Henry M. Jackson*  
8           *Foundation for the Advancement of Military*  
9           *Medicine identified in the 1990 report; and*  
10           *(F) makes such recommendations as the*  
11           *Comptroller General deems appropriate.*

12   **SEC. 923. JOINT DUTY CREDIT FOR CERTAIN DUTY PER-**  
13           **FORMED DURING MILITARY OPERATIONS IN**  
14           **SUPPORT OF UNIFIED, COMBINED, OR UNIT-**  
15           **ED NATIONS MILITARY OPERATIONS.**

16           *(a) CREDIT AUTHORIZED.—Section 664 of title 10,*  
17           *United States Code, is amended by adding at the end the*  
18           *following new subsection:*

19           *“(i) SPECIAL AUTHORITY.—(1) The Secretary of De-*  
20           *fense, in consultation with the Chairman of the Joint Chiefs*  
21           *of Staff, may give an officer who has completed service de-*  
22           *scribed in paragraph (2) credit for having completed a full*  
23           *tour of duty in a joint duty assignment, or credit countable*  
24           *for determining cumulative service in joint duty assign-*  
25           *ments, for the purposes of any provision of this title, not-*

1 *withstanding the length of such service or whether such serv-*  
2 *ice is within the definition of the term 'joint duty assign-*  
3 *ment' prescribed pursuant to section 668 of this title.*

4       “(2) *Service referred to in paragraph (1) is service per-*  
5 *formed by an officer in combat or combat related military*  
6 *operations, under the operational control of the commander*  
7 *of a unified combatant command, the commander of com-*  
8 *bined forces of allied nations, or the United Nations, in*  
9 *which the officer gained significant experience in joint mat-*  
10 *ters, as determined by the Secretary.*

11       “(3) *Officers for whom joint duty credit is granted*  
12 *pursuant to this subsection—*

13               “(A) *shall not be counted for the purposes of*  
14 *paragraphs (7), (8), (9), (11), or (12) of section 667*  
15 *of this title and subsections (a)(3) and (b) of section*  
16 *662 of this title; and*

17               “(B) *are not subject to the requirements of sec-*  
18 *tion 661(c) of this title relating to the sequence for*  
19 *completion of a joint professional military education*  
20 *school, completion of a full tour of duty in a joint*  
21 *duty assignment, and selection for a joint specialty.’’.*

22       (b) *APPLICABILITY.—Subsection (i) of section 664 of*  
23 *title 10, United States Code, as added by subsection (a),*  
24 *shall apply with respect to military operations conducted*  
25 *after July 1, 1992.*

1 **SEC. 924. ASSISTANCE FOR CERTAIN WORKERS DIS-**  
2 **LOCATED DUE TO REDUCTIONS BY THE UNIT-**  
3 **ED STATES IN THE EXPORT OF DEFENSE AR-**  
4 **TICLES AND SERVICES.**

5 (a) ASSISTANCE UNDER DEFENSE CONVERSION AD-  
6 JUSTMENT PROGRAM.—Section 325 of the Job Training  
7 Partnership Act (29 U.S.C. 1662d) is amended—

8 (1) in subsection (a)—

9 (A) by striking out “or by closures of Unit-  
10 ed States military facilities” in the first sentence  
11 and inserting in lieu thereof “; by closures of  
12 United States military facilities, or by reduc-  
13 tions in the export of defense articles and defense  
14 services as a result of United States policy (in-  
15 cluding reductions in the amount of defense arti-  
16 cles and defense services under agreements to  
17 provide such articles or services or through ter-  
18 mination or completion of any such agree-  
19 ments)”; and

20 (B) by striking out “or by closures of Unit-  
21 ed States military facilities” in the second sen-  
22 tence and inserting in lieu thereof “; by closures  
23 of United States military facilities, or by reduc-  
24 tions in the export of defense articles and defense  
25 services as a result of United States policy”;

1           (2) *in subsection (d), by striking out “or by the*  
2 *closure of United States military installations” and*  
3 *inserting in lieu thereof “, by closures of United*  
4 *States military facilities, or by reductions in the ex-*  
5 *port of defense articles and defense services as a result*  
6 *of United States policy (including reductions in the*  
7 *amount of defense articles and defense services under*  
8 *agreements to provide such articles or services or*  
9 *through termination or completion of any such agree-*  
10 *ments)”*; and

11           (3) *by adding at the end the following new sub-*  
12 *section:*

13           “(f) *DEFINITION.—For purposes of this section, the*  
14 *term ‘defense articles and defense services’ means defense*  
15 *articles, defense services, or design and construction services*  
16 *under the Arms Export Control Act (22 U.S.C. 2751 et*  
17 *seq.), including defense articles and defense services licensed*  
18 *or approved for export under section 38 of that Act (22*  
19 *U.S.C. 2778).”*.

20           (b) *ASSISTANCE UNDER DEFENSE DIVERSIFICATION*  
21 *PROGRAM.—Section 325A of the Job Training Partnership*  
22 *Act (29 U.S.C. 1662d–1) is amended—*

23           (1) *in subsection (b)(3)(A), by striking out “or*  
24 *the closure or realignment of a military installation”*  
25 *and inserting in lieu thereof “, the closure or realign-*

1 *ment of a military installation, or reductions in the*  
2 *export of defense articles and defense services as a re-*  
3 *sult of United States policy (including reductions in*  
4 *the amount of defense articles and defense services*  
5 *under agreements to provide such articles or services*  
6 *or through termination or completion of any such*  
7 *agreements)”;*

8 *(2) in subsection (k)(1), by striking out “or by*  
9 *the closure of United States military installations”*  
10 *and inserting in lieu thereof “, the closure of United*  
11 *States military installations, or reductions in the ex-*  
12 *port of defense articles and defense services as a result*  
13 *of United States policy (including reductions in the*  
14 *amount of defense articles and defense services under*  
15 *agreements to provide such articles or services or*  
16 *through termination or completion of any such agree-*  
17 *ments)”; and*

18 *(3) in subsection (o), by adding at the end the*  
19 *following new paragraph:*

20 *“(3) DEFENSE ARTICLES AND DEFENSE SERV-*  
21 *ICES.—The term ‘defense articles and defense services’*  
22 *means defense articles, defense services, or design and*  
23 *construction services under the Arms Export Control*  
24 *Act (22 U.S.C. 2751 et seq.), including defense arti-*

1        *cles and defense services licensed or approved for ex-*  
2        *port under section 38 of that Act (22 U.S.C. 2778).”.*

3        ***Subtitle D—Professional Military***  
4        ***Education***

5        ***SEC. 931. AUTHORITY FOR MARINE CORPS UNIVERSITY TO***  
6                                ***AWARD THE DEGREE OF MASTER OF MILI-***  
7                                ***TARY STUDIES.***

8                *(a) AUTHORITY TO AWARD.—(1) Chapter 609 of title*  
9        *10, United States Code, is amended by adding at the end*  
10        *the following new section:*

11        ***“§ 7102. Marine Corps University: master of military***  
12                                ***studies***

13                *“(a) AUTHORITY.—Upon the recommendation of the*  
14        *Director and faculty of the Marine Corps Command and*  
15        *Staff College, the President of the Marine Corps University*  
16        *may confer the degree of master of military studies upon*  
17        *graduates of the college who fulfill the requirements for the*  
18        *degree.*

19                *“(b) REGULATIONS.—The authority provided by sub-*  
20        *section (a) shall be exercised under regulations prescribed*  
21        *by the Secretary of the Navy.”.*

22                *(2) The table of sections at the beginning of such chap-*  
23        *ter is amended by adding at the end the following new item:*

*“7102. Marine Corps University: master of military studies.”.*

24                *(b) EFFECTIVE DATE.—The authority provided by sec-*  
25        *tion 7102(a) of title 10, United States Code, as added by*

1 subsection (a), shall become effective on the date on which  
2 the Secretary of Education determines that the require-  
3 ments established by the Command and Staff College of the  
4 Marine Corps University for the degree of master of mili-  
5 tary studies are in accordance with generally applicable re-  
6 quirements for a degree of master of arts.

7 **SEC. 932. BOARD OF ADVISORS OF MARINE CORPS UNIVER-**  
8 **SITY.**

9 (a) BOARD.—(1) Chapter 609 of title 10, United States  
10 Code, as amended by section 931, is further amended by  
11 adding at the end the following new section:

12 **“§ 7103. Marine Corps University: Board of Advisors**

13 “(a) IN GENERAL.—A Board of Advisors to the Presi-  
14 dent of the Marine Corps University is constituted annually  
15 of—

16 “(1) the chairman of the Committee on Armed  
17 Services of the Senate, or the designee of the chair-  
18 man; and

19 “(2) six persons designated by the Secretary of  
20 the Navy.

21 “(b) TERMS.—(1) The persons designated by the Sec-  
22 retary of the Navy shall serve for 3 years each except that  
23 any member whose term of office has expired shall continue  
24 to serve until the successor to the member is designated.

1       “(2) Members may be reappointed for one or more suc-  
2 cessive terms.

3       “(3) If a member of the Board dies or resigns, the offi-  
4 cial who designated that member shall designate a successor  
5 to serve for the unexpired portion of the term of the member.

6       “(c) VISITS.—The Board shall visit the Marine Corps  
7 University semiannually upon the call of the President of  
8 the Marine Corps University. With the approval of the  
9 President of the University, the Board, or any of its mem-  
10 bers, may make other visits to the University in connection  
11 with the duties of the Board or to consult with the President  
12 of the University.”.

13       (2) The table of sections at the beginning of such chap-  
14 ter, as amended by section 931, is further amended by add-  
15 ing at the end the following new item:

“7103. Marine Corps University: Board of Advisors.”.

16       (b) INITIAL DESIGNATIONS OF MEMBERS.—Of the  
17 members of the Board of Advisors of the Marine Corps Uni-  
18 versity initially designated under section 7103(a)(2) of title  
19 10, United States Code, as added by subsection (a)—

20           (1) two shall be designated for a term of 3 years;

21           (2) two shall be designated for a term of 2 years;

22       and

23           (3) two shall be designated for a term of 1 year.



1 **SEC. 933. AUTHORITY FOR AIR UNIVERSITY TO AWARD THE**  
2 **DEGREE OF MASTER OF AIRPOWER ART AND**  
3 **SCIENCE.**

4 (a) *AUTHORITY TO AWARD.*—(1) Chapter 901 of title  
5 10, United States Code, is amended by adding at the end  
6 the following new section:

7 **“§9317. Air University: master of airpower art and**  
8 **science**

9 “(a) *AUTHORITY.*—Upon the recommendation of the  
10 faculty of the School of Advanced Airpower Studies of the  
11 Air University, the Commander of the university may con-  
12 fer the degree of master of airpower art and science upon  
13 graduates of the school who fulfill the requirements for the  
14 degree.

15 “(b) *REGULATIONS.*—The authority provided by sub-  
16 section (a) shall be exercised under regulations prescribed  
17 by the Secretary of the Air Force.”.

18 (2) The table of sections at the beginning of such chap-  
19 ter is amended by adding at the end the following new item:  
“9317. Air University: master of airpower art and science.”.

20 (b) *EFFECTIVE DATE.*—The authority provided by sec-  
21 tion 9317(a) of title 10, United States Code, as added by  
22 subsection (a), shall become effective on the date on which  
23 the Secretary of Education determines that the require-  
24 ments established by the School of Advanced Airpower Stud-  
25 ies of the Air University for the degree of master of airpower

1 *art and science are in accordance with generally applicable*  
2 *requirements for a degree of master of arts or a degree of*  
3 *master of science.*

4 ***TITLE X—GENERAL PROVISIONS***

5 ***Subtitle A—Financial Matters***

6 ***SEC. 1001. TRANSFER AUTHORITY.***

7 *(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—(1)*  
8 *Upon determination by the Secretary of Defense that such*  
9 *action is necessary in the national interest, the Secretary*  
10 *may transfer amounts of authorizations made available to*  
11 *the Department of Defense in this division for fiscal year*  
12 *1995 between any such authorizations for that fiscal year*  
13 *(or any subdivisions thereof). Amounts of authorizations so*  
14 *transferred shall be merged with and be available for the*  
15 *same purposes as the authorization to which transferred.*

16 *(2) The total amount of authorizations that the Sec-*  
17 *retary of Defense may transfer under the authority of this*  
18 *section may not exceed \$2,000,000,000.*

19 *(b) LIMITATIONS.—The authority provided by this sec-*  
20 *tion to transfer authorizations—*

21 *(1) may only be used to provide authority for*  
22 *items that have a higher priority than the items from*  
23 *which authority is transferred; and*

24 *(2) may not be used to provide authority for an*  
25 *item that has been denied authorization by Congress.*

1           (c) *EFFECT ON AUTHORIZATION AMOUNTS.*—A trans-  
2 *fer made from one account to another under the authority*  
3 *of this section shall be deemed to increase the amount au-*  
4 *thorized for the account to which the amount is transferred*  
5 *by an amount equal to the amount transferred.*

6           (d) *NOTICE TO CONGRESS.*—The Secretary of Defense  
7 *shall promptly notify Congress of transfers made under the*  
8 *authority of this section.*

9   **SEC. 1002. EMERGENCY SUPPLEMENTAL AUTHORIZATION**  
10                                   **OF APPROPRIATIONS FOR FISCAL YEAR 1994.**

11           *There is authorized to be appropriated as emergency*  
12 *supplemental appropriations for fiscal year 1994 for the in-*  
13 *cremental costs arising from ongoing United States oper-*  
14 *ations in Somalia, Bosnia, Southwest Asia, and Haiti,*  
15 *\$1,198,300,000 as follows:*

16                   (1) *For Military Personnel:*

17                           (A) *For the Army, \$6,600,000.*

18                           (B) *For the Navy, \$19,400,000.*

19                           (C) *For the Air Force, \$18,400,000.*

20                   (2) *For Operation and Maintenance:*

21                           (A) *For the Army, \$420,100,000.*

22                           (B) *For the Navy, \$104,800,000.*

23                           (C) *For the Air Force, \$560,100,000.*

24                           (D) *For Defense-wide activities,*

25                           *\$21,600,000.*

1           (3) *For Procurement:*

2                   (A) *For Aircraft Procurement, Army,*  
3                   *\$20,300,000.*

4                   (B) *For Other Procurement, Army,*  
5                   *\$200,000.*

6                   (C) *For Other Procurement, Air Force,*  
7                   *\$26,800,000.*

8   **SEC. 1003. DATE FOR SUBMISSION OF FUTURE-YEARS MIS-**  
9                   **SION BUDGET.**

10       *Section 222(a) of title 10, United States Code, is*  
11       *amended by striking out “at the same time” in the second*  
12       *sentence and inserting in lieu thereof “not later than 60*  
13       *days after the date on which”.*

14   **SEC. 1004. SUBMISSION OF FUTURE-YEARS DEFENSE PRO-**  
15                   **GRAM IN ACCORDANCE WITH LAW.**

16       *If, as of the end of the 90-day period beginning on*  
17       *the date on which the President’s budget for fiscal year 1996*  
18       *is submitted to Congress, the Secretary of Defense has not*  
19       *submitted to Congress the fiscal year 1996 future-years de-*  
20       *fense program and, after consultation with the Inspector*  
21       *General of the Department of Defense, a certification that*  
22       *such program satisfies the requirements of section 221(b)*  
23       *of title 10, United States Code, then during the 30-day pe-*  
24       *riod beginning on the last day of such 90-day period the*  
25       *Secretary may not obligate more than 10 percent of the fis-*

1 *cal year 1995 advance procurement funds that are available*  
2 *for obligation as of the end of that 90-day period. If, as*  
3 *of the end of such 30-day period, the Secretary of Defense*  
4 *has not submitted to Congress the fiscal year 1996 future-*  
5 *years defense program together with such a certification,*  
6 *then the Secretary may not make any further obligation*  
7 *of fiscal year 1995 advance procurement funds until such*  
8 *program and certification are submitted to Congress. If the*  
9 *Secretary submits to Congress the fiscal year 1996 future-*  
10 *years defense program, together with such a certification,*  
11 *during the 30-day period described in the first sentence, the*  
12 *limitation on obligation of advance procurement funds pre-*  
13 *scribed in that sentence shall cease to apply effective as of*  
14 *the date of the submission of such program and certifi-*  
15 *cation.*

16 ***Subtitle B—Matters Relating to***  
17 ***Allies and Other Nations***

18 ***SEC. 1011. REPEAL OF LIMITATION ON OVERSEAS MILITARY***

19 ***END STRENGTH.***

20 *Section 1302 of the National Defense Authorization*  
21 *Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat.*  
22 *2545; 10 U.S.C. 113 note) is repealed.*

1 **SEC. 1012. AUTHORIZED END STRENGTH FOR MILITARY**  
2 **PERSONNEL IN EUROPE.**

3 (a) *END STRENGTH.*—Paragraph (1) of section  
4 1002(c) of the National Defense Authorization Act, 1985 (22  
5 U.S.C. 1928 note) is amended to read as follows:

6 “(1) *The end strength level of members of the Armed*  
7 *Forces of the United States assigned to permanent duty*  
8 *ashore in European member nations of NATO may not ex-*  
9 *ceed a permanent ceiling of approximately 100,000 in any*  
10 *fiscal year.*

11 “(2) *Notwithstanding paragraph (1), the end strength*  
12 *level of members of the Armed Forces of the United States*  
13 *assigned to permanent duty ashore in European member*  
14 *nations of NATO may exceed 100,000 in a fiscal year if,*  
15 *before September 1 of that fiscal year, the President certifies*  
16 *to Congress that it is essential for the end strength level*  
17 *to exceed 100,000 in that fiscal year in order to attain na-*  
18 *tional security objectives of the United States in Europe*  
19 *and that the number of personnel in excess of 100,000 does*  
20 *not exceed the number of additional personnel necessary to*  
21 *attain such objectives. In no event may the end strength*  
22 *level exceed 113,000 in any fiscal year.”*

23 (b) *CONFORMING AMENDMENT.*—Section 1303 of the  
24 *National Defense Authorization Act for Fiscal Year 1993*  
25 *(Public Law 102-484; 106 Stat. 2546) is repealed.*

1           (c) *EFFECTIVE DATE.*—The amendments made by sub-  
2 section (a) shall take effect on October 1, 1995.

3   **SEC. 1013. EXTENSION AND REVISION OF AUTHORITIES RE-**  
4                           **LATING TO COOPERATIVE THREAT REDUC-**  
5                           **TION.**

6           (a) *FUNDING FOR FISCAL YEAR 1995.*—Funds author-  
7 ized to be appropriated under section 301(19) shall be  
8 available for cooperative threat reduction with states of the  
9 former Soviet Union under the Cooperative Threat Reduc-  
10 tion Act of 1993 (title XII of Public Law 103–160; 22  
11 U.S.C. 5951 et seq.).

12          (b) *SEMI-ANNUAL REPORTS.*—Section 1207 of such  
13 Act (22 U.S.C. 5956) is amended by striking out “and not  
14 later than October 30, 1994,” and inserting in lieu thereof  
15 “October 30, 1994, April 30, 1995, and October 30, 1995.”.

16   **SEC. 1014. DEFENSE COOPERATION BETWEEN THE UNITED**  
17                           **STATES AND ISRAEL.**

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

19               (1) *The President has made a commitment to*  
20               *maintaining the qualitative superiority of the Israeli*  
21               *Defense Force over any potential combination of po-*  
22               *tential adversaries.*

23               (2) *Despite the peace process in which Israel is*  
24               *engaged, Israel continues to face difficult threats to its*  
25               *national security.*

1           (3) *The threats are compounded by the prolifera-*  
2           *tion of weapons of mass destruction and ballistic mis-*  
3           *siles.*

4           (4) *Congress recognizes the many benefits to the*  
5           *United States resulting from the strategic relationship*  
6           *that exists between the United States and Israel.*

7           (5) *Congress is supportive of the objective of the*  
8           *President to enhance United States-Israel military*  
9           *and technical cooperation, particularly in the areas of*  
10          *missile defense and counter-proliferation.*

11          (6) *Congress is supportive of the establishment of*  
12          *the United States-Israel Science and Technology Com-*  
13          *mission in 1993.*

14          (7) *Maintaining the qualitative superiority of*  
15          *the Israeli Defense Force and strengthening the de-*  
16          *fense ties and science and technology cooperation be-*  
17          *tween the United States and Israel will help ensure*  
18          *that Israel has the military strength and political*  
19          *support necessary to take risks for peace while provid-*  
20          *ing Arab states with an incentive to pursue negotia-*  
21          *tions instead of war.*

22          (8) *Israel continues to cooperate with the United*  
23          *States on numerous theater missile defense programs,*  
24          *including the Arrow Tactical Anti-Missile program*  
25          *and the boost phase intercept technology program.*



1           (9) *It is in the national interests of the United*  
2 *States and Israel to strengthen existing mechanisms*  
3 *for cooperation and to eliminate unnecessary barriers*  
4 *to further collaboration between the United States and*  
5 *Israel.*

6           (b) *SENSE OF CONGRESS.—It is the sense of Congress*  
7 *that Congress—*

8           (1) *encourages the President to ensure that any*  
9 *conventional defense system or technology offered for*  
10 *release to any NATO or other major non-NATO ally*  
11 *should concurrently be available for purchase by Is-*  
12 *rael unless such action would contravene United*  
13 *States national interests; and*

14           (2) *urges the President to make available to Is-*  
15 *rael, within existing technology transfer laws, regula-*  
16 *tions, and policies, advanced United States technology*  
17 *necessary for continued progress in cooperative Unit-*  
18 *ed States-Israel research and development of theater*  
19 *missile defenses.*

20 **SEC. 1015. MILITARY-TO-MILITARY CONTACTS AND COM-**  
21 **PARABLE ACTIVITIES.**

22           (a) *ACTIVITIES AUTHORIZED.—(1) Chapter 6 of title*  
23 *10, United States Code, is amended by adding at the end*  
24 *the following new section:*

1 **“§ 166b. Military-to-military contacts and comparable**  
2 **activities**

3 “(a) *AUTHORITY.*—*The Secretary of Defense may con-*  
4 *duct military-to-military contacts and comparable activi-*  
5 *ties that are designed to encourage a democratic orientation*  
6 *of defense establishments and military forces of other coun-*  
7 *tries.*

8 “(b) *ADMINISTRATION.*—*The Secretary may provide*  
9 *funds appropriated for carrying out subsection (a) to the*  
10 *following officials for use as provided in subsection (c):*

11 “(1) *The commander of a combatant command,*  
12 *upon the request of the commander.*

13 “(2) *An officer designated by the Chairman of*  
14 *the Joint Chiefs of Staff, with respect to an area or*  
15 *areas not under the area of responsibility of a com-*  
16 *mander of a combatant command.*

17 “(3) *The head of any Department of Defense*  
18 *component.*

19 “(c) *AUTHORIZED ACTIVITIES.*—*An official provided*  
20 *funds under subsection (b) may use such funds for the fol-*  
21 *lowing activities and expenses:*

22 “(1) *The activities of traveling contact teams, in-*  
23 *cluding any transportation expenses, translation serv-*  
24 *ices expenses, and administrative expenses that are*  
25 *related to such activities.*

26 “(2) *The activities of military liaison teams.*

1           “(3) Exchanges of—

2                   “(A) civilian or military personnel between  
3           the Department of Defense and defense ministries  
4           of foreign governments; and

5                   “(B) military personnel between units of the  
6           armed forces and units of foreign armed forces.

7           “(4) Seminars and conferences held primarily in  
8           a theater of operations.

9           “(5) Distribution of publications primarily in a  
10          theater of operations.

11          “(6) Personnel expenses for Department of De-  
12          fense civilian and military personnel to the extent  
13          that such expenses relate to participation in activities  
14          described in paragraphs (3), (4), and (5).

15          “(7) Reimbursement of military personnel ap-  
16          propriations accounts for the pay and allowances  
17          paid to National Guard personnel and other reserve  
18          components personnel for service while engaged in ac-  
19          tivities referred to in other paragraphs of this sub-  
20          section.

21          “(d) RELATIONSHIP TO OTHER FUNDING.—Any  
22          amount provided during any fiscal year to an official under  
23          subsection (b) for activities or expenses referred to in sub-  
24          section (c) shall be in addition to amounts otherwise avail-  
25          able for such activities and expenses for that fiscal year.

1       “(e) *LIMITATIONS.—(1) Funds may not be provided*  
2 *under this section for a fiscal year for any activity for*  
3 *which—*

4               “(A) *funding was proposed in the budget submit-*  
5 *ted to Congress for such fiscal year pursuant to sec-*  
6 *tion 1105(a) of title 31; and*

7               “(B) *Congress did not authorize appropriations.*

8       “(2) *An activity may not be conducted under this sec-*  
9 *tion with a foreign country unless the Secretary of State*  
10 *approves the conduct of such activity in that foreign coun-*  
11 *try.*

12       “(3) *Funds may not be provided under this section for*  
13 *a fiscal year for any country which was not eligible in that*  
14 *fiscal year for assistance under chapter 5 of part II of the*  
15 *Foreign Assistance Act of 1961.*

16       “(4) *Funds may not be used under this section for the*  
17 *provision of military education or training, defense articles,*  
18 *or defense services to any country.*

19       “(f) *MILITARY-TO-MILITARY CONTACTS DEFINED.—In*  
20 *this section, the term ‘military-to-military contacts’ means*  
21 *contacts between members of the armed forces and members*  
22 *of foreign armed forces through activities described in sub-*  
23 *section (c).”.*

1       (2) *The table of sections at the beginning of chapter*  
2 *6 of such title is amended by adding at the end the following*  
3 *new item:*

*“166b. Military-to-military contacts and comparable activities.”.*

4       (b) *FUNDING.*—*Of the amount authorized to be appro-*  
5 *priated under section 301(5) for operation and mainte-*  
6 *nance for Defense-wide activities, \$46,300,000 shall be*  
7 *available to the Secretary of Defense for the purposes of car-*  
8 *rying out activities under section 166b of title 10, United*  
9 *States Code, as added by subsection (a).*

10 **SEC. 1016. FOREIGN DISASTER RELIEF.**

11       (a) *AUTHORITY.*—(1) *Subchapter I of chapter 20 of*  
12 *title 10, United States Code, is amended by adding at the*  
13 *end the following new section:*

14 **“§ 404. Foreign disaster relief**

15       “(a) *IN GENERAL.*—*The President may conduct disas-*  
16 *ter relief activities outside the United States to respond to*  
17 *manmade or natural disasters when necessary to prevent*  
18 *loss of lives.*

19       “(b) *FORMS OF ASSISTANCE.*—*Assistance provided*  
20 *under this section may include transportation, supplies,*  
21 *services, and equipment.*

22       “(c) *DETERMINATION REQUIRED.*—*No assistance may*  
23 *be furnished pursuant to this section unless the President*  
24 *determines that the provision of disaster relief is in the na-*

1 *tional interest of the United States and is necessary to pre-*  
2 *vent loss of lives.*

3       “(d) *REPORT REQUIRED.*—Not later than 48 hours  
4 *after the commencement of disaster relief activities, the*  
5 *President shall transmit to the Congress a report containing*  
6 *the determination required by subsection (c) and a descrip-*  
7 *tion of the following:*

8               “(1) *The manmade or natural disaster for which*  
9 *disaster relief is necessary.*

10              “(2) *The threat to human lives presented by the*  
11 *disaster.*

12              “(3) *The United States military personnel and*  
13 *material resources that are involved or expected to be*  
14 *involved.*

15              “(4) *The disaster relief that is being provided or*  
16 *is expected to be provided by other nations or public*  
17 *or private relief organizations.*

18              “(5) *The anticipated duration of the disaster re-*  
19 *lief activities.”.*

20       (2) *The table of sections at the beginning of such sub-*  
21 *chapter is amended by adding at the end the following:*

*“404. Foreign disaster relief.”.*

22       (b) *FUNDING OF ACTIVITIES.*—Of the amount author-  
23 *ized to be appropriated under subsection 301(5),*  
24 *\$46,300,000 shall be available to the Secretary of Defense*  
25 *for the purpose of carrying out disaster relief activities*

1 *under section 404 of title 10, United States Code, as added*  
2 *by subsection (a).*

3 **SEC. 1017. BURDENSARING POLICY AND REPORT.**

4 *(a) POLICY.—It is the policy of the United States that*  
5 *the North Atlantic Treaty Organization (NATO) allies*  
6 *should assist the United States in paying the incremental*  
7 *cost incurred by the United States for maintaining mem-*  
8 *bers of the Armed Forces in assignments to permanent duty*  
9 *ashore in Europe solely for performing United States obli-*  
10 *gations for support of NATO.*

11 *(b) IMPLEMENTATION.—The President shall take all*  
12 *necessary actions to ensure the effective implementation of*  
13 *the burdensharing policy set forth in subsection (a).*

14 *(c) REPORT.—The Secretary of Defense shall include*  
15 *in the annual burdensharing report required by section*  
16 *1002(d) of the Department of Defense Authorization Act,*  
17 *1985 (22 U.S.C. 1928 note) the following matters:*

18 *(1) A specific enumeration and description of the*  
19 *United States military resources and military person-*  
20 *nel assigned to permanent duty ashore in Europe pri-*  
21 *marily in support of NATO and an analysis of the*  
22 *cost of providing and maintaining such resources and*  
23 *personnel in such assignment primarily for that pur-*  
24 *pose.*

1           (2) *A specific enumeration and description of the*  
2 *United States military resources and military person-*  
3 *nel assigned to permanent duty ashore in Europe pri-*  
4 *marily in support of other United States interests in*  
5 *other regions of the world and an analysis of the cost*  
6 *of providing and maintaining such resources and per-*  
7 *sonnel in such assignment primarily for that purpose.*

8           (3) *A specific enumeration and description of the*  
9 *offsets to United States costs of providing and main-*  
10 *taining United States military resources and mili-*  
11 *tary personnel in Europe that the United States has*  
12 *previously received from other NATO member na-*  
13 *tions, set out by country and by type of assistance,*  
14 *including both “in-kind” assistance and direct cash*  
15 *reimbursement, and the projected offsets for the five*  
16 *fiscal years following the fiscal year in which the re-*  
17 *port is submitted.*

18           (4) *A detailed identification of the costs associ-*  
19 *ated with maintaining United States military per-*  
20 *sonnel in assignments to permanent duty ashore in*  
21 *Europe for NATO and the difference in cost that*  
22 *would result from stationing such personnel at mili-*  
23 *tary bases within the United States and continuing*  
24 *to assign to such personnel the mission to perform*  
25 *United States obligations under NATO.*



1           (5) *A comparison of the defense spending by each*  
2 *NATO member country as a percentage of Gross Do-*  
3 *mestic Product (GDP) beginning in 1985 and the*  
4 *projected future defense spending as a percentage of*  
5 *Gross Domestic Product through 2000.*

6           (6) *A review of all actions taken by the United*  
7 *States to ensure the effective implementation of the*  
8 *United States burdensharing policy set forth in sub-*  
9 *section (a).*

10          (d) *INCREMENTAL COST DEFINED.—In this section,*  
11 *the term “incremental cost”, with respect to maintaining*  
12 *members of the Armed Forces in assignments to permanent*  
13 *duty ashore in Europe, includes the cost of transportation*  
14 *to and from duty stations in Europe, any variation in the*  
15 *cost of housing and food as compared to the cost of housing*  
16 *and food for members of the Armed Forces stationed in the*  
17 *United States, and any additional expenditures associated*  
18 *with infrastructure necessary to support United States*  
19 *forces in Europe.*

20 **SEC. 1018. REVIEW AND REPORT REGARDING DEPARTMENT**  
21 **OF DEFENSE PROGRAMS RELATING TO RE-**  
22 **GIONAL SECURITY AND HOST NATION DEVEL-**  
23 **OPMENT IN THE WESTERN HEMISPHERE.**

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

1           (1) *The political environment in the Western*  
2 *Hemisphere has been characterized in recent years by*  
3 *significant democratic advances and an absence of*  
4 *international strife; but democracy is fragile in some*  
5 *nations of the region.*

6           (2) *It is desirable for the Department of Defense*  
7 *to perform a positive role in influencing regional*  
8 *armed forces to make positive contributions to the*  
9 *democratic process and to domestic development pro-*  
10 *grams.*

11           (3) *Congress receives a number of annual reports*  
12 *relating to specific authorities granted to the Sec-*  
13 *retary of Defense under title 10, United States Code,*  
14 *such as the authorities relating to the conduct of bi-*  
15 *lateral or regional cooperation programs under sec-*  
16 *tion 1051, participation of developing countries in*  
17 *combined exercises under section 2110, and the train-*  
18 *ing of special operations forces with friendly forces*  
19 *under section 2011.*

20           (4) *The annual reports are replete with statistics*  
21 *and dollar figures and generally lacking in substance.*

22           (5) *Congress does not receive annual reports with*  
23 *respect to other authorities of the Secretary of Defense,*  
24 *such as that relating to Latin American cooperation*  
25 *under section 1050 of title 10, United States Code.*

1           (6) *Testimony before Congress, including in particular the testimony of the Commander in Chief, United States Southern Command, and the Commander in Chief, United States Atlantic Command, has emphasized the conduct of a large number of complementary programs under the leadership and supervision of those two commanders to foster appropriate military roles in democratic host nations and to assist countries in developing forces properly trained to address their security needs, including needs regarding illegal immigration, insurgencies, smuggling of illegal arms, munitions, and explosives across borders, and drug trafficking.*

14           (7) *Most of the programs referred to in paragraph (6) provide excellent and often unique training and experience to the United States forces involved.*

17           (8) *The expansion of the military-to-military contact program to the Western Hemisphere will provide another tool to encourage a democratic orientation of the defense establishments and military forces of countries in the region.*

22           (9) *There is a need to conduct a comprehensive review of the several authorities in title 10, United States Code, for the Secretary of Defense to engage in cooperative regional security programs with other*

1 *countries in the Western Hemisphere in order to de-*  
2 *termine whether the authorities continue to be appro-*  
3 *priate and necessary, particularly in the light of the*  
4 *changed circumstances in the region.*

5 *(10) There is a need to conduct a comprehensive*  
6 *review of the various programs carried out pursuant*  
7 *to such authorities to ensure that such programs are*  
8 *designed to meet the needs of the host nations involved*  
9 *and the regional objectives of the United States.*

10 *(11) There is a need to assess the strengths and*  
11 *weaknesses of the various regional security organiza-*  
12 *tions, defense forums, and defense education institu-*  
13 *tions in the Western Hemisphere in order to identify*  
14 *any improvements needed to harmonize the defense*  
15 *policies of the United States and those of friendly na-*  
16 *tions of the region.*

17 *(b) REPORT REQUIRED.—Not later than May 1, 1995,*  
18 *the Secretary of Defense, shall—*

19 *(1) carry out a comprehensive review and assess-*  
20 *ment of the matters referred to in paragraphs (9),*  
21 *(10), and (11) of subsection (a); and*

22 *(2) after consultation with the Chairman of the*  
23 *Joint Chiefs of Staff and the commanders of the com-*  
24 *batant commands responsible for regions in the West-*  
25 *ern Hemisphere, submit to the Committees on Armed*

1        *Services of the Senate and House of Representatives*  
2        *a report on regional defense matters.*

3        (c) *CONTENT OF REPORT.*—*The report shall contain*  
4        *a detailed and comprehensive description, discussion, and*  
5        *analysis of the following matters:*

6                (1) *The Department of Defense plan to support*  
7                *United States strategic objectives in the Western*  
8                *Hemisphere.*

9                (2) *The external and internal threats to the na-*  
10                *tional security of the nations of the region.*

11                (3) *The various regional security cooperative*  
12                *programs carried out by the Department of Defense*  
13                *in the region in 1994, including training and edu-*  
14                *cation programs in the host nations and in the Unit-*  
15                *ed States and defense contacts set forth on a country-*  
16                *by-country basis, the statutory authority, if any, for*  
17                *such programs, and the strategic objectives served.*

18                (4) *The various regional security organizations,*  
19                *defense forums, and defense education institutions*  
20                *that the United States maintains or in which the*  
21                *United States participates.*

22                (5) *An assessment of the contribution that such*  
23                *programs, defense contacts, organizations, forums,*  
24                *and institutions make to the advancement of regional*

1     *security, host nation security and national develop-*  
2     *ment, and the strategic objectives of the United States.*

3             *(6) The changes made or to be made in the pro-*  
4     *grams, organizations, forums, and institutions as a*  
5     *result of the comprehensive review.*

6             *(7) Any recommended legislation considered nec-*  
7     *essary to improve the ability of the Department to*  
8     *achieve its strategic objectives.*

9             *(d) CLASSIFICATION OF REPORT.—The report shall be*  
10    *submitted in an unclassified form and may, if necessary,*  
11    *have a classified supplement.*

12    **SEC. 1019. PAYMENTS-IN-KIND FOR RELEASE OF UNITED**  
13                    **STATES OVERSEAS MILITARY FACILITIES TO**  
14                    **NATO HOST COUNTRIES.**

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

16                *(1) The United States has invested*  
17     *\$6,500,000,000 in military infrastructure in North*  
18     *Atlantic Treaty Organization (NATO) countries.*

19                *(2) As part of an overall plan to reduce United*  
20     *States troop strength in Europe from 323,432 in 1987*  
21     *to 100,000 by the end of 1996, the Department of De-*  
22     *fense plans to close or reduce United States military*  
23     *presence at 867 military sites overseas.*

1           (3) *Most of the overseas military sites announced*  
2 *for closure are in Europe where the United States has*  
3 *already closed 434 such sites.*

4           (4) *When the United States closes military sites*  
5 *in Europe, the United States brings the military per-*  
6 *sonnel home but leaves buildings, roads, sewers, and*  
7 *other real property improvements behind.*

8           (5) *Some allies have agreed to pay the United*  
9 *States for the residual value of the real property im-*  
10 *provements left behind.*

11           (6) *Although the United States military*  
12 *drawdown has been rapid since 1990, European allies*  
13 *have been slow to pay the United States the residual*  
14 *value of the sites released by the United States.*

15           (7) *As of 1994, the United States has recouped*  
16 *only \$33,300,000 in cash, and most of that was recov-*  
17 *ered in 1989.*

18           (8) *Although the United States has released to*  
19 *Germany over 60 percent of the military sites*  
20 *planned for closure by the United States in that coun-*  
21 *try and the current value of United States facilities*  
22 *to be returned to the German government is estimated*  
23 *at approximately \$2,700,000,000, the German govern-*  
24 *ment has budgeted only \$25,000,000 for fiscal year*

1     *1994 for payment of compensation for the United*  
2     *States investment in such improvements.*

3     ***(b) POLICY.—It is the sense of Congress that—***

4             *(1) the President should redouble efforts to re-*  
5             *cover the value of the United States investment in the*  
6             *military infrastructure of NATO countries;*

7             *(2) the President should enter into negotiations*  
8             *with the government of each NATO host country with*  
9             *a presumption that payments to compensate the*  
10            *United States for the negotiated value of improve-*  
11            *ments will be made in cash and deposited in the De-*  
12            *partment of Defense Overseas Military Facility In-*  
13            *vestment Recovery Account;*

14            *(3) the President should enter into negotiations*  
15            *for payments-in-kind only as a last resort and only*  
16            *after informing the Congress that negotiations for*  
17            *cash payments have not been successful; and*

18            *(4) to the extent that in-kind contributions are*  
19            *received in lieu of cash payments in any fiscal year,*  
20            *the in-kind contributions should be used for projects*  
21            *which are identified priorities of the Department of*  
22            *Defense.*

23            ***(c) REQUIREMENTS AND LIMITATIONS RELATING TO***  
24     ***PAYMENTS-IN-KIND.—(1) Subsection (e) of section 2921 of***



1 *the National Defense Authorization Act for Fiscal Year*  
2 *1991 (10 U.S.C. 2687 note) is amended—*

3 *(A) by inserting “(1)” after “NEGOTIATIONS FOR*  
4 *PAYMENTS-IN-KIND.—”;*

5 *(B) by striking out “a written notice” and all*  
6 *that follows and inserting in lieu thereof “to the con-*  
7 *gressional defense committees (and one additional*  
8 *copy to each of the Subcommittees on Defense of the*  
9 *Committees on Appropriations of the Senate and the*  
10 *House of Representatives) a written notice regarding*  
11 *the intended negotiations.”; and*

12 *(C) by adding at the end the following new para-*  
13 *graph:*

14 *“(2) The notice shall contain the following:*

15 *“(A) A justification for entering into negotia-*  
16 *tions for payments-in-kind with the host country.*

17 *“(B) The types of benefit options to be pursued*  
18 *by the Secretary in the negotiations.*

19 *“(C) A discussion of the adjustments that are in-*  
20 *tended to be made in the future-years defense program*  
21 *or in the budget of the Department of Defense for the*  
22 *fiscal year in which the notice is submitted or the fol-*  
23 *lowing fiscal year in order to reflect costs that it may*  
24 *no longer be necessary for the United States to incur*

1       *as a result of the payments-in-kind to be sought in the*  
2       *negotiations.”.*

3       *(2) Such section is amended by adding at the end the*  
4       *following new subsection:*

5           “(h) CONGRESSIONAL OVERSIGHT OF PAYMENTS-IN-  
6       KIND.—(1) Not less than 30 days before concluding an  
7       agreement for acceptance of military construction or facil-  
8       ity improvements as a payment-in-kind, the Secretary of  
9       Defense shall submit to Congress a notification on the pro-  
10      posed agreement that contains the following matters:

11           “(A) A description of the military construction  
12      project or facility improvement project, as the case  
13      may be.

14           “(B) A certification that the project is needed by  
15      United States forces.

16           “(C) An explanation of how the project will aid  
17      in the achievement of the mission of those forces.

18           “(D) A certification that, if the project were to  
19      be carried out by the Department of Defense, appro-  
20      priations would be necessary for the project and it  
21      would be necessary to provide for the project in the  
22      next future-years defense program.

23           “(2) Not less than 30 days before concluding an agree-  
24      ment for acceptance of host nation support or host nation  
25      payment of operating costs of United States forces as a pay-

1 *ment-in-kind, the Secretary of Defense shall submit to Con-*  
2 *gress a notification on the proposed agreement that contains*  
3 *the following matters:*

4           “(A) A description of each activity to be covered  
5           by the payment-in-kind.

6           “(B) A certification that the costs to be covered  
7           by the payment-in-kind are included in the budget of  
8           one or more of the military departments or that it  
9           will otherwise be necessary to provide for payment of  
10          such costs in a budget of one or more of the military  
11          departments.

12          “(C) A certification that, unless the payment-in-  
13          kind is accepted or funds are appropriated for pay-  
14          ment of such costs, the military mission of the United  
15          States forces with respect to the host nation concerned  
16          will be adversely affected.”.

17 ***Subtitle C—Nonproliferation and***  
18 ***Counterproliferation of Weapon***  
19 ***Systems and Related Systems***

20 ***SEC. 1021. EXTENSION AND REVISION OF NONPROLIFERA-***  
21 ***TION AUTHORITIES.***

22          (a) *EXTENSION OF NONPROLIFERATION AUTHORI-*  
23 *TIES.*—Section 1505 of the National Defense Authorization  
24 *Act for Fiscal Year 1993 (22 U.S.C. 5859a) is amended—*

1           (1) in subsection (a), by striking out “during fis-  
2           cal year 1994” and inserting in lieu thereof “during  
3           fiscal years 1994 and 1995”; and

4           (2) in subsection (e), by striking out “fiscal year  
5           1994” and inserting in lieu thereof “fiscal years 1994  
6           and 1995”.

7           (b) *ACTIVITIES FOR WHICH ASSISTANCE MAY BE PRO-*  
8 *VIDED.*—Subsection (b)(4) of such section is amended by  
9 striking out “nuclear proliferation through joint technical  
10 projects and improved intelligence sharing” and inserting  
11 in lieu thereof “nuclear, biological, chemical, and missile  
12 proliferation through technical projects and improved infor-  
13 mation sharing”.

14          (c) *SOURCES OF ASSISTANCE.*—Subsection (d) of such  
15 section is amended—

16           (1) in paragraph (1)—

17                (A) by inserting “for fiscal year 1994” after  
18                “under this section”; and

19                (B) by striking out “fiscal year 1994 or”  
20                and inserting in lieu thereof “fiscal year 1994.  
21                Funds provided as assistance under this section  
22                for fiscal year 1995 shall be derived from  
23                amounts made available to the Department of  
24                Defense for fiscal year 1995. Alternatively, funds  
25                provided as assistance under this section for a

1           *fiscal year referred to in this paragraph may be*  
2           *derived”; and*

3           (2) *in paragraph (3), by inserting after*  
4           *“\$25,000,000” the following: “for fiscal year 1994 or*  
5           *\$15,000,000 for fiscal year 1995”.*

6   **SEC. 1022. JOINT COMMITTEE FOR THE REVIEW OF**  
7                           **COUNTERPROLIFERATION PROGRAMS OF**  
8                           **THE UNITED STATES.**

9           (a) *COMPOSITION.*—*Subsection (a) of section 1605 of*  
10          *the National Defense Authorization Act for Fiscal Year*  
11          *1994 (Public Law 103–160; 107 Stat 1845) is amended—*

12                  (1) *in paragraph (1)—*

13                          (A) *by striking out “Non-Proliferation” in*  
14                          *the matter above subparagraph (A) and inserting*  
15                          *in lieu thereof “Counterproliferation”;*

16                          (B) *by striking out subparagraphs (B) and*  
17                          *(E); and*

18                          (C) *by redesignating subparagraphs (C),*  
19                          *(D), and (F) as subparagraphs (B), (C), and*  
20                          *(D), respectively;*

21                  (2) *in paragraph (2), by adding at the end the*  
22                  *following: “The Secretary of Energy shall serve as the*  
23                  *Vice Chairman of the committee.”;*

24                  (3) *in paragraph (4), by adding at the end the*  
25                  *following: “The Secretary of Energy may delegate to*

1     *the Under Secretary of Energy responsible for na-*  
2     *tional security programs of the Department of Energy*  
3     *the performance of the duties of the Vice Chairman of*  
4     *the committee.”; and*

5             *(4) by striking out paragraph (5).*

6             *(b) PURPOSES OF COMMITTEE.—Subsection (b) of such*  
7     *section is amended—*

8             *(1) in paragraph (1)(A), by striking out “non-*  
9     *proliferation policy” and inserting in lieu thereof*  
10     *“counterproliferation policy”; and*

11             *(2) by adding at the end the following new para-*  
12     *graphs:*

13             *“(3) To prioritize programs and funding.*

14             *“(4) To encourage and facilitate interagency and*  
15     *interdepartmental funding of programs in order to*  
16     *ensure necessary levels of funding to develop, operate,*  
17     *and field highly-capable systems.*

18             *“(5) To insure that Department of Energy pro-*  
19     *grams are integrated with the operational needs of*  
20     *other departments and agencies of the Federal Gov-*  
21     *ernment.*

22             *“(6) To ensure that Department of Energy na-*  
23     *tional security programs include development of sys-*  
24     *tems for deployment as well as research.”.*

1           (c) *DUTIES.*—*Subsection (c) of such section is amend-*  
2 *ed—*

3           (1) *in paragraph (1)—*

4                   (A) *by striking out “(including*  
5 *counterproliferation capabilities) and tech-*  
6 *nologies for support of United States non-*  
7 *proliferation policy” in the matter above sub-*  
8 *paragraph (A) and inserting in lieu thereof “and*  
9 *technologies for support of United States non-*  
10 *proliferation policy and counterproliferation pol-*  
11 *icy”;*

12                   (B) *by inserting “and” at the end of sub-*  
13 *paragraph (D); and*

14                   (C) *by striking out subparagraphs (F) and*  
15 *(G);*

16           (2) *by striking out paragraphs (2), (3), and (7);*

17                   (3) *in paragraph (4), by striking out “to support*  
18 *fully the nonproliferation policy of the United*  
19 *States”;*

20                   (4) *by redesignating paragraphs (4), (5), and (6)*  
21 *as paragraphs (2), (3), and (4), respectively; and*

22                   (5) *by adding at the end the following new para-*  
23 *graph (5):*

24                           “(5) *assess each fiscal year the effectiveness of the*  
25 *committee actions during the preceding fiscal year,*

1 *including, particularly, the status of recommenda-*  
2 *tions made during such preceding fiscal year that*  
3 *were reflected in the budget submitted to Congress*  
4 *pursuant to section 1105(a) of title 31, United States*  
5 *Code, for the fiscal year following the fiscal year in*  
6 *which the assessment is made.”.*

7 *(d) COMMITTEE RECOMMENDATIONS.—Subsection (e)*  
8 *of such section is amended to read as follows:*

9 *“(e) RECOMMENDATIONS.—The committee shall sub-*  
10 *mit to the President and the heads of all appropriate de-*  
11 *partments and agencies of the Federal Government such*  
12 *programmatic recommendations regarding existing,*  
13 *planned, or new programs as the committee considers ap-*  
14 *propriate to encourage funding for capabilities and tech-*  
15 *nologies at the level necessary to support United States*  
16 *counterproliferation policy.”.*

17 *(e) EXTENSION OF COMMITTEE.—Subsection (f) of*  
18 *such section is amended by striking out “six months after*  
19 *the date on which the report of the Secretary of Defense*  
20 *under section 1606 is submitted to Congress” and inserting*  
21 *in lieu thereof “at the end of September 30, 1996”.*

22 **SEC. 1023. REPORT ON COUNTERPROLIFERATION ACTIVI-**  
23 **TIES AND PROGRAMS.**

24 *(a) REPORT REQUIRED.—Not later than May 1, 1995,*  
25 *and not later than May 1 of each year thereafter, the Sec-*



1 *retary of Defense shall submit to the appropriate commit-*  
2 *tees of Congress a report of the findings of the*  
3 *Counterproliferation Program Review Committee estab-*  
4 *lished by section 1605 of the National Defense Authorization*  
5 *Act for Fiscal Year 1994 (Public Law 103–160; 107 Stat*  
6 *1845). The Secretary shall submit any special annex of the*  
7 *report to the committees of Congress that traditionally re-*  
8 *ceive information in the annex in the performance of over-*  
9 *sight functions of such committees.*

10 (b) *CONTENT OF THE REPORT.*—*The report shall in-*  
11 *clude the following matters:*

12 (1) *A complete list, by specific program element,*  
13 *of the existing, planned, or newly proposed capabili-*  
14 *ties and technologies reviewed by the committee pur-*  
15 *suant to section 1605(c) of Public Law 103–160.*

16 (2) *A complete description of the requirements*  
17 *and priorities established by the Counterproliferation*  
18 *Program Review Committee.*

19 (3) *A comprehensive discussion of the near-term,*  
20 *mid-term, and long-term programmatic options for-*  
21 *mulated by the committee for meeting requirements*  
22 *prescribed by the committee and for eliminating defi-*  
23 *ciencies identified by the committee, including the an-*  
24 *annual funding requirements and completion dates es-*  
25 *tablished for each such option.*

1           (4) *An explanation of the recommendations*  
2 *made pursuant to section 1605(c) of Public Law 103–*  
3 *160, together with a full discussion of the actions*  
4 *taken to implement such recommendations or other-*  
5 *wise taken on the recommendations.*

6           (5) *A discussion and assessment of the status of*  
7 *each committee recommendation during the fiscal*  
8 *year preceding the fiscal year in which the report is*  
9 *submitted, including, particularly, the status of rec-*  
10 *ommendations made during such preceding fiscal*  
11 *year that were reflected in the budget submitted to*  
12 *Congress pursuant to section 1105(a) of title 31,*  
13 *United States Code, in the fiscal year of the report.*

14           (6) *Each specific Department of Energy program*  
15 *that the Secretary of Energy plans to develop to ini-*  
16 *tial operating capability and each such program that*  
17 *the Secretary does not plan to develop to initial oper-*  
18 *ating capability.*

19           (7) *For each technology program scheduled to*  
20 *reach initial operational capability, a recommenda-*  
21 *tion from the Chairman of the Joint Chiefs of Staff*  
22 *that represents the views of the commanders of the*  
23 *unified and specified commands regarding the utility*  
24 *and requirement of the program.*

1           (c) *FORMS OF REPORT.*—The report shall be submitted  
2 in both unclassified and classified forms, including an  
3 annex to the classified report for special compartmented in-  
4 formation programs, special access programs, and special  
5 activities programs.

