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103^D CONGRESS
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S. 2182

[Report No. 103-282]

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.

IN THE SENATE OF THE UNITED STATES

JUNE 14 (legislative day, JUNE 7), 1994

Mr. NUNN, from the Committee on Armed Services, reported the following original bill; which was read twice and placed on the calendar

A BILL

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.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “National Defense
3 Authorization 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 Au-
9 thorizations.

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

12 (3) Division C—Department of Energy Na-
13 tional Security Authorizations and Other Authoriza-
14 tions.

15 (b) TABLE OF CONTENTS.—The table of contents for
16 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.

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.

Subtitle C—Navy Programs

- Sec. 121. Nuclear aircraft carrier program.

Subtitle D—Air Force Programs

- Sec. 131. Settlement of claims under the C-17 aircraft program.

Subtitle E—Other Matters

- Sec. 141. Preserving the bomber industrial base.
- Sec. 142. Dual-use electric and hybrid vehicles.

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.

Subtitle B—Programs Requirements, Restrictions, and Limitations

- 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.

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.

Subtitle E—Other Matters

- Sec. 241. Cooperative research and development agreements with NATO organizations.
- 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. 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.

TITLE III—OPERATION AND MAINTENANCE

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- 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.

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- Sec. 311. Permanent authority for use of fund for managing working capital funds and certain activities.
- Sec. 312. Implementation of improvement plan.
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- Sec. 321. Prohibition on the purchase of surety bonds and other guarantees for the Department of Defense.
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- Sec. 332. Extension and expansion of authority to conduct personnel demonstration projects.
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- Sec. 341. Change of source for performance of depot-level workloads.

- Sec. 342. Civil Air Patrol.
- Sec. 343. Armed Forces Retirement Home.
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- 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.
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- 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.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

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- Sec. 401. End strengths for active forces.
- Sec. 402. Extension of temporary variation of end strength limitations for Marine Corps majors and lieutenant colonels.
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- Sec. 411. End strengths for Selected Reserve.
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- Sec. 421. Authorization of training student loads.

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

TITLE V—MILITARY PERSONNEL POLICY

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- 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.

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.

Subtitle C—Other Matters

- Sec. 521. Review of certain dismissals from the United States Military Academy.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

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- 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.

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.

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. Establishment of medicare special enrollment period for certain military retirees and dependents and payment of late enrollment penalty by Department of Defense.
- Sec. 709. Eligibility for participation in demonstration programs for sale of pharmaceuticals.

TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS

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- Sec. 801. Policy for merit based award of contracts and grants.
- Sec. 802. Continuation of expiring requirement for annual report on the use of competitive procedures for awarding certain contracts to colleges and universities.

Subtitle B—Acquisition Assistance Programs

- 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.

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.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

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Sec. 902. Order of succession to Secretaries of the military departments.

Subtitle B—Commission on Roles and Missions of the Armed Forces

Sec. 911. Review of reserve components.

Sec. 912. Support by federally funded research and development centers.

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.

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

Subtitle B—Matters Relating to Allies and Other Nations

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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.
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Subtitle D—Peace Operations

- Sec. 1031. Reports on reforming multilateral peace operations.
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- Sec. 1042. Continuation of requirements for submittal of certain reports to Congress.

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- Sec. 1051. Use of inmate labor at military installations.
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Subtitle G—Other Matters

- 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.
- Sec. 1064. Defense Mapping Agency.
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- Sec. 2101. Authorized Army construction and land acquisition projects.
- Sec. 2102. Family housing.
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TITLE XXII—NAVY

- Sec. 2201. Authorized Navy construction and land acquisition projects.
- Sec. 2202. Family housing.
- Sec. 2203. Improvements to military family housing units.
- Sec. 2204. Authorization of appropriations, Navy.
- Sec. 2205. Authority to carry out construction project, Naval Supply Center, Pensacola, Florida.
- Sec. 2206. Relocation of Pascagoula Coast Guard Station, Mississippi.
- Sec. 2207. Authority to carry out construction design for Mayport Naval Station, Florida.

TITLE XXIII—AIR FORCE

- 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.
- Sec. 2403. Improvements to military family housing units.
- Sec. 2404. Energy conservation projects.
- Sec. 2405. Authorization of appropriations, Defense Agencies.
- Sec. 2406. Termination of authority to carry out fiscal year 1993 project.
- Sec. 2407. Community impact assistance with regard to Naval Weapons Station, Charleston, South Carolina.

TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION INFRASTRUCTURE

- Sec. 2501. Authorized NATO construction and land acquisition projects.
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TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

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TITLE XXVII—EXPIRATION OF AUTHORIZATIONS

- Sec. 2701. Expiration of authorizations and amounts required to be specified by law.
- 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.
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- 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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Subtitle E—Other Matters

- 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. 3102. Environmental restoration and waste management.
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Subtitle B—Recurring General Provisions

- Sec. 3121. Reprogramming.
- Sec. 3122. Limits on general plant projects.
- Sec. 3123. Limits on construction projects.
- Sec. 3124. Funds transfer authority.
- Sec. 3125. Authority for construction design.
- Sec. 3126. Requirement for completion of conceptual design to precede request for construction funds.
- Sec. 3127. Authority for emergency planning, design, and construction activities.
- Sec. 3128. Funds available for all national security programs of the Department of Energy.
- Sec. 3129. Availability of funds.

**Subtitle C—Program Authorizations, Restrictions, and
Limitations**

- Sec. 3131. Stockpile stewardship recruitment and training program.
- Sec. 3132. Defense inertial confinement fusion program.
- Sec. 3133. Payment of penalties.
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- 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,

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- Sec. 3151. Accounting procedures for Department of Energy funds.
- Sec. 3152. Approval for certain nuclear weapons activities.
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- Sec. 3154. Tritium production.
- Sec. 3155. Office of Fissile Materials Disposition.
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- Sec. 3157. Elimination of requirement for five-year plan for defense nuclear facilities.

Sec. 3158. Increase in number of positions for environmental restoration and waste management personnel excepted from civil service laws.

**TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY
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Sec. 3201. Authorization.

TITLE XXXIII—NATIONAL DEFENSE STOCKPILE

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Sec. 3302. Authorized uses of stockpile funds.

Sec. 3303. Repeal of advisory committee requirement.

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TITLE XXXIV—CIVIL DEFENSE

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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 Serv-
4 ices and the Committees on Appropriations of the Senate
5 and 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
10 \$263,130,327,000, of which the total amount authorized
11 to be appropriated for fiscal year 1995 under the provi-
12 sions of—

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

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

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

3 **DIVISION A—DEPARTMENT OF**
4 **DEFENSE AUTHORIZATIONS**
5 **TITLE I—PROCUREMENT**
6 **Subtitle A—Authorization of**
7 **Appropriations**

8 **SEC. 101. ARMY.**

9 Funds are hereby authorized to be appropriated for
10 fiscal year 1995 for procurement for the Army as follows:

11 (1) For aircraft, \$1,058,781,000.

12 (2) For missiles, \$723,909,000.

13 (3) For weapons and tracked combat vehicles,
14 \$1,132,886,000.

15 (4) For ammunition, \$840,361,000.

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

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

18 (a) NAVY.—Funds are hereby authorized to be appro-
19 priated for fiscal year 1995 for procurement for the Navy
20 as follows:

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

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

24 (3) For shipbuilding and conversion,
25 \$6,132,807,000.

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

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

5 **SEC. 103. AIR FORCE.**

6 Funds are hereby authorized to be appropriated for
7 fiscal year 1995 for procurement for the Air Force as fol-
8 lows:

9 (1) For aircraft, \$6,602,994,000.

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

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

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

13 Funds are hereby authorized to be appropriated for
14 fiscal year 1995 for Defense-wide procurement in the
15 amount of \$1,935,616,000.

16 **SEC. 105. RESERVE COMPONENTS.**

17 Funds are hereby authorized to be appropriated for
18 fiscal year 1995 for procurement of aircraft, vehicles, com-
19 munications equipment, and other equipment for the re-
20 serve components of the Armed Forces as follows:

21 (1) For the Army National Guard,
22 \$85,000,000.

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

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

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

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

2 (6) For the Marine Corps Reserve,
3 \$45,000,000.

4 **SEC. 106. CHEMICAL DEMILITARIZATION PROGRAM.**

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

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

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

15 (b) LIMITATION.—Of the funds specified in sub-
16 section (a)—

17 (1) \$363,584,000 is for operation and mainte-
18 nance;

19 (2) \$215,265,000 is for procurement; and

20 (3) \$11,300,000 is for research and develop-
21 ment efforts in support of the nonstockpile chemical
22 weapons program.

23 (c) AUTHORITY FOR OBLIGATION OF UNAUTHORIZED
24 APPROPRIATIONS.—The Department of Defense may obli-
25 gate and expend \$25,000,000 of the funds appropriated

1 for research, development, test, and evaluation under the
 2 heading “CHEMICAL AGENTS AND MUNITIONS DESTRUC-
 3 TION, DEFENSE” in title VI of Public Law 103–139 (107
 4 Stat. 1436) in accordance with the appropriation for such
 5 funds in that Act.

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

14 **Subtitle B—Army Programs**

15 **SEC. 111. MULTIYEAR PROCUREMENT AUTHORITY FOR** 16 **M1A2 TANK UPGRADES.**

17 The Secretary of the Army may enter into multiyear
 18 procurement contracts for procurement of M1A2 Abrams
 19 tank upgrades in accordance with section 2306(h) of title
 20 10, United States Code.

21 **SEC. 112. TRANSFER OF REPLACEMENT ARMY TANK TO MA-** 22 **RINE CORPS RESERVE.**

23 The Secretary of the Army shall transfer one M1A1
 24 common tank to the Marine Corps Reserve not later than
 25 the latest date on which any of the additional 24 M1A2

1 upgrades provided for under authorizations of appropria-
2 tions in this Act is accepted by the Army.

3 **SEC. 113. REPLACEMENT SURVEILLANCE SYSTEM FOR**
4 **KOREA.**

5 Funds available to the Army for procurement of OV-
6 1 aircraft that remain unobligated by reason of the early
7 retirement of OV-1 aircraft deployed in Korea may be
8 used for leasing a moving target indicator radar or an-
9 other surveillance system to replace the surveillance capa-
10 bility of such aircraft in Korea if—

11 (1) the lease provides for deployment of the sys-
12 tem within 180 days after the date of the enactment
13 of this Act;

14 (2) the Republic of Korea pays 50 percent of
15 the cost of the lease;

16 (3) the lease includes an option for the Republic
17 of Korea to purchase the leased system after the
18 joint surveillance and target attack radar surveil-
19 lance system (JSTARS) program attains initial
20 operational capability; and

21 (4) the lease expires within 180 days after the
22 date on which the JSTARS system is planned, as of
23 the date of the enactment of this Act, to attain ini-
24 tial operational capability.

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

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

4 (1) \$38,902,000 shall be available for procure-
5 ment of MK19–3 grenade machine guns;

6 (2) \$13,000,000 shall be available for procure-
7 ment of M16A2 rifles;

8 (3) \$24,016,000 shall be available for procure-
9 ment of M249 squad automatic weapons; and

10 (4) \$13,165,000 shall be available for procure-
11 ment of M4 carbines.

12 (b) MULTIYEAR CONTRACTS AUTHORIZED.—(1)
13 During fiscal year 1995, the Secretary of the Army may,
14 in accordance with section 2306(h) of title 10, United
15 States Code, enter into multiyear contracts to meet the
16 following objectives for quantities of small arms weapons
17 to be acquired for the Army:

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

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

20 (C) 71,769 M249 squad automatic weapons;

21 and

22 (D) 132,510 M4 carbines.

23 (2) If the Army does not enter into contracts in fiscal
24 year 1995 that will meet all the objectives set forth in
25 paragraph (1), the Secretary shall, to the extent provided

1 for in appropriations Acts, enter into multiyear contracts
2 on or after October 1, 1995, to meet such objectives.

3 (3) Notwithstanding the first sentence of section
4 2306(h)(8) of title 10, United States Code, the period of
5 a multiyear contract entered into under this subsection
6 may not exceed 10 years.

7 (c) FOLLOW-ON WEAPONS.—The Secretary of the
8 Army shall provide for procurement of product improve-
9 ments for existing small arms weapons and may do so
10 within multiyear contracts entered into pursuant to sub-
11 section (b).

12 (d) JOINT SMALL ARMS MASTER PLAN.—(1) The
13 Secretaries of the military departments shall jointly de-
14 velop a master plan for meeting the immediate and future
15 needs of the Armed Forces for small arms. The Secretary
16 of the Army shall coordinate the development of the joint
17 small arms master plan. The joint small arms master plan
18 shall include—

19 (A) an examination of the relative advantages
20 and disadvantages of improving existing small arms
21 weapons as compared to investing in new, advanced
22 technology weapons; and

23 (B) an analysis of the effects of each such ap-
24 proach on the small arms industrial base.

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

3 (A) review the joint small arms master plan
4 and the results of the examination of relative advan-
5 tages and disadvantages of the two courses of action
6 described in paragraph (1); and

7 (B) transmit the plan, together with any com-
8 ments that the Under Secretary considers appro-
9 priate, to the congressional defense committees.

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

12 (1) \$5,000,000 shall be available for the Objec-
13 tive Crew-Served Weapons System; and

14 (2) \$3,000,000 shall be available for product
15 improvements to existing small arms weapons.

16 **Subtitle C—Navy Programs**

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

18 (a) TRANSFER OF FISCAL YEAR 1994 FUNDS.—To
19 the extent provided in appropriations Acts,
20 \$1,200,000,000 may be transferred from the National De-
21 fense Sealift Fund to the funds appropriated pursuant to
22 the authorization in section 102(a)(3).

23 (b) AVAILABILITY FOR CVN-76.—The funds trans-
24 ferred shall be available for the CVN-76 nuclear aircraft
25 carrier program.

1 (c) RELATIONSHIP TO OTHER AUTHORIZATION.—

2 The amount of the funds transferred shall be in addition
3 to the amount authorized to be appropriated in section
4 102(a)(3) of the National Defense Authorization Act for
5 Fiscal Year 1994 (Public Law 103–160; 107 Stat. 1563).

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

10 **Subtitle D—Air Force Programs**

11 **SEC. 131. SETTLEMENT OF CLAIMS UNDER THE C-17 AIR-** 12 **CRAFT PROGRAM.**

13 (a) SUPPLEMENTAL AGREEMENTS AUTHORIZED.—

14 On or before September 30, 1995, but subject to sub-
15 section (e), the Secretary of the Air Force may enter into
16 supplemental agreements pertaining to Air Force prime
17 contract F33657–81–C–2108 and such other Air Force
18 contracts relating to the C–17 aircraft program in effect
19 on the date of enactment of this Act as the Secretary de-
20 termines appropriate—

21 (1) to settle claims and disputes arising under
22 such contracts as provided in the C–17 settlement
23 agreement letter;

24 (2) to revise the delivery schedules under such
25 contracts as provided in the C–17 settlement agree-

1 ment letter, for aircraft T-1 and P-1 through P-6;
2 and

3 (3) to revise range specifications, payload speci-
4 fications, and other specifications under such con-
5 tracts as provided in Attachment B to the C-17 set-
6 tlement agreement letter.

7 (b) FURTHER CONSIDERATION NOT REQUIRED.—
8 The supplemental agreements referred to in subsection (a)
9 may be entered into without requiring further consider-
10 ation from the contractor only to the extent provided for
11 in the C-17 settlement agreement letter.

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

21 (d) CONTRACT MODIFICATIONS REGARDING CON-
22 TRACTOR COMMITMENTS.—The Secretary of the Air
23 Force shall incorporate in each appropriate C-17 contract
24 the prime contractor's commitment to extend the flight
25 test program, redesign the wing, implement Computer

1 Aided Design/Computer Aided Manufacturing System im-
2 provements, Management Information System improve-
3 ments, and Advanced Quality System improvements, im-
4 plement product improvement cost reduction projects, and
5 resolve other C-17 program issues on a nonreimbursable
6 or cost-share basis as provided in the C-17 settlement
7 agreement letter.

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

16 (f) CONSTRUCTION REGARDING OTHER CONTRAC-
17 TOR OBLIGATIONS.—Nothing in this section shall be con-
18 strued as relieving the contractor of any obligation pro-
19 vided for in the C-17 settlement agreement letter.

20 (g) C-17 SETTLEMENT AGREEMENT LETTER.—The
21 C-17 settlement agreement letter referred to in this sec-
22 tion is the agreement that was proposed to the prime con-
23 tractor for the C-17 aircraft program by the Under Sec-
24 retary of Defense for Acquisition and Technology by letter

1 dated January 3, 1994, and was accepted by the prime
2 contractor on January 6, 1994.

3 **Subtitle E—Other Matters**

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

5 (a) FUNDS TO PRESERVE THE BOMBER INDUSTRIAL
6 BASE.—Of the funds authorized to be appropriated under
7 section 103(1), not more than \$150,000,000 shall be
8 available only for the following purposes:

9 (1) To retain B–2 bomber production tooling in
10 ready status.

11 (2) To preserve a production capability for
12 spare parts and aircraft subsystems among lower-
13 tier vendors.

14 (3) To develop detailed production plans for a
15 derivative of the B–2 bomber that is not capable of
16 delivering nuclear weapons.

17 (4) To carry out any other program, project, or
18 activity, not prohibited by subsection (b) or (c), that
19 the Secretary determines will help to preserve the
20 bomber industrial base of the United States.

21 (b) PROHIBITION.—None of the funds made available
22 pursuant to this section may be used to procure any major
23 structural part for B–2 bomber aircraft or any other part
24 for B–2 bomber aircraft that is not a part previously ac-

1 quired or planned to be acquired for the B-2 bomber air-
2 craft under the initial or sustaining spares program.

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

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

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
17 procurement of electric and hybrid vehicles for military
18 uses and for commercialization of such vehicles for non-
19 military uses.

20 (b) LIMITATION.—(1) Funds made available pursu-
21 ant to subsection (a) may not be expended until the Sec-
22 retary of Defense and the Secretary of Energy enter into
23 a memorandum of understanding that specifies the re-
24 sponsibilities of each Secretary for procurement and com-
25 mercialization activities to be carried out with such funds.

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

10 **TITLE II—RESEARCH, DEVELOP-**
11 **MENT, TEST, AND EVALUA-**
12 **TION**

13 **Subtitle A—Authorization of**
14 **Appropriations**

15 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

16 Funds are hereby authorized to be appropriated for
17 fiscal year 1995 for the use of the Department of Defense
18 for research, development, test, and evaluation, as follows:

19 (1) For the Army, \$5,149,708,000.

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

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

22 (4) For Defense-wide activities,
23 \$9,565,299,000, of which—

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

4 (B) \$12,501,000 is authorized for the Di-
5 rector of Operational Test and Evaluation.

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

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

12 (b) BASIC RESEARCH AND EXPLORATORY DEVELOP-
13 MENT DEFINED.—For purposes of this section, the term
14 “basic research and exploratory development” means work
15 funded in program elements for defense research and de-
16 velopment under Department of Defense category 6.1 or
17 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 **Subtitle B—Programs Require-**
2 **ments, Restrictions, and Limita-**
3 **tions**

4 **SEC. 211. TACTICAL ANTISATELLITE TECHNOLOGIES PRO-**
5 **GRAM.**

6 (a) DEMONSTRATION AND VALIDATION ACTIVI-
7 TIES.—Subject to subsection (e), the Secretary of Defense
8 shall continue the demonstration and validation of kinetic
9 energy antisatellite technologies under the tactical antisat-
10 ellite technologies program.

11 (b) LEVEL FUNDING.—Subject to subsection (e), of
12 the amounts authorized to be appropriated in this title,
13 \$10,000,000 shall be available for fiscal year 1995 for en-
14 gineering development under the tactical antisatellite tech-
15 nologies program.

16 (c) REQUIREMENT OF OBLIGATION OF PRIOR YEAR
17 FUNDS.—To the extent provided in appropriations Acts,
18 the Secretary shall obligate for engineering development
19 under the tactical antisatellite technologies program all
20 funds available for fiscal year 1993 and fiscal year 1994
21 for the Kinetic Energy Antisatellite (KE-ASAT) program
22 that remain available for obligation on the date of the en-
23 actment of this Act.

24 (d) REPORT.—The Secretary shall submit to Con-
25 gress the report required by section 1363 of the National

1 Defense Authorization Act for Fiscal Year 1993 (Public
2 Law 102-484; 106 Stat. 2560).

3 (e) LIMITATION.—No funds appropriated to the De-
4 partment of Defense for fiscal year 1995 may be obligated
5 for the tactical antisatellite technologies program until the
6 Secretary of Defense certifies to Congress that there is
7 a requirement for an antisatellite program.

8 **SEC. 212. TRANSFER OF MILSTAR COMMUNICATIONS SAT-**
9 **ELLITE PROGRAM.**

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

15 (b) FUNDING IN FUTURE YEARS DEFENSE PRO-
16 GRAM.—It is the sense of Congress that the Secretary
17 should transfer from the Air Force to the Navy sufficient
18 proposed funding in the Future Years Defense Program
19 to cover all costs for the MILSTAR communications sat-
20 ellite program and related programs, projects, and activi-
21 ties.

22 (c) RELATIONSHIP TO OTHER TRANSFER AUTHOR-
23 ITY.—The transfer authority in subsection (b) is in addi-
24 tion to the transfer authority provided in section 1001.

1 **SEC. 213. TRANSFER OF FUNDS FOR SINGLE-STAGE TO**
2 **ORBIT ROCKET.**

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

9 **SEC. 214. LIMITATION ON DISMANTLEMENT OF INTER-**
10 **CONTINENTAL BALLISTIC MISSILES.**

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

21 **SEC. 215. LIMITATION ON OBLIGATION OF FUNDS FOR SEIS-**
22 **MIC MONITORING RESEARCH.**

23 Funds authorized to be appropriated by this Act that
24 are made available for seismic monitoring of nuclear explo-
25 sions may not be obligated for a project unless the project

1 is authorized in a plan approved in advance by the Sec-
2 retary of Defense and the Secretary of Energy.

3 **SEC. 216. FEDERALLY FUNDED RESEARCH AND DEVELOP-**
4 **MENT CENTERS.**

5 (a) CENTERS COVERED.—Funds appropriated or
6 otherwise made available for the Department of Defense
7 for fiscal year 1995 pursuant to an authorization of appro-
8 priations in section 201 may be obligated to procure work
9 from a federally funded research and development center
10 only in the case of a center named in the report required
11 by subsection (b) and, in the case of such a center, only
12 in an amount not in excess of the amount of the proposed
13 funding level set forth for that center in such report.

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

18 (1) the name of each federally funded research
19 and development center from which work is proposed
20 to be procured for the Department of Defense for
21 fiscal year 1995; and

22 (2) for each such center, the proposed funding
23 level and the estimated personnel level for fiscal year
24 1995.

1 The total of the proposed funding levels set forth in the
2 report for all federally funded research and development
3 centers may not exceed the amount set forth in subsection
4 (d).

5 (c) LIMITATION PENDING SUBMISSION OF RE-
6 PORT.—No funds appropriated or otherwise made avail-
7 able for the Department of Defense for fiscal year 1995
8 may be obligated to obtain work from a federally funded
9 research and development center until the Secretary of
10 Defense submits the report required by subsection (b).

11 (d) FUNDING.—Of the amounts authorized to be ap-
12 propriated to the Department of Defense for research, de-
13 velopment, test, and evaluation for fiscal year 1995 pursu-
14 ant to section 201, not more than a total of
15 \$1,300,000,000 may be obligated to procure services from
16 the federally funded research and development centers
17 named in the report required by subsection (b).

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

1 after the end of the 60-day period that begins on the date
2 on which the notice is submitted to those committees, un-
3 less the Secretary determines that it is essential to the
4 national security that funds be obligated for work at that
5 center in excess of that limitation before the end of such
6 period and notifies the congressional defense committees
7 of that determination and the reasons for the determina-
8 tion.

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

13 **Subtitle C—Missile Defense**

14 **Programs**

15 **SEC. 221. COMPLIANCE OF BALLISTIC MISSILE DEFENSE**

16 **SYSTEMS AND COMPONENTS WITH ABM**

17 **TREATY.**

18 (a) **REQUIRED COMPLIANCE REVIEW FOR BRILLIANT**
19 **EYES.**—The Secretary of Defense shall review the space-
20 based, midcourse missile tracking system known as Bril-
21 liant Eyes to determine whether, and under what condi-
22 tions, the development, testing, and deployment of that
23 system in conjunction with a theater ballistic missile de-
24 fense system, with a limited national missile defense sys-
25 tem, and with both such systems, would be in compliance

1 with the ABM Treaty, including the interpretation of that
2 treaty set forth in the enclosure to the July 13, 1993,
3 ACDA letter.

4 (b) LIMITATION.—Of the funds appropriated pursu-
5 ant to the authorizations of appropriations in section 201
6 that are made available for the Brilliant Eyes program,
7 not more than \$50,000,000 may be obligated until the
8 Secretary of Defense submits to the appropriate congres-
9 sional committees a report on the compliance of the Bril-
10 liant Eyes program with the ABM Treaty.

11 (c) COMPLIANCE REVIEW FOR NAVY UPPER TIER
12 SYSTEM.—(1) If the funds made available for fiscal year
13 1995 for the theater ballistic missile program known as
14 the “Navy Upper Tier” program pursuant to the author-
15 izations of appropriations in section 201 or otherwise ex-
16 ceed \$17,725,000, the Secretary of Defense shall review
17 the Navy Upper Tier program to determine whether the
18 development, testing, and deployment of that system
19 would be in compliance with the ABM Treaty, including
20 the interpretation of the Treaty set forth in the enclosure
21 to the July 13, 1993, ACDA letter.

22 (2) In the event a compliance review is necessary
23 under paragraph (1), not more than \$17,725,000 may be
24 obligated for the Navy Upper Tier program before the
25 date on which the Secretary submits to the appropriate

1 congressional committees a report on the compliance of
2 the Navy Upper Tier program with the ABM Treaty.

3 (d) DEFINITIONS.—In this section:

4 (1) The term “July 13, 1993, ACDA letter”
5 means the letter dated July 13, 1993, from the Act-
6 ing Director of the Arms Control and Disarmament
7 Agency to the chairman of the Committee on For-
8 eign Relations of the Senate relating to the correct
9 interpretation of the ABM Treaty and accompanied
10 by an enclosure setting forth such interpretation.

11 (2) The term “ABM Treaty” means the Treaty
12 between the United States of America and the
13 Union of Soviet Socialist Republics on the Limita-
14 tion of Anti-Ballistic Missiles, signed in Moscow on
15 May 26, 1972.

16 (3) The term “appropriate congressional com-
17 mittees” means—

18 (A) the Committee on Armed Services, the
19 Committee on Foreign Affairs, and the Com-
20 mittee on Appropriations of the House of Rep-
21 resentatives; and

22 (B) the Committee on Armed Services, the
23 Committee on Foreign Relations, and the Com-
24 mittee on Appropriations of the Senate.

1 **SEC. 222. REVISIONS TO THE MISSILE DEFENSE ACT OF**
2 **1991.**

3 The Missile Defense Act of 1991 (part C of title II
4 of Public Law 102–190; 10 U.S.C. 2431 note) is amend-
5 ed—

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

7 (2) in section 238, by inserting before the pe-
8 riod at the end of the second sentence the following:
9 “, and shall submit to the Congress additional in-
10 terim reports on the progress of such negotiations at
11 six-month intervals thereafter until such time as the
12 President notifies the congressional defense commit-
13 tees that such negotiations have been concluded or
14 terminated”; and

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

17 **SEC. 223. LIMITATION.**

18 No funds appropriated pursuant to an authorization
19 of appropriations in this title or otherwise made available
20 for fiscal year 1995 for programs managed by the Ballistic
21 Missile Defense Organization may be obligated for such
22 programs until the Secretary of Defense submits to Con-
23 gress the report required by section 235(b) of the National
24 Defense Authorization Act for Fiscal Year 1994 (Public
25 Law 103–160; 107 Stat. 1598).

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

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

6 (a) FUNDS AVAILABLE.—Of the amount authorized
7 to be appropriated under section 201 for Defense-wide ac-
8 tivities, \$625,000,000 shall be available for activities de-
9 scribed in the defense reinvestment program element of
10 the budget of the Department of Defense for fiscal year
11 1995.

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

14 (1) \$245,000,000 shall be available for defense
15 dual-use critical technology partnerships under sec-
16 tion 2511 of title 10, United States Code.

17 (2) \$80,000,000 shall be available for commer-
18 cial-military integration partnerships under section
19 2512 of such title.

20 (3) \$80,000,000 shall be available for defense
21 regional technology alliances under section 2513 of
22 such title.

23 (4) \$30,000,000 shall be available for defense
24 advanced manufacturing technology partnerships
25 under section 2522 of such title.

1 (5) \$50,000,000 shall be available for support
2 of manufacturing extension programs under section
3 2523 of such title.

4 (6) \$25,000,000 shall be available for defense
5 manufacturing engineering education grants under
6 section 2196 of such title.

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

10 (8) \$35,000,000 shall be available for the agile
11 manufacturing/enterprise integration program.

12 (9) \$40,000,000 shall be available for the mari-
13 time technology program, as provided for in section
14 1352(c)(2) of the National Shipbuilding and Ship-
15 yard Conversion Act of 1993 (subtitle D of title XIII
16 of Public Law 103–160; 107 Stat. 1809; 10 U.S.C.
17 2501 note).

18 (10) \$10,000,000 shall be available for grants
19 under section 2198 of title 10, United States Code,
20 to United States institutions of higher education and
21 other United States not-for-profit organizations to
22 support the management training program in Japa-
23 nese language and culture.

24 (c) AVAILABILITY OF FUNDS FOR FISCAL YEAR 1994
25 PROJECTS.—Funds made available under subsection (a)

1 may also be used to make awards to projects of the types
2 that were solicited under programs referred to in sub-
3 section (b) in fiscal year 1994.

4 **SEC. 232. FINANCIAL COMMITMENT REQUIREMENTS FOR**
5 **SMALL BUSINESS CONCERNS FOR PARTICI-**
6 **PATION IN TECHNOLOGY REINVESTMENT**
7 **PROJECTS.**

8 (a) DEFENSE DUAL-USE CRITICAL TECHNOLOGY
9 PARTNERSHIPS.—Section 2511(c) of title 10, United
10 States Code, is amended by adding at the end the follow-
11 ing new paragraph:

12 “(3) The Secretary shall consider a partnership pro-
13 posal submitted by a small business concern without re-
14 gard to the ability of the small business concern to imme-
15 diately meet its share of the anticipated partnership costs.
16 Upon the selection of a partnership proposal submitted by
17 a small business concern, the Secretary shall extend to the
18 small business concern a period of not less than 120 days
19 within which to arrange to meet its financial commitment
20 requirements under the partnership from sources other
21 than a person of a foreign country. If the Secretary deter-
22 mines upon the expiration of that period that the small
23 business concern will be unable to meet its share of the
24 anticipated partnership costs, the Secretary may revoke

1 the selection of the partnership proposal submitted by the
2 small business concern.”.

3 (b) COMMERCIAL-MILITARY INTEGRATION PARTNER-
4 SHIPS.—Section 2512(c)(3) of such title is amended by
5 adding at the end the following new subparagraph:

6 “(C) The Secretary shall consider a partnership pro-
7 posal submitted by a small business concern without re-
8 gard to the ability of the small business concern to imme-
9 diately meet its share of the anticipated partnership costs.
10 Upon the selection of a partnership proposal submitted by
11 a small business concern, the Secretary shall extend to the
12 small business concern a period of not less than 120 days
13 within which to arrange to meet its financial commitment
14 requirements under the partnership from sources other
15 than a person of a foreign country. If the Secretary deter-
16 mines upon the expiration of that period that the small
17 business concern will be unable to meet its share of the
18 anticipated partnership costs, the Secretary may revoke
19 the selection of the partnership proposal submitted by the
20 small business concern.”.

21 (c) REGIONAL TECHNOLOGY ALLIANCES ASSISTANCE
22 PROGRAM.—Section 2513(e) of such title is amended by
23 adding at the end the following new paragraph:

24 “(4) The Secretary shall consider a proposal for a
25 regional technology alliance that is submitted by a small

1 business concern without regard to the ability of the small
 2 business concern to immediately meet its share of the an-
 3 ticipated costs of the alliance. Upon the selection of a pro-
 4 posal submitted by a small business concern, the Secretary
 5 shall extend to the small business concern a period of not
 6 less than 120 days within which to arrange to meet its
 7 financial commitment requirements under the regional
 8 technology alliance from sources other than a person of
 9 a foreign country. If the Secretary determines upon the
 10 expiration of that period that the small business concern
 11 will be unable to meet its share of the anticipated costs,
 12 the Secretary may revoke the selection of the proposal sub-
 13 mitted by the small business concern.”.

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

17 “(16) The term ‘person of a foreign country’
 18 has the meaning given such term in section 3502(d)
 19 of the Primary Dealers Act of 1988 (22 U.S.C.
 20 5342(d)).”.

21 **SEC. 233. CONDITIONS ON FUNDING OF DEFENSE TECH-**
 22 **NOLOGY REINVESTMENT PROJECTS.**

23 (a) BENEFITS TO UNITED STATES ECONOMY.—In
 24 providing for the establishment or financial support of
 25 partnerships and other cooperative arrangements under

1 chapter 148 of title 10, United States Code, using funds
 2 made available under section 231, the Secretary of De-
 3 fense shall ensure that the principal economic benefits of
 4 such partnerships and other arrangements accrue to the
 5 economy of the United States.

6 (b) USE OF COMPETITIVE SELECTION PROCE-
 7 DURES.—Funds made available under subsection (a) of
 8 section 231 for defense reinvestment programs described
 9 in subsection (b) of such section shall be provided only
 10 to projects selected using competitive procedures pursuant
 11 to a solicitation incorporating cost-sharing requirements
 12 for the non-Federal Government participants in the
 13 projects.

14 **SEC. 234. FEDERAL DEFENSE LABORATORY**
 15 **DIVERSIFICATION AND NAVY REINVESTMENT**
 16 **IN THE TECHNOLOGY AND INDUSTRIAL BASE.**

17 (a) REQUIREMENT FOR PROGRAMS.—(1) Subchapter
 18 III of chapter 148 of title 10 is amended by inserting at
 19 the end thereof the following:

20 **“SEC. 2519. FEDERAL DEFENSE LABORATORY DIVERSI-**
 21 **FICATION PROGRAM.**

22 “(a) ESTABLISHMENT OF PROGRAM.—The Secretary
 23 of Defense shall conduct a program in accordance with
 24 this section for the purpose of promoting cooperation be-
 25 tween Department of Defense laboratories and industry

1 on research and development of dual-use technologies in
2 order to further the national security objectives set forth
3 in section 2501(a) of this title.

4 “(b) PARTNERSHIPS.—(1) The Secretary shall pro-
5 vide for the establishment under the program of coopera-
6 tive arrangements (hereinafter in this section referred to
7 as ‘partnerships’) between a Department of Defense lab-
8 oratory and eligible firms and nonprofit research corpora-
9 tions referred to in section 2511(b) of this title. A partner-
10 ship may also include one or more additional Federal lab-
11 oratories, institutions of higher education, agencies of
12 State and local governments, and other entities, as deter-
13 mined appropriate by the Secretary.

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

18 “(c) ASSISTANCE AUTHORIZED.—(1) The Secretary
19 may make grants, enter into contracts, enter into coopera-
20 tive agreements and other transactions pursuant to section
21 2371 of this title, and enter into cooperative research and
22 development agreements under section 12 of the Steven-
23 son-Wylder Technology Innovation Act of 1980 (15 U.S.C.
24 3710a) in order to establish partnerships.

1 “(2) Subject subsection (d), the Secretary may pro-
2 vide a partnership with technical and other assistance in
3 order to facilitate the achievement of the purpose of this
4 section.

5 “(d) FINANCIAL COMMITMENT OF NON-FEDERAL
6 GOVERNMENT PARTICIPANTS.—(1) The Secretary shall
7 ensure that the non-Federal Government participants in
8 a partnership make a substantial contribution to the total
9 cost of partnership activities. The amount of the contribu-
10 tion shall be commensurate with the risk undertaken by
11 such participants and the potential benefits of the activi-
12 ties for such participants.

13 “(2) The regulations prescribed pursuant to section
14 2511(c)(2) of this title shall apply to in-kind contributions
15 made by non-Federal Government participants in a part-
16 nership.

17 “(e) SELECTION PROCESS.—Competitive procedures
18 shall be used in the establishment of partnerships.

19 “(f) SELECTION CRITERIA.—The criteria for the se-
20 lection of a proposed partnership for establishment under
21 this section shall include the criteria set forth in section
22 2511(f) of this title.

23 “(g) REGULATIONS.—The Secretary shall prescribe
24 regulations for the purposes of this section.

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

2 “(a) ESTABLISHMENT OF PROGRAM.—The Secretary
3 of the Navy shall conduct a program in accordance with
4 this section for the purpose of promoting cooperation be-
5 tween the Department of the Navy and industry on re-
6 search and development of dual-use technologies in order
7 to further the national security objectives set forth in sec-
8 tion 2501(a) of this title.

9 “(b) PARTNERSHIPS.—The Secretary shall provide
10 for the establishment under the program of cooperative
11 arrangements (hereinafter in this section referred to as
12 ‘partnerships’) between Department of the Navy entities
13 and eligible firms and nonprofit research corporations re-
14 ferred to in section 2511(b) of this title. A partnership
15 may also include one or more Federal laboratories, institu-
16 tions of higher education, agencies of State and local gov-
17 ernments, and other entities, as determined appropriate
18 by the Secretary.

19 “(c) PROGRAM REQUIREMENTS AND ADMINISTRA-
20 TION.—Subsections (c) through (f) of section 2519 of this
21 title shall apply in the administration of the program.

22 “(d) SELECTION CRITERIA.—In addition to the selec-
23 tion criteria referred to in section 2519(f) of this title, the
24 criteria for the selection of a proposed partnership for es-
25 tablishment under this section shall include the potential
26 effectiveness of the partnership in the further development

1 and application of each technology proposed to be devel-
2 oped by the partnership for Navy acquisition programs.

3 “(e) REGULATIONS.—The Secretary shall prescribe
4 regulations for the purposes of this section.”.

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

2519. Federal Defense Laboratory Diversification Program.

2520. Navy Reinvestment Program.

7 (b) CLARIFYING AMENDMENT.—Section 2491(5) of
8 title 10, United States Code, is amended by inserting be-
9 fore the period at the end the following: “, and includes
10 a federally funded research and development center spon-
11 sored by a Federal agency”.

12 (c) FUNDING.—(1) Of the amount authorized to be
13 appropriated in section 201(4), \$56,600,000 shall be
14 available for the Federal Defense Laboratory Diversifica-
15 tion Program under section 2519 of title 10, as added by
16 subsection (a)(1).

17 (2) Of the amount authorized to be appropriated in
18 section 201(2), \$50,000,000 shall be available for the
19 Navy Reinvestment Program under section 2520 of title
20 10, as added by subsection (a)(1).

1 **Subtitle E—Other Matters**

2 **SEC. 241. COOPERATIVE RESEARCH AND DEVELOPMENT**

3 **AGREEMENTS WITH NATO ORGANIZATIONS.**

4 (a) APPLICABILITY OF EXISTING AUTHORITY TO
5 NATO ORGANIZATIONS.—Section 2350a of title 10, Unit-
6 ed States Code, is amended in subsections (a), (e)(2), and
7 (i)(1) by inserting “or NATO organizations” after “major
8 allies of the United States” each place it appears.

9 (b) NATO ORGANIZATION DEFINED.—Subsection (i)
10 of such section is amended by adding at the end the follow-
11 ing new paragraph:

12 “(4) The term ‘NATO organization’ means any
13 North Atlantic Treaty Organization subsidiary body
14 referred to in section 2350(2) of this title and any
15 other organization of the North Atlantic Treaty
16 Organization.”.

17 **SEC. 242. DEFENSE WOMEN’S HEALTH RESEARCH PRO-**
18 **GRAM.**

19 (a) CONTINUATION OF PROGRAM.—The Secretary of
20 Defense shall continue the Defense Women’s Health Re-
21 search Program established in response to the enactment
22 of section 251 of the National Defense Authorization Act
23 for Fiscal Year 1994 (Public Law 103–160; 107 Stat.
24 1606).

1 (b) PARTICIPATION BY ALL MILITARY DEPART-
2 MENTS.—The Departments of the Army, Navy, and Air
3 Force shall each participate in the activities under the pro-
4 gram.

5 (c) ARMY TO BE EXECUTIVE AGENT.—The Sec-
6 retary of Defense shall designate the Secretary of the
7 Army to be the executive agent for administering the pro-
8 gram.

9 (d) PROGRAM ACTIVITIES.—The program shall in-
10 clude the following activities regarding health risks and
11 health care for women in the Armed Forces:

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

14 (2) Epidemiologic research regarding women
15 deployed for military operations, including research
16 on patterns of illness and injury, environmental and
17 occupational hazards (including exposure to toxins),
18 side-effects of pharmaceuticals used by women so de-
19 ployed, psychological stress associated with military
20 training, deployment, combat and other traumatic
21 incidents, and other conditions of life, and human
22 factor research regarding women so deployed.

23 (3) Development of a data base to facilitate
24 long-term research studies on issues related to the
25 health of women in military service, and continued

1 development and support of a women's health infor-
2 mation clearinghouse to serve as an information re-
3 source for clinical, research, and policy issues affect-
4 ing women in the Armed Forces.

5 (4) Research on policies and standards issues,
6 including research supporting the development of
7 military standards related to training, operations,
8 deployment, and retention and the relationship be-
9 tween such activities and factors affecting women's
10 health.

11 (5) Research on interventions having a potential
12 for addressing conditions of military service that ad-
13 versely affect the health of women in the Armed
14 Forces.

15 (e) IMPLEMENTATION PLAN.—If, before October 1,
16 1995, the Secretary of Defense changes the implementa-
17 tion plan for the program that the Secretary submitted
18 to the Committees on Armed Services of the Senate and
19 the House of Representatives on May 2, 1994, the Sec-
20 retary shall submit the modified plan to such committees
21 before executing the changes.

22 (f) FUNDING.—Of the amount authorized to be ap-
23 propriated pursuant to section 201, \$40,000,000 shall be
24 available for the Defense Women's Health Research Pro-
25 gram referred to in subsection (a).

1 **SEC. 243. REQUIREMENT FOR SUBMISSION OF ANNUAL RE-**
 2 **PORT OF THE SEMICONDUCTOR TECH-**
 3 **NOLOGY COUNCIL TO CONGRESS.**

4 Section 273(b)(2)(I) of the National Defense Author-
 5 ization Act for Fiscal Years 1988 and 1989 (15 U.S.C.
 6 4603) is amended by inserting “and submit to Congress
 7 by March 31 of each year after “Publish”.

8 **SEC. 244. REPORT ON OCEANOGRAPHIC SURVEY AND RE-**
 9 **SEARCH REQUIREMENTS TO SUPPORT LIT-**
 10 **TORAL WARFARE.**

11 (a) REPORT REQUIRED.—Not later than March 1,
 12 1995, the Secretary of the Navy shall submit to Congress
 13 a report on the oceanographic survey and research and
 14 development requirements needed to support Navy oper-
 15 ations in littoral regions.

16 (b) CONTENT OF REPORT.—The report shall contain
 17 the following:

18 (1) An identification of unique properties, in-
 19 cluding acoustics, bathymetry, bottom type, and
 20 ocean dynamics that affect shallow water operations
 21 in littoral regions.

22 (2) A list of the principal littoral regions that—

23 (A) designates each region as high, me-
 24 dium, or low priority based on the probable
 25 need for Navy operations in such regions; and

1 (B) for each region, is annotated to iden-
 2 tify—

3 (i) the date of the most recent de-
 4 tailed survey; and

5 (ii) the extent to which that survey
 6 provides insight into the region's properties
 7 identified pursuant to paragraph (1).

8 (3) An assessment of the Navy's current and
 9 projected access to each region for surveying pur-
 10 poses.

11 (4) An assessment of the ability of current
 12 oceanographic survey and research assets to develop
 13 the information identified in paragraph (1).

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

15 Of the amounts authorized to be appropriated by sec-
 16 tion 201(4), \$20,000,000 shall be available to complete
 17 the Los Alamos Neutron Scattering Experiment/Los Ala-
 18 mos Meson Physics Facility upgrades at the Los Alamos
 19 National Laboratory, Los Alamos, New Mexico.

20 **SEC. 246. LIVE-FIRE SURVIVABILITY TESTING OF F-22 AIR-**
 21 **CRAFT.**

22 (a) **AUTHORITY FOR RETROACTIVE WAIVER.**—The
 23 Secretary of Defense may, in accordance with section
 24 2366(c) of title 10, United States Code, waive for the F-
 25 22 aircraft program the survivability tests required by

1 that section, notwithstanding that such program has en-
2 tered full-scale engineering development.

3 (b) REPORTING REQUIREMENT.—(1) If the Secretary
4 of Defense submits in accordance with section 2366(c)(1)
5 of title 10, United States Code, a certification that live-
6 fire testing of the F-22 aircraft would be unreasonably
7 expensive and impractical, the Secretary of Defense shall
8 require that F-22 aircraft components and subsystems be
9 made available for an alternative live-fire test program.

10 (2) The components and subsystem required by the
11 Secretary to be made available for such a program shall
12 be components that—

13 (A) could affect the survivability of the F-22
14 aircraft; and

15 (B) are sufficiently large and realistic that
16 meaningful conclusions about the survivability of F-
17 22 aircraft can be drawn from the test results.

18 (c) FUNDING.—Funds available for the F-22 aircraft
19 program may be used for carrying out any alternative live-
20 fire testing program for F-22 aircraft.

21 **SEC. 247. UNIVERSITY RESEARCH INITIATIVE SUPPORT**
22 **PROGRAM.**

23 Of the amounts authorized to be appropriated under
24 section 201, \$10,000,000 shall be available for the Univer-
25 sity Research Initiative Support Program established pur-

1 suant to section 802 of the National Defense Authoriza-
2 tion Act for Fiscal Year 1994 (Public Law 103–160; 107
3 Stat. 1701; 10 U.S.C. 2358 note).

4 **SEC. 248. MANUFACTURING SCIENCE AND TECHNOLOGY**
5 **PROGRAM.**

6 (a) PROGRAM AUTHORIZED.—(1) Section 2525 of
7 title 10, United States Code, is amended to read as fol-
8 lows:

9 **“SEC. 2525. MANUFACTURING SCIENCE AND TECHNOLOGY**
10 **PROGRAM.**

11 “(a) ESTABLISHMENT.—The Secretary of Defense
12 shall establish a Manufacturing Science and Technology
13 Program to further the national security objectives of sec-
14 tion 2501(a) of this title. The Under Secretary of Defense
15 for Acquisition and Technology shall administer the pro-
16 gram.

17 “(b) PURPOSE.—The purpose of the program is to
18 enhance the capability of industry to meet the manufac-
19 turing needs of the Department of Defense.

20 “(c) EXECUTION.—The Secretary may carry out
21 projects under the program through the Secretaries of the
22 military departments and the heads of Defense Agencies.

23 “(d) COMPETITION AND COST SHARING.—(1) Com-
24 petitive procedures shall be used for awarding all grants

1 and entering into all contracts, cooperative agreements,
 2 and other transactions under the program.

3 “(2) A grant may not be awarded under the program,
 4 and a contract, cooperative agreement, or other trans-
 5 action may not be entered into under the program, on any
 6 basis other than a cost-sharing basis unless the Secretary
 7 of Defense determines that the grant, contract, coopera-
 8 tive agreement, or other transaction, as the case may be,
 9 is for a program that—

10 “(A) is not likely to have any immediate and di-
 11 rect commercial application; or

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

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

“2525. Manufacturing Science and Technology Program.”.

17 (b) FUNDING.—Of the amounts appropriated pursu-
 18 ant to section 201, not more than \$125,000,000 shall be
 19 available for the Manufacturing Science and Technology
 20 Program under section 2525 of title 10, United States
 21 Code (as amended by subsection (a)), of which—

22 (1) not more than \$30,000,000 shall be avail-
 23 able for the Army;

24 (2) not more than \$35,000,000 shall be avail-
 25 able for the Navy;

1 (3) not more than \$50,000,000 shall be avail-
2 able for the Air Force; and

3 (4) not more than \$10,000,000 shall be avail-
4 able for the Defense Logistics Agency.

5 **SEC. 249. DEFENSE EXPERIMENTAL PROGRAM TO STIMU-**
6 **LATE COMPETITIVE RESEARCH.**

7 (a) PROGRAM REQUIRED.—The Secretary of De-
8 fense, acting through the Director of Defense Research
9 and Engineering, shall carry out a Defense Experimental
10 Program to Stimulate Competitive Research (DEPSCoR)
11 as part of the university research programs of the Depart-
12 ment of Defense.

13 (b) PROGRAM OBJECTIVES.—The objectives of the
14 program are as follows:

15 (1) To enhance the capabilities of institutions
16 of higher education in eligible States to develop,
17 plan, and execute science and engineering research
18 that is competitive under the peer-review systems
19 used for awarding Federal research assistance.

20 (2) To increase the probability of long-term
21 growth in the competitively awarded financial assist-
22 ance that institutions of higher education in eligible
23 States receive from the Federal Government for
24 science and engineering research.

1 (c) PROGRAM ACTIVITIES.—In order to achieve the
2 program objectives, the following activities are authorized
3 under the program:

4 (1) Competitive award of research grants.

5 (2) Competitive award of financial assistance
6 for graduate students.

7 (d) ELIGIBLE STATES.—(1) The Director of the Na-
8 tional Science Foundation shall designate which States are
9 eligible States for the purposes of this section and shall
10 notify the Director of Defense Research and Engineering
11 of the States so designated.

12 (2) The Director of the National Science Foundation
13 shall designate a State as an eligible State if, as deter-
14 mined by the Director—

15 (A) the institutional average amount of Federal
16 financial assistance for research and development re-
17 ceived by the institutions of higher education in the
18 State for the fiscal year preceding the fiscal year for
19 which the designation is effective, or for the last fis-
20 cal year for which statistics are available, is less
21 than the amount equal to 50 percent of the national
22 institutional average amount of Federal financial as-
23 sistance for research and development received by
24 the institutions of higher education in the United

1 States for such preceding or last fiscal year, as the
2 case may be;

3 (B) the State has demonstrated a commitment
4 to developing research bases in the State and to im-
5 proving science and engineering research and edu-
6 cation programs at institutions of higher education
7 in the State; and

8 (C) the State is an eligible State for purposes
9 of the Experimental Program to Stimulate Competi-
10 tive Research conducted by the National Science
11 Foundation.

12 (e) COORDINATION WITH SIMILAR FEDERAL PRO-
13 GRAMS.—(1) The Secretary shall consult with the Director
14 of the National Science Foundation and the Director of
15 the Office of Science and Technology Policy in the plan-
16 ning, development, and execution of the program and shall
17 coordinate the program with the Experimental Program
18 to Stimulate Competitive Research conducted by the Na-
19 tional Science Foundation and with similar programs
20 sponsored by other departments and agencies of the Fed-
21 eral Government.

22 (2) All solicitations under the Defense Experimental
23 Program to Stimulate Competitive Research shall be made
24 to, and all awards shall be made through, the State com-
25 mittees established for purposes of the Experimental Pro-

1 gram to Stimulate Competitive Research conducted by the
2 National Science Foundation.

3 (3) A State committee referred to in paragraph (2)
4 shall ensure that activities carried out in the State of that
5 committee under the Defense Experimental Program to
6 Stimulate Competitive Research are coordinated with the
7 activities carried out in the State under other similar ini-
8 tiatives of the Federal Government to stimulate competi-
9 tive research.

10 **TITLE III—OPERATION AND** 11 **MAINTENANCE**

12 **Subtitle A—Authorization of** 13 **Appropriations**

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

15 Funds are hereby authorized to be appropriated for
16 fiscal year 1995 for the use of the Armed Forces and other
17 activities and agencies of the Department of Defense for
18 expenses, not otherwise provided for, for operation and
19 maintenance in amounts as follows:

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

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

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

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

24 (5) For Defense-wide activities,
25 \$9,994,325,000.

1 (6) For Medical Programs, Defense,
2 \$9,854,459,000.

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

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

5 (9) For the Marine Corps Reserve,
6 \$81,462,000.

7 (10) For the Air Force Reserve,
8 \$1,478,990,000.

9 (11) For the Army National Guard,
10 \$2,452,148,000.

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

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

15 (14) For the Defense Inspector General,
16 \$140,798,000.

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

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

21 (17) For Environmental Restoration, Defense,
22 \$2,180,200,000.

23 (18) For Humanitarian Assistance,
24 \$71,900,000.

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

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

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

8 **SEC. 302. WORKING CAPITAL FUNDS.**

9 Funds are hereby authorized to be appropriated for
10 fiscal year 1995 for the use of the Armed Forces and other
11 activities and agencies of the Department of Defense for
12 providing capital for working capital and revolving funds
13 in amounts as follows:

14 (1) For the Defense Business Operations Fund,
15 \$798,400,000.

16 (2) For the National Defense Sealift Fund,
17 \$227,800,000.

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

19 There is hereby authorized to be appropriated for fis-
20 cal year 1995 from the Armed Forces Retirement Home
21 Trust Fund the sum of \$59,317,000 for the operation of
22 the Armed Forces Retirement Home, including the United
23 States Soldiers' and Airmen's Home and the Naval Home.

1 **SEC. 304. NATIONAL SECURITY EDUCATION TRUST FUND**
2 **OBLIGATIONS.**

3 During fiscal year 1995, \$14,300,000 is authorized
4 to be obligated from the National Security Education
5 Trust Fund established by section 804(a) of the David L.
6 Boren National Security Education Act of 1991 (50
7 U.S.C. 1904(a)).

8 **SEC. 305. TRANSFER FROM NATIONAL DEFENSE STOCK-**
9 **PILE TRANSACTION FUND.**

10 (a) TRANSFER AUTHORITY.—To the extent provided
11 in appropriations Acts, not more than \$250,000,000 is au-
12 thorized to be transferred from the National Defense
13 Stockpile Transaction Fund to operation and maintenance
14 accounts for fiscal year 1995 in amounts as follows:

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

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

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

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

19 (b) TREATMENT OF TRANSFERS.—Amounts trans-
20 ferred under this section—

21 (1) shall be merged with, and be available for
22 the same purposes and the same period as, the
23 amounts in the accounts to which transferred; and

24 (2) may not be expended for an item that has
25 been denied authorization of appropriations by Con-
26 gress.

1 (c) RELATIONSHIP TO OTHER TRANSFER AUTHOR-
2 ITY.—The transfer authority provided in this section is in
3 addition to the transfer authority provided in section
4 1001.

5 **SEC. 306. SUPPORT FOR THE 1995 SPECIAL OLYMPICS**
6 **WORLD GAMES.**

7 (a) AUTHORITY TO PROVIDE SUPPORT.—The Sec-
8 retary of Defense may provide logistical support and per-
9 sonnel services in connection with the 1995 Special Olym-
10 pics World Games to be held in New Haven, Connecticut.

11 (b) PAY AND NONTRAVEL-RELATED ALLOW-
12 ANCES.—(1) Except as provided in paragraph (2), the
13 costs for pay and nontravel-related allowances of members
14 of the Armed Forces for the support and services referred
15 to in subsection (a) may not be charged to appropriations
16 made pursuant to the authorization of appropriations in
17 subsection (c).

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

22 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
23 authorized to be appropriated \$3,000,000 for the Depart-
24 ment of Defense for fiscal year 1995 to carry out sub-
25 section (a).

**Subtitle B—Defense Business
Operations Fund**

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

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

SEC. 312. IMPLEMENTATION OF IMPROVEMENT PLAN.

(a) PROGRESS REPORT ON IMPLEMENTATION.—Not later than February 1, 1995, the Secretary of Defense shall submit to the congressional defense committees a report on the progress made in implementing the Defense Business Operations Fund Improvement Plan, dated September, 1993. The report shall describe the progress made in reaching the milestones established in the plan and provide an explanation for the failure to meet any of the milestones. The Secretary shall submit a copy of the report to the Comptroller General of the United States at the same time the Secretary submits the report to the congressional defense committees.

(b) RESPONSIBILITIES OF THE COMPTROLLER GENERAL.—(1) The Comptroller General shall monitor and

1 evaluate the progress of the Department of Defense in de-
2 veloping and implementing the improvement plan referred
3 to in subsection (a).

4 (2) Not later than March 1, 1995, the Comptroller
5 General shall submit to the congressional defense commit-
6 tees a report containing the following:

7 (A) The findings and conclusions of the Comp-
8 troller General resulting from the monitoring and
9 evaluation conducted under paragraph (1).

10 (B) An evaluation of the progress report sub-
11 mitted to the congressional defense committees by
12 the Secretary of Defense pursuant to subsection (a).

13 (C) Any recommendations for legislation or ad-
14 ministrative action concerning the Fund that the
15 Comptroller General considers appropriate.

16 **SEC. 313. LIMITATION ON OBLIGATIONS AGAINST THE CAP-**
17 **ITAL ASSET FUND.**

18 The Secretary of Defense may not incur obligations
19 against funds in the capital asset subaccount of the De-
20 fense Business Operations Fund during fiscal year 1995
21 in a total amount in excess of \$1,500,000.

22 **SEC. 314. LIMITATION ON OBLIGATIONS AGAINST THE SUP-**
23 **PLY MANAGEMENT DIVISIONS.**

24 (a) LIMITATION.—(1) The Secretary of Defense may
25 not incur obligations against the supply management divi-

1 sions of the Defense Business Operations Fund during fis-
2 cal year 1995 in a total amount in excess of 65 percent
3 of the total amount derived from sales from such divisions
4 during that fiscal year.

5 (2) For purposes of determining the amount of obli-
6 gations incurred against, and sales from, such divisions
7 during fiscal year 1995, the Secretary shall exclude obliga-
8 tions and sales for fuel, commissary and subsistence items,
9 retail operations, repair of equipment and spare parts in
10 support of repair, direct vendor deliveries, foreign military
11 sales, initial outfitting requiring equipment furnished by
12 the Federal Government, and the cost of operations.

13 (b) WAIVER AUTHORITY.—The Secretary of Defense
14 may waive the limitation in subsection (a) if the Secretary
15 determines that such waiver is necessary in order to main-
16 tain the readiness and combat effectiveness of the Armed
17 Forces. The Secretary shall immediately notify Congress
18 of any such waiver and the reasons for such waiver.

19 (c) DETERMINATIONS OF EFFECTS OF LIMITATION
20 ON READINESS AND COMBAT EFFECTIVENESS.—Not
21 later than 60 days after the date of the enactment of this
22 Act, the secretaries of the military departments and the
23 Director of the Defense Logistics Agency shall each sub-
24 mit to the Secretary of Defense a report containing the
25 views of such official on the effects of the limitation in

1 subsection (a) on the ability of the Department of Defense
2 to maintain the readiness and combat effectiveness of the
3 Armed Forces. If the Secretary of Defense determines,
4 after considering the reports, that the limitation will im-
5 pair the readiness and combat effectiveness of any of the
6 Armed Forces, the Secretary shall exercise the waiver au-
7 thority provided in subsection (b).

8 **Subtitle C—Environmental Matters**

9 **SEC. 321. PROHIBITION ON THE PURCHASE OF SURETY** 10 **BONDS AND OTHER GUARANTEES FOR THE** 11 **DEPARTMENT OF DEFENSE.**

12 No funds appropriated or otherwise made available
13 to the Department of Defense for fiscal year 1995 may
14 be obligated or expended for the purchase of surety bonds
15 or other guarantees of financial responsibility in order to
16 guarantee the performance of any direct function of the
17 Department of Defense.

18 **SEC. 322. EXTENSION OF PROHIBITION ON USE OF ENVI-** 19 **RONMENTAL RESTORATION FUNDS FOR PAY-** 20 **MENT OF FINES AND PENALTIES.**

21 None of the funds appropriated for fiscal year 1995
22 pursuant to the authorization of appropriations provided
23 in section 301(17) may be used for the payment of a fine
24 or penalty imposed against the Department of Defense un-

1 less the act or omission for which the fine or penalty is
2 imposed arises out of activities funded by the account.

3 **SEC. 323. PARTICIPATION OF INDIAN TRIBES IN AGREE-**
4 **MENTS FOR DEFENSE ENVIRONMENTAL RES-**
5 **TORATION.**

6 Section 2701(d) of title 10, United States Code, is
7 amended—

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

11 “(1) IN GENERAL.—The Secretary”;

12 (2) in paragraph (1), as so designated, by in-
13 serting “any Federally recognized Indian tribe or”
14 before “any State or local government agency,”; and

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

16 “(2) DEFINITION.—For purposes of this sub-
17 section, the term ‘Indian tribe’ has the meaning
18 given such term in section 101(36) of the Com-
19 prehensive Environmental Response, Compensation,
20 and Liability Act of 1980 (42 U.S.C. 9701(36)).”.

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,
8 Reinvestment, and Transition Assistance Act of 1992 (di-
9 vision D of Public Law 102–484; 106 Stat. 2721; 5 U.S.C.
10 3502 note) is amended by striking out “February 1,
11 1998” and inserting in lieu thereof “February 1, 2000”.

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

16 (2) Section 4436(d)(2) of the Defense Conversion,
17 Reinvestment, 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 De-
24 partment of Defense pursuant to the Defense Base Clo-
25 sure and Realignment Act of 1990 (part A of title XXIX

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

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

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

9 (2) in clause (ii), by striking out “February 1,
 10 1998,” and inserting in lieu thereof “February 1,
 11 2000,”.

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

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

19 (2) In the event of a reorganization of the organiza-
 20 tion carrying out the personnel demonstration project re-
 21 ferred to in section 6 of Public Law 98–224, such section
 22 shall apply with respect to the successor to that organiza-
 23 tion.

24 (b) DEFENSE LABORATORIES PERSONNEL DEM-
 25 ONSTRATION PROJECTS.—(1) The Secretary of Defense

1 may carry out personnel demonstration projects at De-
2 partment of Defense laboratories designated by the Sec-
3 retary as Department of Defense science and technology
4 reinvention laboratories.

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

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

1 **SEC. 333. LIMITATION ON PAYMENT OF SEVERANCE PAY TO**
2 **CERTAIN EMPLOYEES TRANSFERRING TO**
3 **EMPLOYMENT POSITIONS IN**
4 **NONAPPROPRIATED FUND INSTRUMENTAL-**
5 **ITIES.**

6 (a) IN GENERAL.—Section 5595 of title 5, United
7 States Code, is amended by adding at the end the follow-
8 ing:

9 “(h)(1) Severance pay under this section may not be
10 paid to—

11 “(A) a person described in paragraph (4)(A)
12 during any period in which the person is employed
13 in a defense nonappropriated fund instrumentality;
14 or

15 “(B) a person described in paragraph (4)(B)
16 during any period in which the person is employed
17 in a Coast Guard nonappropriated fund instrumen-
18 tality.

19 “(2)(A) Except as provided in subparagraph (B),
20 payment of severance pay to a person referred to in para-
21 graph (1) may be resumed upon any involuntary separa-
22 tion of the person from the position of employment in a
23 nonappropriated fund instrumentality, not by removal for
24 cause on charges of misconduct, delinquency, or ineffi-
25 ciency.

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

6 “(i) a retirement system for persons retiring
7 from employment by a nonappropriated fund instru-
8 mentality;

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

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

11 or

12 “(iv) any other retirement system of the Fed-
13 eral Government for persons retiring from employ-
14 ment by the Federal Government.

15 “(3) Upon resumption of payment of severance pay
16 under paragraph (2)(A) in the case of a person separated
17 as described in such paragraph, the amount of the sever-
18 ance pay so payable for a period shall be reduced (but
19 not below zero) by the portion (if any) of the amount of
20 any severance pay payable for such period to the person
21 by the nonappropriated fund instrumentality that is at-
22 tributable to credit for service taken into account under
23 subsection (c) in the computation of the amount of the
24 severance pay so resumed.

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

3 “(A) from employment in the Department of
4 Defense that is not employment in a defense
5 nonappropriated fund instrumentality to employment
6 in a defense nonappropriated fund instrumentality;
7 or

8 “(B) from employment in the Coast Guard that
9 is not employment in a Coast Guard
10 nonappropriated fund instrumentality to employment
11 in a Coast Guard nonappropriated fund instrumen-
12 tality.

13 “(5) The Secretary of Defense, in consultation with
14 the Secretary of Transportation, shall prescribe regula-
15 tions to carry out this subsection.

16 “(6) In this subsection:

17 “(A) The term ‘defense nonappropriated fund
18 instrumentality’ means a nonappropriated fund in-
19 strumentality of the Department of Defense.

20 “(B) The term ‘Coast Guard nonappropriated
21 fund instrumentality’ means a nonappropriated fund
22 instrumentality of the Coast Guard.

23 “(C) The term ‘nonappropriated fund instru-
24 mentality’ means a nonappropriated fund instrumen-
25 tality described in section 2105(c) of this title.”.

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

6 **SEC. 334. RETIREMENT CREDIT FOR CERTAIN SERVICE IN**
 7 **NONAPPROPRIATED FUND INSTRUMENTAL-**
 8 **ITIES BEFORE JANUARY 1, 1987.**

9 (a) CIVIL SERVICE RETIREMENT AND DISABILITY
 10 SYSTEM.—Section 8332(b) of title 5, United States Code,
 11 is amended—

12 (1) in paragraph (15) by striking out “and” at
 13 the end;

14 (2) in paragraph (16) by striking out the period
 15 at the end and inserting in lieu thereof “; and”;

16 (3) by inserting after paragraph (16) the fol-
 17 lowing new paragraph:

18 “(17) service that an individual performed as
 19 an employee described in section 2105(c) of this title
 20 for at least 12 months during the period beginning
 21 on January 1, 1966, and ending on December 31,
 22 1986, other than service creditable under section
 23 8411(b)(5) of this title, if—

24 “(A) such service involved conducting a
 25 program described in paragraph (16)(A);

1 “(B) such individual was an employee sub-
2 ject to this subchapter or chapter 84 of this
3 title on January 1, 1994;

4 “(C) within 14 months after the date of
5 the enactment of the National Defense Author-
6 ization Act for Fiscal Year 1995, and in accord-
7 ance with regulations issued by the Office of
8 Personnel Management, the individual files ap-
9 propriate written application with the Office of
10 Personnel Management; and

11 “(D) the individual deposits to the credit
12 of the Fund for each period of such service the
13 amount (including interest) determined in ac-
14 cordance with the provisions of section 8334(c)
15 of this title that relate to employees.”; and

16 (4) in the last sentence—

17 (A) by striking out “described in para-
18 graph (16)” and inserting in lieu thereof “de-
19 scribed in paragraphs (16) and (17)”;

20 (B) by striking out “for such appropriated
21 fund instrumentality” and inserting in lieu
22 thereof “for such nonappropriated fund instru-
23 mentality”.

24 (b) FEDERAL EMPLOYEES’ RETIREMENT SYSTEM.—

25 Section 8411 of such title is amended—

1 (1) in subsection (b)—

2 (A) in paragraph (3), by striking out
3 “and” at the end;

4 (B) in paragraph (4), by striking out the
5 period at the end and inserting in lieu thereof
6 “; and”; and

7 (C) by inserting after paragraph (4) the
8 following new paragraph:

9 “(5) a period of service that an individual per-
10 formed as an employee described in section 2105(c)
11 of this title for at least 12 months during the period
12 beginning on January 1, 1966, and ending on De-
13 cember 31, 1986, if—

14 “(A) such service involved conducting a
15 program described in section 8332(b)(16)(A) of
16 this title;

17 “(B) upon an election to become subject to
18 this chapter under section 301 of the Federal
19 Employees’ Retirement System Act of 1986 (5
20 U.S.C. 8331 note), such service would (subject
21 to the making of required deposits) have been
22 creditable under this chapter pursuant to sub-
23 paragraph (B)(i) or (C) of section 302(a)(1) of
24 such Act had the service been performed as an

1 employee subject to subchapter III of chapter
2 83 of this title;

3 “(C) such individual was an employee sub-
4 ject to this chapter on January 1, 1994;

5 “(D) within 14 months after the date of
6 the enactment of the National Defense Author-
7 ization Act for Fiscal Year 1995, and in accord-
8 ance with regulations issued by the Office of
9 Personnel Management, the individual files ap-
10 propriate written application with the Office of
11 Personnel Management; and

12 “(E) the individual makes the deposit or
13 deposits required by subsection (f).”;

14 (2) in subsection (f)(2), by striking out “sub-
15 section (b)(3)” and inserting in lieu thereof “para-
16 graph (3) or (5) of subsection (b)”;

17 (3) by adding at the end the following new sub-
18 sections:

19 “(i) The Office of Personnel Management shall ac-
20 cept, for the purposes of this chapter, the certification of
21 the head of a nonappropriated fund instrumentality of the
22 United States concerning service of the type described in
23 subsection (b)(5) which was performed for such
24 nonappropriated fund instrumentality.

1 “(j) In the case of an individual who has creditable
 2 service under subsection (b)(5) for purposes of this chap-
 3 ter and creditable service under section 8332(b)(17) for
 4 purposes of subchapter III of chapter 83 of this title, and
 5 has not previously made an election under section 301 of
 6 the Federal Employees’ Retirement Act of 1986 (5 U.S.C.
 7 8331 note) to become subject to this chapter, section 302
 8 of such Act shall apply to such individual as if the individ-
 9 ual had made a timely election under section 301(a)(2)
 10 of such Act to become subject to this chapter effective on
 11 the date on which the individual became subject to this
 12 chapter (without regard to whether that date is before,
 13 on, or after June 30, 1987).”.

14 **SEC. 335. TRAVEL, TRANSPORTATION, AND RELOCATION**
 15 **EXPENSES OF EMPLOYEES TRANSFERRING**
 16 **TO THE UNITED STATES POSTAL SERVICE.**

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

20 **“§ 5735. Travel, transportation, and relocation ex-**
 21 **penses of employees transferring to the**
 22 **United States Postal Service**

23 “(a) IN GENERAL.—Notwithstanding any other pro-
 24 vision of law, employees of the Department of Defense de-
 25 scribed in subsection (b) may be authorized travel, trans-

1 portation, and relocation expenses and allowances in con-
 2 nection with appointments referred to in such subsection
 3 under the same conditions and to the same extent author-
 4 ized by this subchapter for transferred employees.

5 “(b) COVERED EMPLOYEES.—Subsection (a) applies
 6 to any employee of the Department of Defense who—

7 “(1) is scheduled for separation from the De-
 8 partment, other than for cause;

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

11 “(3) accepts the appointment.”.

12 (2) The table of sections at the beginning of such sub-
 13 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.”.

14 (b) EFFECTIVE DATE.—The amendments made by
 15 subsection (a) shall take effect on the date of the enact-
 16 ment of this Act and apply to persons separated from em-
 17 ployment by the Department of Defense on or after such
 18 date.

19 **SEC. 336. FOREIGN EMPLOYEES COVERED BY THE FOR-**
 20 **EIGN NATIONAL EMPLOYEES SEPARATION**
 21 **PAY ACCOUNT.**

22 Section 1581 of title 10, United States Code, is
 23 amended—

1 (1) by striking out “foreign national employees
2 of the Department of Defense” each place it appears
3 in subsections (a) and (b) and inserting in lieu
4 thereof “foreign nationals referred to in subsection
5 (e)”; and

6 (2) by striking out subsection (e) and inserting
7 in lieu thereof the following:

8 “(e) EMPLOYEES COVERED.—This section applies
9 only with respect to separation pay of foreign nationals
10 employed by the Department of Defense, and foreign na-
11 tionals employed by a foreign government for the benefit
12 of the Department of Defense, under any of the following
13 agreements that provide for payment of separation pay:

14 “(1) A contract.

15 “(2) A treaty.

16 “(3) A memorandum of understanding with a
17 foreign nation.

18 **SEC. 337. INCREASED AUTHORITY TO ACCEPT VOLUNTARY**
19 **SERVICES.**

20 (a) EXPANSION OF AUTHORITY.—The text of section
21 1588 of title 10, United States Code, is amended to read
22 as follows:

23 “(a) AUTHORITY TO ACCEPT SERVICES.—Subject
24 subsection (b) and notwithstanding section 1342 of title

1 31, the Secretary concerned may accept from any person
2 the following services:

3 “(1) Voluntary medical services, dental services,
4 nursing services, or other health-care related serv-
5 ices.

6 “(2) Voluntary services to be provided for a
7 museum or a natural resources program.

8 “(3) Voluntary services to be provided for pro-
9 grams providing services to members of the armed
10 forces and the families of such members, including
11 the following programs:

12 “(A) Family support programs.

13 “(B) Child development and youth services
14 programs.

15 “(C) Library and education programs.

16 “(D) Religious programs.

17 “(E) Housing referral programs.

18 “(F) Programs providing employment as-
19 sistance to spouses of such members.

20 “(b) REQUIREMENTS AND LIMITATIONS.—(1) The
21 Secretary concerned shall notify the person of the scope
22 of the services accepted.

23 “(2) With respect to a person providing voluntary
24 services accepted under subsection (a), the Secretary con-
25 cerned—

1 “(A) shall—

2 “(i) supervise the person to the same ex-
3 tent as the Secretary would supervise a com-
4 pensated employee providing similar services;
5 and

6 “(ii) ensure that the person is licensed,
7 privileged, has appropriate credentials, or is
8 otherwise qualified under applicable law or reg-
9 ulations to provide such services; and

10 “(B) may not—

11 “(i) place the person in a policy-making
12 position; or

13 “(ii) except as provided subsection (e),
14 compensate the person for the provision of such
15 services.

16 “(c) AUTHORITY TO RECRUIT AND TRAIN PERSONS
17 PROVIDING SERVICES.—The Secretary concerned may re-
18 cruit and train persons to provide voluntary services ac-
19 cepted under subsection (a).

20 “(d) STATUS OF PERSONS PROVIDING SERVICES.—

21 (1) Subject to paragraph (3), while providing voluntary
22 services accepted under subsection (a) or receiving train-
23 ing under subsection (c) a person, other than a person
24 referred to in paragraph (2), shall be considered to be an

1 employee of the Federal Government only for purposes of
2 the following provisions of law:

3 “(A) Subchapter I of chapter 81 of title 5, re-
4 lating to compensation for work-related injuries.

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

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

9 “(D) Chapter 11 of title 18, relating to con-
10 flicts of interest.

11 “(2) Subject to paragraph (3), while providing a
12 nonappropriated fund instrumentality of the United
13 States with voluntary services accepted under subsection
14 (a), or receiving training under subsection (c) to provide
15 such an instrumentality with services accepted under sub-
16 section (a), a person shall be considered an employee of
17 that instrumentality only for the following purposes:

18 “(A) Subchapter II of chapter 81 of title 5, re-
19 lating to compensation of nonappropriated fund em-
20 ployees for work-related injuries.

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

23 “(3) A person providing voluntary services accepted
24 under subsection (a) shall be considered to be an employee
25 of the Federal Government under paragraph (1) or (2)

1 only with respect to services that are within the scope of
2 the services so accepted.

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

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

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

14 “(e) REIMBURSEMENT OF INCIDENTAL EXPENSES.—
15 The Secretary concerned may provide for reimbursement
16 of a person for incidental expenses incurred by the person
17 in providing voluntary services accepted under subsection
18 (a). The Secretary shall determine which expenses are eli-
19 gible for reimbursement under this subsection. Any such
20 reimbursement may be made from appropriated or
21 nonappropriated funds.”.

22 (b) CONFORMING AND TECHNICAL AMENDMENTS.—
23 (1) Section 8171(a) of title 5, United States Code, is
24 amended by inserting “, or to a volunteer providing such
25 an instrumentality with services accepted under section

1 1588 of title 10,” after “described by section 2105(c) of
2 this title”.

3 (2) Subchapter II of chapter 81 of such title is
4 amended—

5 (A) in section 8171—

6 (i) in subsection (a)—

7 (I) by striking out “Chapter 18 of
8 title 33” in the first sentence and inserting
9 in lieu thereof “The Longshore and Har-
10 bor Workers’ Compensation Act (33
11 U.S.C. 901 et seq.)”;

12 (II) by striking out “section 902(2) of
13 title 33” in the first sentence and inserting
14 in lieu thereof “section 2(2) of such Act
15 (33 U.S.C. 902(2))”; and

16 (III) by striking out “section 903(a)
17 of title 33 which follows the first comma”
18 in the second sentence and inserting in lieu
19 thereof “section 3(a) of such Act (33
20 U.S.C. 903(3)) which follows the second
21 comma”;

22 (ii) in subsection (b), by striking out “sec-
23 tion 902(4) of title 33” and inserting in lieu
24 thereof “section 2(4) of the Longshore and

1 Harbor Workers' Compensation Act (33 U.S.C.
2 902(4))”;

3 (iii) in subsection (c)(1), by striking out
4 “section 939(b) of title 33” and inserting in
5 lieu thereof “39(b) of the Longshore and Har-
6 bor Workers' Compensation Act (33 U.S.C.
7 939(b))”; and

8 (iv) in subsection (d), by striking out “sec-
9 tions 918 and 921 of title 33” and inserting in
10 lieu thereof “sections 18 and 21 of the
11 Longshore and Harbor Workers' Compensation
12 Act (33 U.S.C. 18 and 21, respectively)”; and

13 (B) by striking out “section 902(2) of title 33”
14 in sections 8172 and 8173 and inserting in lieu
15 thereof “section 2(2) of the Longshore and Harbor
16 Workers' Compensation Act (33 U.S.C. 2(2))”.

17 **Subtitle E—Other Matters**

18 **SEC. 341. CHANGE OF SOURCE FOR PERFORMANCE OF** 19 **DEPOT-LEVEL WORKLOADS.**

20 The text of section 2469 of title 10, United States
21 Code, is amended to read as follows:

22 “(a) REQUIREMENT FOR COMPETITION.—The Sec-
23 retary of Defense shall ensure that the performance of a
24 depot-level maintenance workload described in subsection
25 (b) is not changed to performance by a contractor or by

1 another depot-level maintenance activity of the Depart-
 2 ment of Defense unless the change is made using—

3 “(1) merit-based selection procedures for com-
 4 petitions among all depot-level maintenance activities
 5 of the Department of Defense; or

6 “(2) competitive procedures for competitions
 7 among private and public sector entities.

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

12 “(c) INAPPLICABILITY OF OMB CIRCULAR A-76.—
 13 Office of Management and Budget Circular A-76 does not
 14 apply to a performance change to which subsection (a) ap-
 15 plies.”.

16 **SEC. 342. CIVIL AIR PATROL.**

17 (a) PROVISION OF FUNDS.—Subsection (b) of section
 18 9441 of title 10, United States Code, is amended—

19 (1) by redesignating paragraphs (8), (9), (10),
 20 and (11) as paragraphs (9), (10), (11), and (12), re-
 21 spectively; and

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

24 “(8) provide funds for the national head-
 25 quarters of the Civil Air Patrol, including funds for

1 the payment of staff compensation and benefits, ad-
2 ministrative expenses, travel, per diem and allow-
3 ances, rent and utilities, and other operational ex-
4 penses;”.

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

7 “(d)(1) The Secretary of the Air Force may authorize
8 the Civil Air Patrol to employ, as administrators and liai-
9 son officers, persons retired from service in the Air Force
10 whose qualifications are approved under regulations pre-
11 scribed by the Secretary and who request such employ-
12 ment.

13 “(2) A person employed pursuant to paragraph (1)
14 may receive the person’s retired pay and an additional
15 amount for such employment that is not more than the
16 difference between the person’s retired pay and the pay
17 and allowances the person would be entitled to receive if
18 ordered to active duty in the grade in which the person
19 retired from service in the Air Force. The additional
20 amount shall be paid to the Civil Air Patrol by the Sec-
21 retary from funds appropriated for that purpose.

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

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

2 (a) INCREASED MAXIMUM LIMITATION ON DEDUC-
3 TIONS FROM PAY.—Section 1007(i) of title 37, United
4 States Code, is amended—

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

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

11 (b) MODIFICATION OF FEES PAID BY RESIDENTS.—

12 (1) Paragraph (2) of section 1514(c) of the Armed Forces
13 Retirement Home Act of 1991 (24 U.S.C. 414(c)) is
14 amended to read as follows:

15 “(2) The fee shall be fixed as a percentage of the
16 monthly income and monthly payments (including Federal
17 payments) received by a resident, subject to such adjust-
18 ments in the fee as the Retirement Home Board may
19 make under paragraph (1). The percentage shall be the
20 same for each establishment of the Retirement Home.”.

21 (2)(A) Subsections (d) and (e) of section 1514 of
22 such Act are repealed.

23 (B) Such section is further amended by adding after
24 subsection (c) the following new subsection (d):

25 “(d) APPLICATION OF FEES.—Subject to such ad-
26 justments in the fee as the Retirement Home Board may

1 make under subsection (c), each resident of the Retire-
 2 ment Home shall be required to pay a monthly fee equal
 3 to the amount determined by multiplying the total amount
 4 of all monthly income and monthly payments (including
 5 Federal payments) received by the resident by a percent-
 6 age as follows:

7 “(1) In the case of a permanent health care
 8 resident—

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

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

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

12 “(2) In the case of a resident who is not a per-
 13 manent health care resident—

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

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

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

17 (c) MODERNIZATION OF FACILITIES.—(1) The
 18 Chairman of the Armed Forces Retirement Home Board
 19 shall carry out a study to identify and evaluate alter-
 20 natives for modernization of the facilities at the United
 21 States Soldiers’ and Airmen’s Home.

22 (2) The Chairman shall submit an interim report and
 23 a final report on the results of the study to the Commit-
 24 tees on Armed Services of the Senate and House of Rep-
 25 resentatives. The Chairman shall submit the interim re-

1 port not later than April 1, 1995, and the final report
2 not later than December 31, 1995.

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

6 (2) The amendments made by subsection (b) shall
7 take effect October 1, 1997.

8 **SEC. 344. CLARIFICATION OF AUTHORITY TO PROVIDE**
9 **MEDICAL TRANSPORTATION UNDER NA-**
10 **TIONAL GUARD PILOT PROGRAM.**

11 Paragraph (1) of section 376(h) of the National De-
12 fense Authorization Act for Fiscal Year 1993 (32 U.S.C.
13 501 note) is amended to read as follows:

14 “(1) The term ‘health care’ includes the follow-
15 ing services:

16 “(A) Medical care services.

17 “(B) Dental care services.

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

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

21 (a) PROGRAM AUTHORIZED.—Subject to subsection
22 (b), the Secretary of the Army may carry out a loan guar-
23 antee program to encourage commercial firms to use am-
24 munition manufacturing facilities pursuant to section 193
25 of the Armament Retooling and Manufacturing Support

1 Act of 1992 (subtitle H of title I of Public Law 102–484;
2 106 Stat. 2348). Under such program, the Secretary may
3 guarantee the repayment of any loan made to a commer-
4 cial firm to fund, in whole or in part, the establishment
5 of a commercial activity under the Act.

6 (b) ADVANCED BUDGET AUTHORITY.—Loan guaran-
7 tees under this section may not be committed except to
8 the extent that appropriations of budget authority to cover
9 their costs are made in advance, as required by section
10 504 of the Federal Credit Reform Act of 1990 (title V
11 of the Congressional Budget Act of 1974; 2 U.S.C. 661c).

12 (c) PROGRAM ADMINISTRATION.—(1) The Secretary
13 may enter into agreements with the Administrator of the
14 Small Business Administration, the Administrator of the
15 Farmers Home Administration, and the Administrator of
16 the Rural Development Administration under which such
17 Administrators may, under this section—

18 (A) process applications for loan guarantees;

19 (B) guarantee repayment of loans; and

20 (C) provide any other services to the Secretary
21 to administer the loan guarantee program.

22 (2) Each Administrator may guarantee loans under
23 this section to commercial firms of any size, notwithstand-
24 ing any size limitations imposed on other loan guarantee
25 programs that the Administrator administers.

1 (3) To the extent practicable, each Administrator
2 shall use the same procedures for processing loan guaran-
3 tee applications under this section as the Administrator
4 uses for processing loan guarantee applications under
5 other loan guarantee programs that the Administrator
6 administers.

7 (d) LOAN LIMITS.—Loan guarantees under this sec-
8 tion may not exceed—

9 (1) \$20,000,000 for any borrower; and

10 (2) \$65,000,000 for all borrowers.

11 (e) TRANSFER OF FUNDS.—The Secretary of the
12 Army may transfer to an Administrator providing services
13 under subsection (c), and an Administrator may accept,
14 such funds as may be necessary to administer the loan
15 guarantee program under this section.

16 (f) REPORTING REQUIREMENT.—Not later than July
17 1 of each year in which a guarantee issued under this sec-
18 tion is in effect, the Secretary shall submit to the congres-
19 sional defense committees a report containing the amounts
20 of loans guaranteed under this section during the preced-
21 ing calendar year. No report is required after fiscal year
22 1997.