6           (d) *DEFINITIONS.*—In this section:

7           (1) The term “appropriate committees of Con-  
8 gress” means—

9                   (A) the Committee on Armed Services, the  
10                   Committee on Appropriations, and the Select  
11                   Committee on Intelligence of the Senate; and

12                   (B) the Committee on Armed Services, the  
13                   Committee on Appropriations, and the Select  
14                   Committee on Intelligence of the House of Rep-  
15                   resentatives.

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

19 **SEC. 1024. AMOUNTS FOR COUNTERPROLIFERATION AC-**  
20 **TIVITIES.**

21           (a) *COUNTERPROLIFERATION ACTIVITIES.*—Of the  
22 amount authorized to be appropriated in section 201(4),  
23 \$12,500,000 shall be available for counterproliferation ac-  
24 tivities.

1           (b)           EDUCATION           IN           SUPPORT           OF  
2   COUNTERPROLIFERATION ACTIVITIES.—Of the amount au-  
3   thorized to be appropriated in section 301(5), not more than  
4   \$1,000,000 shall be available for providing education to  
5   members of the Armed Forces in matters relating to  
6   counterproliferation.

7           (c)   ADDITIONAL AUTHORITY TO TRANSFER AUTHOR-  
8   IZATIONS.—(1) In addition to the transfer authority pro-  
9   vided in section 1001, upon determination by the Secretary  
10   of Defense that such action is necessary in the national in-  
11   terest, the Secretary may transfer amounts of authoriza-  
12   tions made available to the Department of Defense in this  
13   division for fiscal year 1995 to counterproliferation pro-  
14   grams, projects, and activities identified as areas for  
15   progress by the Joint Committee for the Review of  
16   Counterproliferation Programs established by section 1605  
17   of the National Defense Authorization Act for Fiscal Year  
18   1994 (Public Law 103–160; 107 Stat. 1845). Amounts of  
19   authorizations so transferred shall be merged with and be  
20   available for the same purposes as the authorization to  
21   which transferred.

22           (2) The total amount of authorizations that the Sec-  
23   retary may transfer under the authority of this subsection  
24   may not exceed \$100,000,000.

1       (3) *The authority provided by this subsection to trans-*  
2 *fer authorizations—*

3           (A) *may only be used to provide authority for*  
4 *items that have a higher priority than the items from*  
5 *which authority is transferred; and*

6           (B) *may not be used to provide authority for an*  
7 *item that has been denied authorization by Congress.*

8       (4) *A transfer made from one account to another under*  
9 *the authority of this subsection shall be deemed to increase*  
10 *the amount authorized for the account to which the amount*  
11 *is transferred by an amount equal to the amount trans-*  
12 *ferred.*

13       (5) *The Secretary of Defense shall promptly notify*  
14 *Congress of transfers made under the authority of this sub-*  
15 *section.*

16       (d) *USE OF FUNDS FOR TECHNOLOGY DEVELOP-*  
17 *MENT.—(1) Of the funds authorized to be appropriated by*  
18 *section 201(4) for a counterproliferation technology project*  
19 *in Program Element 602301E—*

20           (A) *\$5,000,000 shall be available for a program*  
21 *to detect, locate, and disarm weapons of mass destruc-*  
22 *tion that are hidden by a hostile state or terrorist or*  
23 *terrorist group in confined area outside the United*  
24 *States; and*

1           (B) \$10,000,000 shall be available for the train-  
2           ing program referred to in paragraph (3).

3           (2) The Secretary of Defense shall make funds avail-  
4           able for the program referred to in paragraph (1)(A) in  
5           a manner that, to the maximum extent practicable, ensures  
6           the effective utilization of existing resources of the national  
7           weapons laboratories.

8           (3)(A) The training program referred to in paragraph  
9           (1)(B) is a training program carried out jointly by the Sec-  
10          retary of Defense and the Director of the Federal Bureau  
11          of Investigation in order to expand and improve United  
12          States efforts to deter the possible proliferation and acquisi-  
13          tion weapons of mass destruction by organized crime orga-  
14          nizations in Eastern Europe, the Baltic countries, and the  
15          former Soviet Union.

16          (B) The funds available under paragraph (1)(B) for  
17          the program referred to in subparagraph (A) may not be  
18          obligated or expended for that program until the Secretary  
19          of Defense and the Director of the Federal Bureau of Inves-  
20          tigation jointly submit to the congressional defense commit-  
21          tees a report that—

22                 (i) identifies the nature and extent of the threat  
23                 posed to the United States by the possible prolifera-  
24                 tion and acquisition of weapons of mass destruction

1 *by organized crime organizations in Eastern Europe,*  
2 *the Baltic countries, and the former Soviet Union;*

3 *(ii) assesses the actions that the United States*  
4 *should undertake in order to assist law enforcement*  
5 *agencies of Eastern Europe, the Baltic countries, and*  
6 *the former Soviet Union in the efforts of such agencies*  
7 *to prevent and deter the theft of nuclear weapons ma-*  
8 *terial; and*

9 *(iii) contains an estimate of—*

10 *(I) the cost of undertaking such actions, in-*  
11 *cluding the costs of personnel, support equip-*  
12 *ment, and training;*

13 *(II) the time required to commence the car-*  
14 *rying out of the program referred to in para-*  
15 *graph (1); and*

16 *(III) the amount of funds, if any, that will*  
17 *be required in fiscal years after fiscal year 1995*  
18 *in order to carry out the program.*

19 **SEC. 1025. RESTRICTION RELATING TO REPORT ON PRO-**  
20 **LIFERATION OF FOREIGN MILITARY SAT-**  
21 **ELLITES.**

22 *None of the funds available to the Department of De-*  
23 *fense for travel may be expended for travel by the Assistant*  
24 *Secretary of Defense for International Security Policy until*  
25 *the Secretary of Defense submits to Congress the report re-*

1 *quired by section 1363 of the National Defense Authoriza-*  
2 *tion Act for Fiscal Year 1993 (Public Law 102-484; 106*  
3 *Stat. 2560) together with the certification required by sec-*  
4 *tion 211(d) of the National Defense Authorization Act for*  
5 *Fiscal Year 1994 (Public Law 103-160; 107 Stat. 1584).*

6 ***Subtitle D—Peace Operations***

7 ***SEC. 1031. REPORTS ON REFORMING MULTILATERAL PEACE***  
8 ***OPERATIONS.***

9 *(a) REPORTS REQUIRED.—The Secretary of Defense*  
10 *shall submit to the congressional defense committees two re-*  
11 *ports on United States proposals for improving United Na-*  
12 *tions management of peace operations. The Secretary shall*  
13 *submit the first report not later than December 1, 1994,*  
14 *and the second report not later than June 1, 1995.*

15 *(b) CONTENT OF REPORTS.—(1) Each report shall*  
16 *contain—*

17 *(A) a discussion of the status of implementation*  
18 *of United States proposals contained in section IV*  
19 *(relating to strengthening the United Nations) of the*  
20 *document entitled “The Clinton Administration’s Pol-*  
21 *icy on Reforming Multilateral Peace Operations” that*  
22 *was issued by the Executive Office of the President in*  
23 *May 1994; and*

24 *(B) an analysis of the results of such implemen-*  
25 *tation.*



1       (2) *Each report shall cover, at a minimum, the follow-*  
2 *ing matters:*

3           (A) *The reconfiguration and expansion of the*  
4 *staff for the United Nations Department of Peacekeep-*  
5 *ing Operations.*

6           (B) *The elimination by the United Nations of*  
7 *lengthy, potentially disastrous delays after a peace*  
8 *operation has been authorized.*

9           (C) *The establishment by the United Nations of*  
10 *a professional peace operations training program for*  
11 *commanders and other military and civilian person-*  
12 *nel.*

13           (D) *United States assistance to facilitate im-*  
14 *provements by the United Nations in the matters de-*  
15 *scribed in subparagraphs (A) and (C) and the terms*  
16 *under which such assistance has been or is being pro-*  
17 *vided.*

18       (c) *DEFINITION.—Is this section, the term “peace oper-*  
19 *ation” means an operation to maintain or restore inter-*  
20 *national peace and security under chapter VI or chapter*  
21 *VII of the Charter of the United Nations.*

22 **SEC. 1032. SUPPORT FOR INTERNATIONAL PEACEKEEPING**  
23 **AND PEACE ENFORCEMENT.**

24       (a) *SENSE OF CONGRESS.—It is the sense of Congress*  
25 *that—*

1           (1) *the President should initiate consultations*  
2 *with the bipartisan leadership of Congress, including*  
3 *the leadership of the relevant committees, as far in*  
4 *advance as possible regarding international peace-*  
5 *keeping or peace enforcement activities of the United*  
6 *Nations that would involve the participation of Unit-*  
7 *ed States combat forces and such consultations should*  
8 *continue throughout the duration of such activities;*

9           (2) *the consultations should take place prior to*  
10 *the vote by the United States on United Nations Se-*  
11 *curity Council resolutions authorizing, extending, or*  
12 *revising the mandates for these types of activities;*

13           (3) *United Nations Security Council resolutions*  
14 *authorizing peacekeeping or peace enforcement activi-*  
15 *ties should clearly state the threat to international*  
16 *peace and security presented by the conflict in ques-*  
17 *tion, as well as the political and military objectives,*  
18 *the anticipated duration, and an exit strategy for*  
19 *each activity;*

20           (4) *the United States should be fully reimbursed*  
21 *for troop contributions and assistance provided to*  
22 *United Nations peacekeeping and peace enforcement*  
23 *activities;*

24           (5) *the United Nations should rarely conduct*  
25 *peace enforcement operations in view of the complex-*

1 *ity of such operations and the difficulty of achieving*  
2 *unity of command and expeditious decisionmaking*  
3 *through the United Nations;*

4 *(6) United States combat forces should be under*  
5 *the operational control of qualified commanders and*  
6 *should have clear and effective command and control*  
7 *arrangements, appropriate rules of engagement, and*  
8 *clear and unambiguous mission statements;*

9 *(7) United States combat forces should not be*  
10 *under the command and control of foreign command-*  
11 *ers in peace enforcement operations conducted by the*  
12 *United Nations except in the most extraordinary cir-*  
13 *cumstances; and*

14 *(8) the Secretary of Defense should have the lead*  
15 *responsibility within the executive branch for the*  
16 *management of peacekeeping and peace enforcement*  
17 *activities of the United Nations in which United*  
18 *States combat forces participate.*

19 *(b) SUPPORT AUTHORIZED.—(1) Section 403 of title*  
20 *10, United States Code, is amended to read as follows:*

21 **“§ 403. International peacekeeping and international**  
22 **peace enforcement: support involving**  
23 **United States combat forces**

24 *“(a) AUTHORITY.—Notwithstanding any other provi-*  
25 *sion of law, the Secretary of Defense may—*

1           “(1) pay, out of funds in the Contributions for  
2           International Peacekeeping and Peace Enforcement  
3           Activities Fund established by subsection (g), the  
4           United States fair share (as determined by the Sec-  
5           retary) of assessments for international peacekeeping  
6           or international peace enforcement activities of the  
7           United Nations in which United States combat forces  
8           participate; and

9           “(2) furnish assistance, on a reimbursable basis,  
10          in support of such activities.

11          “(b) FORMS OF ASSISTANCE.—Assistance provided  
12          under this section may include supplies, services, and  
13          equipment.

14          “(c) DETERMINATION REQUIRED.—No assessment  
15          may be paid and no assistance may be furnished pursuant  
16          to this section unless the President determines that the pro-  
17          vision of assistance is in the national interest of the United  
18          States.

19          “(d) ADVANCE NOTICE.—(1) In the case of any inter-  
20          national peacekeeping or international peace enforcement  
21          operation of the United Nations in which United States  
22          combat forces are to participate, not less than 15 days be-  
23          fore an initial deployment of United States combat forces,  
24          payment of a United Nations assessment, furnishing of as-  
25          sistance of a value in excess of \$14,000,000, or waiver of

1 *reimbursement to the United States under subsection (e),*  
2 *the President shall transmit to the designated congressional*  
3 *committees a report, which may be classified in whole or*  
4 *in part, that contains the determination required by sub-*  
5 *section (c) and the following matters:*

6           “(A) *A description of the threat to international*  
7 *peace and security presented by the conflict involved.*

8           “(B) *The United States interests that will be ad-*  
9 *vanced by the operation and by the United States ac-*  
10 *tion.*

11           “(C) *The political and military objectives of the*  
12 *operation.*

13           “(D) *The exit criteria and likely duration of the*  
14 *operation.*

15           “(E) *The personnel and material resources that*  
16 *have been pledged, or are otherwise expected to be*  
17 *made available, by other nations to the United Na-*  
18 *tions for the operation.*

19           “(F) *The units of the armed forces that will par-*  
20 *ticipate.*

21           “(G) *The necessity for involvement of United*  
22 *States forces.*

23           “(H) *The command arrangements for those forces*  
24 *and, if any of the United States forces are to be*

1       *placed under the operational control of foreign com-*  
2       *manders, the justification for doing so.*

3             “(I) *The rules of engagement for the operation.*

4             “(J) *An assessment of the risks involved in the*  
5       *operation.*

6             “(K) *In the case of payment of an assessment,*  
7       *the amount to be paid and the terms under which the*  
8       *payment is to be made.*

9             “(L) *In the case of assistance, the supplies, serv-*  
10       *ices, or equipment to be provided by the United States*  
11       *and the terms under which such supplies, services, or*  
12       *equipment are to be provided.*

13            “(M) *In the case of a waiver of reimbursement,*  
14       *the justification for the waiver.*

15        “(2) *If the President determines that an unforeseen*  
16       *emergency requires the immediate deployment of United*  
17       *States combat troops or the immediate furnishing of assist-*  
18       *ance of a value in excess of \$14,000,000 under this section,*  
19       *the President—*

20            “(A) *may waive the requirement of paragraph*  
21        *(1) that a report be transmitted at least 15 days in*  
22        *advance of the action; and*

23            “(B) *shall promptly notify the designated com-*  
24        *mittees of such waiver and such deployment or trans-*  
25        *fer.*

1       “(e) REIMBURSEMENT.—(1) The President shall re-  
2       quire reimbursement from the United Nations or from any  
3       other source for the participation of any force of the armed  
4       forces in support of international peacekeeping or inter-  
5       national peace enforcement activities of the United Nations  
6       or for the provision of assistance by the Secretary of Defense  
7       in support of such activities.

8       “(2) Any funds received as reimbursements shall be  
9       used as follows:

10               “(A) As a first priority, for the payment of the  
11               incremental costs of the military departments and  
12               Defense Agencies providing the participating United  
13               States forces or the supplies, services, or equipment  
14               involved.

15               “(B) As a second priority, for the payment of the  
16               incremental costs of any other United States forces  
17               that are operating in support of international peace-  
18               keeping or international peace enforcement activities  
19               but for which reimbursement is not possible.

20       “(3) After use of reimbursement funds for the purposes  
21       specified in paragraph (2), any remainder of such funds  
22       shall be credited to the Contributions for International  
23       Peacekeeping and Peace Enforcement Activities Fund estab-  
24       lished by subsection (g).

1       “(4) Reimbursements utilized for the payment of incre-  
2 mental costs shall be credited, at the option of the Secretary  
3 of the military department concerned or the head of the De-  
4 fense Agency concerned, either to an appropriation, fund,  
5 or other account obligated to pay such costs or to an appro-  
6 priate appropriation, fund, or other account available for  
7 paying such costs.

8       “(f) WAIVER OF REIMBURSEMENT.—The President  
9 may waive, in whole or in part, any reimbursement re-  
10 quired under subsection (a)(2) or (e) in exceptional cir-  
11 cumstances upon determining that such waiver is in the  
12 national interest of the United States.

13       “(g) ESTABLISHMENT OF ACCOUNT.—There is hereby  
14 established in the Treasury of the United States a fund to  
15 be known as the ‘Contributions for International Peacekeep-  
16 ing and Peace Enforcement Activities Fund’. Amounts ap-  
17 propriated or otherwise credited to the Fund shall be avail-  
18 able until expended for, and shall be used for, paying assess-  
19 ments for United Nations operations under this section.

20       “(h) AUTHORITY INAPPLICABLE WHEN UNITED  
21 STATES COMBAT FORCES NOT INVOLVED.—The authority  
22 in subsection (a) to pay United Nations assessments for  
23 international peacekeeping and international peace enforce-  
24 ment activities of the United Nations may not be construed  
25 as authorizing payment of United Nations assessments for



1 *any such activity in which United States combat forces do*  
2 *not participate.*

3       “(i) *COORDINATION WITH OTHER LAWS.*—*This sec-*  
4 *tion may not be construed as superseding any provision*  
5 *of the War Powers Resolution. This section does not provide*  
6 *authority for the participation of United States combat*  
7 *forces in any international peacekeeping or international*  
8 *peace enforcement operation.*

9       “(j) *DEFINITIONS.*—*In this section:*

10           “(1) *The term ‘designated congressional commit-*  
11 *tees’ means the Committees on Armed Services, Ap-*  
12 *propriations, and Foreign Relations of the Senate*  
13 *and the Committees on Armed Services, Appropria-*  
14 *tions, and Foreign Affairs of the House of Representa-*  
15 *tives.*

16           “(2) *The term ‘combat forces’ means forces of the*  
17 *armed forces that have combat missions as primary*  
18 *missions.*

19           “(3) *The term ‘international peacekeeping’*  
20 *means those activities performed pursuant to Chapter*  
21 *VI of the United Nations Charter.*

22           “(4) *The term ‘international peace enforcement’*  
23 *means those activities performed pursuant to Chapter*  
24 *VII of the United Nations Charter.’’.*

1       (2) *The item relating to section 403 in the table of*  
2 *sections at the beginning of subchapter I of chapter 20 of*  
3 *such title is amended to read as follows:*

*“403. International peacekeeping and international peace enforcement: support in-*  
*volving United States combat forces.”.*

4       (c) *AUTHORIZED SUPPORT FOR FISCAL YEAR 1995.—*  
5 *Not more than \$300,000,000 is authorized to be appro-*  
6 *priated for fiscal year 1995 for the Contributions for Inter-*  
7 *national Peacekeeping and Peace Enforcement Activities*  
8 *Fund under section 301(20).*

9                                   ***Subtitle E—Reporting***  
10                                   ***Requirements***

11 ***SEC. 1041. REPORT ON OFFENSIVE BIOLOGICAL WARFARE***  
12                                   ***PROGRAM OF THE STATES OF THE FORMER***  
13                                   ***SOVIET UNION.***

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

15               (1) *The United States has identified non-*  
16 *proliferation as a high priority in the conduct of*  
17 *United States national security policy.*

18               (2) *The United States is seeking universal adher-*  
19 *ence to global regimes that control nuclear, chemical,*  
20 *and biological weapons and is promoting new meas-*  
21 *ures that provide increased transparency of biological*  
22 *weapons-related activities and facilities in an effort to*  
23 *help deter violations of and enhance compliance with*  
24 *the Biological Weapons Convention (BWC).*

1           (3) *Questions continue to arise regarding offen-*  
2           *sive biological weapons research, development, testing*  
3           *production, and storage in the countries of the former*  
4           *Soviet Union as well as in other countries.*

5           (b) *SENSE OF CONGRESS.—It is the sense of Congress*  
6           *that—*

7           (1) *the President should continue to urge all sig-*  
8           *natories to the Biological Weapons Convention to*  
9           *comply fully with the terms of that convention and*  
10          *with other international agreements relating to the*  
11          *control of biological weapons; and*

12          (2) *as the President encourages increased trans-*  
13          *parency of biological weapons-related activities and*  
14          *facilities to deter violations of and enhance compli-*  
15          *ance with the Biological Weapons Convention, the*  
16          *President should also take appropriate actions to en-*  
17          *sure that the United States is prepared to counter the*  
18          *effects of use of biological weapons by others.*

19          (c) *REPORT REQUIRED.—Not later than 120 days*  
20          *after the enactment of this Act, the Secretary of Defense*  
21          *shall submit to the congressional defense committees a re-*  
22          *port on the status of the offensive biological warfare pro-*  
23          *gram in the Russian Federation and the other independent*  
24          *states of the former Soviet Union.*

1       (d) *CONTENT OF REPORT.*—*The report shall include*  
2 *the following matters:*

3           (1) *An assessment of the extent of compliance of*  
4 *the independent states of the former Soviet Union*  
5 *with the Biological Weapons Convention and other*  
6 *international agreements relating to the control of bi-*  
7 *ological weapons.*

8           (2) *An evaluation of the extent of control and*  
9 *oversight by the government of the Russian Federa-*  
10 *tion over the former Soviet military and dual civil-*  
11 *ian-military biological warfare programs.*

12          (3) *The extent, if any, of the biological warfare*  
13 *agent stockpile in any of the independent states of the*  
14 *former Soviet Union.*

15          (4) *The extent and scope, if any, of continued bi-*  
16 *ological warfare research, development, testing, and*  
17 *production by such state, including the sites and*  
18 *types of activity at those sites.*

19          (5) *An evaluation of the effectiveness of possible*  
20 *delivery systems of biological weapons, including tube*  
21 *and rocket artillery, bomber aircraft, and ballistic*  
22 *missiles.*

23          (6) *An evaluation of United States capabilities*  
24 *to detect and monitor biological warfare research, de-*  
25 *velopment, testing, production, and storage.*

1           (7) *On the basis of the assessment and evalua-*  
2 *tions referred to in other paragraphs of this sub-*  
3 *section, recommendations by the Secretary of Defense*  
4 *and Chairman of the Joint Chiefs of Staff for the im-*  
5 *provement of United States biological warfare defense*  
6 *and counter-measures.*

7           (e) *FORM OF REPORT.*—*The Secretary shall submit the*  
8 *report in classified and unclassified versions.*

9           (f) *DEFINITIONS.*—*In this section:*

10           (1) *The term “Biological Weapons Convention”*  
11 *means the Convention on the Prohibition, Production,*  
12 *and Stockpiling of Bacteriological (Biological) and*  
13 *Toxin Weapons and on Their Destruction, done at*  
14 *Washington, London, and Moscow on April 10, 1972.*

15           (2) *The term “independent states of the former*  
16 *Soviet Union” has the same meaning given that term*  
17 *in section 3 of the FREEDOM Support Act (22*  
18 *U.S.C. 5801).*

19 **SEC. 1042. TERMINATION OF CERTAIN DEPARTMENT OF DE-**  
20 **FENSE REPORTING REQUIREMENTS.**

21           (a) *IMMEDIATE TERMINATION.*—*Except as provided in*  
22 *subsection (c), notwithstanding the date set forth in sub-*  
23 *section (a) of section 1151 of the National Defense Author-*  
24 *ization Act for Fiscal Year 1994 (Public Law 103–160; 107*  
25 *Stat. 1758; 10 U.S.C. 113 note), the reporting requirements*

1 referred to in subsection (b) are terminated effective on the  
2 date of the enactment of this Act.

3 (b) *APPLICABILITY.*—Subsection (a) applies to each re-  
4 porting requirement specified in enclosures 1 and 2 of the  
5 letter, dated April 29, 1994, by which the Director for Ad-  
6 ministration and Management, Office of the Secretary De-  
7 fense, citing the authority of the provision of law referred  
8 to in subsection (a), submitted a list of reporting require-  
9 ments recommended for termination by the Department of  
10 Defense.

11 (c) *PRESERVATION OF REQUIREMENTS.*—(1) The re-  
12 porting requirements set forth in the provisions of law re-  
13 ferred to in paragraph (2) shall not terminate under sub-  
14 section (a) of section 1151 of the National Defense Author-  
15 ization Act for Fiscal Year 1994 (Public Law 103–160; 107  
16 Stat. 1758; 10 U.S.C. 113 note).

17 (2) Paragraph (1) applies to the following reports:

18 (A) Reports required under the following provi-  
19 sions of title 10, United States Code:

20 (i) Section 2662, relating to reports on real  
21 property transactions.

22 (ii) Section 2672a(b), relating to reports on  
23 urgent acquisitions of land.

24 (iii) Section 2687(b)(1), relating to notifi-  
25 cations of certain base closures and realignments.

1           (iv) Section 2690(b)(2), relating to notifica-  
2           tions of proposed conversions of heating facilities  
3           at United States installations in Europe.

4           (v) Section 2804(b), relating to reports on  
5           contingency military construction projects.

6           (vi) Section 2806(c)(2), relating to reports  
7           on contributions for NATO infrastructure in ex-  
8           cess of amounts appropriated for such contribu-  
9           tions.

10          (vii) Subsections (b) and (c) of section  
11          2807, relating to notifications and reports on ar-  
12          chitectural and engineering services and con-  
13          struction design.

14          (viii) Section 2823(b), relating to notifica-  
15          tions regarding disagreements between certain of-  
16          ficials on the availability of locations for suitable  
17          alternative housing for the Department of De-  
18          fense.

19          (ix) Subsections (b) and (c) of section 2825,  
20          relating to notifications regarding improvements  
21          of family housing or construction of replacement  
22          family housing.

23          (x) Section 2827(b), relating to notifications  
24          regarding relocation of military family housing  
25          units.

1           (xi) Section 2835(g)(1), relating to eco-  
2           nomic analyses on the cost effectiveness of leasing  
3           family housing to be constructed or rehabilitated.

4           (xii) Section 2861(a), relating to the annual  
5           report on military construction activities and  
6           family housing activities.

7           (xiii) Subsections (e) and (f) of section  
8           2865, relating to notifications regarding unau-  
9           thorized energy conservation construction  
10          projects and an annual report regarding energy  
11          conservation actions.

12          (B) Reports required under the following provi-  
13          sions of title 37, United States Code:

14               (i) Section 406(i), relating to the annual re-  
15               port regarding dependents accompanying mem-  
16               bers stationed outside the United States in rela-  
17               tion to the eligibility of such members to receive  
18               travel and transportation allowances.

19               (ii) Section 1008(a), relating to the annual  
20               report by the President on adjustments of rates  
21               of pay and allowances for members of the uni-  
22               formed services.

23          (C) Reports required under the following provi-  
24          sions of law:



1           (i) *Section 326(a)(5) of the National De-*  
2 *fense Authorization Act for Fiscal Year 1993*  
3 *(Public Law 102–484; 106 Stat. 2368; 10 U.S.C.*  
4 *2301 note), relating to reports on use of certain*  
5 *ozone-depleting substances.*

6           (ii) *Subsections (e) and (f) of section 2921*  
7 *of the National Defense Authorization Act for*  
8 *Fiscal Year 1991 (10 U.S.C. 2687 note), relating*  
9 *to notifications regarding negotiations for pay-*  
10 *ments-in-kind for the release of improvements at*  
11 *overseas military installations to host countries*  
12 *and an annual report on the status and use of*  
13 *the Department of Defense Overseas Military Fa-*  
14 *cility Investment Recovery Account.*

15           (iii) *Section 1505(f)(3) of the Military*  
16 *Child Care Act of 1989 (title XV of Public Law*  
17 *101–189; 103 Stat. 1594; 10 U.S.C. 113 note),*  
18 *relating to reports on closures of military child*  
19 *development centers.*

20           (iv) *Subsections (a) and (d) of section 7 of*  
21 *the Organotin Antifouling Paint Control Act of*  
22 *1988 (Public Law 100–133; 102 Stat. 607; 33*  
23 *U.S.C. 2406), relating to the annual report on*  
24 *the monitoring of estuaries and near-coastal wa-*  
25 *ters for concentrations of organotin.*

1 **Subtitle F—Acceptance of Pre-re-**  
2 **lease Services of Nonviolent Of-**  
3 **fenders**

4 **SEC. 1051. USE OF INMATE LABOR AT MILITARY INSTALLA-**  
5 **TIONS.**

6 (a) *USE OF INMATE LABOR AUTHORIZED.*—Chapter  
7 155 of title 10, United States Code, is amended by adding  
8 at the end the following new section:

9 **“§ 2610. Acceptance of services of inmates of State and**  
10 **local correctional facilities**

11 “(a) *USE OF INMATE LABOR.*—Subject to subsection  
12 (c), the Secretary of a military department may accept in  
13 accordance with this section the services of nonviolent of-  
14 fenders incarcerated in a correctional facility of a State or  
15 local government. Services so accepted shall be performed  
16 at a military installation in the vicinity of the correctional  
17 facility pursuant to an agreement entered into by the Sec-  
18 retary and the chief executive of the State or local govern-  
19 ment.

20 “(b) *AUTHORIZED SERVICES.*—The services authorized  
21 to be accepted are as follows:

22 “(1) Construction, maintenance, or repair of  
23 roads.

24 “(2) Construction of levees or other flood preven-  
25 tion structures.

1           “(3) Construction, maintenance, or repair of any  
2           other public ways or works.

3           “(4) Clearance, maintenance, or reforestation of  
4           public lands.

5           “(5) Custodial services.

6           “(c) *CONDITIONS FOR ACCEPTANCE OF SERVICES.*—  
7           The Secretary may accept the services of nonviolent offend-  
8           ers for a military installation under this section only if  
9           the Secretary finds that—

10           “(1) Federal Government employees and contrac-  
11           tor employees performing services at the installation  
12           will not be displaced;

13           “(2) no contract for the provision of services at  
14           the installation will otherwise be impaired; and

15           “(3) in the case of services in any skill, craft, or  
16           trade, there is no surplus of labor for hire in such  
17           skill, craft, or trade in the vicinity of the installation.

18           “(d) *LIMITATION ON PAYMENTS TO CUSTODIAL GOV-*  
19           *ERNMENTS.*—(1) Except as provided in paragraph (2), the  
20           Secretary of a military department may not compensate  
21           a State or local government for the costs incurred by such  
22           government in the provision of services accepted under this  
23           section.

24           “(2) The Secretary may—

1           “(A) reimburse a State or local government for  
2           administrative and other costs directly incurred by  
3           that government in making available and supervising  
4           offenders as they provide services accepted under this  
5           section; and

6           “(B) pay a nominal amount to the State or local  
7           government in order to support any alcohol and drug  
8           abuse treatment programs conducted by that govern-  
9           ment for the offenders who provide such services.

10          “(e) PROHIBITION ON COMPENSATION OF INMATES.—  
11          The Secretary may not compensate any offender for services  
12          accepted under this section.

13          “(f) SUPPORT AUTHORIZED.—The Secretary may pro-  
14          vide equipment, supplies, or other materials to be used by  
15          offenders in the provision of services accepted under this  
16          section.

17          “(g) INAPPLICABILITY OF OTHER LAWS.—The follow-  
18          ing provisions of law shall not apply with respect to services  
19          accepted under this section:

20                 “(1) Section 1342 of title 31.

21                 “(2) The Fair Labor Standards Act of 1938 (29  
22                 U.S.C. 201 et seq.).

23                 “(3) The Act entitled ‘An Act relating to the rate  
24                 of wages for laborers and mechanics employed on pub-  
25                 lic buildings of the United States and the District of

1 *Columbia by contractors and subcontractors, and for*  
2 *other purposes’, approved March 3, 1931 (46 Stat.*  
3 *1494; 40 U.S.C. 276a et seq.), commonly referred to*  
4 *as the ‘Davis-Bacon Act’.*

5 “(4) *The Act entitled ‘An Act to provide condi-*  
6 *tions for the purchases of supplies and the making of*  
7 *contracts by the United States, and for other pur-*  
8 *poses’, approved June 30, 1936 (49 Stat. 2036; 41*  
9 *U.S.C. 35 et seq.), commonly referred to as the*  
10 *‘Walsh-Healey Act’.*

11 “(5) *The Service Contract Act of 1965 (41*  
12 *U.S.C. 351 et seq.).”.*

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

*“2610. Acceptance of services of inmates of State and local correctional facilities.”.*

16 **SEC. 1052. REVISION OF AUTHORITY FOR USE OF NAVY IN-**  
17 **STALLATIONS TO PROVIDE EMPLOYMENT**  
18 **TRAINING TO NONVIOLENT OFFENDERS IN**  
19 **STATE PENAL SYSTEMS.**

20 (a) *SOURCES OF TRAINING.—Subsection (b) of section*  
21 *1374 of the National Defense Authorization Act for Fiscal*  
22 *Year 1994 (Public Law 103–160; 107 Stat. 1821; 10 U.S.C.*  
23 *5013 note) is amended—*

1           (1) *by striking out the subsection caption and*  
2 *inserting in lieu thereof “SOURCES OF TRAINING.—”;*  
3 *and*

4           (2) *by inserting before the period at the end the*  
5 *following: “or may provide such training directly at*  
6 *such installations by agreement with the State con-*  
7 *cerned”.*

8           (b) *LIABILITY AND INDEMNIFICATION.—Subsection (e)*  
9 *of such section is amended—*

10           (1) *by inserting “(1)” before “A nonprofit orga-*  
11 *nization”;* *and*

12           (2) *by adding at the end the following:*

13           “(2) *In any case in which the Secretary provides*  
14 *prerelease employment training directly by agreement with*  
15 *the State concerned, the State shall—*

16           “(A) *be liable for any loss or damage to Federal*  
17 *Government property that may result from, or in con-*  
18 *nection with, the provision of the training except to*  
19 *the extent that the loss or damage results from a*  
20 *wrongful act or omission of Federal Government per-*  
21 *sonnel; and*

22           “(B) *hold harmless and indemnify the United*  
23 *States from and against any suit, claim, demand, ac-*  
24 *tion, or liability arising out of any claim for personal*  
25 *injury or property damage that may result from, or*

1       *in connection with, the provision of the training ex-*  
2       *cept to the extent that the personal injury or property*  
3       *damage results from a wrongful act or omission of*  
4       *Federal Government personnel.”.*

5       **SEC. 1053. USE OF ARMY INSTALLATIONS TO PROVIDE EM-**  
6                               **PLOYMENT TRAINING TO NONVIOLENT OF-**  
7                               **FENDERS IN STATE PENAL SYSTEMS.**

8           (a) *DEMONSTRATION PROJECT AUTHORIZED.*—The  
9       Secretary of the Army may conduct a demonstration project  
10      to test the feasibility of using Army facilities to provide  
11      employment training to nonviolent offenders in a State  
12      penal system prior to their release from incarceration. The  
13      demonstration project shall be limited to not more than  
14      three military installations under the jurisdiction of the  
15      Secretary.

16          (b) *SOURCES OF TRAINING.*—The Secretary may enter  
17      into a cooperative agreement with one or more private, non-  
18      profit organizations for purposes of providing at the mili-  
19      tary installations included in the demonstration project the  
20      prerelease employment training authorized under sub-  
21      section (a) or may provide such training directly at such  
22      installations by agreement with the State concerned.

23          (c) *USE OF FACILITIES.*—Under a cooperative agree-  
24      ment entered into under subsection (b), the Secretary may  
25      lease or otherwise make available to a nonprofit organiza-

1 *tion participating in the demonstration project at a mili-*  
2 *tary installation included in the demonstration project any*  
3 *real property or facilities at the installation that the Sec-*  
4 *retary considers to be appropriate for use to provide the*  
5 *prerelease employment training authorized under sub-*  
6 *section (a). Notwithstanding section 2667(b)(4) of title 10,*  
7 *United States Code, the use of such real property or facili-*  
8 *ties may be permitted with or without reimbursement.*

9       *(d) ACCEPTANCE OF SERVICES.—Notwithstanding sec-*  
10 *tion 1342 of title 31, United States Code, the Secretary may*  
11 *accept voluntary services provided by persons participating*  
12 *in the prerelease employment training authorized under*  
13 *subsection (a).*

14       *(e) LIABILITY AND INDEMNIFICATION.—(1) A non-*  
15 *profit organization participating in the demonstration*  
16 *project shall—*

17           *(A) be liable for any loss or damage to Federal*  
18           *Government property that may result from, or in con-*  
19           *nection with, the provision of prerelease employment*  
20           *training by the organization under the demonstration*  
21           *project; and*

22           *(B) hold harmless and indemnify the United*  
23           *States from and against any suit, claim, demand, ac-*  
24           *tion, or liability arising out of any claim for personal*



1        *injury or property damage that may result from or*  
2        *in connection with the demonstration project.*

3        *(2) In any case in which the Secretary provides*  
4        *prerelease employment training directly by agreement with*  
5        *the State concerned, the State shall—*

6                *(A) be liable for any loss or damage to Federal*  
7        *Government property that may result from, or in con-*  
8        *nection with, the provision of the training except to*  
9        *the extent that the loss or damage results from a*  
10        *wrongful act or omission of Federal Government per-*  
11        *sonnel; and*

12                *(B) hold harmless and indemnify the United*  
13        *States from and against any suit, claim, demand, ac-*  
14        *tion, or liability arising out of any claim for personal*  
15        *injury or property damage that may result from, or*  
16        *in connection with, the provision of the training ex-*  
17        *cept to the extent that the personal injury or property*  
18        *damage results from a wrongful act or omission of*  
19        *Federal Government personnel.*

20        *(f) REPORT.—Not later than two years after the date*  
21        *of the enactment of this Act, the Secretary shall submit to*  
22        *Congress a report evaluating the success of the demonstra-*  
23        *tion project and containing such recommendations with re-*  
24        *gard to the termination, continuation, or expansion of the*

1 *demonstration project as the Secretary considers appro-*  
2 *priate.*

3       ***Subtitle G—Discrimination and***  
4               ***Sexual Harassment***

5       ***SEC. 1056. DEPARTMENT OF DEFENSE POLICIES AND PRO-***  
6               ***CEDURES ON DISCRIMINATION AND SEXUAL***  
7               ***HARASSMENT.***

8           (a) *MILITARY DEPARTMENT POLICIES.*—(1) *Subject to*  
9 *paragraph (2), the Secretary of the Navy and the Secretary*  
10 *of the Air Force shall review and revise the regulations of*  
11 *the Department of the Navy and the Department of the Air*  
12 *Force, respectively, relating to equal opportunity policy and*  
13 *complaint procedures to ensure that the such regulations are*  
14 *substantially equivalent to the regulations of the Army on*  
15 *such matters.*

16           (2) *In revising regulations pursuant to paragraph (1),*  
17 *the Secretary of the Navy or the Secretary of the Air Force,*  
18 *as the case may be, may make such additions and modifica-*  
19 *tions as the Secretary of Defense determines appropriate to*  
20 *strengthen the regulations beyond the substantial equivalent*  
21 *of the Army regulations in accordance with—*

22                   (A) *the recommendations of the Department of*  
23 *Defense Task Force on Discrimination and Sexual*  
24 *Harassment; and*

1           (B) the experience of the Army, Navy, Air Force,  
2           and Marine Corps regarding equal opportunity cases.

3           (3) The Secretary of the Army shall review the regula-  
4           tions of the Department of the Army relating to equal op-  
5           portunity policy and complaint procedures and revise the  
6           regulations as the Secretary of Defense considers appro-  
7           priate to strengthen the regulations in accordance with the  
8           recommendations and experience described in subpara-  
9           graphs (A) and (B) of paragraph (2).

10          (b) *REQUIREMENTS REGARDING REPORT OF TASK*  
11          *FORCE ON DISCRIMINATION AND SEXUAL HARASSMENT.*—

12          (1) The Department of Defense Task Force on Discrimina-  
13          tion and Sexual Harassment shall transmit the report of  
14          the task force to the Secretary of Defense not later than Oc-  
15          tober 1, 1994.

16          (2) The Secretary of Defense shall transmit to Congress  
17          the report of the task force not later than October 10, 1994.

18          (3) Not later than 45 days after receiving the report,  
19          the Secretary of Defense shall—

20                 (A) review the recommendations for action con-  
21                 tained in such report;

22                 (B) determine which recommendations the Sec-  
23                 retary approves for implementation and which rec-  
24                 ommendations the Secretary disapproves; and

25                 (C) submit to Congress a report that—

1           (i) identifies the approved recommendations  
2           and the disapproved recommendations; and

3           (ii) explains the reasons for each such ap-  
4           proval and disapproval.

5           (4) The Secretary of Defense shall implement the ap-  
6           proved recommendations not later than April 1, 1995.

7           (c) The Advisory Board or the investigative capability  
8           of the Department of Defense should consider and include  
9           in its report—

10           (1) whether the Department of Defense should es-  
11           tablish a separate unit to oversee all matters related  
12           to allegations of discrimination or sexual misconduct  
13           in the Department of Defense; and

14           (2) whether additional data collection and re-  
15           porting procedures are needed to enhance the ability  
16           of the Department of Defense to deal with sexual mis-  
17           conduct.

18           (d) The Secretary of Defense shall ensure that regula-  
19           tions governing consideration of equal opportunity matters  
20           in performance evaluations include consideration of an in-  
21           dividual's commitment to elimination of discrimination or  
22           of sexual harassment.

1                   **Subtitle H—Other Matters**

2   **SEC. 1061. REDESIGNATION OF UNITED STATES COURT OF**  
3                   **MILITARY APPEALS AND THE COURTS OF**  
4                   **MILITARY REVIEW.**

5           (a) *UNITED STATES COURT OF APPEALS FOR THE*  
6 *ARMED SERVICES.*—Section 941 of title 10, United States  
7 Code (article 141 of the Uniform Code of Military Justice),  
8 is amended by striking out “United States Court of Mili-  
9 tary Appeals” and inserting in lieu thereof “United States  
10 Court of Appeals for the Armed Services”.

11          (b) *COURTS OF MILITARY CRIMINAL APPEALS.*—Sec-  
12 tion 866 of title 10, United States Code (article 66 of the  
13 Uniform Code of Military Justice), is amended by striking  
14 out “Court of Military Review” each place it appears and  
15 inserting in lieu thereof “Court of Military Criminal Ap-  
16 peals”.

17          (c) *CONFORMING AMENDMENTS TO TITLE 10.*—(1) The  
18 following sections of title 10, United States Code, are  
19 amended by striking out “Court of Military Appeals” each  
20 place it appears and inserting in lieu thereof “Court of Ap-  
21 peals for the Armed Services”: sections 707(a)(2), 866(e),  
22 867, 867a(a), 870, 871(c)(1), 873, 942, 943, 944, 945, and  
23 946(b)(1).

24          (2) The following sections of title 10, United States  
25 Code, are amended by striking out “Court of Military Re-

1 view” each place it appears and inserting in lieu thereof  
2 “Court of Military Criminal Appeals”: sections 707(a)(2),  
3 862(b), 867, 868, 869, 870, 871, and 873.

4 (3)(A) The heading of subchapter XII of chapter 47  
5 of such title is amended to read as follows:

6 “SUBCHAPTER XII—UNITED STATES COURT OF  
7 APPEALS FOR THE ARMED SERVICES”.

8 (B) The table of subchapters at the beginning of chap-  
9 ter 47 of such title is amended by striking out the item  
10 relating to subchapter XII and inserting in lieu thereof the  
11 following:

“XII. United States Court of Appeals for the Armed Services ..... 941 141”.

12 (4)(A) The heading of section 866 of such title is  
13 amended to read as follows:

14 “**§ 867. Art. 66. Review by Court of Military Criminal**  
15 **Appeals”.**

16 (B) The heading of section 867 of such title is amended  
17 to read as follows:

18 “**§ 867. Art. 67. Review by the Court of Appeals for the**  
19 **Armed Services”.**

20 (C) The table of sections at the beginning of subchapter  
21 IX of chapter 47 of such title is amended by striking out  
22 the items relating to sections 866 and 867 (articles 66 and  
23 67) and inserting in lieu thereof the following:

“866. 66. Review by Court of Military Criminal Appeals.

“867. 67. Review by the Court of Appeals for the Armed Services.”.