23 (g) AUTHORIZATION FOR USE OF EXISTING BUDGET
24 AUTHORITY.—Funds appropriated for the Armament Re-
25 tooling and Manufacturing Support Initiative by title III

1 of Public Law 102–396 under the heading “PROCURE-
 2 MENT OF AMMUNITION, ARMY” (106 Stat. 1887) may be
 3 made available for loan guarantees under this section only
 4 to the extent provided in an appropriations Act enacted
 5 after the date of the enactment of this Act.

6 (h) EXTENSION OF AUTHORITY.—Section 193(a) of
 7 the Armament Retooling and Manufacturing Support Act
 8 of 1992 (subtitle H of title I of Public Law 102–484; 106
 9 Stat. 2348) is amended by striking out “During fiscal
 10 years 1993 and 1994,” and inserting in lieu thereof “Dur-
 11 ing fiscal years 1993 through 1996,”.

12 **SEC. 346. REAUTHORIZATION OF DEPARTMENT OF DE-**
 13 **FENSE DOMESTIC ELEMENTARY AND SEC-**
 14 **ONDARY SCHOOLS FOR DEPENDENTS.**

15 (a) CONTINUED AUTHORITY.—Chapter 108 of title
 16 10, United States Code, is amended by adding at the end
 17 the following new section:

18 **“§ 2164. Department of Defense domestic dependent**
 19 **elementary and secondary schools**

20 “(a) AUTHORITY OF SECRETARY.—If the Secretary
 21 of Defense makes a determination that appropriate edu-
 22 cational programs are not available through a local edu-
 23 cational agency for dependents of members of the armed
 24 forces and dependents of civilian employees of the Federal
 25 Government residing on a military installation in the Unit-

1 ed States (including territories, commonwealths, and pos-
2 sessions of the United States), the Secretary may provide
3 for the elementary or secondary education of the depend-
4 ents of such members of the armed forces and, to the ex-
5 tent authorized in subsection (c), the dependents of such
6 civilian employees.

7 “(b) FACTORS FOR SECRETARY TO CONSIDER.—(1)
8 Factors to be considered by the Secretary of Defense in
9 making a determination under subsection (a) shall include
10 the following:

11 “(A) The extent to which such dependents are
12 eligible for free public education in the local area ad-
13 jacent to the military installation.

14 “(B) The extent to which the local educational
15 agency is able to provide a comparable educational
16 program for such dependents.

17 “(2) For purposes of paragraph (1)(B), an appro-
18 priate educational program is a program that, as deter-
19 mined by the Secretary, is comparable to a program of
20 free public education provided for children in the following
21 communities:

22 “(A) In the case of a military installation lo-
23 cated in a State (other than an installation referred
24 to in subparagraph (B)), similar communities in the
25 State.

1 “(B) In the case of a military installation with
2 boundaries contiguous to two or more States, similar
3 communities in the contiguous States.

4 “(C) In the case of a military installation lo-
5 cated in a territory, commonwealth, or possession,
6 the District of Columbia, except that an educational
7 program determined comparable under this subpara-
8 graph may be considered appropriate for the pur-
9 poses of paragraph (1)(B) only if the program is
10 conducted in the English language.

11 “(c) ELIGIBILITY OF DEPENDENTS OF FEDERAL
12 EMPLOYEES.—(1) A dependent of a Federal employee re-
13 siding on a military installation at any time during the
14 school year may enroll in an educational program provided
15 by the Secretary of Defense pursuant to subsection (a)
16 for dependents residing on such installation.

17 “(2)(A) Except as provided in subparagraph (B), a
18 dependent of a Federal employee who is enrolled in an
19 educational program provided by the Secretary pursuant
20 to subsection (a) and who is not residing on a military
21 installation may be enrolled in the program for not more
22 than five consecutive school years.

23 “(B) A dependent referred to in subparagraph (A)
24 may be enrolled in the program for more than five con-
25 secutive school years if the Secretary determines that, in

1 the interest of the dependent's educational well-being,
2 there is good cause to extend the enrollment for more than
3 the five-year period described in such subparagraph. Any
4 such extension may be made for only one school year at
5 a time.

6 “(3) A dependent of a Federal employee may con-
7 tinue enrollment in a program under this subsection for
8 the remainder of a school year notwithstanding a change
9 during such school year in the status of the Federal em-
10 ployee that, except for this paragraph, would otherwise
11 terminate the eligibility of the dependent to be enrolled
12 in the program. The preceding sentence does not limit the
13 authority of the Secretary to remove the dependent from
14 enrollment in the program at any time for good cause de-
15 termined by the Secretary.

16 “(d) SCHOOL BOARDS.—(1) The Secretary of De-
17 fense shall provide for the establishment of a school board
18 for each Department of Defense elementary or secondary
19 school established for a military installation under this
20 section.

21 “(2) The school board shall be composed of the num-
22 ber of members, not less than three, prescribed by the
23 Secretary.

1 “(3) The parents of the students attending the school
2 shall elect the school board in accordance with procedures
3 which the Secretary shall prescribe.

4 “(4) The elected school board shall be considered a
5 local civic group with a function of rendering a public serv-
6 ice of providing counsel through oversight of school ex-
7 penditures and operations. The Secretary shall prescribe
8 the oversight procedures and audit standards applicable
9 to the functions of the school board.

10 “(5) Meetings conducted by the school board shall be
11 open to the public.

12 “(6) A school board need not comply with the provi-
13 sions of the Federal Advisory Committee Act (5 U.S.C.
14 App.), but may close meetings in accordance with such
15 Act.

16 “(e) ADMINISTRATION AND STAFF.—(1) The Sec-
17 retary of Defense may enter into such arrangements as
18 may be necessary to provide educational programs at the
19 school.

20 “(2) The Secretary may, without regard to the provi-
21 sions of any other law relating to the number, classifica-
22 tion, or compensation of employees—

23 “(A) establish such positions for civilian em-
24 ployees in schools established under this section;

25 “(B) appoint individuals to such positions; and

1 “(C) fix the compensation of such individuals
2 for service in such positions.

3 “(3)(A) Except as provided in subparagraph (B), in
4 fixing the compensation of employees appointed for a
5 school pursuant to paragraph (2), the Secretary shall con-
6 sider—

7 “(i) the compensation of comparable employees
8 of the local educational agency in the capital of the
9 State where the military installation is located;

10 “(ii) the compensation of comparable employees
11 in the local educational agency that provides public
12 education to students who reside adjacent to the
13 military installation; or

14 “(iii) the average compensation for similar posi-
15 tions in not more than three other local educational
16 agencies in the State in which the military installa-
17 tion is located.

18 “(B) In fixing the compensation of employees in
19 schools established in the territories, commonwealths, and
20 possessions pursuant to the authority of this section, the
21 Secretary shall determine the level of compensation re-
22 quired to attract qualified employees. For employees in
23 such schools, the Secretary, without regard to the provi-
24 sions of title 5, may provide for the tenure, leave, hours
25 of work, and other incidents of employment to be similar

1 to that provided for comparable positions in the public
2 schools of the District of Columbia. For purposes of the
3 first sentence, a school shall be considered to have been
4 established pursuant to the authority of this section if the
5 school was established pursuant to other similar authority
6 before the date on which this section takes effect.

7 “(f) SUBSTANTIVE AND PROCEDURAL RIGHTS AND
8 PROTECTIONS FOR CHILDREN.—(1) The Secretary shall
9 provide the following substantive rights, protections, and
10 procedural safeguards (including due process procedures)
11 in the educational programs provided for under this
12 section:

13 “(A) In the case of children with disabilities
14 aged 3 to 5, inclusive, all substantive rights, protec-
15 tions, and procedural safeguards (including due
16 process procedures) available to children with dis-
17 abilities aged 3 to 5, inclusive, under part B of the
18 Individuals with Disabilities Education Act (20
19 U.S.C. 1411 et seq.).

20 “(B) In the case of infants and toddlers with
21 disabilities, all substantive rights, protections, and
22 procedural safeguards (including due process proce-
23 dures) available to infants and toddlers with disabil-
24 ities under part H of such Act (20 U.S.C. 1471 et
25 seq.).

1 “(C) In the case of all other children with dis-
2 abilities, all substantive rights, protections, and pro-
3 cedural safeguards (including due process proce-
4 dures) available to children with disabilities who are
5 3 to 5 years old under part B of such Act.

6 “(2) Paragraph (1) may not be construed as dimin-
7 ishing for children with disabilities enrolled in day edu-
8 cational programs provided for under this section the ex-
9 tent of substantive rights, protections, and procedural
10 safeguards that were available under section 6(a) of Public
11 Law 81–874 (20 U.S.C. 241(a)) to children with disabil-
12 ities as of October 7, 1991.

13 “(3) In this subsection:

14 “(A) The term ‘children with disabilities’ has
15 the meaning given the term in section 602(a)(1) of
16 the Individuals with Disabilities Education Act (20
17 U.S.C. 1401(a)(1)).

18 “(B) The term ‘children with disabilities aged 3
19 to 5, inclusive’ means such term as used in such Act
20 (20 U.S.C. 1400 et seq.).

21 “(C) The term ‘infants and toddlers with dis-
22 abilities’ has the meaning given the term in section
23 672(1) of such Act (20 U.S.C. 1472(1)).

24 “(g) REIMBURSEMENT.—When the Secretary of De-
25 fense provides educational services under this section to

1 an individual who is a dependent of an employee of a Fed-
 2 eral agency outside the Department of Defense, the head
 3 of the other Federal agency shall, upon request of the Sec-
 4 retary of Defense, reimburse the Secretary for those serv-
 5 ices at rates routinely prescribed by the Secretary for
 6 those services. Any payments received by the Secretary
 7 under this subsection shall be credited to the account des-
 8 ignated by the Secretary for the operation of educational
 9 programs under this section.”.

10 (b) CLERICAL AMENDMENT.—The table of sections
 11 at the beginning of such chapter is amended by adding
 12 at the end the following new item:

“2164. Department of Defense domestic dependent elementary and secondary
 schools.”.

13 **SEC. 347. ASSISTANCE TO LOCAL EDUCATIONAL AGENCIES**
 14 **THAT BENEFIT DEPENDENTS OF MEMBERS**
 15 **OF THE ARMED FORCES AND DEPARTMENT**
 16 **OF DEFENSE CIVILIAN EMPLOYEES.**

17 (a) AVAILABILITY OF FUNDS.—Of the amounts au-
 18 thorized to be appropriated pursuant to section 301(5)—

19 (1) \$50,000,000 shall be available for providing
 20 assistance to local educational agencies under sub-
 21 section (b) of section 386 of Public Law 102–484;
 22 and

1 (2) \$8,000,000 shall be available for making
2 payments to local educational agencies under sub-
3 section (d) of such section.

4 (b) NOTIFICATION AND DISBURSAL.—(1) On or be-
5 fore June 30, 1995, the Secretary of Defense (with respect
6 to assistance provided in subsection (b) of section 386 of
7 Public Law 102–484) and the Secretary of Education
8 (with respect to payments made under subsection (d) of
9 such section) shall notify each local educational agency eli-
10 gible for assistance under subsections (b) and (d) of such
11 section, respectively, for fiscal year 1995 of such agency’s
12 eligibility for such assistance and the amount of such
13 assistance.

14 (2) The Secretary of Defense (with respect to funds
15 made available under subsection (a)(1)) and the Secretary
16 of Education (with respect to funds made available under
17 subsection (a)(2)) shall disburse such funds not later than
18 30 days after notification to eligible local education
19 agencies.

20 **SEC. 348. DISPOSITION OF PROCEEDS FROM OPERATION**
21 **OF THE NAVAL ACADEMY LAUNDRY.**

22 Section 6971 of title 10, United States Code, is
23 amended—

24 (1) in subsection (a)—

25 (A) by striking out “(a)”; and

1 (B) in the first sentence, by striking out
2 “and the Academy dairy” and inserting in lieu
3 thereof “the Academy dairy, and the Academy
4 laundry”; and
5 (2) by striking out subsection (b).

6 **SEC. 349. REPEAL OF ANNUAL LIMITATION ON EXPENDI-**
7 **TURES FOR EMERGENCY AND EXTRAOR-**
8 **DINARY EXPENSES OF THE DEPARTMENT OF**
9 **DEFENSE INSPECTOR GENERAL.**

10 Section 127(c) of title 10, United States Code, is
11 amended—

12 (1) by striking out “(1)” after “(c)”; and
13 (2) by striking out paragraph (2).

14 **SEC. 350. EXTENSION OF AUTHORITY FOR PROGRAM TO**
15 **COMMEMORATE WORLD WAR II.**

16 Section 378 of the National Defense Authorization
17 Act for Fiscal Year 1993 (Public Law 102-484; 106 Stat.
18 2387; 10 U.S.C. 113 note) is amended by striking out
19 “1995” each place it appears in subsections (a) and (b)
20 and inserting in lieu thereof “1996”.

1 **SEC. 351. EXTENSION OF AUTHORITY FOR AVIATION DE-**
 2 **POTS AND NAVAL SHIPYARDS TO ENGAGE IN**
 3 **DEFENSE-RELATED PRODUCTION AND SERV-**
 4 **ICES.**

5 Section 1425(e) of the National Defense Authoriza-
 6 tion Act for Fiscal Year 1991 (Public Law 101–510), as
 7 amended by section 370(b) of Public Law 103–160 (107
 8 Stat. 1634), is further amended by striking out “Septem-
 9 ber 30, 1994” and inserting in lieu thereof “September
 10 30, 1995”.

11 **SEC. 352. TRANSFER OF CERTAIN EXCESS DEPARTMENT OF**
 12 **DEFENSE PROPERTY TO EDUCATIONAL IN-**
 13 **STITUTIONS AND TRAINING SCHOOLS.**

14 (a) AUTHORITY TO TRANSFER.—Subsection (b)(1)
 15 of section 2535(b) of title 10, United States Code, is
 16 amended—

17 (1) in subparagraph (F), by striking out “and”;

18 (2) by redesignating subparagraph (G) as sub-
 19 paragraph (H); and

20 (3) by inserting after subparagraph (F) the fol-
 21 lowing new subparagraph (G):

22 “(G) notwithstanding title II of the Federal
 23 Property and Administrative Services Act of 1949
 24 (40 U.S.C. 481 et seq.) and any other provision of
 25 law, authorize the transfer, on a nonreimbursable
 26 basis, of any such property to any nonprofit edu-

1 cational institution or training school whenever the
2 program proposed by such institution or school for
3 the use of such property will contribute materially to
4 national defense; and”.

5 (b) TREATMENT OF PROPERTY LOANED BEFORE
6 SEPTEMBER 30, 1993.—Except for property determined
7 by the Secretary to be needed by the Department of De-
8 fense, property loaned before September 30, 1993, to an
9 educational institution or training school under section
10 2535(b) of title 10, United States Code, or section 4(a)(7)
11 of the Defense Industrial Reserve Act (as in effect before
12 October 23, 1992) shall be regarded as surplus property.
13 Upon certification by the Secretary to the Administrator
14 of General Services that the property is being used by the
15 borrowing educational institution or training school for a
16 purpose consistent with that for which the property was
17 loaned, the Administrator may authorize the conveyance
18 of all right, title, and interest of the United States in such
19 property to the borrower if the borrower agrees to accept
20 the property. The Administrator may require any addi-
21 tional terms and conditions in connection with a convey-
22 ance so authorized that the Administrator considers ap-
23 propriate to protect the interests of the United States.

1 **SEC. 353. SHIPS' STORES.**

2 Section 371 of the National Defense Authorization
3 Act for Fiscal Year 1994 (Public Law 103–160; 107 Stat.
4 1634; 10 U.S.C. 7604 note) is amended—

5 (1) by striking out subsections (a), (b), and (d);
6 and

7 (2) in subsection (c), by striking out “(c) CODI-
8 FICATION.—Section 7604” and inserting in lieu
9 thereof “Effective as of November 30, 1993, section
10 7604”.

11 **SEC. 354. HUMANITARIAN PROGRAM FOR CLEARING LAND-**
12 **MINES.**

13 (a) PROGRAM AUTHORIZED.—The Secretary of De-
14 fense may carry out a program for humanitarian purposes
15 to provide for the instruction, education, training, and ad-
16 vising of personnel of other nations in the various proce-
17 dures that have been determined effective for detecting
18 and clearing landmines.

19 (b) FORMS OF ASSISTANCE.—Under the program the
20 Secretary may provide personnel to conduct the instruc-
21 tion, education, or training or to furnish advice. In addi-
22 tion or alternatively, the Secretary may provide financial
23 assistance or in-kind assistance in support of such instruc-
24 tion, education, or training.

1 (c) LIMITATIONS ON ACTIONS OF UNITED STATES
2 PERSONNEL.—The Secretary of Defense shall ensure that
3 no member of the Armed Forces of the United States—

4 (1) while providing assistance under subsection
5 (a), engages in the physical detection, lifting, or de-
6 stroying of landmines unless the member does so for
7 the concurrent purpose of supporting a United
8 States military operation; or

9 (2) provides such assistance as part of a mili-
10 tary operation that does not involve the Armed
11 Forces of the United States.

12 (d) FUNDING.—Of the funds authorized to be appro-
13 priated in section 301, not more than \$10,000,000 shall
14 be available for a program carried out under subsection
15 (a).

16 **SEC. 355. ASSISTANCE TO RED CROSS FOR EMERGENCY**
17 **COMMUNICATIONS SERVICES FOR MEMBERS**
18 **OF THE ARMED FORCES AND THEIR FAMI-**
19 **LIES.**

20 (a) FISCAL YEAR 1995.—Of the funds authorized to
21 be appropriated by section 301(5), \$14,500,000 shall be
22 available for obtaining emergency communications services
23 for members of the Armed Forces and their families from
24 the American National Red Cross.

1 (b) FISCAL YEARS 1996 AND 1997.—Of the amounts
 2 authorized to be appropriated for the Department of De-
 3 fense for fiscal years 1996 and 1997 for operation and
 4 maintenance for Defense-wide activities, \$14,500,000
 5 shall be available for each such fiscal year for obtaining
 6 emergency communications services for members of the
 7 Armed Forces and their families from the American Na-
 8 tional Red Cross.

9 **SEC. 356. MARITIME PREPOSITIONING SHIP ENHANCE-**
 10 **MENT.**

11 Section 2218 of title 10, United States Code, is
 12 amended by adding at the end of subsection (f) the follow-
 13 ing new paragraph:

14 “(3) Not more than three vessels built in foreign
 15 shipyards may be purchased for the Marine Corps mari-
 16 time prepositioning ship program with funds in the Na-
 17 tional Defense Sealift Fund. Vessels purchased under the
 18 authority of this paragraph may not be counted for pur-
 19 poses of the limitation in paragraph (1).”.

20 **TITLE IV—MILITARY**
 21 **PERSONNEL AUTHORIZATIONS**
 22 **Subtitle A—Active Forces**

23 **SEC. 401. END STRENGTHS FOR ACTIVE FORCES.**

24 The Armed Forces are authorized strengths for active
 25 duty personnel as of September 30, 1995, as follows:

- 1 (1) The Army, 510,000.
- 2 (2) The Navy, 441,641.
- 3 (3) The Marine Corps, 174,000.
- 4 (4) The Air Force, 400,051.

5 **SEC. 402. EXTENSION OF TEMPORARY VARIATION OF END**

6 **STRENGTH LIMITATIONS FOR MARINE CORPS**

7 **MAJORS AND LIEUTENANT COLONELS.**

8 (a) EXTENSION OF AUTHORITY.—Subsection (a) of

9 section 402 of the National Defense Authorization Act for

10 Fiscal Year 1994 (Public Law 103–160; 107 Stat. 1639;

11 10 U.S.C. 523 note) is amended by striking out “and

12 1995” and inserting in lieu thereof “through 1997”

13 (b) LIMITATION.—The table in subsection (b) of such

14 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.”.

15 (c) CLERICAL AMENDMENT.—The caption of sub-

16 section (b) of such section is amended by striking out

17 “AND 1995.—” and inserting in lieu thereof “THROUGH

18 1997.—”.

1 **SEC. 403. RETENTION OF AUTHORIZED STRENGTH OF GEN-**
 2 **ERAL OFFICERS ON ACTIVE DUTY IN THE MA-**
 3 **RINE CORPS FOR FISCAL YEARS AFTER FIS-**
 4 **CAL YEAR 1995.**

5 Section 526(a)(4) of title 10, United States Code, is
 6 amended by striking out “before October 1, 1995,” and
 7 all that follows through “that date”.

8 **SEC. 404. EXCEPTION TO LIMITATION ON NUMBER OF GEN-**
 9 **ERAL OFFICERS AND FLAG OFFICERS SERV-**
 10 **ING ON ACTIVE DUTY.**

11 Section 525(b) of title 10, United States Code, is
 12 amended by adding at the end the following new para-
 13 graph:

14 “(5)(A) Subject to subparagraph (C), an officer while
 15 serving in a position referred to in subparagraph (B), if
 16 serving in the grade of general or admiral, is in addition
 17 to the number that would otherwise be permitted for that
 18 officer’s armed force for that grade under paragraph (1)
 19 or (2).

20 “(B) Subparagraph (A) applies to the following posi-
 21 tions:

22 “(i) Commander in Chief of a combatant com-
 23 mand.

24 “(ii) Commander, United States Forces, Korea.

25 “(iii) Deputy Commander in Chief, United
 26 States European Command, but only while the Com-

1 mander in Chief of such command is also the Su-
2 preme Allied Commander Europe.

3 “(C) Subparagraph (A) does not apply to an officer
4 serving in a position referred to in subparagraph (B) un-
5 less the Secretary of Defense, when considering that offi-
6 cer for recommendation to the President for appointment
7 to such position, concurrently considered one officer from
8 each of the other armed forces (other than the Coast
9 Guard) for recommendation to the President for appoint-
10 ment to the position.

“(D) The Chairman of the Joint Chiefs of Staff may recommend officers to the Secretary of Defense for consideration by the President for appointment to any of the positions referred to in subparagraph (B).

15 “(E) This paragraph shall cease to be effective at the
16 end of September 30, 1997.”.

17 SEC. 405. TEMPORARY EXCLUSION OF SUPERINTENDENT
18 OF NAVAL ACADEMY FROM COUNTING TO-
19 WARD NUMBER OF SENIOR ADMIRALS AU-
20 THORIZED TO BE ON ACTIVE DUTY.

(a) GRADE RELIEF.—If the next officer appointed to serve as Superintendent of the United States Naval Academy after April 1, 1994, is an officer described in subsection (b), that officer, while so serving, shall not be

1 counted for purposes of the limitations contained in sec-
2 tion 525(b)(2) of title 10, United States Code.

3 (b) QUALIFYING OFFICER.—Subsection (a) applies in
4 the case of a retired officer who—

5 (1) holds the grade of admiral on the retired
6 list;

7 (2) is ordered to active duty pursuant to section
8 688 of title 10, United States Code, to serve as Su-
9 perintendent of the United States Naval Academy;
10 and

11 (3) is appointed pursuant to section 601 of that
12 title to have the grade of admiral while serving on
13 active duty in that position.

14 **Subtitle B—Reserve Forces**

15 **SEC. 411. END STRENGTHS FOR SELECTED RESERVE.**

16 (a) IN GENERAL.—The Armed Forces are authorized
17 strengths for Selected Reserve personnel of the reserve
18 components as of September 30, 1995, as follows:

19 (1) The Army National Guard of the United
20 States, 400,000.

21 (2) The Army Reserve, 242,000.

22 (3) The Naval Reserve, 109,000.

23 (4) The Marine Corps Reserve, 42,000.

24 (5) The Air National Guard of the United
25 States, 115,581.

1 (6) The Air Force Reserve, 78,706.

2 (7) The Coast Guard Reserve, 8,000.

3 (b) WAIVER AUTHORITY.—The Secretary of Defense
4 may increase the end strength authorized by subsection
5 (a) by not more than 2 percent.

6 (c) ADJUSTMENTS.—The end strengths prescribed by
7 subsection (a) for the Selected Reserve of any reserve com-
8 ponent shall be reduced proportionately by—

9 (1) the total authorized strength of units orga-
10 nized to serve as units of the Selected Reserve of
11 such component which are on active duty (other
12 than for training) at the end of the fiscal year, and

13 (2) the total number of individual members not
14 in units organized to serve as units of the Selected
15 Reserve of such component who are on active duty
16 (other than for training or for unsatisfactory partici-
17 pation in training) without their consent at the end
18 of the fiscal year.

19 Whenever such units or such individual members are re-
20 leased from active duty during any fiscal year, the end
21 strength prescribed for such fiscal year for the Selected
22 Reserve of such reserve component shall be increased pro-
23 portionately by the total authorized strengths of such
24 units and by the total number of such individual members.

1 **SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE**
2 **DUTY IN SUPPORT OF THE RESERVES.**

3 Within the end strengths prescribed in section
4 411(a), the reserve components of the Armed Forces are
5 authorized, as of September 30, 1995, the following num-
6 ber of Reserves to be serving on full-time active duty or,
7 in the case of members of the National Guard, full-time
8 National Guard duty for the purpose of organizing, ad-
9 ministering, recruiting, instructing, or training the reserve
10 components:

11 (1) The Army National Guard of the United
12 States, 23,650.

13 (2) The Army Reserve, 11,940.

14 (3) The Naval Reserve, 17,510.

15 (4) The Marine Corps Reserve, 2,285.

16 (5) The Air National Guard of the United
17 States, 9,098.

18 (6) The Air Force Reserve, 648.

19 **Subtitle C—Military Training**
20 **Student Loads**

21 **SEC. 421. AUTHORIZATION OF TRAINING STUDENT LOADS.**

22 (a) IN GENERAL.—For fiscal year 1995, the Armed
23 Forces are authorized average military training student
24 loads as follows:

25 (1) The Army, 69,420.

26 (2) The Navy, 43,064.

1 (3) The Marine Corps, 25,377.

2 (4) The Air Force, 36,840.

3 (b) SCOPE.—The average military training student
4 load authorized for an armed force under subsection (a)
5 applies to the active and reserve components of that armed
6 force.

7 (c) ADJUSTMENTS.—The average military training
8 student loads authorized in subsection (a) shall be ad-
9 justed consistent with the end strengths authorized in sub-
10 titles A and B. The Secretary of Defense shall prescribe
11 the manner in which such adjustments shall be appor-
12 tioned.

13 **Subtitle D—Authorization of**
14 **Appropriations**

15 **SEC. 431. AUTHORIZATION OF APPROPRIATIONS FOR MILI-**
16 **TARY PERSONNEL.**

17 There is hereby authorized to be appropriated to the
18 Department of Defense for military personnel for fiscal
19 year 1995 a total of \$70,790,397,000. The authorization
20 in the preceding sentence supersedes any other authoriza-
21 tion of appropriations (definite or indefinite) for such pur-
22 pose for fiscal year 1995.

1 **Subtitle E—Other Matters**

2 **SEC. 441. REPEAL OF REQUIRED REDUCTION IN RECRUIT-**
3 **ING PERSONNEL.**

4 Section 431 of the National Defense Authorization
5 Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat.
6 2400) is repealed.

7 **TITLE V—MILITARY PERSONNEL**
8 **POLICY**

9 **Subtitle A—Officer Personnel**
10 **Policy**

11 **SEC. 501. SERVICE ON SUCCESSIVE SELECTION BOARDS.**

12 (a) SERVICE ON SUCCESSIVE BOARDS AUTHOR-
13 IZED.—Section 628 of title 10, United States Code, is
14 amended by adding at the end the following new sub-
15 section:

16 “(f)(1) A special selection board convened under this
17 section shall be composed in accordance with section 612
18 of this title or, in the case of a warrant officer, composed
19 in accordance with section 573 of this title and regulations
20 prescribed by the Secretary of the military department
21 concerned, except that the prohibitions on service on suc-
22 cessive selection boards set forth in sections 612(b) and
23 573(e) of this title do not apply to service on successive
24 selection boards authorized under paragraph (2).

1 “(2) An officer may serve on a selection board con-
 2 vened under section 611(a) of this title or, in the case of
 3 a warrant officer, section 573(a) of this title and on a suc-
 4 cessive special selection board convened under this section
 5 if the service on the successive board is approved by the
 6 Secretary of the military department concerned and the
 7 successive board does not consider any officer who was
 8 considered by the first board.”.

9 (b) CONFORMING AMENDMENT.—Subsections (a)(1)
 10 and (b)(1) of section 628 of such title are amended by
 11 striking out “(composed in accordance with” and all that
 12 follows through “concerned)” and inserting in lieu thereof
 13 “(composed as provided in subsection (f))”.

14 **SEC. 502. PROMOTION AND OTHER CAREER MANAGEMENT**
 15 **MATTERS RELATING TO WARRANT OFFICERS**
 16 **ON ACTIVE-DUTY LISTS.**

17 (a) EXCEPTION FROM MANDATORY CONSIDERATION
 18 BY PROMOTION SELECTION BOARD.—Section 575(d) of
 19 such title is amended by inserting “(except for warrant
 20 officers precluded from consideration under regulations
 21 prescribed by the Secretary concerned under section 577
 22 of this title)” after “under consideration”.

23 (b) SECRETARIAL SUBMISSION OF PROMOTION SE-
 24 LECTION BOARD REPORT.—Section 576(f)(1) of such title
 25 is amended by striking out the second sentence.

1 (c) PROMOTION FORMALITIES DEEMED COM-
2 PLETED.—Section 578 of such title is amended by adding
3 at the end the following new subsections:

4 “(e) A warrant officer who is appointed to a higher
5 grade under this section is considered to have accepted
6 such appointment on the date on which the appointment
7 is made unless the officer expressly declines the appoint-
8 ment.

9 “(f) A warrant who has served continuously as an
10 officer since the officer took the oath of office set forth
11 under section 3331 of title 5 is not required to take a
12 new oath upon appointment to a higher grade under this
13 section.”.

14 (d) WARRANT OFFICERS SUBJECT TO MANAGEMENT
15 AUTHORITIES.—Section 582(2) of such title is amended
16 by inserting before the period at the end the following:
17 “(other than such officers recalled to active duty before
18 February 1, 1992, who have served continuously on active
19 duty since 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
6 title 10, United States Code, is amended to read as
7 follows:

8 “(f)(1) An officer subject to discharge under sub-
9 section (b), (d), or (e) who is not eligible for retirement
10 or for retention under paragraph (2) may, upon the offi-
11 cer’s request and in the discretion of the Secretary of the
12 Navy, be enlisted in the grade prescribed by the Secretary.

13 “(2) If an officer subject to discharge under sub-
14 section (b) or (d) is within two years of qualifying for re-
15 tirement under section 6323 of this title as of the date
16 on which the officer is to be discharged, the officer shall
17 be retained on active duty until becoming qualified for re-
18 tirement under that section (unless sooner retired or dis-
19 charged under another provision of law) and shall then
20 be retired.”.

21 (b) **CONFORMING AMENDMENTS.**—Section 6383 of
22 such title is amended—

23 (1) in subsection (i), by striking out “or the
24 discharge under subsection (d)” and inserting in lieu
25 thereof “or the discharge under subsection (b) or
26 (d)”;

1 (2) by striking out subsection (g);

2 (3) by redesignating subsections (h), (i), and (j)

3 as subsections (g), (h), and (i), respectively; and

4 (4) in subsections (a), (b), and (d), by striking

5 out “Except as provided in subsection (i),” each

6 place it appears and inserting in lieu thereof “Ex-

7 cept as provided in subsection (h),”.

8 **SEC. 504. EDUCATIONAL REQUIREMENTS FOR APPOINT-**

9 **MENT IN RESERVE COMPONENTS IN GRADES**

10 **ABOVE FIRST LIEUTENANT OR LIEUTENANT**

11 **(JUNIOR GRADE).**

12 Section 596(a) of title 10, United States Code, is

13 amended—

14 (1) by inserting “(1)” after “(a) IN GEN-

15 ERAL.—”; and

16 (2) by striking out “an accredited educational

17 institution” and inserting in lieu thereof “an edu-

18 cational institution described in paragraph (2)”; and

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

20 paragraph:

21 “(2) An educational institution referred to in para-

22 graph (1) is—

23 “(A) an accredited educational institution; or

24 “(B) an unaccredited educational institution if

25 at least three accredited educational institutions gen-

1 erally grant baccalaureate degree credit for comple-
 2 tion of courses of the unaccredited institution equiv-
 3 alent to the baccalaureate degree credit granted by
 4 the unaccredited institution for the completion of
 5 such courses.”.

6 **SEC. 505. LIMITED EXCEPTION FROM BACCALAUREATE DE-**
 7 **GREE REQUIREMENT FOR ALASKA SCOUT OF-**
 8 **FICERS.**

9 Section 596 of title 10, United States Code, is
 10 amended—

11 (1) by adding at the end of subsection (b) the
 12 following new paragraph:

13 “(5) The appointment of an Alaska Native re-
 14 ferred to in subsection (c) to, or recognition of such
 15 a person in, a higher grade (not above major) of the
 16 Alaska Army National Guard while such person is
 17 serving in a Scout unit or a Scout supporting unit.”;
 18 and

19 (2) by adding at the end the following new sub-
 20 section:

21 “(c) PERSONS COVERED BY ALASKA SCOUT EXCEP-
 22 TION.—(1) Subsection (b)(5) applies to an Alaska Native
 23 who resides permanently at a location in Alaska that is
 24 more than 50 miles from the cities of Anchorage, Fair-
 25 banks, and Juneau, Alaska.

1 “(2) In paragraph (1), the term ‘Alaska Native’ has
 2 the meaning given the term ‘Native’ in section 3(b) of the
 3 Alaska Native Claims Settlement Act (43 U.S.C.
 4 1602(b)).”.

5 **Subtitle B—Reserve Component** 6 **Matters**

7 **SEC. 511. REVIEW OF OPPORTUNITIES FOR ORDERING IN-** 8 **DIVIDUAL RESERVES TO ACTIVE DUTY WITH** 9 **CONSENT.**

10 (a) REVIEW REQUIRED.—The Secretary of Defense
 11 shall—

12 (1) review the opportunities for individual mem-
 13 bers of the reserve components of the Armed Forces
 14 to be ordered to active duty, with the consent of the
 15 members concerned, during peacetime in positions
 16 traditionally filled by active duty personnel; and

17 (2) identify and remove any impediments, in
 18 regulations or other administrative rules, to increas-
 19 ing such opportunities.

20 (b) REPORT.—Not later than 90 days after the date
 21 of the enactment of this Act, the Secretary shall submit
 22 to the Committees on Armed Services of the Senate and
 23 the House of Representatives a report on the results of
 24 the review. The report shall contain—

1 (1) a plan for increasing the opportunities for
2 individual members of the reserve components of the
3 Armed Forces to be ordered to active duty, with the
4 consent of the members concerned, during peacetime
5 in positions traditionally filled by active duty person-
6 nel; and

7 (2) any additional legislation that the Secretary
8 considers necessary in order to increase such oppor-
9 tunities.

10 **SEC. 512. INCREASED PERIOD OF ACTIVE DUTY SERVICE**
11 **FOR SELECTED RESERVE FORCES MOBI-**
12 **LIZED OTHER THAN DURING WAR OR NA-**
13 **TIONAL EMERGENCY.**

14 (a) REVISION TO PERIOD OF EXTENSION OF ACTIVE
15 DUTY.—Section 673b of title 10, United States Code, is
16 amended—

17 (1) in subsection (a), by striking out “90 days.”
18 and inserting in lieu thereof “180 days.”; and

19 (2) by striking out subsection (i).

20 (b) REPORT REQUIRED.—(1) Not later than April 1,
21 1995, the Secretary of Defense shall submit to the con-
22 gressional defense committees a report on increasing the
23 authority of the President to order units and members of
24 the reserve components to active duty without the consent
25 of the members concerned.

1 (2) The report shall include the following:

2 (A) An analysis of options for increased presi-
3 dential authority.

4 (B) An assessment of the effects of each option
5 on recruiting, retention, employer support for the re-
6 serve components, and the families of members of
7 the reserve components.

8 (C) Programs that the Secretary recommends
9 to mitigate any negative effects.

10 (D) Any option that the Secretary recommends.

11 (E) Any proposed legislation that the Secretary
12 considers necessary to implement any recommended
13 option.

14 **SEC. 513. REPEAL OF OBSOLETE PROVISIONS PERTAINING**
15 **TO TRANSFER OF REGULAR ENLISTED MEM-**
16 **BERS TO RESERVE COMPONENTS.**

17 (a) ARMY.—Section 3914 of title 10, United States
18 Code, is amended by striking out the second and third
19 sentences.

20 (b) AIR FORCE.—Section 8914 of such title, is
21 amended by striking out the second and third sentences.

1 **Subtitle C—Other Matters**

2 **SEC. 521. REVIEW OF CERTAIN DISMISSALS FROM THE**
3 **UNITED STATES MILITARY ACADEMY.**

4 (a) REVIEW REQUIRED.—The Secretary of the Army
5 shall promptly carry out a thorough review of the dismiss-
6 als from the Corps of Cadets of the United States Mili-
7 tary Academy of James Webster Smith in 1874 and John-
8 son Chesnut Whittaker in 1882.

9 (b) PURPOSES OF REVIEW.—The purpose of each re-
10 view shall be to determine the validity of the original pro-
11 ceedings and the extent, if any, to which racial prejudice
12 or other improper factors now known may have tainted
13 the original proceedings.

14 (c) CORRECTION OF RECORDS.—If the Secretary de-
15 termines that the dismissal of James Webster Smith or
16 Johnson Chesnut Whittaker was in error or an injustice,
17 the Secretary may correct that person’s military records
18 (including the records of proceedings in such case).

19 (d) POSTHUMOUS COMMISSION.—Upon recommenda-
20 tion of the Secretary in the case of James Webster Smith
21 or Johnson Chesnut Whittaker, the President may issue
22 in the name of James Webster Smith or Johnson Chesnut
23 Whittaker, as the case may be, a posthumous commission
24 as an officer in the regular Army in the grade of second
25 lieutenant. Sections 1521(b) and 1523 of title 10, United

1 States Code, shall apply with respect to a commission so
2 issued.

3 **TITLE VI—COMPENSATION AND**
4 **OTHER PERSONNEL BENEFITS**
5 **Subtitle A—Pay and Allowances**

6 **SEC. 601. MILITARY PAY RAISE FOR FISCAL YEAR 1995.**

7 (a) WAIVER OF SECTION 1009 ADJUSTMENT.—Any
8 adjustment required by section 1009 of title 37, United
9 States Code, in elements of compensation of members of
10 the uniformed services to become effective during fiscal
11 year 1995 shall not be made.

12 (b) INCREASE IN BASIC PAY, BAS, AND BAQ.—Ef-
13 fective on January 1, 1995, the rates of basic pay, basic
14 allowance for subsistence, and basic allowance for quarters
15 of members of the uniformed services are increased by 2.6
16 percent.

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

19 **SEC. 611. EXTENSION OF CERTAIN BONUSES FOR RESERVE**
20 **FORCES.**

21 (a) SELECTED RESERVE REENLISTMENT BONUS.—
22 Section 308b(f) of title 37, United States Code, is amend-
23 ed by striking out “September 30, 1995” and inserting
24 in lieu thereof “September 30, 1996”.

1 (b) SELECTED RESERVE ENLISTMENT BONUS.—Sec-
 2 tion 308c(e) of title 37, United States Code, is amended
 3 by striking out “September 30, 1995” and inserting in
 4 lieu thereof “September 30, 1996”.

5 (c) SELECTED RESERVE AFFILIATION BONUS.—Sec-
 6 tion 308e(e) of title 37, United States Code, is amended
 7 by striking out “September 30, 1995” and inserting in
 8 lieu thereof “September 30, 1996”.

9 (d) READY RESERVE ENLISTMENT AND REENLIST-
 10 MENT BONUS.—Section 308h(g) of title 37, United States
 11 Code, is amended by striking out “September 30, 1995”
 12 and inserting in lieu thereof “September 30, 1996”.

13 (e) PRIOR SERVICE ENLISTMENT BONUS.—Section
 14 308i(i) of title 37, United States Code, is amended by
 15 striking out “September 30, 1995” and inserting in lieu
 16 thereof “September 30, 1996”.

17 **SEC. 612. EXTENSION AND MODIFICATION OF CERTAIN BO-**
 18 **NUSES AND SPECIAL PAY FOR NURSE OFFI-**
 19 **CER CANDIDATES, REGISTERED NURSES,**
 20 **AND NURSE ANESTHETISTS.**

21 (a) NURSE OFFICER CANDIDATE ACCESSION PRO-
 22 GRAM.—Section 2130a(a)(1) of title 10, United States
 23 Code, is amended by striking out “September 30, 1995,”
 24 and inserting in lieu thereof “September 30, 1998,”.

1 (b) ACCESSION BONUS FOR REGISTERED NURSES.—
 2 Section 302d(a)(1) of title 37, United States Code, is
 3 amended by striking out “September 30, 1995,” and in-
 4 serting in lieu thereof “September 30, 1998,”.

5 (c) INCENTIVE SPECIAL PAY FOR NURSE ANES-
 6 THETISTS.—Section 302e(a)(1) of title 37, United States
 7 Code, is amended—

8 (1) by striking out “September 30, 1995,” and
 9 inserting in lieu thereof “September 30, 1998,”; and

10 (2) by striking out “\$6,000” and inserting in
 11 lieu thereof “\$15,000”.

12 **SEC. 613. EXTENSION OF AUTHORITY RELATING TO PAY-**
 13 **MENT OF OTHER BONUSES AND SPECIAL**
 14 **PAYS.**

15 (a) AVIATION OFFICER RETENTION BONUS.—Sec-
 16 tion 301b(a) of title 37, United States Code, is amended
 17 by striking out “September 30, 1994” and inserting in
 18 lieu thereof “September 30, 1995”.

19 (b) REENLISTMENT BONUS FOR ACTIVE MEM-
 20 BERS.—Section 308(g) of title 37, United States Code, is
 21 amended by striking out “September 30, 1995” and in-
 22 serting in lieu thereof “September 30, 1996”.

23 (c) ENLISTMENT BONUSES FOR CRITICAL SKILLS.—
 24 Sections 308a(c) and 308f(c) of title 37, United States
 25 Code, are each amended by striking out “September 30,

1 1995” and inserting in lieu thereof “September 30,
2 1996”.

3 (d) SPECIAL PAY FOR ENLISTED MEMBERS OF THE
4 SELECTED RESERVE ASSIGNED TO CERTAIN HIGH PRI-
5 ORITY UNITS.—Section 308d(c) of title 37, United States
6 Code, is amended by striking out “September 30, 1995”
7 and inserting in lieu thereof “September 30, 1996”.

8 (e) REPAYMENT OF EDUCATION LOANS FOR CER-
9 TAIN HEALTH PROFESSIONALS WHO SERVE IN THE SE-
10 LECTED RESERVE.—Section 2172(d) of title 10, United
11 States Code, is amended by striking out “October 1,
12 1995” and inserting in lieu thereof “October 1, 1996”.

13 (f) SPECIAL PAY FOR CRITICALLY SHORT WARTIME
14 HEALTH SPECIALISTS IN THE SELECTED RESERVES.—
15 Section 613(d) of the National Defense Authorization Act,
16 Fiscal Year 1989 (37 U.S.C. 302 note) is amended by
17 striking out “September 30, 1995” and inserting in lieu
18 thereof “September 30, 1996”.

19 (g) SPECIAL PAY FOR NUCLEAR-QUALIFIED OFFI-
20 CERS EXTENDING PERIOD OF ACTIVE SERVICE.—Section
21 312(e) of title 37, United States Code, is amended by
22 striking out “September 30, 1995” and inserting in lieu
23 thereof “September 30, 1996”.

24 (h) NUCLEAR CAREER ACCESSION BONUS.—Section
25 312b(c) of title 37, United States Code, is amended by

1 striking out “September 30, 1995,” and inserting in lieu
2 thereof “September 30, 1996,”.

3 (i) NUCLEAR CAREER ANNUAL INCENTIVE BONUS.—
4 Section 312c(d) of title 37, United States Code, is amend-
5 ed by striking out “October 1, 1995” and inserting in lieu
6 thereof “October 1, 1996”.

7 **Subtitle C—Travel and** 8 **Transportation Allowances**

9 **SEC. 621. RESPONSIBILITY FOR PREPARATION OF TRANS-**
10 **PORTATION MILEAGE TABLES.**

11 Section 404(d)(1)(A) of title 37, United States Code,
12 is amended by striking out “the Secretary of the Army”
13 and inserting in lieu thereof “the Secretary of Defense”.

14 **Subtitle D—Retired Pay and** 15 **Survivor Benefits**

16 **SEC. 631. CLARIFICATION OF CALCULATION OF RETIRED**
17 **PAY FOR OFFICERS WHO RETIRE IN A GRADE**
18 **LOWER THAN THE GRADE HELD AT RETIRE-**
19 **MENT.**

20 (a) PREVENTION OF RETIRED PAY BASED ON
21 GRADE HIGHER THAN RETIRED GRADE.—Section
22 1401a(f) of title 10, United States Code, is amended—
23 (1) in the first sentence, by inserting “based on
24 the grade in which the member is retired” after “at
25 an earlier date”;

1 (2) in the second sentence, by inserting “, ex-
 2 cept that such computation may not be based on a
 3 rate of basic pay for a grade higher than the grade
 4 in which the member is retired” before the period at
 5 the end; and

6 (3) by striking out the third sentence.

7 (b) EFFECTIVE DATE.—The amendments made by
 8 subsection (a) shall apply with respect to the computation
 9 of the retired pay of a member of the armed forces who
 10 retires on or after the date of the enactment of this Act.

11 **SEC. 632. CREDITING OF RESERVE SERVICE OF ENLISTED**
 12 **MEMBERS FOR COMPUTATION OF RETIRED**
 13 **PAY.**

14 (a) ARMY.—(1) Section 3925 of title 10, United
 15 States Code, is amended—

16 (A) in subsection (a), by striking out “and of
 17 computing his retired pay under section 3991 of this
 18 title,”; and

19 (B) by striking out subsection (c).

20 (2) Section 3991 of such title is amended—

21 (A) in subsection (a)—

22 (i) by striking out paragraph (1) and in-
 23 serting in lieu thereof the following:

24 “(1) FORMULA.—The monthly retired pay of a
 25 member entitled to such pay under this subtitle by

1 reason of retirement under a provision of law re-
2 ferred to in paragraph (3) is computed by multiply-
3 ing the retired pay base (as computed under section
4 1406(c) or 1407 of this title) by the retired pay mul-
5 tiplier prescribed in section 1409 of this title for the
6 number of years credited to the member under sec-
7 tion 1405 of this title.”; and

8 (ii) by adding at the end the following new
9 paragraph:

10 “(3) APPLICABILITY.—Paragraph (1) applies to
11 a member retired under the authority of section
12 3911, 3914, 3917, 3918, 3920, or 3924 of this
13 title.”; and

14 (B) in subsection (b), by striking out paragraph
15 (3).

16 (3) The text of section 3992 of such title is amended
17 to read as follows:

18 “(a) RECOMPUTATION REQUIRED.—An enlisted
19 member or warrant officer of the Army who is advanced
20 on the retired list under section 3964 of this title is enti-
21 tled to recompute the member’s or officer’s retired pay in
22 accordance with this section.

23 “(b) FORMULA.—To recompute an enlisted member’s
24 retired pay or a warrant officer’s retired pay, multiply the
25 retired pay base (as computed under section 1406(c) or

1 1407 of this title) by the retired pay multiplier prescribed
 2 in section 1409 of this title for the number of years cred-
 3 ited to the member or officer under section 1405 of this
 4 title.

5 “(c) ROUNDING TO NEXT LOWER DOLLAR.—The
 6 amount computed under subsection (b), if not a multiple
 7 of \$1, shall be rounded to the next lower multiple of \$1.”.

8 (b) NAVY AND MARINE CORPS.—The table in section
 9 6333(a) of title 10, United States Code, is amended by
 10 striking out “his years of active service in the armed
 11 forces” in formula C under the column designated “Col-
 12 umn 2” and inserting in lieu thereof “the years of service
 13 credited to him under section 1405”.

14 (c) AIR FORCE.—(1) Section 8925 of title 10, United
 15 States Code, is amended—

16 (A) in subsection (a), by striking out “and of
 17 computing his retired pay under section 8991 of this
 18 title,”; and

19 (B) by striking out subsection (c).

20 (2) Section 8991 of such title is amended—

21 (A) in subsection (a)—

22 (i) by striking out paragraph (1) and in-
 23 serting in lieu thereof the following:

24 “(1) FORMULA.—The monthly retired pay of a
 25 member entitled to such pay under this subtitle by

1 reason of retirement under a provision of law re-
2 ferred to in paragraph (3) is computed by multiply-
3 ing the retired pay base (as computed under section
4 1406(e) or 1407 of this title) by the retired pay mul-
5 tiplier prescribed in section 1409 of this title for the
6 number of years credited to the member under sec-
7 tion 1405 of this title.”; and

8 (ii) by adding at the end the following new
9 paragraph:

10 “(3) APPLICABILITY.—Paragraph (1) applies to
11 a member retired under the authority of section
12 8911, 8914, 8917, 8918, 8920, or 8924 of this
13 title.”; and

14 (B) in subsection (b), by striking out paragraph
15 (3).

16 (3) The text of section 8992 of such title is amended
17 to read as follows:

18 “(a) RECOMPUTATION REQUIRED.—An enlisted
19 member or warrant officer of the Air Force who is ad-
20 vanced on the retired list under section 8964 of this title
21 is entitled to recompute the member’s or officer’s retired
22 pay in accordance with this section.

23 “(b) FORMULA.—To recompute an enlisted member’s
24 retired pay or a warrant officer’s retired pay, multiply the
25 retired pay base (as computed under section 1406(e) or

1 1407 of this title) by the retired pay multiplier prescribed
 2 in section 1409 of this title for the number of years cred-
 3 ited to the member or officer under section 1405 of this
 4 title.

5 “(c) ROUNDING TO NEXT LOWER DOLLAR.—The
 6 amount computed under subsection (b), if not a multiple
 7 of \$1, shall be rounded to the next lower multiple of \$1.”.

8 (d) CONFORMING AMENDMENT.—Section 1405 of
 9 such title is amended by adding at the end the following
 10 new subsection:

11 “(c) EXCLUSION OF TIME REQUIRED TO BE MADE
 12 UP.—Time required to be made up by an enlisted member
 13 of the Army or Air Force under section 972 of this title
 14 may not be counted in determining years of service under
 15 subsection (a).”.

16 (e) EFFECTIVE DATE.—This section shall apply to
 17 the computation of the retired or retainer pay of any en-
 18 listed member who retires or is transferred to the Fleet
 19 Reserve or the Fleet Marine Corps Reserve on or after
 20 the date of the enactment of this Act.

21 **SEC. 633. FORFEITURE OF ANNUITY OR RETIRED PAY OF**
 22 **MEMBERS CONVICTED OF ESPIONAGE.**

23 (a) FORFEITURE.—Section 8312(b)(2)(A) of title 5,
 24 United States Code, is amended—

1 (1) by striking out “or article 106 (spies)” and
 2 inserting in lieu thereof “, article 106 (spies), or ar-
 3 ticle 106a (espionage)”; and

4 (2) by striking out “or article 106” and insert-
 5 ing in lieu thereof “, article 106, or article 106a”.

6 (b) EFFECTIVE DATE.—The amendment made by
 7 subsection (a) shall take effect on the date of the enact-
 8 ment of this Act and shall apply to persons convicted of
 9 espionage under section 906a of title 10, United States
 10 Code (article 106a of the Uniform Code of Military Jus-
 11 tice), on or after the date of the enactment of this Act.

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

15 **SEC. 641. ELIGIBILITY OF MEMBERS RETIRED UNDER TEM-**
 16 **PORARY SPECIAL RETIREMENT AUTHORITY**
 17 **FOR SERVICEMEN’S GROUP LIFE INSURANCE.**

18 (a) ELIGIBILITY.—Section 1965(5) of title 38, Unit-
 19 ed States Code, is amended—

20 (1) by striking out “and” at the end of sub-
 21 paragraph (C);

22 (2) by redesignating subparagraph (D) as sub-
 23 paragraph (E); and

24 (3) by inserting after subparagraph (C) the fol-
 25 lowing new subparagraph (D):

1 “(D) a person transferred to the Retired
2 Reserve of a uniformed service under the tem-
3 porary special retirement authority provided in
4 section 1331a of title 10 who has not received
5 the first increment of retirement pay or has not
6 reached sixty-one years of age; and”.

7 (b) INSURANCE COVERAGE.—Section 1967(a) of such
8 title is amended—

9 (1) by striking out “and” at the end of para-
10 graph (2);

11 (2) by adding “and” at the end of paragraph
12 (3);

13 (3) by inserting after paragraph (3) the follow-
14 ing:

15 “(4) any member assigned to the Retired Re-
16 serve of a uniform service who meets the qualifica-
17 tions set forth in section 1965(5)(D) of this title;”;
18 and

19 (4) in the second sentence, by inserting after
20 “section 1965(5)(C) of this title,” the following: “or
21 the first day a member of the Reserves meets the
22 qualifications of section 1965(5)(D) of this title,”.

23 (c) DURATION OF COVERAGE.—Section 1968(a) of
24 such title is amended—

1 (1) in the matter above paragraph (1), by strik-
2 ing out “section 1965(5)(B) or (C)” and inserting in
3 lieu thereof “subparagraphs (B), (C), or (D) of sec-
4 tion 1965(5)”;

5 (2) in paragraph (4)—

6 (A) by striking out “or” at the end of sub-
7 paragraph (A);

8 (B) by striking out the period at the end
9 of subparagraph (B) and inserting in lieu there-
10 of “; or”; and

11 (C) by adding at the end the following new
12 subparagraph:

13 “(C) unless on the date of such separation
14 or release the member is transferred to the Re-
15 tired Reserve of a uniformed service under the
16 temporary special retirement authority provided
17 in section 1331a of title 10, in which event the
18 insurance, unless converted to an individual pol-
19 icy under terms and conditions set forth in sec-
20 tion 1977(e) of this title, shall, upon timely
21 payment of premiums under terms prescribed
22 by the Secretary directly to the administrative
23 office established under section 1966(b) of this
24 title, continue in force until receipt of the first
25 increment of retirement pay by the member or

1 the member's sixty-first birthday, whichever oc-
2 curs earlier."; and

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

4 "(6) with respect to a member of the Retired
5 Reserve who meets the qualifications of section
6 1965(5)(D) of this title, at such time as the member
7 receives the first increment of retirement pay, or the
8 member's sixty-first birthday, whichever occurs ear-
9 lier, subject to the timely payment of the initial and
10 subsequent premiums, under terms prescribed by the
11 Secretary, directly to the administrative office estab-
12 lished under section 1966(b) of this title.".

13 (d) DEDUCTIONS.—Section 1969 of such title is
14 amended—

15 (1) in subsection (a)(2)—

16 (A) by striking out "or is assigned" and
17 inserting in lieu thereof "is assigned"; and

18 (B) by inserting after "section 1965(5)(C)
19 of this title," the following: "or is assigned to
20 the Retired Reserve and meets the qualifica-
21 tions of section 1965(5)(D) of this title,"; and

22 (2) in subsection (e), by striking out "section
23 1965(5)(C)" in the first sentence and inserting in
24 lieu thereof "subparagraph (C) or (D) of section
25 1965(5)".

1 **SEC. 642. ANNUAL PAYMENTS FOR MEMBERS RETIRED**
2 **UNDER GUARD AND RESERVE TRANSITION**
3 **INITIATIVE.**

4 (a) ANNUAL PAYMENT FOR ONE TO FIVE YEARS.—
5 Subsection (d) of section 4416 of the Defense Conversion,
6 Reinvestment, and Transition Assistance Act of 1992 (di-
7 vision D of Public Law 102–484; 10 U.S.C. 1162 note)
8 is amended—

9 (1) by striking out “for 5 years” and inserting
10 in lieu thereof “for a period of years prescribed by
11 the Secretary concerned”;

12 (2) by striking out “5-year”; and

13 (3) by adding at the end the following: “A pe-
14 riod prescribed for purposes of this subsection may
15 not be less than one year nor more than five years.”.

16 (b) COMPUTATION OF ANNUAL PAYMENT.—Sub-
17 section (e) of such section is amended by adding at the
18 end the following:

19 “(3) In the case of a member who will attain 60 years
20 of age within one year after the date on which an annual
21 payment would otherwise be made to the member under
22 this section, the amount of the payment made on that date
23 shall be computed under this paragraph instead of para-
24 graph (1). The amount of such payment shall be equal
25 to $\frac{1}{12}$ of the product of—

1 “(A) the amount computed for the member
2 under paragraph (1); and

3 “(B) the number equal to $\frac{1}{30}$ of the total num-
4 ber of days in the period beginning on such date and
5 ending on the day before the date of the member’s
6 60th birthday.”.

7 (c) COORDINATION WITH RETIRED PAY.—Such sec-
8 tion is further amended by adding at the end the following:

9 “(i) COORDINATION WITH RETIRED PAY.—Fifty per-
10 cent of the monthly amount of retired pay payable under
11 chapter 67 of this title to a member who receives one or
12 more annual payments under this section shall be de-
13 ducted and withheld from such monthly amount of retired
14 pay. The deductions shall be terminated when the total
15 amount so deducted and withheld equals the total amount
16 paid to the member under this section. The amount de-
17 ducted and withheld from the last monthly payment of re-
18 tired pay before termination of deductions may be less
19 than 50 percent of the monthly amount.”.

20 **SEC. 643. INCREASED ELIGIBILITY AND APPLICATION PERI-**
21 **ODS FOR TROOPS-TO-TEACHERS PROGRAM.**

22 (a) PERIOD OF ELIGIBILITY.—Subsection (c) of sec-
23 tion 1151 of title 10, United States Code, is amended—

24 (1) in paragraph (1)(A), by striking out “seven-
25 year period beginning on October 1, 1992,” and in-

1 serting in lieu thereof “nine-year period beginning
2 on October 1, 1990,”; and

3 (2) by striking out paragraph (4).

4 (b) APPLICATION PERIOD.—Subsection (e)(1) of
5 such section is amended by striking out “submitted” in
6 the first sentence and all that follows through the end of
7 the second sentence and inserting in lieu thereof “timely
8 submitted to the Secretary of Defense. An application is
9 timely submitted if the application is submitted not later
10 than the latest date applicable to the applicant under this
11 paragraph. An application shall be submitted not later
12 than one year after the date of the discharge or release
13 of the applicant from active duty. In the case of an appli-
14 cant discharged or released from active duty before Janu-
15 ary 19, 1994, an application shall be submitted not later
16 than one year after the date of the enactment of the Na-
17 tional Defense Authorization Act for Fiscal Year 1995.
18 In the case of an applicant becoming educationally quali-
19 fied for teacher placement assistance in accordance with
20 subsection (c)(2), an application shall be submitted not
21 later than one year after the date on which the applicant
22 becomes educationally qualified.”.

1 **SEC. 644. ASSISTANCE FOR ELIGIBLE MEMBERS TO OBTAIN**
2 **EMPLOYMENT WITH LAW ENFORCEMENT**
3 **AGENCIES.**

4 (a) REVISED PROGRAM AUTHORITY.—Section 1152
5 of title 10, United States Code, is amended to read as
6 follows:

7 “§ 1152. Assistance to eligible members and former
8 members to obtain employment with law
9 enforcement agencies

10 “(a) PLACEMENT PROGRAM.—The Secretary of De-
11 fense may enter into an agreement with the Attorney Gen-
12 eral to establish or participate in a program to assist eligi-
13 ble members and former members of the armed forces to
14 obtain employment as law enforcement officers with State
15 law enforcement agencies, local law enforcement agencies,
16 or Indian tribes that perform law enforcement functions
17 (as determined by the Secretary of the Interior) following
18 the discharge or release of such members or former mem-
19 bers from active duty.

20 “(b) ELIGIBLE MEMBERS.—Any member or former
21 member who, during the 6-year period beginning on Octo-
22 ber 1, 1993, is separated from the armed forces with an
23 honorable discharge or is released from service on active
24 duty characterized as honorable by the Secretary con-
25 cerned shall be eligible to participate in a program covered
26 by an agreement referred to in subsection (a).

1 “(c) SELECTION.—In the selection of applicants for
2 participation in a program covered by an agreement re-
3 ferred to in subsection (a), preference shall be given to
4 a member or former member who—

5 “(1) is selected for involuntary separation, is
6 approved for separation under section 1174a or
7 1175 of this title, or retires pursuant to the author-
8 ity provided in section 4403 of Public Law 102–484
9 (10 U.S.C. 1293 note); and

10 “(2) has a military occupational specialty,
11 training, or experience related to law enforcement
12 (such as service as a member of the military police)
13 or satisfies such other criteria for selection as, in ac-
14 cordance with the agreement, the Secretary, the At-
15 torney General, or a participating State or local law
16 enforcement agency or participating Indian tribe
17 may prescribe.

18 “(d) GRANTS TO FACILITATE EMPLOYMENT.—(1)
19 The Secretary may provide funds to the Attorney General
20 for grants under this section to reimburse State law en-
21 forcement agencies, local law enforcement agencies, or In-
22 dian tribes that perform law enforcement functions (as
23 determined by the Secretary of the Interior) for costs, in-
24 cluding salary and fringe benefits, of employing members

1 or former members pursuant to a program referred to in
2 subsection (a).

3 “(2) No grant with respect to an eligible member or
4 former member may exceed a total of \$50,000.

5 “(3) Any grant with respect to an eligible member
6 or former member shall be disbursed within 5 years after
7 the date of the placement of a member or former member
8 with a participating law enforcement agency or Indian
9 tribe.

10 “(4) Preference in awarding grants through existing
11 law enforcement hiring programs shall be given to State
12 or local law enforcement agencies or Indian tribes that
13 agree to hire eligible members and former members.

14 “(e) ADMINISTRATIVE EXPENSES.—Ten percent of
15 the amount, if any, appropriated for a fiscal year to carry
16 out a program established pursuant to subsection (a) may
17 be used to administer the program.

18 “(f) REQUIREMENT FOR APPROPRIATION.—No mem-
19 ber or former member may be selected to participate in
20 the program established by this section unless a sufficient
21 amount of appropriated funds are available at the time
22 of the selection to satisfy the obligations to be incurred
23 by the United States under an agreement referred to in
24 subsection (a) that applies with respect to such member
25 or former member.”.

1 (b) CLERICAL AMENDMENT.—The item relating to
 2 such section in the table of sections at the beginning of
 3 chapter 58 of title 10, United States Code, is amended
 4 to read as follows:

“1152. Assistance to eligible members and former members to obtain employ-
 ment with law enforcement agencies.”.

5 **SEC. 645. TREATMENT OF RETIRED AND RETAINER PAY OF**
 6 **MEMBERS OF CADRE OF CIVILIAN COMMU-**
 7 **NITY CORPS.**

8 Section 159(c)(3) of the National and Community
 9 Service Act of 1990 (42 U.S.C. 12619(c)(3)) is amended
 10 by adding at the end the following: “In the case of a mem-
 11 ber of the permanent cadre who was recommended for ap-
 12 pointment in accordance with section 162(a)(2)(A) and is
 13 entitled to retired or retainer pay, section 5532 of title
 14 5, United States Code, shall not apply to reduce the mem-
 15 ber’s retired or retainer pay by reason of the member
 16 being paid as a member of the cadre.”.

17 **Subtitle F—Other Matters**

18 **SEC. 651. DISABILITY COVERAGE FOR OFFICER CAN-**
 19 **DIDATES GRANTED EXCESS LEAVE.**

20 (a) ELIGIBILITY FOR RETIREMENT.—Section 1201
 21 of title 10, United States Code, is amended—

22 (1) by inserting “(a) MEMBERS ON ACTIVE
 23 DUTY ENTITLED TO PAY.—” before “Upon a deter-
 24 mination”; and

1 (2) by adding at the end the following new sub-
2 section:

3 “(b) MEMBERS ON EXCESS LEAVE.—(1) Upon a de-
4 termination by the Secretary concerned that a member re-
5 ferred to in paragraph (2) is unfit to perform the duties
6 of the member’s office, grade, rank, or rating because of
7 a physical disability incurred during a period described in
8 such paragraph, the Secretary may retire the member,
9 with retired pay computed under section 1401 of this title,
10 if the Secretary also makes the determinations described
11 in paragraphs (1), (2), and (3) of subsection (a) with re-
12 gard to such member.

13 “(2) Paragraph (1) applies to a member of the armed
14 forces who, during a period of authorized absence—

15 “(A) is participating in a program leading to
16 appointment, designation, or assignment in the
17 armed forces in an officer category; and

18 “(B) is not entitled to basic pay by reason of
19 the application of section 502(b) of title 37 to such
20 absence.”.

21 (b) ELIGIBILITY FOR PLACEMENT ON TEMPORARY
22 DISABILITY RETIRED LIST.—Section 1202 of such title
23 is amended—

24 (1) by striking out “or any other members” and
25 inserting in lieu thereof “any other members”; and

1 (2) by inserting after “more than 30 days,” the
2 following: “or any member referred to in section
3 1201(b)(2) of this title”.

4 (c) ELIGIBILITY FOR SEPARATION.—Section 1203 of
5 such title is amended—

6 (1) by inserting “(a) MEMBERS ON ACTIVE
7 DUTY ENTITLED TO PAY.—” before “Upon a deter-
8 mination”;

9 (2) by striking out the second sentence (relating
10 to transfer to inactive status); and

11 (3) by adding at the end the following new sub-
12 sections:

13 “(b) MEMBERS ON EXCESS LEAVE.—Upon a deter-
14 mination by the Secretary concerned that a member re-
15 ferred to in paragraph (2) of section 1201(b) of this title
16 is unfit to perform the duties of the member’s office,
17 grade, rank, or rating because of a physical disability in-
18 curred during a period described in such paragraph, the
19 Secretary may separate the member, with severance pay
20 computed under section 1212 of this title, if the Secretary
21 also makes the determinations described in paragraphs
22 (1), (2), (3), and (4) of subsection (a) with regard to such
23 member.

24 “(c) TRANSFER TO INACTIVE STATUS LIST.—If a
25 member authorized to be separated under subsection (a)

1 or (b) is eligible for transfer to the inactive status list
2 under section 1209 of this title, and so elects, the member
3 shall be transferred to that list instead of being sepa-
4 rated.”.

5 (d) CONFORMING AMENDMENTS.—(1) Chapter 61 of
6 title 10, United States Code, is amended—

7 (A) by striking out the heading of section 1201
8 and inserting in lieu thereof the following:

9 **“§ 1201. Regulars, members on active duty for more**
10 **than 30 days, certain members on excess**
11 **leave: retirement”;**

12 (B) by striking out the heading of section 1202
13 and inserting in lieu thereof the following:

14 **“§ 1202. Regulars, members on active duty for more**
15 **than 30 days, certain members on excess**
16 **leave: temporary disability retired list”;**

17 and

18 (C) by striking out the heading of section 1203
19 and inserting in lieu thereof the following:

20 **“§ 1203. Regulars, members on active duty for more**
21 **than 30 days, certain members on excess**
22 **leave: separation”.**

23 (2) The table of sections at the beginning of such
24 chapter is amended by striking out the items relating to

1 sections 1201, 1202, and 1203 and inserting in lieu there-
 2 of the following:

“1201. Regulars, members on active duty for more than 30 days, certain mem-
 bers on excess leave: retirement

“1202. Regulars, members on active duty for more than 30 days, certain mem-
 bers on excess leave: temporary disability retired list.

“1203. Regulars, members on active duty for more than 30 days, certain mem-
 bers on excess leave: separation.”.

3 (e) EFFECTIVE DATE.—The amendments made by
 4 this section shall take effect on the date of the enactment
 5 of this Act and apply with respect to physical disabilities
 6 incurred on or after such date.

7 **SEC. 652. USE OF MORALE, WELFARE, AND RECREATION**
 8 **FACILITIES BY MEMBERS OF RESERVE COM-**
 9 **ONENTS AND DEPENDENTS.**

10 Section 1065 of title 10, United States Code, is
 11 amended to read as follows:

12 **“§ 1065. Use of certain morale, welfare, and recre-**
 13 **ation facilities by members of reserve**
 14 **components and dependents**

15 “(a) MEMBERS OF THE SELECTED RESERVE.—Mem-
 16 bers of the Selected Reserve in good standing (as deter-
 17 mined by the Secretary concerned) shall be permitted to
 18 use MWR retail facilities on the same basis as members
 19 on active duty.

20 “(b) RETIREES UNDER AGE 60.—Members of the re-
 21 serve components who would be eligible for retired pay
 22 under chapter 67 of this title but for the fact that the

1 member is under 60 years of age shall be permitted to
2 use MWR retail facilities on the same basis as retired
3 members and retired former members of the Regular
4 Army, Regular Navy, Regular Air Force, and Regular Ma-
5 rine Corps.

6 “(c) MEMBERS OF READY RESERVE NOT IN SE-
7 LECTED RESERVE.—Subject to such regulations as the
8 Secretary of Defense may prescribe, members of the
9 Ready Reserve (other than members of the Selected Re-
10 serve) may be permitted to use MWR retail facilities on
11 the same basis as members serving on active duty.

12 “(d) DEPENDENTS.—(1) Dependents of members re-
13 ferred to in subsection (a) shall be permitted to use MWR
14 retail facilities on the same basis as dependents of mem-
15 bers on active duty.

16 “(2) Dependents of members referred to in sub-
17 section (b) shall be permitted to use MWR retail facilities
18 on the same basis as dependents of retired members and
19 retired former members of the Regular Army, Regular
20 Navy, Regular Air Force, and Regular Marine Corps.

21 “(e) MWR RETAIL FACILITY DEFINED.—In this sec-
22 tion, the term ‘MWR retail facilities’ means exchange
23 stores and other revenue generating facilities operated by
24 nonappropriated fund activities of the Department of De-

1 fense for the morale, welfare, and recreation of members
2 of the armed forces.”.

3 **SEC. 653. SPECIAL SUPPLEMENTAL FOOD PROGRAM FOR**
4 **DEPARTMENT OF DEFENSE PERSONNEL OUT-**
5 **SIDE THE UNITED STATES.**

6 (a) IN GENERAL.—Chapter 53 of Title 10, United
7 States Code, is amended by adding at the end the follow-
8 ing new section:

9 **“§ 1060a. Special supplemental food program**

10 “(a) AUTHORITY.—The Secretary of Defense may
11 carry out a program to provide special supplemental food
12 benefits to members of the armed forces on duty at sta-
13 tions outside the United States (and its territories and
14 possessions) and to eligible civilians serving with, em-
15 ployed by, or accompanying the armed forces outside the
16 United States (and its territories and possessions).

17 “(b) FEDERAL PAYMENTS AND COMMODITIES.—For
18 the purpose of obtaining Federal payments and commod-
19 ities in order to carry out the program referred to in sub-
20 section (a), the Secretary of Agriculture shall make avail-
21 able to the Secretary of Defense from funds appropriated
22 for such purpose, the same payments and commodities as
23 are made for the special supplemental food program in
24 the United States under section 17 of the Child Nutrition
25 Act of 1966 (42 U.S.C. 1786).

1 “(c) PROGRAM ADMINISTRATION.—(1)(A) The Sec-
2 retary of Defense shall administer the program referred
3 to in subsection (a) and, except as provided in subpara-
4 graph (B), shall determine eligibility for program benefits
5 under the criterion published by the Secretary of Agri-
6 culture under section 17 of the Child Nutrition Act of
7 1966 (42 U.S.C. 1786).

8 “(B) The Secretary of Defense shall prescribe regula-
9 tions governing computation of income eligibility stand-
10 ards for families of individuals participating in the pro-
11 gram under this section.

12 “(2) The program benefits provided under the pro-
13 gram shall be similar to benefits provided by State and
14 local agencies in the United States.

15 “(d) DEPARTURE FROM STANDARDS.—The Sec-
16 retary of Defense may authorize departures from stand-
17 ards prescribed by the Secretary of Agriculture regarding
18 the supplemental foods to be made available in the pro-
19 gram when local conditions preclude strict compliance or
20 when such compliance is highly impracticable.

21 “(e) REGULATIONS.—The Secretary of Defense shall
22 prescribe regulations to administer the program author-
23 ized by this section.

24 “(f) DEFINITIONS.—In this section:

25 “(1) The term ‘eligible civilian’ means—

1 “(A) a dependent of a member of the
2 armed forces residing with the member outside
3 the United States;

4 “(B) an employee of a military department
5 who is a national of the United States and is
6 residing outside the United States in connection
7 with such individual’s employment or a depend-
8 ent of such individual residing with the em-
9 ployee outside the United States; or

10 “(C) an employee of a Department of De-
11 fense contractor who is a national of the United
12 States and is residing outside the United States
13 in connection with such individual’s employment
14 or a dependent of such individual residing with
15 the employee outside the United States.

16 “(2) The term ‘national of the United States’
17 means—

18 “(A) a citizen of the United States; or

19 “(B) a person who, though not a citizen of
20 the United States, owes permanent allegiance to
21 the United States (as defined in section
22 101(a)(22) of the Immigration and Nationality
23 Act (8 U.S.C. 1101(a)(22))).

1 “(3) The term ‘dependent’ has the meaning
 2 given such term in subparagraph (A), (D), (E), and
 3 (I) of section 1072(2) of this title.”.

4 (b) CLERICAL AMENDMENT.—The table of sections
 5 at the beginning of chapter 53 of title 10, United States
 6 Code, is amended by adding at the end the following new
 7 item:

“1060a. Special supplemental food program.”.

8 **SEC. 654. REIMBURSEMENT FOR CERTAIN LOSSES OF**
 9 **HOUSEHOLD EFFECTS CAUSED BY HOSTILE**
 10 **ACTION.**

11 (a) AUTHORITY TO REIMBURSE.—Chapter 163 of
 12 title 10, United States Code, is amended by adding at the
 13 end the following new section:

14 **“§ 2738. Reimbursement for certain losses of house-**
 15 **hold effects caused by hostile action**

16 “(a) AUTHORITY TO REIMBURSE.—The Secretary
 17 concerned or, subject to appeal to the Secretary, the Judge
 18 Advocate General of an armed force under the Secretary’s
 19 jurisdiction, or the Chief Counsel of the Coast Guard, as
 20 appropriate, if designated by the Secretary, may reim-
 21 burse a member of the armed forces in an amount not
 22 more than \$100,000 for a loss described in subsection (b).

23 “(b) COVERED LOSSES.—This section applies with
 24 respect to a loss of household effects sustained during a
 25 move made incident to a change of permanent station

1 when, as determined by the Secretary, the loss was caused
2 by a hostile action incident to war or a warlike action by
3 a military force.

4 “(c) LIMITATION.—The Secretary may provide reim-
5 bursement under this section for a loss described in sub-
6 section (b) only to the extent that the loss is not reim-
7 bursed under insurance or under the authority of another
8 provision of law.

9 “(d) APPLICABILITY OF OTHER AUTHORITIES AND
10 REQUIREMENTS.—Subsections (b), (d), (e), (f), and (g)
11 of section 2733 of this title shall apply to a request for
12 a reimbursement under this section as if the request were
13 a claim against the United States.”.

14 (b) CLERICAL AMENDMENT.—The table of sections
15 at the beginning of such chapter is amended by adding
16 at the end the following:

“2738. Reimbursement for certain losses of household effects caused by hostile
action.”.

17 (c) EFFECTIVE DATE.—(1) Section 2738 of title 10,
18 United States Code, as added by subsection (a), applies
19 with respect to losses incurred after June 30, 1990.

20 (2) In the case of a loss incurred after June 30, 1990,
21 and before the date of the enactment of this Act, a request
22 for reimbursement shall be filed with the Secretary of the
23 military department concerned not later than two years
24 after such date of enactment.

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
13 paragraph:

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
2 member; and

3 “(ii) who otherwise meets the require-
4 ments specified in paragraph (2)(D).”.

5 (b) CONFORMING AMENDMENT.—Section
6 401(b)(1)(B) of title 37, United States Code, is amended
7 by striking out “placement agency for the purpose of
8 adoption” and inserting in lieu thereof “placement agency
9 (recognized by the Secretary of Defense) in anticipation
10 of the legal adoption 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 sub-
16 section (h); and

17 (2) by inserting after subsection (f) the follow-
18 ing new subsection (g):

19 “(g) CARE OUTSIDE THE UNITED STATES.—The
20 Secretary 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
23 spouses and children of members of the uniformed services
24 accompanying the members on permanent assignments to
25 duty 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
5 Code, 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
14 bad-conduct discharge or is dismissed or admin-
15 istratively discharged from a uniformed service
16 as a 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 convic-
20 tion; 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
 5 by the provider or providers of such care over the sum
 6 of—

7 “(i) the amount paid for that care under medi-
 8 care; and

9 “(ii) the total of all amounts paid or payable by
 10 third party payers other than medicare.

11 “(B) The amount payable for care under a plan pur-
 12 suant to subparagraph (A) may not exceed the total
 13 amount that would be paid under the plan if payment for
 14 that care were made solely under the plan.

15 “(C) In this paragraph:

16 “(i) The term ‘medicare’ means title XVIII of
 17 the Social Security Act (42 U.S.C. 1395 et seq.).

18 “(ii) The term ‘third party payer’ has the
 19 meaning given such term in section 1095(h)(1) of
 20 this title.”.

21 **SEC. 705. AUTHORITY FOR REIMBURSEMENT OF PROFES-**
 22 **SIONAL LICENSE FEES UNDER RESOURCE**
 23 **SHARING AGREEMENTS.**

24 Section 1096 of title 10, United States Code, is
 25 amended 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 uni-
3 formed services to pay a professional license fee imposed
4 by a government in order to provide health care services
5 at a facility of a civilian health care provider pursuant to
6 an agreement entered into under subsection (a), the Sec-
7 retary of Defense may reimburse the member for up to
8 \$500 of the amount of the license fee paid by the
9 member.”.

10 **SEC. 706. CHIROPRACTIC HEALTH CARE DEMONSTRATION**
11 **PROGRAM.**

12 (a) REQUIREMENT FOR PROGRAM.—(1) Not later
13 than 120 days after the date of enactment of this Act,
14 the Secretary of Defense, in consultation with the sec-
15 retaries of the military departments, shall develop and
16 carry out a demonstration program to evaluate the fea-
17 sibility and advisability of furnishing chiropractic care
18 through the medical care facilities of the Armed Forces.

19 (2) In carrying out the program, the Secretary of De-
20 fense shall—

21 (A) subject to paragraph (3), designate not less
22 than 10 major military medical treatment facilities
23 of the Department of Defense to furnish chiropractic
24 care under the program; and

1 (B) enter into agreements with such number of
2 chiropractors as the Secretary determines sufficient
3 for the purposes of the program to furnish chiro-
4 practic care at such facilities under the program.

5 (3) The Secretary may not designate under para-
6 graph (2) any treatment facility that is located on a mili-
7 tary installation scheduled for closure or realignment
8 under a base closure law.

9 (b) PROGRAM PERIOD.—The Secretary shall carry
10 out the demonstration program in fiscal years 1995
11 through 1997.

12 (c) REPORTING REQUIREMENTS.—(1) Not later than
13 January 30, 1995, the Secretary of Defense shall submit
14 to the Committees on Armed Services of the Senate and
15 the House of Representatives a report on the demonstra-
16 tion program. The report shall—

17 (A) identify the treatment facilities designated
18 pursuant to subsection (a)(2)(A); and

19 (B) include a discussion of the plan for the con-
20 duct of the program.

21 (2) Not later than May 1, 1995, the Secretary of De-
22 fense shall submit to the committees referred to in para-
23 graph (1) a plan for evaluating the program, including a
24 schedule for conducting progress reviews and for submit-
25 ting a final report to the committees.

1 (3) The Secretary shall submit to the committees re-
2 ferred to in paragraph (1) a final report in accordance
3 with the plan submitted to such committees pursuant to
4 paragraph (2).

5 (d) OVERSIGHT ADVISORY COMMITTEE.—(1)(A) Not
6 later than 30 days after the date of the enactment of this
7 Act, the Secretary of Defense shall establish an oversight
8 advisory committee to assist and advise the Secretary with
9 regard to the development and conduct of the demonstra-
10 tion program.

11 (B) The oversight advisory committee shall include
12 the following members:

13 (i) The Comptroller General of the United
14 States, or a designee from within the General Ac-
15 counting Office.

16 (ii) The Assistant Secretary of Defense for
17 Health Affairs, or a designee.

18 (iii) The Surgeon General of the Army, or a
19 designee.

20 (iv) The Surgeon General of the Navy, or a
21 designee.

22 (v) The Surgeon General of the Air Force, or
23 a designee.

1 (vi) Not fewer than four independent represent-
2 atives of the chiropractic health care profession, ap-
3 pointed by the Secretary of Defense.

4 (2) The oversight advisory committee shall assist the
5 Secretary of Defense regarding—

6 (A) issues involving the professional credentials
7 of the chiropractors participating in the program;

8 (B) the granting of professional practice privi-
9 leges for the chiropractors at the treatment facilities
10 participating in the program;

11 (C) the preparation of the reports required
12 under subsection (c); and

13 (D) the evaluation of the program.

14 (e) DEFINITION.—For purposes of this section, the
15 term “base closure law” means each of the following:

16 (1) The Defense Base Closure and Realignment
17 Act of 1990 (part A of title XXIX of Public Law
18 101–510; 10 U.S.C. 2687 note).

19 (2) Title II of the Defense Authorization
20 Amendments and Base Closure and Realignment
21 Act (Public Law 100–526; 10 U.S.C. 2687 note).

22 (3) Section 2687 of title 10, United States
23 Code.

1 **SEC. 707. IMPLEMENTATION OF ANNUAL HEALTH CARE**
 2 **SURVEY REQUIREMENT.**

3 Section 724 of the National Defense Authorization
 4 Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat.
 5 2440; 10 U.S.C. 1071 note) is amended—

6 (1) by redesignating subsection (b) as sub-
 7 section (c); and

8 (2) by inserting after subsection (a) the follow-
 9 ing new subsection (b):

10 “(b) EXEMPTION.—An annual survey under sub-
 11 section (a) shall be treated as not a collection of informa-
 12 tion for the purposes for which such term is defined in
 13 section 3502(4) of title 44.”.

14 **SEC. 708. ESTABLISHMENT OF MEDICARE SPECIAL EN-**
 15 **ROLLMENT PERIOD FOR CERTAIN MILITARY**
 16 **RETIREES AND DEPENDENTS AND PAYMENT**
 17 **OF LATE ENROLLMENT PENALTY BY DEPART-**
 18 **MENT OF DEFENSE.**

19 (a) SPECIAL ENROLLMENT PERIOD.—Section 1837
 20 of the Social Security Act (42 U.S.C. 1395p) is amended
 21 by adding at the end the following new subsection:

22 “(j) In the case of an individual described in section
 23 1839(g)(2), there shall be a special enrollment period—

24 “(1) beginning 45 days before the scheduled
 25 date of the closure of the individual’s military treat-
 26 ment facility (as defined in section 1839(g)(3)(C))

1 and ending on the last day of the eighth month fol-
2 lowing the month in which the facility closed, or

3 “(2) in the case of a military treatment facility
4 that closed prior to January 1, 1995, beginning Jan-
5 uary 1, 1995, and ending at the end of August 31,
6 1995.”.

7 (b) COVERAGE PERIOD FOR SPECIAL ENROLL-
8 MENTS.—Section 1838 of the Social Security Act (42
9 U.S.C. 1395q) is amended by adding at the end the follow-
10 ing new subsection:

11 “(f) Notwithstanding subsection (a), in the case of
12 an individual who enrolls during a special enrollment pe-
13 riod pursuant to section 1837(j), the coverage period shall
14 begin on the first day of the month following the month
15 in which the individual enrolls.”.

16 (c) PAYMENT BY DEPARTMENT OF DEFENSE OF
17 MEDICARE PART B LATE ENROLLMENT PENALTY.—Sec-
18 tion 1839 of the Social Security Act (42 U.S.C. 1395r)
19 is amended by adding at the end the following new sub-
20 section:

21 “(g)(1) The increase in premiums under subsection
22 (b) due to late enrollment under this part by an individual
23 described in paragraph (2) who enrolls under this program
24 during a special enrollment period provided under section

1 1837(j) shall be paid by the Secretary of the military de-
2 partment concerned.

3 “(2) An individual described in this paragraph is an
4 individual who, as of the date of the announcement of the
5 closure of the individual’s military treatment facility—

6 “(A) is 65 years of age or older;

7 “(B) is eligible for health care under section
8 1074(b) or 1076(b) of title 10, United States Code;

9 “(C) has never, since attaining the age of 65,
10 been enrolled under this part; and

11 “(D) has continuously maintained a primary
12 residence within 65 miles of a military treatment fa-
13 cility since attaining the age of 65.

14 “(3) For purposes of this subsection:

15 “(A) The date of the announcement of the clo-
16 sure of a military treatment facility is the date of
17 the submission to Congress under a base closure law
18 of a report recommending the closure of the military
19 base at which the facility is located.

20 “(B) The term ‘base closure law’ has the mean-
21 ing given such term in section 2825(d) of the Na-
22 tional Defense Authorization Act for Fiscal Years
23 1992 and 1993 (10 U.S.C. 2687 note).

24 “(C) The term ‘closure of the individual’s mili-
25 tary treatment facility’ means, with respect to an in-

1 dividual, the closure under a base closure law of the
 2 last military treatment facility within 65 miles of the
 3 primary residence of the individual.