1           (d) *CONFORMING AMENDMENTS TO OTHER UNITED*  
2 *STATES CODE TITLES.*—(1) *The following provisions of the*  
3 *United States Code are amended by striking out “Court of*  
4 *Military Appeals” each place it appears and inserting in*  
5 *lieu thereof “Court of Appeals for the Armed Services”:*

6           (A) *In title 5, sections 8334(a)(1), 8336(l),*  
7 *8337(a), 8338(c), 8339(d)(7), and 8339(h) and the*  
8 *table in 8334(c).*

9           (B) *In title 18, sections 202(e)(2) and 6001(4).*

10           (C) *In title 28, sections 1259 and 2101(g).*

11           (D) *In title 44, section 906.*

12           (2)(A) *The heading of section 1259 of title 28, United*  
13 *States Code, is amended to read as follows:*

14           ***“§ 1259. Court of Appeals for the Armed Services; cer-***  
15           ***tiorari”.***

16           (B) *The table of sections at the beginning of chapter*  
17 *81 of such title is amended by striking out the item relating*  
18 *to section 1259 and inserting in lieu thereof the following:*  
*“1259. Court of Appeals for the Armed Services; certiorari.”.*

19           (e) *CONFORMING AMENDMENT TO OTHER LAW.*—*Sec-*  
20 *tion 109 of the Ethics in Government Act of 1978 (5 U.S.C.*  
21 *App.) is amended by striking out “Court of Military Ap-*  
22 *peals” each place it appears in paragraphs (8) and (10)*  
23 *and inserting in lieu thereof “Court of Appeals for the*  
24 *Armed Services”.*

1 **SEC. 1062. ASSISTANCE TO FAMILY MEMBERS OF CERTAIN**  
2 **POW/MIAS WHO REMAIN UNACCOUNTED FOR.**

3 (a) *SINGLE POINT OF CONTACT.*—The Secretary of De-  
4 fense shall designate an official of the Department of De-  
5 fense to serve as a single point of contact within the depart-  
6 ment—

7 (1) *for the immediate family members (or their*  
8 *designees) of any unaccounted-for Korean conflict*  
9 *POW/MIA; and*

10 (2) *for the immediate family members (or their*  
11 *designees) of any unaccounted-for Cold War POW/*  
12 *MIA.*

13 (b) *FUNCTIONS.*—The official designated under sub-  
14 section (a) shall serve as a liaison between the family mem-  
15 bers of unaccounted-for Korean conflict POW/MIAs and un-  
16 accounted-for Cold War POW/MIAs and the Department of  
17 Defense and other Federal departments and agencies that  
18 may hold information that may related to such POW/MIAs.  
19 The functions of that official shall include assisting family  
20 members—

21 (1) *with the procedures the family may follow in*  
22 *their search for information about the unaccounted-*  
23 *for Korean conflict POW/MIA or unaccounted-for*  
24 *Cold War POW/MIA, as the case may be;*

25 (2) *in learning where they may locate informa-*  
26 *tion about the unaccounted-for POW/MIA; and*



1           (3) *in learning how and where to identify classi-*  
2           *fied records that contain pertinent information and*  
3           *that will be declassified.*

4           (c) *ASSISTANCE IN OBTAINING DECLASSIFICATION.—*  
5           *The official designated under subsection (a) shall seek to*  
6           *obtain the rapid declassification of any relevant classified*  
7           *records that are identified.*

8           (d) *REPOSITORY.—The official designated under sub-*  
9           *section (a) shall provide for a centralized repository for all*  
10           *documents relating to unaccounted-for Korean conflict*  
11           *POW/MIAs and unaccounted-for Cold War POW/MIAs that*  
12           *are located as a result of the official's efforts.*

13           (e) *DEFINITIONS.—For purposes of this section:*

14           (1) *The term “unaccounted-for Korean conflict*  
15           *POW/MIA” means a member of the Armed Forces or*  
16           *civilian employee of the United States who, as a re-*  
17           *sult of service during the Korean conflict, was at any*  
18           *time classified as a prisoner of war or missing-in-ac-*  
19           *tion or otherwise unaccounted for and whose person*  
20           *or remains have not been returned to the United*  
21           *States and who remains unaccounted for.*

22           (2) *The term “unaccounted-for Cold War POW/*  
23           *MIA” means a member of the Armed Forces or civil-*  
24           *ian employee of the United States who, as a result of*  
25           *service during the period from September 2, 1945, to*

1     *August 21, 1991, was at any time classified as a pris-*  
2     *oner of war or missing-in-action or otherwise unac-*  
3     *counted for and whose person or remains have not*  
4     *been returned to the United States and who remains*  
5     *unaccounted for.*

6             (3) *The term “Korean conflict” has the meaning*  
7     *given such term in section 101(9) of title 38, United*  
8     *States Code.*

9     **SEC. 1063. NATIONAL GUARD ASSISTANCE FOR CERTAIN**  
10            **YOUTH AND CHARITABLE ORGANIZATIONS.**

11            (a) *AUTHORITY TO PROVIDE ASSISTANCE.*—Chapter 5  
12     *of title 32, United States Code, is amended by adding at*  
13     *the end the following:*

14     **“§ 508. Assistance for certain youth and charitable or-**  
15            **ganizations**

16            “(a) *AUTHORITY TO PROVIDE SERVICES.*—Members  
17     *and units of the National Guard may provide the services*  
18     *described in subsection (b) to an eligible organization in*  
19     *conjunction with training required under this chapter in*  
20     *any case in which—*

21            “(1) *the provision of such services does not ad-*  
22     *versely affect the quality of that training or otherwise*  
23     *interfere with the ability of a member or unit of the*  
24     *National Guard to perform the military functions of*  
25     *the member or unit;*

1           “(2) the services to be provided are not commer-  
2           cially available, or any commercial entity that would  
3           otherwise provide such services has approved, in writ-  
4           ing, the provision of such services by the National  
5           Guard;

6           “(3) National Guard personnel will enhance  
7           their military skills as a result of providing such  
8           services; and

9           “(4) the provision of the services will not result  
10          in a significant increase in the cost of the training.

11          “(b) *AUTHORIZED SERVICES*.—The services authorized  
12          to be provided under subsection (a) are as follows:

13               “(1) Ground transportation.

14               “(2) Air transportation in support of Special  
15          Olympics.

16               “(3) Administrative support services.

17               “(4) Technical training services.

18               “(5) Emergency medical assistance and services.

19               “(6) Communications services.

20               “(7) Security services.

21          “(c) *OTHER AUTHORIZED ASSISTANCE*.—Facilities  
22          and equipment of the National Guard, including military  
23          property of the United States issued to the National Guard  
24          and General Services Administration vehicles leased to the  
25          National Guard, and General Services Administration ve-

1 *hicles leased to the Department of Defense, may be used in*  
2 *connection with providing services to any eligible organiza-*  
3 *tion under this section.*

4       “(d) *ELIGIBLE ORGANIZATIONS.*—*The organizations*  
5 *eligible to receive services under this section are as follows:*

6           “(1) *The Boy Scouts of America.*

7           “(2) *The Girl Scouts of America.*

8           “(3) *The Boys Clubs of America.*

9           “(4) *The Girls Clubs of America.*

10          “(5) *The Young Men’s Christian Association.*

11          “(6) *The Young Women’s Christian Association.*

12          “(7) *The Civil Air Patrol.*

13          “(8) *The United States Olympic Committee.*

14          “(9) *The Special Olympics.*

15          “(10) *The Campfire Boys.*

16          “(11) *The Campfire Girls.*

17          “(12) *The 4–H Club.*

18          “(13) *The Police Athletic League.*

19          “(14) *Any other youth or charitable organization*  
20 *designated by the Secretary of Defense.”.*

21       “(b) *CLERICAL AMENDMENT.*—*The table of sections at*  
22 *the beginning of such chapter is amended by adding at the*  
23 *end the following:*

*“508. Assistance for certain youth and charitable organizations.”.*

1 **SEC. 1064. DEFENSE MAPPING AGENCY.**

2 (a) *UNAUTHORIZED USE OF NAME.*—Chapter 167 of  
3 title 10, United States Code, is amended by adding at the  
4 end the following new section:

5 **“§ 2798. Unauthorized use of Defense Mapping Agency**  
6 **name, initials, or seal**

7 “(a) No person may, except with the written permis-  
8 sion of the Secretary of Defense, knowingly use the words  
9 ‘Defense Mapping Agency’, the initials ‘DMA’, the seal of  
10 the Defense Mapping Agency, or any colorable imitation of  
11 such words, initials, or seal in connection with any mer-  
12 chandise, retail product, impersonation, solicitation or  
13 commercial activity in a manner reasonably calculated to  
14 convey the impression that such use is approved, endorsed,  
15 or authorized by the Secretary of Defense.

16 “(b) Whenever it appears to the Attorney General that  
17 any person is engaged or about to engage in an act or prac-  
18 tice which constitutes or will constitute conduct prohibited  
19 by subsection (a), the Attorney General may initiate a civil  
20 proceeding in a district court of the United States to enjoin  
21 such act or practice. Such court shall proceed as soon as  
22 practicable to hearing and determination of such action  
23 and may, at any time before such final determination, enter  
24 such restraining orders or prohibitions, or take such other  
25 action as is warranted, to prevent injury to the United

1 *States or to any person or class of persons for whose protec-*  
2 *tion the action is brought.”.*

3 (b) *LIMITATION ON LIABILITY RELATING TO NAVIGA-*  
4 *TIONAL AIDS.—Chapter 167 of such title, as amended by*  
5 *subsection (a), is further amended by adding at the end the*  
6 *following new section:*

7 **“§ 2799. Civil actions barred**

8 “(a) *CLAIMS BARRED.—No civil action may be*  
9 *brought against the United States on the basis of the content*  
10 *of a navigational aid prepared or disseminated by the De-*  
11 *fense Mapping Agency.*

12 “(b) *NAVIGATIONAL AIDS COVERED.—Subsection (a)*  
13 *applies with respect to a navigational aid in the form of*  
14 *a map, a chart, or a publication and any other form or*  
15 *medium of product or information in which the Defense*  
16 *Mapping Agency prepares or disseminates navigational*  
17 *aids.”.*

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

*“2798. Unauthorized use of Defense Mapping Agency name, initials, or seal.*

*“2799. Civil actions barred.”.*

21 (d) *EFFECTIVE DATE.—Section 2799 of title 10, Unit-*  
22 *ed States Code, as added by subsection (b), shall take effect*  
23 *on the date of the enactment of this Act and shall apply*  
24 *with respect to (1) civil actions brought before such date*

1 *that are pending adjudication on such date, and (2) civil*  
2 *actions brought on or after such date.*

3 **SEC. 1065. TRANSFER OF NAVAL VESSELS TO BRAZIL.**

4 (a) *AUTHORITY.*—*The Secretary of the Navy is author-*  
5 *ized to transfer to the Government of Brazil the “KNOX”*  
6 *class frigates, MILLER (FF 1091) and VALDEZ (FF*  
7 *1096). Such transfers shall be on a lease basis under chapter*  
8 *6 of the Arms Export Control Act (22 U.S.C. 2796 et seq.).*

9 (b) *WAIVER OF REQUIREMENTS FOR NOTIFICATION TO*  
10 *CONGRESS.*—*Section 62 of the Arms Export Control Act*  
11 *does not apply with respect to a lease authorized by sub-*  
12 *section (a), except that section 62 of such Act shall apply*  
13 *to any renewal of the lease.*

14 (c) *COSTS OF TRANSFERS.*—*Any expense of the United*  
15 *States in connection with a transfer authorized by sub-*  
16 *section (a) shall be charged to the Government of Brazil.*

17 (d) *EXPIRATION OF AUTHORITY.*—*The authority*  
18 *granted by subsection (a) shall expire at the end of the 2-*  
19 *year period beginning on the date of the enactment of this*  
20 *Act, except that leases entered into during that period may*  
21 *be renewed.*

22 **SEC. 1066. TRANSFERS OF M1A1 TANKS TO THE MARINE**  
23 **CORPS.**

24 (a) *TRANSFER REQUIRED.*—*Subject to subsection (b),*  
25 *as M1A1 tanks of the Army become excess to the require-*

1 *ments of the active component of the Army, the Secretary*  
2 *of the Army shall transfer to the Marine Corps, at no ex-*  
3 *pense to the Army, as many of such tanks as are necessary*  
4 *to satisfy the requirements of the Marine Corps for tanks,*  
5 *as determined by the Secretary of Defense.*

6 *(b) TRANSFER LIMITS.—The Secretary of the Army*  
7 *shall transfer under subsection (a) 84 M1A1 tanks selected*  
8 *by the Secretary of the Army.*

9 *(c) EXCLUSION OF CERTAIN TRANSFERS.—If any of*  
10 *the tanks transferred under subsection (a) are transferred*  
11 *to the Marine Corps Reserve, the number of tanks not in*  
12 *excess of 48 that are so transferred shall not be counted for*  
13 *purposes of subsection (b).*

14 *(d) LIMITATION ON TRANSFERS TO ARMY NATIONAL*  
15 *GUARD.—After the date of the enactment of this Act, the*  
16 *Secretary of the Army shall transfer not more than one*  
17 *M1A1 tank to the National Guard for each M1A1 tank*  
18 *transferred to the Marine Corps until the Secretary has*  
19 *transferred the total number of tanks required in subsection*  
20 *(b). The tanks transferred to the Marine Corps shall be in*  
21 *a material condition comparable to the material condition*  
22 *of the tanks transferred to the National Guard.*



1           (e) *TREATMENT OF CERTAIN TRANSFERRED TANKS*  
2 *UNDER LIMITATIONS.*—*The transfer of a tank under section*  
3 *112 shall not be counted for purposes of subsection (a), (b),*  
4 *(c), or (d).*

5 **SEC. 1067. LIMITATION REGARDING MERGER OF TELE-**  
6 **COMMUNICATIONS SYSTEMS.**

7           (a) *LIMITATION.*—*Funds available to the Department*  
8 *of Defense may not be expended to merge defense tele-*  
9 *communications systems with the telecommunications sys-*  
10 *tem known as “FTS-2000” or with any other civil tele-*  
11 *communications system until—*

12                   (1) *the Secretary of Defense submits to the con-*  
13 *gressional defense committees a report containing—*

14                           (A) *a certification by the Secretary that the*  
15 *merged telecommunications systems, including*  
16 *the associated services, will provide assured, se-*  
17 *cure telecommunications support for Department*  
18 *of Defense activities; and*

19                           (B) *a description of how the merger of the*  
20 *systems will be implemented and the merged sys-*  
21 *tems will be managed to meet defense informa-*  
22 *tion infrastructure requirements, including re-*  
23 *quirements to support deployed forces and intel-*  
24 *ligence activities; and*

1           (2) 30 days elapse after the date on which such  
2           report is received by the committees.

3           (b) *DEFENSE TELECOMMUNICATIONS ACTIVITY DE-*  
4 *FINED.*—In this section, the term “defense telecommuni-  
5 *cations system*” means a system of telecommunications  
6 *equipment and services that, pursuant to section 2315 of*  
7 *title 10, United States Code, is exempt from the require-*  
8 *ments of section 111 of the Federal Property and Adminis-*  
9 *trative Services Act of 1949.*

10 ***SEC. 1068. ACQUISITION OF STRATEGIC SEALIFT SHIPS.***

11           (a) *AMOUNT FOR SHIPBUILDING AND CONVERSION.*—  
12 *Notwithstanding section 102(3), there is hereby authorized*  
13 *to be appropriated for the Navy for fiscal year 1995,*  
14 *\$5,532,007,000 for procurement for shipbuilding and con-*  
15 *version.*

16           (b) *NATIONAL DEFENSE SEALIFT FUND.*—Notwith-  
17 *standing section 302(2), there is hereby authorized to be ap-*  
18 *propriated for the Armed Forces and other activities and*  
19 *agencies of the Department of Defense \$828,600,000 for pro-*  
20 *viding capital for the National Defense Sealift Fund.*

21 ***SEC. 1069. REQUIREMENT FOR SECRETARY OF DEFENSE TO***  
22 ***SUBMIT RECOMMENDATIONS ON CERTAIN***  
23 ***PROVISIONS OF LAW CONCERNING MISSING***  
24 ***PERSONS.***

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

1           (1) *The families of American personnel who be-*  
2           *came prisoners of war or missing in action while*  
3           *serving in the Armed Forces of the United States and*  
4           *national veterans organizations have expressed con-*  
5           *cern to Congress for several years regarding provi-*  
6           *sions of chapter 10 of title 37, United States Code, re-*  
7           *lating to missing persons, that authorize the Secretar-*  
8           *ies of the military departments to declare missing*  
9           *Armed Forces personnel dead based solely on the pas-*  
10          *sage of time.*

11          (2) *Proposed legislation concerning revisions to*  
12          *those provisions of law has been pending before Con-*  
13          *gress for several years.*

14          (3) *It is important for Congress to obtain the*  
15          *views of the Secretary of Defense with respect to the*  
16          *appropriateness of revising those provisions of law be-*  
17          *fore acting further on proposed amendments to such*  
18          *provisions.*

19          (b) *RECOMMENDATIONS REQUIRED.—Not later than*  
20          *180 days after the date of the enactment of this Act, the*  
21          *Secretary of Defense, in consultation with the Secretaries*  
22          *of the military departments, the national POW/MIA family*  
23          *organizations, and the national veterans organizations,*  
24          *shall—*

1           (1) *conduct a review of the provisions of chapter*  
2           *10 of title 37, United States Code, relating to missing*  
3           *persons; and*

4           (2) *submit to Congress the Secretary's rec-*  
5           *ommendations as to whether those provisions of law*  
6           *should be amended.*

7   **SEC. 1070. CONTACT BETWEEN THE DEPARTMENT OF DE-**  
8                           **FENSE AND THE MINISTRY OF NATIONAL DE-**  
9                           **FENSE OF CHINA ON POW/MIA ISSUES.**

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

11           (1) *The Select Committee on POW/MIA Affairs*  
12           *of the Senate concluded in its final report, dated Jan-*  
13           *uary 13, 1993, that “many American POW’s had*  
14           *been held in China during the Korean conflict and*  
15           *that foreign POW camps in both China and North*  
16           *Korea were run by Chinese officials” and, further,*  
17           *that “given the fact that only 26 Army and 15 Air*  
18           *Force personnel returned from China following the*  
19           *war, the committee can now firmly conclude that the*  
20           *People’s Republic of China surely has information on*  
21           *the fate of other unaccounted for American POW’s*  
22           *from the Korean conflict.”.*

23           (2) *The Select Committee on POW/MIA Affairs*  
24           *recommended in such report that “the Department of*

1       *State and Defense form a POW/MIA task force on*  
2       *China similar to Task Force Russia.”.*

3               *(3) Neither the Department of Defense nor the*  
4       *Department of State has held substantive discussions*  
5       *with officials from the People’s Republic of China*  
6       *concerning unaccounted for American prisoners of*  
7       *war of the Korean conflict.*

8               *(b) SENSE OF CONGRESS.—It is the sense of Congress*  
9       *that the Secretary of Defense should establish contact with*  
10       *officials of the Ministry of Defense of the People’s Republic*  
11       *of China regarding unresolved issues relating to American*  
12       *prisoners of war and American personnel missing in action*  
13       *as a result of the Korean conflict.*

14       **SEC. 1071. DISCLOSURE OF INFORMATION CONCERNING**  
15                       **UNACCOUNTED FOR UNITED STATES PER-**  
16                       **SONNEL FROM THE KOREAN CONFLICT, AND**  
17                       **THE COLD WAR.**

18       *Section 1082 of the National Defense Authorization*  
19       *Act for Fiscal Years 1992 and 1993 (Public Law 102–190;*  
20       *50 U.S.C. 401 note) is amended—*

21               *(1) in subsection (a), by striking out paragraph*  
22       *(2) and inserting in lieu thereof the following:*

23               *“(2) Paragraph (1) applies to any record, live-sighting*  
24       *report, or other information in the custody of the official*  
25       *custodian referred to in subsection (d)(3) that may pertain*

1 *to the location, treatment, or condition of (i) United States*  
2 *personnel who remain not accounted for as a result of serv-*  
3 *ice in the Armed Forces of the United States or other Fed-*  
4 *eral Government service during the Korean conflict, the*  
5 *Vietnam era, or the Cold War, or (ii) their remains.”;*

6 (2) *in subsection (c)—*

7 (A) *by striking out the first sentence in*  
8 *paragraph (1) and inserting in lieu thereof the*  
9 *following: “In the case of records or other infor-*  
10 *mation originated by the Department of Defense,*  
11 *the official custodian shall make such records*  
12 *and other information available to the public*  
13 *pursuant to this section not later than Septem-*  
14 *ber 30, 1995.”;*

15 (B) *in paragraph (2), by striking out “after*  
16 *March 1, 1992,”; and*

17 (C) *in paragraph (3), by striking out “a*  
18 *Vietnam-era POW/MIA who may still be alive in*  
19 *Southeast Asia,” and inserting in lieu thereof*  
20 *“any United States personnel referred to in sub-*  
21 *section (a)(2) who remain not accounted for but*  
22 *who may still be alive in captivity,”;*

23 (3) *by striking out subsection (d) and inserting*  
24 *in lieu thereof the following:*

25 *“(d) DEFINITIONS.—For purposes of this section:*

1           “(1) The terms ‘Korean conflict’ and ‘Vietnam  
2 era’ have the meanings given those terms in section  
3 101 of title 38, United States Code.

4           “(2) The term ‘Cold War’ shall have the meaning  
5 determined by the Secretary of Defense.

6           “(3) The term ‘official custodian’ means—

7                   “(A) in the case of records, reports, and in-  
8 formation relating to the Korean conflict or the  
9 Cold War, the Archivist of the United States;  
10 and

11                   “(B) in the case of records, reports, and in-  
12 formation relating to the Vietnam era, the Sec-  
13 retary of Defense.”; and

14           (4) by striking out the section heading and in-  
15 sserting in lieu thereof the following new section head-  
16 ing:

17 **“SEC. 1082. DISCLOSURE OF INFORMATION CONCERNING**  
18 **UNACCOUNTED FOR UNITED STATES PER-**  
19 **SONNEL OF THE COLD WAR, THE KOREAN**  
20 **CONFLICT, AND THE VIETNAM ERA.”.**

21 **SEC. 1072. REQUIREMENT FOR CERTIFICATION BY SEC-**  
22 **RETARY OF DEFENSE CONCERNING DECLAS-**  
23 **SIFICATION OF VIETNAM-ERA POW/MIA**  
24 **RECORDS.**

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

1           (1) *The Senate, by Senate Resolution 324, 102d*  
2           *Congress, 2d session, agreed to on July 2, 1992,*  
3           *unanimously requested the President to “expeditiously*  
4           *issue an Executive Order requiring all executive*  
5           *branch departments and agencies to declassify and*  
6           *publicly release without compromising United States*  
7           *national security all documents, files, and other mate-*  
8           *rials pertaining to POW’s and MIA’s.”.*

9           (2) *The President, in an executive order dated*  
10          *July 22, 1992, ordered declassification of all United*  
11          *States Government documents, files, and other mate-*  
12          *rials pertaining to American personnel who became*  
13          *prisoners of war or missing in action in Southeast*  
14          *Asia.*

15          (3) *The President stated on Memorial Day of*  
16          *1993 that all such documents, files, and other mate-*  
17          *rials pertaining to the personnel covered by that exec-*  
18          *utive order should be declassified by Veterans Day of*  
19          *1993.*

20          (4) *The President declared on Veterans Day of*  
21          *1993 that all such documents, files, and other mate-*  
22          *rials had been declassified.*

23          (5) *Nonetheless, since that Veterans Day declara-*  
24          *tion in 1993, there have been found still classified*  
25          *more United States Government documents, files, and*



1 *other materials pertaining to American personnel*  
2 *who became prisoners of war or missing in action in*  
3 *Southeast Asia.*

4 *(b) REVIEW AND CERTIFICATION.—Not later than 60*  
5 *days after the date of the enactment of this Act, the Sec-*  
6 *retary of Defense shall—*

7 *(1) conduct a review to determine whether there*  
8 *continue to exist in classified form documents, files,*  
9 *or other materials pertaining to American personnel*  
10 *who became prisoners of war or missing in action in*  
11 *Southeast Asia that should be declassified in accord-*  
12 *ance with Senate Resolution 324, 102d Congress, 2d*  
13 *session, agreed to on July 2, 1992, and the executive*  
14 *order of July 22, 1992; and*

15 *(2) certify to Congress that all documents, files,*  
16 *and other materials pertaining to such personnel have*  
17 *been declassified and specify in the certification the*  
18 *date on which the declassification was completed.*

19 **SEC. 1073. INFORMATION CONCERNING UNACCOUNTED**  
20 **FOR UNITED STATES PERSONNEL OF THE**  
21 **VIETNAM CONFLICT.**

22 *Not later than 45 days after the date of the enactment*  
23 *of this Act, the Secretary of Defense shall submit to Congress*  
24 *the following information pertaining to United States per-*

1 *sonnel involved in the Vietnam conflict that remain not ac-*  
2 *counted for:*

3 *(1) A complete listing by name of all such per-*  
4 *sonnel about whom it is possible that officials of the*  
5 *Socialist Republic of Vietnam can produce additional*  
6 *information or remains that could lead to the maxi-*  
7 *mum possible accounting for those personnel, as deter-*  
8 *mined on the basis of all information available to the*  
9 *United States Government.*

10 *(2) A complete listing by name of all such per-*  
11 *sonnel about whom it is possible that officials of the*  
12 *Lao People's Democratic Republic can produce addi-*  
13 *tional information or remains that could lead to the*  
14 *maximum possible accounting for those personnel, as*  
15 *determined on the basis of all information available*  
16 *to the United States Government.*

17 **SEC. 1074. REPORT ON POW/MIA MATTERS CONCERNING**  
18 **NORTH KOREA.**

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

20 *(1) The Select Committee on POW/MIA Affairs*  
21 *of the Senate concluded in its final report, dated Jan-*  
22 *uary 13, 1994, that “it is likely that a large number*  
23 *of possible MIA remains can be repatriated and sev-*  
24 *eral records and documents on unaccounted for*  
25 *POW's and MIA's can be provided from North Korea*

1       *once a joint working level commission is set up under*  
2       *the leadership of the United States.”.*

3             (2) *The Select Committee recommended in such*  
4       *report that “the Departments of State and Defense*  
5       *take immediate steps to form this commission through*  
6       *the United Nations Command at Panmunjom, Korea”*  
7       *and that the “commission should have a strictly hu-*  
8       *manitarian mission and should not be tied to politi-*  
9       *cal developments on the Korean peninsula.”.*

10            (3) *In August 1993, the United States and North*  
11       *Korea entered into an agreement concerning the repa-*  
12       *triation of remains of United States personnel.*

13            (4) *The establishment of a joint working level*  
14       *commission with North Korea could enhance the pros-*  
15       *pects for results under the August 1993 agreement.*

16        (b) *REPORT.—The Secretary of Defense shall—*

17            (1) *at the end of January, May, and September*  
18       *of 1995, submit a report to Congress on the status of*  
19       *efforts to obtain information from North Korea con-*  
20       *cerning United States personnel involved in the Ko-*  
21       *rean conflict who remain not accounted for and to ob-*  
22       *tain from North Korea any remains of such person-*  
23       *nel; and*

24            (2) *actively seek to establish a joint working level*  
25       *commission with North Korea, consistent with the rec-*

1 *ommendations of the Select Committee on POW/MIA*  
2 *Affairs of the Senate set forth in the final report of*  
3 *the committee, dated January 13, 1993, to resolve the*  
4 *remaining issues relating to United States personnel*  
5 *who became prisoners of war or missing in action*  
6 *during the Korean conflict.*

7 **SEC. 1075. ELIMINATION OF DISPARITY BETWEEN EFFEC-**  
8 **TIVE DATES FOR MILITARY AND CIVILIAN RE-**  
9 **TIREE COST-OF-LIVING ADJUSTMENTS FOR**  
10 **FISCAL YEAR 1995.**

11 *(a) IN GENERAL.—The fiscal year 1995 increase in*  
12 *military retired pay shall (notwithstanding subparagraph*  
13 *(B) of section 1401a(b)(2) of title 10, United States Code)*  
14 *first be payable as part of such retired pay for the month*  
15 *of March 1995.*

16 *(b) DEFINITIONS.—For the purposes of subsection (a):*

17 *(1) The term “fiscal year 1995 increase in mili-*  
18 *tary retired pay” means the increase in retired pay*  
19 *that, pursuant to paragraph (1) of section 1401a(b)*  
20 *of title 10, United States Code, becomes effective on*  
21 *December 1, 1994.*

22 *(2) The term “retired pay” includes retainer*  
23 *pay.*

24 *(c) LIMITATION.—Subsection (a) shall be effective only*  
25 *if there is appropriated to the Department of Defense Mili-*

1 *tary Retirement Fund (in an Act making appropriations*  
2 *for the Department of Defense for fiscal year 1995 that is*  
3 *enacted before March 1, 1995) such amount as is necessary*  
4 *to offset increased outlays to be made from that fund during*  
5 *fiscal year 1995 by reason of the provisions of subsection*  
6 *(a).*

7 *(d) AUTHORIZATION OF APPROPRIATIONS.—There is*  
8 *authorized to be appropriated for fiscal year 1995 to the*  
9 *Department of Defense Military Retirement Fund the sum*  
10 *of \$376,000,000 to offset increased outlays to be made from*  
11 *that fund during fiscal year 1995 by reason of the provi-*  
12 *sions of subsection (a).*

13 **SEC. 1076. MILITARY RECRUITING ON CAMPUS.**

14 *(a) DENIAL OF FUNDS.—(1) No funds available to the*  
15 *Department of Defense may be provided by grant or con-*  
16 *tract to any institution of higher education that has a pol-*  
17 *icy of denying, or which effectively prevents, the Secretary*  
18 *of Defense from obtaining for military recruiting pur-*  
19 *poses—*

20 *(A) entry to campuses or access to students on*  
21 *campuses; or*

22 *(B) access to directory information pertaining to*  
23 *students.*

24 *(2) Students referred to in paragraph (1) are individ-*  
25 *uals who are 17 years of age or older.*

1           (b) *PROCEDURES FOR DETERMINATION.*—The Sec-  
2   retary of Defense, in consultation with the Secretary of  
3   Education, shall prescribe regulations that contain proce-  
4   dures for determining if and when an educational institu-  
5   tion has denied or prevented access to students or informa-  
6   tion described in subsection (a).

7           (c) *DEFINITION.*—For purposes of this section, the  
8   term “directory information” means, with respect to a stu-  
9   dent, the student’s name, address, telephone listing, date  
10   and place of birth, level of education, degrees received, and  
11   the most recent previous educational institution enrolled in  
12   by the student.

13   **SEC. 1077. STUDY ON CONVERGENCE OF GEOSAT AND EOS**  
14                                   **ALTIMETRY PROGRAMS.**

15           (a) *REQUIREMENT.*—The Secretary of the Navy and  
16   the Administrator of the National Aeronautics and Space  
17   Administration shall jointly conduct a study on the conver-  
18   gence of the National Aeronautics and Space Administra-  
19   tion Earth Observing System Altimetry mission with the  
20   Navy Geosat Follow-On program. The study shall assess  
21   whether a converged system, which may involve minor  
22   modifications to the Geosat Follow-On satellite, could—

23                   (1) *satisfy the needs of the Earth Observing Sys-*  
24                   *tem program for altimetry data;*

1           (2) *reduce the expenses of the National Aero-*  
2           *nautics and Space Administration in satisfying such*  
3           *needs;*

4           (3) *be available in time to serve as the follow-on*  
5           *to the Topex/Poseidon mission; and*

6           (4) *continue to meet the requirements of the*  
7           *Navy for altimetry data at no additional cost to the*  
8           *Navy.*

9           (b) *CONSULTATION.*—*In concluding the study, the Sec-*  
10          *retary and the Administrator shall consult with appro-*  
11          *priate members of the scientific community.*

12          (c) *REPORT.*—*The Secretary and the Administrator*  
13          *shall submit to the Committees on Armed Services, Com-*  
14          *merce, Science, and Transportation and the Committees on*  
15          *Armed Services and Science, Space, and Technology of the*  
16          *House of Representatives a report on the results of the study*  
17          *conducted under subsection (a), together with the rec-*  
18          *ommendations of the Secretary and the Administrator*  
19          *thereon. The Secretary and the Administrator shall submit*  
20          *not later than February 15, 1995.*

21          **SEC. 1078. VISAS FOR OFFICIALS OF TAIWAN.**

22          *Section 4(b)(6) of the Taiwan Relations Act (22 U.S.C.*  
23          *3302(b)(6)) is amended—*

24                  (1) *by inserting “(A)” immediately after “(6)”;*

25                  *and*

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

2           “(B) Whenever the president of Taiwan or any  
3 other high-level official of Taiwan shall apply to visit  
4 the United States for the purposes of discussions with  
5 United States Federal or State government officials  
6 concerning:

7                   “(i) Trade or business with Taiwan that  
8 will reduce the United States-Taiwan trade defi-  
9 cit;

10                   “(ii) Prevention of nuclear proliferation;

11                   “(iii) Threats to the national security of the  
12 United States;

13                   “(iv) The protection of the global environ-  
14 ment;

15                   “(v) The protection of endangered species;

16                   or

17                   “(vi) Regional humanitarian disasters.

18           The official shall be admitted to the United States,  
19 unless the official is otherwise excludable under the  
20 immigration laws of the United States.”.

21 **SEC. 1079. SENSE OF THE SENATE CONCERNING PARTICIPA-**  
22 **TION IN ALLIED DEFENSE COOPERATION.**

23           It is the sense of the Senate that the President should  
24 use existing authorities to the greatest extent possible to au-  
25 thorize the provision of the following types of assistance and



1 cooperation to countries like Poland, Hungary and the  
2 Czech Republic who are making significant progress in  
3 working with NATO—

4 (1) Excess defense articles as defined in the For-  
5 eign Assistance Act of 1961 and the Arms Control Ex-  
6 port Act;

7 (2) Loan materials, supplies and equipment for  
8 research and development purposes;

9 (3) Leases and loans of major defense equipment  
10 and other defense articles;

11 (4) Cooperative military airlift agreements;

12 (5) The procurement of communications support  
13 and related supplies and services;

14 (6) Actions to standardize equipment with North  
15 Atlantic Treaty Organization members.

16 **SEC. 1080. INTERAGENCY PLACEMENT PROGRAM FOR FED-**  
17 **ERAL EMPLOYEES AFFECTED BY REDUCTION**  
18 **IN FORCE ACTIONS.**

19 (a) *STUDY AND REPORT.*—(1) No later than 6 months  
20 after the date of the enactment of this Act, the Office of Per-  
21 sonnel Management, in consultation with the Department  
22 of Defense, shall conduct a study and submit a report to  
23 the Congress on—

1           (A) the feasibility of establishing a mandatory  
2           interagency placement program for Federal employees  
3           affected by reduction in force actions; and

4           (B) any action taken by the Office of Personnel  
5           Management under subsection (b).

6           (2) In conducting the study under this section, the Of-  
7           fice of Personnel Management, in consultation with the De-  
8           partment of Defense, shall seek comments from all Federal  
9           agencies.

10          (b) AGREEMENTS TO ESTABLISH INTERAGENCY  
11          PLACEMENT PROGRAM.—(1) If, during the 6-month period  
12          after the date of the enactment of this Act, the Office of Per-  
13          sonnel Management, in consultation with the Department  
14          of Defense, determines that a Government-wide interagency  
15          placement program for Federal employees affected by reduc-  
16          tion in force actions is feasible, the Office of Personnel Man-  
17          agement may enter into an agreement with each agency  
18          that agrees to participate, to establish such a program. A  
19          program established under this subsection shall not be re-  
20          quired to be an interagency placement program as defined  
21          under subsection (c)(3).

22          (2) If the Office of Personnel Management makes a de-  
23          termination to establish a program as provided under para-  
24          graph (1), the Office shall include in the report submitted  
25          under subsection (a) each agency that decides not to partici-

1 *pate in the program and the reasons of the agency for the*  
2 *decision.*

3 *(c) DEFINITIONS.—For purposes of this section—*

4 *(1) the term “agency” means an “Executive*  
5 *agency” as defined under section 105 of title 5, Unit-*  
6 *ed States Code, and—*

7 *(A) includes the United States Postal Serv-*  
8 *ice and the Postal Rate Commission; and*

9 *(B) does not include the General Accounting*  
10 *Office;*

11 *(2) the term “Federal employees affected by re-*  
12 *duction in force actions” means Federal employees*  
13 *who—*

14 *(A) are scheduled to be separated from serv-*  
15 *ice under a reduction in force pursuant to—*

16 *(i) regulations prescribed under section*  
17 *3502 of title 5, United States Code; or*

18 *(ii) procedures established under sec-*  
19 *tion 3595 of title 5, United States Code; or*

20 *(B) are separated from service under such a*  
21 *reduction in force; and*

22 *(3) the term “interagency placement program”*  
23 *means a program that provides a system to require*  
24 *the offer of a position in an agency to an employee*

1 *of another agency affected by a reduction in force ac-*  
2 *tion, if—*

3 *(A) the position cannot be filled through a*  
4 *placement program of the agency in which the*  
5 *position is located;*

6 *(B) the employee to whom the offer is made*  
7 *is well qualified for the offered position;*

8 *(C)(i) the classification of the offered posi-*  
9 *tion is equal to the classification of the employ-*  
10 *ee's present or last held position; or*

11 *(ii) the basic rate of pay of the offered posi-*  
12 *tion is equal to the basic rate of pay of the em-*  
13 *ployee's present or last held position; and*

14 *(D) the geographic location of the offered*  
15 *position is within the commuting area of—*

16 *(i) the residence of the employee; or*

17 *(ii) the location of the employee's*  
18 *present or last held position.*

19 **SEC. 1081. GEORGE C. MARSHALL EUROPEAN CENTER FOR**  
20 **SECURITY STUDIES.**

21 *(a) USE OF CONTRIBUTIONS.—Funds received by the*  
22 *United States Government from the Federal Republic of*  
23 *Germany as its fair share of the costs of the George C. Mar-*  
24 *shall European Center for Security Studies shall be credited*  
25 *to appropriations available to the Department of Defense*

1 for the George C. Marshall European Center for Security  
2 Studies. Funds so credited shall be merged with the appro-  
3 priations to which credited and shall be available for the  
4 Center for the same purposes and the same period as the  
5 appropriations with which merged.

6 (b) *WAIVER OF CHARGES.*—(1) The Secretary of De-  
7 fense may waive reimbursement of the costs of conferences,  
8 seminars, courses of instruction, or similar educational ac-  
9 tivities of the George C. Marshall European Center for Se-  
10 curity Studies for military officers and civilian officials of  
11 cooperation partner states of the North Atlantic Coopera-  
12 tion Council or the Partnership for Peace if the Secretary  
13 determines that attendance by such personnel without reim-  
14 bursement is in the national security interest of the United  
15 States.

16 (2) Costs for which reimbursement is waived pursuant  
17 to paragraph (1) shall be paid from appropriations avail-  
18 able for the Center.

19 **SEC. 1082. CHANGES IN NOTICE REQUIREMENTS UPON**  
20 **PENDING OR ACTUAL TERMINATION OF DE-**  
21 **FENSE PROGRAMS.**

22 (a) *TIME FOR NOTICE REQUIREMENT AFTER SUBMIS-*  
23 *SION OF BUDGET.*—Subsection (a) of section 4471 of the  
24 *Defense Conversion, Reinvestment, and Transition Assist-*

1 *ance Act of 1992 (division D of Public Law 102–484; 106*  
2 *Stat. 2753; 10 U.S.C. 2501 note) is amended—*

3 *(1) by striking out “As soon as reasonably prac-*  
4 *ticable” and inserting in lieu thereof “Not later than*  
5 *90 days”; and*

6 *(2) by striking out “and not more than 180 days*  
7 *after such date,”.*

8 *(b) TIME FOR NOTICE REQUIREMENT AFTER ENACT-*  
9 *MENT OF APPROPRIATIONS ACT.—Subsection (b) of such*  
10 *section is amended—*

11 *(1) by striking out “as soon as reasonably prac-*  
12 *ticable” and inserting in lieu thereof “not later than*  
13 *90 days”; and*

14 *(2) by striking out “and not more than 180 days*  
15 *after such date,”.*

16 *(c) TIME FOR NOTICE REQUIREMENT ON WITH-*  
17 *DRAWAL OF NOTIFICATION.—Subsection (f)(1) of such sec-*  
18 *tion is amended in the second sentence by striking out “as*  
19 *soon as reasonably practicable” and inserting in lieu there-*  
20 *of “not later than 90 days”.*

21 **SEC. 1083. TRANSFER OF OBSOLETE VESSEL GUADAL-**  
22 **CANAL.**

23 *(a) AUTHORITY.—Notwithstanding subsections (a)*  
24 *and (d) of section 7306 of title 10, United States Code, but*  
25 *subject to subsections (b) and (c) of that section, upon the*

1 *decommissioning of the USS Guadalcanal (LPH 7), the*  
2 *Secretary of the Navy may transfer the Guadalcanal to the*  
3 *not-for-profit organization Intrepid Museum Foundation,*  
4 *New York, New York.*

5 (b) *LIMITATIONS.*—*The transfer authorized by section*  
6 *(a) may be made only if the Secretary determines that the*  
7 *vessel Guadalcanal is of no further use to the United States*  
8 *for national security purposes.*

9 (c) *TERMS AND CONDITIONS.*—*The Secretary may re-*  
10 *quire such terms and conditions in connection with the*  
11 *transfer authorized by this section as the Secretary consid-*  
12 *ers appropriate.*

13 ***SEC. 1084. STUDY OF SPOUSAL ABUSE INVOLVING ARMED***  
14 ***FORCES PERSONNEL.***

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

16 (1) *The Department of Defense has sponsored*  
17 *several highly successful programs designed to curtail*  
18 *spousal abuse.*

19 (2) *The readiness of the Armed Forces would be*  
20 *enhanced by eliminating all forms of spousal abuse*  
21 *involving members of the Armed Forces.*

22 (3) *Available data on the frequency and causes*  
23 *of spousal abuse involving members of the Armed*  
24 *Forces is not comprehensive for the Armed Forces.*

1       (b) *STUDY AND REPORT REQUIRED.*—Not later than  
2 180 days after the date of the enactment of this Act, the  
3 Secretary of Defense shall conduct a study on spousal abuse  
4 involving members of the Armed Forces of the United States  
5 and submit to Congress a report on the results of the study.

6       (c) *CONTENT OF REPORT.*—The report shall contain  
7 the following matters:

8           (1) *The frequency of spousal abuse involving*  
9 *members of the Armed Forces.*

10          (2) *A discussion of the possible causes of such*  
11 *spousal abuse.*

12          (3) *A discussion of the procedures followed in re-*  
13 *sponding to incidents of such spousal abuse.*

14          (4) *An analysis of the effectiveness of those proce-*  
15 *dures.*

16          (5) *A review of the existing programs for curtail-*  
17 *ing such spousal abuse.*

18          (6) *A strategy for the entire Armed Forces for*  
19 *curtailing spousal abuse involving members of the*  
20 *Armed Forces.*



1 **SEC. 1085. REVIEW OF THE PROCEDURES USED BY DEPART-**  
2 **MENT OF DEFENSE INVESTIGATIVE ORGANI-**  
3 **ZATIONS WHEN CONDUCTING AN INVESTIGA-**  
4 **TION INTO THE DEATH OF A MEMBER OF THE**  
5 **ARMED FORCES WHO, WHILE SERVING ON AC-**  
6 **TIVE DUTY, DIED FROM A CAUSE DETER-**  
7 **MINED TO BE SELF-INFLICTED.**

8 *SENSE OF CONGRESS.—It is the Sense of Congress*  
9 *that, upon receipt of the report required by section 1185*  
10 *of the National Defense Authorization Act for Fiscal Year*  
11 *1994, the Senate Committee on Armed Services should re-*  
12 *view that report and hold hearings related to the procedures*  
13 *employed by Department of Defense investigative organiza-*  
14 *tions when conducting an investigation into the death of*  
15 *a member of the Armed Services who, while serving on ac-*  
16 *tive duty, died from a cause determined to be self-inflicted.*

17 **SEC. 1086. PUBLIC EDUCATION FACILITY OF THE ARMED**  
18 **FORCES INSTITUTE OF PATHOLOGY.**

19 *(a) PURPOSE.—It is the purpose of this section to—*

20 *(1) display and interpret the collections of the*  
21 *Armed Forces Institute of Pathology currently located*  
22 *at Walter Reed Medical Center; and*

23 *(2) designate a site for the relocation of the pub-*  
24 *lic education facility of the Armed Forces Institute of*  
25 *Pathology so that it may serve as a central resource*

1       of instruction about the critical health issues which  
2       confront all American citizens.

3       (b) *SITE OF FACILITY.*—The public education facility  
4       of Armed Forces Institute of Pathology shall be located on  
5       or near the Mall on land owned by the Federal Government  
6       or the District of Columbia in the District of Columbia.

7       (c) *RULE OF CONSTRUCTION.*—Nothing in this section  
8       shall be construed as limiting the authority or responsibil-  
9       ities of the National Capital Planning Commission or the  
10      Commission of Fine Arts.

11      (d) *DEFINITION.*—As used in this section, the term  
12      “the Mall” means—

13           (1) the land designated as “Union Square”,  
14      United States Reservation 6A; and

15           (2) the land designated as the “Mall”, United  
16      States Reservations 3, 4, 5, and 6.

17      (e) *SENSE OF THE CONGRESS.*—

18           (1) *FINDINGS.*—Congress finds that—

19                   (A) the National Museum of Health and  
20                   Medicine Foundation, Inc. (a private, nonprofit  
21                   organization having for its primary purpose the  
22                   relocation to the Mall and revitalization of the  
23                   National Museum of Health and Medicine), the  
24                   Armed Forces Institute of Pathology, and the  
25                   Public Health Service have jointly supported

1           *planning to relocate the Museum to a site on*  
2           *land that is located east of and adjacent to the*  
3           *Hubert H. Humphrey Building (100 Independ-*  
4           *ence Avenue, Southwest, in the District of Co-*  
5           *lumbia); and*

6                     *(B) the National Museum of Health and*  
7           *Medicine Foundation, Inc., is deserving of the*  
8           *encouragement and support of the American peo-*  
9           *ple in its effort to relocate the National Museum*  
10          *of Health and Medicine to a site on land the is*  
11          *located east of and adjacent to the Hubert H.*  
12          *Humphrey Building, and in its effort to raise*  
13          *funds for a revitalized Museum to inspire in-*  
14          *creasing numbers of Americans to lead healthy*  
15          *lives through improved public understanding of*  
16          *health and the medical sciences.*

17                     *(2) LOCATION.—It is the sense of the Congress*  
18          *that, subject to appropriate approvals by the National*  
19          *Capital Planning Commission and the Commission of*  
20          *Fine Arts, the National Museum of Health and Medi-*  
21          *cine should be relocated to a site on land that is lo-*  
22          *cated east of and adjacent to the Hubert H. Hum-*  
23          *phrey Building for the purpose of educating the*  
24          *American public concerning health and the medical*  
25          *sciences.*

1 **SEC. 1087. ASSIGNMENTS OF EMPLOYEES BETWEEN FED-**  
2 **ERAL AGENCIES AND FEDERALLY FUNDED**  
3 **RESEARCH AND DEVELOPMENT CENTERS.**

4 (a) *AUTHORITY.*—Section 3371(4) of title 5, United  
5 States Code, is amended—

6 (1) by striking out “or” at the end of subpara-  
7 graph (B);

8 (2) by striking out the period at the end of sub-  
9 paragraph (C) and inserting in lieu thereof “; or”;  
10 and

11 (3) by adding at the end the following new sub-  
12 paragraph:

13 “(D) a federally funded research and devel-  
14 opment center.”.