4 “(D) The term ‘military treatment facility’
 5 means a facility of a uniformed service referred to
 6 in section 1074(a) of title 10, United States Code,
 7 in which health care is provided.”.

8 **SEC. 709. ELIGIBILITY FOR PARTICIPATION IN DEM-**
 9 **ONSTRATION PROGRAMS FOR SALE OF PHAR-**
 10 **MACEUTICALS.**

11 Subparagraph (B) of section 702(c)(2) of the Na-
 12 tional Defense Authorization Act for Fiscal Year 1993 (10
 13 U.S.C. 1079 note) is amended to read as follows:

14 “(B) either—

15 “(i) resides in an area that is ad-
 16 versely affected (as determined by the Sec-
 17 retary) by the closure of a health care fa-
 18 cility of the uniformed services as a result
 19 of the closure or realignment of the mili-
 20 tary installation at which such facility is
 21 located; or

22 “(ii) can demonstrate to the satisfac-
 23 tion of the Secretary that the person ob-
 24 tained pharmaceuticals at a health care fa-

1 cility referred to in clause (i) before the
 2 closure of the facility.”.

3 **TITLE VIII—ACQUISITION POL-**
 4 **ICY, ACQUISITION MANAGE-**
 5 **MENT, AND RELATED MAT-**
 6 **TERS**

7 **Subtitle A—Use of Merit Based**
 8 **Selection Procedures**

9 **SEC. 801. POLICY FOR MERIT BASED AWARD OF CON-**
 10 **TRACTS AND GRANTS.**

11 (a) POLICY.—Section 2301 of title 10, United States
 12 Code, is amended by adding at the end the following new
 13 subsection:

14 “(e)(1) It is the policy of Congress that the Depart-
 15 ment of Defense should not be required by legislation to
 16 award a new contract or grant to a specific non-Federal
 17 Government entity. It is further the policy of Congress
 18 that any program, project, or technology identified in
 19 legislation be procured through merit-based selection
 20 procedures.

21 “(2) A provision of law may not be construed as re-
 22 quiring the Department of Defense to award a new con-
 23 tract or grant to a specific non-Federal Government entity
 24 unless that provision of law—

25 “(A) specifically refers to this subsection;

1 “(B) specifically identifies the particular non-
2 Federal Government entity to be awarded the con-
3 tract or grant; and

4 “(C) sets forth the national defense purpose to
5 be fulfilled by requiring the department to award a
6 new contract or grant to the specified non-Federal
7 Government entity.

8 “(3) The head of an agency may not award a contract
9 or make a grant pursuant to a provision of law that au-
10 thorizes or requires the awarding of the contract or the
11 making of the grant, as the case may be, in a manner
12 that is inconsistent with the policy set forth in paragraph
13 (1) until—

14 “(A) the Secretary of Defense submits to Con-
15 gress a notice in writing of the intent to award such
16 contract or to make such grant; and

17 “(B) a period of 180 days elapses after the date
18 on which the notice is received by Congress.

19 “(4) For purposes of this subsection—

20 “(A) a contract is a new contract unless the
21 work provided for in the contract is a continuation
22 of the work provided for in a preceding contract; and

23 “(B) a grant is a new grant unless the work
24 funded by the grant is substantially a continuation

1 of the work for which funding is provided in a pre-
 2 ceding grant.

3 “(4) Paragraph (3) does not apply to the Secretary
 4 of Transportation or the Administrator of the National
 5 Space and Aeronautics Administration.”.

6 **SEC. 802. CONTINUATION OF EXPIRING REQUIREMENT FOR**
 7 **ANNUAL REPORT ON THE USE OF COMPETI-**
 8 **TIVE PROCEDURES FOR AWARDING CERTAIN**
 9 **CONTRACTS TO COLLEGES AND UNIVER-**
 10 **SITIES.**

11 Paragraph (3) of section 2361(c) of title 10, United
 12 States Code, is repealed.

13 **Subtitle B—Acquisition Assistance**
 14 **Programs**

15 **SEC. 811. PROCUREMENT TECHNICAL ASSISTANCE PRO-**
 16 **GRAMS.**

17 (a) FUNDING.—Of the amount authorized to be ap-
 18 propriated under section 301(5), \$12,000,000 shall be
 19 available for carrying out the provisions of chapter 142
 20 of title 10, United States Code.

21 (b) SPECIFIC PROGRAMS.—Of the amounts made
 22 available pursuant to subsection (a), \$600,000 shall be
 23 available for fiscal year 1995 for the purpose of carrying
 24 out programs sponsored by eligible entities referred to in
 25 subparagraph (D) of section 2411(1) of title 10, United

1 States Code, that provide procurement technical assist-
2 ance in distressed areas referred to in subparagraph (B)
3 of section 2411(2) of such title. If there is an insufficient
4 number of satisfactory proposals for cooperative agree-
5 ments in such distressed areas to allow effective use of
6 the funds made available in accordance with this sub-
7 section in such areas, the funds shall be allocated among
8 the Defense Contract Administration Services regions in
9 accordance with section 2415 of such title.

10 **SEC. 812. PILOT MENTOR-PROTEGE PROGRAM.**

11 Of the amounts authorized to be appropriated for fis-
12 cal year 1995 pursuant to title I of this Act, \$50,000,000
13 shall be available for conducting the pilot Mentor-Protege
14 Program established pursuant to section 831 of the Na-
15 tional Defense Authorization Act for Fiscal Year 1991
16 (Public Law 101-510; 10 U.S.C. 2301 note).

17 **SEC. 813. INFRASTRUCTURE ASSISTANCE FOR HISTORI-**
18 **CALLY BLACK COLLEGES AND OTHER MINOR-**
19 **ITY INSTITUTIONS OF HIGHER EDUCATION.**

20 Of the amounts authorized to be appropriated for fis-
21 cal year 1995 pursuant to title II of this Act, \$35,000,000
22 shall be available for such fiscal year for infrastructure
23 assistance to historically Black colleges and universities
24 and minority institutions under section 2323(c)(3) of title
25 10, United States Code.

1 **SEC. 814. EXTENSION OF TEST PROGRAM FOR NEGOTIA-**
2 **TION OF COMPREHENSIVE SMALL BUSINESS**
3 **SUBCONTRACTING PLANS.**

4 Section 834(e) of the National Defense Authorization
5 Act for Fiscal Years 1990 and 1991 (15 U.S.C. 637 note)
6 is amended by striking out “September 30, 1994” in the
7 second sentence and inserting in lieu thereof “September
8 30, 1998”.

9 **SEC. 815. LIMITATION REGARDING ACQUISITION ASSIST-**
10 **ANCE REGULATIONS REQUIRED BY PUBLIC**
11 **LAW 103-160 BUT NOT ISSUED.**

12 (a) LIMITATION ON THE USE OF FUNDS.—None of
13 the funds authorized to be appropriated by this Act that
14 are made available for program element 65104D activities
15 may be expended until the Secretary of Defense takes the
16 actions required by the following provisions of the Na-
17 tional Defense Authorization Act for Fiscal Year 1994
18 (Public Law 103-160):

19 (1) Section 811(d)(1), relating to regulations
20 that address the matters described in subsections (g)
21 and (h)(2) of section 2323 of title 10, United States
22 Code.

23 (2) Section 813(b)(1), relating to the Depart-
24 ment of Defense policy regarding the pilot Mentor-
25 Protege Program.

1 (b) ACTIONS REQUIRED.—(1) With respect to the
2 regulations referred to in subsection (a)(1), the Secretary
3 shall—

4 (A) publish proposed regulations within 15 days
5 after the date of the enactment of this Act in ac-
6 cordance with section 22 of the Office of Federal
7 Procurement Policy Act (41 U.S.C. 418b);

8 (B) provide a period of not less than 60 days
9 for public comment on the proposed regulations; and

10 (C) publish the final regulations not later than
11 120 days after the date of the enactment of this Act.

12 (2) With respect to the action referred to in sub-
13 section (a)(2), the Secretary shall ensure that—

14 (A) within 30 days after the date of the enact-
15 ment of this Act, the Department of Defense policy
16 regarding the pilot Mentor-Protege Program is in-
17 corporated into the Department of Defense Supple-
18 ment to the Federal Acquisition Regulation as an
19 appendix; and

20 (B) any subsequent revision to such policy (or
21 any successor to such policy) is published and main-
22 tained in such supplement as an appendix.

23 (c) PROGRAM ELEMENT 65104D ACTIVITIES DE-
24 FINED.—For purposes of this section, the program ele-
25 ment 65104D activities referred to in subsection (a) are

1 the activities described as program element 65104D in the
 2 materials submitted to Congress by the Secretary of De-
 3 fense in support of the budget for fiscal year 1995 that
 4 was submitted to Congress pursuant to section 1105(a)
 5 of title 31, United States Code.

6 **Subtitle C—Other Matters**

7 **SEC. 821. USE OF CERTAIN FUNDS PENDING SUBMISSION** 8 **OF A NATIONAL TECHNOLOGY AND INDUS-** 9 **TRIAL BASE PERIODIC DEFENSE CAPABILITY** 10 **ASSESSMENT AND A PERIODIC DEFENSE CA-** 11 **PABILITY PLAN.**

12 (a) LIMITATION.—None of the funds authorized to
 13 be appropriated by this Act that are made available for
 14 program element 65104D activities may be expended until
 15 the Secretary of Defense submits to Congress—

16 (1) a national technology and industrial base
 17 periodic defense capability assessment required by
 18 section 2505 of title 10, United States Code; and

19 (2) and a periodic defense capability plan re-
 20 quired by section 2506 of such title.

21 (b) PROGRAM ELEMENT 65104D ACTIVITIES DE-
 22 FINED.—For purposes of this section, the program ele-
 23 ment 65104D activities referred to in subsection (a) are
 24 the activities described as program element 65104D in the
 25 materials submitted to Congress by the Secretary of De-

1 fense in support of the budget for fiscal year 1995 that
2 was submitted to Congress pursuant to section 1105(a)
3 of title 31, United States Code.

4 **SEC. 822. DELEGATION OF INDUSTRIAL MOBILIZATION AU-**
5 **THORITY.**

6 Section 2538 of title 10, United States Code, is
7 amended—

8 (1) by striking out “through the Secretary of
9 Defense” each place it appears in subsections (a),
10 (c), and (d) and inserting in lieu thereof “through
11 the head of any department”; and

12 (2) in subsection (c)—

13 (A) by striking out “in the opinion of the
14 Secretary of Defense” in the matter above
15 paragraph (1) and inserting in lieu thereof “in
16 the opinion of the head of any department”;
17 and

18 (B) by striking out “Secretary” each place
19 it appears in paragraphs (2) and (3) and insert-
20 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,
11 United 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
15 the Act of March 3, 1993 (41 U.S.C. 10a), popularly
16 known as the ‘Buy American Act’, whether application of
17 title III of such Act is inconsistent with the public interest,
18 the Secretary 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
24 American 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
5 than 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
11 Defense has access to advanced state-of-the-art com-
12 mercial 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
18 and foreign end items does not result in an award
19 to a firm other than a firm providing a product pro-
20 duced in the United States.

21 “(10) Any need—

22 “(A) to maintain the same source of sup-
23 ply for spare and replacement parts for an end
24 item that qualifies as an American good; or

1 “(B) to maintain the same source of sup-
 2 ply for spare and replacement parts in order
 3 not to impair integration of the military and
 4 commercial industrial base.

5 “(11) The national security interests of the
 6 United States.”; and

7 (2) by redesignating subsection (c) as sub-
 8 section (b).

9 (b) CONFORMING AND CLERICAL AMENDMENTS.—

10 (1) The heading of section 2533 of such title is amended
 11 to read 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 **TITLE IX—DEPARTMENT OF DE-**
 18 **FENSE ORGANIZATION AND**
 19 **MANAGEMENT**

20 **Subtitle A—Secretarial Matters**

21 **SEC. 901. ADDITIONAL ASSISTANT SECRETARY OF DE-**
 22 **FENSE.**

23 (a) ESTABLISHMENT OF POSITION.—Section 138(a)
 24 of title 10, United States Code, is amended by striking
 25 out “ten” and inserting in lieu thereof “eleven”.

1 (b) EXECUTIVE LEVEL IV.—Section 5315 of title 5,
 2 United States Code, is amended by striking out “Assistant
 3 Secretaries of Defense (10).” and inserting in lieu thereof
 4 the following:

5 “Assistant Secretaries of Defense (11).”.

6 **SEC. 902. ORDER OF SUCCESSION TO SECRETARIES OF THE**
 7 **MILITARY DEPARTMENTS.**

8 (a) ARMY.—Section 3017 of title 10, United States
 9 Code, is amended—

10 (1) by redesignating paragraph (3) as para-
 11 graph (4); and

12 (2) by inserting after paragraph (2) the follow-
 13 ing new paragraph (3):

14 “(3) The General Counsel of the Department of
 15 the Army.”.

16 (b) NAVY.—Section 5017 of such title is amended—

17 (1) by redesignating paragraphs (3) and (4) as
 18 paragraphs (5) and (6), respectively; and

19 (2) by inserting after paragraph (2) the follow-
 20 ing new paragraph (3):

21 “(3) The General Counsel of the Department of
 22 the Navy.”.

23 (c) AIR FORCE.—Section 8017 of such title is amend-
 24 ed—

1 (1) by redesignating paragraph (3) as para-
2 graph (4); 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 Air Force.”.

7 **Subtitle B—Commission on Roles**
8 **and Missions of the Armed Forces**

9 **SEC. 911. REVIEW OF RESERVE COMPONENTS.**

10 Section 953(d) of the National Defense Authorization
11 Act for Fiscal Year 1994 (Public Law 103–160; 107 Stat.
12 1739) is amended—

13 (1) in subsection (d)—

14 (A) by striking out “and” at the end of
15 paragraph (7);

16 (B) by striking out the period at the end
17 of paragraph (8) and inserting in lieu thereof “;
18 and”; and

19 (C) by adding at the end the following new
20 paragraph:

21 “(9) the role of the National Guard and the
22 other reserve components.”;

23 (2) in subsection (e)(3), by inserting after “De-
24 partment of Defense” the following: “, including the

1 National Guard and the other reserve components”;
2 and

3 (3) by adding at the end the following new sub-
4 section:

5 “(h) RECOMMENDATIONS CONCERNING RESERVE
6 COMPONENTS.—The Commission shall address the roles,
7 missions, and functions of the reserve components within
8 the total force of the armed forces, particularly in light
9 of lower budgetary resources that will be available to the
10 Department of Defense in the future. The Commission
11 should employ or consult private citizens with extensive
12 experience in matters concerning the National Guard and
13 other reserve components.”.

14 **SEC. 912. SUPPORT BY FEDERALLY FUNDED RESEARCH**
15 **AND DEVELOPMENT CENTERS.**

16 Section 957 of the National Defense Authorization
17 Act for Fiscal Year 1994 (Public Law 103–160; 107 Stat.
18 1741; 10 U.S.C. 111 note) is amended—

19 (1) by adding at the end the following new sub-
20 section:

21 “(f) SUPPORT FROM FEDERALLY FUNDED RE-
22 SEARCH AND DEVELOPMENT CENTERS.—Upon the re-
23 quest of the chairman of the Commission, the Secretary
24 of Defense shall make available to the Commission, with-
25 out reimbursement, the services of one or more federally

1 funded research and development centers covered by spon-
 2 soring agreements of the Department of Defense. The cost
 3 of the services made available pursuant to this subsection
 4 may not exceed \$20,000,000.”; and

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

7 “**SEC. 957. PERSONNEL MATTERS; EXPERT SERVICES.**”.

8 **Subtitle C—Other Matters**

9 **SEC. 921. COMPOSITION OF RESERVE FORCES POLICY** 10 **BOARD.**

11 Section 175(a) of title 10, United States Code, is
 12 amended—

13 (1) in paragraph (4), by striking out “or Regu-
 14 lar Marine Corps” and inserting in lieu thereof “and
 15 an officer of the Regular Marine Corps each”;

16 (2) by striking out “and” at the end of para-
 17 graph (8);

18 (3) by striking out the period at the end of
 19 paragraph (9) and inserting in lieu thereof “; and”;
 20 and

21 (4) by adding at the end the following:

22 “(10) an officer of the Regular Army, Regular
 23 Navy, Regular Air Force, or Regular Marine Corps
 24 serving in a position on the Joint Staff who is des-

1 ignated by the Chairman of the Joint Chiefs of
2 Staff.”.

3 **SEC. 922. CONTINUATION OF UNIFORMED SERVICES UNI-**
4 **VERSITY OF THE HEALTH SCIENCES.**

5 (a) CLOSURE PROHIBITED.—The Uniformed Serv-
6 ices University of the Health Sciences may not be closed.

7 (b) BUDGETARY COMMITMENT TO CONTINUATION.—
8 It is the sense of Congress that the Secretary of Defense
9 should budget for the ongoing operation of the Uniformed
10 Services University of the Health Sciences as an institu-
11 tion of professional education that is vital to the education
12 and training each year of significant numbers of personnel
13 of the uniformed services for careers as uniformed services
14 health care providers.

15 **SEC. 923. JOINT DUTY CREDIT FOR CERTAIN DUTY PER-**
16 **FORMED DURING MILITARY OPERATIONS IN**
17 **SUPPORT OF UNIFIED, COMBINED, OR UNIT-**
18 **ED NATIONS MILITARY OPERATIONS.**

19 (a) CREDIT AUTHORIZED.—Section 664 of title 10,
20 United States Code, is amended by adding at the end the
21 following new subsection:

22 “(i) SPECIAL AUTHORITY.—(1) The Secretary of De-
23 fense, in consultation with the Chairman of the Joint
24 Chiefs of Staff, may give an officer who has completed
25 service described in paragraph (2) credit for having com-

1 pleted a full tour of duty in a joint duty assignment, or
2 credit countable for determining cumulative service in
3 joint duty assignments, for the purposes of any provision
4 of this title, notwithstanding the length of such service or
5 whether such service is within the definition of the term
6 ‘joint duty assignment’ prescribed pursuant to section 668
7 of this title.

8 “(2) Service referred to in paragraph (1) is service
9 performed by an officer in combat or combat related mili-
10 tary operations, under the operational control of the com-
11 mander of a unified combatant command, the commander
12 of combined forces of allied nations, or the United Na-
13 tions, in which the officer gained significant experience in
14 joint matters, as determined by the Secretary.

15 “(3) Officers for whom joint duty credit is granted
16 pursuant to this subsection—

17 “(A) shall not be counted for the purposes of
18 paragraphs (7), (8), (9), (11), or (12) of section 667
19 of this title and subsections (a)(3) and (b) of section
20 662 of this title; and

21 “(B) are not subject to the requirements of sec-
22 tion 661(c) of this title relating to the sequence for
23 completion of a joint professional military education
24 school, completion of a full tour of duty in a joint

1 duty assignment, and selection for a joint spe-
2 cialty.”.

3 (b) APPLICABILITY.—Subsection (i) of section 664 of
4 title 10, United States Code, as added by subsection (a),
5 shall apply with respect to military operations conducted
6 after July 1, 1992.

7 **TITLE X—GENERAL PROVISIONS**

8 **Subtitle A—Financial Matters**

9 **SEC. 1001. TRANSFER AUTHORITY.**

10 (a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

11 (1) Upon determination by the Secretary of Defense that
12 such action is necessary in the national interest, the Sec-
13 retary may transfer amounts of authorizations made avail-
14 able to the Department of Defense in this division for fis-
15 cal year 1995 between any such authorizations for that
16 fiscal year (or any subdivisions thereof). Amounts of au-
17 thorizations so transferred shall be merged with and be
18 available for the same purposes as the authorization to
19 which transferred.

20 (2) The total amount of authorizations that the Sec-
21 retary of Defense may transfer under the authority of this
22 section may not exceed \$2,000,000,000.

23 (b) LIMITATIONS.—The authority provided by this
24 section to transfer authorizations—

1 (1) may only be used to provide authority for
2 items that have a higher priority than the items
3 from which authority is transferred; and

4 (2) may not be used to provide authority for
5 an item that has been denied authorization by
6 Congress.

7 (c) EFFECT ON AUTHORIZATION AMOUNTS.—A
8 transfer made from one account to another under the au-
9 thority of this section shall be deemed to increase the
10 amount authorized for the account to which the amount
11 is transferred by an amount equal to the amount trans-
12 ferred.

13 (d) NOTICE TO CONGRESS.—The Secretary of De-
14 fense shall promptly notify Congress of transfers made
15 under the authority of this section.

16 **SEC. 1002. EMERGENCY SUPPLEMENTAL AUTHORIZATION**
17 **OF APPROPRIATIONS FOR FISCAL YEAR 1994.**

18 There is authorized to be appropriated as emergency
19 supplemental appropriations for fiscal year 1994 for the
20 incremental costs arising from ongoing United States op-
21 erations in Somalia, Bosnia, Southwest Asia, and Haiti,
22 \$1,198,300,000 as follows:

23 (1) For Military Personnel:

24 (A) For the Army, \$6,600,000.

25 (B) For the Navy, \$19,400,000.

1 (C) For the Air Force, \$18,400,000.

2 (2) For Operation and Maintenance:

3 (A) For the Army, \$420,100,000.

4 (B) For the Navy, \$104,800,000.

5 (C) For the Air Force, \$560,100,000.

6 (D) For Defense-wide activities,

7 \$21,600,000.

8 (3) For Procurement:

9 (A) For Aircraft Procurement, Army,

10 \$20,300,000.

11 (B) For Other Procurement, Army,

12 \$200,000.

13 (C) For Other Procurement, Air Force,

14 \$26,800,000.

15 **SEC. 1003. DATE FOR SUBMISSION OF FUTURE-YEARS MIS-**

16 **SION BUDGET.**

17 Section 222(a) of title 10, United States Code, is

18 amended by striking out “at the same time” in the second

19 sentence and inserting in lieu thereof “not later than 60

20 days after the date on which”.

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

3 **SEC. 1011. REPEAL OF LIMITATION ON OVERSEAS MILI-**
4 **TARY END STRENGTH.**

5 Section 1302 of the National Defense Authorization
6 Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat.
7 2545; 10 U.S.C. 113 note) is repealed.

8 **SEC. 1012. AUTHORIZED END STRENGTH FOR MILITARY**
9 **PERSONNEL IN EUROPE.**

10 (a) END STRENGTH.—Paragraph (1) of section
11 1002(c) of the National Defense Authorization Act, 1985
12 (22 U.S.C. 1928 note) is amended to read as follows:

13 “(1) The end strength level of members of the Armed
14 Forces of the United States assigned to permanent duty
15 ashore in European member nations of NATO may not
16 exceed a permanent ceiling of approximately 100,000 in
17 any fiscal year.

18 “(2) Notwithstanding paragraph (1), the end
19 strength level of members of the Armed Forces of the
20 United States assigned to permanent duty ashore in Euro-
21 pean member nations of NATO may exceed 100,000 in
22 a fiscal year if, before September 1 of that fiscal year,
23 the President certifies to Congress that it is essential for
24 the end strength level to exceed 100,000 in that fiscal year
25 in order to attain national security objectives of the United

1 States in Europe and that the number of personnel in ex-
2 cess of 100,000 does not exceed the number of additional
3 personnel necessary to attain such objectives. In no event
4 may the end strength level exceed 113,000 in any fiscal
5 year.”.

6 (b) CONFORMING AMENDMENT.—Section 1303 of the
7 National Defense Authorization Act for Fiscal Year 1993
8 (Public Law 102–484; 106 Stat. 2546) is repealed.

9 (c) EFFECTIVE DATE.—The amendments made by
10 subsection (a) shall take effect on October 1, 1995.

11 **SEC. 1013. EXTENSION AND REVISION OF AUTHORITIES RE-**
12 **LATING TO COOPERATIVE THREAT REDUC-**
13 **TION.**

14 (a) FUNDING FOR FISCAL YEAR 1995.—Funds au-
15 thorized to be appropriated under section 301(19) shall
16 be available for cooperative threat reduction with states
17 of the former Soviet Union under the Cooperative Threat
18 Reduction Act of 1993 (title XII of Public Law 103–160;
19 22 U.S.C. 5951 et seq.).

20 (b) SEMI-ANNUAL REPORTS.—Section 1207 of such
21 Act (22 U.S.C. 5956) is amended by striking out “and
22 not later than October 30, 1994,” and inserting in lieu
23 thereof “October 30, 1994, April 30, 1995, and October
24 30, 1995,”.

1 **SEC. 1014. DEFENSE COOPERATION BETWEEN THE UNITED**
2 **STATES AND ISRAEL.**

3 (a) FINDINGS.—Congress makes the following find-
4 ings:

5 (1) The President has made a commitment to
6 maintaining the qualitative superiority of the Israeli
7 Defense Force over any potential combination of po-
8 tential adversaries.

9 (2) Despite the peace process in which Israel is
10 engaged, Israel continues to face difficult threats to
11 its national security.

12 (3) The threats are compounded by the pro-
13 liferation of weapons of mass destruction and ballis-
14 tic missiles.

15 (4) Congress recognizes the many benefits to
16 the United States resulting from the strategic rela-
17 tionship that exists between the United States and
18 Israel.

19 (5) Congress is supportive of the objective of
20 the President to enhance United States-Israel mili-
21 tary and technical cooperation, particularly in the
22 areas of missile defense and counter-proliferation.

23 (6) Congress is supportive of the establishment
24 of the United States-Israel Science and Technology
25 Commission in 1993.

1 (7) Maintaining the qualitative superiority of
2 the Israeli Defense Force and strengthening the de-
3 fense ties and science and technology cooperation be-
4 tween the United States and Israel will help ensure
5 that Israel has the military strength and political
6 support necessary to take risks for peace while pro-
7 viding Arab states with an incentive to pursue nego-
8 tiations instead of war.

9 (8) Israel continues to cooperate with the Unit-
10 ed States on numerous theater missile defense pro-
11 grams, including the Arrow Tactical Anti-Missile
12 program and the boost phase intercept technology
13 program.

14 (9) It is in the national interests of the United
15 States and Israel to strengthen existing mechanisms
16 for cooperation and to eliminate unnecessary bar-
17 riers to further collaboration between the United
18 States and Israel.

19 (b) SENSE OF CONGRESS.—It is the sense of Con-
20 gress that Congress—

21 (1) encourages the President to ensure that any
22 conventional defense system or technology offered
23 for release to any NATO or other major non-NATO
24 ally should concurrently be available for purchase by

1 Israel unless such action would contravene United
2 States national interests; and

3 (2) urges the President to make available to Is-
4 rael, within existing technology transfer laws, regula-
5 tions, and policies, advanced United States tech-
6 nology necessary for continued progress in coopera-
7 tive United States-Israel research and development
8 of theater missile defenses.

9 **SEC. 1015. MILITARY-TO-MILITARY CONTACTS AND COM-**
10 **PARABLE ACTIVITIES.**

11 (a) ACTIVITIES AUTHORIZED.—(1) Chapter 6 of title
12 10, United States Code, is amended by adding at the end
13 the following new section:

14 **“§ 166b. Military-to-military contacts and comparable**
15 **activities**

16 “(a) AUTHORITY.—The Secretary of Defense may
17 conduct military-to-military contacts and comparable ac-
18 tivities that are designed to encourage a democratic ori-
19 entation of defense establishments and military forces of
20 other countries.

21 “(b) ADMINISTRATION.—The Secretary may provide
22 funds appropriated for carrying out subsection (a) to the
23 following officials for use as provided in subsection (c):

24 “(1) The commander of a combatant command,
25 upon the request of the commander.

1 “(2) An officer designated by the Chairman of
2 the Joint Chiefs of Staff, with respect to an area or
3 areas not under the area of responsibility of a com-
4 mander of a combatant command.

5 “(3) The head of any Department of Defense
6 component.

7 “(c) AUTHORIZED ACTIVITIES.—An official provided
8 funds under subsection (b) may use such funds for the
9 following activities and expenses:

10 “(1) The activities of traveling contact teams,
11 including any transportation expenses, translation
12 services expenses, and administrative expenses that
13 are related to such activities.

14 “(2) The activities of military liaison teams.

15 “(3) Exchanges of—

16 “(A) civilian or military personnel between
17 the Department of Defense and defense min-
18 istries of foreign governments; and

19 “(B) military personnel between units of
20 the armed forces and units of foreign armed
21 forces.

22 “(4) Seminars and conferences held primarily
23 in a theater of operations.

24 “(5) Distribution of publications primarily in a
25 theater of operations.

1 “(6) Personnel expenses for Department of De-
2 fense civilian and military personnel to the extent
3 that such expenses relate to participation in activi-
4 ties described in paragraphs (3), (4), and (5).

5 “(7) Reimbursement of military personnel ap-
6 propriations accounts for the pay and allowances
7 paid to National Guard personnel and other reserve
8 components personnel for service while engaged in
9 activities referred to in other paragraphs of this sub-
10 section.

11 “(d) RELATIONSHIP TO OTHER FUNDING.—Any
12 amount provided during any fiscal year to an official
13 under subsection (b) for activities or expenses referred to
14 in subsection (c) shall be in addition to amounts otherwise
15 available for such activities and expenses for that fiscal
16 year.

17 “(e) LIMITATIONS.—(1) Funds may not be provided
18 under this section for a fiscal year for any activity for
19 which—

20 “(A) funding was proposed in the budget sub-
21 mitted to Congress for such fiscal year pursuant to
22 section 1105(a) of title 31; and

23 “(B) Congress did not authorize appropriations.

24 “(2) An activity may not be conducted under this sec-
25 tion with a foreign country unless the Secretary of State

1 approves the conduct of such activity in that foreign coun-
2 try.

3 “(f) MILITARY-TO-MILITARY CONTACTS DEFINED.—
4 In this section, the term ‘military-to-military contacts’
5 means contacts between members of the armed forces and
6 members of foreign armed forces through activities de-
7 scribed in subsection (c).”.

8 (2) The table of sections at the beginning of chapter
9 6 of such title is amended by adding at the end the follow-
10 ing new item:

“166b. Military-to-military contacts and comparable activities.”.

11 (b) FUNDING.—Of the amount authorized to be ap-
12 propriated under section 301(5) for operation and mainte-
13 nance for Defense-wide activities, \$46,300,000 shall be
14 available to the Secretary of Defense for the purposes of
15 carrying out activities under section 166b of title 10,
16 United States Code, as added by subsection (a).

17 **SEC. 1016. FOREIGN DISASTER RELIEF.**

18 (a) AUTHORITY.—(1) Subchapter I of chapter 20 of
19 title 10, United States Code, is amended by adding at the
20 end the following new section:

21 **“§ 404. Foreign disaster relief**

22 “(a) IN GENERAL.—The President may conduct dis-
23 aster relief activities outside the United States to respond
24 to manmade or natural disasters when necessary to pre-
25 vent loss of lives.

1 “(b) FORMS OF ASSISTANCE.—Assistance provided
2 under this section may include transportation, supplies,
3 services, and equipment.

4 “(c) DETERMINATION REQUIRED.—No assistance
5 may be furnished pursuant to this section unless the
6 President determines that the provision of disaster relief
7 is in the national interest of the United States and is nec-
8 essary to prevent loss of lives.

9 “(d) REPORT REQUIRED.—Not later than 48 hours
10 after the commencement of disaster relief activities, the
11 President shall transmit to the Congress a report contain-
12 ing the determination required by subsection (c) and a de-
13 scription of the following:

14 “(1) The manmade or natural disaster for
15 which disaster relief is necessary.

16 “(2) The threat to human lives presented by
17 the disaster.

18 “(3) The United States military personnel and
19 material resources that are involved or expected to
20 be involved.

21 “(4) The disaster relief that is being provided
22 or is expected to be provided by other nations or
23 public or private relief organizations.

24 “(5) The anticipated duration of the disaster
25 relief activities.”.

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

“404. Foreign disaster relief.”.

3 (b) FUNDING OF ACTIVITIES.—Of the amount au-
 4 thorized to be appropriated under subsection 301(5),
 5 \$46,300,000 shall be available to the Secretary of Defense
 6 for the purpose of carrying out disaster relief activities
 7 under section 404 of title 10, United States Code, as
 8 added by subsection (a).

9 **Subtitle C—Nonproliferation and**
 10 **Counterproliferation of Weapon**
 11 **Systems and Related Systems**

12 **SEC. 1021. EXTENSION AND REVISION OF NONPROLIFERA-**
 13 **TION AUTHORITIES.**

14 (a) EXTENSION OF NONPROLIFERATION AUTHORI-
 15 TIES.—Section 1505 of the National Defense Authoriza-
 16 tion Act for Fiscal Year 1993 (22 U.S.C. 5859a) is
 17 amended—

18 (1) in subsection (a), by striking out “during
 19 fiscal year 1994” and inserting in lieu thereof “dur-
 20 ing fiscal years 1994 and 1995”; and

21 (2) in subsection (e), by striking out “fiscal
 22 year 1994” and inserting in lieu thereof “fiscal
 23 years 1994 and 1995”.

24 (b) ACTIVITIES FOR WHICH ASSISTANCE MAY BE
 25 PROVIDED.—Subsection (b)(4) of such section is amended

1 by striking out “nuclear proliferation through joint tech-
2 nical projects and improved intelligence sharing” and in-
3 serting in lieu thereof “nuclear, biological, chemical, and
4 missile proliferation through technical projects and im-
5 proved information sharing”.

6 (c) SOURCES OF ASSISTANCE.—Subsection (d) of
7 such section is amended—

8 (1) in paragraph (1)—

9 (A) by inserting “for fiscal year 1994”
10 after “under this section”; and

11 (B) by striking out “fiscal year 1994 or”
12 and inserting in lieu thereof “fiscal year 1994.
13 Funds provided as assistance under this section
14 for fiscal year 1995 shall be derived from
15 amounts made available to the Department of
16 Defense for fiscal year 1995. Alternatively,
17 funds provided as assistance under this section
18 for a fiscal year referred to in this paragraph
19 may be derived”; and

20 (2) in paragraph (3), by inserting after
21 “\$25,000,000” the following: “for fiscal year 1994
22 or \$15,000,000 for fiscal year 1995”.

1 **SEC. 1022. JOINT COMMITTEE FOR THE REVIEW OF**
2 **COUNTERPROLIFERATION PROGRAMS OF**
3 **THE UNITED STATES.**

4 (a) COMPOSITION.—Subsection (a) of section 1605 of
5 the National Defense Authorization Act for Fiscal Year
6 1994 (Public Law 103–160; 107 Stat 1845) is amended—

7 (1) in paragraph (1)—

8 (A) by striking out “Non-Proliferation” in
9 the matter above subparagraph (A) and insert-
10 ing in lieu thereof “Counterproliferation”;

11 (B) by striking out subparagraphs (B) and
12 (E); and

13 (C) by redesignating subparagraphs (C),
14 (D), and (F) as subparagraphs (B), (C), and
15 (D), respectively;

16 (2) in paragraph (2), by adding at the end the
17 following: “The Secretary of Energy shall serve as
18 the Vice Chairman of the committee.”;

19 (3) in paragraph (4), by adding at the end the
20 following: “The Secretary of Energy may delegate to
21 the Under Secretary of Energy responsible for na-
22 tional security programs of the Department of En-
23 ergy the performance of the duties of the Vice
24 Chairman of the committee.”; and

25 (4) by striking out paragraph (5).

1 (b) PURPOSES OF COMMITTEE.—Subsection (b) of
2 such section is amended—

3 (1) in paragraph (1)(A), by striking out “non-
4 proliferation policy” and inserting in lieu thereof
5 “counterproliferation policy”; and

6 (2) by adding at the end the following new
7 paragraphs:

8 “(3) To prioritize programs and funding.

9 “(4) To encourage and facilitate interagency
10 and interdepartmental funding of programs in order
11 to ensure necessary levels of funding to develop, op-
12 erate, and field highly-capable systems.

13 “(5) To insure that Department of Energy pro-
14 grams are integrated with the operational needs of
15 other departments and agencies of the Federal Gov-
16 ernment.

17 “(6) To ensure that Department of Energy na-
18 tional security programs include development of sys-
19 tems for deployment as well as research.”.

20 (c) DUTIES.—Subsection (c) of such section is
21 amended—

22 (1) in paragraph (1)—

23 (A) by striking out “(including
24 counterproliferation capabilities) and tech-
25 nologies for support of United States non-

1 proliferation policy” in the matter above sub-
2 paragraph (A) and inserting in lieu thereof
3 “and technologies for support of United States
4 nonproliferation policy and counterproliferation
5 policy”;

6 (B) by inserting “and” at the end of sub-
7 paragraph (D); and

8 (C) by striking out subparagraphs (F) and
9 (G);

10 (2) by striking out paragraphs (2), (3), and (7);

11 (3) in paragraph (4), by striking out “to sup-
12 port fully the nonproliferation policy of the United
13 States”;

14 (4) by redesignating paragraphs (4), (5), and
15 (6) as paragraphs (2), (3), and (4), respectively; and

16 (5) by adding at the end the following new
17 paragraph (5):

18 “(5) assess each fiscal year the effectiveness of
19 the committee actions during the preceding fiscal
20 year, including, particularly, the status of rec-
21 ommendations made during such preceding fiscal
22 year that were reflected in the budget submitted to
23 Congress pursuant to section 1105(a) of title 31,
24 United States Code, for the fiscal year following the
25 fiscal year in which the assessment is made.”.

1 (d) COMMITTEE RECOMMENDATIONS.—Subsection
2 (e) of such section is amended to read as follows:

3 “(e) RECOMMENDATIONS.—The committee shall sub-
4 mit to the President and the heads of all appropriate de-
5 partments and agencies of the Federal Government such
6 programmatic recommendations regarding existing,
7 planned, or new programs as the committee considers ap-
8 propriate to encourage funding for capabilities and tech-
9 nologies at the level necessary to support United States
10 counterproliferation policy.”.

11 (e) EXTENSION OF COMMITTEE.—Subsection (f) of
12 such section is amended by striking out “six months after
13 the date on which the report of the Secretary of Defense
14 under section 1606 is submitted to Congress” and insert-
15 ing in lieu thereof “at the end of September 30, 1996”.

16 **SEC. 1023. REPORT ON COUNTERPROLIFERATION ACTIVI-**
17 **TIES AND PROGRAMS.**

18 (a) REPORT REQUIRED.—Not later than May 1,
19 1995, and not later than May 1 of each year thereafter,
20 the Secretary of Defense shall submit to the appropriate
21 committees of Congress a report of the findings of the
22 Counterproliferation Program Review Committee estab-
23 lished by section 1605 of the National Defense Authoriza-
24 tion Act for Fiscal Year 1994 (Public Law 103–160; 107
25 Stat 1845). The Secretary shall submit any special annex

1 of the report to the committees of Congress that tradition-
2 ally receive information in the annex in the performance
3 of oversight functions of such committees.

4 (b) CONTENT OF THE REPORT.—The report shall in-
5 clude the following matters:

6 (1) A complete list, by specific program ele-
7 ment, of the existing, planned, or newly proposed ca-
8 pabilities and technologies reviewed by the commit-
9 tee pursuant to section 1605(c) of Public Law 103–
10 160.

11 (2) A complete description of the requirements
12 and priorities established by the Counterproliferation
13 Program Review Committee.

14 (3) A comprehensive discussion of the near-
15 term, mid-term, and long-term programmatic op-
16 tions formulated by the committee for meeting re-
17 quirements prescribed by the committee and for
18 eliminating deficiencies identified by the committee,
19 including the annual funding requirements and com-
20 pletion dates established for each such option.

21 (4) An explanation of the recommendations
22 made pursuant to section 1605(c) of Public Law
23 103–160, together with a full discussion of the ac-
24 tions taken to implement such recommendations or
25 otherwise taken on the recommendations.

1 (5) A discussion and assessment of the status
2 of each committee recommendation during the fiscal
3 year preceding the fiscal year in which the report is
4 submitted, including, particularly, the status of rec-
5 ommendations made during such preceding fiscal
6 year that were reflected in the budget submitted to
7 Congress pursuant to section 1105(a) of title 31,
8 United States Code, in the fiscal year of the report.

9 (6) Each specific Department of Energy pro-
10 gram that the Secretary of Energy plans to develop
11 to initial operating capability and each such program
12 that the Secretary does not plan to develop to initial
13 operating capability.

14 (7) For each technology program scheduled to
15 reach initial operational capability, a recommenda-
16 tion from the Chairman of the Joint Chiefs of Staff
17 that represents the views of the commanders of the
18 unified and specified commands regarding the utility
19 and requirement of the program.

20 (c) FORMS OF REPORT.—The report shall be submit-
21 ted in both unclassified and classified forms, including an
22 annex to the classified report for special compartmented
23 information programs, special access programs, and spe-
24 cial activities programs.

25 (d) DEFINITIONS.—In this section:

1 (1) The term “appropriate committees of Con-
2 gress” means—

3 (A) the Committee on Armed Services, the
4 Committee on Appropriations, and the Select
5 Committee on Intelligence of the Senate; and

6 (B) the Committee on Armed Services, the
7 Committee on Appropriations, and the Select
8 Committee on Intelligence of the House of Rep-
9 resentatives.

10 (2) The term “intelligence community” has the
11 meaning given such term in section 3 of the Na-
12 tional Security Act of 1947 (50 U.S.C. 401a).

13 **SEC. 1024. AMOUNTS FOR COUNTERPROLIFERATION AC-**
14 **TIVITIES.**

15 (a) COUNTERPROLIFERATION ACTIVITIES.—Of the
16 amount authorized to be appropriated in section 201(4),
17 \$12,500,000 shall be available for counterproliferation ac-
18 tivities.

19 (b) EDUCATION IN SUPPORT OF
20 COUNTERPROLIFERATION ACTIVITIES.—Of the amount
21 authorized to be appropriated in section 301(5), not more
22 than \$1,000,000 shall be available for providing education
23 to members of the Armed Forces in matters relating to
24 counterproliferation.

1 **SEC. 1025. RESTRICTION RELATING TO REPORT ON PRO-**
 2 **LIFERATION OF FOREIGN MILITARY SAT-**
 3 **ELLITES.**

4 None of the funds available to the Department of De-
 5 fense for travel may be expended for travel by the Assist-
 6 ant Secretary of Defense for International Security Policy
 7 until the Secretary of Defense submits to Congress the
 8 report required by section 1363 of the National Defense
 9 Authorization Act for Fiscal Year 1993 (Public Law 102–
 10 484; 106 Stat. 2560) together with the certification re-
 11 quired by section 211(d) of the National Defense Author-
 12 ization Act for Fiscal Year 1994 (Public Law 103–160;
 13 107 Stat. 1584).

14 **Subtitle D—Peace Operations**

15 **SEC. 1031. REPORTS ON REFORMING MULTILATERAL**
 16 **PEACE OPERATIONS.**

17 (a) **REPORTS REQUIRED.**—The Secretary of Defense
 18 shall submit to the congressional defense committees two
 19 reports on United States proposals for improving United
 20 Nations management of peace operations. The Secretary
 21 shall submit the first report not later than December 1,
 22 1994, and the second report not later than June 1, 1995.

23 (b) **CONTENT OF REPORTS.**—(1) Each report shall
 24 contain—

25 (A) a discussion of the status of implementation
 26 of United States proposals contained in section IV

1 (relating to strengthening the United Nations) of the
2 document entitled “The Clinton Administration’s
3 Policy on Reforming Multilateral Peace Operations”
4 that was issued by the Executive Office of the Presi-
5 dent in May 1994; and

6 (B) an analysis of the results of such implemen-
7 tation.

8 (2) Each report shall cover, at a minimum, the fol-
9 lowing matters:

10 (A) The reconfiguration and expansion of the
11 staff for the United Nations Department of Peace-
12 keeping Operations.

13 (B) The elimination by the United Nations of
14 lengthy, potentially disastrous delays after a peace
15 operation has been authorized.

16 (C) The establishment by the United Nations of
17 a professional peace operations training program for
18 commanders and other military and civilian person-
19 nel.

20 (D) United States assistance to facilitate im-
21 provements by the United Nations in the matters
22 described in subparagraphs (A) and (C) and the
23 terms under which such assistance has been or is
24 being provided.

1 (c) DEFINITION.—Is this section, the term “peace op-
2 eration” means an operation to maintain or restore inter-
3 national peace and security under chapter VI or chapter
4 VII of the Charter of the United Nations.

5 **SEC. 1032. SUPPORT FOR INTERNATIONAL PEACEKEEPING**
6 **AND PEACE ENFORCEMENT.**

7 (a) SENSE OF CONGRESS.—It is the sense of Con-
8 gress that—

9 (1) the President should initiate consultations
10 with the bipartisan leadership of Congress, including
11 the leadership of the relevant committees, as far in
12 advance as possible regarding international peace-
13 keeping or peace enforcement activities of the Unit-
14 ed Nations that would involve the participation of
15 United States combat forces and such consultations
16 should continue throughout the duration of such ac-
17 tivities;

18 (2) the consultations should take place prior to
19 the vote by the United States on United Nations Se-
20 curity Council resolutions authorizing, extending, or
21 revising the mandates for these types of activities;

22 (3) United Nations Security Council resolutions
23 authorizing peacekeeping or peace enforcement ac-
24 tivities should clearly state the threat to inter-
25 national peace and security presented by the conflict

1 in question, as well as the political and military ob-
2 jectives, the anticipated duration, and an exit strat-
3 egy for each activity;

4 (4) the United States should be fully reim-
5 bursed for troop contributions and assistance pro-
6 vided to United Nations peacekeeping and peace en-
7 forcement activities;

8 (5) the United Nations should rarely conduct
9 peace enforcement operations in view of the complex-
10 ity of such operations and the difficulty of achieving
11 unity of command and expeditious decisionmaking
12 through the United Nations;

13 (6) United States combat forces should be
14 under the operational control of qualified command-
15 ers and should have clear and effective command
16 and control arrangements, appropriate rules of en-
17 gagement, and clear and unambiguous mission state-
18 ments;

19 (7) United States combat forces should not be
20 under the command and control of foreign com-
21 manders in peace enforcement operations conducted
22 by the United Nations except in the most extraor-
23 dinary circumstances; and

24 (8) the Secretary of Defense should have the
25 lead responsibility within the executive branch for

1 the management of peacekeeping and peace enforce-
2 ment activities of the United Nations in which
3 United States combat forces participate.

4 (b) SUPPORT AUTHORIZED.—(1) Section 403 of title
5 10, United States Code, is amended to read as follows:

6 **“§ 403. International peacekeeping and international**
7 **peace enforcement: support involving**
8 **United States combat forces**

9 “(a) AUTHORITY.—Notwithstanding any other provi-
10 sion of law, the Secretary of Defense may—

11 “(1) pay, out of funds in the Contributions for
12 International Peacekeeping and Peace Enforcement
13 Activities Fund established by subsection (g), the
14 United States fair share (as determined by the Sec-
15 retary) of assessments for international peacekeep-
16 ing or international peace enforcement activities of
17 the United Nations in which United States combat
18 forces participate; and

19 “(2) furnish assistance, on a reimbursable
20 basis, in support of such activities.

21 “(b) FORMS OF ASSISTANCE.—Assistance provided
22 under this section may include supplies, services, and
23 equipment.

24 “(c) DETERMINATION REQUIRED.—No assessment
25 may be paid and no assistance may be furnished pursuant

1 to this section unless the President determines that the
2 provision of assistance is in the national interest of the
3 United States.

4 “(d) ADVANCE NOTICE.—(1) In the case of any inter-
5 national peacekeeping or international peace enforcement
6 operation of the United Nations in which United States
7 combat forces are to participate, not less than 15 days
8 before an initial deployment of United States combat
9 forces, payment of a United Nations assessment, furnish-
10 ing of assistance of a value in excess of \$14,000,000, or
11 waiver of reimbursement to the United States under sub-
12 section (e), the President shall transmit to the designated
13 congressional committees a report, which may be classified
14 in whole or in part, that contains the determination re-
15 quired by subsection (c) and the following matters:

16 “(A) A description of the threat to international
17 peace and security presented by the conflict involved.

18 “(B) The United States interests that will be
19 advanced by the operation and by the United States
20 action.

21 “(C) The political and military objectives of the
22 operation.

23 “(D) The exit criteria and likely duration of the
24 operation.

1 “(E) The personnel and material resources that
2 have been pledged, or are otherwise expected to be
3 made available, by other nations to the United Na-
4 tions for the operation.

5 “(F) The units of the armed forces that will
6 participate.

7 “(G) The necessity for involvement of United
8 States forces.

9 “(H) The command arrangements for those
10 forces and, if any of the United States forces are to
11 be placed under the operational control of foreign
12 commanders, the justification for doing so.

13 “(I) The rules of engagement for the operation.

14 “(J) An assessment of the risks involved in the
15 operation.

16 “(K) In the case of payment of an assessment,
17 the amount to be paid and the terms under which
18 the payment is to be made.

19 “(L) In the case of assistance, the supplies,
20 services, or equipment to be provided by the United
21 States and the terms under which such supplies,
22 services, or equipment are to be provided.

23 “(M) In the case of a waiver of reimbursement,
24 the justification for the waiver.

1 “(2) If the President determines that an unforeseen
2 emergency requires the immediate deployment of United
3 States combat troops or the immediate furnishing of as-
4 sistance of a value in excess of \$14,000,000 under this
5 section, the President—

6 “(A) may waive the requirement of paragraph
7 (1) that a report be transmitted at least 15 days in
8 advance of the action; and

9 “(B) shall promptly notify the designated com-
10 mittees of such waiver and such deployment or
11 transfer.

12 “(e) REIMBURSEMENT.—(1) The President shall re-
13 quire reimbursement from the United Nations or from any
14 other source for the participation of any force of the
15 armed forces in support of international peacekeeping or
16 international peace enforcement activities of the United
17 Nations or for the provision of assistance by the Secretary
18 of Defense in support of such activities.

19 “(2) Any funds received as reimbursements shall be
20 used as follows:

21 “(A) As a first priority, for the payment of the
22 incremental costs of the military departments and
23 Defense Agencies providing the participating United
24 States forces or the supplies, services, or equipment
25 involved.

1 “(B) As a second priority, for the payment of
2 the incremental costs of any other United States
3 forces that are operating in support of international
4 peacekeeping or international peace enforcement ac-
5 tivities but for which reimbursement is not possible.

6 “(3) After use of reimbursement funds for the pur-
7 poses specified in paragraph (2), any remainder of such
8 funds shall be credited to the Contributions for Inter-
9 national Peacekeeping and Peace Enforcement Activities
10 Fund established by subsection (g).

11 “(4) Reimbursements utilized for the payment of in-
12 cremental costs shall be credited, at the option of the Sec-
13 retary of the military department concerned or the head
14 of the Defense Agency concerned, either to an appropria-
15 tion, fund, or other account obligated to pay such costs
16 or to an appropriate appropriation, fund, or other account
17 available for paying such costs.

18 “(f) WAIVER OF REIMBURSEMENT.—The President
19 may waive, in whole or in part, any reimbursement re-
20 quired under subsection (a)(2) or (e) in exceptional cir-
21 cumstances upon determining that such waiver is in the
22 national interest of the United States.

23 “(g) ESTABLISHMENT OF ACCOUNT.—There is here-
24 by established in the Treasury of the United States a fund
25 to be known as the ‘Contributions for International Peace-

1 keeping and Peace Enforcement Activities Fund’.
2 Amounts appropriated or otherwise credited to the Fund
3 shall be available until expended for, and shall be used
4 for, paying assessments for United Nations operations
5 under this section.

6 “(h) AUTHORITY INAPPLICABLE WHEN UNITED
7 STATES COMBAT FORCES NOT INVOLVED.—The author-
8 ity in subsection (a) to pay United Nations assessments
9 for international peacekeeping and international peace en-
10 forcement activities of the United Nations may not be con-
11 strued as authorizing payment of United Nations assess-
12 ments for any such activity in which United States combat
13 forces do not participate.

14 “(i) COORDINATION WITH OTHER LAWS.—This sec-
15 tion may not be construed as superseding any provision
16 of the War Powers Resolution. This section does not pro-
17 vide authority for the participation of United States com-
18 bat forces in any international peacekeeping or inter-
19 national peace enforcement operation.

20 “(j) DEFINITIONS.—In this section:

21 “(1) The term ‘designated congressional com-
22 mittees’ means the Committees on Armed Services,
23 Appropriations, and Foreign Relations of the Senate
24 and the Committees on Armed Services, Appropria-

1 tions, and Foreign Affairs of the House of Rep-
2 resentatives.

3 “(2) The term ‘combat forces’ means forces of
4 the armed forces that have combat missions as pri-
5 mary missions.

6 “(3) The term ‘international peacekeeping’
7 means those activities performed pursuant to Chap-
8 ter VI of the United Nations Charter.

9 “(4) The term ‘international peace enforcement’
10 means those activities performed pursuant to Chap-
11 ter VII of the United Nations Charter.”.

12 (2) The item relating to section 403 in the table of
13 sections at the beginning of subchapter I of chapter 20
14 of such title is amended to read as follows:

 “403. International peacekeeping and international peace enforcement: support
 involving United States combat forces.”.

15 (c) AUTHORIZED SUPPORT FOR FISCAL YEAR
16 1995.—Not more than \$300,000,000 is authorized to be
17 appropriated for fiscal year 1995 for the Contributions for
18 International Peacekeeping and Peace Enforcement Ac-
19 tivities Fund under section 301(20).

Subtitle E—Reporting Requirements

SEC. 1041. REPORT ON OFFENSIVE BIOLOGICAL WARFARE PROGRAM OF THE STATES OF THE FORMER SOVIET UNION.

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

(1) The United States has identified non-proliferation as a high priority in the conduct of United States national security policy.

(2) The United States is seeking universal adherence to global regimes that control nuclear, chemical, and biological weapons and is promoting new measures that provide increased transparency of biological weapons-related activities and facilities in an effort to help deter violations of and enhance compliance with the Biological Weapons Convention (BWC).

(3) Questions continue to arise regarding offensive biological weapons research, development, testing production, and storage in the countries of the former Soviet Union as well as in other countries.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

1 (1) the President should continue to urge all
2 signatories to the Biological Weapons Convention to
3 comply fully with the terms of that convention and
4 with other international agreements relating to the
5 control of biological weapons; and

6 (2) as the President encourages increased
7 transparency of biological weapons-related activities
8 and facilities to deter violations of and enhance com-
9 pliance with the Biological Weapons Convention, the
10 President should also take appropriate actions to en-
11 sure that the United States is prepared to counter
12 the effects of use of biological weapons by others.

13 (c) REPORT REQUIRED.—Not later than 120 days
14 after the enactment of this Act, the Secretary of Defense
15 shall submit to the congressional defense committees a re-
16 port on the status of the offensive biological warfare pro-
17 gram in the Russian Federation and the other independ-
18 ent states of the former Soviet Union.

19 (d) CONTENT OF REPORT.—The report shall include
20 the following matters:

21 (1) An assessment of the extent of compliance
22 of the independent states of the former Soviet Union
23 with the Biological Weapons Convention and other
24 international agreements relating to the control of
25 biological weapons.

1 (2) An evaluation of the extent of control and
2 oversight by the government of the Russian Federa-
3 tion over the former Soviet military and dual civil-
4 ian-military biological warfare programs.

5 (3) The extent, if any, of the biological warfare
6 agent stockpile in any of the independent states of
7 the former Soviet Union.

8 (4) The extent and scope, if any, of continued
9 biological warfare research, development, testing,
10 and production by such state, including the sites and
11 types of activity at those sites.

12 (5) An evaluation of the effectiveness of pos-
13 sible delivery systems of biological weapons, includ-
14 ing tube and rocket artillery, bomber aircraft, and
15 ballistic missiles.

16 (6) An evaluation of United States capabilities
17 to detect and monitor biological warfare research,
18 development, testing, production, and storage.

19 (7) On the basis of the assessment and evalua-
20 tions referred to in other paragraphs of this sub-
21 section, recommendations by the Secretary of De-
22 fense and Chairman of the Joint Chiefs of Staff for
23 the improvement of United States biological warfare
24 defense and counter-measures.

1 (e) FORM OF REPORT.—The Secretary shall submit
2 the report in classified and unclassified versions.

3 (f) DEFINITIONS.—In this section:

4 (1) The term “Biological Weapons Convention”
5 means the Convention on the Prohibition, Produc-
6 tion, and Stockpiling of Bacteriological (Biological)
7 and Toxin Weapons and on Their Destruction, done
8 at Washington, London, and Moscow on April 10,
9 1972.

10 (2) The term “independent states of the former
11 Soviet Union” has the same meaning given that
12 term in section 3 of the FREEDOM Support Act
13 (22 U.S.C. 5801).

14 **SEC. 1042. CONTINUATION OF REQUIREMENTS FOR SUB-**
15 **MITTAL OF CERTAIN REPORTS TO CON-**
16 **GRESS.**

17 (a) PRESERVATION OF REQUIREMENTS.—The re-
18 porting requirements set forth in the provisions of law re-
19 ferred to in subsection (b) shall not terminate under sub-
20 section (a) of section 1151 of the National Defense Au-
21 thorization Act for Fiscal Year 1994 (Public Law 103–
22 160; 107 Stat. 1758; 10 U.S.C. 113 note).

23 (b) COVERED REPORTS.—Subsection (a) applies to
24 the reports required under the following provisions of law:

1 (1) Section 2662 of title 10, United States
2 Code, relating to reports on real property trans-
3 actions.

4 (2) Section 2672a(b) of title 10, United States
5 Code, relating to reports on urgent acquisitions of
6 land.

7 (3) Section 2687(b)(1) of title 10, United
8 States Code, relating to notifications of certain base
9 closures and realignments.

10 (4) Section 2690(b)(2) of title 10, United
11 States Code, relating to notifications of proposed
12 conversions of heating facilities at United States in-
13 stallations in Europe.

14 (5) Section 2804(b) of title 10, United States
15 Code, relating to reports on contingency military
16 construction projects.

17 (6) Section 2806(c)(2) of title 10, United
18 States Code, relating to reports on contributions for
19 NATO infrastructure in excess of amounts appro-
20 priated for such contributions.

21 (7) Subsections (b) and (c) of section 2807 of
22 title 10, United States Code, relating to notifications
23 and reports on architectural and engineering services
24 and construction design.

1 (8) Section 2823(b) of title 10, United States
2 Code, relating to notifications regarding disagree-
3 ments between certain officials on the availability of
4 locations for suitable alternative housing for the De-
5 partment of Defense.

6 (9) Subsections (b) and (c) of section 2825 of
7 title 10, United States Code, relating to notifications
8 regarding improvements of family housing or con-
9 struction of replacement family housing.

10 (10) Section 2827(b) of title 10, United States
11 Code, relating to notifications regarding relocation of
12 military family housing units.

13 (11) Section 2835(g)(1) of title 10, United
14 States Code, relating to economic analyses on the
15 cost effectiveness of leasing family housing to be
16 constructed or rehabilitated.

17 (12) Section 2861(a) of title 10, United States
18 Code, relating to the annual report on military con-
19 struction activities and family housing activities.

20 (13) Subsections (e) and (f) of section 2865 of
21 title 10, United States Code, relating to notifications
22 regarding unauthorized energy conservation con-
23 struction projects and an annual report regarding
24 energy conservation actions.

1 (14) Section 406(i) of title 37, United States
2 Code, relating to the annual report regarding de-
3 pendents accompanying members stationed outside
4 the United States in relation to the eligibility of such
5 members to receive travel and transportation allow-
6 ances.

7 (15) Section 1008(a) of title 37, United States
8 Code, relating to the annual report by the President
9 on adjustments of rates of pay and allowances for
10 members of the uniformed services.

11 (16) Section 326(a)(5) of the National Defense
12 Authorization Act for Fiscal Year 1993 (Public Law
13 102-484; 106 Stat. 2368; 10 U.S.C. 2301 note), re-
14 lating to reports on use of certain ozone-depleting
15 substances.

16 (17) Subsections (e) and (f) of section 2921 of
17 the National Defense Authorization Act for Fiscal
18 Year 1991 (10 U.S.C. 2687 note), relating to notifi-
19 cations regarding negotiations for payments-in-kind
20 for the release of improvements at overseas military
21 installations to host countries and an annual report
22 on the status and use of the Department of Defense
23 Overseas Military Facility Investment Recovery Ac-
24 count.

1 (18) Section 1505(f)(3) of the Military Child
 2 Care Act of 1989 (title XV of Public Law 101–189;
 3 103 Stat. 1594; 10 U.S.C. 113 note), relating to re-
 4 ports on closures of military child development cen-
 5 ters.

6 (19) Subsections (a) and (d) of section 7 of the
 7 Organotin Antifouling Paint Control Act of 1988
 8 (Public Law 100–133; 102 Stat. 607; 33 U.S.C.
 9 2406), relating to the annual report on the monitor-
 10 ing of estuaries and near-coastal waters for con-
 11 centrations of organotin.

12 **Subtitle F—Acceptance of Pre-re-**
 13 **lease Services of Nonviolent Of-**
 14 **fenders**

15 **SEC. 1051. USE OF INMATE LABOR AT MILITARY INSTALLA-**
 16 **TIONS.**

17 (a) USE OF INMATE LABOR AUTHORIZED.—Chapter
 18 155 of title 10, United States Code, is amended by adding
 19 at the end the following new section:

20 **“§ 2610. Acceptance of services of inmates of State**
 21 **and local correctional facilities**

22 “(a) USE OF INMATE LABOR.—Subject to subsection
 23 (c), the Secretary of a military department may accept in
 24 accordance with this section the services of nonviolent of-
 25 fenders incarcerated in a correctional facility of a State

1 or local government. Services so accepted shall be per-
2 formed at a military installation in the vicinity of the cor-
3 rectional facility pursuant to an agreement entered into
4 by the Secretary and the chief executive of the State or
5 local government.

6 “(b) AUTHORIZED SERVICES.—The services author-
7 ized to be accepted are as follows:

8 “(1) Construction, maintenance, or repair of
9 roads.

10 “(2) Construction of levees or other flood pre-
11 vention structures.

12 “(3) Construction, maintenance, or repair of
13 any other public ways or works.

14 “(4) Clearance, maintenance, or reforestation of
15 public lands.

16 “(5) Custodial services.

17 “(c) CONDITIONS FOR ACCEPTANCE OF SERVICES.—
18 The Secretary may accept the services of nonviolent of-
19 fenders for a military installation under this section only
20 if the Secretary finds that—

21 “(1) Federal Government employees and con-
22 tractor employees performing services at the installa-
23 tion will not be displaced;

24 “(2) no contract for the provision of services at
25 the installation will otherwise be impaired; and

1 “(3) in the case of services in any skill, craft,
2 or trade, there is no surplus of labor for hire in such
3 skill, craft, or trade in the vicinity of the installa-
4 tion.

5 “(d) LIMITATION ON PAYMENTS TO CUSTODIAL GOV-
6 ERNMENTS.—(1) Except as provided in paragraph (2), the
7 Secretary of a military department may not compensate
8 a State or local government for the costs incurred by such
9 government in the provision of services accepted under
10 this section.

11 “(2) The Secretary may—

12 “(A) reimburse a State or local government for
13 administrative and other costs directly incurred by
14 that government in making available and supervising
15 offenders as they provide services accepted under
16 this section; and

17 “(B) pay a nominal amount to the State or
18 local government in order to support any alcohol and
19 drug abuse treatment programs conducted by that
20 government for the offenders who provide such serv-
21 ices.

22 “(e) PROHIBITION ON COMPENSATION OF IN-
23 MATES.—The Secretary may not compensate any offender
24 for services accepted under this section.

1 “(f) SUPPORT AUTHORIZED.—The Secretary may
2 provide equipment, supplies, or other materials to be used
3 by offenders in the provision of services accepted under
4 this section.

5 “(g) INAPPLICABILITY OF OTHER LAWS.—The fol-
6 lowing provisions of law shall not apply with respect to
7 services accepted under this section:

8 “(1) Section 1342 of title 31.

9 “(2) The Fair Labor Standards Act of 1938
10 (29 U.S.C. 201 et seq.).

11 “(3) The Act entitled ‘An Act relating to the
12 rate of wages for laborers and mechanics employed
13 on public buildings of the United States and the
14 District of Columbia by contractors and subcontrac-
15 tors, and for other purposes’, approved March 3,
16 1931 (46 Stat. 1494; 40 U.S.C. 276a et seq.), com-
17 monly referred to as the ‘Davis-Bacon Act’.

18 “(4) The Act entitled ‘An Act to provide condi-
19 tions for the purchases of supplies and the making
20 of contracts by the United States, and for other pur-
21 poses’, approved June 30, 1936 (49 Stat. 2036; 41
22 U.S.C. 35 et seq.), commonly referred to as the
23 ‘Walsh-Healey Act’.

24 “(5) The Service Contract Act of 1965 (41
25 U.S.C. 351 et seq.).”.

1 (b) CLERICAL AMENDMENT.—The table of sections
 2 at the beginning of such chapter is amended by adding
 3 at the end the following:

“2610. Acceptance of services of inmates of State and local correctional facilities.”.

4 **SEC. 1052. REVISION OF AUTHORITY FOR USE OF NAVY IN-**
 5 **STALLATIONS TO PROVIDE EMPLOYMENT**
 6 **TRAINING TO NONVIOLENT OFFENDERS IN**
 7 **STATE PENAL SYSTEMS.**

8 (a) SOURCES OF TRAINING.—Subsection (b) of sec-
 9 tion 1374 of the National Defense Authorization Act for
 10 Fiscal Year 1994 (Public Law 103–160; 107 Stat. 1821;
 11 10 U.S.C. 5013 note) is amended—

12 (1) by striking out the subsection caption and
 13 inserting in lieu thereof “SOURCES OF TRAIN-
 14 ING.—”; and

15 (2) by inserting before the period at the end the
 16 following: “or may provide such training directly at
 17 such installations by agreement with the State con-
 18 cerned”.

19 (b) LIABILITY AND INDEMNIFICATION.—Subsection
 20 (e) of such section is amended—

21 (1) by inserting “(1)” before “A nonprofit orga-
 22 nization”; and

23 (2) by adding at the end the following:

1 “(2) In any case in which the Secretary provides
2 prerelease employment training directly by agreement with
3 the State concerned, the State shall—

4 “(A) be liable for any loss or damage to Federal
5 Government property that may result from, or in
6 connection with, the provision of the training except
7 to the extent that the loss or damage results from
8 a wrongful act or omission of Federal Government
9 personnel; and

10 “(B) hold harmless and indemnify the United
11 States from and against any suit, claim, demand, ac-
12 tion, or liability arising out of any claim for personal
13 injury or property damage that may result from, or
14 in connection with, the provision of the training ex-
15 cept to the extent that the personal injury or prop-
16 erty damage results from a wrongful act or omission
17 of Federal Government personnel.”.

18 **SEC. 1053. USE OF ARMY INSTALLATIONS TO PROVIDE EM-**
19 **PLOYMENT TRAINING TO NONVIOLENT OF-**
20 **FENDERS IN STATE PENAL SYSTEMS.**

21 (a) DEMONSTRATION PROJECT AUTHORIZED.—The
22 Secretary of the Army may conduct a demonstration
23 project to test the feasibility of using Army facilities to
24 provide employment training to nonviolent offenders in a
25 State penal system prior to their release from incarcer-

1 ation. The demonstration project shall be limited to not
2 more than three military installations under the jurisdic-
3 tion of the Secretary.

4 (b) SOURCES OF TRAINING.—The Secretary may
5 enter into a cooperative agreement with one or more pri-
6 vate, nonprofit organizations for purposes of providing at
7 the military installations included in the demonstration
8 project the prerelease employment training authorized
9 under subsection (a) or may provide such training directly
10 at such installations by agreement with the State con-
11 cerned.

12 (c) USE OF FACILITIES.—Under a cooperative agree-
13 ment entered into under subsection (b), the Secretary may
14 lease or otherwise make available to a nonprofit organiza-
15 tion participating in the demonstration project at a mili-
16 tary installation included in the demonstration project any
17 real property or facilities at the installation that the Sec-
18 retary considers to be appropriate for use to provide the
19 prerelease employment training authorized under sub-
20 section (a). Notwithstanding section 2667(b)(4) of title
21 10, United States Code, the use of such real property or
22 facilities may be permitted with or without reimburse-
23 ment.

24 (d) ACCEPTANCE OF SERVICES.—Notwithstanding
25 section 1342 of title 31, United States Code, the Secretary

1 may accept voluntary services provided by persons partici-
2 pating in the prerelease employment training authorized
3 under subsection (a).

4 (e) LIABILITY AND INDEMNIFICATION.—(1) A non-
5 profit organization participating in the demonstration
6 project shall—

7 (A) be liable for any loss or damage to Federal
8 Government property that may result from, or in
9 connection with, the provision of prerelease employ-
10 ment training by the organization under the dem-
11 onstration project; 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 demonstration project.

17 (2) In any case in which the Secretary provides
18 prerelease employment training directly by agreement with
19 the State concerned, the State shall—

20 (A) be liable for any loss or damage to Federal
21 Government property that may result from, or in
22 connection with, the provision of the training except
23 to the extent that the loss or damage results from
24 a wrongful act or omission of Federal Government
25 personnel; and

1 (B) hold harmless and indemnify the United
 2 States from and against any suit, claim, demand, ac-
 3 tion, or liability arising out of any claim for personal
 4 injury or property damage that may result from, or
 5 in connection with, the provision of the training ex-
 6 cept to the extent that the personal injury or prop-
 7 erty damage results from a wrongful act or omission
 8 of Federal Government personnel.

9 (f) REPORT.—Not later than two years after the date
 10 of the enactment of this Act, the Secretary shall submit
 11 to Congress a report evaluating the success of the dem-
 12 onstration project and containing such recommendations
 13 with regard to the termination, continuation, or expansion
 14 of the demonstration project as the Secretary considers
 15 appropriate.

16 **Subtitle G—Other Matters**

17 **SEC. 1061. REDESIGNATION OF UNITED STATES COURT OF** 18 **MILITARY APPEALS AND THE COURTS OF** 19 **MILITARY REVIEW.**

20 (a) UNITED STATES COURT OF APPEALS FOR THE
 21 ARMED SERVICES.—Section 941 of title 10, United States
 22 Code (article 141 of the Uniform Code of Military Jus-
 23 tice), is amended by striking out “United States Court of
 24 Military Appeals” and inserting in lieu thereof “United
 25 States Court of Appeals for the Armed Services”.

1 (b) COURTS OF MILITARY CRIMINAL APPEALS.—Sec-
2 tion 866 of title 10, United States Code (article 66 of the
3 Uniform Code of Military Justice), is amended by striking
4 out “Court of Military Review” each place it appears and
5 inserting in lieu thereof “Court of Military Criminal Ap-
6 peals”.

7 (c) CONFORMING AMENDMENTS TO TITLE 10.—(1)
8 The following sections of title 10, United States Code, are
9 amended by striking out “Court of Military Appeals” each
10 place it appears and inserting in lieu thereof “Court of
11 Appeals for the Armed Services”: sections 707(a)(2),
12 866(e), 867, 867a(a), 870, 871(c)(1), 873, 942, 943, 944,
13 945, and 946(b)(1).

14 (2) The following sections of title 10, United States
15 Code, are amended by striking out “Court of Military Re-
16 view” each place it appears and inserting in lieu thereof
17 “Court of Military Criminal Appeals”: sections 707(a)(2),
18 862(b), 867, 868, 869, 870, 871, and 873.

19 (3)(A) The heading of subchapter XII of chapter 47
20 of such title is amended to read as follows:

21 “SUBCHAPTER XII—UNITED STATES COURT OF
22 APPEALS FOR THE ARMED SERVICES”.

23 (B) The table of subchapters at the beginning of
24 chapter 47 of such title is amended by striking out the

1 item relating to subchapter XII and inserting in lieu there-
 2 of the following:

“XII. United States Court of Appeals for the Armed Services 941 141”.

3 (4)(A) The heading of section 866 of such title is
 4 amended to read as follows:

5 **“§ 867. Art. 66. Review by Court of Military Criminal**
 6 **Appeals”.**

7 (B) The heading of section 867 of such title is
 8 amended to read as follows:

9 **“§ 867. Art. 67. Review by the Court of Appeals for the**
 10 **Armed Services”.**

11 (C) The table of sections at the beginning of sub-
 12 chapter IX of chapter 47 of such title is amended by strik-
 13 ing out the items relating to sections 866 and 867 (articles
 14 66 and 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.”.

15 (d) CONFORMING AMENDMENTS TO OTHER UNITED
 16 STATES CODE TITLES.—(1) The following provisions of
 17 the United States Code are amended by striking out
 18 “Court of Military Appeals” each place it appears and in-
 19 serting in lieu thereof “Court of Appeals for the Armed
 20 Services”:

21 (A) In title 5, sections 8334(a)(1), 8336(l),
 22 8337(a), 8338(c), 8339(d)(7), and 8339(h) and the
 23 table in 8334(c).

1 (B) In title 18, sections 202(e)(2) and 6001(4).

2 (C) In title 28, sections 1259 and 2101(g).

3 (D) In title 44, section 906.

4 (2)(A) The heading of section 1259 of title 28, Unit-
5 ed States Code, is amended to read as follows:

6 **“§ 1259. Court of Appeals for the Armed Services; cer-**
7 **tiorari”.**

8 (B) The table of sections at the beginning of chapter
9 81 of such title is amended by striking out the item relat-
10 ing to section 1259 and inserting in lieu thereof the follow-
11 ing:

“1259. Court of Appeals for the Armed Services; certiorari.”.

12 (e) CONFORMING AMENDMENT TO OTHER LAW.—
13 Section 109 of the Ethics in Government Act of 1978 (5
14 U.S.C. App.) is amended by striking out “Court of Mili-
15 tary Appeals” each place it appears in paragraphs (8) and
16 (10) and inserting in lieu thereof “Court of Appeals for
17 the Armed Services”.

18 **SEC. 1062. ASSISTANCE TO FAMILY MEMBERS OF CERTAIN**
19 **POW/MIAS WHO REMAIN UNACCOUNTED FOR.**

20 (a) SINGLE POINT OF CONTACT.—The Secretary of
21 Defense shall designate an official of the Department of
22 Defense to serve as a single point of contact within the
23 department—

1 (1) for the immediate family members (or their
2 designees) of any unaccounted-for Korean conflict
3 POW/MIA; and

4 (2) for the immediate family members (or their
5 designees) of any unaccounted-for Cold War POW/
6 MIA.

7 (b) FUNCTIONS.—The official designated under sub-
8 section (a) shall serve as a liaison between the family
9 members of unaccounted-for Korean conflict POW/MIAs
10 and unaccounted-for Cold War POW/MIAs and the De-
11 partment of Defense and other Federal departments and
12 agencies that may hold information that may related to
13 such POW/MIAs. The functions of that official shall in-
14 clude assisting family members—

15 (1) with the procedures the family may follow
16 in their search for information about the unac-
17 counted-for Korean conflict POW/MIA or unac-
18 counted-for Cold War POW/MIA, as the case may
19 be;

20 (2) in learning where they may locate informa-
21 tion about the unaccounted-for POW/MIA; and

22 (3) in learning how and where to identify classi-
23 fied records that contain pertinent information and
24 that will be declassified.

1 (c) ASSISTANCE IN OBTAINING DECLASSIFICA-
2 TION.—The official designated under subsection (a) shall
3 seek to obtain the rapid declassification of any relevant
4 classified records that are identified.

5 (d) REPOSITORY.—The official designated under sub-
6 section (a) shall provide for a centralized repository for
7 all documents relating to unaccounted-for Korean conflict
8 POW/MIAs and unaccounted-for Cold War POW/MIAs
9 that are located as a result of the official's efforts.

10 (e) DEFINITIONS.—For purposes of this section:

11 (1) The term “unaccounted-for Korean conflict
12 POW/MIA” means a member of the Armed Forces
13 or civilian employee of the United States who, as a
14 result of service during the Korean conflict, was at
15 any time classified as a prisoner of war or missing-
16 in-action or otherwise unaccounted for and whose
17 person or remains have not been returned to the
18 United States and who remains unaccounted for.

19 (2) The term “unaccounted-for Cold War POW/
20 MIA” means a member of the Armed Forces or ci-
21 vilian employee of the United States who, as a result
22 of service during the period from September 2,
23 1945, to August 21, 1991, was at any time classified
24 as a prisoner of war or missing-in-action or other-
25 wise unaccounted for and whose person or remains

1 have not been returned to the United States and
2 who remains unaccounted for.

3 (3) The term “Korean conflict” has the mean-
4 ing given such term in section 101(9) of title 38,
5 United States Code.

6 **SEC. 1063. NATIONAL GUARD ASSISTANCE FOR CERTAIN**
7 **YOUTH AND CHARITABLE ORGANIZATIONS.**

8 (a) AUTHORITY TO PROVIDE ASSISTANCE.—Chapter
9 5 of title 32, United States Code, is amended by adding
10 at the end the following:

11 **“§ 508. Assistance for certain youth and charitable or-**
12 **ganizations**

13 “(a) AUTHORITY TO PROVIDE SERVICES.—Members
14 and units of the National Guard may provide the services
15 described in subsection (b) to an eligible organization in
16 conjunction with training required under this chapter in
17 any case in which—

18 “(1) the provision of such services does not ad-
19 versely affect the quality of that training or other-
20 wise interfere with the ability of a member or unit
21 of the National Guard to perform the military func-
22 tions of the member or unit;

23 “(2) the services to be provided are not com-
24 mercially available, or any commercial entity that
25 would otherwise provide such services has approved,

1 in writing, the provision of such services by the Na-
2 tional Guard;

3 “(3) National Guard personnel will enhance
4 their military skills as a result of providing such
5 services; and

6 “(4) the provision of the services will not result
7 in a significant increase in the cost of the training.

8 “(b) AUTHORIZED SERVICES.—The services author-
9 ized to be provided under subsection (a) are as follows:

10 “(1) Ground transportation.

11 “(2) Air transportation in support of Special
12 Olympics.

13 “(3) Administrative support services.

14 “(4) Technical training services.

15 “(5) Emergency medical assistance and serv-
16 ices.

17 “(6) Communications services.

18 “(7) Security services.

19 “(c) OTHER AUTHORIZED ASSISTANCE.—Facilities
20 and equipment of the National Guard, including military
21 property of the United States issued to the National
22 Guard and General Services Administration vehicles
23 leased to the National Guard, and General Services Ad-
24 ministration vehicles leased to the Department of Defense,

1 may be used in connection with providing services to any
 2 eligible organization under this section.

3 “(d) ELIGIBLE ORGANIZATIONS.—The organizations
 4 eligible to receive services under this section are as follows:

5 “(1) The Boy Scouts of America.

6 “(2) The Girl Scouts of America.

7 “(3) The Boys Clubs of America.

8 “(4) The Girls Clubs of America.

9 “(5) The Young Men’s Christian Association.

10 “(6) The Young Women’s Christian Associa-
 11 tion.

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 organiza-
 20 tion designated by the Secretary of Defense.”.

21 (b) CLERICAL AMENDMENT.—The table of sections
 22 at the beginning of such chapter is amended by adding
 23 at the 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 Agen-**
6 **cy 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
11 of 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
17 that any person is engaged or about to engage in an act
18 or practice which constitutes or will constitute conduct
19 prohibited by subsection (a), the Attorney General may
20 initiate a civil proceeding in a district court of the United
21 States to enjoin such act or practice. Such court shall pro-
22 ceed as soon as practicable to hearing and determination
23 of such action and may, at any time before such final de-
24 termination, enter such restraining orders or prohibitions,
25 or take such other action as is warranted, to prevent in-

1 jury to the United States or to any person or class of per-
2 sons for whose protection the action is brought.”.

3 (b) LIMITATION ON LIABILITY RELATING TO NAVI-
4 GATIONAL AIDS.—Chapter 167 of such title, as amended
5 by subsection (a), is further amended by adding at the
6 end the 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 con-
10 tent of a navigational aid prepared or disseminated by the
11 Defense 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
19 at the beginning of such chapter is amended by adding
20 at the 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,
22 United States Code, as added by subsection (b), shall take
23 effect on the date of the enactment of this Act and shall
24 apply with respect to (1) civil actions brought before such

1 date that are pending adjudication on such date, and (2)
2 civil 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 au-
5 thorized to transfer to the Government of Brazil the
6 “KNOX” class frigates, MILLER (FF 1091) and
7 VALDEZ (FF 1096). Such transfers shall be on a lease
8 basis under chapter 6 of the Arms Export Control Act
9 (22 U.S.C. 2796 et seq.).

10 (b) **WAIVER OF REQUIREMENTS FOR NOTIFICATION**
11 **TO CONGRESS.**—Section 62 of the Arms Export Control
12 Act does not apply with respect to a lease authorized by
13 subsection (a), except that section 62 of such Act shall
14 apply to any renewal of the lease.

15 (c) **COSTS OF TRANSFERS.**—Any expense of the
16 United States in connection with a transfer authorized by
17 subsection (a) shall be charged to the Government of
18 Brazil.

19 (d) **EXPIRATION OF AUTHORITY.**—The authority
20 granted by subsection (a) shall expire at the end of the
21 2-year period beginning on the date of the enactment of
22 this Act, except that leases entered into during that period
23 may be renewed.

1 **SEC. 1066. TRANSFERS OF M1A1 TANKS TO THE MARINE**
2 **CORPS.**

3 (a) **TRANSFER REQUIRED.**—Subject to subsection
4 (b), as M1A1 tanks of the Army become excess to the re-
5 quirements of the active component of the Army, the Sec-
6 retary of the Army shall transfer to the Marine Corps as
7 many of such tanks as are necessary to satisfy the require-
8 ments of the Marine Corps for tanks, as determined by
9 the Secretary of Defense.

10 (b) **TRANSFER LIMITS.**—The Secretary shall transfer
11 under subsection (a) not less than 84 M1A1 common
12 tanks and not more than 124 such tanks.

13 (c) **EXCLUSION OF CERTAIN TRANSFERS.**—If any of
14 the tanks transferred under subsection (a) are transferred
15 to the Marine Corps Reserve, the number of tanks not
16 in excess of 48 that are so transferred shall not be counted
17 for purposes of subsection (b).

18 (d) **LIMITATION ON TRANSFERS TO ARMY NATIONAL**
19 **GUARD.**—After the date of the enactment of this Act, the
20 Secretary of the Army may not transfer any additional
21 M1A1 tanks to the Army National Guard until the re-
22 quirements of the Marine Corps referred to in subsection
23 (a) are satisfied within the limits provided in subsection
24 (b).

25 (e) **TREATMENT OF CERTAIN TRANSFERRED TANKS**
26 **UNDER LIMITATIONS.**—The transfer of a tank under sec-

tion 112 shall not be counted for purposes of subsection (a), (b), (c), or (d).

SEC. 1067. LIMITATION REGARDING MERGER OF TELECOMMUNICATIONS SYSTEMS.

(a) LIMITATION.—Funds available to the Department of Defense may not be expended to merge defense telecommunications systems with the telecommunications system known as “FTS-2000” or with any other civil telecommunications system until—

(1) the Secretary of Defense submits to the congressional defense committees a report containing—

(A) a certification by the Secretary that the merged telecommunications systems, including the associated services, will provide assured, secure telecommunications support for Department of Defense activities; and

(B) a description of how the merger of the systems will be implemented and the merged systems will be managed to meet defense information infrastructure requirements, including requirements to support deployed forces and intelligence activities; and

(2) 30 days elapse after the date on which such report is received by the committees.

1 (b) DEFENSE TELECOMMUNICATIONS ACTIVITY DE-
 2 FINED.—In this section, the term “defense telecommuni-
 3 cations system” means a system of telecommunications
 4 equipment and services that, pursuant to section 2315 of
 5 title 10, United States Code, is exempt from the require-
 6 ments of section 111 of the Federal Property and Admin-
 7 istrative Services Act of 1949.

8 **DIVISION B—MILITARY CON-**
 9 **STRUCTION AUTHORIZA-**
 10 **TIONS**

11 **SEC. 2001. SHORT TITLE.**

12 This division may be cited as the “Military Construc-
 13 tion Authorization Act for Fiscal Year 1995”.

14 **TITLE XXI—ARMY**

15 **SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND**
 16 **ACQUISITION PROJECTS.**

17 (a) INSIDE THE UNITED STATES.—Using amounts
 18 appropriated pursuant to the authorization of appropria-
 19 tions in section 2104(a)(1), the Secretary of the Army
 20 may acquire real property and carry out military construc-
 21 tion projects in the total amount of \$393,550,000 for the
 22 installations and locations inside the United States, and
 23 in the amounts for such installations and locations, set
 24 forth in the following table:

Army: Inside the United States

State	Installation or location	Amount
Alabama	Redstone Arsenal	\$2,600,000
Georgia	Fort Benning	\$6,550,000
	Fort Gordon	\$44,750,000
Hawaii	Schofield Barracks	\$25,000,000
Kentucky	Fort Campbell	\$67,400,000
	Fort Knox	\$5,300,000
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
	Fort Bragg	\$29,000,000
North Carolina	Sunny Point Military Ocean Ter- minal	\$22,200,000
	Fort Sill	\$18,000,000
South Carolina	Charleston Naval Weapons Sta- tion.	\$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
4 may acquire real property and carry out military construc-
5 tion projects in the total amount of \$31,400,000 for the
6 installation and location outside the United States, and
7 in the amount, set forth in the following table:

Army: Outside the United States

Country or other	Installation or location	Amount
Kwajalein Atoll	Kwajalein	\$6,400,000
Worldwide	Host Nation Support	\$25,000,000

1 **SEC. 2102. FAMILY HOUSING.**

2 (a) CONSTRUCTION AND ACQUISITION.—Using
 3 amounts appropriated pursuant to the authorization of ap-
 4 propriations in section 2104(a)(5)(A), the Secretary of the
 5 Army may construct or acquire family housing units (in-
 6 cluding land acquisition) in the total amount of
 7 \$117,750,000 at the installations, for the purposes, and
 8 in the amounts for such installations set forth in the fol-
 9 lowing table:

Army: Family Housing

State	Installation	Purpose	Amount
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 Mili- tary Reservation	Roadway im- provements for family housing.	\$3,500,000
	Schofield Bar- racks	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 Acad- emy, West Point.	56 units	\$8,000,000
Texas	Fort Bliss	215 units	\$21,400,000
	Fort Sam Hous- ton	100 units	\$10,000,000

10 (b) PLANNING AND DESIGN.—Using amounts appro-
 11 priated pursuant to the authorization of appropriations in
 12 section 2104(a)(5)(A), the Secretary of the Army may
 13 carry out architectural and engineering services and con-
 14 struction design activities with respect to the construction

1 or improvement of family housing units in an amount not
2 to exceed \$5,992,000.