15 (b) *PROVISIONS GOVERNING ASSIGNMENTS.*—Section  
16 3372 of title 5, United States Code, is amended by adding  
17 at the end the following new subsection:

18 “(e) Under regulations prescribed pursuant to section  
19 3376 of this title—

20 “(1) an assignment of an employee of a Federal  
21 agency to an other organization or an institution of  
22 higher education, and an employee so assigned, shall  
23 be treated in the same way as an assignment of an  
24 employee of a Federal agency to a State or local gov-  
25 ernment, and an employee so assigned, is treated  
26 under the provisions of this subchapter governing an

1       *assignment of an employee of a Federal agency to a*  
2       *State or local government, except that the rate of pay*  
3       *of an employee assigned to a federally funded research*  
4       *and development center may not exceed the rate of*  
5       *pay that such employee would be paid for continued*  
6       *service in the position in the Federal agency from*  
7       *which assigned; and*

8               “(2) *an assignment of an employee of an other*  
9       *organization or an institution of higher education to*  
10       *a Federal agency, and an employee so assigned, shall*  
11       *be treated in the same way as an assignment of an*  
12       *employee of a State or local government to a Federal*  
13       *agency, and an employee so assigned, is treated under*  
14       *the provisions of this subchapter governing an assign-*  
15       *ment of an employee of a State or local government*  
16       *to a Federal agency.”.*

17       **SEC. 1088. BOSNIA AND HERZEGOVINA.**

18               (a) *PURPOSE.*—*To express the sense of Congress con-*  
19       *cerning the international efforts to end the conflict in*  
20       *Bosnia and Hercegovina.*

21               (b) *STATEMENTS.*—*The Congress makes the following*  
22       *statements of support:*

23                       (1) *The Congress supports the use of inter-*  
24       *national sanctions in the form of arms and economic*

1        *embargoes imposed by the United Nations Security*  
2        *Council in appropriate circumstances.*

3            (2) *The Congress supports the imposition of an*  
4        *arms and economic embargo on the Government of*  
5        *Iraq by United Nations Security Council resolution*  
6        *661 of August 6, 1990 to bring about compliance with*  
7        *a number of conditions, including in particular an*  
8        *end to Iraq's nuclear weapons program.*

9            (3) *The Congress supports the imposition of an*  
10       *arms, petroleum and economic embargo on Haiti by*  
11       *United Nations Security Council resolutions 875 of*  
12       *October 16, 1993 and 917 of May 17, 1994 to bring*  
13       *about compliance with the Governors Island Agree-*  
14       *ment.*

15           (4) *The Congress supports the imposition of an*  
16       *arms and civil aircraft embargo on Libya pursuant*  
17       *to United Nations Security Council resolution 748 of*  
18       *March 31, 1992 in order to convince Libya to re-*  
19       *nounce terrorism.*

20        (c) *FINDINGS.—The Congress makes the following find-*  
21       *ings:*

22           (1) *The United States took the lead in the Unit-*  
23       *ed Nations Security Council to impose international*  
24       *sanctions in the form of arms and economic embar-*  
25       *goes on Iraq, Haiti, and Libya.*

1           (2) *The security of the Republic of Korea with*  
2 *whom the United States has a mutual defense treaty*  
3 *and on whose territory there are more than 38,000*  
4 *members of the United States Armed Forces is a vital*  
5 *interest of the United States.*

6           (3) *Should negotiations fail, the imposition of*  
7 *sanctions by the United Nations Security Council on*  
8 *North Korea, which would require the affirmative vote*  
9 *or abstention of China, Russia, Britain, and France,*  
10 *may be essential to stop North Korea's nuclear weap-*  
11 *ons development program and to end a nuclear threat*  
12 *to the Republic of Korea and Southeast Asia.*

13           (4) *The effective enforcement of sanctions on*  
14 *North Korea, once imposed by the United Nations Se-*  
15 *curity Council, would require the cooperation of*  
16 *China, Russia, and Japan as well as other allies, in-*  
17 *cluding Britain and France, both permanent mem-*  
18 *bers of the United Nations Security Council.*

19           (5) *The United States voted for the international*  
20 *arms embargo imposed by United Nations Security*  
21 *Council resolution 713 of September 25, 1991 that*  
22 *was imposed on Yugoslavia.*

23           (6) *The imposition of the United Nations arms*  
24 *embargo on September 25, 1991 has not served to end*  
25 *the conflict in Bosnia and Hercegovina, has provided*

1 *a battlefield advantage to the Bosnian Serbs, who pos-*  
2 *sess artillery, tanks, and other weapons left behind by*  
3 *the former Yugoslav Army or provided by Serbia and*  
4 *Montenegro, and has deprived the Government of*  
5 *Bosnia and Hercegovina from acquiring the adequate*  
6 *means of defending itself and its citizens.*

7 *(7) Our NATO allies have committed ground*  
8 *forces to the United Nations Protection Force*  
9 *(UNPROFOR) in former Yugoslavia. At the present*  
10 *time France has 5,518 troops, Britain 3,435, the*  
11 *Netherlands 2,073, Canada 2,037, Turkey 1,696,*  
12 *Spain 1,417, and Belgium 1,000. Our NATO allies*  
13 *have thus far sustained 49 deaths and 936 wounded*  
14 *as a result of their participation in UNPROFOR.*

15 *(8) For the first time the so-called “contact*  
16 *group” composed of representatives of the United*  
17 *States, Russia, France and Britain is moving toward*  
18 *a unified position of using an incentives and dis-*  
19 *incentives “carrot and stick” strategy to bring about*  
20 *a peaceful settlement of the conflict in Bosnia and*  
21 *Hercegovina.*

22 *(d) It is the sense of the Congress that the United*  
23 *States should work with the NATO Member nations and*  
24 *the other permanent members of the United Nations Secu-*  
25 *rity Council to endorse the efforts of the contact group to*



1 *bring about a peaceful settlement of the conflict in Bosnia*  
2 *Hercegovina, including the following:*

3           (A) *the preservation of an economically, politi-*  
4 *cally and militarily viable Bosnian state capable of*  
5 *exercising its rights under the United Nations Charter*  
6 *as part of a peaceful settlement, the lifting of the*  
7 *United Nations arms embargo on the Government of*  
8 *Bosnia and Hercegovina so that it can exercise the*  
9 *inherent right of a sovereign state to self-defense;*

10           (B) *if the Bosnian Serbs, while the contact*  
11 *group's peace proposal is being considered and dis-*  
12 *cussed, attack the safe areas designated by the United*  
13 *Nations Security Council, the partial lifting of the*  
14 *arms embargo on the Government of Bosnia and*  
15 *Hercegovina and the provision to that Government of*  
16 *defensive weapons and equipment appropriate and*  
17 *necessary to defend those safe areas;*

18           (C) *if the Bosnian Serbs do not respond con-*  
19 *structively to the peace negotiations, the President or*  
20 *his representative shall promptly propose or support*  
21 *a resolution in the United Nations Security Council*  
22 *to terminate the intentional arms embargo on Bosnia*  
23 *and Hercegovina (and the orderly withdrawal of the*  
24 *United Nations Protection Force and humanitarian*  
25 *relief personnel). If the Security Council fails to pass*

1 *such a resolution, the President shall within 5 days*  
2 *consult with Congress regarding unilateral termi-*  
3 *nation of the arms embargo on the Government of*  
4 *Bosnia and Hercegovina.*

5 **SEC. 1089. PROVISION OF INTELLIGENCE AND OTHER AS-**  
6 **SISTANCE WHERE DRUG TRAFFICKING**  
7 **THREATENS NATIONAL SECURITY.**

8 *(a) Notwithstanding any other provision of law, it*  
9 *shall not be unlawful for authorized employees or agents*  
10 *of a foreign country to damage, render inoperative, or de-*  
11 *stroy an aircraft in that country's territory or airspace,*  
12 *or to attempt to do so, if that aircraft is reasonably sus-*  
13 *pected to be primarily engaged in illicit narcotics traffick-*  
14 *ing, provided that the President of the United States prior*  
15 *to the actions described in this subparagraph being taken*  
16 *has determined:*

17 *(1) that such actions are necessary because of the*  
18 *extraordinary threat posed by drug trafficking to the*  
19 *national security of that country, and*

20 *(2) that the country has appropriate procedures*  
21 *in place to protect against innocent loss of life in the*  
22 *air and on the ground, which shall at a minimum in-*  
23 *clude effective means to identify and warn aircraft*  
24 *prior to the use of force.*

1       **(b)** *It shall not be unlawful for authorized employees*  
 2 *or agents of the United States to provide assistance, includ-*  
 3 *ing but not limited to operational, intelligence, logistical,*  
 4 *technical and administration assistance, for the actions of*  
 5 *foreign countries set forth in subsection (a), nor shall the*  
 6 *provision of such assistance give rise to any civil action*  
 7 *seeking money damages or any other form of relief against*  
 8 *the United States or its agents or employees.*

9       **SEC. 1090. ADMINISTRATION OF ATHLETICS PROGRAMS AT**  
 10                                   **THE SERVICE ACADEMIES.**

11       **(a)** *UNITED STATES MILITARY ACADEMY.—(1) Chap-*  
 12 *ter 403 of title 10, United States Code, is amended by add-*  
 13 *ing at the end the following new section:*

14       **“§ 4357. Administration of athletics program**

15       **“(a)** *The position of athletic director of the Academy*  
 16 *shall be a position in the civil service (as defined in section*  
 17 *2101(1) of title 5). However, a member of the armed forces*  
 18 *may fill such position as an active duty assignment.*

19       **“(b)** *Under regulations prescribed by the Secretary of*  
 20 *the Army, the Superintendent of the Academy shall estab-*  
 21 *lish and administer a nonappropriated fund account for*  
 22 *the athletics program of the Academy. The Superintendent*  
 23 *shall credit to such account all revenue received from the*  
 24 *conduct of the athletics program of the Academy and all*  
 25 *contributions received for such program.”.*

1           (2) *The table of sections at the beginning of such chap-*  
2 *ter is amended by adding at the end the following new item:*

*“4357. Administration of athletics program.”*

3           (b) *UNITED STATES NAVAL ACADEMY.—(1) Chapter*  
4 *603 of title 10, United States Code, is amended by adding*  
5 *at the end the following new section:*

6 ***“§ 6975. Administration of athletics program***

7           “(a) *The position of athletic director of the Naval*  
8 *Academy shall be a position in the civil service (as defined*  
9 *in section 2101(1) of title 5). However, a member of the*  
10 *armed forces may fill such position as an active duty as-*  
11 *signment.*

12           “(b) *Under regulations prescribed by the Secretary of*  
13 *the Navy, the Superintendent of the Naval Academy shall*  
14 *establish and administer a nonappropriated fund account*  
15 *for the athletics program of the Naval Academy. The Super-*  
16 *intendent shall credit to such account all revenue received*  
17 *from the conduct of the athletics program of the Naval*  
18 *Academy and all contributions received for such program.”*

19           (2) *The table of sections at the beginning of such chap-*  
20 *ter is amended by adding at the end the following new item:*

*“6975. Administration of athletics program.”*

21           (c) *UNITED STATES AIR FORCE ACADEMY.—(1) Chap-*  
22 *ter 903 of title 10, United States Code, is amended by add-*  
23 *ing at the end the following new section:*

1 **“§ 9356. Administration of athletics program**

2       “(a) *The position of athletic director of the Academy*  
3 *shall be a position in the civil service (as defined in section*  
4 *2101(1) of title 5). However, a member of the armed forces*  
5 *may fill such position as an active duty assignment.*

6       “(b) *Under regulations prescribed by the Secretary of*  
7 *the Air Force, the Superintendent of the Academy shall es-*  
8 *tablish and administer a nonappropriated fund account for*  
9 *the athletics program of the Academy. The Superintendent*  
10 *shall credit to such account all revenue received from the*  
11 *conduct of the athletics program of the Academy and all*  
12 *contributions received for such program.”.*

13       (2) *The table of sections at the beginning of such chap-*  
14 *ter is amended by adding at the end the following new item:*  
*“9356. Administration of athletics program.”.*

15       (d) *EFFECTIVE DATE.—The amendments made by this*  
16 *section shall take effect 240 days after the date of the enact-*  
17 *ment of this Act.*

18 **SEC. 1091. REVIEW OF THE BOTTOM UP REVIEW AND THE**  
19 **FUTURE YEAR DEFENSE PROGRAM AND ES-**  
20 **TABLISHMENT OF NEW FUNDING REQUIRE-**  
21 **MENTS AND PRIORITIES.**

22       (a) *FINDINGS.—Congress finds as follows:*

23           (1) *Whereas the Administration commissioned*  
24 *the Bottom Up Review to properly structure the*

1 *Armed Forces of the United States for the Post-Cold*  
2 *War Era;*

3 (2) *Whereas the Secretary of Defense has testified*  
4 *that the Department of Defense's Future Years De-*  
5 *fense Program includes \$20 billion more in program*  
6 *funding requests during fiscal years 1996 through*  
7 *1999 than the defense funding levels in the Adminis-*  
8 *tration's budget can support;*

9 (3) *Whereas, the Secretary of the Navy has testi-*  
10 *fied that the Department of the Navy will only oper-*  
11 *ate 330 ships rather than the 346 ships required by*  
12 *the Bottom Up Review;*

13 (4) *Whereas, in January 1994, in his Annual*  
14 *Report to the President and the Congress, the Sec-*  
15 *retary of Defense reported that the Air Force will field*  
16 *approximately 100 heavy bombers rather than the 184*  
17 *required by the Bottom Up Review;*

18 (5) *Whereas the Department of Defense's plans*  
19 *for a major regional contingency in the Far East call*  
20 *for 5 Army divisions and the plans for a major re-*  
21 *gional contingency in Southwest Asia call for 7 Army*  
22 *divisions, while the Bottom Up Review plans for an*  
23 *Army of only 10 active divisions;*

1           (6) *Whereas the Administration's budget assumes*  
2 *the Department of Defense will save at least \$6 billion*  
3 *from procurement reform;*

4           (7) *Whereas the first and second rounds of the*  
5 *Base Realignment and Closure Commission have not*  
6 *yet achieved the level of savings initially estimated,*  
7 *and the 1995 base closure round may cost signifi-*  
8 *cantly more than is assumed in the Administration's*  
9 *budget.*

10       (b) *SENSE OF CONGRESS.—It is the Sense of Congress:*

11           (1) *that within 30 days after enactment of this*  
12 *legislation, the Secretary of Defense should initiate a*  
13 *review of the assumptions and conclusions of the*  
14 *President's Budget, the Bottom Up Review, and the*  
15 *Future Years Defense Program; and that not more*  
16 *than 180 days after the review is initiated the Sec-*  
17 *retary of Defense should submit to the President and*  
18 *to the Congress a report detailing the force structure*  
19 *required for an effective defense of the United States*  
20 *and its vital national interests;*

21           (2) *and that not more than 60 days after receipt*  
22 *of the report described in subsection (b)(1), the Presi-*  
23 *dent should submit to the Congress a report detailing*  
24 *the steps the President will take to meet the force*  
25 *structure described in subsection (b)(1);*

1           (3) and that the fiscal year 1996 budget submit-  
2           ted to the Congress by the President should reflect the  
3           funding level necessary to support the force structure  
4           described in subsection (b)(1).

5 **SEC. 1092. GENOCIDE IN RWANDA.**

6           (a) *FINDINGS.*—The Congress finds that—

7           (1) since April 6, 1994, elements of the Rwandan  
8           government forces, and their allied militias, have or-  
9           ganized the massacres of more than 200,000 Rwandan  
10          civilians, of both Tutsi and Hutu ethnic origin;

11          (2) an estimated 2 million Rwandans have been  
12          internally displaced, and at least 500,000 have fled to  
13          neighboring countries;

14          (3) on April 26, 1994, the Senate agreed to Sen-  
15          ate Resolution 207, deploring the massacres and urg-  
16          ing prompt resolution of this crisis;

17          (4) the potential exists for retaliatory acts to be  
18          committed by elements within the Rwandan Patriotic  
19          Front against civilians;

20          (5) on June 8, 1994, the United Nations Secu-  
21          rity Council expanded and reinforced the United Na-  
22          tions Assistance Mission for Rwanda (UNAMIR) to  
23          5,500 troops with a mandate to protect civilians;

24          (6) on June 22, 1994, the United Nations Secu-  
25          rity Council voted unanimously to support the de-



1 *ployment of military forces from France and Senegal*  
2 *for a temporary operation that would contribute to*  
3 *the security and protection of populations at risk in*  
4 *Rwanda.*

5 *(b) POLICY.—The Congress—*

6 *(1) calls upon the President to acknowledge that*  
7 *acts of genocide have been committed in Rwanda;*

8 *(2) urges the President to support the establish-*  
9 *ment of an impartial commission of experts to exam-*  
10 *ine and analyze the evidence submitted of breaches of*  
11 *the Convention on Genocide, and other grave viola-*  
12 *tions of international humanitarian law, committed*  
13 *in Rwanda;*

14 *(3) commends the Department of Defense for*  
15 *logistical help already provided and urges the Sec-*  
16 *retary of Defense to further expedite all United States*  
17 *military contributions to the humanitarian effort in*  
18 *Rwanda.*

19 *(4) implores the President to take the lead in the*  
20 *international community to expedite commitments of*  
21 *the necessary resources for, and to organize the speedy*  
22 *training and deployment of, the reinforced UNAMIR*  
23 *operation, with the mandate of protecting civilian*  
24 *populations at risk in Rwanda;*

1           (5) *strongly urges the President and the inter-*  
2           *national community to expedite assistance needed for*  
3           *humanitarian operations in Rwanda, and neighbor-*  
4           *ing states, for the support of Rwandan refugees;*

5           (6) *commends France and Senegal for cooperat-*  
6           *ing with the Secretary General towards the fulfill-*  
7           *ment of the objectives of the United Nations in Rwan-*  
8           *da; and*

9           (7) *urges France and Senegal pursuant to the*  
10          *United Nations Security Council resolution of June*  
11          *22, 1994, to maintain the humanitarian character of*  
12          *their operation in Rwanda, with the view towards*  
13          *impartiality and neutrality.*

14 **SEC. 1093. STUDIES OF HEALTH CONSEQUENCES OF MILI-**  
15                                   **TARY SERVICE OR EMPLOYMENT IN SOUTH-**  
16                                   **WEST ASIA DURING THE PERSIAN GULF WAR.**

17           (a) *EPIDEMIOLOGICAL STUDY.—*

18           (1) *IN GENERAL.—The Secretary of Defense shall*  
19           *award a grant under this subsection to one or more*  
20           *non-Federal entities selected for the award under sub-*  
21           *section (c). The purpose of a grant is to permit the*  
22           *entity receiving the award to carry out the study de-*  
23           *scribed in paragraph (2).*

24           (2) *NATURE OF STUDY.—The purpose of the*  
25           *study referred to in paragraph (1) is to determine the*

1 *nature and scope of the illnesses and symptoms suf-*  
2 *fered by the individuals referred in paragraph (3) as*  
3 *a result of service or employment in the Southwest*  
4 *Asia theater of operations during the Persian Gulf*  
5 *War.*

6 (3) *INDIVIDUALS COVERED BY STUDY.*—Para-  
7 *graph (2) applies to the following individuals:*

8 (A) *Individuals who served as members of*  
9 *the Armed Forces in the Southwest Asia theater*  
10 *of operations during the Persian Gulf War.*

11 (B) *Individuals who were civilian employ-*  
12 *ees of the Department of Defense in that theater*  
13 *during that period.*

14 (C) *Where appropriate, individuals who*  
15 *were employees of contractors of the Department*  
16 *in that theater during that period.*

17 (D) *Where appropriate, the spouses and*  
18 *children of individuals described in subpara-*  
19 *graph (A).*

20 (4) *STUDY DESIGN.*—*The study required under*  
21 *this subsection shall be designed—*

22 (A) *to assess the extent, if any, of the asso-*  
23 *ciation between—*

24 (i) *the illnesses and symptoms suffered*  
25 *by individuals referred to in paragraph (3);*

1                   (ii) the exposure of the individuals re-  
2                   ferred to in subparagraphs (A), (B), and  
3                   (C) of that paragraph to chemical and bio-  
4                   logical agents, drugs and vaccines, endemic  
5                   biological diseases, pesticides, toxins, and  
6                   other potentially hazardous materials; and

7                   (iii) the experiences of such individuals  
8                   with stress-producing battlefield and war-  
9                   time conditions;

10                  (B) to identify risk factors for predicting  
11                  the illnesses or symptoms relating to such expo-  
12                  sure that will arise within 3 years of the arrival  
13                  of an individual referred to in subparagraph  
14                  (A), (B), or (C) of paragraph (3) in the South-  
15                  west Asia theater of operations;

16                  (C) to determine—

17                         (i) the incidence, prevalence, and na-  
18                         ture of the illnesses and symptoms suffered  
19                         by the individuals referred to in paragraph  
20                         (3), including—

21                                 (I) the incidence, prevalence, and  
22                                 nature of the illnesses and symptoms of  
23                                 such individuals before the commence-  
24                                 ment of the period of the Persian Gulf  
25                                 War and the incidence, prevalence, and

1           *nature of the illnesses of such individ-*  
2           *uals after the end of that period; and*  
3           (ii) *the incidence, prevalence, and*  
4           *nature of the illnesses, symptoms, and*  
5           *birth defects of any children conceived*  
6           *by such individuals before the com-*  
7           *mencement of that period and of any*  
8           *children conceived by such individuals*  
9           *during or after the end of that period;*  
10          *and*

11          (ii) *the incidence, prevalence, and na-*  
12          *ture of illnesses and symptoms of other in-*  
13          *dividuals or groups of individuals, if any,*  
14          *who may suffer from an illness or symptom*  
15          *as a result of the service or employment of*  
16          *any person or group of persons in the*  
17          *Southwest Asia theater of operations during*  
18          *the Persian Gulf War; and*

19          (D) *to evaluate a comparison sample or to*  
20          *evaluation any other matter that the Secretary*  
21          *or the entity determines appropriate to the pur-*  
22          *poses of the study.*

23          (5) *REPORTS.—*

24                  (A) *INTERIM REPORTS.—Not later than*  
25                  *each of July 1, 1995, and July 1, 1996, the Sec-*

1            *retary shall submit to the congressional defense*  
2            *committees and the Committees on Veterans' Af-*  
3            *fairs of the Senate and the House of Representa-*  
4            *tives an interim report on the results of the*  
5            *study carried out under this subsection.*

6            *(B) FINAL REPORT.—Not later than Janu-*  
7            *ary 1, 1998, the Secretary shall submit to the*  
8            *committees referred to in subparagraph (A) a*  
9            *final report on the results of the study.*

10           *(C) FORM OF REPORTS.—The reports sub-*  
11           *mitted under this paragraph shall be submitted*  
12           *in unclassified form.*

13           *(b) STUDIES OF HEALTH CONSEQUENCES OF ADMIN-*  
14           *ISTRATION OF PYRIDOSTIGMINE BROMIDE.—*

15           *(1) IN GENERAL.—The Secretary of Defense shall*  
16           *award a grant under this subsection to one or more*  
17           *non-Federal entities selected for the award under sub-*  
18           *section (c). The purpose of a grant is to permit the*  
19           *entity receiving the award to carry out a study or*  
20           *studies to determine the following:*

21           *(A) The long-term health consequences of the*  
22           *administration of pyridostigmine bromide as an*  
23           *antidote enhancer for chemical nerve agent tox-*  
24           *icity during the Persian Gulf War.*

1           (B) *The short-term and long-term health*  
2           *consequences of the administration of*  
3           *pyridostigmine bromide under the chemical*  
4           *nerve agent pretreatment program of the Depart-*  
5           *ment of Defense and exposure to pesticides, envi-*  
6           *ronmental toxins, and other hazardous sub-*  
7           *stances during battlefield conditions that pre-*  
8           *ailed in the Southwest Asia theater of oper-*  
9           *ations during the Persian Gulf War.*

10           (2) *STUDIES.*—*The Secretary shall provide that*  
11           *an entity awarded a grant under this subsection shall*  
12           *carry out a study described in paragraph (3) or (4).*

13           (3) *RETROSPECTIVE STUDY.*—*A study referred to*  
14           *in paragraph (2) is a retrospective study on members*  
15           *of the Armed Forces who served in the Southwest Asia*  
16           *theater of operations during the Persian Gulf War in*  
17           *order to determine the following:*

18                   (A) *The nature of the undiagnosed and*  
19                   *chronic illnesses suffered by such members.*

20                   (B) *The degree of association between such*  
21                   *illnesses and—*

22                           (i) *use of pyridostigmine bromide over*  
23                           *a short period of time (as determined by the*  
24                           *Secretary) during the Persian Gulf War;*

1                   (ii) use of pyridostigmine bromide over  
2                   an extended period of time (as so deter-  
3                   mined) during that war; or

4                   (iii) use of no pyridostigmine bromide.

5                   (C) The degree of association between—

6                   (i) such illnesses;

7                   (ii) each extent of use of  
8                   pyridostigmine bromide described in sub-  
9                   paragraph (B);

10                  (iii) receipt of other vaccinations or  
11                  medications; and

12                  (iv) exposure to pesticides,  
13                  organophosphates, or carbamates.

14                  (4) ANIMAL MODEL STUDY.—A study referred to  
15                  in paragraph (2) is also a study using appropriate  
16                  animal research models in order to determine whether  
17                  use of pyridostigmine bromide in combination with  
18                  exposure to pesticides or other organophosphates,  
19                  carbamates, or relevant chemicals results in increased  
20                  toxicity in animals and is likely to have a similar ef-  
21                  fect on humans.

22                  (5) REPORTS.—

23                  (A) ANIMAL STUDY REPORT.—Not later  
24                  than January 1, 1996, the Secretary shall sub-  
25                  mit to the congressional defense committees and



1           *the Committees on Veterans' Affairs of the Senate*  
2           *and the House of Representatives a report on the*  
3           *study carried out under paragraph (4).*

4           *(B) INTERIM REPORTS ON RETROSPECTIVE*  
5           *STUDY.—Not later than each of July 1, 1995,*  
6           *and July 1, 1996, the Secretary shall submit to*  
7           *the committees referred to in subparagraph (A)*  
8           *an interim report on the results of the study car-*  
9           *ried out under paragraph (3).*

10           *(C) FINAL REPORT ON RETROSPECTIVE*  
11           *STUDY.—Not later than January 1, 1998, the*  
12           *Secretary shall submit to the committees referred*  
13           *to in subparagraph (A) a final report on the re-*  
14           *sults of the study carried out under paragraph*  
15           *(3).*

16           *(D) FORM OF REPORTS.—The reports sub-*  
17           *mitted under this paragraph shall be submitted*  
18           *in unclassified form.*

19           *(c) SELECTION OF STUDY ENTITIES.—*

20           *(1) IN GENERAL.—The Secretary of Defense shall*  
21           *select entities to which to award grants for the studies*  
22           *described in subsections (a) and (b) in accordance*  
23           *with this subsection.*

24           *(2) SUBMITTAL OF PROPOSALS.—An entity seek-*  
25           *ing to carry out a study under a grant under sub-*

1        *section (a) or (b) shall submit to the Secretary the fol-*  
2        *lowing proposals:*

3                *(A) A proposal for a pilot study in order to*  
4                *determine the research design and research in-*  
5                *strument to be used in the study.*

6                *(B) A proposal for the study.*

7                *(3) INDEPENDENT REVIEW.—The Secretary shall*  
8        *ensure that individuals described in paragraph (4)—*

9                *(A) review each proposal submitted to the*  
10               *Secretary under paragraph (2) for purposes of*  
11               *determining whether or not the proposal—*

12               *(i) addresses adequately the purposes of*  
13               *the study; and*

14               *(ii) meets the technical, scientific, and*  
15               *peer review requirements that apply to*  
16               *similar studies carried out under the direc-*  
17               *tion of the Secretary of Health and Human*  
18               *Services; and*

19               *(B) submit to the Secretary recommenda-*  
20               *tions for the selection by the Secretary of one or*  
21               *more entities to carry out the study.*

22               *(4) REVIEWING INDIVIDUALS.—Individuals re-*  
23        *ferred to in paragraph (3) are any individuals who,*  
24        *as determined by the Secretary—*

1           (A) are not employees of the Federal Gov-  
2           ernment;

3           (B) have an expertise in epidemiology, toxi-  
4           cology, neurology, biology, biostatistics, post-  
5           traumatic stress disorder, or public health; and

6           (C) have no financial relationship with the  
7           Department of Defense or with any chemical  
8           company or pharmaceutical company whose pro-  
9           ductions may be addressed in the study.

10          (5) SELECTION.—The Secretary shall—

11           (A) select the entities that will carry out the  
12           studies described under subsections (a) and (b)  
13           from among the entities recommended for such  
14           selection under paragraph (3); and

15           (B) award such entities grants under the  
16           appropriate subsection.

17          (d) PERFORMANCE OF STUDIES.—

18           (1) PILOT STUDIES.—

19           (A) IMPLEMENTATION.—An entity to which  
20           the Secretary awards a grant for a study under  
21           subsection (a) or (b) shall carry out the pilot  
22           study for such study in accordance with the pro-  
23           posal for the pilot study submitted to the Sec-  
24           retary under subsection (c)(2)(A).

1           (B) *RESPONSE TO RESULTS.*—If an entity  
2           determines as a result of a pilot study under  
3           subparagraph (A) that revisions to the study  
4           proposed by the entity are necessary in order to  
5           meet the purposes of the study under this section,  
6           the entity shall submit to the Secretary a pro-  
7           posal for such revisions to the study.

8           (C) *FINAL APPROVAL.*—The Secretary  
9           shall—

10           (i) review any revisions to a proposal  
11           to a study that are submitted to the Sec-  
12           retary under subparagraph (B); and

13           (ii) approve the proposal for the study,  
14           as so revised, if the Secretary determines  
15           that the proposal meets the purposes of the  
16           study under this section.

17           (2) *STUDIES.*—An entity to which the Secretary  
18           awards a grant for a study under subsection (a) or  
19           (b) shall carry out the study in accordance the pro-  
20           posal for the study under this section.

21           (e) *CONSULTATION.*—The Secretary of Defense shall  
22           carry out this section in consultation with the Secretary  
23           of Veterans Affairs, the Secretary of Health and Human  
24           Services, the Administrator of the Environmental Protec-  
25           tion Agency, the head of the Medical Follow-Up Agency of

1 *the Institute of Medicine, and the heads of other appropriate*  
2 *departments and agencies of the Federal Government.*

3 (f) *FUNDING.*—*Of the amount authorized to be appro-*  
4 *priated pursuant to section 201, \$10,000,000 shall be avail-*  
5 *able for purposes of awarding grants for the studies de-*  
6 *scribed in subsections (a) and (b). Such funds shall be avail-*  
7 *able for such purpose until expended.*

8 (g) *DEFINITION.*—*In this section, the term “Persian*  
9 *Gulf War” has the meaning given such term in section*  
10 *101(33) of title 38, United States Code.*

11 ***SEC. 1094. GRANTS FOR RESEARCH INTO THE HEALTH CON-***  
12 ***SEQUENCES OF THE PERSIAN GULF WAR.***

13 (a) *IN GENERAL.*—(1) *The Secretary of Defense shall*  
14 *award grants to appropriate non-governmental entities for*  
15 *purposes of permitting such entities to carry out research*  
16 *to determine—*

17 (A) *the nature and causes of any illnesses suf-*  
18 *fered by the individuals referred to in paragraph (2)*  
19 *as a result of service or employment in the Southwest*  
20 *Asia theater of operations during the Persian Gulf*  
21 *War;*

22 (B) *the methods of transmission, if any, of such*  
23 *illnesses from such individuals to other individuals;*  
24 *and*

25 (C) *the appropriate treatment for such illnesses.*

1       (2) *The individuals referred to in paragraph (1)(A)*  
2 *are the following individuals:*

3           (i) *Individuals who served as members of the*  
4 *Armed Forces in the Southwest Asia theater of oper-*  
5 *ations during the Persian Gulf War.*

6           (ii) *Civilian employees of the Department of De-*  
7 *fense who were employed by the Department in that*  
8 *theater of operations during that period.*

9           (iii) *Employees of contractors of the Department*  
10 *who were employed in that theater of operations dur-*  
11 *ing that period.*

12           (iv) *The spouses and children of the individuals*  
13 *referred to in clauses (i) through (iii).*

14       (3) *In carrying out research under this section, such*  
15 *entities shall give particular consideration to the following:*

16           (A) *Illnesses or other effects associated with expo-*  
17 *sure to depleted uranium particles, mycotoxins, ge-*  
18 *netically-altered organisms, petrochemical toxicity,*  
19 *pesticide poisoning, anthrax vaccines, botulinum tox-*  
20 *oids, and other chemical hazards and agents.*

21           (B) *Endemic viral, fungal, bacterial, and rickett-*  
22 *sial diseases (including diseases arising from biologi-*  
23 *cal warfare activities).*

24           (C) *Illnesses or other effects associated with in-*  
25 *gestion of silica or sand.*

1           (D) *Assessment of risks to reproductive capacity*  
2           *arising from the illnesses and diseases referred to in*  
3           *subparagraphs (A) through (C).*

4           (E) *Pediatric disorders.*

5           (F) *Birth deficiencies.*

6           (G) *Post-traumatic stress disorder.*

7           (H) *Somatoform disorders.*

8           (I) *Chronic fatigue syndrome.*

9           (J) *Multiple chemical sensitivities.*

10          (b) *AWARD PROCESS.—(1) The Secretary of Defense*  
11          *shall award grants under this section in consultation with*  
12          *the Secretary of Health and Human Services.*

13          (2) *An entity seeking a grant under this section to*  
14          *carry out the research described in subsection (a)(1) shall*  
15          *submit to the Secretary a proposal for the research.*

16          (3) *The Secretary shall ensure that appropriate indi-*  
17          *viduals who are not employees of the Federal Government—*

18                 (A) *review each proposal submitted to the Sec-*  
19                 *retary under paragraph (2) for purposes of determin-*  
20                 *ing that the proposal—*

21                         (i) *addresses adequately the purposes of the*  
22                         *research for which the proposal is submitted; and*

23                         (ii) *meets the technical, scientific, and peer*  
24                         *review requirements that apply to similar re-*

1           *search carried out under the direction of the Sec-*  
2           *retary of Health and Human Services; and*

3           *(B) submit to the Secretary recommendations for*  
4           *the selection by the Secretary of one or more entities*  
5           *so determined as recipients of a grant under sub-*  
6           *section (a).*

7           *(4) The Secretary shall award grants under this sec-*  
8           *tion to entities selected by the Secretary for that purpose*  
9           *from among the entities identified in the recommendations*  
10          *under paragraph (3)(B).*

11          *(5) In awarding an entity a grant under paragraph*  
12          *(4), the Secretary shall ensure that the entity—*

13                 *(A) carry out the research covered by the grant*  
14                 *in accordance with the proposal submitted to the Sec-*  
15                 *retary under paragraph (2); and*

16                 *(B) not expose human beings to hazardous agents*  
17                 *or materials as a result of the research.*

18          *(c) REPORTS.—(1) The Secretary of Defense and the*  
19          *Secretary of Health and Human Services shall submit to*  
20          *the congressional defense committees and the Committees on*  
21          *Veterans' Affairs of the Senate and the House of Representa-*  
22          *tives a report on the results of any research carried out*  
23          *under a grant awarded under this section.*

24          *(2) The Secretary of Defense and the Secretary of*  
25          *Health and Human Services shall submit a report under*



1 paragraph (1) on each of March 1, 1995, October 1, 1995,  
2 October 1, 1996, and October 1, 1997.

3 (3) Each report submitted under this subsection shall  
4 be submitted in unclassified form.

5 (d) FUNDING.—(1) Of the amount authorized to be ap-  
6 propriated by section 201, \$10,000,000 shall be available  
7 for purposes of awarding grants under this section. Such  
8 funds shall be available for such purpose until expended.

9 (2) For each fiscal year in which activities under the  
10 study under this section will continue, the Secretary of De-  
11 fense shall provide in the documents submitted to Congress  
12 in connection with the budget of the President for the fiscal  
13 year a request for such funds as the Secretary determines  
14 necessary in order to award grants under this section dur-  
15 ing that fiscal year.

16 **SEC. 1095. COMPATABILITY OF HEALTH REGISTRIES.**

17 The Secretary of Defense shall take appropriate actions  
18 to ensure that—

19 (1) the data collected by and the testing protocols  
20 of the Persian Gulf War Health Surveillance System  
21 are compatible with the data collected by and the test-  
22 ing protocols of the Persian Gulf War Veterans  
23 Health Registry; and

24 (2) information on individuals who register with  
25 the Department of Defense is provided to the Depart-

1        *ment of Veterans Affairs for incorporation into the*  
2        *Persian Gulf War Veterans Health Registry.*

3        **SEC. 1096. TECHNICAL AMENDMENTS.**

4        (a) *TITLE 10, UNITED STATES CODE.—Title 10, Unit-*  
5        *ed States Code, is amended as follows:*

6            (1) *Section 113(e)(2) is amended by striking out*  
7            *“section 104” and inserting in lieu thereof “section*  
8            *108”.*

9            (2) *Section 133a(b) is amended by striking out*  
10           *“Under Secretary of Defense for Acquisition” and in-*  
11           *serting in lieu thereof “Under Secretary of Defense for*  
12           *Acquisition and Technology”.*

13           (3) *Section 580a(a) is amended by striking out*  
14           *“the date of the enactment of this section” and insert-*  
15           *ing in lieu thereof “November 30, 1993,”.*

16           (4)(A) *The section 1058 added by section 554(a)*  
17           *of Public Law 103–160 (107 Stat. 1663) is redesign-*  
18           *ated as section 1059.*

19           (B) *The item relating to that section in the table*  
20           *of sections at the beginning of chapter 53 is revised*  
21           *to conform to the redesignation made by subpara-*  
22           *graph (A).*

23           (5)(A) *The section 1058 added by section 1433(b)*  
24           *of Public Law 103–160 (107 Stat. 1834) is redesign-*  
25           *ated as section 1060.*

1           (B) *The item relating to that section in the table*  
2 *of sections at the beginning of chapter 53 is revised*  
3 *to conform to the redesignation made by subpara-*  
4 *graph (A).*

5           (6) *Section 1141 is amended by striking out “on*  
6 *or after the date of the enactment of the National De-*  
7 *fense Authorization Act for Fiscal Year 1994” and in-*  
8 *serting in lieu thereof “after November 29, 1993.”.*

9           (7) *Section 1151(h)(3)(B)(v) is amended by in-*  
10 *serting “school” after “For the fifth”.*

11           (8)(A) *The heading of section 1482a is amended*  
12 *so that the first letter of the fifth word is lower case.*

13           (B) *The item relating to that section in the table*  
14 *of sections at the beginning of chapter 75 is revised*  
15 *to conform to the amendment made by subparagraph*  
16 *(A).*

17           (9) *Section 2399 is amended—*

18           (A) *in subsections (b)(5) and (c)(1), by*  
19 *striking out “section 138(a)(2)(B)” and insert-*  
20 *ing in lieu thereof “section 139(a)(2)(B)”;*

21           (B) *in subsection (e)(3)(B), by striking out*  
22 *“solely as a representative of” and inserting in*  
23 *lieu thereof “solely in testing for”;*

1           (C) in subsection (g), by striking out “sec-  
2           tion 138” and inserting in lieu thereof “section  
3           139”; and

4           (D) in subsection (h)(1), by striking out  
5           “section 138(a)(2)(A)” and inserting in lieu  
6           thereof “section 139(a)(2)(A)”.

7           (10) Section 2502(d) is amended by striking out  
8           “Executive” and inserting in lieu thereof “executive”.

9           (11)(A) Sections 2540 and 2541, as added by  
10          section 822(a) of Public Law 103–160 (107 Stat.  
11          1705), are redesignated as sections 2539a and 2539b,  
12          respectively.

13          (B) The items relating to those sections in the  
14          table of sections at the beginning of subchapter V of  
15          chapter 148 are revised to conform to the  
16          redesignations made by subparagraph (A).

17          (12) Section 2865(a)(4) is amended by adding a  
18          period at the end.

19          (13) Sections 3022(a)(1), 5025(a)(1), and  
20          8022(a)(1) are amended by striking out “section  
21          137(c)” and inserting in lieu thereof “section 135(c)”.

22          (14) Section 9511 is amended by striking out  
23          “In this subchapter” and inserting in lieu thereof “In  
24          this chapter”.

1       (b) *PUBLIC LAW 103–160*.—Effective as of November  
2 30, 1993, and as if included therein as enacted, the Na-  
3 tional Defense Authorization Act for Fiscal Year 1994 (*Pub-*  
4 *lic Law 103–160*) is amended as follows:

5           (1) Section 507(d)(3) (107 Stat. 1647) is amend-  
6 ed by inserting “note” after “10 U.S.C. 1293”.

7           (2) Section 551(a)(1) (107 Stat. 1661) is amend-  
8 ed by striking out “Section” and inserting in lieu  
9 thereof “Chapter”.

10          (3) Section 554(b) (107 Stat. 1666) is amend-  
11 ed—

12           (A) in paragraph (1), by striking out “Sec-  
13 tion 1058 of title 10, United States Code, as  
14 added by subsection (a),” and inserting in lieu  
15 thereof “The section of title 10, United States  
16 Code, added by subsection (a)(1)”; and

17           (B) in paragraph (2), by striking out  
18 “1058”.

19          (4) Section 931(c)(1) (107 Stat. 1734) is amend-  
20 ed by inserting closing quotation marks before the pe-  
21 riod at the end.

22          (5) Section 1314(3) (107 Stat. 1786) is amended  
23 by striking out “adding at the end” and inserting in  
24 lieu thereof “inserting after subsection (f)”.

1           (6) *Section 1433(d) (107 Stat. 1835) is amended*  
2 *by striking out “Section 1058 of title 10, United*  
3 *States Code, as added by subsection (a),” and insert-*  
4 *ing in lieu thereof “The section of title 10, United*  
5 *States Code, added by subsection (b)(1)”.*

6           (7) *Section 1606(b)(4) (107 Stat. 1847) is*  
7 *amended by striking out “section 1604(e)” and insert-*  
8 *ing in lieu thereof “section 1605(e)”.*

9           (8) *Section 2912(b)(2) (107 Stat. 1925) is*  
10 *amended by striking out “section 637(d)(1)” and in-*  
11 *serting in lieu thereof “section 8(d)(1)”.*

12           (9) *Section 2926(d) (107 Stat. 1932) is amended*  
13 *by striking out “Subsection (d)(1)(2)(C)(iii)” and in-*  
14 *serting in lieu thereof “Subsection (d)(2)(C)(iii)”.*

15           (c) *OTHER LAWS.—(1) Section 921 of Public Law*  
16 *102–190 (10 U.S.C. 201 note; 105 Stat. 1452) is amended*  
17 *by striking out “section 136(b)(3)” in subsection (a) and*  
18 *inserting in lieu thereof “section 138(b)(3)”.*

19           (2) *Section 908(c) of title 37, United States Code, is*  
20 *amended by striking out “section 1058” and inserting in*  
21 *lieu thereof “section 1060”.*

22 **SEC. 1097. NORTH ATLANTIC TREATY ORGANIZATION.**

23           (a) *FINDINGS.—The Congress makes the following*  
24 *findings:*

1           (1) *The North Atlantic Treaty Organization has*  
2           *served as a bulwark of peace, security, and democracy*  
3           *for the United States and the members of the alliance*  
4           *since 1949.*

5           (2) *The unswerving resolve of the member states*  
6           *of the North Atlantic Treaty Organization to mutual*  
7           *defense against the threat of communist aggression*  
8           *was central to the demise of the Warsaw Pact.*

9           (3) *The North Atlantic Treaty Organization is*  
10          *the most successful international security organiza-*  
11          *tion in history, and is well suited to help marshal our*  
12          *cooperative political, diplomatic, economic, and hu-*  
13          *manitarian efforts, buttressed by credible military ca-*  
14          *pability aimed at deterring conflict, and thus contrib-*  
15          *uting to international peace and security.*

16          (4) *The threat of instability in Eastern and*  
17          *Central Europe, as well as in the Southern and East-*  
18          *ern Mediterranean, continues to pose a fundamental*  
19          *challenge to the interests of the member states of the*  
20          *North Atlantic Treaty Organization.*

21          (5) *North Atlantic Treaty Organization assets*  
22          *have been deployed in recent years for more than the*  
23          *territorial defense of alliance members; and the Rome*  
24          *Summit of October 1991 adopted a new strategic con-*  
25          *cept for the North Atlantic Treaty Organization that*

1       *entertained the possibility of operations beyond the*  
2       *alliance's self-defense area.*

3             (6) *In Oslo in July 1992, and in Brussels in De-*  
4       *cember 1992, the alliance embraced the deployment of*  
5       *North Atlantic Treaty Organization forces to peace-*  
6       *keeping operations under the auspices of the United*  
7       *Nations or the Conference on Security and Coopera-*  
8       *tion in Europe.*

9             (7) *The North Atlantic Treaty Organization*  
10       *should attempt to cooperate with and seek a mandate*  
11       *from international organizations such as the United*  
12       *Nations when considering responses to out of area cri-*  
13       *ses.*

14            (8) *Not all members of the international commu-*  
15       *nity share a commonality of interests that would en-*  
16       *sure timely action by the United Nations Security*  
17       *Council.*

18            (9) *The security interests of the member coun-*  
19       *tries of the North Atlantic Treaty Organization must*  
20       *not be held hostage to indecision at the United Na-*  
21       *tions or a veto by a permanent member of the Secu-*  
22       *rity Council.*

23        (b) *SENSE OF CONGRESS.—It is the sense of the Con-*  
24        *gress that—*



1           (1) *it should be the policy of the United States*  
2 *that, in accordance with article 53 of the United Na-*  
3 *tions Charter, the North Atlantic Treaty Organiza-*  
4 *tion retains the right of autonomy of action regarding*  
5 *missions in addition to collective defense should the*  
6 *United Nations Security Council or the Conference on*  
7 *Security and Cooperation in Europe fail to act;*

8           (2) *while it is desirable to work with other inter-*  
9 *national organizations and arrangements where fea-*  
10 *sible in dealing with threats to the peace, the North*  
11 *Atlantic Treaty Organization is not an auxiliary to*  
12 *the United Nations or any other organization; and*

13           (3) *the member states of the North Atlantic Trea-*  
14 *ty Organization reserve the right to act collectively in*  
15 *defense of their vital interests.*

16 **SEC. 1098. LIMITATION ON OBLIGATION OF FUNDS FOR**  
17 **MARK-6 GUIDANCE SETS FOR TRIDENT II MIS-**  
18 **SILES.**

19           (a) *LIMITATION.*—*Until the certification in subsection*  
20 *(b) has been provided to the congressional defense commit-*  
21 *tees, funds appropriated for fiscal year 1995 for the Navy*  
22 *may not be obligated to procure more than 14 Mark-6 guid-*  
23 *ance sets for Trident II missiles.*

24           (b) *CERTIFICATION.*—*Before the Secretary of Defense*  
25 *may obligate funds for Mark-6 guidance sets in addition*

1 *to the 14 sets authorized in subsection (a), he shall certify*  
2 *to the congressional defense committees that failure to pro-*  
3 *cure such additional units would pose an unacceptable risk*  
4 *to the long-term readiness and reliability of the Trident II*  
5 *missile program.*

6 **SEC. 1099. MILITARY PLANNING FOR THE SIZE AND STRUC-**  
7 **TURE OF A FORCE REQUIRED FOR A MAJOR**  
8 **REGIONAL CONTINGENCY ON THE KOREAN**  
9 **PENINSULA.**

10 *(a) FINDINGS.—Congress finds as follows:*

11 *(1) Whereas the Administration commissioned*  
12 *the Bottom-Up Review to properly size and structure*  
13 *the Armed Forces of the United States for the Post-*  
14 *Cold-War Era;*

15 *(2) Whereas the Bottom-Up Review itself cites*  
16 *the need for the Armed Forces of the United States to*  
17 *be large enough to prevail in two major regional con-*  
18 *licts, similar in nature to the 1991 war against Iraq,*  
19 *“nearly simultaneously”;*

20 *(3) Whereas the Bottom-Up Review gives special*  
21 *consideration to a scenario that hypothesizes that the*  
22 *two “nearly simultaneous” conflicts would occur in*  
23 *Korea and the Persian Gulf;*

24 *(4) Whereas the United States sent 7 Army divi-*  
25 *sions, the equivalent of 10 Air Force tactical fighter*

1 wings, 70 heavy bombers, 6 Navy aircraft carrier bat-  
2 tle groups, and 5 Marine Corps brigades to the Per-  
3 sian Gulf to fight the war against Iraq;

4 (5) Whereas the Bottom-Up Review asserts that  
5 the forces needed to fight two conflicts similar to that  
6 with Iraq can be drawn from a total military force  
7 of between 15 and 16 Army divisions, 20 Air Force  
8 tactical fighter wings, 184 heavy bombers, 11 active  
9 Navy aircraft carriers (along with one reserve/train-  
10 ing carrier), and the equivalent of 12 Marine Corp  
11 brigades;

12 (6) Whereas the Bottom-Up Review recognizes  
13 that approximately 100,000 members of the United  
14 States Armed Forces will be stationed in Europe;

15 (7) Whereas the Bottom-Up Review recognizes  
16 that sizeable numbers of United States forces could be  
17 involved in peace enforcement and intervention oper-  
18 ations at any one time;

19 (8) Whereas the Bottom-Up Review makes no  
20 specific recommendation as to the number of forces to  
21 be held in reserve to provide a rotation base either to  
22 relieve troops in the event one or both hypothetical  
23 conflicts result in lengthy deployments or to replace  
24 combat losses;

1           (9) *Whereas military planners calculate that the*  
2 *number of United States forces needed to help defeat*  
3 *an invasion of South Korea by North Korea may ex-*  
4 *ceed 430,000 United States military personnel;*

5           (10) *Whereas the size of the force military plan-*  
6 *ners may request to help defend South Korea could*  
7 *exceed the levels that are consistent with the rec-*  
8 *ommendations of Bottom-Up Review if the existing*  
9 *and future force requirements for a presence in Eu-*  
10 *rope, possible peace enforcement operations, and an*  
11 *adequate rotation base, as well as a second regional*  
12 *conflict, must be fulfilled simultaneously.*

13       (b) *SENSE OF CONGRESS.—It is the Sense of Congress:*

14           (1) *that the force structure identified in the Bot-*  
15 *tom-Up Review may not be used to limit the size or*  
16 *structure of the force United States military com-*  
17 *manders may request in preparation for a major re-*  
18 *gional contingency on the Korean peninsula;*

19           (2) *and that the Chairmen and Ranking Mem-*  
20 *bers of the House and Senate Committees on Armed*  
21 *Services and Chairmen and Ranking members of the*  
22 *House and Senate Appropriations Subcommittees on*  
23 *Defense should receive regular briefings from the De-*  
24 *partment of Defense of the situation on the Korean*  
25 *peninsula;*

1           (3) and that the conclusions of the Bottom-Up  
2           Review should be continuously examined in light of  
3           the lessons learned from preparation for a major re-  
4           gional contingency on the Korean peninsula and from  
5           other military operations.

6           **DIVISION B—MILITARY CON-**  
7           **STRUCTION AUTHORIZA-**  
8           **TIONS**

9           **SEC. 2001. SHORT TITLE.**

10          This division may be cited as the “Military Construc-  
11          tion Authorization Act for Fiscal Year 1995”.

12   **TITLE XXI—ARMY**

13          **SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND**  
14   **ACQUISITION PROJECTS.**

15          (a) *INSIDE THE UNITED STATES.*—Using amounts ap-  
16          propriated pursuant to the authorization of appropriations  
17          in section 2104(a)(1), the Secretary of the Army may ac-  
18          quire real property and carry out military construction  
19          projects in the total amount of \$396,750,000 for the instal-  
20          lations and locations inside the United States, and in the  
21          amounts for such installations and locations, set forth in  
22          the following table:

**Army: Inside the United States**

<b>State</b>	<b>Installation or location</b>	<b>Amount</b>
Alabama .....	Redstone Arsenal .....	\$2,600,000
Georgia .....	Fort Benning .....	\$6,550,000
	Fort Gordon .....	\$44,750,000

**Army: Inside the United States**—Continued

<b>State</b>	<b>Installation or location</b>	<b>Amount</b>
Hawaii .....	Schofield Barracks .....	\$25,000,000
Kentucky .....	Fort Campbell .....	\$67,400,000
	Fort Knox .....	\$8,500,000
Maryland .....	Adelphi Laboratory Center .....	\$6,600,000
	Fort Ritchie .....	\$3,600,000
New Jersey .....	Bayonne Military Ocean Terminal	\$4,050,000
New York .....	United States Military Academy, West Point .....	\$28,000,000
	North Carolina .....	Fort Bragg .....
Oklahoma .....	Sunny Point Military Ocean Ter- minal .....	\$22,200,000
	Fort Sill .....	\$18,000,000
South Carolina .....	Charleston Naval Weapons Station	\$24,000,000
Texas .....	Fort Hood .....	\$29,000,000
	Fort Sam Houston .....	\$4,300,000
Virginia .....	Fort Myer .....	\$7,300,000
Washington .....	Fort Lewis .....	\$64,000,000
CONUS Classified ...	Classified Location .....	\$1,900,000

1           (b) *OUTSIDE THE UNITED STATES.*—Using amounts  
2 appropriated pursuant to the authorization of appropria-  
3 tions in section 2104(a)(2), the Secretary of the Army may  
4 acquire real property and carry out military construction  
5 projects in the total amount of \$31,400,000 for the installa-  
6 tion and location outside the United States, and in the  
7 amount, set forth in the following table:

**Army: Outside the United States**

<b>Country or other</b>	<b>Installation or location</b>	<b>Amount</b>
Kwajalein Atoll .....	Kwajalein .....	\$6,400,000
Worldwide .....	Host Nation Support .....	\$25,000,000

8 **SEC. 2102. FAMILY HOUSING.**

9           (a) *CONSTRUCTION AND ACQUISITION.*—Using  
10 amounts appropriated pursuant to the authorization of ap-

1 *propriations in section 2104(a)(5)(A), the Secretary of the*  
 2 *Army may construct or acquire family housing units (in-*  
 3 *cluding land acquisition) in the total amount of*  
 4 *\$117,750,000 at the installations, for the purposes, and in*  
 5 *the amounts for such installations set forth in the following*  
 6 *table:*

**Army: Family Housing**

<b>State</b>	<b>Installation</b>	<b>Purpose</b>	<b>Amount</b>
Alaska .....	Fort Richardson ...	72 units .....	\$5,000,000
Colorado .....	Fort Carson .....	145 units .....	\$16,500,000
Georgia .....	Fort Stewart .....	128 units .....	\$10,600,000
Hawaii .....	Helemano Military Reservation	Roadway improvements for family housing.	\$3,500,000
	Schofield Barracks	190 units .....	\$26,000,000
Kansas .....	Fort Riley .....	126 units .....	\$12,600,000
Massachusetts ...	Natick Research Center .....	35 units .....	\$4,150,000
New York .....	United States Military Academy, West Point.	56 units .....	\$8,000,000
Texas .....	Fort Bliss .....	215 units .....	\$21,400,000
	Fort Sam Houston	100 units .....	\$10,000,000

7 (b) *PLANNING AND DESIGN.—Using amounts appro-*  
 8 *priated pursuant to the authorization of appropriations in*  
 9 *section 2104(a)(5)(A), the Secretary of the Army may carry*  
 10 *out architectural and engineering services and construction*  
 11 *design activities with respect to the construction or im-*  
 12 *provement of family housing units in an amount not to*  
 13 *exceed \$5,992,000.*

1 **SEC. 2103. IMPROVEMENTS TO MILITARY FAMILY HOUSING**

2 **UNITS.**

3 *Subject to section 2825 of title 10, United States Code,*  
4 *and using amounts appropriated pursuant to the author-*  
5 *ization of appropriations in section 2104(a)(5)(A), the Sec-*  
6 *retary of the Army may improve existing military family*  
7 *housing in an amount not to exceed \$49,760,000.*

8 **SEC. 2104. AUTHORIZATION OF APPROPRIATIONS, ARMY.**

9 *(a) IN GENERAL.—Funds are hereby authorized to be*  
10 *appropriated for fiscal years beginning after September 30,*  
11 *1994, for military construction, land acquisition, and mili-*  
12 *tary family housing functions of the Department of the*  
13 *Army in the total amount of \$1,731,286,000 as follows:*

14 *(1) For military construction projects inside the*  
15 *United States authorized by section 2101(a),*  
16 *\$396,750,000.*

17 *(2) For military construction projects outside the*  
18 *United States authorized by section 2101(b),*  
19 *\$31,400,000.*

20 *(3) For unspecified minor military construction*  
21 *projects authorized by section 2805 of title 10, United*  
22 *States Code, \$12,000,000.*

23 *(4) For architectural and engineering services*  
24 *and construction design under section 2807 of title*  
25 *10, United States Code, \$63,926,000.*

26 *(5) For military family housing functions:*



1           (A) For construction and acquisition of  
2           military family housing and facilities,  
3           \$173,502,000.

4           (B) For support of military family housing  
5           (including the functions described in section  
6           2833 of title 10, United States Code),  
7           \$1,067,708,000, of which not more than  
8           \$243,442,000 may be obligated or expended for  
9           the leasing of military family housing world-  
10          wide.

11          (b) *LIMITATION ON TOTAL COST OF CONSTRUCTION*  
12          *PROJECTS.*—Notwithstanding the cost variations author-  
13          ized by section 2853 of title 10, United States Code, and  
14          any other cost variation authorized by law, the total cost  
15          of all projects carried out under section 2101 of this Act  
16          may not exceed the total amount authorized to be appro-  
17          priated under paragraphs (1) and (2) of subsection (a).

18          **SEC. 2105. RELOCATION OF ARMY FAMILY HOUSING UNITS**  
19                                 **FROM FORT HUNTER LIGGETT, CALIFORNIA,**  
20                                 **TO FORT STEWART, GEORGIA.**

21          Section 2102(a) of the Military Construction Author-  
22          ization Act for Fiscal Year 1992 (division B of Public Law  
23          102–190; 105 Stat. 1511) is amended—

24                 (1) by striking out paragraph (1) and inserting  
25                 in lieu thereof the following new paragraph (1):

1           “(1) Fort Hunter Liggett, California, one hun-  
2           dred fifty-four units, \$12,300,000.”; and

3           (2) by striking out paragraph (5) and inserting  
4           in lieu thereof the following new paragraph (5):

5           “(5) Fort Stewart, Georgia, one hundred twenty-  
6           one units, \$9,890,000.”.

7   **SEC. 2016. HIGHWAY SAFETY AT HAWTHORNE ARMY AMMU-**  
8                           **NITION PLANT, NEVADA.**

9           (a) *STUDY.*—The Secretary of the Army shall carry  
10          out a study of traffic safety on the highway at the Haw-  
11          thorne Army Ammunition Plant, Nevada. In carrying out  
12          the study, the Secretary shall—

13                 (1) evaluate traffic safety on the highway, in-  
14                 cluding traffic safety with respect to the rail and  
15                 truck crossing of the highway at the Plant;

16                 (2) evaluate the feasibility and desirability of  
17                 constructing a vehicle bridge over the rail and truck  
18                 crossing; and

19                 (3) determine whether any construction required  
20                 to improve traffic safety on the highway be funded as  
21                 a military construction project or as a defense access  
22                 road construction project.

23           (b) *ARCHITECTURAL AND ENGINEERING SERVICES*  
24          *AND CONSTRUCTION DESIGN.*—If the Secretary determines  
25          as a result of the study under subsection (a) that construc-

1 *tion of a vehicle bridge over the rail and truck crossing re-*  
 2 *ferred to in paragraph (1) of that subsection is feasible and*  
 3 *desirable, the Secretary should—*

4 *(1) obtain architectural and engineering activi-*  
 5 *ties and carry out construction design with respect to*  
 6 *the construction of the bridge; or*

7 *(2) request that the Secretary of Transportation*  
 8 *carry out the construction of the bridge as project for*  
 9 *the construction of a defense access road under section*  
 10 *210 of title 23, United States Code.*

11 **TITLE XXII—NAVY**

12 **SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND**  
 13 **ACQUISITION PROJECTS.**

14 *(a) INSIDE THE UNITED STATES.—Using amounts ap-*  
 15 *propriated pursuant to the authorization of appropriations*  
 16 *in section 2204(a)(1), the Secretary of the Navy may ac-*  
 17 *quire real property and carry out military construction*  
 18 *projects in the total amount of \$239,265,000 for the instal-*  
 19 *lations and locations inside the United States, and in the*  
 20 *amounts for such installations and locations, set forth in*  
 21 *the following table:*

**Navy: Inside the United States**

<b>State</b>	<b>Installation or location</b>	<b>Amount</b>
Arizona .....	Yuma Marine Corps Air Station .....	\$15,085,000
California .....	Camp Pendleton Amphibious Task Force .....	\$10,700,000
	Camp Pendleton Marine Corp Base .....	\$570,000
	China Lake Naval Air Warfare Center .	\$6,000,000
	El Centro Naval Air Facility .....	\$3,000,000
	Lemoore Naval Air Station .....	\$7,000,000

*Navy: Inside the United States—Continued*

<i>State</i>	<i>Installation or location</i>	<i>Amount</i>
	<i>North Island Naval Air Station .....</i>	<i>\$18,830,000</i>
	<i>Port Hueneme Naval Construction Battalion Center .....</i>	<i>\$9,650,000</i>
	<i>San Diego Marine Corps Recruit Depot .....</i>	<i>\$1,090,000</i>
	<i>San Diego Naval Station .....</i>	<i>\$4,100,000</i>
	<i>Twentynine Palms Marine Corps Air-Ground Combat Center .....</i>	<i>\$2,900,000</i>
<i>Florida .....</i>	<i>Jacksonville Fleet and Industrial Supply Center .....</i>	<i>\$2,200,000</i>
	<i>Pensacola Naval Air Station .....</i>	<i>\$2,100,000</i>
<i>Hawaii .....</i>	<i>Kaneohe Bay .....</i>	<i>\$4,900,000</i>
<i>Illinois .....</i>	<i>Great Lakes Navy Public Works Center .....</i>	<i>\$13,000,000</i>
<i>New Jersey .....</i>	<i>Lakehurst Naval Air Warfare Center .....</i>	<i>\$2,950,000</i>
<i>New Mexico .....</i>	<i>White Sands Naval Ordnance Missile Test Station .....</i>	<i>\$1,390,000</i>
<i>North Carolina .....</i>	<i>Cherry Point Marine Corps Air Station .....</i>	<i>\$2,100,000</i>
	<i>Camp Lejeune Marine Corp Base .....</i>	<i>\$14,850,000</i>
<i>Rhode Island .....</i>	<i>Newport Naval Education and Training Center .....</i>	<i>\$14,500,000</i>
<i>South Carolina .....</i>	<i>Parris Island Marine Corps Recruit Depot .....</i>	<i>\$2,550,000</i>
<i>Texas .....</i>	<i>Ingleside Naval Station .....</i>	<i>\$14,110,000</i>
<i>Virginia .....</i>	<i>Chesapeake Naval Security Group Activity .....</i>	<i>\$1,150,000</i>
	<i>Dam Neck Fleet Combat Training Center .....</i>	<i>\$1,600,000</i>
	<i>Norfolk Marine Corps Security Force Battalion Atlantic .....</i>	<i>\$6,480,000</i>
	<i>Norfolk Naval Station .....</i>	<i>\$16,430,000</i>
	<i>Quantico Marine Corps Combat Development Command .....</i>	<i>\$19,900,000</i>
<i>Washington .....</i>	<i>Bremerton Puget Sound Naval Shipyard .....</i>	<i>\$11,040,000</i>
	<i>Everett Naval Station .....</i>	<i>\$21,690,000</i>
	<i>Whidbey Island Naval Air Station .....</i>	<i>\$5,200,000</i>
<i>Various Locations ....</i>	<i>Aircraft Fire Rescue and Vehicle Maintenance Facilities .....</i>	<i>\$2,200,000</i>

1           (b) *OUTSIDE THE UNITED STATES.*—Using amounts  
2   appropriated pursuant to the authorization of appropriations  
3   in section 2204(a)(2), the Secretary of the Navy may  
4   acquire real property and carry out military construction  
5   projects in the total amount of \$50,810,000 for the installations  
6   and locations outside the United States, and in the

1 amounts for such installations and locations, set forth in  
2 the following table:

***Navy: Outside the United States***

<b>Country</b>	<b>Installation or location</b>	<b>Amount</b>
Greece .....	Souda Bay, Crete Naval Support Activity .....	\$3,050,000
Italy .....	Naples Naval Support Activity .....	\$28,460,000
	Sigonella Naval Air Station .....	\$13,750,000
Puerto Rico .....	Sabana Seca Naval Security Group Activity .....	\$1,650,000
United Kingdom .....	Saint Mawgan Joint Maritime Communications Center .....	\$3,900,000

3 **SEC. 2202. FAMILY HOUSING.**

4 (a) CONSTRUCTION AND ACQUISITION.—Using  
5 amounts appropriated pursuant to the authorization of ap-  
6 propriations in section 2204(a)(5)(A), the Secretary of the  
7 Navy may construct or acquire family housing units (in-  
8 cluding land acquisition) in the total amount of  
9 \$49,012,000 at the installations, for the purposes, and in  
10 the amounts for such installations and purposes set forth  
11 in the following table:

***Navy: Family Housing***

<b>State</b>	<b>Installation</b>	<b>Purpose</b>	<b>Amount</b>
California .....	Camp Pendleton Marine Corps Base .....	196 units .....	\$28,552,000
	San Diego Naval Public Works Center .....	136 units .....	\$18,262,000
Maryland .....	Patuxent River Naval Air Station .....	Housing Office ..	\$863,000
Virginia .....	Norfolk Naval Public Works Center .....	Warehouse/Self Help Center.	\$555,000
Washington .....	Everett Naval Station .....	Housing Office ..	\$780,000

1       (b) *PLANNING AND DESIGN.*—Using amounts appro-  
2       priated pursuant to the authorization of appropriations in  
3       section 2204(a)(5)(A), the Secretary of the Navy may carry  
4       out architectural and engineering services and construction  
5       design activities with respect to the construction or im-  
6       provement of military family housing units in an amount  
7       not to exceed \$24,681,000.

8       **SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING**  
9                               **UNITS.**

10       Subject to section 2825 of title 10, United States Code,  
11       and using amounts appropriated pursuant to the author-  
12       ization of appropriations in section 2204(a)(5)(A), the Sec-  
13       retary of the Navy may improve existing military family  
14       housing units in the amount of \$155,602,000.

15       **SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.**

16       (a) *IN GENERAL.*—Funds are hereby authorized to be  
17       appropriated for fiscal years beginning after September 30,  
18       1994, for military construction, land acquisition, and mili-  
19       tary family housing functions of the Department of the  
20       Navy in the total amount of \$1,507,349,000 as follows:

21               (1) For military construction projects inside the  
22       United States authorized by section 2201(a),  
23       \$239,265,000.

1           (2) *For military construction projects outside the*  
2 *United States authorized by section 2201(b),*  
3 *\$50,810,000.*

4           (3) *For unspecified minor construction projects*  
5 *authorized by section 2805 of title 10, United States*  
6 *Code, \$7,000,000.*

7           (4) *For architectural and engineering services*  
8 *and construction design under section 2807 of title*  
9 *10, United States Code, \$43,380,000.*

10          (5) *For military family housing functions:*

11           (A) *For construction and acquisition of*  
12 *military family housing and facilities,*  
13 *\$229,295,000.*

14           (B) *For support of military family housing*  
15 *(including functions described in section 2833 of*  
16 *title 10, United States Code), \$937,599,000, of*  
17 *which not more than \$114,336,000 may be obli-*  
18 *gated or expended for the leasing of military*  
19 *family housing units worldwide.*

20          (b) *LIMITATION OF TOTAL COST OF CONSTRUCTION*  
21 *PROJECTS.—Notwithstanding the cost variations author-*  
22 *ized by section 2853 of title 10, United States Code, and*  
23 *any other cost variation authorized by law, the total cost*  
24 *of all projects carried out under section 2201 of this Act*

1 *may not exceed the total amount authorized to be appro-*  
2 *priated under paragraphs (1) and (2) of subsection (a).*

3 **SEC. 2205. AUTHORITY TO CARRY OUT CONSTRUCTION**  
4 **PROJECT, NAVAL SUPPLY CENTER, PENSACOLA, FLORIDA.**  
5

6 *Funds appropriated by the Military Construction Ap-*  
7 *propriations Act, 1994 (Public Law 103–110; 107 Stat.*  
8 *1037) that are available for construction of a cold storage*  
9 *facility at Naval Supply Center, Pensacola, Florida, in ac-*  
10 *cordance with authorizations provided in section 2201(a)*  
11 *of the Military Construction Authorization Act for Fiscal*  
12 *Year 1992 (division B of Public Law 102–190; 105 Stat.*  
13 *1514), as enacted, may be expended for the portion of the*  
14 *construction of such facility that is associated with Depart-*  
15 *ment of the Navy contract N62467–86–C–0421.*

16 **SEC. 2206. RELOCATION OF PASCAGOULA COAST GUARD**  
17 **STATION, MISSISSIPPI.**

18 *(a) AGREEMENT ON RELOCATION.—Not later than 90*  
19 *days after the date of the enactment of this Act, the Sec-*  
20 *retary of the Navy and the Secretary of Transportation*  
21 *shall enter into an agreement that provides for the reloca-*  
22 *tion of the activities and functions of Pascagoula Coast*  
23 *Guard Station to Pascagoula Naval Station, Pascagoula,*  
24 *Mississippi.*



1       (b) *CONDITIONS.*—*The agreement under subsection (a)*  
2 *shall include the following provisions:*

3           (1) *That the Navy not incur any construction*  
4 *costs relating to the relocation.*

5           (2) *That the design, construction, and location of*  
6 *Coast Guard facilities, and the conduct of activities*  
7 *by the Coast Guard, at Pascagoula Naval Station not*  
8 *interfere with the performance of the mission of the*  
9 *Navy.*

10 ***SEC. 2207. AUTHORITY TO CARRY OUT CONSTRUCTION DE-***

11 ***SIGN FOR MAYPORT NAVAL STATION, FLOR-***

12 ***IDA.***

13       (a) *AUTHORITY TO CARRY OUT CONSTRUCTION DE-*  
14 *SIGN.*—*Subject to subsection (b), the Secretary of the Navy*  
15 *may carry out construction design activities in connection*  
16 *with the military construction projects that the Secretary*  
17 *identifies as necessary for the improvement of the facilities*  
18 *located at Mayport Naval Station, Florida, so that such fa-*  
19 *cilities may be used as the homeport of a nuclear powered*  
20 *aircraft carrier.*

21       (b) *REQUIREMENT RELATING TO COMMENCEMENT OF*  
22 *DESIGN.*—*The Secretary may not carry out the construc-*  
23 *tion design activities authorized under subsection (a) until*  
24 *the Secretary—*

1           (1) *completes a study that identifies the improve-*  
2           *ments to the facilities referred to in that subsection*  
3           *that are necessary so that such facilities may be used*  
4           *as the homeport of a nuclear powered aircraft carrier;*  
5           *and*

6           (2) *completes a programmatic environmental*  
7           *impact study on the effect of such improvements on*  
8           *the environment.*

9           (c) *CONSTRUCTION OF AUTHORITY.—This section may*  
10          *not be construed or interpreted as an authorization for the*  
11          *Secretary to commence or proceed with any military con-*  
12          *struction project relating to the improvement of the facili-*  
13          *ties of Mayport Naval Station, Florida, for the purpose re-*  
14          *ferred to in subsection (a).*

## 15                           **TITLE XXIII—AIR FORCE**

### 16          **SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND** 17                           **LAND ACQUISITION PROJECTS.**

18          (a) *INSIDE THE UNITED STATES.—Using amounts ap-*  
19          *propriated pursuant to the authorization of appropriations*  
20          *in section 2304(a)(1), the Secretary of the Air Force may*  
21          *acquire real property and carry out military construction*  
22          *projects in the total amount of \$412,004,000 for the instal-*  
23          *lations and locations inside the United States, and in the*  
24          *amounts for such installations and locations, set forth in*  
25          *the following table:*

**Air Force: Inside the United States**

<b>State</b>	<b>Installation or location</b>	<b>Amount</b>
Alabama .....	Maxwell Air Force Base .....	\$9,600,000
Alaska .....	Cape Lisburne Long Range Radar Site.	\$2,800,000
	Eielson Air Force Base .....	\$3,300,000
	Elmendorf Air Force Base .....	\$5,000,000
Arizona .....	Luke Air Force Base .....	\$4,900,000
Arkansas .....	Little Rock Air Force Base .....	\$4,800,000
California .....	Beale Air Force Base .....	\$1,450,000
	Edwards Air Force Base .....	\$7,050,000
	Travis Air Force Base .....	\$3,600,000
	Vandenberg Air Force Base .....	\$6,550,000
Colorado .....	Peterson Air Force Base .....	\$1,750,000
	United States Air Force Academy ..	\$3,600,000
Delaware .....	Dover Air Force Base .....	\$10,500,000
Florida .....	Cape Canaveral Air Force Station .	\$10,450,000
Georgia .....	Moody Air Force Base .....	\$14,300,000
	Robins Air Force Base .....	\$21,200,000
Idaho .....	Mountain Home Air Force Base ....	\$15,950,000
Illinois .....	Scott Air Force Base .....	\$2,700,000
Kansas .....	McConnell Air Force Base .....	\$500,000
Louisiana .....	Barksdale Air Force Base .....	\$27,100,000
Maryland .....	Andrews Air Force Base .....	\$10,800,000
Mississippi .....	Columbus Air Force Base .....	\$3,400,000
	Keesler Air Force Base .....	\$11,240,000
Missouri .....	Whiteman Air Force Base .....	\$24,290,000
Montana .....	Malmstrom Air Force Base .....	\$7,200,000
Nebraska .....	Offutt Air Force Base .....	\$2,260,000
Nevada .....	Nellis Air Force Base .....	\$10,500,000
New Jersey .....	McGuire Air Force Base .....	\$17,000,000
New Mexico .....	Holloman Air Force Base .....	\$10,950,000
	Kirtland Air Force Base .....	\$31,000,000
North Carolina .....	Pope Air Force Base .....	\$2,600,000
North Dakota .....	Ellsworth Air Force Base .....	\$4,500,000
	Grand Forks Air Force Base .....	\$5,200,000
	Minot Air Force Base .....	\$10,350,000
Ohio .....	Wright-Patterson Air Force Base ....	\$32,700,000
Oklahoma .....	Altus Air Force Base .....	\$3,750,000
	Tinker Air Force Base .....	\$9,643,000
	Vance Air Force Base .....	\$11,680,000
South Carolina .....	Charleston Air Force Base .....	\$11,400,000
South Dakota .....	Ellsworth Air Force Base .....	\$1,450,000
Tennessee .....	Arnold Air Force Base .....	\$1,900,000
Texas .....	Kelly Air Force Base .....	\$8,950,000
	Lackland Air Force Base .....	\$5,200,000
	Sheppard Air Force Base .....	\$3,300,000
Washington .....	Fairchild Air Force Base .....	\$8,850,000

**Air Force: Inside the United States**—Continued

<b>State</b>	<b>Installation or location</b>	<b>Amount</b>
Wyoming .....	F.E. Warren Air Force Base .....	\$2,650,000
CONUS Classified .....	Classified Location .....	\$2,141,000

1       (b) *OUTSIDE THE UNITED STATES.*—Using amounts  
2       appropriated pursuant to the authorization of appropria-  
3       tions in section 2304(a)(2), the Secretary of the Air Force  
4       may acquire real property and may carry out military con-  
5       struction projects in the total amount of \$38,273,000 for  
6       the installations and locations outside the United States,  
7       and in the amounts for such installations and locations,  
8       set forth in the following table:

**Air Force: Outside the United States**

<b>Country</b>	<b>Installation or location</b>	<b>Amount</b>
Germany .....	Ramstein Air Base .....	\$12,350,000
	Spangdahlem Air Base .....	\$9,473,000
Greenland .....	Thule Air Base .....	\$2,450,000
Portugal .....	Lajes Field .....	\$2,850,000
United Kingdom .....	RAF Lakenheath .....	\$7,100,000
Overseas Classified .....	Classified Location .....	\$4,050,000

9       **SEC. 2302. FAMILY HOUSING.**

10       (a) *CONSTRUCTION AND ACQUISITION.*—Using  
11       amounts appropriated pursuant to the authorization of ap-  
12       propriations in section 2304(a)(6)(A), the Secretary of the  
13       Air Force may construct or acquire family housing units  
14       (including land acquisition) in the total amount of  
15       \$172,310,000 at the installations, for the purposes, and in

- 1 the amounts for such installations and purposes set forth  
 2 in the following table:

**Air Force: Family Housing**

<b>State or Country</b>	<b>Installation</b>	<b>Purpose</b>	<b>Amount</b>
Alabama .....	Maxwell Air Force Base .....	25 units .....	\$2,100,000
Arizona .....	Davis-Monthan Air Force Base .	60 units .....	\$5,940,000
California .....	Beale Air Force Base .....	76 units .....	\$8,842,000
	Edwards Air Force Base .....	34 units .....	\$4,629,000
	Los Angeles Air Force Base .....	50 units .....	\$8,962,000
	Vandenberg Air Force Base .....	128 units .....	\$16,460,000
District of Columbia.	Bolling Air Force Base .....	100 units .....	\$9,000,000
Florida .....	Patrick Air Force Base .....	75 units .....	\$7,145,000
Idaho .....	Mountain Home Air Force Base .	4 unit .....	\$881,000
	Mountain Home Air Force Base .	60 units .....	\$5,712,000
Kansas .....	McConnell Air Force Base .....	70 units .....	\$8,322,000
Louisiana .....	Barksdale Air Force Base .....	82 units .....	\$8,236,000
Missouri .....	Whiteman Air Force Base .....	Housing Office ..	\$567,000
New Mexico .....	Cannon Air Force Base .....	1 unit .....	\$230,000
	Holloman Air Force Base .....	76 units .....	\$7,733,000
	Kirtland Air Force Base .....	106 units .....	\$10,058,000
North Carolina .	Pope Air Force Base .....	120 units .....	\$14,874,000
	Seymour Johnson Air Force Base .	74 units .....	\$6,025,000
North Dakota ....	Grand Forks Air Force Base .....	Housing Office ..	\$709,000
South Carolina .	Shaw Air Force Base .....	3 units .....	\$631,000
Texas .....	Dyess Air Force Base .....	59 units .....	\$7,077,000
Utah .....	Hill Air Force Base .....	138 units .....	\$11,400,000
Virginia .....	Langley Air Force Base .....	148 units .....	\$14,421,000

**Air Force: Family Housing—Continued**

<b>State or Country</b>	<b>Installation</b>	<b>Purpose</b>	<b>Amount</b>
Washington .....	Fairchild Air Force Base .....	6 units .....	\$1,035,000
Wyoming .....	F.E. Warren Air Force Base .....	106 units .....	\$11,321,000

1       (b) *PLANNING AND DESIGN.*—Using amounts appro-  
2       priated pursuant to the authorization of appropriations in  
3       section 2304(a)(6)(A), the Secretary of the Air Force may  
4       carry out architectural and engineering services and con-  
5       struction design activities with respect to the construction  
6       or improvement of military family housing units in an  
7       amount not to exceed \$9,275,000.

8       **SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING**  
9                **UNITS.**

10       Subject to section 2825 of title 10, United States Code,  
11       and using amounts appropriated pursuant to the author-  
12       ization of appropriations in section 2304(a)(6)(A), the Sec-  
13       retary of the Air Force may improve existing military fam-  
14       ily housing units in an amount not to exceed \$61,770,000.

15       **SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR**  
16                **FORCE.**

17       (a) *IN GENERAL.*—Funds are hereby authorized to be  
18       appropriated for fiscal years beginning after September 30,  
19       1994, for military construction, land acquisition, and mili-  
20       tary family housing functions of the Department of the Air  
21       Force in the total amount of \$1,594,863,000 as follows:

1           (1) For military construction projects inside the  
2 United States authorized by section 2301(a),  
3 \$412,004,000.

4           (2) For military construction projects outside the  
5 United States authorized by section 2301(b),  
6 \$38,273,000.

7           (3) For unspecified minor construction projects  
8 authorized by section 2805 of title 10, United States  
9 Code, \$7,000,000.

10          (4) For architectural and engineering services  
11 and construction design under section 2807 of title  
12 10, United States Code, \$49,386,000.

13          (5) For the balance of the amount authorized  
14 under section 2301(a) of the Military Construction  
15 Authorization Act for Fiscal Year 1993 (division B of  
16 Public Law 102-484; 106 Stat. 2593) for the con-  
17 struction of the climatic test chamber at Eglin Air  
18 Force Base, Florida, \$20,000,000.

19          (6) For military family housing functions:

20               (A) For construction and acquisition of  
21 military family housing and facilities,  
22 \$243,355,000.

23               (B) For support of military family housing  
24 (including functions described in section 2833 of  
25 title 10, United States Code), \$824,845,000 of

1           *which not more than \$112,757,000 may be obli-*  
2           *gated or expended for leasing of military family*  
3           *housing units worldwide.*

4           **(b) LIMITATION ON TOTAL COST OF CONSTRUCTION**  
5           **PROJECTS.**—*Notwithstanding the cost variations author-*  
6           *ized by section 2853 of title 10, United States Code, and*  
7           *any other cost variation authorized by law, the total cost*  
8           *of all projects carried out under section 2301 of this Act*  
9           *may not exceed the total amount authorized to be appro-*  
10          *priated under paragraphs (1) and (2) of subsection (a).*

11          **SEC. 2305. AUTHORIZATION OF MILITARY CONSTRUCTION**  
12                            **PROJECTS AT TYNDALL AIR FORCE BASE,**  
13                            **FLORIDA, FOR WHICH FUNDS HAVE BEEN AP-**  
14                            **PROPRIATED.**

15          *The table in section 2301 of the Military Construction*  
16          *Authorization Act for Fiscal Year 1994 (division B of Pub-*  
17          *lic Law 103-160; 107 Stat. 1866) is amended in the item*  
18          *relating to Tyndall Air Force Base, Florida, by striking*  
19          *out “\$2,600,000” in the column under the heading*  
20          *“Amount” and inserting in lieu thereof “\$8,200,000”.*

21          **SEC. 2306. REVISION OF AUTHORIZED FAMILY HOUSING**  
22                            **PROJECT, TYNDALL AIR FORCE BASE, FLOR-**  
23                            **IDA.**

24          *The table in section 2302(a) of the Military Construc-*  
25          *tion Authorization Act for Fiscal Year 1994 (division B*



1 of Public Law 103–160; 107 Stat. 1869) is amended in the  
 2 item relating to Tyndall Air Force Base, Florida, by strik-  
 3 ing out “Infrastructure” in the third column and inserting  
 4 in lieu thereof “45 units”.

5 **TITLE XXIV—DEFENSE**  
 6 **AGENCIES**

7 **SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRU-**  
 8 **CTION AND LAND ACQUISITION PROJECTS.**

9 Using amounts appropriated pursuant to the author-  
 10 ization of appropriations in section 2405(a)(1), the Sec-  
 11 retary of Defense may acquire real property and carry out  
 12 military construction projects in the total amount of  
 13 \$413,700,000 for the installations and locations inside the  
 14 United States, and in the amounts for such installations  
 15 and locations, set forth in the following table:

**Defense Agencies: Inside the United States**

<b>Agency</b>	<b>Installation or location</b>	<b>Amount</b>
<i>Chemical Agents and Munitions Destruction .....</i>	<i>Anniston Army Depot, Alabama ....</i>	<i>\$5,000,000</i>
	<i>Pine Bluff Arsenal, Arkansas .....</i>	<i>\$102,000,000</i>
	<i>Umatilla Army Depot, Oregon .....</i>	<i>\$183,000,000</i>
	<i>Tooele Army Depot, Utah .....</i>	<i>\$4,000,000</i>
<i>Defense Intelligence Agency .....</i>	<i>Bolling Air Force Base, Washing- ton, District of Columbia.</i>	<i>\$600,000</i>
<i>Defense Logistics Agency .....</i>	<i>Defense Contract Management Of- fice, El Segundo, California.</i>	<i>\$5,100,000</i>
	<i>Defense Construction Supply Cen- ter, Columbus, Ohio .....</i>	<i>\$2,200,000</i>
	<i>Defense Fuel Support Point, Craney Island, Virginia .....</i>	<i>\$3,652,000</i>
	<i>Headquarters, Defense Logistics Agency, Fort Belvoir, Virginia ....</i>	<i>\$4,600,000</i>
<i>Defense Medical Fa- cilities Office .....</i>	<i>McClellan Air Force Base, Califor- nia.</i>	<i>\$10,280,000</i>

**Defense Agencies: Inside the United States**—Continued

<b>Agency</b>	<b>Installation or location</b>	<b>Amount</b>
	Fort McPherson, Georgia .....	\$13,400,000
	Fort Dix, New Jersey .....	\$2,000,000
National Security Agency .....	Fort Meade, Maryland .....	\$20,258,000
Office of Secretary of Defense .....	Various Locations, Special Activities, Air Force.	\$5,300,000
Section 6 Schools .....	Naval Surface Warfare Center, Virginia.	\$1,560,000
Special Operations Force .....	Eglin Auxiliary Field No. 9, Florida.	\$21,750,000
	Fort Bragg, North Carolina .....	\$16,000,000
	Kirtland Air Force Base, New Mexico .....	\$9,600,000
	Naval Amphibious Base, Coronado, San Diego, California .....	\$3,400,000

**1 SEC. 2402. FAMILY HOUSING.**

2 (a) CONSTRUCTION AND ACQUISITION.—Using  
 3 amounts appropriated pursuant to the authorization of ap-  
 4 propriations in section 2405(a)(11)(A), the Secretary of De-  
 5 fense may construct or acquire family housing units (in-  
 6 cluding land acquisition) at the installation, for the pur-  
 7 pose, and in the amount set forth in the following table:

**Defense Agencies: Family Housing**

<b>Location</b>	<b>Installation</b>	<b>Purpose</b>	<b>Amount</b>
Belgium .....	National Security Agency .....	1 unit .....	\$300,000

**8 SEC. 2403. IMPROVEMENTS TO MILITARY FAMILY HOUSING**  
**9 UNITS.**

10 Subject to section 2825 of title 10, United States Code,  
 11 and using amounts appropriated pursuant to the author-  
 12 ization of appropriations in section 2405(a)(11)(A), the

1 *Secretary of Defense may improve existing military family*  
2 *housing units in an amount not to exceed \$50,000.*

3 **SEC. 2404. ENERGY CONSERVATION PROJECTS.**

4 *Using amounts appropriated pursuant to the author-*  
5 *ization of appropriations in section 2405(a)(8), the Sec-*  
6 *retary of Defense may carry out energy conservation*  
7 *projects under section 2865 of title 10, United States Code.*

8 **SEC. 2405. AUTHORIZATION OF APPROPRIATIONS, DEFENSE**  
9 **AGENCIES.**

10 *(a) IN GENERAL.—Funds are hereby authorized to be*  
11 *appropriated for fiscal years beginning after September 30,*  
12 *1994, for military construction, land acquisition, and mili-*  
13 *tary family housing functions of the Department of Defense*  
14 *(other than the military departments) in the total amount*  
15 *of \$3,252,058,000 as follows:*

16 *(1) For military construction projects inside the*  
17 *United States authorized by section 2401(a),*  
18 *\$152,700,000.*

19 *(2) For military construction projects at Ports-*  
20 *mouth Naval Hospital, Virginia, authorized by sec-*  
21 *tion 2401(a) of the Military Construction Authoriza-*  
22 *tion Act for Fiscal Years 1990 and 1991 (division B*  
23 *of Public Law 101-189; 103 Stat. 1640),*  
24 *\$120,000,000.*

1           (3) For military construction projects at Elmen-  
2           dorf Air Force Base, Alaska, hospital replacement,  
3           authorized by section 2401(a) of the Military Con-  
4           struction Authorization Act for Fiscal Year 1993 (di-  
5           vision B of Public Law 102-484; 106 Stat. 2599),  
6           \$66,000,000.

7           (4) For military construction projects at Fort  
8           Bragg, North Carolina, hospital replacement, author-  
9           ized by section 2401(a) of the Military Construction  
10          Authorization Act for Fiscal Year 1993 (division B of  
11          Public Law 102-484; 106 Stat. 2599), \$75,000,000.

12          (5) For unspecified minor construction projects  
13          under section 2805 of title 10, United States Code,  
14          \$22,348,000.

15          (6) For contingency construction projects of the  
16          Secretary of Defense under section 2804 of title 10,  
17          United States Code, \$8,511,000.

18          (7) For architectural and engineering services  
19          and for construction design under section 2807 of title  
20          10, United States Code, \$51,960,000.

21          (8) For energy conservation projects authorized  
22          by section 2404, \$50,000,000.

23          (9) For base closure and realignment activities  
24          as authorized by the Defense Authorization Amend-  
25          ments and Base Closure and Realignment Act (title

1 *II of Public Law 100–526; 10 U.S.C. 2687 note),*  
2 *\$87,600,000.*

3 *(10) For base closure and realignment activities*  
4 *as authorized by the Defense Base Closure and Re-*  
5 *alignment Act of 1990 (part A of title XXIX of Public*  
6 *Law 101–510; 10 U.S.C. 2687 note):*

7 *(A) For military installations approved for*  
8 *closure or realignment in 1991, \$398,700,000.*

9 *(B) For military installations approved for*  
10 *closure or realignment in 1993, \$2,189,858,000.*

11 *(11) For military family housing functions:*

12 *(A) For construction and acquisition of*  
13 *military family housing and facilities, \$350,000.*

14 *(B) For support of military housing (in-*  
15 *cluding functions described in section 2833 of*  
16 *title 10, United States Code), \$29,031,000, of*  
17 *which not more than \$24,051,000 may be obli-*  
18 *gated or expended for the leasing of military*  
19 *family housing units worldwide.*

20 *(b) LIMITATION OF TOTAL COST OF CONSTRUCTION*  
21 *PROJECTS.—Notwithstanding the cost variations author-*  
22 *ized by section 2853 of title 10, United States Code, and*  
23 *any other cost variations authorized by law, the total cost*  
24 *of all projects carried out under section 2401 of this Act*  
25 *may not exceed—*

1           (1) *the total amount authorized to be appro-*  
2 *riated under paragraphs (1) and (2) of subsection*  
3 *(a) and subsection (b);*

4           (2) *\$94,000,000 (the balance of the amount au-*  
5 *thorized for construction of a chemical munitions de-*  
6 *militarization facility at Pine Bluff Arsenal, Arkan-*  
7 *sas); and*

8           (3) *\$167,000,000 (the balance of the amount au-*  
9 *thorized for construction of a chemical munitions de-*  
10 *militarization facility at Umatilla Army Depot, Or-*  
11 *egon).*

12 **SEC. 2406. TERMINATION OF AUTHORITY TO CARRY OUT**  
13 **FISCAL YEAR 1993 PROJECT.**

14           (a) *TERMINATION OF AUTHORITY.*—*The table in sec-*  
15 *tion 2401(a) of the Military Construction Authorization Act*  
16 *for Fiscal Year 1993 (division B of Public Law 102-484;*  
17 *106 Stat. 2599) is amended by striking out the item relat-*  
18 *ing to Fitzsimons Army Medical Center, Colorado.*

19           (b) *CONFORMING AMENDMENTS.*—*(1) Subsection (a) of*  
20 *section 2403 of such Act (106 Stat. 2600) is amended—*

21                (A) *in the matter above paragraph (1), by strik-*  
22 *ing out “\$2,567,146,000” and inserting in lieu thereof*  
23 *“\$2,565,146,000”; and*

1           (B) in paragraph (1), by striking out  
2           “\$87,950,000” and inserting in lieu thereof  
3           “\$85,950,000”.

4           (2) Subsection (c) of such section is amended—

5                 (A) by inserting “and” at the end of paragraph  
6                 (4);

7                 (B) by striking out “; and” at the end of para-  
8                 graph (5) and inserting lieu thereof a period; and

9                 (C) by striking out paragraph (6).

10 **SEC. 2407. COMMUNITY IMPACT ASSISTANCE WITH REGARD**

11                                 **TO NAVAL WEAPONS STATION, CHARLESTON,**

12                                 **SOUTH CAROLINA.**

13           Of the amount appropriated pursuant to the author-  
14 ization of appropriations in section 2405(a)(10)(B), the  
15 Secretary of the Navy shall transfer \$3,000,000 to the South  
16 Carolina Department of Highways and Public Transpor-  
17 tation. Funds transferred pursuant to this section shall be  
18 used for making improvements to North Rhett Avenue,  
19 Charleston, South Carolina.

20 **SEC. 2408. PLANNING AND DESIGN FOR CONSTRUCTION IN**

21                                 **SUPPORT OF CONSOLIDATION OF OPER-**

22                                 **ATIONS OF THE DEFENSE FINANCE AND AC-**

23                                 **COUNTING SERVICE.**

24           Of the amount authorized to be appropriated by sec-  
25 tion 2405(a)(7), \$6,000,000 shall be available for planning

1 *and design activities relating to military construction in*  
2 *support of the consolidation of operations of the Defense Fi-*  
3 *nance and Accounting Service.*

4 **TITLE XXV—NORTH ATLANTIC**  
5 **TREATY ORGANIZATION IN-**  
6 **FRAStructure**

7 **SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND**  
8 **ACQUISITION PROJECTS.**

9 *The Secretary of Defense may make contributions for*  
10 *the North Atlantic Treaty Organization Infrastructure Pro-*  
11 *gram as provided in section 2806 of title 10, United States*  
12 *Code, in an amount not to exceed the sum of the amount*  
13 *authorized to be appropriated for this purpose in section*  
14 *2502 and the amount collected from the North Atlantic*  
15 *Treaty Organization as a result of construction previously*  
16 *financed by the United States.*

17 **SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.**

18 *Funds are hereby authorized to be appropriated for fis-*  
19 *cal years beginning after September 30, 1994, for contribu-*  
20 *tions by the Secretary of Defense under section 2806 of title*  
21 *10, United States Code, for the share of the United States*  
22 *of the cost of projects for the North Atlantic Treaty Organi-*  
23 *zation Infrastructure Program as authorized by section*  
24 *2501, in the amount of \$219,000,000.*



1           **TITLE XXVI—GUARD AND**  
2           **RESERVE FORCES FACILITIES**

3   **SEC. 2601. AUTHORIZED GUARD AND RESERVE CONSTRUC-**  
4                   **TION AND LAND ACQUISITION PROJECTS.**

5           *There are authorized to be appropriated for fiscal*  
6   *years beginning after September 30, 1994, for the costs of*  
7   *acquisition, architectural and engineering services, and*  
8   *construction of facilities for the Guard and Reserve Forces,*  
9   *and for contributions therefor, under chapter 133 of title*  
10 *10, United States Code (including the cost of acquisition*  
11 *of land for those facilities), the following amounts:*

12           (1) *For the Department of the Army—*

13                   (A) *for the Army National Guard of the*  
14                   *United States, \$180,312,000; and*

15                   (B) *for the Army Reserve, \$37,870,000.*

16           (2) *For the Department of the Navy, for the*  
17           *Naval and Marine Corps Reserve, \$17,355,000.*

18           (3) *For the Department of the Air Force—*

19                   (A) *for the Air National Guard of the Unit-*  
20                   *ed States, \$240,003,000; and*

21                   (B) *for the Air Force Reserve, \$43,840,000.*

1 **SEC. 2602. AUTHORIZATION OF CERTAIN NATIONAL GUARD**  
2 **AND RESERVE PROJECTS FOR WHICH FUNDS**  
3 **HAVE BEEN APPROPRIATED.**

4 (a) *FISCAL YEAR 1994 GUARD AND RESERVE*  
5 *PROJECTS.*—Section 2601 of the Military Construction Au-  
6 *thorization Act for Fiscal Year 1994 (division B of Public*  
7 *Law 103–160; 107 Stat. 1878) is amended—*

8 (1) *in paragraph (1)(A), by striking out*  
9 *“\$283,483,000” and inserting in lieu thereof*  
10 *“\$287,958,000”; and*

11 (2) *in paragraph (2), by striking out*  
12 *“\$25,013,000” and inserting in lieu thereof*  
13 *“\$33,713,000”.*

14 (b) *FISCAL YEAR 1993 AIR NATIONAL GUARD*  
15 *PROJECT.*—Section 2601(3)(A) of the Military Construc-  
16 *tion Authorization Act for Fiscal Year 1993 (division B*  
17 *of Public Law 102–484; 106 Stat. 2602) is amended by*  
18 *striking out “\$305,759,000” and inserting in lieu thereof*  
19 *“\$306,959,000”.*

20 **TITLE XXVII—EXPIRATION OF**  
21 **AUTHORIZATIONS**

22 **SEC. 2701. EXPIRATION OF AUTHORIZATIONS AND**  
23 **AMOUNTS REQUIRED TO BE SPECIFIED BY**  
24 **LAW.**

25 (a) *EXPIRATION OF AUTHORIZATIONS AFTER THREE*  
26 *YEARS.*—Except as provided in subsection (b), all author-

1 *izations contained in titles XXI through XXVI for military*  
2 *construction projects, land acquisition, family housing*  
3 *projects and facilities, and contributions to the North At-*  
4 *lantic Treaty Organization Infrastructure program (and*  
5 *authorizations of appropriations therefor) shall expire on*  
6 *the later of—*

7           (1) *October 1, 1997; or*

8           (2) *the date of the enactment of an Act authoriz-*  
9 *ing funds for military construction for fiscal year*  
10 *1998.*

11       (b) *EXCEPTION.—Subsection (a) shall not apply to au-*  
12 *thorizations for military construction projects, land acqui-*  
13 *sition, family housing projects and facilities, and contribu-*  
14 *tions to the North Atlantic Treaty Organization Infrastruc-*  
15 *ture program (and authorizations of appropriations there-*  
16 *for), for which appropriated funds have been obligated be-*  
17 *fore the later of—*

18           (1) *October 1, 1997; or*

19           (2) *the date of the enactment of an Act authoriz-*  
20 *ing funds for fiscal year 1998 for military construc-*  
21 *tion projects, land acquisition, family housing*  
22 *projects and facilities, or contributions to the North*  
23 *Atlantic Treaty Organization Infrastructure program.*

1 **SEC. 2702. EXTENSION OF AUTHORIZATION OF CERTAIN**  
 2 **FISCAL YEAR 1992 PROJECTS.**

3 (a) *EXTENSIONS.*—Notwithstanding section 2701(b) of  
 4 the Military Construction Authorization Act for Fiscal Year  
 5 1992 (division B of Public Law 102–190; 105 Stat. 1535)  
 6 authorizations for the projects set forth in the tables in sub-  
 7 section (b), as provided in section 2101, 2301, or 2601 of  
 8 that Act, shall remain in effect until October 1, 1995, or  
 9 the date of the enactment of an Act authorizing funds for  
 10 military construction for fiscal year 1996, whichever is  
 11 later.