3 **SEC. 2103. IMPROVEMENTS TO MILITARY FAMILY HOUSING**
4 **UNITS.**

5 Subject to section 2825 of title 10, United States
6 Code, and using amounts appropriated pursuant to the
7 authorization of appropriations in section 2104(a)(5)(A),
8 the Secretary of the Army may improve existing military
9 family housing in an amount not to exceed \$49,760,000.

10 **SEC. 2104. AUTHORIZATION OF APPROPRIATIONS, ARMY.**

11 (a) IN GENERAL.—Funds are hereby authorized to
12 be appropriated for fiscal years beginning after September
13 30, 1994, for military construction, land acquisition, and
14 military family housing functions of the Department of the
15 Army in the total amount of \$1,668,086,000 as follows:

16 (1) For military construction projects inside the
17 United States authorized by section 2101(a),
18 \$393,550,000.

19 (2) For military construction projects outside
20 the United States authorized by section 2101(b),
21 \$31,400,000.

22 (3) For unspecified minor military construction
23 projects authorized by section 2805 of title 10,
24 United States Code, \$12,000,000.

1 (4) For architectural and engineering services
2 and construction design under section 2807 of title
3 10, United States Code, \$63,926,000.

4 (5) For military family housing functions:

5 (A) For construction and acquisition of
6 military family housing and facilities,
7 \$173,502,000.

8 (B) For support of military family housing
9 (including the functions described in section
10 2833 of title 10, United States Code),
11 \$1,007,708,000, of which not more than
12 \$243,442,000 may be obligated or expended for
13 the leasing of military family housing world-
14 wide.

15 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION
16 PROJECTS.—Notwithstanding the cost variations author-
17 ized by section 2853 of title 10, United States Code, and
18 any other cost variation authorized by law, the total cost
19 of all projects carried out under section 2101 of this Act
20 may not exceed the total amount authorized to be appro-
21 priated under paragraphs (1) and (2) of subsection (a).

1 **SEC. 2105. RELOCATION OF ARMY FAMILY HOUSING UNITS**
2 **FROM FORT HUNTER LIGGETT, CALIFORNIA,**
3 **TO FORT STEWART, GEORGIA.**

4 Section 2102(a) of the Military Construction Author-
5 ization Act for Fiscal Year 1992 (division B of Public Law
6 102–190; 105 Stat. 1511) is amended—

7 (1) by striking out paragraph (1) and inserting
8 in lieu thereof the following new paragraph (1):

9 “(1) Fort Hunter Liggett, California, one hun-
10 dred fifty-four units, \$12,300,000.”; and

11 (2) by striking out paragraph (5) and inserting
12 in lieu thereof the following new paragraph (5):

13 “(5) Fort Stewart, Georgia, one hundred twen-
14 ty-one units, \$9,890,000.”.

15 **TITLE XXII—NAVY**

16 **SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND**
17 **ACQUISITION PROJECTS.**

18 (a) **INSIDE THE UNITED STATES.**—Using amounts
19 appropriated pursuant to the authorization of appropria-
20 tions in section 2204(a)(1), the Secretary of the Navy may
21 acquire real property and carry out military construction
22 projects in the total amount of \$224,180,000 for the in-
23 stallations and locations inside the United States, and in
24 the amounts for such installations and locations, set forth
25 in the following table:

Navy: Inside the United States

State	Installation or location	Amount
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
	North Island Naval Air Station	\$18,830,000
	Port Hueneme Naval Construction Battalion Center	\$9,650,000
	San Diego Marine Corps Recruit Depot	\$1,090,000
	San Diego Naval Station	\$4,100,000
	Twentynine Palms Marine Corps Air-Ground Combat Center	\$2,900,000
Florida	Jacksonville Fleet and Industrial Supply Center	\$2,200,000
	Pensacola Naval Air Station	\$2,100,000
Hawaii	Kaneohe Bay	\$4,900,000
Illinois	Great Lakes Navy Public Works Center	\$13,000,000
New Jersey	Lakehurst Naval Air Warfare Center ..	\$2,950,000
New Mexico	White Sands Naval Ordnance Missile Test Station	\$1,390,000
North Carolina	Cherry Point Marine Corps Air Station	\$2,100,000
	Camp Lejeune Marine Corp Base	\$14,850,000
Rhode Island	Newport Naval Education and Training Center	\$14,500,000
South Carolina	Parris Island Marine Corps Recruit Depot	\$2,550,000
Texas	Ingleside Naval Station	\$14,110,000
Virginia	Chesapeake Naval Security Group Activity	\$1,150,000
	Dam Neck Fleet Combat Training Center	\$1,600,000
	Norfolk Marine Corps Security Force Battalion Atlantic	\$6,480,000
	Norfolk Naval Station	\$16,430,000
	Quantico Marine Corps Combat Development Command	\$19,900,000
Washington	Bremerton Puget Sound Naval Shipyard	\$11,040,000
	Everett Naval Station	\$21,690,000
	Whidbey Island Naval Air Station	\$5,200,000
Various Locations ...	Aircraft Fire Rescue and Vehicle Maintenance Facilities	\$2,200,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts
2 appropriated pursuant to the authorization of appropria-
3 tions in section 2204(a)(2), the Secretary of the Navy may

1 acquire real property and carry out military construction
 2 projects in the total amount of \$50,810,000 for the instal-
 3 lations and locations outside the United States, and in the
 4 amounts for such installations and locations, set forth in
 5 the following table:

Navy: Outside the United States

	Country	Installation or location	Amount
	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

6 SEC. 2202. FAMILY HOUSING.

7 (a) CONSTRUCTION AND ACQUISITION.—Using
 8 amounts appropriated pursuant to the authorization of ap-
 9 propriations in section 2204(a)(5)(A), the Secretary of the
 10 Navy may construct or acquire family housing units (in-
 11 cluding land acquisition) in the total amount of
 12 \$49,012,000 at the installations, for the purposes, and in
 13 the amounts for such installations and purposes set forth
 14 in the following table:

Navy: Family Housing

State	Installation	Purpose	Amount
California	Camp Pendleton Marine Corps Base	196 units	\$28,552,000
	San Diego Naval Public Works Center	136 units	\$18,262,000

Navy: Family Housing—Continued

State	Installation	Purpose	Amount
Maryland	Patuxent River Naval Air Sta- tion	Housing Office .	\$863,000
Virginia	Norfolk Naval Public Works Center	Warehouse/Self Help Center.	\$555,000
Washington	Everett Naval Sta- tion	Housing Office .	\$780,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(5)(A), the Secretary of the Navy may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of military family housing units in an amount not to exceed \$24,681,000.

SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(5)(A), the Secretary of the Navy may improve existing military family housing units in the amount of \$155,602,000.

SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 1994, for military construction, land acquisition, and

1 military family housing functions of the Department of the
2 Navy in the total amount of \$1,492,264,000 as follows:

3 (1) For military construction projects inside the
4 United States authorized by section 2201(a),
5 \$224,180,000.

6 (2) For military construction projects outside
7 the United States authorized by section 2201(b),
8 \$50,810,000.

9 (3) For unspecified minor construction projects
10 authorized by section 2805 of title 10, United States
11 Code, \$7,000,000.

12 (4) For architectural and engineering services
13 and construction design under section 2807 of title
14 10, United States Code, \$43,380,000.

15 (5) For military family housing functions:

16 (A) For construction and acquisition of
17 military family housing and facilities,
18 \$229,295,000.

19 (B) For support of military family housing
20 (including functions described in section 2833
21 of title 10, United States Code), \$937,599,000,
22 of which not more than \$114,336,000 may be
23 obligated or expended for the leasing of military
24 family housing units worldwide.

1 (b) LIMITATION OF TOTAL COST OF CONSTRUCTION
2 PROJECTS.—Notwithstanding the cost variations author-
3 ized by section 2853 of title 10, United States Code, and
4 any other cost variation authorized by law, the total cost
5 of all projects carried out under section 2201 of this Act
6 may not exceed the total amount authorized to be appro-
7 priated under paragraphs (1) and (2) of subsection (a).

8 **SEC. 2205. AUTHORITY TO CARRY OUT CONSTRUCTION**
9 **PROJECT, NAVAL SUPPLY CENTER, PENSACOLA, FLORIDA.**
10

11 Funds appropriated by the Military Construction Ap-
12 propriations Act, 1994 (Public Law 103–110; 107 Stat.
13 1037) that are available for construction of a cold storage
14 facility at Naval Supply Center, Pensacola, Florida, in ac-
15 cordance with authorizations provided in section 2201(a)
16 of the Military Construction Authorization Act for Fiscal
17 Year 1992 (division B of Public Law 102–190; 105 Stat.
18 1514), as enacted, may be expended for the portion of the
19 construction of such facility that is associated with De-
20 partment of the Navy contract N62467–86–C–0421.

21 **SEC. 2206. RELOCATION OF PASCAGOULA COAST GUARD**
22 **STATION, MISSISSIPPI.**

23 (a) AGREEMENT ON RELOCATION.—Not later than
24 90 days after the date of the enactment of this Act, the
25 Secretary of the Navy and the Secretary of Transportation

1 shall enter into an agreement that provides for the reloca-
2 tion of the activities and functions of Pascagoula Coast
3 Guard Station to Pascagoula Naval Station, Pascagoula,
4 Mississippi.

5 (b) CONDITIONS.—The agreement under subsection
6 (a) shall include the following provisions:

7 (1) That the Navy not incur any construction
8 costs relating to the relocation.

9 (2) That the design, construction, and location
10 of Coast Guard facilities, and the conduct of activi-
11 ties by the Coast Guard, at Pascagoula Naval Sta-
12 tion not interfere with the performance of the mis-
13 sion of the Navy.

14 **SEC. 2207. AUTHORITY TO CARRY OUT CONSTRUCTION DE-**
15 **SIGN FOR MAYPORT NAVAL STATION, FLOR-**
16 **IDA.**

17 (a) AUTHORITY TO CARRY OUT CONSTRUCTION DE-
18 SIGN.—Subject to subsection (b), the Secretary of the
19 Navy may carry out construction design activities in con-
20 nection with the military construction projects that the
21 Secretary identifies as necessary for the improvement of
22 the facilities located at Mayport Naval Station, Florida,
23 so that such facilities may be used as the homeport of
24 a nuclear powered aircraft carrier.

1 (b) REQUIREMENT RELATING TO COMMENCEMENT
2 OF DESIGN.—The Secretary may not carry out the con-
3 struction design activities authorized under subsection (a)
4 until the Secretary—

5 (1) completes a study that identifies the im-
6 provements to the facilities referred to in that sub-
7 section that are necessary so that such facilities may
8 be used as the homeport of a nuclear powered air-
9 craft carrier; and

10 (2) completes a programmatic environmental
11 impact study on the effect of such improvements on
12 the environment.

13 (c) CONSTRUCTION OF AUTHORITY.—This section
14 may not be construed or interpreted as an authorization
15 for the Secretary to commence or proceed with any mili-
16 tary construction project relating to the improvement of
17 the facilities of Mayport Naval Station, Florida, for the
18 purpose referred to in subsection (a).

19 **TITLE XXIII—AIR FORCE**

20 **SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND** 21 **LAND ACQUISITION PROJECTS.**

22 (a) INSIDE THE UNITED STATES.—Using amounts
23 appropriated pursuant to the authorization of appropria-
24 tions in section 2304(a)(1), the Secretary of the Air Force
25 may acquire real property and carry out military construc-

tion projects in the total amount of \$398,904,000 for the
installations and locations inside the United States, and
in the amounts for such installations and locations, set
forth in the following table:

Air Force: Inside the United States

State	Installation or location	Amount
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
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
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	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

Air Force: Inside the United States—Continued

	State	Installation or location	Amount
	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
	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

	Country	Installation or location	Amount
	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

- 1 \$163,348,000 at the installations, for the purposes, and
 2 in the amounts for such installations and purposes set
 3 forth in the following table:

Air Force: Family Housing

State or Country	Installation	Purpose	Amount
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
	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

State or Country	Installation	Purpose	Amount
Washington	Fairchild Air Force Base	6 units	\$1,035,000
Wyoming	F.E. Warren Air Force Base	106 units	\$11,321,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(6)(A), the Secretary of the Air Force may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of military family housing units in an amount not to exceed \$9,275,000.

SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(6)(A), the Secretary of the Air Force may improve existing military family housing units in an amount not to exceed \$61,770,000.

SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 1994, for military construction, land acquisition, and military family housing functions of the Department of the

1 Air Force in the total amount of \$1,572,801,000 as
2 follows:

3 (1) For military construction projects inside the
4 United States authorized by section 2301(a),
5 \$398,904,000.

6 (2) For military construction projects outside
7 the United States authorized by section 2301(b),
8 \$38,273,000.

9 (3) For unspecified minor construction projects
10 authorized by section 2805 of title 10, United States
11 Code, \$7,000,000.

12 (4) For architectural and engineering services
13 and construction design under section 2807 of title
14 10, United States Code, \$49,386,000.

15 (5) For the balance of the amount authorized
16 under section 2301(a) of the Military Construction
17 Authorization Act for Fiscal Year 1993 (division B
18 of Public Law 102-484; 106 Stat. 2593) for the
19 construction of the climatic test chamber at Eglin
20 Air Force Base, Florida, \$20,000,000.

21 (6) For military family housing functions:

22 (A) For construction and acquisition of
23 military family housing and facilities,
24 \$234,393,000.

1 (B) For support of military family housing
 2 (including functions described in section 2833
 3 of title 10, United States Code), \$824,845,000
 4 of which not more than \$112,757,000 may be
 5 obligated or expended for leasing of military
 6 family housing units worldwide.

7 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION
 8 PROJECTS.—Notwithstanding the cost variations author-
 9 ized by section 2853 of title 10, United States Code, and
 10 any other cost variation authorized by law, the total cost
 11 of all projects carried out under section 2301 of this Act
 12 may not exceed the total amount authorized to be appro-
 13 priated under paragraphs (1) and (2) of subsection (a).

14 **SEC. 2305. AUTHORIZATION OF MILITARY CONSTRUCTION**
 15 **PROJECTS AT TYNDALL AIR FORCE BASE,**
 16 **FLORIDA, FOR WHICH FUNDS HAVE BEEN AP-**
 17 **PROPRIATED.**

18 The table in section 2301 of the Military Construc-
 19 tion Authorization Act for Fiscal Year 1994 (division B
 20 of Public Law 103–160; 107 Stat. 1866) is amended in
 21 the item relating to Tyndall Air Force Base, Florida, by
 22 striking out “\$2,600,000” in the column under the head-
 23 ing “Amount” and inserting in lieu thereof “\$8,200,000”.

1 **SEC. 2306. REVISION OF AUTHORIZED FAMILY HOUSING**
 2 **PROJECT, TYNDALL AIR FORCE BASE, FLOR-**
 3 **IDA.**

4 The table in section 2302(a) of the Military Construc-
 5 tion Authorization Act for Fiscal Year 1994 (division B
 6 of Public Law 103–160; 107 Stat. 1869) is amended in
 7 the item relating to Tyndall Air Force Base, Florida, by
 8 striking out “Infrastructure” in the third column and in-
 9 serting in lieu thereof “45 units”.

10 **TITLE XXIV—DEFENSE**
 11 **AGENCIES**

12 **SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUC-**
 13 **TION AND LAND ACQUISITION PROJECTS.**

14 Using amounts appropriated pursuant to the author-
 15 ization of appropriations in section 2405(a)(1), the Sec-
 16 retary of Defense may acquire real property and carry out
 17 military construction projects in the total amount of
 18 \$397,700,000 for the installations and locations inside the
 19 United States, and in the amounts for such installations
 20 and locations, set forth in the following table:

Defense Agencies: Inside the United States

Agency	Installation or location	Amount	
Chemical Agents and Munitions Destruction	Anniston Army Depot, Alabama ...	\$5,000,000	...
	Pine Bluff Arsenal, Arkansas	\$102,000,000	...
	Umatilla Army Depot, Oregon	\$183,000,000	...
	Tooele Army Depot, Utah	\$4,000,000	...
Defense Intelligence Agency	Bolling Air Force Base, Washing- ton, District of Columbia.	\$600,000	...

Defense Agencies: Inside the United States—Continued

Agency	Installation or location	Amount	
Defense Logistics Agency	Defense Contract Management Office, El Segundo, California.	\$5,100,000	...
	Defense Construction Supply Center, Columbus, Ohio	\$2,200,000	...
	Defense Fuel Support Point, Craney Island, Virginia	\$3,652,000	...
	Headquarters, Defense Logistics Agency, Fort Belvoir, Virginia ...	\$4,600,000	...
Defense Medical Facilities Office	McClellan Air Force Base, California.	\$10,280,000	...
	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	...
	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
5 Defense may construct or acquire family housing units
6 (including land acquisition) at the installation, for the pur-
7 pose, and in the amount set forth in the following table:

Defense Agencies: Family Housing

Location	Installation	Purpose	Amount
Belgium	National Security Agency	1 unit	\$300,000

1 **SEC. 2403. IMPROVEMENTS TO MILITARY FAMILY HOUSING**
2 **UNITS.**

3 Subject to section 2825 of title 10, United States
4 Code, and using amounts appropriated pursuant to the
5 authorization of appropriations in section 2405(a)(11)(A),
6 the Secretary of Defense may improve existing military
7 family housing units in an amount not to exceed \$50,000.

8 **SEC. 2404. ENERGY CONSERVATION PROJECTS.**

9 Using amounts appropriated pursuant to the author-
10 ization of appropriations in section 2405(a)(8), the Sec-
11 retary of Defense may carry out energy conservation
12 projects under section 2865 of title 10, United States
13 Code.

14 **SEC. 2405. AUTHORIZATION OF APPROPRIATIONS, DE-**
15 **FENSE AGENCIES.**

16 (a) IN GENERAL.—Funds are hereby authorized to
17 be appropriated for fiscal years beginning after September
18 30, 1994, for military construction, land acquisition, and
19 military family housing functions of the Department of
20 Defense (other than the military departments) in the total
21 amount of \$3,230,058,000 as follows:

22 (1) For military construction projects inside the
23 United States authorized by section 2401(a),
24 \$136,700,000.

25 (2) For military construction projects at Ports-
26 mouth Naval Hospital, Virginia, authorized by sec-

1 tion 2401(a) of the Military Construction Authoriza-
2 tion Act for Fiscal Years 1990 and 1991 (division
3 B of Public Law 101-189; 103 Stat. 1640),
4 \$120,000,000.

5 (3) For military construction projects at El-
6 mendorf Air Force Base, Alaska, hospital replace-
7 ment, authorized by section 2401(a) of the Military
8 Construction Authorization Act for Fiscal Year 1993
9 (division B of Public Law 102-484; 106 Stat.
10 2599), \$66,000,000.

11 (4) For military construction projects at Fort
12 Bragg, North Carolina, hospital replacement, au-
13 thorized by section 2401(a) of the Military Construc-
14 tion Authorization Act for Fiscal Year 1993 (divi-
15 sion B of Public Law 102-484; 106 Stat. 2599),
16 \$75,000,000.

17 (5) For unspecified minor construction projects
18 under section 2805 of title 10, United States Code,
19 \$22,348,000.

20 (6) For contingency construction projects of the
21 Secretary of Defense under section 2804 of title 10,
22 United States Code, \$8,511,000.

23 (7) For architectural and engineering services
24 and for construction design under section 2807 of
25 title 10, United States Code, \$45,960,000.

1 (8) For energy conservation projects authorized
2 by section 2404, \$50,000,000.

3 (9) For base closure and realignment activities
4 as authorized by the Defense Authorization Amend-
5 ments and Base Closure and Realignment Act (title
6 II of Public Law 100-526; 10 U.S.C. 2687 note),
7 \$87,600,000.

8 (10) For base closure and realignment activities
9 as authorized by the Defense Base Closure and
10 Realignment Act of 1990 (part A of title XXIX of
11 Public Law 101-510; 10 U.S.C. 2687 note):

12 (A) For military installations approved for
13 closure or realignment in 1991, \$398,700,000.

14 (B) For military installations approved for
15 closure or realignment in 1993,
16 \$2,189,858,000.

17 (11) For military family housing functions:

18 (A) For construction and acquisition of
19 military family housing and facilities, \$350,000.

20 (B) For support of military housing (in-
21 cluding functions described in section 2833 of
22 title 10, United States Code), \$29,031,000, of
23 which not more than \$24,051,000 may be obli-
24 gated or expended for the leasing of military
25 family housing units worldwide.

1 (b) LIMITATION OF TOTAL COST OF CONSTRUCTION
2 PROJECTS.—Notwithstanding the cost variations author-
3 ized by section 2853 of title 10, United States Code, and
4 any other cost variations authorized by law, the total cost
5 of all projects carried out under section 2401 of this Act
6 may not exceed—

7 (1) the total amount authorized to be appro-
8 priated under paragraphs (1) and (2) of subsection
9 (a) and subsection (b);

10 (2) \$94,000,000 (the balance of the amount au-
11 thorized for construction of a chemical munitions de-
12 militarization facility at Pine Bluff Arsenal, Arkan-
13 sas); and

14 (3) \$167,000,000 (the balance of the amount
15 authorized for construction of a chemical munitions
16 demilitarization facility at Umatilla Army Depot,
17 Oregon).

18 **SEC. 2406. TERMINATION OF AUTHORITY TO CARRY OUT**
19 **FISCAL YEAR 1993 PROJECT.**

20 (a) TERMINATION OF AUTHORITY.—The table in sec-
21 tion 2401(a) of the Military Construction Authorization
22 Act for Fiscal Year 1993 (division B of Public Law 102–
23 484; 106 Stat. 2599) is amended by striking out the item
24 relating to Fitzsimons Army Medical Center, Colorado.

1 (b) CONFORMING AMENDMENTS.—(1) Subsection (a)
 2 of section 2403 of such Act (106 Stat. 2600) is amend-
 3 ed—

4 (A) in the matter above paragraph (1), by strik-
 5 ing out “\$2,567,146,000” and inserting in lieu
 6 thereof “\$2,565,146,000”; and

7 (B) in paragraph (1), by striking out
 8 “\$87,950,000” and inserting in lieu thereof
 9 “\$85,950,000”.

10 (2) Subsection (c) of such section is amended—

11 (A) by inserting “and” at the end of paragraph
 12 (4);

13 (B) by striking out “; and” at the end of para-
 14 graph (5) and inserting lieu thereof a period; and

15 (C) by striking out paragraph (6).

16 **SEC. 2407. COMMUNITY IMPACT ASSISTANCE WITH REGARD**
 17 **TO NAVAL WEAPONS STATION, CHARLESTON,**
 18 **SOUTH CAROLINA.**

19 Of the amount appropriated pursuant to the author-
 20 ization of appropriations in section 2405(a)(10)(B), the
 21 Secretary of the Navy shall transfer \$3,000,000 to the
 22 South Carolina Department of Highways and Public
 23 Transportation. Funds transferred pursuant to this sec-
 24 tion shall be used for making improvements to North
 25 Rhett Avenue, Charleston, South Carolina.

1 **TITLE XXV—NORTH ATLANTIC**
2 **TREATY ORGANIZATION IN-**
3 **FRAStructure**

4 **SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND**
5 **ACQUISITION PROJECTS.**

6 The Secretary of Defense may make contributions for
7 the North Atlantic Treaty Organization Infrastructure
8 Program as provided in section 2806 of title 10, United
9 States Code, in an amount not to exceed the sum of the
10 amount authorized to be appropriated for this purpose in
11 section 2502 and the amount collected from the North At-
12 lantic Treaty Organization as a result of construction pre-
13 viously financed by the United States.

14 **SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.**

15 Funds are hereby authorized to be appropriated for
16 fiscal years beginning after September 30, 1994, for con-
17 tributions by the Secretary of Defense under section 2806
18 of title 10, United States Code, for the share of the United
19 States of the cost of projects for the North Atlantic Treaty
20 Organization Infrastructure Program as authorized by
21 section 2501, in the amount of \$219,000,000.

**TITLE XXVI—GUARD AND
RESERVE FORCES FACILITIES**

SEC. 2601. AUTHORIZED GUARD AND RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

There are authorized to be appropriated for fiscal years beginning after September 30, 1994, for the costs of acquisition, architectural and engineering services, and construction of facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 133 of title 10, United States Code (including the cost of acquisition of land for those facilities), the following amounts:

(1) For the Department of the Army—

(A) for the Army National Guard of the United States, \$146,447,000; and

(B) for the Army Reserve, \$16,470,000.

(2) For the Department of the Navy, for the Naval and Marine Corps Reserve, \$6,955,000.

(3) For the Department of the Air Force—

(A) for the Air National Guard of the United States, \$224,053,000; and

(B) for the Air Force Reserve, \$28,190,000.

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
6 Authorization Act for Fiscal Year 1994 (division B of
7 Public 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 “\$286,693,000”; 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 author-
9 izing funds for military construction for fiscal year
10 1998.

11 (b) EXCEPTION.—Subsection (a) shall not apply to
12 authorizations for military construction projects, land ac-
13 quisition, family housing projects and facilities, and con-
14 tributions to the North Atlantic Treaty Organization In-
15 frastructure program (and authorizations of appropria-
16 tions therefor), for which appropriated funds have been
17 obligated before the later of—

18 (1) October 1, 1997; or

19 (2) the date of the enactment of an Act author-
20 izing funds for fiscal year 1998 for military con-
21 struction projects, land acquisition, family housing
22 projects and facilities, or contributions to the North
23 Atlantic Treaty Organization Infrastructure pro-
24 gram.

1 **SEC. 2702. EXTENSION OF AUTHORIZATION OF CERTAIN**
 2 **FISCAL YEAR 1992 PROJECTS.**

3 (a) EXTENSIONS.—Notwithstanding section 2701(b)
 4 of the Military Construction Authorization Act for Fiscal
 5 Year 1992 (division B of Public Law 102–190; 105 Stat.
 6 1535) authorizations for the projects set forth in the ta-
 7 bles in subsection (b), as provided in section 2101, 2301,
 8 or 2601 of that Act, shall remain in effect until October
 9 1, 1995, or the date of the enactment of an Act authoriz-
 10 ing funds for military construction for fiscal year 1996,
 11 whichever is later.

12 (b) TABLES.—The tables referred to in subsection (a)
 13 are as follows:

Army: Extension of 1992 Project Authorizations

State	Installation or location	Project	Amount	
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

State	Installation or location	Project	Amount	
Alaska	Eareckson Air Force Station (formerly Shemya Air Force Station) ..	Hazardous Materials Storage.	\$4,000,000	...

Army National Guard: Extension of 1992 Project Authorizations

State	Installation or location	Project	Amount	
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

State	Installation or location	Project	Amount	
Massachusetts	Taunton	Reserve Center	\$3,526,000	...
Ohio	Perrysburg	Reserve Center Addition .	\$2,749,000	...
Pennsylvania	Johnstown	Army/Marine Corps Aviation Facility	\$30,224,000	...

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Army Reserve: Extension of 1992 Project Authorizations—
Continued

State	Installation or location	Project	Amount	
Tennessee	Jackson	Joint Training Facility	\$1,537,000	...
West Virginia	Huntington	Guard and Reserve Center	\$6,617,000	...

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 (di-
8 vision B of Public Law 103–160; 107 Stat. 1882) is
9 amended by inserting before the item relating to the De-
10 fense Logistics Agency, Defense Reutilization and Market-
11 ing Office, Fort Meade, Maryland, the following:

California	Defense Language Institute, Monterey	Audio Visual Facility	\$2,322,000	...	
	Defense Language Institute, Monterey	Print Plant	\$1,860,000	...	

1 (b) EFFECTIVE DATE.—The amendment made by
2 subsection (a) shall take effect as if included in the provi-
3 sions of the Military Construction Authorization Act for
4 Fiscal Year 1994 (Public Law 103–160; 107 Stat. 1822)
5 to which such amendment relates.

6 **SEC. 2704. EXTENSION OF CERTAIN FISCAL YEAR 1991**
7 **PROJECTS.**

8 (a) EXTENSIONS.—Notwithstanding section 2701(b)
9 of the Military Construction Authorization Act for Fiscal
10 Year 1991 (division B of Public Law 101–510; 104 Stat.
11 1782), authorizations for the projects set forth in the table
12 in subsection (b) as provided in section 2401(a) of that
13 Act and extended by section 2702(a) of the Military Con-
14 struction Authorization Act for Fiscal Year 1992 (division
15 B of Public Law 102–190; 105 Stat. 1535) and section
16 2702 of the Military Construction Authorization Act for
17 Fiscal Year 1994 (division B of Public Law 103–160; 107
18 Stat. 1880), as amended by section 2703 of this Act, shall
19 remain in effect until October 1, 1995, or the date of the
20 enactment of an Act authorizing funds for military con-
21 struction for fiscal year 1995, whichever is later.

22 (b) TABLE.—The table referred to in subsection (a)
23 is as follows:

Defense Agencies: Extension of 1991 Project Authorizations

State	Installation or location	Project	Amount	
California	Defense Language Institute, Monterey.	Audio Visual Instructional Media Facility	\$2,322,000	...
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
3 shall 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 para-
16 graph:

17 “(3) The limitation contained in the first sentence of
18 paragraph (1) does not apply to a project for the improve-
19 ment of a family housing unit or units referred to in that
20 sentence if the project (including the amount requested
21 for the project) is identified in the budget materials sub-
22 mitted to Congress by the Secretary of Defense in connec-
23 tion with the submission to Congress of the budget for
24 a fiscal year pursuant to section 1105 of title 31.”.

1 **SEC. 2802. AUTHORITY TO PAY CLOSING COSTS UNDER**
 2 **HOMEOWNERS ASSISTANCE PROGRAM.**

3 Section 1013(c) of the Demonstration Cities and
 4 Metropolitan Development Act of 1966 (42 U.S.C.
 5 3374(c)) is amended by inserting after the first sentence
 6 the following: “The Secretary may also pay a person who
 7 elects to receive a cash payment under clause (1) of the
 8 preceding sentence an amount that the Secretary deter-
 9 mines appropriate to reimburse the person for the costs
 10 incurred by the person in the sale of the property if the
 11 Secretary determines that such payment will benefit the
 12 person and is in the best interest of the Federal Govern-
 13 ment.”.

14 **Subtitle B—Base Closure Matters**

15 **SEC. 2811. PROHIBITION AGAINST CONSIDERATION IN**
 16 **BASE CLOSURE PROCESS OF ADVANCE CON-**
 17 **VERSION PLANNING UNDERTAKEN BY PO-**
 18 **TENTIAL AFFECTED COMMUNITIES.**

19 (a) DEPARTMENT OF DEFENSE RECOMMENDA-
 20 TIONS.—Subsection (c)(3) of section 2903 of the Defense
 21 Base Closure and Realignment Act of 1990 (part A of title
 22 XXIX of Public Law 101–510; 10 U.S.C. 2687 note) is
 23 amended—

24 (1) by inserting “(A)” before “In considering”;
 25 and

1 (2) by adding at the end the following new sub-
2 paragraph:

3 “(B) In considering military installations for closure
4 or realignment, the Secretary may not take into account
5 for any purpose any advance conversion planning under-
6 taken by an affected community with respect to the antici-
7 pated closure or realignment of an installation.

8 “(C) For purposes of subparagraph (B), in the case
9 of a community anticipating the economic effects of a clo-
10 sure or realignment of a military installation, advance con-
11 version planning—

12 “(i) shall include community adjustment and
13 economic diversification planning undertaken by the
14 community before an anticipated selection of a mili-
15 tary installation in or near the community for clo-
16 sure or realignment; and

17 “(ii) may include the development of contin-
18 gency redevelopment plans, plans for economic devel-
19 opment and diversification, and plans for the joint
20 use (including civilian and military use, public and
21 private use, civilian dual use, and civilian shared
22 use) of the property or facilities of the installation
23 after the anticipated closure or realignment.”.

1 (b) COMMISSION RECOMMENDATIONS.—Subsection
 2 (d)(2) of such section is amended by adding at the end
 3 the following:

4 “(E) In making recommendations under this para-
 5 graph, the Commission may not take into account for any
 6 purpose any advance conversion planning undertaken by
 7 an affected community with respect to the anticipated clo-
 8 sure or realignment of a military installation.”.

9 **SEC. 2812. CLARIFYING AND TECHNICAL AMENDMENTS TO**
 10 **BASE CLOSURE LAWS.**

11 (a) CLARIFICATION OF SCOPE OF TERMINATION OF
 12 AUTHORITY UNDER 1988 ACT.—Section 202(c) of the
 13 Defense Authorization Amendments and Base Closure and
 14 Realignment Act (Public Law 100–526; 10 U.S.C. 2687
 15 note) is amended—

16 (1) by striking out “The authority” and insert-
 17 ing in lieu thereof “(1) Except as provided in para-
 18 graph (2), the authority”; and

19 (2) by adding at the end the following new
 20 paragraph:

21 “(2) The termination of authority set forth in para-
 22 graph (1) shall not apply to the authority of the Secretary
 23 to carry out environmental restoration and waste manage-
 24 ment at, or disposal of property of, military installations
 25 closed or realigned under this title.”.

1 (b) USE OF UNOBLIGATED FUNDS IN 1988 ACCOUNT
2 FOR ENVIRONMENTAL RESTORATION AND PROPERTY
3 DISPOSAL.—Section 207(a)(5) of such Act is amended—

4 (1) by striking out “Unobligated funds” and in-
5 serting in lieu thereof “(A) Except as provided in
6 subparagraph (B), unobligated funds”; and

7 (2) by adding at the end the following new sub-
8 paragraph:

9 “(B) The Secretary may, after the termination of au-
10 thority referred to in subparagraph (A), use any unobli-
11 gated funds referred to in that subparagraph that are not
12 transferred in accordance with that subparagraph to carry
13 out environmental restoration and waste management at,
14 or disposal of property of, military installations closed or
15 realigned under this title.”.

16 (c) CLARIFICATION OF DISPOSAL AUTHORITY.—

17 (1) UNDER 1988 ACT.—Section 204(b)(1) of
18 such Act is amended in the matter above paragraph
19 (1) by striking out “real property and facilities” and
20 inserting in lieu thereof “real property, facilities,
21 and personal property”.

22 (2) UNDER 1990 ACT.—Section 2905(b)(1) of
23 the Defense Base Closure and Realignment Act of
24 1990 (part A of title XXIX of Public Law 101–510;
25 10 U.S.C. 2687 note) is amended in the matter

1 above paragraph (1) by striking out “real property
2 and facilities” and inserting in lieu thereof “real
3 property, facilities, and personal property”.

4 (d) DEFINITION OF REDEVELOPMENT AUTHOR-
5 ITY.—

6 (1) UNDER 1988 ACT.—Section 209(10) of the
7 Defense Authorization Amendments and Base Clo-
8 sure and Realignment Act (Public Law 100–526; 10
9 U.S.C. 2687 note) is amended by striking out “and
10 for” and inserting in lieu thereof “or for”.

11 (2) UNDER 1990 ACT.—Section 2910(9) of the
12 Defense Base Closure and Realignment Act of 1990
13 (part A of title XXIX of Public Law 101–510; 10
14 U.S.C. 2687 note) is amended by striking out “and
15 for” and inserting in lieu thereof “or for”.

16 (3) EFFECTIVE DATE.—The amendments made
17 by paragraphs (1) and (2) shall take effect as if in-
18 cluded in the amendments made by 2918 of the Na-
19 tional Defense Authorization Act for Fiscal Year
20 1994 (Public Law 103–160; 107 Stat. 1927).

21 (e) TECHNICAL AMENDMENTS FOR INTERNAL CON-
22 SISTENCY.—

23 (1) 1988 ACT.—Section 204(b)(3) of the De-
24 fense Authorization Amendments and Base Closure

1 and Realignment Act (Public Law 100–526; 10
2 U.S.C. 2687 note) is amended—

3 (A) in subparagraph (A)(ii), by striking
4 out “determines to be related to real property
5 and”; 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 “de-
12 termines 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
17 1994 (Public Law 103–160; 107 Stat. 1909).

18 **Subtitle C—Land Transactions** 19 **Generally**

20 **SEC. 2821. LAND TRANSFER, HOLLOMAN AIR FORCE BASE,** 21 **NEW MEXICO.**

22 (a) IN GENERAL.—Subject to subsections (c) through
23 (g), not later than 90 days after the date of enactment
24 of this Act, the Secretary of the Interior shall transfer
25 to the Department of the Air Force, without reimburse-

1 ment, jurisdiction and control of approximately 1,262
 2 acres of public lands described in subsection (b). Such
 3 public lands are located in Otero County, New Mexico, and
 4 are contiguous to Holloman Air Force Base.

5 (b) DESCRIPTION OF LANDS TRANSFERRED.—The
 6 lands described in this subsection are as follows:

(1) T17S, R8E, Section 21:	S $\frac{1}{2}$ N $\frac{1}{2}$:	160 acres
	E $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$:	20 acres
	NE $\frac{1}{4}$ NE $\frac{1}{4}$:	40 acres
(2) T17S, R8E, Section 22:	W $\frac{1}{2}$:	320 acres
	W $\frac{1}{2}$ E $\frac{1}{2}$:	160 acres
(3) T17S, R8E, Section 27:	All that part north of New Mexico Highway 70 except for the E $\frac{1}{2}$ E $\frac{1}{2}$	192 acres more or less
(4) T17S, R8E, Section 28:	NE $\frac{1}{4}$:	160 acres
	N $\frac{1}{2}$ SE $\frac{1}{4}$:	80 acres
	SW $\frac{1}{4}$ SE $\frac{1}{4}$:	40 acres
	W $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$:	20 acres
(5) T17S, R8E, Section 33:	NW $\frac{1}{4}$ NE $\frac{1}{4}$:	40 acres
	NW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$:	10 acres
	W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$:	20 acres

7 (c) USE OF TRANSFERRED LAND.—The lands trans-
 8 ferred to the Department of the Air Force under sub-
 9 section (a) shall be used by the Secretary of the Air Force
 10 for the construction of new evaporation ponds to support
 11 a wastewater treatment facility that the Secretary shall
 12 construct at Holloman Air Force Base.

13 (d) CATTLE GRAZING RIGHTS.—

14 (1) IN GENERAL.—The United States recog-
 15 nizes a grazing preference on the lands transferred
 16 to the Department of the Air Force under subsection
 17 (a).

18 (2) ADJUSTMENT OF GRAZING ALLOTMENT.—

19 (A) The Secretary of the Air Force shall take such
 20 action as is necessary to ensure that—

1 (i) the boundary of the grazing allotment
2 that contains the lands transferred to the De-
3 partment of the Air Force is adjusted in such
4 manner as to retain the portion of the allotment
5 located south of United States Highway 70 in
6 New Mexico and remove the portion of the
7 lands that is located north of such highway; and

8 (ii) the grazing preference referred to in
9 paragraph (1) is retained by means of transfer-
10 ring the preference for the area removed from
11 the allotment under subparagraph (A) to public
12 lands located south of such highway.

13 (B) The Secretary of the Air Force shall offer
14 to enter into an agreement with each person who
15 holds a permit for grazing on the lands transferred
16 to the Department of the Air Force at the time of
17 the transfer to provide for the continued grazing by
18 livestock on the portion of the lands located south of
19 such highway.

20 (e) ADDITIONAL REQUIREMENTS.—

21 (1) NATIONAL ENVIRONMENTAL POLICY ACT OF
22 1969.—The Secretary of the Air Force shall ensure
23 that the transfer made pursuant to subsection (a)
24 and the use specified in subsection (c) meet any ap-

1 plicable requirements of the National Environmental
2 Policy Act of 1969 (42 U.S.C. 4321 et seq.).

3 (2) ENVIRONMENTAL LAWS.—The Secretary of
4 the Air Force shall use and manage the lands trans-
5 ferred under the authority in subsection (a) in such
6 manner as to ensure compliance with applicable en-
7 vironmental laws (including regulations) of the Fed-
8 eral Government and State of New Mexico, and po-
9 litical subdivisions thereof.

10 (3) RESPONSIBILITY FOR CLEANUP OF HAZARD-
11 OUS SUBSTANCES.—Notwithstanding any other pro-
12 vision of law, the Secretary of the Air Force shall,
13 upon the transfer of the lands under subsection (a),
14 assume any existing or subsequent responsibility and
15 liability for the cleanup of hazardous substances (as
16 defined in section 101(14) of the Comprehensive En-
17 vironmental Response, Compensation, and Liability
18 Act of 1980 (42 U.S.C. 9601(14))) located on or
19 within the lands transferred.

20 (4) MINING.—The transfer of lands under sub-
21 section (a) shall be made in such manner as to en-
22 sure the continuation of valid, existing rights under
23 the mining laws and the mineral leasing and geo-
24 thermal leasing laws of the United States. Subject to
25 the preceding sentence, upon the transfer of the

1 lands, mining and mineral management activities
2 shall be carried out in the lands in a manner consist-
3 ent with the policies of the Department of Defense
4 concerning mineral exploration and extraction on
5 lands under the jurisdiction of the Department.

6 (f) RIGHTS-OF-WAY.—The transfer of lands under
7 subsection (a) shall not affect the following rights-of-way:

8 (1) The right-of-way granted to the Otero
9 County Electric Cooperative, numbered NMNM
10 58293.

11 (2) The right-of-way granted to U.S. West
12 Corporation, numbered NMNM 59261.

13 (3) The right-of-way granted to the High-
14 way Department of the State of New Mexico,
15 numbered LC0 54403.