12 (b) *TABLES.*—The tables referred to in subsection (a)  
 13 are as follows:

**Army: Extension of 1992 Project Authorizations**

<b>State</b>	<b>Installation or location</b>	<b>Project</b>	<b>Amount</b>
Colorado.	Fort Carson .....	Family Housing New Construction (1 Unit) .....	\$150,000
Georgia ...	Fort Benning .....	General Instruction Facility .....	\$2,150,000
	Camp Merrill .....	Family Housing New Construction (40 units) .....	\$4,550,000
	Fort Stewart .....	Family Housing New Construction (120 units) .....	\$9,700,000
Oregon ....	Umatilla Depot Activity .....	Ammunition Demilitarization Support Facility.	\$3,600,000
	Umatilla Depot Activity .....	Ammunition Demilitarization Utilities.	\$7,500,000

**Air Force: Extension of 1992 Project Authorization**

<b>State</b>	<b>Installation or location</b>	<b>Project</b>	<b>Amount</b>
Alaska .....	Eareckson Air Force Station (formerly Shemya Air Force Station) ...	Hazardous Materials Storage.	\$4,000,000

**Army National Guard: Extension of 1992 Project Authorizations**

<b>State</b>	<b>Installation or location</b>	<b>Project</b>	<b>Amount</b>
California	Stockton .....	Add/Alter Combined Support Maintenance Shop ..	\$1,613,000
District of Columbia .....	Fort Belvoir .....	Army Aviation Support Facility .....	\$2,765,000
Maryland	Towson .....	Direct Logistics Warehouse	\$373,000
	Cheltenham .....	Armory .....	\$3,300,000
Mississippi .	West Point .....	Organizational Maintenance Shop .....	\$1,270,000
	Tupelo .....	Organizational Maintenance Shop .....	\$992,000
	Senatobia .....	Organizational Maintenance Shop .....	\$723,000
Nevada ....	Washoe County ....	Organizational Maintenance Shop .....	\$1,050,000
North Carolina	Camp Butler .....	Range, Modified Record Fire .....	\$986,000
Rhode Island .....	Camp Varnum .....	Sewer and Water System .	\$578,000
	Camp Fogarty .....	Armory .....	\$5,151,000
West Virginia .....	Huntington .....	Guard/Reserve Center .....	\$2,983,000

**Army Reserve: Extension of 1992 Project Authorizations**

<i>State</i>	<i>Installation or location</i>	<i>Project</i>	<i>Amount</i>
<i>Massachusetts</i> .....	<i>Taunton</i> .....	<i>Reserve Center</i> .....	<i>\$3,526,000</i>
<i>Ohio</i> .....	<i>Perrysburg</i> .....	<i>Reserve Center Addition</i> ...	<i>\$2,749,000</i>
<i>Pennsylvania</i> .....	<i>Johnstown</i> .....	<i>Army/Marine Corps Aviation Facility</i> .....	<i>\$30,224,000</i>
<i>Tennessee</i>	<i>Jackson</i> .....	<i>Joint Training Facility</i> ...	<i>\$1,537,000</i>
<i>West Virginia</i> .....	<i>Huntington</i> .....	<i>Guard and Reserve Center</i>	<i>\$6,617,000</i>

1 **SEC. 2703. CLARIFICATION OF EXTENSION OF AUTHORIZA-**  
 2 **TIONS OF CERTAIN FISCAL YEAR 1991**  
 3 **PROJECTS.**

4 (a) *CLARIFICATION.*—The table relating to the exten-  
 5 sion of authorization of certain fiscal year 1991 projects  
 6 of the Defense Agencies in section 2702(b) of the Military  
 7 Construction Authorization Act for Fiscal Year 1994 (divi-  
 8 sion B of Public Law 103–160; 107 Stat. 1882) is amended  
 9 by inserting before the item relating to the Defense Logistics  
 10 Agency, Defense Reutilization and Marketing Office, Fort  
 11 Meade, Maryland, the following:

<i>California</i>	<i>Defense Language Institute, Monterey</i> .....	<i>Audio Visual Facility</i> .....	<i>\$2,322,000</i>
	<i>Defense Language Institute, Monterey</i> .....	<i>Print Plant</i> .....	<i>\$1,860,000</i>

12 (b) *EFFECTIVE DATE.*—The amendment made by sub-  
 13 section (a) shall take effect as if included in the provisions

1 of the Military Construction Authorization Act for Fiscal  
 2 Year 1994 (Public Law 103–160; 107 Stat. 1822) to which  
 3 such amendment relates.

4 **SEC. 2704. EXTENSION OF CERTAIN FISCAL YEAR 1991**  
 5 **PROJECTS.**

6 (a) *EXTENSIONS.*—Notwithstanding section 2701(b) of  
 7 the Military Construction Authorization Act for Fiscal Year  
 8 1991 (division B of Public Law 101–510; 104 Stat. 1782),  
 9 authorizations for the projects set forth in the table in sub-  
 10 section (b) as provided in section 2401(a) of that Act and  
 11 extended by section 2702(a) of the Military Construction  
 12 Authorization Act for Fiscal Year 1992 (division B of Pub-  
 13 lic Law 102–190; 105 Stat. 1535) and section 2702 of the  
 14 Military Construction Authorization Act for Fiscal Year  
 15 1994 (division B of Public Law 103–160; 107 Stat. 1880),  
 16 as amended by section 2703 of this Act, shall remain in  
 17 effect until October 1, 1995, or the date of the enactment  
 18 of an Act authorizing funds for military construction for  
 19 fiscal year 1995, whichever is later.

20 (b) *TABLE.*—The table referred to in subsection (a) is  
 21 as follows:

**Defense Agencies: Extension of 1991 Project Authorizations**

<b>State</b>	<b>Installation or location</b>	<b>Project</b>	<b>Amount</b>
California	Defense Language Institute, Monterey.	Audio Visual Instructional Media Facility .....	\$2,322,000

**Defense Agencies: Extension of 1991 Project Authorizations—**  
Continued

<b>State</b>	<b>Installation or location</b>	<b>Project</b>	<b>Amount</b>
Maryland	Defense Language Institute, Monterey.	Print Plant .....	\$1,860,000
	Defense Logistics Agency, Defense Reutilization and Marketing Office, Fort Meade .....	Covered Storage .....	\$9,500,000

1 **SEC. 2705. EFFECTIVE DATE.**

2       Titles XXI, XXII, XXIII, XXIV, XXV, and XXVI shall  
3 take effect on the later of—

4             (1) October 1, 1994; or

5             (2) the date of the enactment of this Act.

6                             **TITLE XXVIII—GENERAL**  
7                                     **PROVISIONS**

8       **Subtitle A—Military Construction**  
9       **Program and Military Family**  
10      **Housing Changes**

11     **SEC. 2801. CLARIFICATION OF REQUIREMENT FOR NOTIFI-**  
12                             **CATION OF CONGRESS OF IMPROVEMENTS IN**  
13                             **FAMILY HOUSING UNITS.**

14       Section 2825(b) of title 10, United States Code, is  
15 amended by adding at the end the following new paragraph:

16       “(3) The limitation contained in the first sentence of  
17 paragraph (1) does not apply to a project for the improve-  
18 ment of a family housing unit or units referred to in that



1 *sentence if the project (including the amount requested for*  
2 *the project) is identified in the budget materials submitted*  
3 *to Congress by the Secretary of Defense in connection with*  
4 *the submission to Congress of the budget for a fiscal year*  
5 *pursuant to section 1105 of title 31.”*

6 **SEC. 2802. AUTHORITY TO PAY CLOSING COSTS UNDER**  
7 **HOMEOWNERS ASSISTANCE PROGRAM.**

8 *Section 1013(c) of the Demonstration Cities and Met-*  
9 *ropolitan Development Act of 1966 (42 U.S.C. 3374(c)) is*  
10 *amended by inserting after the first sentence the following:*  
11 *“The Secretary may also pay a person who elects to receive*  
12 *a cash payment under clause (1) of the preceding sentence*  
13 *an amount that the Secretary determines appropriate to re-*  
14 *imburse the person for the costs incurred by the person in*  
15 *the sale of the property if the Secretary determines that such*  
16 *payment will benefit the person and is in the best interest*  
17 *of the Federal Government.”*

18 **Subtitle B—Base Closure Matters**

19 **SEC. 2811. PROHIBITION AGAINST CONSIDERATION IN BASE**  
20 **CLOSURE PROCESS OF ADVANCE CONVER-**  
21 **SION PLANNING UNDERTAKEN BY POTENTIAL**  
22 **AFFECTED COMMUNITIES.**

23 *(a) DEPARTMENT OF DEFENSE RECOMMENDATIONS.—*  
24 *Subsection (c)(3) of section 2903 of the Defense Base Closure*

1 *and Realignment Act of 1990 (part A of title XXIX of Pub-*  
2 *lic Law 101–510; 10 U.S.C. 2687 note) is amended—*

3 *(1) by inserting “(A)” before “In considering”;*

4 *and*

5 *(2) by adding at the end the following new sub-*  
6 *paragraph:*

7 *“(B) In considering military installations for closure*  
8 *or realignment, the Secretary may not take into account*  
9 *for any purpose any advance conversion planning under-*  
10 *taken by an affected community with respect to the antici-*  
11 *pated closure or realignment of an installation.*

12 *“(C) For purposes of subparagraph (B), in the case*  
13 *of a community anticipating the economic effects of a clo-*  
14 *sure or realignment of a military installation, advance con-*  
15 *version planning—*

16 *“(i) shall include community adjustment and*  
17 *economic diversification planning undertaken by the*  
18 *community before an anticipated selection of a mili-*  
19 *tary installation in or near the community for clo-*  
20 *sure or realignment; and*

21 *“(ii) may include the development of contingency*  
22 *redevelopment plans, plans for economic development*  
23 *and diversification, and plans for the joint use (in-*  
24 *cluding civilian and military use, public and private*  
25 *use, civilian dual use, and civilian shared use) of the*

1 *property or facilities of the installation after the an-*  
2 *ticipated closure or realignment.”.*

3 (b) *COMMISSION RECOMMENDATIONS.*—Subsection  
4 (d)(2) of such section is amended by adding at the end the  
5 following:

6 “(E) In making recommendations under this para-  
7 graph, the Commission may not take into account for any  
8 purpose any advance conversion planning undertaken by  
9 an affected community with respect to the anticipated clo-  
10 sure or realignment of a military installation.”.

11 **SEC. 2812. CLARIFYING AND TECHNICAL AMENDMENTS TO**  
12 **BASE CLOSURE LAWS.**

13 (a) *CLARIFICATION OF SCOPE OF TERMINATION OF*  
14 *AUTHORITY UNDER 1988 ACT.*—Section 202(c) of the *De-*  
15 *fense Authorization Amendments and Base Closure and Re-*  
16 *alignment Act (Public Law 100–526; 10 U.S.C. 2687 note)*  
17 *is amended—*

18 (1) *by striking out “The authority” and insert-*  
19 *ing in lieu thereof “(1) Except as provided in para-*  
20 *graph (2), the authority”;* and

21 (2) *by adding at the end the following new para-*  
22 *graph:*

23 “(2) The termination of authority set forth in para-  
24 graph (1) shall not apply to the authority of the Secretary  
25 to carry out environmental restoration and waste manage-

1 *ment at, or disposal of property of, military installations*  
2 *closed or realigned under this title.”.*

3 *(b) USE OF UNOBLIGATED FUNDS IN 1988 ACCOUNT*  
4 *FOR ENVIRONMENTAL RESTORATION AND PROPERTY DIS-*  
5 *POSAL.—Section 207(a)(5) of such Act is amended—*

6 *(1) by striking out “Unobligated funds” and in-*  
7 *serting in lieu thereof “(A) Except as provided in*  
8 *subparagraph (B), unobligated funds”; and*

9 *(2) by adding at the end the following new sub-*  
10 *paragraph:*

11 *“(B) The Secretary may, after the termination of au-*  
12 *thority referred to in subparagraph (A), use any unobli-*  
13 *gated funds referred to in that subparagraph that are not*  
14 *transferred in accordance with that subparagraph to carry*  
15 *out environmental restoration and waste management at,*  
16 *or disposal of property of, military installations closed or*  
17 *realigned under this title.”.*

18 *(c) CLARIFICATION OF DISPOSAL AUTHORITY.—*

19 *(1) UNDER 1988 ACT.—Section 204(b)(1) of such*  
20 *Act is amended in the matter above paragraph (1) by*  
21 *striking out “real property and facilities” and insert-*  
22 *ing in lieu thereof “real property, facilities, and per-*  
23 *sonal property”.*

24 *(2) UNDER 1990 ACT.—Section 2905(b)(1) of the*  
25 *Defense Base Closure and Realignment Act of 1990*

1 (part A of title XXIX of Public Law 101–510; 10  
2 U.S.C. 2687 note) is amended in the matter above  
3 paragraph (1) by striking out “real property and fa-  
4 cilities” and inserting in lieu thereof “real property,  
5 facilities, and personal property”.

6 (d) DEFINITION OF REDEVELOPMENT AUTHORITY.—

7 (1) UNDER 1988 ACT.—Section 209(10) of the De-  
8 fense Authorization Amendments and Base Closure  
9 and Realignment Act (Public Law 100–526; 10  
10 U.S.C. 2687 note) is amended by striking out “and  
11 for” and inserting in lieu thereof “or for”.

12 (2) UNDER 1990 ACT.—Section 2910(9) of the De-  
13 fense Base Closure and Realignment Act of 1990  
14 (part A of title XXIX of Public Law 101–510; 10  
15 U.S.C. 2687 note) is amended by striking out “and  
16 for” and inserting in lieu thereof “or for”.

17 (3) EFFECTIVE DATE.—The amendments made  
18 by paragraphs (1) and (2) shall take effect as if in-  
19 cluded in the amendments made by 2918 of the Na-  
20 tional Defense Authorization Act for Fiscal Year 1994  
21 (Public Law 103–160; 107 Stat. 1927).

22 (e) TECHNICAL AMENDMENTS FOR INTERNAL CON-  
23 SISTENCY.—

24 (1) 1988 ACT.—Section 204(b)(3) of the Defense  
25 Authorization Amendments and Base Closure and Re-

1 *alignment Act (Public Law 100–526; 10 U.S.C. 2687*  
2 *note) is amended—*

3 *(A) in subparagraph (A)(ii), by striking out*  
4 *“determines to be related to real property and”;*  
5 *and*

6 *(B) in subparagraph (E), by striking out*  
7 *“related” in the matter above clause (i).*

8 *(2) 1990 ACT.—Section 2905(b)(3)(A)(ii) of the*  
9 *Defense Base Closure and Realignment Act of 1990*  
10 *(part A of title XXIX of Public Law 101–510; 10*  
11 *U.S.C. 2687 note) is amended by striking out “deter-*  
12 *mines to be related to real property and”.*

13 *(3) EFFECTIVE DATE.—The amendments made*  
14 *by paragraphs (1) and (2) shall take effect as if in-*  
15 *cluded in the amendments made by 2902 of the Na-*  
16 *tional Defense Authorization Act for Fiscal Year 1994*  
17 *(Public Law 103–160; 107 Stat. 1909).*

18 **SEC. 2813. SENSE OF SENATE ON THE ACTIVITIES OF THE**  
19 **SECRETARY OF DEFENSE IN SUPPORT OF**  
20 **COMMUNITIES AFFECTED BY BASE CLO-**  
21 **SURES.**

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

1           (1) *The closure or realignment of a major mili-*  
2           *tary installation can cause severe economic disrup-*  
3           *tion to the host community for the installation.*

4           (2) *Communities affected by the closure of a*  
5           *major military installation under a base closure law*  
6           *dedicate significant time, effort, and resources to*  
7           *planning for the economic redevelopment of the instal-*  
8           *lation.*

9           (3) *The Federal Government can ease the disrup-*  
10          *tion caused by the closure of a military installation*  
11          *by working cooperatively with the host community for*  
12          *the installation to implement the community's rede-*  
13          *velopment plan for the installation.*

14          (4) *In recent years, the Federal Government has*  
15          *not always provided sufficient assistance to commu-*  
16          *nities affected by the closure of a military installation*  
17          *under a base closure law in the efforts of such commu-*  
18          *nities to provide for the economic redevelopment of the*  
19          *installation.*

20          (5) *In July 1993, the President issued a five-*  
21          *point plan for revitalizing base closure communities*  
22          *which emphasized the economic recovery of commu-*  
23          *nities affected by the closure of a military installation*  
24          *under a base closure law.*

1           (6) *In November 1993, Congress agreed to the*  
2 *provisions of subtitle A of title XXIX of the National*  
3 *Defense Authorization Act for Fiscal Year 1994 (Pub-*  
4 *lic Law 103–160; 107 Stat. 1909), and the amend-*  
5 *ments made thereunder, in order to implement the*  
6 *plan referred to in paragraph (5) and to provide*  
7 *other assistance to communities attempting to rede-*  
8 *velop military installations approved for closure*  
9 *under a base closure law.*

10           (7) *The Secretary of Defense is accepting public*  
11 *comment on the guidelines for implementation of the*  
12 *provisions of law referred to in paragraph (6).*

13           (b) *SENSE OF THE SENATE.—It is the sense of the Sen-*  
14 *ate that the Secretary of Defense should—*

15           (1) *ensure that the regulations implementing the*  
16 *provisions of subtitle A of title XXIX of the National*  
17 *Defense Authorization Act for Fiscal Year 1994 (Pub-*  
18 *lic Law 103–160; 107 Stat. 1909), and the amend-*  
19 *ments made thereunder, reflect the intent of Congress*  
20 *that, to the maximum extent practicable, the Sec-*  
21 *retary take into consideration the redevelopment*  
22 *plans of affected communities when taking actions or*  
23 *implementing decisions on the closure of a military*  
24 *installation approved for closure under a base closure*  
25 *law;*



1           (2) ensure that the regulations implementing  
2 such provisions reflect the intent of Congress to en-  
3 courage and promote cooperation and dialogue be-  
4 tween the Federal Government and communities af-  
5 fected by the closure of an installation throughout the  
6 base closure process; and

7           (3) develop a system of incentives or awards to  
8 encourage Department of Defense personnel to provide  
9 greater assistance to and cooperation with commu-  
10 nities affected by the closure of an installation during  
11 the ongoing effort of revitalizing the economy of such  
12 communities.

13           **Subtitle C—Land Transactions**  
14                                   **Generally**

15           **SEC. 2821. LAND TRANSFER, HOLLOMAN AIR FORCE BASE,**  
16                                   **NEW MEXICO.**

17           (a) *IN GENERAL.*—Subject to subsections (c) through  
18 (g), not later than 90 days after the date of enactment of  
19 this Act, the Secretary of the Interior shall transfer to the  
20 Department of the Air Force, without reimbursement, juris-  
21 diction and control of approximately 1,262 acres of public  
22 lands described in subsection (b). Such public lands are lo-  
23 cated in Otero County, New Mexico, and are contiguous to  
24 Holloman Air Force Base.

1           (b) *DESCRIPTION OF LANDS TRANSFERRED.*—The  
2 *lands described in this subsection are as follows:*

(1) T17S, R8E, Section 21:	S <sup>1</sup> / <sub>2</sub> N <sup>1</sup> / <sub>2</sub> :	160 acres
	E <sup>1</sup> / <sub>2</sub> NW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> :	20 acres
	NE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> :	40 acres
(2) T17S, R8E, Section 22:	W <sup>1</sup> / <sub>2</sub> :	320 acres
	W <sup>1</sup> / <sub>2</sub> E <sup>1</sup> / <sub>2</sub> :	160 acres
(3) T17S, R8E, Section 27:	All that part north of New Mexico Highway 70 except for the E <sup>1</sup> / <sub>2</sub> E <sup>1</sup> / <sub>2</sub>	192 acres more or less
(4) T17S, R8E, Section 28:	NE <sup>1</sup> / <sub>4</sub> :	160 acres
	N <sup>1</sup> / <sub>2</sub> SE <sup>1</sup> / <sub>4</sub> :	80 acres
	SW <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> :	40 acres
	W <sup>1</sup> / <sub>2</sub> SE <sup>1</sup> / <sub>4</sub> SE <sup>1</sup> / <sub>4</sub> :	20 acres
(5) T17S, R8E, Section 33:	NW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> :	40 acres
	NW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> :	10 acres
	W <sup>1</sup> / <sub>2</sub> SW <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> :	20 acres

3           (c) *USE OF TRANSFERRED LAND.*—The lands trans-  
4 *ferred to the Department of the Air Force under subsection*  
5 *(a) shall be used by the Secretary of the Air Force for the*  
6 *construction of new evaporation ponds to support a*  
7 *wastewater treatment facility that the Secretary shall con-*  
8 *struct at Holloman Air Force Base.*

9           (d) *CATTLE GRAZING RIGHTS.*—

10           (1) *IN GENERAL.*—The United States recognizes  
11 *a grazing preference on the lands transferred to the*  
12 *Department of the Air Force under subsection (a).*

13           (2) *ADJUSTMENT OF GRAZING ALLOTMENT.*—(A)  
14 *The Secretary of the Air Force shall take such action*  
15 *as is necessary to ensure that—*

16           (i) *the boundary of the grazing allotment*  
17 *that contains the lands transferred to the De-*  
18 *partment of the Air Force is adjusted in such*  
19 *manner as to retain the portion of the allotment*  
20 *located south of United States Highway 70 in*

1           *New Mexico and remove the portion of the lands*  
2           *that is located north of such highway; and*

3                   *(ii) the grazing preference referred to in*  
4           *paragraph (1) is retained by means of transfer-*  
5           *ring the preference for the area removed from the*  
6           *allotment under subparagraph (A) to public*  
7           *lands located south of such highway.*

8           *(B) The Secretary of the Air Force shall offer to*  
9           *enter into an agreement with each person who holds*  
10          *a permit for grazing on the lands transferred to the*  
11          *Department of the Air Force at the time of the trans-*  
12          *fer to provide for the continued grazing by livestock*  
13          *on the portion of the lands located south of such high-*  
14          *way.*

15          *(e) ADDITIONAL REQUIREMENTS.—*

16                   *(1) NATIONAL ENVIRONMENTAL POLICY ACT OF*  
17          *1969.—The Secretary of the Air Force shall ensure*  
18          *that the transfer made pursuant to subsection (a) and*  
19          *the use specified in subsection (c) meet any applicable*  
20          *requirements of the National Environmental Policy*  
21          *Act of 1969 (42 U.S.C. 4321 et seq.).*

22                   *(2) ENVIRONMENTAL LAWS.—The Secretary of*  
23          *the Air Force shall use and manage the lands trans-*  
24          *ferred under the authority in subsection (a) in such*  
25          *manner as to ensure compliance with applicable envi-*

1 *ronmental laws (including regulations) of the Federal*  
2 *Government and State of New Mexico, and political*  
3 *subdivisions thereof.*

4 (3) *RESPONSIBILITY FOR CLEANUP OF HAZARD-*  
5 *OUS SUBSTANCES.—Notwithstanding any other provi-*  
6 *sion of law, the Secretary of the Air Force shall, upon*  
7 *the transfer of the lands under subsection (a), assume*  
8 *any existing or subsequent responsibility and liability*  
9 *for the cleanup of hazardous substances (as defined in*  
10 *section 101(14) of the Comprehensive Environmental*  
11 *Response, Compensation, and Liability Act of 1980*  
12 *(42 U.S.C. 9601(14))) located on or within the lands*  
13 *transferred.*

14 (4) *MINING.—The transfer of lands under sub-*  
15 *section (a) shall be made in such manner as to ensure*  
16 *the continuation of valid, existing rights under the*  
17 *mining laws and the mineral leasing and geothermal*  
18 *leasing laws of the United States. Subject to the pre-*  
19 *ceding sentence, upon the transfer of the lands, min-*  
20 *ing and mineral management activities shall be car-*  
21 *ried out in the lands in a manner consistent with the*  
22 *policies of the Department of Defense concerning min-*  
23 *eral exploration and extraction on lands under the ju-*  
24 *risdiction of the Department.*

1           (f) *RIGHTS-OF-WAY.*—*The transfer of lands under sub-*  
2 *section (a) shall not affect the following rights-of-way:*

3                   (1) *The right-of-way granted to the Otero*  
4 *County Electric Cooperative, numbered NMNM*  
5 *58293.*

6                   (2) *The right-of-way granted to U.S. West*  
7 *Corporation, numbered NMNM 59261.*

8                   (3) *The right-of-way granted to the High-*  
9 *way Department of the State of New Mexico,*  
10 *numbered LC0 54403.*

11           (g) *PUBLIC ACCESS.*—

12                   (1) *IN GENERAL.*—*Except as provided in para-*  
13 *graph (2), the Secretary of the Air Force shall permit*  
14 *public access to the lands transferred under subsection*  
15 *(a).*

16                   (2) *CONSTRUCTION SITE.*—*The Secretary of the*  
17 *Air Force may not permit public access to the imme-*  
18 *diate area affected by the construction of a*  
19 *wastewater treatment facility in the area with the*  
20 *legal description of T17S, R8E, Section 22, except*  
21 *that the Secretary of the Air Force shall permit pub-*  
22 *lic access on an adjoining unfenced parcel of land—*

23                           (A) *located along the west boundary of such*  
24 *area; and*

25                           (B) *that is 50 feet in width.*

1           (3) *PUBLIC USES.*—Except as provided in para-  
2           graph (2), the Secretary of the Air Force shall permit,  
3           on the lands transferred under subsection (a), public  
4           uses that are consistent with the public uses on adja-  
5           cent lands under the jurisdiction of the Secretary of  
6           the Interior.

7           (4) *PERMIT NOT REQUIRED.*—The Secretary of  
8           the Air Force may not require a permit for access au-  
9           thorized under this subsection to the lands transferred  
10          under subsection (a).

11          (5) *ENTRY GATE.*—The Secretary of the Air  
12          Force shall ensure that the entry gate to the lands  
13          transferred under subsection (a) that is located along  
14          United States Highway 70 shall be open to the public.

15   **SEC. 2822. JOINT USE OF PROPERTY, PORT HUENEME, CALI-**  
16                                   **FORNIA.**

17          (a) *AGREEMENT AUTHORIZED.*—The Secretary of the  
18          Navy may enter into an agreement with the Oxnard Harbor  
19          District, Port Hueneme, California, a special district of the  
20          State of California (in this section referred to as the “Dis-  
21          trict”), to provide for the joint use by Secretary and the  
22          District of a parcel of real property consisting of approxi-  
23          mately 25 acres, together with improvements thereto, that  
24          comprises United States Navy Wharf Number 3, the loca-

1 *tion of the Naval Construction Battalion Center, Port Hue-*  
2 *neme, California.*

3 (b) *PERIOD.*—*The agreement authorized under sub-*  
4 *section (a) shall—*

5 (1) *be for an initial period of not more than 15*  
6 *years; and*

7 (2) *contain an option for the District to extend*  
8 *the agreement for three additional periods of 5 years*  
9 *each.*

10 (c) *CONDITIONS.*—*The agreement authorized under*  
11 *subsection (a) shall be subject to the following conditions:*

12 (1) *That the District suspend operations in the*  
13 *joint use area during the periods when the Navy con-*  
14 *ducts operations at the Naval Construction Battalion*  
15 *Center.*

16 (2) *That the District carry out activities in the*  
17 *joint use area in a manner that does not interfere*  
18 *with the capability of the Secretary to carry out con-*  
19 *tingency operations at the Naval Construction Battal-*  
20 *ion Center.*

21 (d) *CONSIDERATION.*—*(1) As consideration for the use*  
22 *of the real property under subsection (a), the District—*

23 (A) *shall pay to the Secretary the fair market*  
24 *rental value (as determined by the Secretary) of the*  
25 *District's interest in the property; and*

1           (B) may be required to furnish additional con-  
2           sideration as provided in paragraph (2).

3           (2) The Secretary may require that the agreement in-  
4           clude a provision that the District—

5           (A) either—

6                   (i) pay the Secretary an amount (as deter-  
7                   mined by the Secretary) equal to the cost to the  
8                   Navy of replacing at the Naval Construction  
9                   Battalion Center the facilities vacated by the  
10                  Navy in the joint use area; or

11                   (ii) construct the replacement facilities for  
12                  the Navy; and

13           (B) pay the Secretary an amount (as determined  
14           by the Secretary) equal to the cost to the Navy of relo-  
15           cating Navy operations from the vacated facilities to  
16           the replacement facilities.

17           (e) NOTICE AND WAIT REQUIREMENTS.—The Sec-  
18           retary may not enter into the agreement authorized by sub-  
19           section (a) until 21 days after the date on which the Sec-  
20           retary submits to the Committees on Armed Services of the  
21           Senate and the House of Representatives a report contain-  
22           ing an explanation of the terms of the proposed agreement  
23           and a description of the consideration that the Secretary  
24           expects to receive under the agreement.



1           (f) *USE OF PROCEEDS.*—(1) *The Secretary may use*  
2 *amounts received under subsection (d)(1)(A) to pay for gen-*  
3 *eral supervision, administration and overhead expenses in-*  
4 *curred by the Secretary under the agreement and for im-*  
5 *provement, maintenance, repair, construction, or restora-*  
6 *tion of the port operations area or of roads and railways*  
7 *servng the area at the Naval Construction Battalion Cen-*  
8 *ter.*

9           (2) *The Secretary may use amounts received under*  
10 *subsection (d)(2) to pay for constructing new facilities, or*  
11 *making modifications to existing facilities, that are nec-*  
12 *essary to replace facilities vacated by the Navy in the joint*  
13 *use area and for relocating operations of the Navy from*  
14 *the vacated facilities to the replacement facilities.*

15           (g) *AUTHORITY TO REPLACE FACILITIES.*—*The Sec-*  
16 *retary may authorize the District to demolish existing fa-*  
17 *cilities in the joint use area and, consistent with the restric-*  
18 *tions required by subsection (c)(2), construct new facilities*  
19 *on the property for the joint use of the Navy and the Dis-*  
20 *trict.*

21           (h) *DESCRIPTION OF PROPERTY.*—*The exact acreage*  
22 *and legal description of the real property subject to the*  
23 *agreement authorized under this section shall be determined*  
24 *by a survey that is satisfactory to the Secretary. The cost*  
25 *of the survey shall be borne by the District.*

1           (i) *ADDITIONAL TERMS AND CONDITIONS.*—*The Sec-*  
2 *retary may require such additional terms and conditions*  
3 *in connection with the agreement authorized under this sec-*  
4 *tion as the Secretary considers appropriate to protect the*  
5 *interests of the United States.*

6   **SEC. 2823. LEASE OF PROPERTY, NAVAL RADIO RECEIVING**  
7                   **FACILITY, IMPERIAL BEACH, CORONADO,**  
8                   **CALIFORNIA.**

9           (a) *LEASE AUTHORIZED.*—*The Secretary of the Navy*  
10 *may lease to the Young Men’s Christian Association of San*  
11 *Diego County, a California nonprofit public benefit cor-*  
12 *poration (in this section referred to as the “YMCA”), such*  
13 *interests in a parcel of real property (including any im-*  
14 *provements thereon) consisting of approximately 45 acres*  
15 *at the Naval Radio Receiving Facility, Imperial Beach,*  
16 *Coronado, California, as the Secretary considers appro-*  
17 *priate for the YMCA to operate and maintain a summer*  
18 *youth residence camp known as the YMCA San Diego Uni-*  
19 *fied Recreational Facility (Camp SURF). Pursuant to the*  
20 *lease, the Secretary may authorize the YMCA to construct*  
21 *facilities on the parcel.*

22           (b) *LEASE TERMS.*—*The lease authorized in subsection*  
23 *(a) shall be for a period of 50 years, or such longer period*  
24 *as the Secretary determines to be in the best interests of*  
25 *the United States.*

1       (c) *CONSIDERATION.*—As consideration for the lease of  
2 real property under subsection (a), the YMCA shall—

3           (1) agree to maintain and enhance the natural  
4 resources of the leased premises; and

5           (2) pay to the United States an amount in cash  
6 equal to the difference between the rental price pre-  
7 scribed by the Secretary under subsection (d) and the  
8 value of natural resources maintenance and enhance-  
9 ments performed by the YMCA, as determined by the  
10 Secretary.

11       (d) *DETERMINATION OF RENTAL PRICE.*—The Sec-  
12 retary may prescribe a rental price for the real property  
13 leased under subsection (a) that is less than the fair market  
14 rental value of such property.

15       (e) *ADDITIONAL TERMS AND CONDITIONS.*—The Sec-  
16 retary may require such additional terms and conditions  
17 in connection with the lease under subsection (a) as the Sec-  
18 retary considers necessary to protect the operation of the  
19 Naval Radio Receiving Facility, Imperial Beach, Coro-  
20 nado, California, and to protect the interests of the United  
21 States.

1 **SEC. 2824. RELEASE OF REVERSIONARY INTEREST ON CER-**  
2 **TAIN PROPERTY IN YORK COUNTY AND**  
3 **JAMES CITY COUNTY, VIRGINIA, AND NEW-**  
4 **PORT NEWS, VIRGINIA.**

5 (a) *RELEASE AUTHORIZED.*—The Secretary of the  
6 Navy may release the reversionary interest of the United  
7 States in the real property conveyed by the deed described  
8 in subsection (b).

9 (b) *DEED DESCRIPTION.*—The deed referred to in sub-  
10 section (a) is a deed between the United States and the  
11 Commonwealth of Virginia dated August 17, 1966, which  
12 conveyed to the Commonwealth of Virginia certain parcels  
13 of land located in York County and James City County,  
14 Virginia, and the city of Newport News, Virginia.

15 (c) *ADDITIONAL TERMS.*—The Secretary may require  
16 such terms or conditions in connection with the release  
17 under this section as the Secretary considers appropriate  
18 to protect the interests of the United States and to ensure  
19 that the real property will continue to be used for public  
20 purposes.

21 (d) *INSTRUMENT OF RELEASE.*—The Secretary may  
22 execute and file in the appropriate office or offices a deed  
23 of release, amended deed, or other appropriate instrument  
24 effectuating the release of the reversionary interest under  
25 this section.

1 **SEC. 2825. LAND TRANSFER, FORT DEVENS, MASSACHU-**  
2 **SETTS.**

3 (a) *TRANSFER.*—Notwithstanding any other provision  
4 of law and subject to subsection (b), the Secretary of the  
5 Army shall transfer administrative jurisdiction of approxi-  
6 mately 800 acres of land at Fort Devens, Massachusetts,  
7 to the Secretary of the Interior for inclusion in the Oxbow  
8 National Wildlife Refuge, Massachusetts.

9 (b) *LIMITATION ON TRANSFER.*—The Secretary of the  
10 Army may not carry out the transfer referred to in sub-  
11 section (a) unless the Secretary and the reuse authority for  
12 Fort Devens for the purposes of the Defense Base Closure  
13 and Realignment Act of 1990 (part A of title XXIX of Pub-  
14 lic Law 101–510; 10 U.S.C. 2687 note), jointly determine  
15 that the transfer of the land under this section is consistent  
16 with the redevelopment plan prepared under section  
17 2905(b) of such Act.

18 (c) *ADMINISTRATION OF LAND.*—The Secretary of the  
19 Interior shall administer the land transferred under this  
20 section in accordance with all laws applicable to areas in  
21 the National Wildlife Refuge System.

22 (d) *DESCRIPTION OF PROPERTY.*—The exact acreage  
23 and legal description of the property to be transferred under  
24 this section shall be determined by a survey satisfactory to  
25 the Secretary of the Army and the Secretary of the Interior.

1 **SEC. 2826. LAND CONVEYANCE, CORNHUSKER ARMY AMMU-**  
2 **NITION PLANT, HALL COUNTY, NEBRASKA.**

3 (a) *CONVEYANCE AUTHORIZED.*—Subject to subsection  
4 (b), the Secretary of the Army may convey to the Hall  
5 County, Nebraska, Board of Supervisors (in this section re-  
6 ferred to as the “Board”), or the designee of the Board, all  
7 right, title and interest of the United States in and to the  
8 real property, together with any improvements thereon, lo-  
9 cated in Hall County, Nebraska, the site of the Cornhusker  
10 Army Ammunition Plant.

11 (b) *REQUIREMENT RELATING TO CONVEYANCE.*—The  
12 Secretary may not carry out the conveyance authorized  
13 under subsection (a) until the Secretary completes any envi-  
14 ronmental restoration required with respect to the property  
15 to be conveyed.

16 (c) *UTILIZATION OF PROPERTY.*—The Board or its  
17 designee, as the case may be, shall utilize the real property  
18 conveyed under subsection (a) in a manner consistent with  
19 the Cornhusker Army Ammunition Plant Reuse Committee  
20 Comprehensive Reuse Plan.

21 (d) *CONSIDERATION.*—In consideration for the convey-  
22 ance under subsection (a), the Board or its designee, as the  
23 case may be, shall pay to the United States an amount  
24 equal to the fair market value of the real property to be  
25 conveyed, as determined by the Secretary.

1       (e) *USE OF PROCEEDS.*—(1) *The Secretary shall de-*  
2 *posit in the special account established under section*  
3 *204(h)(2) of the Federal Property and Administrative Serv-*  
4 *ices Act of 1949 (40 U.S.C. 485(h)) the amount received*  
5 *from the Board or its designee under subsection (d).*

6       (2) *Notwithstanding subparagraph (A) of such section*  
7 *204(h)(2), the Secretary may use the entire amount depos-*  
8 *ited in the account under paragraph (1) for the purposes*  
9 *set forth in subparagraph (B) of such section 204(h)(2).*

10       (f) *DESCRIPTION OF PROPERTY.*—*The exact acreage*  
11 *and legal description of the property conveyed under this*  
12 *section shall be determined by a survey satisfactory to the*  
13 *Secretary. The cost of the survey shall be borne by the Board*  
14 *or its designee, as the case may be.*

15       (g) *ADDITIONAL TERMS AND CONDITIONS.*—*The Sec-*  
16 *retary may require such additional terms and conditions*  
17 *in connection with the conveyance under this section as the*  
18 *Secretary considers appropriate to protect the interests of*  
19 *the United States.*

20 **SEC. 2827. TRANSFER OR CONVEYANCE OF CERTAIN PAR-**  
21 **CELS OF PROPERTY THROUGH GENERAL**  
22 **SERVICES ADMINISTRATION.**

23       (a) *IN GENERAL.*—(1) *Subject to paragraph (2), the*  
24 *Administrator of General Services shall—*

1           (A) transfer jurisdiction over all or a portion of  
2           a parcel of real property described in subsection (b)  
3           to another executive agency if the Administrator de-  
4           termines under subsection (c) that the transfer of ju-  
5           risdiction to the agency is appropriate;

6           (B) convey all or a portion of such a parcel to  
7           a State or local government or nonprofit organization  
8           if the Administrator determines under subsection (d)  
9           that the conveyance to the government or organization  
10          is appropriate; or

11          (C) convey all or a portion of such a parcel to  
12          the entity specified to receive the conveyance under  
13          subsection (e) in accordance with that subsection.

14          (2) The Administrator shall carry out an action re-  
15          ferred to in subparagraph (A), (B), or (C) of paragraph  
16          (1) only upon direction by the Secretary of Defense. The  
17          Secretary shall make the direction, if at all, in accordance  
18          with subsection (g).

19          (3) Upon the direction of the Secretary of Defense, the  
20          Secretary of the military department concerned shall trans-  
21          fer jurisdiction over an appropriate portion of a parcel of  
22          real property referred to in paragraph (1) to the Adminis-  
23          trator in order to permit the Administrator to carry out  
24          the transfer of jurisdiction over or conveyance of the portion  
25          of the parcel under this section.



1       (b) *COVERED PROPERTY.*—(1) *The parcels of real*  
2 *property referred to in subsection (a)(1) are the following:*

3           (A) *A parcel of real property, including any im-*  
4 *provements thereon, consisting of approximately 337*  
5 *acres and located in Tulsa, Oklahoma, the location of*  
6 *Air Force Plant No. 3.*

7           (B) *A parcel of real property, including any im-*  
8 *provements thereon, consisting of approximately 2,900*  
9 *acres and located in Calverton, New York, the loca-*  
10 *tion of the Naval Weapons Industrial Reserve Plant.*

11          (C) *A parcel of real property, including any im-*  
12 *provements thereon, located in Johnson City*  
13 *(Westover), New York, the location of Air Force Plant*  
14 *No. 59.*

15          (D) *A parcel of real property, including any im-*  
16 *provements thereon, consisting of approximately 4*  
17 *acres and located in Dickinson, North Dakota, the lo-*  
18 *cation of a support complex, recreational facilities,*  
19 *and housing facilities for the Radar Bomb Scoring*  
20 *Site, Dickinson, North Dakota.*

21          (E) *A parcel of real property, including any im-*  
22 *provements thereon, consisting of approximately 12*  
23 *acres and located west of Finley, North Dakota, the*  
24 *location of a support complex, recreational facilities,*  
25 *and housing facilities for the Finley Air Force Sta-*

1        *tion and Radar Bomb Scoring Site, Finley, North*  
2        *Dakota.*

3            *(F) A parcel of property, including any im-*  
4        *provements thereon, consisting of approximately 440*  
5        *acres located at the Hawthorne Army Ammunition*  
6        *Plant, Mineral County, Nevada, and commonly re-*  
7        *ferred to as the Babbitt Housing Site.*

8            *(G) A parcel of real property, including any im-*  
9        *provements thereon and the pier associated therewith,*  
10       *consisting of approximately 118 acres and located in*  
11       *Harpswell, Maine, the location of the Defense Fuel*  
12       *Supply Point, Casco Bay, Maine.*

13        *(2) The exact acreage and legal description of the real*  
14       *property referred to in paragraph (1) that is transferred*  
15       *or conveyed under this section shall be determined by a sur-*  
16       *vey satisfactory to the Secretary of the military department*  
17       *concerned. The cost of the survey shall be borne by the Sec-*  
18       *retary concerned. The transferee or conveyee, if any, of the*  
19       *property under this section shall reimburse the Secretary*  
20       *concerned for the cost borne by that Secretary for the survey*  
21       *of the property.*

22        *(c) DETERMINATION OF TRANSFEREES.—(1) Subject*  
23       *to subsection (a)(2), the Administrator shall transfer juris-*  
24       *isdiction over all or a portion of a parcel of real property*  
25       *referred to in subsection (b)(1) to an executive agency if*

1 *the Administrator determines under this subsection that the*  
2 *transfer is appropriate.*

3       (2) *Not later than 5 days after the date of the enact-*  
4 *ment of this Act, the Administrator shall inform the heads*  
5 *of the executive agencies of the availability of the parcels*  
6 *of real property referred to in subsection (b)(1).*

7       (3) *The head of an executive agency having an interest*  
8 *in obtaining jurisdiction over any portion of a parcel of*  
9 *real property referred to in paragraph (2) shall notify the*  
10 *Administrator, in writing, of the interest within such time*  
11 *as the Administrator shall specify with respect to the parcel*  
12 *in order to permit the Administrator to determine under*  
13 *paragraph (4) whether the transfer of jurisdiction to the*  
14 *agency is appropriate.*

15       (4)(A) *The Administrator shall—*

16           (i) *evaluate in accordance with section 202(a) of*  
17 *the Federal Property and Administrative Services Act*  
18 *of 1949 (40 U.S.C. 483(a)) the notifications of inter-*  
19 *est, if any, received under paragraph (3) with respect*  
20 *to a parcel of real property; and*

21           (ii) *determine in accordance with that section*  
22 *the executive agency, if any, to which the transfer of*  
23 *jurisdiction is appropriate.*

24       (B) *The Administrator shall complete the determina-*  
25 *tion under subparagraph (A) with respect to a parcel not*

1 *later than 30 days after informing the heads of the executive*  
2 *agencies of the availability of the parcel.*

3 *(d) DETERMINATION OF CONVEYEEES.—(1) Subject to*  
4 *subsection (a)(2), the Administrator shall convey all right,*  
5 *title, and interest of the United States in and to all or a*  
6 *portion of a parcel of real property referred to in paragraph*  
7 *(2) to a government or organization referred to in para-*  
8 *graph (3) if the Administrator determines under this sub-*  
9 *section that the conveyance is appropriate.*

10 *(2) Paragraph (2) applies to any portion of a parcel*  
11 *of real property referred to in subsection (b)(1)—*

12 *(A) for which the Administrator receives no noti-*  
13 *fication of interest from the head of an executive*  
14 *agency under subsection (c); or*

15 *(B) with respect to which the Administrator de-*  
16 *termines under paragraph (4)(B) of that subsection*  
17 *that a transfer of jurisdiction under this section*  
18 *would not be appropriate.*

19 *(3)(A) In the case of the property referred to in para-*  
20 *graph (2), the governments and organizations referred to*  
21 *in that paragraph are the following:*

22 *(i) The State government of the State in which*  
23 *the property is located.*

1           (ii) *Local governments affected (as determined*  
2 *by the Administrator) by operations of the Depart-*  
3 *ment of Defense at the property.*

4           (iii) *Nonprofit organizations located in the vi-*  
5 *cinity of the property and eligible under Federal law*  
6 *to be supported through the use of Federal surplus*  
7 *real property.*

8           (B) *In this paragraph, the term “nonprofit organiza-*  
9 *tion” means any organization listed in subsection (c)(3) of*  
10 *section 501 of the Internal Revenue Code of 1986 (26 U.S.C.*  
11 *501) that is exempt from taxation under subsection (a) of*  
12 *that section.*

13          (4) *Not later than 5 days after completing the deter-*  
14 *mination under subsection (c)(4)(B), the Administrator*  
15 *shall determine what, if any, parcels of property referred*  
16 *to in subsection (b)(1) are available for conveyance under*  
17 *this subsection and shall inform the appropriate govern-*  
18 *ments and organizations of the availability of the parcels*  
19 *for conveyance under this section.*

20          (5) *A government or organization referred to in para-*  
21 *graph (4) shall notify the Administrator, in writing, of the*  
22 *interest of the government or organization, as the case may*  
23 *be, in the conveyance of all or a portion of the parcel of*  
24 *real property concerned to the government or organization.*  
25 *The government or organization shall notify the Adminis-*

1 *trator within such time as the Administrator shall specify*  
2 *with respect to the parcel in order to permit the Adminis-*  
3 *trator to determine under paragraph (6) whether the con-*  
4 *veyance of the parcel to the government or organization,*  
5 *as the case may be, is appropriate.*

6 *(6)(A) The Administrator shall—*

7 *(i) evaluate in accordance with section 203 of the*  
8 *Federal Property and Administrative Services Act of*  
9 *1949 (40 U.S.C. 484) the notifications, if any, re-*  
10 *ceived under paragraph (5) with respect to a parcel*  
11 *of real property; and*

12 *(ii) determine in accordance with that section*  
13 *the government or organization, if any, to which the*  
14 *conveyance is appropriate.*

15 *(B) The Administrator shall complete the determina-*  
16 *tion under subparagraph (A) with respect to a parcel not*  
17 *later than 70 days after notifying the governments and or-*  
18 *ganizations concerned of the availability of the parcel for*  
19 *conveyance.*

20 *(e) ADDITIONAL CONVEYANCE AUTHORITY.—(1) Sub-*  
21 *ject to subsection (g)(2), the Administrator shall, in lieu*  
22 *of transferring jurisdiction over or conveying the parcels*  
23 *of real property referred to in subsection (b)(1) in accord-*  
24 *ance with subsections (c) and (d), convey all or a portion*  
25 *of such parcels as follows:*

1           (A) *In the case of the parcel referred to in sub-*  
2 *paragraph (A) of subsection (b)(1), by conveying*  
3 *without consideration all right, title, and interest of*  
4 *the United States in and to the parcel to the City of*  
5 *Tulsa, Oklahoma.*

6           (B) *In the case of the parcel referred to in sub-*  
7 *paragraph (B) of that subsection, by conveying with-*  
8 *out consideration all right, title, and interest of the*  
9 *United States in and to the parcel to any economic*  
10 *development authority that the Governor of New York*  
11 *determines appropriate and identifies as such for the*  
12 *Administrator.*

13           (C) *In the case of the parcel referred to in sub-*  
14 *paragraph (C) of that subsection, by conveying with-*  
15 *out consideration all right, title, and interest of the*  
16 *United States in and to the parcel to the Broome*  
17 *County Industrial Development Authority.*

18           (D) *In the case of the parcel referred to in sub-*  
19 *paragraph (D) of that subsection, by conveying with-*  
20 *out consideration all right, title, and interest of the*  
21 *United States in and to the parcel to the North Da-*  
22 *kota Board of Higher Education.*

23           (E) *In the case of the parcel referred to in sub-*  
24 *paragraph (E) of that subsection, by conveying with-*  
25 *out consideration all right, title, and interest of the*

1        *United States in and to the parcel to the City of Fin-*  
2        *ley, North Dakota.*

3            *(F) In the case of the parcel referred to in sub-*  
4        *paragraph (F) of that subsection, by conveying with-*  
5        *out consideration all right, title, and interest of the*  
6        *United States in and to the parcel to the government*  
7        *of Mineral County, Nevada.*

8            *(G) In the case of the parcel referred to in sub-*  
9        *paragraph (F) of that subsection, by conveying with-*  
10       *out consideration all right, title, and interest of the*  
11       *United States in and to the parcel to the Town of*  
12       *Harpwell, Maine.*

13        *(2) The Administrator may require such additional*  
14       *terms and conditions in connection with a conveyance*  
15       *under this subsection as the Administrator and the Sec-*  
16       *retary of Defense jointly consider appropriate to protect the*  
17       *interests of the United States.*

18        *(f) REPORT BY ADMINISTRATOR.—(1) Not later than*  
19       *125 days after the date of the enactment of this Act, the*  
20       *Administrator shall submit to the Committees on Armed*  
21       *Services of the Senate and House of Representatives and*  
22       *to the Secretary of Defense a report on the activities of the*  
23       *Administrator under this section.*



1       (2) *The report shall include with respect to each parcel*  
2 *of real property referred to in subsection (b)(1) the following*  
3 *information:*

4           (A) *The interest, if any, for all or a portion of*  
5 *the parcel that was expressed by executive agencies*  
6 *under subsection (c) or by governments or nonprofit*  
7 *organizations under subsection (d).*

8           (B) *The use, if any, proposed for the portion of*  
9 *the parcel under each expression of interest.*

10          (C) *The determination of the Administrator*  
11 *whether a transfer or conveyance of all or a portion*  
12 *of the parcel, as the case may be, to the agency, gov-*  
13 *ernment, or organization was appropriate.*

14          (D) *The other disposal options, if any, that the*  
15 *Administrator has identified for the parcel.*

16          (E) *Any other matters that the Administrator*  
17 *considers appropriate.*

18          (g) *DESIGNATION OF AUTHORITY TO BE USED.—(1)*  
19 *If the Administrator submits the report required under sub-*  
20 *section (f) within the time specified in that subsection, the*  
21 *Secretary of Defense may direct the Administrator under*  
22 *subsection (a)(2) to carry out the transfer or conveyance*  
23 *under subsection (c) or (d) of all or a portion of a parcel*  
24 *of property referred to in subsection (b)(1) in accordance*  
25 *with the determinations made by the Administrator with*

1 *respect to the transfer or conveyance of the parcel under*  
2 *subsection (c) or (d), respectively.*

3 *(2) If the Administrator does not submit the report re-*  
4 *quired under subsection (f) within the time specified in that*  
5 *subsection, the Secretary may direct the Administrator to*  
6 *carry out the conveyances of the parcels of property that*  
7 *are authorized under subsection (e) in accordance with such*  
8 *subsection (e).*

9 ***Subtitle D—Changes to Existing***  
10 ***Land Transaction Authority***

11 ***SEC. 2831. MODIFICATIONS OF LAND CONVEYANCE, FORT***

12 ***A.P. HILL MILITARY RESERVATION, VIRGINIA.***

13 *(a) PARTICIPATION OF ADDITIONAL POLITICAL SUB-*  
14 *DIVISIONS IN REGIONAL CORRECTIONAL FACILITY.—Sub-*  
15 *paragraph (B) of subsection (c)(3) of section 603 of the Per-*  
16 *sian Gulf Conflict Supplemental Authorization and Person-*  
17 *nel Benefits Act of 1991 (Public Law 102–25; 105 Stat.*  
18 *108) is amended to read as follows:*

19 *“(B) Subparagraph (A) shall not be construed to pro-*  
20 *hibit any political subdivision not named in such subpara-*  
21 *graph from—*

22 *“(i) participating initially in the written agree-*  
23 *ment referred to in paragraph (2); or*

24 *“(ii) agreeing at a later date to participate as*  
25 *a member of the governmental entity referred to in*

1 *paragraph (2)(A), or by contract with such entity, in*  
 2 *the construction or operation of the regional facility*  
 3 *to be constructed on the parcel of land conveyed under*  
 4 *this section.”.*

5 *(b) TIME FOR CONSTRUCTION AND OPERATION OF*  
 6 *CORRECTIONAL FACILITY.—(1) Subsection (d)(1)(A)(i) of*  
 7 *such section is amended by striking out “not later than 24*  
 8 *months after the date of the enactment of this Act” and in-*  
 9 *serting in lieu thereof “not later than April 1, 1997”.*

10 *(2) The Secretary of the Army shall provide the recipi-*  
 11 *ent of the conveyance of property under section 603 of such*  
 12 *Act with such legal instrument as is appropriate to modify,*  
 13 *in accordance with the amendment made by paragraph (1),*  
 14 *any statement of conditions contained in any existing in-*  
 15 *strument which conveyed the property to that recipient. The*  
 16 *Secretary shall record the instrument in the appropriate*  
 17 *office or offices of the Commonwealth of Virginia or politi-*  
 18 *cal subdivision within the Commonwealth.*

19 ***SEC. 2832. MODIFICATION OF CONVEYANCE OF ELEC-***  
 20 ***TRICITY DISTRIBUTION SYSTEM, FORT DIX,***  
 21 ***NEW JERSEY.***

22 *Section 2846 of the Military Construction Authoriza-*  
 23 *tion Act for Fiscal Year 1994 (division B of Public Law*  
 24 *103–160; 107 Stat. 1904) is amended—*

25 *(1) by striking out subsection (f); and*

1           (2) by redesignating subsections (g) and (h) as  
2           subsections (f) and (g), respectively.

3   **SEC. 2833. MODIFICATION OF LAND CONVEYANCE, FORT**  
4                           **KNOX, KENTUCKY.**

5           Section 2816 of the Military Construction Authoriza-  
6   tion Act for Fiscal Years 1990 and 1991 (division B of Pub-  
7   lic Law 101-189; 103 Stat. 1655) is amended—

8           (1) in subsection (c), by striking out “for the  
9           construction of up to four units of military family  
10          housing at Fort Knox, Kentucky” and inserting in  
11          lieu thereof “for improvements to military family  
12          housing at Fort Knox, Kentucky, in an amount not  
13          to exceed \$255,000”;

14          (2) by striking out subsection (d); and

15          (3) by redesignating subsections (e) and (f) as  
16          subsections (d) and (e), respectively.

17   **SEC. 2834. PRESERVATION OF CALVERTON PINE BARRENS,**  
18                           **NAVAL WEAPONS INDUSTRIAL RESERVE**  
19                           **PLANT, NEW YORK, AS NATURE PRESERVE.**

20          (a) *PRESERVATION AS NATURE PRESERVE RE-*  
21   *QUIRED.*—Section 2854 of the Military Construction Au-  
22   thorization Act for Fiscal Year 1993 (division B of Public  
23   Law 102-484; 106 Stat. 2626) is amended—

24          (1) by redesignating subsections (a) and (b) as  
25          subsections (c) and (d); and

1           (2) by inserting before subsection (c), as so redesi-  
2           gnated, the following new subsections (a) and (b):

3           “(a) *PURPOSE.*—It is the purpose of this section to en-  
4           sure that the Calverton Pine Barrens is maintained and  
5           preserved, in perpetuity, as a nature preserve in its current  
6           undeveloped state.

7           “(b) *PROHIBITION ON INCONSISTENT DEVELOP-*  
8           *MENT.*—(1) The Secretary of the Navy may not carry out  
9           or permit any commercial or residential development of the  
10          property referred to in paragraph (2) that is inconsistent  
11          with the purpose specified in subsection (a).

12          “(2) Paragraph (1) applies to any parcel of real prop-  
13          erty within the Calverton Pine Barrens that is under the  
14          jurisdiction of the Secretary.”.

15          (b) *CONFORMING AMENDMENTS.*—Subsection (c) of  
16          such section, as redesignated by subsection (a)(1), is amend-  
17          ed—

18               (1) by striking out “*PROHIBITION.—*” and  
19               inserting in lieu thereof “*REVERSIONARY INTER-*  
20               *EST.—*”; and

21               (2) by striking out “for commercial purposes”  
22               and all that follows through the period and inserting  
23               in lieu thereof “in a manner inconsistent with the  
24               purpose specified in subsection (a) (as determined by

1        *the head of the department or agency making the con-*  
2        *veyance).”.*

3                    ***Subtitle E—Other Matters***

4        ***SEC. 2841. JOINT CONSTRUCTION CONTRACTING FOR COM-***  
5                    ***MISSARIES AND NONAPPROPRIATED FUND***  
6                    ***INSTRUMENTALITY FACILITIES.***

7            *(a) SINGLE CONTRACT CONSTRUCTION.—Section 2685*  
8        *of title 10, United States Code, is amended by adding at*  
9        *the end the following new subsection:*

10            *“(d)(1) The Secretary of a military department may*  
11        *authorize a nonappropriated fund instrumentality of the*  
12        *United States to enter into a contract for construction of*  
13        *a shopping mall or similar facility for a commissary store*  
14        *and one or more nonappropriated fund instrumentality ac-*  
15        *tivities. The Secretary may use the proceeds of adjustments*  
16        *or surcharges authorized by subsection (a) to reimburse the*  
17        *nonappropriated fund instrumentality for the portion of the*  
18        *cost of the contract that is attributable to construction of*  
19        *the commissary store or to pay the contractor directly for*  
20        *that portion of such cost.*

21            *“(2) In paragraph (1), the term ‘construction’, with*  
22        *respect to a facility, includes acquisition, conversion, ex-*  
23        *pansion, installation, or other improvement of the facil-*  
24        *ity.”.*

1           (b) *OBLIGATION OF ANTICIPATED PROCEEDS.*—Sub-  
2   section (c) of such section is amended by inserting “or (d)”  
3   after “subsection (b)” both places it appears.

4   **SEC. 2842. NATIONAL GUARD FACILITY CONTRACTS SUB-**  
5                                   **JECT TO PERFORMANCE SUPERVISION BY**  
6                                   **THE ARMY OR THE NAVY.**

7           (a) *CONTRACTS SUBJECT TO SUPERVISION.*—Sub-  
8   section (a) of section 2237 of title 10, United States Code,  
9   is amended by striking out “under any provision” and all  
10  that follows through “and (4)” and inserting in lieu thereof  
11  “under section 2233(a)(1)”.

12          (b) *CONFORMING AMENDMENT.*—Subsection (b) of such  
13  section is amended by striking out “or (4)” and inserting  
14  in lieu thereof “(4), (5), or (6)”.

15   **SEC. 2843. WAIVER OF REPORTING REQUIREMENTS FOR**  
16                                   **CERTAIN REAL PROPERTY TRANSACTIONS IN**  
17                                   **THE EVENT OF WAR OR NATIONAL EMER-**  
18                                   **GENCY.**

19          Section 2662 of title 10, United States Code, is amend-  
20  ed by adding at the end the following:

21          “(g)(1) Subsections (a) and (e) do not apply—

22                  “(A) during a period described in paragraph  
23                  (2); or

24                  “(B) to transactions described in such sub-  
25                  sections that are undertaken to restore Federal Gov-

1        *ernment operations, to provide public assistance or*  
2        *relief, or to restore public order in relation to a major*  
3        *disaster declared in accordance with the Robert T.*  
4        *Stafford Disaster Relief and Emergency Assistance*  
5        *Act (42 U.S.C. 5121 et seq.).*

6        *“(2) The periods referred to in paragraph (1)(A) are*  
7        *as follows:*

8                *“(A) A period of war declared by Congress.*

9                *“(B) A period of national emergency declared by*  
10        *the President in accordance with the National Emer-*  
11        *gencies Act (50 U.S.C. 1601 et seq.)*

12        *“(3) Not later than 30 days after taking an action for*  
13        *which prior notification would, except for this subsection,*  
14        *otherwise be required under subsection (a) or (e), the Sec-*  
15        *retary of the military department concerned or, in the case*  
16        *of an element of the Department of Defense not within a*  
17        *military department, the Secretary of Defense shall submit*  
18        *to the Committees on Armed Services of the Senate and the*  
19        *House of Representatives a report on the action taken.”.*

20        **SEC. 2844. REPORT ON USE OF FUNDS FOR ENVIRON-**  
21                **MENTAL RESTORATION AT CORNHUSKER**  
22                **ARMY AMMUNITION PLANT, HALL COUNTY,**  
23                **NEBRASKA.**

24        *(a) REPORT REQUIRED.—The Secretary of the Army*  
25        *shall submit to Congress a report describing the manner*



1 *in which funds available to the Army for operation and*  
2 *maintenance (including funds in the Defense Environ-*  
3 *mental Restoration Account established under section*  
4 *2703(a)(1) of title 10, United States Code) will be used by*  
5 *the Secretary for environmental restoration and mainte-*  
6 *nance of the real property that comprises the Cornhusker*  
7 *Army Ammunition Plant, Hall County, Nebraska.*

8 *(b) CONTENTS.—The report shall include the following:*

9 *(1) The funding plan for environmental restora-*  
10 *tion at the Cornhusker Army Ammunition Plant.*

11 *(2) A legal opinion stating whether any portion*  
12 *of the funds to be used for such environmental restora-*  
13 *tion may be used for the repair of the roads at the*  
14 *Plant in order to bring such roads into compliance*  
15 *with applicable State and local public works codes.*

16 *(3) A survey of the roads at the Plant that iden-*  
17 *tifies which roads, if any, are in need of repair in*  
18 *order to bring the roads at the Plant into compliance*  
19 *with such codes.*

20 *(4) An estimate of the cost of the repair of the*  
21 *roads referred to in paragraph (3) in order to bring*  
22 *the roads into compliance.*

23 *(5) An explanation of the purpose, cost, and*  
24 *source of funds for any proposed preservation of docu-*  
25 *ments or other materials relating to the cultural, his-*



1           (c) *DESIGNATION OF COVERED LABORATORIES.*—Not  
2 later than 30 days before commencing the program, the Sec-  
3 retary shall designate the Department of Defense labora-  
4 tories that are to be covered by the program and notify Con-  
5 gress of the laboratories so designated. Only the designated  
6 laboratories may be covered by the program.

7           (d) *REPORT.*—Not later than September 30, 1998, the  
8 Secretary shall submit to Congress a report on the program.  
9 The report shall include the Secretary's conclusions and rec-  
10 ommendations regarding the desirability and feasibility of  
11 extending the authority set forth in subsection (b) to cover  
12 all Department of Defense laboratories.

13           (e) *EXCLUSIVITY OF PROGRAM.*—Nothing in this sec-  
14 tion may be construed to limit any other authority provided  
15 by law for any military construction project at a Depart-  
16 ment of Defense laboratory covered by the program.

17           (f) *DEFINITIONS.*—In this section:

18               (1) The term “laboratory” includes—

19                       (A) a research, engineering, and develop-  
20                       ment center;

21                       (B) a test and evaluation activity owned,  
22                       funded, and operated by the Federal Government  
23                       through the Department of Defense; and

24                       (C) a supporting facility of a laboratory.

1           (2) The term “supporting facility”, with respect  
2 to a laboratory, means any building or structure that  
3 is used in support of research, development, test, and  
4 evaluation at a laboratory.

5           (3) The term “Department of Defense labora-  
6 tory” does not include a contractor owned laboratory.

7           (g) EXPIRATION OF AUTHORITY.—The Secretary may  
8 not carry out the program after September 30, 1999.

9   **SEC. 2846. AGREEMENTS OF SETTLEMENT FOR RELEASE OF**  
10                           **IMPROVEMENTS AT OVERSEAS MILITARY IN-**  
11                           **STALLATIONS.**

12           (a) AGREEMENTS SUBJECT TO OMB REVIEW.—Sub-  
13 section (g) of section 2921 of the Military Construction Au-  
14 thorization Act for Fiscal Year 1991 (division B of Public  
15 Law 101–510; 10 U.S.C. 2687 note) is amended by insert-  
16 ing after the first sentence the following: “The prohibition  
17 set forth in the preceding sentence shall apply only to agree-  
18 ments of settlement for improvements having a value in ex-  
19 cess of \$10,000,000.”.

20           (b) REPORTS TO CONGRESS.—Such subsection, as  
21 amended by subsection (a), is further amended—

22                   (1) by inserting “(1)” before “The Secretary of  
23 Defense”; and

24                   (2) by adding at the end the following:

1       “(2) Each year, the Secretary shall submit to the Com-  
2 mittees on Armed Services of the Senate and the House of  
3 Representatives a report on each proposed agreement of set-  
4 tlement that was not submitted by the Secretary to the Di-  
5 rector of the Office of Management and Budget in the pre-  
6 vious year under paragraph (1) because the value of the  
7 improvements to be released pursuant to the proposed agree-  
8 ment did not exceed \$10,000,000.”.

9       **SEC. 2847. REVISIONS TO RELEASE OF REVERSIONARY IN-**  
10                               **TEREST, OLD SPANISH TRAIL ARMORY, HAR-**  
11                               **RIS COUNTY, TEXAS.**

12       (a) *CLERICAL AMENDMENTS.*—Section 2820 of the  
13 *Military Construction Authorization Act for Fiscal Year*  
14 *1994 (division B of Public Law 103–160; 107 Stat. 1894)*  
15 *is amended—*

16               (1) *in subsection (a), by striking out “1936” and*  
17 *inserting in lieu thereof “1956”; and*

18               (2) *in subsection (b)(1), by striking out “value”*  
19 *and inserting in lieu thereof “size”.*

20       (b) *PAYMENT FOR SURVEY.*—Subsection (c) of such  
21 *section is amended by adding at the end the following: “The*  
22 *cost of the survey shall be borne by the State of Texas.”.*

1 **SEC. 2848. TRANSFER OF JURISDICTION, AIR FORCE HOUS-**  
2 **ING AT RADAR BOMB SCORING SITE, HOL-**  
3 **BROOK, ARIZONA.**

4 (a) *TRANSFER AUTHORIZED.*—As part of the closure  
5 of an Air Force Radar Bomb Scoring Site located near Hol-  
6 brook, Arizona, the Secretary of the Air Force may transfer  
7 without reimbursement the administrative jurisdiction, ac-  
8 countability and control of the housing units and associated  
9 support facilities used in connection with the site to the  
10 Secretary of the Interior for use in connection with the Pet-  
11 rified Forest National Park.

12 (b) *DESCRIPTION OF PROPERTY.*—The exact acreage  
13 and legal description of the real property to be transferred  
14 under subsection (a) shall be determined by a survey satis-  
15 factory to the Secretary of the Air Force and the Secretary  
16 of the Interior.

17 (c) *ADDITIONAL TERMS AND CONDITIONS.*—The Sec-  
18 retary of the Air Force may require such additional terms  
19 and conditions in connection with the transfer of real prop-  
20 erty under subsection (a) as the Secretary considers appro-  
21 priate.

1 **SEC. 2849. ASSISTANCE FOR PUBLIC PARTICIPATION IN DE-**  
2 **FENSE ENVIRONMENTAL RESTORATION AC-**  
3 **TIVITIES.**

4 (a) *ESTABLISHMENT OF RESTORATION ADVISORY*  
5 *BOARDS.*—Section 2705 of title 10, United States Code, is  
6 amended by adding after subsection (c) the following:

7 “(d) *RESTORATION ADVISORY BOARD.*—(1) *In lieu of*  
8 *establishing a technical review committee under subsection*  
9 *(c), the Secretary may permit the establishment of a res-*  
10 *toration advisory board in connection with any installation*  
11 *(or group of nearby installations) where the Secretary is*  
12 *planning or implementing environmental restoration ac-*  
13 *tivities.*

14 “(2) *The Secretary shall prescribe regulations regard-*  
15 *ing the characteristics, composition, funding and establish-*  
16 *ment of restoration advisory boards pursuant to this sub-*  
17 *section, if the Secretary decides to use this authority. Pre-*  
18 *scription of regulations shall not be a precondition to estab-*  
19 *lishment of a restoration advisory board or impact restora-*  
20 *tion advisory board established prior to the date of enact-*  
21 *ment of this section.*

22 “(3) *The Secretary may provide for the payment of*  
23 *routine administrative expenses of a restoration advisory*  
24 *board from funds available for the operation and mainte-*  
25 *nance of the installation (or installations) for which the*

1 *board is established or from the funds available under sub-*  
2 *section (e)(4).”.*

3 *(b) ASSISTANCE FOR CITIZEN PARTICIPATION ON*  
4 *TECHNICAL REVIEW BOARDS AND RESTORATION ADVISORY*  
5 *BOARDS.—Such section is further amended by adding after*  
6 *subsection (d), as added by subsection (a), the following:*

7 *“(e) ASSISTANCE FOR CITIZEN PARTICIPATION.—*  
8 *(1)(A) Subject to subparagraph (B), the Secretary shall*  
9 *make available under paragraph (4) funds to facilitate the*  
10 *participation of individuals from the private sector on tech-*  
11 *nical review committees and restoration advisory boards for*  
12 *the purpose of ensuring public input into the planning and*  
13 *implementation of environmental restoration activities at*  
14 *installations where such committees and boards are in oper-*  
15 *ation.*

16 *“(B) A committee or advisory board for an installation*  
17 *is eligible for funding assistance under this subsection only*  
18 *if the committee or board is composed of individuals from*  
19 *the private sector who reside in a community in the vicinity*  
20 *of the installation and who are not potentially responsible*  
21 *parties with respect to environmental hazards at the instal-*  
22 *lation.*

23 *“(2) Individuals who are local community members of*  
24 *a technical review committee or restoration advisory board*  
25 *may use funds made available under this subsection only—*



1           “(A) to obtain technical assistance in interpret-  
2           ing scientific and engineering issues with regard to  
3           the nature of environmental hazards at an installa-  
4           tion and the restoration activities proposed or con-  
5           ducted at the installation; and

6           “(B) to assist such members and affected citizens  
7           to participate more effectively in environmental res-  
8           toration activities at the installation.

9           “(3) The members of a technical review committee or  
10          restoration advisory board may employ technical or other  
11          experts in accordance with regulations prescribed under  
12          subsections (d) and (e)(1) of title 10, United States Code  
13          as added by this section.

14          “(4)(A) Subject to subparagraph (B), the Secretary  
15          shall make funds available under this subsection using  
16          funds in the following accounts:

17                 “(i) In the case of a military installation not  
18                 closed pursuant to a base closure law, the Defense En-  
19                 vironmental Restoration Account established in sec-  
20                 tion 2703(a) of this title .

21                 “(ii) In the case of a technical review committee  
22                 or restoration advisory board established for a mili-  
23                 tary installation to be closed, the Department of De-  
24                 fense Base Closure Account 1990 established under  
25                 section 2906(a) of the Defense Base Closure and Re-

1       *alignment Act of 1990 (part A of title XXIX of Public*  
2       *Law 101–510; 10 U.S.C. 2687 note).*

3       “(B) *The total amount of funds available under this*  
4       *subsection for fiscal year 1995 may not exceed \$7,500,000.*”.

5       (c) *INVOLVEMENT OF COMMITTEES AND BOARDS IN*  
6       *DEFENSE ENVIRONMENTAL RESTORATION PROGRAM.—*  
7       *Such section is further amended by adding after subsection*  
8       *(e), as added by subsection (b), the following:*

9       “(f) *INVOLVEMENT IN DEFENSE ENVIRONMENTAL RES-*  
10       *TORATION PROGRAM.—If a technical review committee or*  
11       *restoration advisory board is established with respect to an*  
12       *installation, the Secretary shall consult with and seek the*  
13       *advice of the committee or board on the following issues:*

14               “(1) *Identifying environmental restoration ac-*  
15               *tivities and projects at the installation.*

16               “(2) *Monitoring progress on these activities and*  
17               *projects.*

18               “(3) *Collecting information regarding restoration*  
19               *priorities for the installation.*

20               “(4) *Addressing land use, level of restoration, ac-*  
21               *ceptable risk, and waste management and technology*  
22               *development issues related to environmental restora-*  
23               *tion at the installation.*

24               “(5) *Developing environmental restoration strat-*  
25               *egies for the installation.*”.

1       (d) *IMPLEMENTATION REQUIREMENTS.*—Not later  
2 than 180 days after the date on which the Secretary an-  
3 nounces a decision to establish restoration advisory boards,  
4 the Secretary of Defense shall—

5           (1) *prescribe the regulations required under sub-*  
6 *sections (d) and (e)(1) of title 10, United States Code,*  
7 *as added by this section; and*

8           (2) *take appropriate actions to notify the public*  
9 *of the availability of funding under subsection (e) of*  
10 *such section, as so added.*

11       “(e) *REPORT.*—The Secretary shall report to the Com-  
12 mittees on Armed Services of the Senate and the House of  
13 Representatives by May 1, 1996, on the establishment of res-  
14 toration advisory boards and funds expended for assistance  
15 for citizen participation.

16 **SEC. 2850. SENSE OF THE SENATE ON AUTHORIZATION OF**  
17 **FUNDS FOR MILITARY CONSTRUCTION**  
18 **PROJECTS NOT REQUESTED IN THE PRESI-**  
19 **DENT’S ANNUAL BUDGET REQUEST.**

20       (a) *SENSE OF THE SENATE.*—It is the sense of the Sen-  
21 ate that, to the maximum extent practicable, the Senate  
22 should consider the authorization for appropriation of  
23 funds for a military construction project not included in  
24 the annual budget request of the Department of Defense only  
25 if:

1           (1) *the project is consistent with past actions of*  
2           *the Base Realignment and Closure process;*

3           (2) *the project is included in the military con-*  
4           *struction plan of the military department concerned*  
5           *incorporated in the Future Years Defense Program;*

6           (3) *the project is necessary for reasons of the na-*  
7           *tional security of the United States; and*

8           (4) *a contract for construction of the project can*  
9           *be awarded in that fiscal year.*

10        **(b) VIEWS OF THE SECRETARY OF DEFENSE.**—*In con-*  
11        *sidering these criteria, the Senate should obtain the views*  
12        *of the Secretary of Defense. These views should include*  
13        *whether funds for a military construction project not in-*  
14        *cluded in the budget request can be offset by funds for other*  
15        *programs, projects, or activities, including military con-*  
16        *struction projects, in the budget request and, if so, the spe-*  
17        *cific offsetting reductions recommended by the Secretary of*  
18        *Defense.*

1 **DIVISION C—DEPARTMENT OF**  
2 **ENERGY NATIONAL SECURITY**  
3 **AUTHORIZATIONS AND**  
4 **OTHER AUTHORIZATIONS**  
5 **TITLE XXXI—DEPARTMENT OF**  
6 **ENERGY NATIONAL SECURITY**  
7 **PROGRAMS**  
8 **Subtitle A—National Security**  
9 **Programs Authorizations**

10 **SEC. 3101. WEAPONS ACTIVITIES.**

11 (a) *RESEARCH AND DEVELOPMENT.*—Subject to sub-  
12 section (f), funds are hereby authorized to be appropriated  
13 to the Department of Energy for fiscal year 1995 for re-  
14 search and development in carrying out weapons activities  
15 necessary for national security programs in the amount of  
16 \$1,187,818,000, to be allocated as follows:

17 (1) For core research and development,  
18 \$795,551,000, to be allocated as follows:

19 (A) For operating expenses, \$649,341,000.

20 (B) For capital equipment, \$69,420,000.

21 (C) For plant projects (including mainte-  
22 nance, restoration, planning, construction, ac-  
23 quisition, modification of facilities, and the con-  
24 tinuation of projects authorized in prior years,

1           *and land acquisition related thereto),*  
2           *\$76,790,000, to be allocated as follows:*

3                     *Project GPD-101, general plant*  
4                     *projects, various locations, \$8,500,000.*

5                     *Project 95-D-102, Chemical and Met-*  
6                     *allurgy Research Building upgrades, Los*  
7                     *Alamos National Laboratory, New Mexico,*  
8                     *\$3,300,000.*

9                     *Project 94-D-102, nuclear weapons re-*  
10                    *search, development, and testing facilities*  
11                    *revitalization, Phase V, various locations,*  
12                    *\$13,000,000.*

13                    *Project 92-D-102, nuclear weapons re-*  
14                    *search, development, and testing facilities*  
15                    *revitalization, Phase IV, various locations,*  
16                    *\$21,810,000.*

17                    *Project 90-D-102, nuclear weapons re-*  
18                    *search, development, and testing facilities*  
19                    *revitalization, Phase III, various locations,*  
20                    *\$7,700,000.*

21                    *Project 88-D-106, nuclear weapons re-*  
22                    *search, development, and testing facilities*  
23                    *revitalization, Phase II, various locations,*  
24                    *\$22,480,000.*

1           (2) For inertial fusion, \$176,473,000, to be allo-  
2 cated as follows:

3           (A) For operating expenses, \$166,755,000.

4           (B) For capital equipment, \$9,718,000.

5           (3) For technology transfer, \$215,794,000, to be  
6 allocated as follows:

7           (A) For operating expenses, \$209,794,000.

8           (B) For capital equipment, \$6,000,000.

9           (b) TESTING.—Subject to subsection (f), funds are  
10 hereby authorized to be appropriated to the Department of  
11 Energy for fiscal year 1995 for testing in carrying out  
12 weapons activities necessary for national security programs  
13 in the amount of \$384,719,000, to be allocated as follows:

14           (1) For testing capabilities and readiness  
15 \$374,719,000, to be allocated as follows:

16           (A) For operating expenses, \$338,249,000.

17           (B) For capital equipment, \$15,470,000.

18           (C) For plant projects (including mainte-  
19 nance, restoration, planning, construction, ac-  
20 quisition, modification of facilities, and the con-  
21 tinuation of projects authorized in prior years,  
22 and land acquisition related thereto),  
23 \$21,000,000, to be allocated as follows:

24           Project GPD-101, general plant  
25 projects, various locations, \$4,000,000.

1                    *Project 93-D-102, Nevada support fa-*  
2                    *cility, North Las Vegas, Nevada,*  
3                    *\$17,000,000.*

4                    *(2) For operating expenses for solar energy devel-*  
5                    *opment, \$10,000,000.*

6                    *(c) STOCKPILE SUPPORT.—Subject to subsection (f),*  
7                    *funds are hereby authorized to be appropriated to the De-*  
8                    *partment of Energy for fiscal year 1995 for stockpile sup-*  
9                    *port in carrying out weapons activities necessary for na-*  
10                    *tional security programs in the amount of \$1,557,085,000,*  
11                    *to be allocated as follows:*

12                    *(1) For operating expenses for stockpile support,*  
13                    *\$1,487,085,000.*

14                    *(2) For capital equipment, \$15,880,000.*

15                    *(3) For plant projects (including maintenance,*  
16                    *restoration, planning, construction, acquisition, modi-*  
17                    *fication of facilities, and the continuation of projects*  
18                    *authorized in prior years, and land acquisition relat-*  
19                    *ed thereto), \$54,120,000, to be allocated as follows:*

20                    *Project GPD-121, general plant projects,*  
21                    *various locations, \$1,000,000.*

22                    *Project 95-D-122, sanitary sewer upgrade*  
23                    *Oak Ridge Y-12 Plant, Oak Ridge, Tennessee,*  
24                    *\$2,200,000.*



1            *Project 95-D-123, replace transportation*  
2            *safeguards, aviation facility, Albuquerque, New*  
3            *Mexico, \$2,000,000.*

4            *Project 94-D-124, hydrogen fluoride supply*  
5            *system, Oak Ridge Y-12 Plant, Oak Ridge, Ten-*  
6            *nessee, \$6,300,000.*

7            *Project 94-D-125, upgrade life safety, Kan-*  
8            *sas City Plant, Kansas City, Missouri,*  
9            *\$1,000,000.*

10           *Project 94-D-127, emergency notification*  
11           *system, Pantex Plant, Amarillo, Texas,*  
12           *\$1,000,000.*

13           *Project 94-D-128, environmental safety*  
14           *and health analytical laboratory, Pantex Plant,*  
15           *Amarillo, Texas, \$1,000,000.*

16           *Project 93-D-122, life safety upgrades, Y-*  
17           *12 Plant, Oak Ridge, Tennessee, \$5,000,000.*

18           *Project 88-D-122, facilities capability as-*  
19           *urance program, various locations, \$19,620,000.*

20           *Project 88-D-123, security enhancements,*  
21           *Pantex Plant, Amarillo, Texas, \$15,000,000.*

22           *(d) PROGRAM DIRECTION.—Subject to subsection (f),*  
23           *funds are hereby authorized to be appropriated to the De-*  
24           *partment of Energy for fiscal year 1995 for program direc-*  
25           *tion in carrying out weapons activities necessary for na-*

1 *tional security programs in the amount of \$169,852,000,*  
2 *to be allocated as follows:*

3           (1) *For operating expenses for weapons program*  
4 *direction, \$167,498,000.*

5           (2) *For capital equipment, \$2,354,000.*

6       (e) *RECONFIGURATION.—Subject to subsection (f),*  
7 *funds are hereby authorized to be appropriated to the De-*  
8 *partment of Energy for fiscal year 1995 for nuclear weap-*  
9 *ons complex reconfiguration in carrying out weapons ac-*  
10 *tivities necessary for national security programs in the*  
11 *amount of \$152,271,000, to be allocated as follows:*

12           (1) *For operating expenses for reconfiguration,*  
13 *\$94,271,000.*

14           (2) *For plant projects (including maintenance,*  
15 *restoration, planning, construction, acquisition, modi-*  
16 *fication of facilities, and the continuation of projects*  
17 *authorized in prior years, and land acquisition relat-*  
18 *ed thereto), \$58,000,000, all of which to be allocated*  
19 *as follows:*

20                   *Project 93–D–123, complex-21, various lo-*  
21 *cations.*

22       (f) *ADJUSTMENTS.—Subject to section 3105, the total*  
23 *amount authorized to be appropriated pursuant to this sec-*  
24 *tion is the sum of the amounts authorized to be appro-*

1 *priated in subsections (a) through (e) reduced by the sum*  
2 *of—*

3 *(1) \$131,077,000, for use of prior year balances;*

4 *and*

5 *(2) \$11,000,000, for savings resulting from pro-*  
6 *curement reform.*

7 **SEC. 3102. ENVIRONMENTAL RESTORATION AND WASTE**  
8 **MANAGEMENT.**

9 *(a) CORRECTIVE ACTIVITIES.—Subject to subsection*  
10 *(h), funds are hereby authorized to be appropriated to the*  
11 *Department of Energy for fiscal year 1995 for corrective*  
12 *activities in carrying out environmental restoration and*  
13 *waste management activities necessary for national security*  
14 *programs in the amount of \$1,012,000, all of which to be*  
15 *allocated to a plant project (including maintenance, res-*  
16 *toration, planning, construction, acquisition, modification*  
17 *of facilities, and the continuation of projects authorized in*  
18 *prior years, and land acquisition related thereto) as follows:*

19 *Project 92-D-403, tank upgrades project, Law-*  
20 *rence Livermore National Laboratory, California.*

21 *(b) ENVIRONMENTAL RESTORATION.—(1) Subject to*  
22 *paragraph (2), funds are hereby authorized to be appro-*  
23 *priated to the Department of Energy for fiscal year 1995*  
24 *for environmental restoration for operating expenses in car-*  
25 *rying out environmental restoration and waste manage-*

1 *ment activities necessary for national security programs in*  
2 *the amount of \$1,531,969,000.*

3 *(2) Subject to subsection (h), the amount authorized*  
4 *to be appropriated pursuant to this subsection is the*  
5 *amount authorized to be appropriated in paragraph (1) re-*  
6 *duced by \$133,900,000, as a result of the productivity sav-*  
7 *ings initiative.*

8 *(c) WASTE MANAGEMENT.—(1) Subject to paragraph*  
9 *(2), funds are hereby authorized to be appropriated to the*  
10 *Department of Energy for fiscal year 1995 for waste man-*  
11 *agement in carrying out environmental restoration and*  
12 *waste management activities necessary for national security*  
13 *programs in the amount of \$2,913,045,000, to be allocated*  
14 *as follows:*

15 *(A) For operating expenses, \$2,408,029,000.*

16 *(B) For capital equipment, \$104,790,000.*

17 *(C) For plant projects (including maintenance,*  
18 *restoration, planning, construction, acquisition, modi-*  
19 *fication of facilities, and the continuation of projects*  
20 *authorized in prior years, and land acquisition relat-*  
21 *ed thereto), \$400,226,000, to be allocated as follows:*

22 *Project GPD-171, general plant projects,*  
23 *various locations, \$23,742,000.*

24 *Project 95-D-401, radiological support fa-*  
25 *cilities, Richland, Washington, \$1,585,000.*

1            *Project 95-D-402, install permanent elec-*  
2            *trical service, Waste Isolation Pilot Plant, New*  
3            *Mexico, \$700,000.*

4            *Project 95-D-403, hazardous waste storage*  
5            *facility, Mound Plant, Miamisburg, Ohio,*  
6            *\$597,000.*

7            *Project 95-D-405, industrial landfill V and*  
8            *construction demolition landfill VII, Oak Ridge*  
9            *Y-12 Plant, Oak Ridge, Tennessee, \$1,000,000.*

10           *Project 95-D-406, road 5-01 reconstruc-*  
11           *tion, area 5, Nevada Test Site, Nevada,*  
12           *\$2,338,000.*

13           *Project 95-D-407, 219-S secondary con-*  
14           *tainment upgrade, Richland, Washington,*  
15           *\$2,000,000.*

16           *Project 95-D-408, Phase II liquid effluent*  
17           *treatment and disposal, Richland, Washington,*  
18           *\$7,100,000.*

19           *Project 94-D-400, high explosive*  
20           *wastewater treatment system, Los Alamos Na-*  
21           *tional Laboratory, Los Alamos, New Mexico,*  
22           *\$1,000,000.*

23           *Project 94-D-402, liquid waste treatment*  
24           *system, Nevada Test Site, Nevada, \$3,292,000.*

1            *Project 94-D-404, Melton Valley storage*  
2            *tank capacity increase, Oak Ridge National Lab-*  
3            *oratory, Oak Ridge, Tennessee, \$21,373,000.*

4            *Project 94-D-406, low-level waste disposal*  
5            *facilities, K-25, Oak Ridge, Tennessee,*  
6            *\$6,000,000.*

7            *Project 94-D-407, initial tank retrieval*  
8            *systems, Richland, Washington, \$17,700,000.*

9            *Project 94-D-408, office facilities—200*  
10           *East, Richland, Washington, \$4,000,000.*

11           *Project 94-D-411, solid waste operation*  
12           *complex, Richland, Washington, \$42,200,000.*

13           *Project 94-D-416, solvent storage tanks in-*  
14           *stallation, Savannah River, South Carolina,*  
15           *\$1,700,000.*

16           *Project 94-D-417, intermediate-level and*  
17           *low-activity waste vaults, Savannah River,*  
18           *South Carolina, \$300,000.*

19           *Project 93-D-174, plant drain waste water*  
20           *treatment upgrades, Y-12 Plant, Oak Ridge,*  
21           *Tennessee, \$1,400,000.*

22           *Project 93-D-178, building 374 liquid*  
23           *waste treatment facility, Rocky Flats, Golden,*  
24           *Colorado, \$3,300,000.*

1            *Project 93-D-181, radioactive liquid waste*  
2            *line replacement, Richland, Washington,*  
3            *\$3,300,000.*

4            *Project 93-D-182, replacement of cross-site*  
5            *transfer system, Richland, Washington,*  
6            *\$18,910,000.*

7            *Project 93-D-183, multi-tank waste storage*  
8            *facility, Richland, Washington, \$95,305,000.*

9            *Project 93-D-187, high-level waste removal*  
10           *from filled waste tanks, Savannah River, Aiken,*  
11           *South Carolina, \$26,525,000.*

12           *Project 92-D-177, tank 101-AZ waste re-*  
13           *trieval system, Richland, Washington,*  
14           *\$5,000,000.*

15           *Project 92-D-188, waste management*  
16           *ES&H, and compliance activities, various loca-*  
17           *tions, \$2,846,000.*

18           *Project 91-D-171, waste receiving and*  
19           *processing facility, module 1, Richland, Wash-*  
20           *ington, \$3,995,000.*

21           *Project 90-D-172, aging waste transfer*  
22           *line, Richland, Washington, \$3,819,000.*

23           *Project 90-D-177, RWMC transuranic*  
24           *(TRU) waste characterization and storage facil-*

1            *ity, Idaho National Engineering Laboratory,*  
2            *Idaho, \$11,747,000.*

3            *Project 90-D-178, TSA retrieval contain-*  
4            *ment building, Idaho National Engineering Lab-*  
5            *oratory, Idaho, \$7,594,000.*

6            *Project 89-D-173, tank farm ventilation*  
7            *upgrade, Richland, Washington, \$800,000.*

8            *Project 89-D-174, replacement high-level*  
9            *waste evaporator, Savannah River, South Caro-*  
10           *lina, \$18,000,000.*

11           *Project 89-D-175, hazardous waste/mixed*  
12           *waste disposal facility, Savannah River, South*  
13           *Carolina, \$500,000.*

14           *Project 86-D-103, decontamination and*  
15           *waste treatment facility, Lawrence Livermore*  
16           *National Laboratory, California, \$9,500,000.*

17           *Project 83-D-148, nonradioactive hazard-*  
18           *ous waste management, Savannah River, South*  
19           *Carolina, \$6,000,000.*

20           *Project 81-T-105, defense waste processing*  
21           *facility, Savannah River, South Carolina,*  
22           *\$45,058,000.*

23           *(2) Subject to subsection (h), the total amount author-*  
24           *ized to be appropriated pursuant to this subsection is the*  
25           *sum of the amounts authorized to be appropriated in para-*



1 *graph (1) reduced by \$160,800,000, as a result of the pro-*  
2 *ductivity savings initiative.*

3 (d) *TECHNOLOGY DEVELOPMENT.*—Subject to sub-  
4 *section (h), funds are hereby authorized to be appropriated*  
5 *to the Department of Energy for fiscal year 1995 for tech-*  
6 *nology development in carrying out environmental restora-*  
7 *tion and waste management activities necessary for na-*  
8 *tional security programs in the amount of \$426,409,000,*  
9 *to be allocated as follows:*

10 (1) *For operating expenses, \$400,974,000.*

11 (2) *For capital equipment, \$25,435,000.*

12 (e) *TRANSPORTATION MANAGEMENT.*—Subject to sub-  
13 *section (h), funds are hereby authorized to be appropriated*  
14 *to the Department of Energy for fiscal year 1995 for trans-*  
15 *portation management in carrying out environmental res-*  
16 *toration and waste management activities necessary for na-*  
17 *tional security programs in the amount of \$20,684,000, to*  
18 *be allocated as follows:*

19 (1) *For operating expenses, \$20,240,000.*

20 (2) *For capital equipment, \$444,000.*

21 (f) *PROGRAM DIRECTION.*—Subject to subsection (h),  
22 *funds are hereby authorized to be appropriated to the De-*  
23 *partment of Energy for fiscal year 1995 for program direc-*  
24 *tion in carrying out environmental restoration and waste*  
25 *management activities necessary for national security pro-*

1 *grams in the amount of \$84,948,000, to be allocated as fol-*  
2 *lows:*

3 *(1) For operating expenses, \$83,748,000.*

4 *(2) For capital equipment, \$1,200,000.*

5 *(g) FACILITY TRANSITION AND MANAGEMENT.—(1)*  
6 *Subject to paragraph (2), funds are hereby authorized to*  
7 *be appropriated to the Department of Energy for fiscal year*  
8 *1995 for facility transition and management in carrying*  
9 *out environmental restoration and waste management ac-*  
10 *tivities necessary for national security programs in the*  
11 *amount of \$791,857,000, to be allocated as follows:*

12 *(A) For operating expenses, \$681,550,000.*

13 *(B) For capital equipment, \$23,947,000.*

14 *(C) For plant projects (including maintenance,*  
15 *restoration, planning, construction, acquisition, modi-*  
16 *fication of facilities, and the continuation of projects*  
17 *authorized in prior years, and land acquisition relat-*  
18 *ed thereto), \$86,360,000, to be allocated as follows:*

19 *Project GPD-171, general plant projects,*  
20 *various locations, \$20,495,000.*

21 *Project 95-D-453, primary highway route*  
22 *north of the Wye Barricade, Richland, Washing-*  
23 *ton, \$2,500,000.*

24 *Project 95-D-454, 324 facility compliance/*  
25 *renovation, Richland, Washington, \$1,500,000.*

1            *Project 95-D-455, Idaho National Engi-*  
2            *neering Laboratory radio communications up-*  
3            *grade, Idaho National Engineering Laboratory,*  
4            *Idaho, \$1,440,000.*

5            *Project 95-D-456, security facilities up-*  
6            *grade, Idaho Chemical Processing Plant, Idaho*  
7            *National Engineering Laboratory, Idaho,*  
8            *\$986,000.*

9            *Project 94-D-122, underground storage*  
10           *tanks, Rocky Flats, Colorado, \$2,500,000.*

11           *Project 94-D-401, emergency response facil-*  
12           *ity, Idaho National Engineering Laboratory,*  
13           *Idaho, \$5,219,000.*

14           *Project 94-D-412, 300 area process sewer*  
15           *pipng upgrade, Richland, Washington,*  
16           *\$7,800,000.*

17           *Project 94-D-415, medical facilities, Idaho*  
18           *National Engineering Laboratory, Idaho,*  
19           *\$4,920,000.*

20           *Project 94-D-451, infrastructure replace-*  
21           *ment, Rocky Flats Plant, Golden, Colorado,*  
22           *\$10,600,000.*

23           *Project 93-D-172, electrical upgrade, Idaho*  
24           *National Engineering Laboratory, Idaho,*  
25           *\$7,800,000.*

1            *Project 93–D–184, 325 facility compliance/*  
2            *renovation, Richland, Washington, \$1,000,000.*

3            *Project 93–D–186, 200 area unsecured core*  
4            *area fabrication shop, Richland, Washington,*  
5            *\$4,000,000.*

6            *Project 92–D–125, master safeguards and*  
7            *security agreement/materials surveillance task*  
8            *force security upgrades, Rocky Flats Plant, Gold-*  
9            *en, Colorado, \$2,100,000.*

10           *Project 92–D–181, INEL fire and life safety*  
11           *improvements, Idaho National Engineering Lab-*  
12           *oratory, Idaho, \$6,000,000.*

13           *Project 92–D–182, INEL sewer system up-*  
14           *grade, Idaho National Engineering Laboratory,*  
15           *Idaho, \$1,900,000.*

16           *Project 92–D–186, steam system rehabilita-*  
17           *tion, Phase II, Richland, Washington,*  
18           *\$5,600,000.*

19           *(2) Subject to subsection (h), the total amount author-*  
20           *ized to be appropriated pursuant to this subsection is the*  
21           *sum of the amounts authorized to be appropriated in para-*  
22           *graph (1) reduced by \$5,000,000, as a result of the produc-*  
23           *tivity savings initiative.*

24           *(h) PRIOR YEAR BALANCES.—Subject to section 3105,*  
25           *the total amount authorized to be appropriated pursuant*

1 *to this section is the sum of the amounts authorized to be*  
2 *appropriated in subsections (a), (b)(2), (c)(2), (d), (e), (f),*  
3 *and (g)(2) reduced by the sum of—*

4 *(1) \$240,300,000 for use of prior year balances;*

5 *and*

6 *(2) \$17,500,000 for savings resulting from pro-*  
7 *curement reform.*

8 **SEC. 3103. NUCLEAR MATERIALS SUPPORT AND OTHER DE-**  
9 **FENSE PROGRAMS.**

10 *(a) MATERIALS SUPPORT.—Subject to subsection (d),*  
11 *funds are hereby authorized to be appropriated to the De-*  
12 *partment of Energy for fiscal year 1995 for materials sup-*  
13 *port in carrying out nuclear materials support necessary*  
14 *for national security programs in the amount of*  
15 *\$887,225,000, to be allocated as follows:*

16 *(1) For reactor operations, \$163,634,000.*

17 *(2) For processing of nuclear materials,*  
18 *\$369,468,000.*

19 *(3) For support services, \$167,776,000.*

20 *(4) For capital equipment, \$39,427,000.*

21 *(5) For plant projects (including maintenance,*  
22 *restoration, planning, construction, acquisition, modi-*  
23 *fication of facilities, and the continuation of projects*  
24 *authorized in prior years, and land acquisition relat-*  
25 *ed thereto), \$88,950,000, to be allocated as follows:*

1            *Project GPD-146, general plant projects,*  
2            *various locations, \$21,000,000.*

3            *Project 95-D-154, health physics site sup-*  
4            *port facility, Savannah River, South Carolina,*  
5            *\$2,000,000.*

6            *Project 95-D-155, upgrade site road infra-*  
7            *structure, Savannah River, South Carolina,*  
8            *\$750,000.*

9            *Project 95-D-156, radio trunking system,*  
10           *Savannah River, South Carolina, \$2,100,000.*

11           *Project 95-D-157, D-area powerhouse life*  
12           *extension, Savannah River, South Carolina,*  
13           *\$4,000,000.*

14           *Project 95-D-158, disassembly basin up-*  
15           *grades K, L, and P, Savannah River, South*  
16           *Carolina, \$13,000,000.*

17           *Project 93-D-147, domestic water system*  
18           *upgrade, Phases I and II, Savannah River,*  
19           *South Carolina, \$11,300,000.*

20           *Project 93-D-148, replace high-level drain*  
21           *lines, Savannah River, South Carolina,*  
22           *\$2,700,000.*

23           *Project 93-D-152, environmental modifica-*  
24           *tion for production facilities, Savannah River,*  
25           *South Carolina, \$2,900,000.*

1            *Project 92-D-143, health protection instru-*  
2            *ment calibration facility, Savannah River,*  
3            *South Carolina, \$3,000,000.*

4            *Project 90-D-149, plantwide fire protec-*  
5            *tion, Phases I and II, Savannah River, South*  
6            *Carolina, \$21,000,000.*

7            *Project 92-D-150, operations support fa-*  
8            *cilities, Savannah River, South Carolina,*  
9            *\$2,000,000.*

10           *Project 92-D-153, engineering support fa-*  
11           *cility, Savannah River, South Carolina,*  
12           *\$3,200,000.*

13           *(6) For program direction, \$58,000,000.*

14           *(b) OTHER DEFENSE PROGRAMS.—Subject to sub-*  
15           *section (d), funds are hereby authorized to be appropriated*  
16           *to the Department of Energy for fiscal year 1995 for other*  
17           *defense programs in carrying out defense programs nec-*  
18           *essary for national security programs in the amount of*  
19           *\$692,204,000, to be allocated as follows:*

20           *(1) For verification and control technology,*  
21           *\$358,102,000, to be allocated as follows:*

22           *(A) For operating expenses, \$342,229,000.*

23           *(B) For capital equipment, \$15,873,000.*

24           *(2) For nuclear safeguards and security,*  
25           *\$85,816,000, to be allocated as follows:*

1                   (A) For operating expenses, \$82,421,000.

2                   (B) For capital equipment, \$3,395,000.

3                   (3) For security investigations, \$38,827,000.

4                   (4) For security evaluations, \$14,780,000.

5                   (5) For the Office of Nuclear Safety,  
6                   \$24,679,000, to be allocated as follows:

7                   (A) For operating expenses, \$24,629,000.

8                   (B) For capital equipment, \$50,000.

9                   (6) For worker and community transition,  
10                  \$120,000,000.

11                  (7) For fissile material control and disposition,  
12                  \$50,000,000.

13                  (c) NAVAL REACTORS.—Subject to subsection (d),  
14 funds are hereby authorized to be appropriated to the De-  
15 partment of Energy for fiscal year 1995 for naval reactors  
16 in carrying out nuclear materials support and other defense  
17 programs necessary for national security programs in the  
18 amount of \$730,651,000, to be allocated as follows:

19                  (1) For naval reactors development,  
20                  \$698,651,000, to be allocated as follows:

21                         (A) For operating expenses:

22                                 (i) For plant development,  
23                                 \$146,700,000.

24                                 (ii) For reactor development,  
25                                 \$348,951,000.



1                   (iii) For reactor operation and evalua-  
2                   tion, \$136,000,000.

3                   (iv) For program direction,  
4                   \$18,800,000.

5                   (B) For capital equipment, \$28,200,000.

6                   (C) For plant projects (including mainte-  
7                   nance, restoration, planning, construction, ac-  
8                   quisition, modification of facilities, and the con-  
9                   tinuation of projects authorized in prior years,  
10                  and land acquisition related thereto),  
11                  \$20,000,000, to be allocated as follows:

12                   Project GPN-101, general plant  
13                   projects, various locations, \$6,200,000.

14                   Project 95-D-200, laboratory systems  
15                   and hot cell upgrades, various locations,  
16                   \$2,400,000.

17                   Project 95-D-201, advanced test reac-  
18                   tor radioactive waste system upgrades,  
19                   Idaho National Engineering Laboratory,  
20                   Idaho, \$700,000.

21                   Project 93-D-200, engineering services  
22                   facilities, Knolls Atomic Power Laboratory,  
23                   Niskayuna, New York, \$7,900,000.

24                   Project 92-D-200, laboratories facili-  
25                   ties upgrades, various locations, \$2,800,000.

1           (2) *For enrichment materials, for operating ex-*  
2           *penses, \$32,000,000.*

3           (d) *ADJUSTMENTS.—Subject to section 3105, the total*  
4           *amount that may be appropriated pursuant to this section*  
5           *is the sum of the amounts authorized to be appropriated*  
6           *in subsections (a), (b), and (c) reduced by the sum of—*

7           (1) *\$40,000,000, for recovery of overpayment to*  
8           *the Savannah River Pension Fund;*

9           (2) *\$6,500,000, for savings resulting from pro-*  
10          *curement reform; and*

11          (3) *\$369,700,000, for transfer and use of prior*  
12          *year balances for materials support and other defense*  
13          *programs.*

14   **SEC. 3104. DEFENSE NUCLEAR WASTE DISPOSAL.**

15          *Funds are hereby authorized to be appropriated to the*  
16          *Department of Energy for fiscal year 1995 for payment to*  
17          *the Nuclear Waste Fund established in section 302(c) of the*  
18          *Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(c)) in*  
19          *the amount of \$129,430,000.*

20   **SEC. 3105. GENERAL REDUCTION IN AUTHORIZATION OF**  
21                           **APPROPRIATIONS.**

22          *The total amount authorized to be appropriated pursu-*  
23          *ant to sections 3101, 3102, 3103, and 3104 is the sum of*  
24          *the amounts authorized to be appropriated in such sections*

1 *reduced by \$220,000,000 for use of prior year balances from*  
2 *fiscal year 1994.*

3           ***Subtitle B—Recurring General***  
4                           ***Provisions***

5 ***SEC. 3121. REPROGRAMMING.***

6           *(a) NOTICE TO CONGRESS.—(1) Except as otherwise*  
7 *provided in this title—*

8                   *(A) no amount appropriated pursuant to this*  
9 *title may be used for any program in excess of the*  
10 *lesser of—*

11                           *(i) 105 percent of the amount authorized for*  
12 *that program by this title; or*

13                           *(ii) \$10,000,000 more than the amount au-*  
14 *thorized for that program by this title; and*

15                   *(B) no amount appropriated pursuant to this*  
16 *title may be used for any program which has not been*  
17 *presented to, or requested of, the Congress.*

18           *(2) An action described in paragraph (1) may not be*  
19 *taken until—*

20                   *(A) the Secretary of Energy has submitted to the*  
21 *congressional defense committees a report containing*  
22 *a full and complete statement of the action proposed*  
23 *to be taken and the facts and circumstances relied*  
24 *upon in support of the proposed action; and*

1           (B) a period of 30 days has elapsed after the  
2           date on which the report is received by the commit-  
3           tees.

4           (3) In the computation of the 30-day period under  
5           paragraph (2), there shall be excluded any day on which  
6           either House of Congress is not in session because of an  
7           adjournment of more than 3 calendar days to a day certain.

8           (b) *LIMITATION ON AMOUNT OBLIGATED.*—In no event  
9           may the total amount of funds obligated pursuant to this  
10          title exceed the total amount authorized to be appropriated  
11          by this title.

12       **SEC. 3122. LIMITS ON GENERAL PLANT PROJECTS.**

13          (a) *IN GENERAL.*—The Secretary of Energy may carry  
14          out any construction project under the general plant  
15          projects authorized by this title if the total estimated cost  
16          of the construction project does not exceed \$2,000,000.

17          (b) *REPORT TO CONGRESS.*—If, at any time during  
18          the construction of any general plant project authorized by  
19          this title, the estimated cost of the project is revised because  
20          of unforeseen cost variations and the revised cost of the  
21          project exceeds \$2,000,000, the Secretary shall immediately  
22          furnish a complete report to the congressional defense com-  
23          mittees explaining the reasons for the cost variation.

1 **SEC. 3123. LIMITS ON CONSTRUCTION PROJECTS.**

2 (a) *IN GENERAL.*—(1) *Except as provided in para-*  
3 *graph (2), construction on a construction project may not*  
4 *be started or additional obligations incurred in connection*  
5 *with the project above the total estimated cost, whenever the*  
6 *current estimated cost of the construction project, which is*  
7 *authorized by section 3101, 3102, or 3103, or which is in*  
8 *support of national security programs of the Department*  
9 *of Energy and was authorized by any previous Act, exceeds*  
10 *by more than 25 percent the higher of—*

11 (A) *the amount authorized for the project; or*

12 (B) *the amount of the total estimated cost for the*  
13 *project as shown in the most recent budget justifica-*  
14 *tion data submitted to the Congress.*

15 (2) *An action described in paragraph (1) may be taken*  
16 *if—*

17 (A) *the Secretary of Energy has submitted to the*  
18 *congressional defense committees a report on the ac-*  
19 *tion and the circumstances making such action nec-*  
20 *essary; and*

21 (B) *a period of 30 days has elapsed after the*  
22 *date on which the report is received by the commit-*  
23 *tees.*

24 (3) *In the computation of the 30-day period under*  
25 *paragraph (2), there shall be excluded any day on which*

1 *either House of Congress is not in session because of an*  
2 *adjournment of more than 3 calendar days to a day certain.*

3 *(b) EXCEPTION.—Subsection (a) shall not apply to*  
4 *any construction project which has a current estimated cost*  
5 *of less than \$5,000,000.*

6 **SEC. 3124. FUNDS TRANSFER AUTHORITY.**

7 *The Secretary of Energy may transfer funds appro-*  
8 *priated pursuant to this title to other agencies of the Fed-*  
9 *eral Government for the performance of the work for which*  
10 *the funds were appropriated, and funds so transferred may*  
11 *be merged with the appropriations of the agency to which*  
12 *the funds are transferred.*

13 **SEC. 3125. AUTHORITY FOR CONSTRUCTION DESIGN.**

14 *(a) IN GENERAL.—(1) Within the amounts authorized*  
15 *by this title, the Secretary of Energy may carry out ad-*  
16 *vance planning and construction design (including archi-*  
17 *tectural and engineering services) in connection with any*  
18 *proposed construction project if the total estimated cost for*  
19 *such planning and design does not exceed \$3,000,000.*

20 *(2) In the case of any project in which the total esti-*  
21 *mated cost for advance planning and design exceeds*  
22 *\$600,000, the Secretary shall notify the congressional de-*  
23 *fense committees in writing of the details of such project*  
24 *at least 30 days before any funds are obligated for design*  
25 *services for such project.*

1       (b) *SPECIFIC AUTHORITY REQUIRED.*—In any case in  
2 which the total estimated cost for advance planning and  
3 construction design in connection with any construction  
4 project exceeds \$3,000,000, funds for such planning and de-  
5 sign must be specifically authorized by law.

6       **SEC. 3126. REQUIREMENT FOR COMPLETION OF CONCEP-**  
7                                   **TUAL DESIGN TO PRECEDE REQUEST FOR**  
8                                   **CONSTRUCTION FUNDS.**

9       (a) *REQUIREMENT.*—Before submitting to Congress a  
10 request for funds for a construction project that is in sup-  
11 port of a national security program of the Department of  
12 Energy, the Secretary of Energy shall complete a conceptual  
13 design for that project.

14       (b) *EXCEPTIONS.*—The requirement in subsection (a)  
15 does not apply to requests for funds—

16               (1) for the costs of preparing a conceptual design  
17 for a construction project referred to in that sub-  
18 section; or

19               (2) for emergency planning, design, and con-  
20 struction activities under section 3127.

21       **SEC. 3127. AUTHORITY FOR EMERGENCY PLANNING, DE-**  
22                                   **SIGN, AND CONSTRUCTION ACTIVITIES.**

23       (a) *AUTHORITY.*—The Secretary of Energy may use  
24 any funds available to the Department of Energy under sec-  
25 tions 3101, 3102, and 3103, including those funds author-

1 ized to be appropriated for advance planning and construc-  
2 tion design, to perform planning, design, and construction  
3 activities for any Department of Energy national security  
4 program construction project that, as determined by the  
5 Secretary, must proceed expeditiously in order to protect  
6 public health and safety, meet the needs of national defense,  
7 or protect property.

8 (b) *LIMITATION.*—The Secretary may not exercise the  
9 authority under subsection (a) in the case of any construc-  
10 tion project until the Secretary has submitted to the con-  
11 gressional defense committees a report on the activities that  
12 the Secretary intends to carry out under this section and  
13 the circumstances making such activities necessary.

14 (c) *SPECIFIC AUTHORITY.*—The requirement of section  
15 3125(b) does not apply to emergency planning, design, and  
16 construction activities conducted under this section.

17 (d) *REPORT.*—The Secretary of Energy shall promptly  
18 report to the congressional defense committees any exercise  
19 of authority under this section.

20 **SEC. 3128. FUNDS AVAILABLE FOR ALL NATIONAL SECU-**  
21 **RITY PROGRAMS OF THE DEPARTMENT OF**  
22 **ENERGY.**

23 Subject to the provisions of appropriation Acts and  
24 section 3121, amounts appropriated pursuant to this title  
25 that are made available for management and support ac-



1 *tivities and for general plant projects are available for use,*  
2 *when necessary, in connection with all national security*  
3 *programs of the Department of Energy.*

4 **SEC. 3129. AVAILABILITY OF FUNDS.**

5 *When so specified in an appropriation Act, amounts*  
6 *appropriated for operating expenses, plant projects, and*  
7 *capital equipment may remain available until expended.*

8 **Subtitle C—Program Authoriza-**  
9 **tions, Restrictions, and Limita-**  
10 **tions**

11 **SEC. 3131. STOCKPILE STEWARDSHIP RECRUITMENT AND**  
12 **TRAINING PROGRAM.**

13 *(a) CONDUCT OF PROGRAM.—(1) As part of the stock-*  
14 *pile stewardship program established pursuant to section*  
15 *3138 of the National Defense Authorization Act for Fiscal*  
16 *Year 1994 (Public Law 103–160; 107 Stat. 1946; 42 U.S.C.*  
17 *2121 note), the Secretary of Energy shall conduct a stock-*  
18 *pile stewardship recruitment and training program at the*  
19 *Sandia National Laboratories, the Lawrence Livermore Na-*  
20 *tional Laboratory, and the Los Alamos National Labora-*  
21 *tory.*

22 *(2) The recruitment and training program shall be*  
23 *conducted in coordination with the Chairman of the Joint*  
24 *Nuclear Weapons Council established by section 179 of title*

1 10, United States Code, and the directors of the laboratories  
2 referred to in paragraph (1).

3 (b) *SUPPORT OF DUAL-USE PROGRAMS.*—(1) As part  
4 of the recruitment and training program, the directors of  
5 the laboratories referred to in subsection (a)(1) may employ  
6 undergraduate students, graduate students, and  
7 postdoctoral fellows to carry out research sponsored by such  
8 laboratories for military or nonmilitary dual-use programs  
9 related to nuclear weapons stockpile stewardship.

10 (2) Of the amounts authorized to be appropriated to  
11 the Secretary of Energy pursuant to section 3101(a)(1) for  
12 weapons activities for core research and development and  
13 allocated by the Secretary for education initiatives,  
14 \$4,000,000 shall be available for carrying out paragraph  
15 (1). The amount available under this paragraph shall be  
16 allocated equally among the laboratories referred to in sub-  
17 section (a)(1).

18 (c) *ESTABLISHMENT OF RETIREE CORPS.*—As part of  
19 the training and recruitment program, the Secretary, in co-  
20 ordination with the directors of the laboratories referred to  
21 in subsection (a)(1), shall establish for the laboratories a  
22 retiree corps of retired scientists who have expertise in re-  
23 search and development of nuclear weapons. The directors  
24 may employ the retired scientists on a part-time basis to  
25 provide appropriate assistance on nuclear weapons issues,

1 *to contribute relevant information to be archived, and to*  
2 *help to provide training to other scientists.*

3 *(d) REPORT.—(1) Not later than February 1, 1995,*  
4 *the Secretary of Energy shall submit to the congressional*  
5 *defense committees a report on the demographic trends of*  
6 *the personnel of the laboratories referred to in subsection*  
7 *(a)(1) and on actions taken by the Department of Energy*  
8 *to remedy identified deficiencies in various skill areas.*

9 *(2) The report shall be prepared in coordination with*  
10 *the Chairman of the Joint Nuclear Weapons Council and*  
11 *the directors of the laboratories. Information included in*  
12 *the report shall be aggregated and compiled into statistical*  
13 *categories.*

14 *(3) The report shall include the following:*

15 *(A) An inventory of the weapons-related tasks*  
16 *that the laboratories need to perform to support their*  
17 *nuclear weapons responsibilities.*

18 *(B) An inventory of the skills necessary to com-*  
19 *plete the weapons-related tasks referred to in subpara-*  
20 *graph (A).*

21 *(C) For each laboratory, the number of scientists*  
22 *needed in each skill area to perform such tasks.*

23 *(D) The number of the scientists providing serv-*  
24 *ices in each skill area at each laboratory, stated by*  
25 *age.*

1           (E) An assessment of which skill areas are  
2 understaffed.

3           (F) The number of scientists entering the weap-  
4 ons program at each laboratory, and their skill areas.

5           (G) The number of full-time equivalent personnel  
6 with weapon skills, their distribution by skill and, for  
7 each such skill, their distribution by age.

8           (H) The number of scientists retiring from the  
9 weapons program in the 5- year period ending on the  
10 date of the report and the skill areas in which they  
11 worked in the year preceding their retirement.

12           (I) Based on the information contained in sub-  
13 paragraphs (A) through (H), a projection of the skills  
14 areas that will become understaffed in the five years  
15 following the date of the report.

16           (J) Alternative actions that may be taken to re-  
17 tain and recruit scientists for the weapons programs  
18 at the laboratories in order to preserve a sufficient  
19 skill base and to fulfill stockpile stewardship respon-  
20 sibilities.

21           (K) Any plans of the Secretary to take any of the  
22 alternative actions referred to in subparagraph (J).

1 **SEC. 3132. DEFENSE INERTIAL CONFINEMENT FUSION PRO-**  
2 **GRAM.**

3 *Of the funds authorized to be appropriated by this title*  
4 *to the Department of Energy for fiscal year 1995,*  
5 *\$176,473,000 shall be available for the defense inertial con-*  
6 *finement fusion program.*

7 **SEC. 3133. PAYMENT OF PENALTIES.**

8 *The Secretary of Energy may pay to the Hazardous*  
9 *Substance Superfund established under section 9507 of the*  
10 *Internal Revenue Code of 1986 (26 U.S.C. 9507), from*  
11 *funds appropriated to the Department of Energy for envi-*  
12 *ronmental restoration and waste management activities*  
13 *pursuant to section 3102, stipulated civil penalties assessed*  
14 *under the Comprehensive Environmental Response, Com-*  
15 *ensation and Liability Act of 1980 (42 U.S.C. 9601 et*  
16 *seq.) in amounts as follows:*

17 *(1) \$50,000, assessed against the Fernald Envi-*  
18 *ronmental Management Project, Ohio, under such*  
19 *Act.*

20 *(2) \$50,000, assessed against the Portsmouth*  
21 *Gaseous Diffusion Plant, Ohio, under such Act.*

22 **SEC. 3134. WATER MANAGEMENT PROGRAMS.**

23 *From funds authorized to be appropriated pursuant*  
24 *to section 3102 to the Department of Energy for environ-*  
25 *mental restoration and waste management activities, the*  
26 *Secretary of Energy may reimburse the cities of West-*

1 *minster, Broomfield, Thornton, and Northglenn, in the*  
2 *State of Colorado, \$11,415,000 for the cost of implementing*  
3 *water management programs. Reimbursements for the*  
4 *water management programs shall not be considered a*  
5 *major Federal action for purposes of section 102(2) of the*  
6 *National Environmental Policy Act of 1969 (42 U.S.C.*  
7 *4332(2)).*

8 **SEC. 3135. LIMITATION ON USE OF FUNDS FOR SPECIAL AC-**  
9 **CESS PROGRAMS.**

10 *Not more than 20 percent of the funds appropriated*  
11 *or otherwise made available to the Department of Energy*  
12 *for fiscal year 1995 pursuant to this title that are available*  
13 *for limited access programs and special access program*  
14 *may be obligated for a limited access program or special*  
15 *access program until the Secretary of Energy submits to*  
16 *the congressional defense committees the annual reports re-*  
17 *quired to be submitted in that fiscal year under subsections*  
18 *(a) and (b) of section 93 of the Atomic Energy Act of 1954*  
19 *(42 U.S.C. 2122a).*

20 **SEC. 3136. PROTECTION OF NUCLEAR WEAPONS FACILITIES**  
21 **WORKERS.**

22 *Of the funds authorized to be appropriated by section*  
23 *310(2) for environmental restoration and waste manage-*  
24 *ment activities, \$11,000,000 shall be available to carry out*  
25 *activities authorized under section 3131 of the National De-*

1 *fense Authorization Act for Fiscal Years 1992 and 1993*  
2 *(Public Law 102–190; 105 Stat. 1571; 42 U.S.C. 7274d),*  
3 *relating to worker protection at nuclear weapons facilities.*

4 **SEC. 3137. NATIONAL SECURITY PROGRAMS.**

5 *Notwithstanding any other provision of law, not more*  
6 *than 90 percent of the funds appropriated to the Depart-*  
7 *ment of Energy for national security programs under this*  
8 *title may be obligated for such programs until the Secretary*  
9 *of Energy submits to the congressional defense committees*  
10 *the five-year budget plan with respect to fiscal year 1995*  
11 *required under section 3144 of the National Defense Author-*  
12 *ization Act for Fiscal Years 1990 and 1991 (Public Law*  
13 *101–189; 103 Stat. 1681; 42 U.S.C. 7271b).*

14 **SEC. 3138. SCHOLARSHIP AND FELLOWSHIP PROGRAM FOR**  
15 **ENVIRONMENTAL RESTORATION AND WASTE**  
16 **MANAGEMENT.**

17 *Of the funds authorized to be appropriated to the De-*  
18 *partment of Energy for fiscal year 1995 for environmental*  
19 *restoration and waste management, \$1,000,000 shall be*  
20 *available for the Scholarship and Fellowship Program for*  
21 *Environmental Restoration and Waste Management carried*  
22 *out under section 3123 of the National Defense Authoriza-*  
23 *tion Act for Fiscal Years 1992 and 1993 (Public Law 102–*  
24 *190; 105 Stat. 1572; 42 U.S.C. 7274e).*

1 **SEC. 3139. HAZARDOUS MATERIALS MANAGEMENT AND**  
2 **HAZARDOUS MATERIALS EMERGENCY RE-**  
3 **SPONSE TRAINING PROGRAM.**

4 *Of the funds authorized to be appropriated to the De-*  
5 *partment of Energy for fiscal year 1995 under section*  
6 *3102(d), not more than \$14,000,000 shall be available to*  
7 *carry out a hazardous materials management and hazard-*  
8 *ous materials emergency response training program at*  
9 *Hanford Nuclear Reservation, Richland, Washington.*

10 **SEC. 3140. PROGRAMS FOR PERSONS WHO MAY HAVE BEEN**  
11 **EXPOSED TO RADIATION RELEASED FROM**  
12 **HANFORD NUCLEAR RESERVATION.**

13 *(a) FUNDING.—Of the funds authorized to be appro-*  
14 *priated to the Department of Energy under section 3101*  
15 *for fiscal year 1995, \$3,295,591 shall be available for activi-*  
16 *ties relating to the Hanford Health Information Network*  
17 *established pursuant to the authority set forth in section*  
18 *3138 of the National Defense Authorization Act for Fiscal*  
19 *Year 1991 (Public Law 101–510; 104 Stat. 1834).*

20 *(b) LIMITATION ON RELEASE OF CERTAIN PERSONAL*  
21 *INFORMATION.—(1) Information referred to in paragraph*  
22 *(2) that is collected from an individual pursuant to oper-*  
23 *ation of the Hanford Health Information Network shall be*  
24 *used only by the Network unless the individual, or a des-*  
25 *ignated legal representative of the individual, authorizes in*  
26 *writing the use of the information for another purpose.*



1       (2) Paragraph (1) applies to the following informa-  
2       tion:

3               (A) The name, address, telephone number, and  
4       medical information and records of each individual  
5       requesting assistance and information from the Net-  
6       work.

7               (B) Such other information or categories of in-  
8       formation as the chief officers of the health depart-  
9       ments of the States of Washington, Oregon, and Idaho  
10      jointly designate as information covered by this sub-  
11      section.

12   **SEC. 3141. SOLAR ENERGY ACTIVITIES AT NEVADA TEST**  
13                               **SITE, NEVADA.**

14       Of the funds authorized to be appropriated to the De-  
15      partment of Energy under section 3101, \$10,000,000 shall  
16      be available for development of solar energy at the Nevada  
17      Test Site, Nevada.

18                               **Subtitle D—Other Matters**

19   **SEC. 3151. ACCOUNTING PROCEDURES FOR DEPARTMENT**  
20                               **OF ENERGY FUNDS.**

21       (a) *IN GENERAL.*—The Secretary of Energy shall pre-  
22      scribe procedures to account for the use of funds for the per-  
23      formance of the programs and activities of the Department  
24      of Energy for which funds are appropriated for national  
25      security programs of the Department of Energy. The proce-

1 *dures shall provide for such accounting for fiscal years be-*  
2 *ginning after fiscal year 1996.*

3 *(b) COVERED MATTERS.—The Secretary shall pre-*  
4 *scribe procedures under subsection (a)—*

5 *(1) to account for the funds appropriated to the*  
6 *Department for national security programs and ac-*  
7 *tivities of the Department that are not used for the*  
8 *purpose for which such funds were appropriated; and*

9 *(2) to provide an accounting for all encumbered*  
10 *funds, unencumbered funds, unobligated funds, costed*  
11 *funds, and uncosted obligations of the Department in*  
12 *that fiscal year.*

13 **SEC. 3152. APPROVAL FOR CERTAIN NUCLEAR WEAPONS AC-**  
14 **TIVITIES.**

15 *(a) APPROVAL BY JOINT NUCLEAR WEAPONS COUN-*  
16 *CIL.—Subsection (d) of section 179 of title 10, United*  
17 *States Code, is amended—*

18 *(1) by redesignating paragraphs (8) and (9) as*  
19 *paragraphs (9) and (10), respectively; and*

20 *(2) by inserting after paragraph (7) the follow-*  
21 *ing new paragraph (8):*

22 *“(8) Coordinating and approving activities ini-*  
23 *tiated or conducted by the Department of Energy for*  
24 *the study, development, and production of nuclear*  
25 *warheads, including concept definition studies, fea-*

1 *sibility studies, engineering development, hardware*  
2 *component fabrication, warhead production, and war-*  
3 *head retirement.”.*

4 *(b) TECHNICAL AMENDMENTS.—Subsections (a)(3)*  
5 *and (b) of such section are amended by striking out “ap-*  
6 *pointed” each place it appears and inserting in lieu thereof*  
7 *“designated”.*

8 **SEC. 3153. STUDY OF FEASIBILITY OF CONDUCTING CER-**  
9 **TAIN ACTIVITIES AT THE NEVADA TEST SITE,**  
10 **NEVADA.**

11 *Not later than April 1, 1995, the Secretary of Energy*  
12 *shall submit to Congress a report on the feasibility of con-*  
13 *ducting the following activities at the Nevada Test Site, Ne-*  
14 *vada:*

15 *(1) The demilitarization of large rocket motors,*  
16 *high energetic explosives and conventional ordnance.*

17 *(2) Disarmament and demilitarization of con-*  
18 *ventional weapons and components, generally.*

19 *(3) The conduct of experiments that assist in*  
20 *monitoring compliance with international agreements*  
21 *on the nonproliferation of nuclear weapons.*

22 *(4) The conduct of programs for the Department*  
23 *of Energy and the Department of Defense to develop*  
24 *simulator technologies for nuclear weapons design*  
25 *and effects, including advanced hydrodynamic sim-*

1        *ulators, fusion test facilities, and nuclear weapons ef-*  
2        *fects simulators (such as the Decade and Jupiter sim-*  
3        *ulators).*

4            *(5) The conduct of the stockpile stewardship pro-*  
5        *gram established pursuant to section 3138 of the Na-*  
6        *tional Defense Authorization Act for Fiscal Year 1994*  
7        *(42 U.S.C. 2121 note).*

8            *(6) Experiments related to the nonproliferation*  
9        *of nuclear weapons, including experiments with re-*  
10       *spect to disablement of such weapons, nuclear*  
11       *forensics, sensors, and verification and monitoring.*

12        **SEC. 3154. NUCLEAR WEAPONS COUNCIL MEMBERSHIP.**

13        *Section 179(a)(1) title 10, United States Code, is*  
14       *amended to read as follows: “(3) Two senior representatives*  
15       *of the Department of Energy appointed by the Secretary*  
16       *of Energy.”.*

17        **SEC. 3155. OFFICE OF FISSILE MATERIALS DISPOSITION.**

18            *(a) ESTABLISHMENT.—Title II of the Department of*  
19       *Energy Organization Act (42 U.S.C. 7131 et seq.) is*  
20       *amended by adding at the end the following:*

21            *“OFFICE OF FISSILE MATERIALS DISPOSITION*

22            *“SEC. 212. (a) There shall be within the Department*  
23       *an Office of Fissile Materials Disposition.*

24            *“(b) The Secretary shall designate the head of the Of-*  
25       *fice. The head of the Office shall report to the Under Sec-*  
26       *retary.*

1       “(c) The head of the Office shall be responsible for all  
2 activities of the Department relating to the management,  
3 storage, and disposition of fissile materials from weapons  
4 and weapons systems that are excess to the national security  
5 needs of the United States.”.

6       (b) *CONFORMING AMENDMENT.*—The table of contents  
7 in the first section of such Act is amended by inserting after  
8 the item relating to section 210 the following new items:

“Sec. 211. Office of Minority Economic Impact.

“Sec. 212. Office of Fissile Materials Disposition.”.

9       **SEC. 3156. EXTENSION OF AUTHORITY TO LOAN PERSON-**  
10                                   **NEL AND FACILITIES AT IDAHO NATIONAL**  
11                                   **ENGINEERING LABORATORY.**

12       Section 1434 of the National Defense Authorization  
13 Act, Fiscal Year 1989 (Public Law 100–456; 102 Stat.  
14 2074), as amended by section 3136 of the National Defense  
15 Authorization Act for Fiscal Year 1993 (Public Law 102–  
16 484; 106 Stat. 2641), is further amended—

17               (1) in the third sentence of subsection (a)(3), by  
18 striking out “fiscal years 1993 and 1994” and insert-  
19 ing in lieu thereof “fiscal years 1993, 1994, 1995,  
20 1996, and 1997”; and

21               (2) in subsection (c), by striking out “September  
22 30, 1994, with respect to the Idaho National Engi-  
23 neering Laboratory” and inserting in lieu thereof

1       *“September 30, 1997, with respect to the Idaho Na-*  
2       *tional Engineering Laboratory”.*

3       **SEC. 3157. ELIMINATION OF REQUIREMENT FOR FIVE-YEAR**  
4       **PLAN FOR DEFENSE NUCLEAR FACILITIES.**

5       *Subsection (a) section 3135 of the National Defense*  
6       *Authorization Act for Fiscal Years 1992 and 1993 (Public*  
7       *Law 102–190; 105 Stat. 1575; 42 U.S.C. 7274g(a)) is*  
8       *amended—*

9               *(1) in paragraph (1)—*

10                       *(A) by striking out “(A) defense nuclear fa-*  
11                       *cilities and (B) all other facilities owned or oper-*  
12                       *ated by the Department of Energy” in the first*  
13                       *sentence and inserting in lieu thereof “all facili-*  
14                       *ties owned or operated by the Department of En-*  
15                       *ergy except defense nuclear facilities”;* and

16                       *(B) by inserting “such” in the third sen-*  
17                       *tence after “restoration at all”;*

18               *(2) in paragraph (4), by striking out “The plan*  
19       *shall contain the following matter:” and inserting in*  
20       *lieu thereof “The plan shall include, with respect to*  
21       *the Department of Energy facilities required by para-*  
22       *graph (1) to be covered by the plan, the following*  
23       *matters:”;*

24               *(3) by striking out paragraph (6); and*

1           (4) by redesignating paragraph (7) as para-  
2           graph (6).

3   **SEC. 3158. AUTHORITY FOR APPOINTMENT OF CERTAIN SCI-**  
4                   **ENTIFIC, ENGINEERING, AND TECHNICAL**  
5                   **PERSONNEL.**

6           (a) *AUTHORITY.*—(1) Notwithstanding any provision  
7           of title 5, United States Code, governing appointments in  
8           the competitive service and General Schedule classification  
9           and pay rates, or any other provision of law, the Secretary  
10          of Energy may—

11                  (A) establish and set the rates of pay for not  
12                  more than 200 positions in the Department of Energy  
13                  for scientific, engineering, and technical personnel  
14                  whose duties will relate to safety at defense nuclear  
15                  facilities of the Department; and

16                  (B) appoint persons to such positions.

17           (2) The rate of pay for a position established under  
18           paragraph (1) may not exceed the rate of pay payable for  
19           Level IV of the Executive Schedule under section 5315 of  
20           title 5, United States Code.

21           (3) To the maximum extent practicable, the Secretary  
22           shall appoint persons under paragraph (1)(B) to the posi-  
23           tions established under paragraph (1)(A) in accordance  
24           with the merit system principles set forth in section 2301  
25           of such title.

1           (b) *OPM REVIEW.*—(1) *The Secretary shall enter into*  
2 *an agreement with the Director of the Office of Personnel*  
3 *Management under which agreement the Director shall pe-*  
4 *riodically evaluate the use of the authority set forth in sub-*  
5 *section (a)(1).*

6           (2) *If the Director determines as a result of such eval-*  
7 *uation that the Secretary of Energy is not appointing per-*  
8 *sons to positions under such authority in a manner consist-*  
9 *ent with the merit system principles set forth in section*  
10 *2301 of title 5, United States Code, the Director shall notify*  
11 *the Secretary of that determination.*

12           (3) *Upon receipt of a notification under paragraph*  
13 *(2), the Secretary shall—*

14                   (A) *take appropriate actions to appoint persons*  
15 *to positions under such authority in a manner con-*  
16 *sistent with such principles; or*

17                   (B) *cease appointment of persons under such au-*  
18 *thority.*

19           (c) *TERMINATION.*—(1) *The authority provided under*  
20 *subsection (a)(1) shall terminate on September 30, 1997.*

21           (2) *An employee may not be separated from employ-*  
22 *ment with the Department of Energy or receive a reduction*  
23 *in pay by reason of the termination of authority under*  
24 *paragraph (1).*



1 **SEC. 3159. DEPARTMENT OF ENERGY DECLASSIFICATION**

2 **PRODUCTIVITY INITIATIVE.**

3 *Of the funds authorized to be appropriated to the De-*  
4 *partment of Energy under section 3103, \$3,000,000 shall*  
5 *be available for the Department of Energy's Declassification*  
6 *Productivity Initiative.*

7 **SEC. 3160. SAFETY OVERSIGHT AND ENFORCEMENT AT DE-**

8 **FENSE NUCLEAR FACILITIES.**

9 *(a) FINDINGS.—Congress finds the following:*

10 *(1) Effective oversight of matters relating to nu-*  
11 *clear safety at defense nuclear facilities and enforce-*  
12 *ment of nuclear safety standards at such facilities are*  
13 *critical to ensuring the safety of the public and the*  
14 *workers at such facilities.*

15 *(2) The Department of Energy has not devoted*  
16 *adequate attention historically to matters relating to*  
17 *nuclear safety at defense nuclear facilities.*

18 *(b) SAFETY AT DEFENSE NUCLEAR FACILITIES.—The*  
19 *Secretary of Energy shall take appropriate actions to en-*  
20 *sure that—*

21 *(1) officials of the Department of Energy who*  
22 *are responsible for independent oversight of matters*  
23 *relating to nuclear safety at defense nuclear facilities*  
24 *and enforcement of nuclear safety standards at such*  
25 *facilities maintain independence from officials who*  
26 *are engaged in management of such facilities;*

1           (2) *the independent, internal oversight functions*  
2 *carried out by the Department include, at the mini-*  
3 *imum, activities relating to—*

4                 (A) *the assessment of the safety of defense*  
5 *nuclear facilities;*

6                 (B) *the assessment of the effectiveness of De-*  
7 *partment program offices in carrying out pro-*  
8 *grams relating to the environment, safety, health,*  
9 *and security at defense nuclear facilities;*

10                (C) *the provision to the Secretary of over-*  
11 *sight reports that—*

12                   (i) *contain validated technical infor-*  
13 *mation; and*

14                   (ii) *provide a clear analysis of the ex-*  
15 *tent to which line programs governing de-*  
16 *fense nuclear facilities meet applicable goals*  
17 *for the environment, safety, health, and se-*  
18 *curity at such facilities; and*

19                 (D) *the development of clear performance*  
20 *standards to be used in assessing the adequacy of*  
21 *the programs referred to in subparagraph*  
22 *(C)(ii);*

23           (3) *the Department has a system for bringing is-*  
24 *ssues relating to nuclear safety at defense nuclear fa-*  
25 *cilities to the attention of the officials of the Depart-*

1 *ment (including the Secretary of Energy) having au-*  
2 *thority to resolve such issues in an adequate and*  
3 *timely manner; and*

4 *(4) an adequate number of qualified personnel of*  
5 *the Department are assigned to oversee matters relat-*  
6 *ing to nuclear safety at defense nuclear facilities and*  
7 *enforce nuclear safety standards at such facilities.*

8 *(c) REPORT.—Not later than 90 days after the date*  
9 *of the enactment of this Act, the Secretary of Energy shall*  
10 *submit to the congressional defense committees a report de-*  
11 *scribing—*

12 *(1) the actions that the Secretary has taken or*  
13 *will take to fulfill the requirements set forth in para-*  
14 *graphs (1), (2), and (3) of subsection (b);*

15 *(2) the actions in addition to the actions de-*  
16 *scribed under paragraph (1) that the Secretary could*  
17 *take in order to fulfill such requirements; and*

18 *(3) the respective roles with regard to nuclear*  
19 *safety at defense nuclear facilities of the following of-*  
20 *ficials:*

21 *(A) The Associate Deputy Secretary of En-*  
22 *ergy for Field Management.*

23 *(B) The Assistant Secretary of Energy for*  
24 *Defense Programs.*

1           (C) *The Assistant Secretary of Energy for*  
2           *Environmental Restoration and Waste Manage-*  
3           *ment.*

4 **SEC. 3161. CONDITIONS ON CONTRACTS BETWEEN THE**  
5           **FEDERAL GOVERNMENT AND CERTAIN LES-**  
6           **SEES AND TRANSFEREES OF DEPARTMENT**  
7           **OF ENERGY PROPERTY.**

8           (a) *CONDITIONS.*—*Notwithstanding any other provi-*  
9           *sion of law, the head of a department or agency of the Unit-*  
10          *ed States may require as a condition of a contract with*  
11          *an entity described in subsection (b) that such entity cer-*  
12          *tifies to the head of the department or agency the following:*

13               (1) *That no officer, director, employee, or agent*  
14               *of the entity has utilized in the preparation of the bid*  
15               *or solicitation for the contract—*

16                       (A) *any records or systems of records of the*  
17                       *Federal Government that are covered by section*  
18                       *552a of title 5, United States Code;*

19                       (B) *any information or data of the Federal*  
20                       *Government that has not been released or other-*  
21                       *wise made generally available for preparation of*  
22                       *bids or proposals on the contract; or*

23                       (C) *any commercial information or data of*  
24                       *another entity that has not been released or oth-*  
25                       *erwise made generally available for that purpose.*

1           (2) *That the entity has returned, destroyed, or*  
2           *otherwise disposed of all documents received from the*  
3           *Federal Government by reason of any earlier contract*  
4           *between the Federal Government and the entity for*  
5           *the operation of the facility which is leased, or with*  
6           *respect to which property is transferred, to the entity*  
7           *pursuant to a provision of law referred to in sub-*  
8           *section (b).*

9           (b) *COVERED ENTITIES.—Subsection (a) applies to*  
10          *any entity, or the affiliate, successor to, or assign of the*  
11          *entity, to which the Secretary of Energy leases a Depart-*  
12          *ment of Energy facility under section 646(c) of the Depart-*  
13          *ment of Energy Organization Act (42 U.S.C. 7256(d)) or*  
14          *to which the Secretary transfers personal property of such*  
15          *a facility under section 3155(a) of the National Defense Au-*  
16          *thorization Act for Fiscal Year 1994 (Public Law 103–160;*  
17          *107 Stat. 1953; 42 U.S.C. 7274l(c)).*

18          **TITLE       XXXII—DEFENSE       NU-**  
19                  **CLEAR FACILITIES SAFETY**  
20                  **BOARD AUTHORIZATION**

21          **SEC. 3201. AUTHORIZATION.**

22           *There are authorized to be appropriated for fiscal year*  
23          *1995, \$17,933,000 for the operation of the Defense Nuclear*  
24          *Facilities Safety Board under chapter 21 of the Atomic En-*  
25          *ergy Act of 1954 (42 U.S.C. 2286 et seq.).*

**TITLE XXXIII—NATIONAL  
DEFENSE STOCKPILE**

**SEC. 3301. DISPOSAL OF OBSOLETE AND EXCESS MATERIALS CONTAINED IN THE NATIONAL DEFENSE STOCKPILE.**

(a) *DISPOSAL AUTHORIZED.*—Subject to the conditions specified in subsection (b), the President may dispose of obsolete and excess materials currently contained in the National Defense Stockpile in order to modernize the stockpile. The materials subject to disposal under this subsection and the quantity of each material authorized to be disposed of by the President are set forth in the following table:

**Authorized Stockpile Disposals**

<b>Material for disposal</b>	<b>Quantity</b>
Aluminum .....	62,843 short tons
Tungsten Group .....	51,336,478 pounds of contained tungsten

(b) *CONDITIONS ON DISPOSAL.*—The authority of the President under subsection (a) to dispose of materials stored in the stockpile may not be used unless and until the Secretary of Defense certifies that the disposal of such materials will not adversely affect the capability of the National Defense Stockpile to supply the strategic and critical materials necessary to meet the needs of the United States during a period of national emergency that requires a significant level of mobilization of the economy of the United States, including any reconstitution of the military and industrial

1 *capabilities necessary to meet the planning assumptions*  
2 *used by the Secretary of Defense under section 14(b) of the*  
3 *Strategic and Critical Materials Stock Piling Act (50*  
4 *U.S.C. 98h-5(b)).*

5 **SEC. 3302. AUTHORIZED USES OF STOCKPILE FUNDS.**

6 *Subject to such limitations as may be provided in ap-*  
7 *propriations Acts, during fiscal year 1995, the National De-*  
8 *fense Stockpile Manager may obligate up to \$54,200,000 of*  
9 *the funds in the National Defense Stockpile Transaction*  
10 *Fund established under subsection (a) of section 9 of the*  
11 *Strategic and Critical Materials Stock Piling Act (50*  
12 *U.S.C. 98h) for the authorized uses of such funds under sub-*  
13 *section (b)(2) of such section.*

14 **SEC. 3303. REPEAL OF ADVISORY COMMITTEE REQUIRE-**  
15 **MENT.**

16 *Section 3306 of the National Defense Authorization*  
17 *Act for Fiscal Year 1993 (Public Law 102-484; 106 Stat.*  
18 *2652; 50 U.S.C. 98h-1 note) is repealed.*

19 **SEC. 3304. ROTATION OF MATERIALS TO PREVENT TECHNO-**  
20 **LOGICAL OBSOLESCENCE.**

21 *Section 6(a)(4) of the Strategic and Critical Materials*  
22 *Stock Piling Act (50 U.S.C. 98e(a)(4)) is amended by in-*  
23 *serting “or technological obsolescence” after “deterioration”.*

1     **TITLE XXXIV—CIVIL DEFENSE**

2     **SEC. 3401. AUTHORIZATION OF APPROPRIATIONS.**

3         *There is hereby authorized to be appropriated*  
4     *\$129,658,000 for fiscal year 1995 for the purpose of carry-*  
5     *ing out the Federal Civil Defense Act of 1950 (50 U.S.C.*  
6     *2251 et seq.).*

7     **TITLE XXXV—PANAMA CANAL**  
8             **COMMISSION**

9     **SEC. 3501. SHORT TITLE.**

10         *This title may be cited as the “Panama Canal Com-*  
11     *mission Authorization Act for Fiscal Year 1995”.*

12     **SEC. 3502. AUTHORIZATION OF EXPENDITURES.**

13         *(a) IN GENERAL.—Subject to subsection (b), the Pan-*  
14     *ama Canal Commission is authorized to make such expend-*  
15     *itures within the limits of funds and borrowing authority*  
16     *available to it in accordance with law, and to make such*  
17     *contracts and commitments without regard to fiscal year*  
18     *limitations, as may be necessary under the Panama Canal*  
19     *Act of 1979 (22 U.S.C. 3601) for the operation, mainte-*  
20     *nance, and improvement of the Panama Canal for fiscal*  
21     *year 1995.*

22         *(b) LIMITATIONS.—For fiscal year 1995, the Panama*  
23     *Canal Commission may expend from funds in the Panama*  
24     *Canal Revolving Fund not more than \$50,030,000 for ad-*  
25     *ministrative expenses, of which not more than—*



1           (1) \$11,000 may be used for official reception  
2           and representation expenses of the Supervisory Board  
3           of the Commission;

4           (2) \$5,000 may be used for official reception and  
5           representation expenses of the Secretary of the Com-  
6           mission; and

7           (3) \$30,000 may be used for official reception  
8           and representation expenses of the Administrator of  
9           the Commission.

10          (c) *REPLACEMENT VEHICLES.*—Funds available to the  
11 *Panama Canal Commission shall be available for the pur-*  
12 *chase of not to exceed 43 passenger motor vehicles (including*  
13 *large heavy-duty vehicles to be used to transport Commis-*  
14 *sion personnel across the isthmus of Panama). A vehicle*  
15 *may be purchased with such funds only as necessary to re-*  
16 *place another passenger motor vehicle of the Commission.*  
17 *The purchase price of each vehicle may not exceed \$19,500.*

18 **SEC. 3503. EXPENDITURES IN ACCORDANCE WITH OTHER**

19   **LAWS.**

20          *Expenditures authorized under this Act may be made*  
21 *only in accordance with the Panama Canal Treaties of*  
22 *1977 and any law of the United States implementing those*  
23 *treaties.*

1 **SEC. 3504. COSTS OF EDUCATIONAL SERVICES OBTAINED IN**  
2 **THE UNITED STATES.**

3 *Section 1321(e)(2) of the Panama Canal Act of 1979*  
4 *(22 U.S.C. 3731(e)(2)) is amended by inserting “or the*  
5 *United States” after “schools in the Republic of Panama”.*

6 **SEC. 3505. SPECIAL IMMIGRANT STATUS OF PANAMANIAN**  
7 **EMPLOYED BY THE UNITED STATES IN THE**  
8 **FORMER CANAL ZONE.**

9 *Section 101(a)(27)(F) of the Immigration and Nation-*  
10 *ality Act (8 U.S.C. 1101(a)(27)(F)) is amended in clause*  
11 *(ii) by inserting “or continues to be employed by the United*  
12 *States Government in an area of the former Canal Zone”*  
13 *after “employment”.*

Amend the title so as to read: “An Act to authorize appropriations for fiscal year 1995 for military activities of the Department of Defense, for military construction, and for defense programs of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.”.

Attest:

*Secretary.*

HR 4301 EAS—2  
HR 4301 EAS—3  
HR 4301 EAS—4  
HR 4301 EAS—5  
HR 4301 EAS—6  
HR 4301 EAS—7  
HR 4301 EAS—8  
HR 4301 EAS—9  
HR 4301 EAS—10  
HR 4301 EAS—11  
HR 4301 EAS—12  
HR 4301 EAS—13  
HR 4301 EAS—14  
HR 4301 EAS—15  
HR 4301 EAS—16  
HR 4301 EAS—17  
HR 4301 EAS—18  
HR 4301 EAS—19  
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HR 4301 EAS—25  
HR 4301 EAS—26

HR 4301 EAS—	27
HR 4301 EAS—	28
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HR 4301 EAS—	62