16 (g) PUBLIC ACCESS.—

17 (1) IN GENERAL.—Except as provided in para-
18 graph (2), the Secretary of the Air Force shall per-
19 mit public access to the lands transferred under sub-
20 section (a).

21 (2) CONSTRUCTION SITE.—The Secretary of the
22 Air Force may not permit public access to the imme-
23 diate area affected by the construction of a
24 wastewater treatment facility in the area with the
25 legal description of T17S, R8E, Section 22, except

1 that the Secretary of the Air Force shall permit pub-
2 lic access on an adjoining unfenced parcel of land—

3 (A) located along the west boundary of
4 such area; and

5 (B) that is 50 feet in width.

6 (3) PUBLIC USES.—Except as provided in para-
7 graph (2), the Secretary of the Air Force shall per-
8 mit, on the lands transferred under subsection (a),
9 public uses that are consistent with the public uses
10 on adjacent lands under the jurisdiction of the Sec-
11 retary of the Interior.

12 (4) PERMIT NOT REQUIRED.—The Secretary of
13 the Air Force may not require a permit for access
14 authorized under this subsection to the lands trans-
15 ferred under subsection (a).

16 (5) ENTRY GATE.—The Secretary of the Air
17 Force shall ensure that the entry gate to the lands
18 transferred under subsection (a) that is located
19 along United States Highway 70 shall be open to
20 the public.

21 **SEC. 2822. JOINT USE OF PROPERTY, PORT HUENEME,**
22 **CALIFORNIA.**

23 (a) AGREEMENT AUTHORIZED.—The Secretary of
24 the Navy may enter into an agreement with the Oxnard
25 Harbor District, Port Hueneme, California, a special dis-

1 trict of the State of California (in this section referred
2 to as the “District”), to provide for the joint use by Sec-
3 retary and the District of a parcel of real property consist-
4 ing of approximately 25 acres, together with improvements
5 thereto, that comprises United States Navy Wharf Num-
6 ber 3, the location of the Naval Construction Battalion
7 Center, Port Hueneme, California.

8 (b) PERIOD.—The agreement authorized under sub-
9 section (a) shall—

10 (1) be for an initial period of not more than 15
11 years; and

12 (2) contain an option for the District to extend
13 the agreement for three additional periods of 5 years
14 each.

15 (c) CONDITIONS.—The agreement authorized under
16 subsection (a) shall be subject to the following conditions:

17 (1) That the District suspend operations in the
18 joint use area during the periods when the Navy
19 conducts operations at the Naval Construction Bat-
20 talion Center.

21 (2) That the District carry out activities in the
22 joint use area in a manner that does not interfere
23 with the capability of the Secretary to carry out con-
24 tingency operations at the Naval Construction Bat-
25 talion Center.

1 (d) CONSIDERATION.—(1) As consideration for the
2 use of the real property under subsection (a), the Dis-
3 trict—

4 (A) shall pay to the Secretary the fair market
5 rental value (as determined by the Secretary) of the
6 District's interest in the property; and

7 (B) may be required to furnish additional con-
8 sideration as provided in paragraph (2).

9 (2) The Secretary may require that the agreement
10 include a provision that the District—

11 (A) either—

12 (i) pay the Secretary an amount (as deter-
13 mined by the Secretary) equal to the cost to the
14 Navy of replacing at the Naval Construction
15 Battalion Center the facilities vacated by the
16 Navy in the joint use area; or

17 (ii) construct the replacement facilities for
18 the Navy; and

19 (B) pay the Secretary an amount (as deter-
20 mined by the Secretary) equal to the cost to the
21 Navy of relocating Navy operations from the vacated
22 facilities to the replacement facilities.

23 (e) NOTICE AND WAIT REQUIREMENTS.—The Sec-
24 retary may not enter into the agreement authorized by
25 subsection (a) until 21 days after the date on which the

1 Secretary submits to the Committees on Armed Services
2 of the Senate and the House of Representatives a report
3 containing an explanation of the terms of the proposed
4 agreement and a description of the consideration that the
5 Secretary expects to receive under the agreement.

6 (f) USE OF PROCEEDS.—(1) The Secretary may use
7 amounts received under subsection (d)(1)(A) to pay for
8 general supervision, administration and overhead expenses
9 incurred by the Secretary under the agreement and for
10 improvement, maintenance, repair, construction, or res-
11 toration of the port operations area or of roads and rail-
12 ways serving the area at the Naval Construction Battalion
13 Center.

14 (2) The Secretary may use amounts received under
15 subsection (d)(2) to pay for constructing new facilities, or
16 making modifications to existing facilities, that are nec-
17 essary to replace facilities vacated by the Navy in the joint
18 use area and for relocating operations of the Navy from
19 the vacated facilities to the replacement facilities.

20 (g) AUTHORITY TO REPLACE FACILITIES.—The Sec-
21 retary may authorize the District to demolish existing fa-
22 cilities in the joint use area and, consistent with the re-
23 strictions required by subsection (c)(2), construct new fa-
24 cilities on the property for the joint use of the Navy and
25 the District.

1 (h) DESCRIPTION OF PROPERTY.—The exact acreage
2 and legal description of the real property subject to the
3 agreement authorized under this section shall be deter-
4 mined by a survey that is satisfactory to the Secretary.
5 The cost of the survey shall be borne by the District.

6 (i) ADDITIONAL TERMS AND CONDITIONS.—The Sec-
7 retary may require such additional terms and conditions
8 in connection with the agreement authorized under this
9 section as the Secretary considers appropriate to protect
10 the interests of the United States.

11 **SEC. 2823. LEASE OF PROPERTY, NAVAL RADIO RECEIVING**
12 **FACILITY, IMPERIAL BEACH, CORONADO,**
13 **CALIFORNIA.**

14 (a) LEASE AUTHORIZED.—The Secretary of the
15 Navy may lease to the Young Men’s Christian Association
16 of San Diego County, a California nonprofit public benefit
17 corporation (in this section referred to as the “YMCA”),
18 such interests in a parcel of real property (including any
19 improvements thereon) consisting of approximately 45
20 acres at the Naval Radio Receiving Facility, Imperial
21 Beach, Coronado, California, as the Secretary considers
22 appropriate for the YMCA to operate and maintain a sum-
23 mer youth residence camp known as the YMCA San Diego
24 Unified Recreational Facility (Camp SURF). Pursuant to

1 the lease, the Secretary may authorize the YMCA to con-
2 struct facilities on the parcel.

3 (b) LEASE TERMS.—The lease authorized in sub-
4 section (a) shall be for a period of 50 years, or such longer
5 period as the Secretary determines to be in the best inter-
6 ests of the United States.

7 (c) CONSIDERATION.—As consideration for the lease
8 of real property under subsection (a), the YMCA shall—

9 (1) agree to maintain and enhance the natural
10 resources of the leased premises; and

11 (2) pay to the United States an amount in cash
12 equal to the difference between the rental price pre-
13 scribed by the Secretary under subsection (d) and
14 the value of natural resources maintenance and en-
15 hancements performed by the YMCA, as determined
16 by the Secretary.

17 (d) DETERMINATION OF RENTAL PRICE.—The Sec-
18 retary may prescribe a rental price for the real property
19 leased under subsection (a) that is less than the fair mar-
20 ket rental value of such property.

21 (e) ADDITIONAL TERMS AND CONDITIONS.—The
22 Secretary may require such additional terms and condi-
23 tions in connection with the lease under subsection (a) as
24 the Secretary considers necessary to protect the operation
25 of the Naval Radio Receiving Facility, Imperial Beach,

1 Coronado, California, and to protect the interests of the
2 United States.

3 **SEC. 2824. RELEASE OF REVERSIONARY INTEREST ON CER-**
4 **TAIN PROPERTY IN YORK COUNTY AND**
5 **JAMES CITY COUNTY, VIRGINIA, AND NEW-**
6 **PORT NEWS, VIRGINIA.**

7 (a) RELEASE AUTHORIZED.—The Secretary of the
8 Navy may release the reversionary interest of the United
9 States in the real property conveyed by the deed described
10 in subsection (b).

11 (b) DEED DESCRIPTION.—The deed referred to in
12 subsection (a) is a deed between the United States and
13 the Commonwealth of Virginia dated August 17, 1966,
14 which conveyed to the Commonwealth of Virginia certain
15 parcels of land located in York County and James City
16 County, Virginia, and the city of Newport News, Virginia.

17 (c) ADDITIONAL TERMS.—The Secretary may require
18 such terms or conditions in connection with the release
19 under this section as the Secretary considers appropriate
20 to protect the interests of the United States and to ensure
21 that the real property will continue to be used for public
22 purposes.

23 (d) INSTRUMENT OF RELEASE.—The Secretary may
24 execute and file in the appropriate office or offices a deed
25 of release, amended deed, or other appropriate instrument

1 effectuating the release of the reversionary interest under
2 this section.

3 **SEC. 2825. LAND TRANSFER, FORT DEVENS, MASSACHU-**
4 **SETTS.**

5 (a) TRANSFER.—Notwithstanding any other provi-
6 sion of law and subject to subsection (b), the Secretary
7 of the Army shall transfer administrative jurisdiction of
8 approximately 800 acres of land at Fort Devens, Massa-
9 chusetts, to the Secretary of the Interior for inclusion in
10 the Oxbow National Wildlife Refuge, Massachusetts.

11 (b) LIMITATION ON TRANSFER.—The Secretary of
12 the Army may not carry out the transfer referred to in
13 subsection (a) unless the Secretary and the reuse author-
14 ity for Fort Devens for the purposes of the Defense Base
15 Closure and Realignment Act of 1990 (part A of title
16 XXIX of Public Law 101–510; 10 U.S.C. 2687 note),
17 jointly determine that the transfer of the land under this
18 section is consistent with the redevelopment plan prepared
19 under section 2905(b) of such Act.

20 (c) ADMINISTRATION OF LAND.—The Secretary of
21 the Interior shall administer the land transferred under
22 this section in accordance with all laws applicable to areas
23 in the National Wildlife Refuge System.

24 (d) DESCRIPTION OF PROPERTY.—The exact acreage
25 and legal description of the property to be transferred

1 under this section shall be determined by a survey satis-
2 factory to the Secretary of the Army and the Secretary
3 of the Interior.

4 **SEC. 2826. LAND CONVEYANCE, CORNHUSKER ARMY AMMU-**
5 **NITION PLANT, HALL COUNTY, NEBRASKA.**

6 (a) CONVEYANCE AUTHORIZED.—Subject to sub-
7 section (b), the Secretary of the Army may convey to the
8 Hall County, Nebraska, Board of Supervisors (in this sec-
9 tion referred to as the “Board”), or the designee of the
10 Board, all right, title and interest of the United States
11 in and to the real property, together with any improve-
12 ments thereon, located in Hall County, Nebraska, the site
13 of the Cornhusker Army Ammunition Plant.

14 (b) REQUIREMENT RELATING TO CONVEYANCE.—
15 The Secretary may not carry out the conveyance author-
16 ized under subsection (a) until the Secretary completes
17 any environmental restoration required with respect to the
18 property to be conveyed.

19 (c) UTILIZATION OF PROPERTY.—The Board or its
20 designee, as the case may be, shall utilize the real property
21 conveyed under subsection (a) in a manner consistent with
22 the Cornhusker Army Ammunition Plant Reuse Commit-
23 tee Comprehensive Reuse Plan.

24 (d) CONSIDERATION.—In consideration for the con-
25 veyance under subsection (a), the Board or its designee,

1 as the case may be, shall pay to the United States an
2 amount equal to the fair market value of the real property
3 to be conveyed, as determined by the Secretary.

4 (e) USE OF PROCEEDS.—(1) The Secretary shall de-
5 posit in the special account established under section
6 204(h)(2) of the Federal Property and Administrative
7 Services Act of 1949 (40 U.S.C. 485(h)) the amount re-
8 ceived from the Board or its designee under subsection
9 (d).

10 (2) Notwithstanding subparagraph (A) of such sec-
11 tion 204(h)(2), the Secretary may use the entire amount
12 deposited in the account under paragraph (1) for the pur-
13 poses set forth in subparagraph (B) of such section
14 204(h)(2).

15 (f) DESCRIPTION OF PROPERTY.—The exact acreage
16 and legal description of the property conveyed under this
17 section shall be determined by a survey satisfactory to the
18 Secretary. The cost of the survey shall be borne by the
19 Board or its designee, as the case may be.

20 (g) ADDITIONAL TERMS AND CONDITIONS.—The
21 Secretary may require such additional terms and condi-
22 tions in connection with the conveyance under this section
23 as the Secretary considers appropriate to protect the inter-
24 ests of the United States.

1 **SEC. 2827. TRANSFER OR CONVEYANCE OF CERTAIN PAR-**
2 **CELS OF PROPERTY THROUGH GENERAL**
3 **SERVICES ADMINISTRATION.**

4 (a) IN GENERAL.—(1) Subject to paragraph (2), the
5 Administrator of General Services shall—

6 (A) transfer jurisdiction over all or a portion of
7 a parcel of real property described in subsection (b)
8 to another executive agency if the Administrator de-
9 termines under subsection (c) that the transfer of
10 jurisdiction to the agency is appropriate;

11 (B) convey all or a portion of such a parcel to
12 a State or local government or nonprofit organiza-
13 tion if the Administrator determines under sub-
14 section (d) that the conveyance to the government or
15 organization is appropriate; or

16 (C) convey all or a portion of such a parcel to
17 the entity specified to receive the conveyance under
18 subsection (e) in accordance with that subsection.

19 (2) The Administrator shall carry out an action re-
20 ferred to in subparagraph (A), (B), or (C) of paragraph
21 (1) only upon direction by the Secretary of Defense. The
22 Secretary shall make the direction, if at all, in accordance
23 with subsection (g).

24 (3) Upon the direction of the Secretary of Defense,
25 the Secretary of the military department concerned shall
26 transfer jurisdiction over an appropriate portion of a par-

1 cel of real property referred to in paragraph (1) to the
2 Administrator in order to permit the Administrator to
3 carry out the transfer of jurisdiction over or conveyance
4 of the portion of the parcel under this section.

5 (b) COVERED PROPERTY.—(1) The parcels of real
6 property referred to in subsection (a)(1) are the following:

7 (A) A parcel of real property, including any im-
8 provements thereon, consisting of approximately 337
9 acres and located in Tulsa, Oklahoma, the location
10 of Air Force Plant No. 3.

11 (B) A parcel of real property, including any im-
12 provements thereon, consisting of approximately
13 2,900 acres and located in Calverton, New York, the
14 location of the Naval Weapons Industrial Reserve
15 Plant.

16 (C) A parcel of real property, including any im-
17 provements thereon, located in Johnson City
18 (Westover), New York, the location of Air Force
19 Plant No. 59.

20 (D) A parcel of real property, including any im-
21 provements thereon, consisting of approximately 4
22 acres and located in Dickinson, North Dakota, the
23 location of a support complex, recreational facilities,
24 and housing facilities for the Radar Bomb Scoring
25 Site, Dickinson, North Dakota.

1 (E) A parcel of real property, including any im-
2 provements thereon, consisting of approximately 12
3 acres and located west of Finley, North Dakota, the
4 location of a support complex, recreational facilities,
5 and housing facilities for the Finley Air Force Sta-
6 tion and Radar Bomb Scoring Site, Finley, North
7 Dakota.

8 (2) The exact acreage and legal description of the real
9 property referred to in paragraph (1) that is transferred
10 or conveyed under this section shall be determined by a
11 survey satisfactory to the Secretary of the military depart-
12 ment concerned. The cost of the survey shall be borne by
13 the Secretary concerned. The transferee or conveyee, if
14 any, of the property under this section shall reimburse the
15 Secretary concerned for the cost borne by that Secretary
16 for the survey of the property.

17 (c) DETERMINATION OF TRANSFEREES.—(1) Subject
18 to subsection (a)(2), the Administrator shall transfer ju-
19 risdiction over all or a portion of a parcel of real property
20 referred to in subsection (b)(1) to an executive agency if
21 the Administrator determines under this subsection that
22 the transfer is appropriate.

23 (2) Not later than 5 days after the date of the enact-
24 ment of this Act, the Administrator shall inform the heads

1 of the executive agencies of the availability of the parcels
2 of real property referred to in subsection (b)(1).

3 (3) The head of an executive agency having an inter-
4 est in obtaining jurisdiction over any portion of a parcel
5 of real property referred to in paragraph (2) shall notify
6 the Administrator, in writing, of the interest within such
7 time as the Administrator shall specify with respect to the
8 parcel in order to permit the Administrator to determine
9 under paragraph (4) whether the transfer of jurisdiction
10 to the agency is appropriate.

11 (4)(A) The Administrator shall—

12 (i) evaluate in accordance with section 202(a)
13 of the Federal Property and Administrative Services
14 Act of 1949 (40 U.S.C. 483(a)) the notifications of
15 interest, if any, received under paragraph (3) with
16 respect to a parcel of real property; and

17 (ii) determine in accordance with that section
18 the executive agency, if any, to which the transfer of
19 jurisdiction is appropriate.

20 (B) The Administrator shall complete the determina-
21 tion under subparagraph (A) with respect to a parcel not
22 later than 30 days after informing the heads of the execu-
23 tive agencies of the availability of the parcel.

24 (d) DETERMINATION OF CONVEYEEES.—(1) Subject
25 to subsection (a)(2), the Administrator shall convey all

1 right, title, and interest of the United States in and to
2 all or a portion of a parcel of real property referred to
3 in paragraph (2) to a government or organization referred
4 to in paragraph (3) if the Administrator determines under
5 this subsection that the conveyance is appropriate.

6 (2) Paragraph (2) applies to any portion of a parcel
7 of real property referred to in subsection (b)(1)—

8 (A) for which the Administrator receives no no-
9 tification of interest from the head of an executive
10 agency under subsection (c); or

11 (B) with respect to which the Administrator de-
12 termines under paragraph (4)(B) of that subsection
13 that a transfer of jurisdiction under this section
14 would not be appropriate.

15 (3)(A) In the case of the property referred to in para-
16 graph (2), the governments and organizations referred to
17 in that paragraph are the following:

18 (i) The State government of the State in which
19 the property is located.

20 (ii) Local governments affected (as determined
21 by the Administrator) by operations of the Depart-
22 ment of Defense at the property.

23 (iii) Nonprofit organizations located in the vi-
24 cinity of the property and eligible under Federal law

1 to be supported through the use of Federal surplus
2 real property.

3 (B) In this paragraph, the term “nonprofit organiza-
4 tion” means any organization listed in subsection (c)(3)
5 of section 501 of the Internal Revenue Code of 1986 (26
6 U.S.C. 501) that is exempt from taxation under sub-
7 section (a) of that section.

8 (4) Not later than 5 days after completing the deter-
9 mination under subsection (c)(4)(B), the Administrator
10 shall determine what, if any, parcels of property referred
11 to in subsection (b)(1) are available for conveyance under
12 this subsection and shall inform the appropriate govern-
13 ments and organizations of the availability of the parcels
14 for conveyance under this section.

15 (5) A government or organization referred to in para-
16 graph (4) shall notify the Administrator, in writing, of the
17 interest of the government or organization, as the case
18 may be, in the conveyance of all or a portion of the parcel
19 of real property concerned to the government or organiza-
20 tion. The government or organization shall notify the Ad-
21 ministrator within such time as the Administrator shall
22 specify with respect to the parcel in order to permit the
23 Administrator to determine under paragraph (6) whether
24 the conveyance of the parcel to the government or organi-
25 zation, as the case may be, is appropriate.

1 (6)(A) The Administrator shall—

2 (i) evaluate in accordance with section 203 of
3 the Federal Property and Administrative Services
4 Act of 1949 (40 U.S.C. 484) the notifications, if
5 any, received under paragraph (5) with respect to a
6 parcel of real property; and

7 (ii) determine in accordance with that section
8 the government or organization, if any, to which the
9 conveyance is appropriate.

10 (B) The Administrator shall complete the determina-
11 tion under subparagraph (A) with respect to a parcel not
12 later than 70 days after notifying the governments and
13 organizations concerned of the availability of the parcel
14 for conveyance.

15 (e) ADDITIONAL CONVEYANCE AUTHORITY.—(1)
16 Subject to subsection (g)(2), the Administrator shall, in
17 lieu of transferring jurisdiction over or conveying the par-
18 cels of real property referred to in subsection (b)(1) in
19 accordance with subsections (c) and (d), convey all or a
20 portion of such parcels as follows:

21 (A) In the case of the parcel referred to in sub-
22 paragraph (A) of subsection (b)(1), by conveying
23 without consideration all right, title, and interest of
24 the United States in and to the parcel to the City
25 of Tulsa, Oklahoma.

1 (B) In the case of the parcel referred to in sub-
2 paragraph (B) of that subsection, by conveying with-
3 out consideration all right, title, and interest of the
4 United States in and to the parcel to any economic
5 development authority that the Governor of New
6 York determines appropriate and identifies as such
7 for the Administrator.

8 (C) In the case of the parcel referred to in sub-
9 paragraph (C) 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 Broome
12 County Industrial Development Authority.

13 (D) In the case of the parcel referred to in sub-
14 paragraph (D) 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 North Da-
17 kota Board of Higher Education.

18 (E) In the case of the parcel referred to in sub-
19 paragraph (E) 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 City of
22 Finley, North Dakota.

23 (2) The Administrator may require such additional
24 terms and conditions in connection with a conveyance
25 under this subsection as the Administrator and the Sec-

1 retary of Defense jointly consider appropriate to protect
2 the interests of the United States.

3 (f) REPORT BY ADMINISTRATOR.—(1) Not later than
4 125 days after the date of the enactment of this Act, the
5 Administrator shall submit to the Committees on Armed
6 Services of the Senate and House of Representatives and
7 to the Secretary of Defense a report on the activities of
8 the Administrator under this section.

9 (2) The report shall include with respect to each par-
10 cel of real property referred to in subsection (b)(1) the
11 following information:

12 (A) The interest, if any, for all or a portion of
13 the parcel that was expressed by executive agencies
14 under subsection (c) or by governments or nonprofit
15 organizations under subsection (d).

16 (B) The use, if any, proposed for the portion of
17 the parcel under each expression of interest.

18 (C) The determination of the Administrator
19 whether a transfer or conveyance of all or a portion
20 of the parcel, as the case may be, to the agency, gov-
21 ernment, or organization was appropriate.

22 (D) The other disposal options, if any, that the
23 Administrator has identified for the parcel.

24 (E) Any other matters that the Administrator
25 considers appropriate.

1 (g) DESIGNATION OF AUTHORITY TO BE USED.—(1)
 2 If the Administrator submits the report required under
 3 subsection (f) within the time specified in that subsection,
 4 the Secretary of Defense may direct the Administrator
 5 under subsection (a)(2) to carry out the transfer or con-
 6 veyance under subsection (c) or (d) of all or a portion of
 7 a parcel of property referred to in subsection (b)(1) in ac-
 8 cordance with the determinations made by the Adminis-
 9 trator with respect to the transfer or conveyance of the
 10 parcel under subsection (c) or (d), respectively.

11 (2) If the Administrator does not submit the report
 12 required under subsection (f) within the time specified in
 13 that subsection, the Secretary may direct the Adminis-
 14 trator to carry out the conveyances of the parcels of prop-
 15 erty that are authorized under subsection (e) in accord-
 16 ance with such subsection (e).

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

19 **SEC. 2831. MODIFICATIONS OF LAND CONVEYANCE, FORT**
 20 **A.P. HILL MILITARY RESERVATION, VIRGINIA.**

21 (a) PARTICIPATION OF ADDITIONAL POLITICAL SUB-
 22 DIVISIONS IN REGIONAL CORRECTIONAL FACILITY.—Sub-
 23 paragraph (B) of subsection (c)(3) of section 603 of the
 24 Persian Gulf Conflict Supplemental Authorization and

1 Personnel Benefits Act of 1991 (Public Law 102–25; 105
2 Stat. 108) is amended to read as follows:

3 “(B) Subparagraph (A) shall not be construed to pro-
4 hibit any political subdivision not named in such subpara-
5 graph from—

6 “(i) participating initially in the written agree-
7 ment referred to in paragraph (2); or

8 “(ii) agreeing at a later date to participate as
9 a member of the governmental entity referred to in
10 paragraph (2)(A), or by contract with such entity, in
11 the construction or operation of the regional facility
12 to be constructed on the parcel of land conveyed
13 under this section.”.

14 (b) TIME FOR CONSTRUCTION AND OPERATION OF
15 CORRECTIONAL FACILITY.—(1) Subsection (d)(1)(A)(i) of
16 such section is amended by striking out “not later than
17 24 months after the date of the enactment of this Act”
18 and inserting in lieu thereof “not later than April 1,
19 1997”.

20 (2) The Secretary of the Army shall provide the recip-
21 ient of the conveyance of property under section 603 of
22 such Act with such legal instrument as is appropriate to
23 modify, in accordance with the amendment made by para-
24 graph (1), any statement of conditions contained in any
25 existing instrument which conveyed the property to that

1 recipient. The Secretary shall record the instrument in the
2 appropriate office or officers of the Commonwealth of Vir-
3 ginia or political subdivision within the Commonwealth.

4 **SEC. 2832. MODIFICATION OF CONVEYANCE OF ELEC-**
5 **TRICITY DISTRIBUTION SYSTEM, FORT DIX,**
6 **NEW JERSEY.**

7 Section 2846 of the Military Construction Authoriza-
8 tion Act for Fiscal Year 1994 (division B of Public Law
9 103–160; 107 Stat. 1904) is amended—

- 10 (1) by striking out subsection (f); and
11 (2) by redesignating subsections (g) and (h) as
12 subsections (f) and (g), respectively.

13 **SEC. 2833. MODIFICATION OF LAND CONVEYANCE, FORT**
14 **KNOX, KENTUCKY.**

15 Section 2816 of the Military Construction Authoriza-
16 tion Act for Fiscal Years 1990 and 1991 (division B of
17 Public Law 101–189; 103 Stat. 1655) is amended—

- 18 (1) in subsection (c), by striking out “for the
19 construction of up to four units of military family
20 housing at Fort Knox, Kentucky” and inserting in
21 lieu thereof “for improvements to military family
22 housing at Fort Knox, Kentucky, in an amount not
23 to exceed \$255,000”;
24 (2) by striking out subsection (d); and

1 (3) by redesignating subsections (e) and (f) as
2 subsections (d) and (e), respectively.

3 **SEC. 2834. PRESERVATION OF CALVERTON PINE BARRENS,**
4 **NAVAL WEAPONS INDUSTRIAL RESERVE**
5 **PLANT, NEW YORK, AS NATURE PRESERVE.**

6 (a) PRESERVATION AS NATURE PRESERVE RE-
7 QUIRED.—Section 2854 of the Military Construction Au-
8 thorization Act for Fiscal Year 1993 (division B of Public
9 Law 102–484; 106 Stat. 2626) is amended—

10 (1) by redesignating subsections (a) and (b) as
11 subsections (c) and (d); and

12 (2) by inserting before subsection (c), as so re-
13 designated, the following new subsections (a) and
14 (b):

15 “(a) PURPOSE.—It is the purpose of this section to
16 ensure that the Calverton Pine Barrens is maintained and
17 preserved, in perpetuity, as a nature preserve in its cur-
18 rent undeveloped state.

19 “(b) PROHIBITION ON INCONSISTENT DEVELOP-
20 MENT.—(1) The Secretary of the Navy may not carry out
21 or permit any commercial or residential development of
22 the property referred to in paragraph (2) that is inconsis-
23 tent with the purpose specified in subsection (a).

1 “(2) Paragraph (1) applies to any parcel of real prop-
 2 erty within the Calverton Pine Barrens that is under the
 3 jurisdiction of the Secretary.”.

4 (b) CONFORMING AMENDMENTS.—Subsection (c) of
 5 such section, as redesignated by subsection (a)(1), is
 6 amended—

7 (1) by striking out “PROHIBITION.—” and in-
 8 serting in lieu thereof “REVERSIONARY INTER-
 9 EST.—”; and

10 (2) by striking out “for commercial purposes”
 11 and all that follows through the period and inserting
 12 in lieu thereof “in a manner inconsistent with the
 13 purpose specified in subsection (a) (as determined by
 14 the head of the department or agency making the
 15 conveyance).”.

16 **Subtitle E—Other Matters**

17 **SEC. 2841. JOINT CONSTRUCTION CONTRACTING FOR COM-** 18 **MISSARIES AND NONAPPROPRIATED FUND** 19 **INSTRUMENTALITY FACILITIES.**

20 (a) SINGLE CONTRACT CONSTRUCTION.—Section
 21 2685 of title 10, United States Code, is amended by add-
 22 ing at the end the following new subsection:

23 “(d)(1) The Secretary of a military department may
 24 authorize a nonappropriated fund instrumentality of the
 25 United States to enter into a contract for construction of

1 a shopping mall or similar facility for a commissary store
 2 and one or more nonappropriated fund instrumentality ac-
 3 tivities. The Secretary may use the proceeds of adjust-
 4 ments or surcharges authorized by subsection (a) to reim-
 5 burse the nonappropriated fund instrumentality for the
 6 portion of the cost of the contract that is attributable to
 7 construction of the commissary store or to pay the con-
 8 tractor directly for that portion of such cost.

9 “(2) In paragraph (1), the term ‘construction’, with
 10 respect to a facility, includes acquisition, conversion, ex-
 11 pansion, installation, or other improvement of the facil-
 12 ity.”.

13 (b) OBLIGATION OF ANTICIPATED PROCEEDS.—Sub-
 14 section (c) of such section is amended by inserting “or
 15 (d)” after “subsection (b)” both places it appears.

16 **SEC. 2842. NATIONAL GUARD FACILITY CONTRACTS SUB-**
 17 **JECT TO PERFORMANCE SUPERVISION BY**
 18 **THE ARMY OR THE NAVY.**

19 (a) CONTRACTS SUBJECT TO SUPERVISION.—Sub-
 20 section (a) of section 2237 of title 10, United States Code,
 21 is amended by striking out “under any provision” and all
 22 that follows through “and (4)” and inserting in lieu there-
 23 of “under section 2233(a)(1)”.

1 (b) CONFORMING AMENDMENT.—Subsection (b) of
 2 such section is amended by striking out “or (4)” and in-
 3 serting in lieu thereof “(4), (5), or (6)”.

4 **SEC. 2843. WAIVER OF REPORTING REQUIREMENTS FOR**
 5 **CERTAIN REAL PROPERTY TRANSACTIONS IN**
 6 **THE EVENT OF WAR OR NATIONAL EMER-**
 7 **GENCY.**

8 Section 2662 of title 10, United States Code, is
 9 amended by adding at the end the following:

10 “(g)(1) Subsections (a) and (e) do not apply—

11 “(A) during a period described in paragraph
 12 (2); or

13 “(B) to transactions described in such sub-
 14 sections that are undertaken to restore Federal Gov-
 15 ernment operations, to provide public assistance or
 16 relief, or to restore public order in relation to a
 17 major disaster declared in accordance with the Rob-
 18 ert T. Stafford Disaster Relief and Emergency As-
 19 sistance Act (42 U.S.C. 5121 et seq.).

20 “(2) The periods referred to in paragraph (1)(A) are
 21 as follows:

22 “(A) A period of war declared by Congress.

23 “(B) A period of national emergency declared
 24 by the President in accordance with the National
 25 Emergencies Act (50 U.S.C. 1601 et seq.)

1 “(3) Not later than 30 days after taking an action
2 for which prior notification would, except for this sub-
3 section, otherwise be required under subsection (a) or (e),
4 the Secretary of the military department concerned or, in
5 the case of an element of the Department of Defense not
6 within a military department, the Secretary of Defense
7 shall submit to the Committees on Armed Services of the
8 Senate and the House of Representatives a report on the
9 action taken.”.

10 **SEC. 2844. REPORT ON USE OF FUNDS FOR ENVIRON-**
11 **MENTAL RESTORATION AT CORNHUSKER**
12 **ARMY AMMUNITION PLANT, HALL COUNTY,**
13 **NEBRASKA.**

14 (a) REPORT REQUIRED.—The Secretary of the Army
15 shall submit to Congress a report describing the manner
16 in which funds available to the Army for operation and
17 maintenance (including funds in the Defense Environ-
18 mental Restoration Account established under section
19 2703(a)(1) of title 10, United States Code) will be used
20 by the Secretary for environmental restoration and main-
21 tenance of the real property that comprises the
22 Cornhusker Army Ammunition Plant, Hall County, Ne-
23 braska.

24 (b) CONTENTS.—The report shall include the follow-
25 ing:

1 (1) The funding plan for environmental restora-
2 tion at the Cornhusker Army Ammunition Plant.

3 (2) A legal opinion stating whether any portion
4 of the funds to be used for such environmental res-
5 toration may be used for the repair of the roads at
6 the Plant in order to bring such roads into compli-
7 ance with applicable State and local public works
8 codes.

9 (3) A survey of the roads at the Plant that
10 identifies which roads, if any, are in need of repair
11 in order to bring the roads at the Plant into compli-
12 ance with such codes.

13 (4) An estimate of the cost of the repair of the
14 roads referred to in paragraph (3) in order to bring
15 the roads into compliance.

16 (5) An explanation of the purpose, cost, and
17 source of funds for any proposed preservation of
18 documents or other materials relating to the cul-
19 tural, historical, and natural resources associated
20 with the Plant.

21 (c) SUBMISSION OF REPORT.—The Secretary shall
22 submit the report required by this section not later than
23 May 1, 1995.

1 **SEC. 2845. DEPARTMENT OF DEFENSE LABORATORY REVI-**
2 **TALIZATION DEMONSTRATION PROGRAM.**

3 (a) PROGRAM REQUIRED.—The Secretary of Defense
4 shall carry out a Department of Defense Laboratory Revi-
5 talization Demonstration Program. Under the program
6 the Secretary may carry out minor military construction
7 projects in accordance with subsection (b) and other appli-
8 cable law to improve Department of Defense laboratories
9 covered by the program.

10 (b) INCREASED MAXIMUM AMOUNTS APPLICABLE TO
11 MINOR CONSTRUCTION PROJECTS.—For purpose of any
12 military construction project carried out under the pro-
13 gram—

14 (1) the amount provided in subsection (a)(1) of
15 section 2805 of title 10, United States Code, shall
16 be deemed to be \$3,000,000;

17 (2) the amount provided in subsection (b)(1) of
18 such section shall be deemed to be \$1,500,000; and

19 (3) the amount provided in subsection (c)(1) of
20 such section shall be deemed to be \$1,000,000.

21 (c) DESIGNATION OF COVERED LABORATORIES.—
22 Not later than 30 days before commencing the program,
23 the Secretary shall designate the Department of Defense
24 laboratories that are to be covered by the program and
25 notify Congress of the laboratories so designated. Only the
26 designated laboratories may be covered by the program.

1 (d) REPORT.—Not later than September 30, 1998,
2 the Secretary shall submit to Congress a report on the
3 program. The report shall include the Secretary’s conclu-
4 sions and recommendations regarding the desirability and
5 feasibility of extending the authority set forth in sub-
6 section (b) to cover all Department of Defense labora-
7 tories.

8 (e) EXCLUSIVITY OF PROGRAM.—Nothing in this sec-
9 tion may be construed to limit any other authority pro-
10 vided by law for any military construction project at a De-
11 partment of Defense laboratory covered by the program.

12 (f) DEFINITIONS.—In this section:

13 (1) The term “laboratory” includes—

14 (A) a research, engineering, and develop-
15 ment center;

16 (B) a test and evaluation activity owned,
17 funded, and operated by the Federal Govern-
18 ment through the Department of Defense; and

19 (C) a supporting facility of a laboratory.

20 (2) The term “supporting facility”, with respect
21 to a laboratory, means any building or structure
22 that is used in support of research, development,
23 test, and evaluation at a laboratory.

1 (3) The term “Department of Defense labora-
2 tory” does not include a contractor owned labora-
3 tory.

4 (g) EXPIRATION OF AUTHORITY.—The Secretary
5 may not carry out the program after September 30, 1999.

6 **SEC. 2846. AGREEMENTS OF SETTLEMENT FOR RELEASE**
7 **OF IMPROVEMENTS AT OVERSEAS MILITARY**
8 **INSTALLATIONS.**

9 (a) AGREEMENTS SUBJECT TO OMB REVIEW.—Sub-
10 section (g) of section 2921 of the Military Construction
11 Authorization Act for Fiscal Year 1991 (division B of
12 Public Law 101–510; 10 U.S.C. 2687 note) is amended
13 by inserting after the first sentence the following: “The
14 prohibition set forth in the preceding sentence shall apply
15 only to agreements of settlement for improvements having
16 a value in excess of \$10,000,000.”.

17 (b) REPORTS TO CONGRESS.—Such subsection, as
18 amended by subsection (a), is further amended—

19 (1) by inserting “(1)” before “The Secretary of
20 Defense”; and

21 (2) by adding at the end the following:

22 “(2) Each year, the Secretary shall submit to the
23 Committees on Armed Services of the Senate and the
24 House of Representatives a report on each proposed agree-
25 ment of settlement that was not submitted by the Sec-

1 retary to the Director of the Office of Management and
2 Budget in the previous year under paragraph (1) because
3 the value of the improvements to be released pursuant to
4 the proposed agreement did not exceed \$10,000,000.”.

5 **DIVISION C—DEPARTMENT OF**
6 **ENERGY NATIONAL SECURITY**
7 **AUTHORIZATIONS AND**
8 **OTHER AUTHORIZATIONS**
9 **TITLE XXXI—DEPARTMENT OF**
10 **ENERGY NATIONAL SECURITY**
11 **PROGRAMS**

12 **Subtitle A—National Security**
13 **Programs Authorizations**

14 **SEC. 3101. WEAPONS ACTIVITIES.**

15 (a) RESEARCH AND DEVELOPMENT.—Subject to sub-
16 section (f), funds are hereby authorized to be appropriated
17 to the Department of Energy for fiscal year 1995 for re-
18 search and development in carrying out weapons activities
19 necessary for national security programs in the amount
20 of \$1,187,818,000, to be allocated as follows:

21 (1) For core research and development,
22 \$795,551,000, to be allocated as follows:

23 (A) For operating expenses, \$649,341,000.

24 (B) For capital equipment, \$69,420,000.

1 (C) For plant projects (including mainte-
2 nance, restoration, planning, construction, ac-
3 quisition, modification of facilities, and the con-
4 tinuation of projects authorized in prior years,
5 and land acquisition related thereto),
6 \$76,790,000, to be allocated as follows:

7 Project GPD-101, general plant
8 projects, various locations, \$8,500,000.

9 Project 95-D-102, Chemical and
10 Metallurgy Research Building upgrades,
11 Los Alamos National Laboratory, New
12 Mexico, \$3,300,000.

13 Project 94-D-102, nuclear weapons
14 research, development, and testing facili-
15 ties revitalization, Phase V, various loca-
16 tions, \$13,000,000.

17 Project 92-D-102, nuclear weapons
18 research, development, and testing facili-
19 ties revitalization, Phase IV, various loca-
20 tions, \$21,810,000.

21 Project 90-D-102, nuclear weapons
22 research, development, and testing facili-
23 ties revitalization, Phase III, various loca-
24 tions, \$7,700,000.

1 Project 88–D–106, nuclear weapons
2 research, development, and testing facili-
3 ties revitalization, Phase II, various loca-
4 tions, \$22,480,000.

5 (2) For inertial fusion, \$176,473,000, to be al-
6 located as follows:

7 (A) For operating expenses, \$166,755,000.

8 (B) For capital equipment, \$9,718,000.

9 (3) For technology transfer, \$215,794,000, to
10 be allocated as follows:

11 (A) For operating expenses, \$209,794,000.

12 (B) For capital equipment, \$6,000,000.

13 (b) TESTING.—Subject to subsection (f), funds are
14 hereby authorized to be appropriated to the Department
15 of Energy for fiscal year 1995 for testing in carrying out
16 weapons activities necessary for national security pro-
17 grams in the amount of \$384,719,000, to be allocated as
18 follows:

19 (1) For testing capabilities and readiness
20 \$374,719,000, to be allocated as follows:

21 (A) For operating expenses, \$338,249,000.

22 (B) For capital equipment, \$15,470,000.

23 (C) For plant projects (including mainte-
24 nance, restoration, planning, construction, ac-
25 quisition, modification of facilities, and the con-

1 tinuation of projects authorized in prior years,
2 and land acquisition related thereto),
3 \$21,000,000, to be allocated as follows:

4 Project GPD-101, general plant
5 projects, various locations, \$4,000,000.

6 Project 93-D-102, Nevada support
7 facility, North Las Vegas, Nevada,
8 \$17,000,000.

9 (2) For operating expenses for solar energy de-
10 velopment, \$10,000,000.

11 (c) STOCKPILE SUPPORT.—Subject to subsection (f),
12 funds are hereby authorized to be appropriated to the De-
13 partment of Energy for fiscal year 1995 for stockpile sup-
14 port in carrying out weapons activities necessary for na-
15 tional security programs in the amount of
16 \$1,557,085,000, to be allocated as follows:

17 (1) For operating expenses for stockpile sup-
18 port, \$1,487,085,000.

19 (2) For capital equipment, \$15,880,000.

20 (3) For plant projects (including maintenance,
21 restoration, planning, construction, acquisition,
22 modification of facilities, and the continuation of
23 projects authorized in prior years, and land acquisi-
24 tion related thereto), \$54,120,000, to be allocated as
25 follows:

1 Project GPD-121, general plant projects,
2 various locations, \$1,000,000.

3 Project 95-D-122, sanitary sewer upgrade
4 Oak Ridge Y-12 Plant, Oak Ridge, Tennessee,
5 \$2,200,000.

6 Project 95-D-123, replace transportation
7 safeguards, aviation facility, Albuquerque, New
8 Mexico, \$2,000,000.

9 Project 94-D-124, hydrogen fluoride sup-
10 ply system, Oak Ridge Y-12 Plant, Oak Ridge,
11 Tennessee, \$6,300,000.

12 Project 94-D-125, upgrade life safety,
13 Kansas City Plant, Kansas City, Missouri,
14 \$1,000,000.

15 Project 94-D-127, emergency notification
16 system, Pantex Plant, Amarillo, Texas,
17 \$1,000,000.

18 Project 94-D-128, environmental safety
19 and health analytical laboratory, Pantex Plant,
20 Amarillo, Texas, \$1,000,000.

21 Project 93-D-122, life safety upgrades,
22 Y-12 Plant, Oak Ridge, Tennessee,
23 \$5,000,000.

1 Project 88-D-122, facilities capability as-
2 surance program, various locations,
3 \$19,620,000.

4 Project 88-D-123, security enhancements,
5 Pantex Plant, Amarillo, Texas, \$15,000,000.

6 (d) PROGRAM DIRECTION.—Subject to subsection (f),
7 funds are hereby authorized to be appropriated to the De-
8 partment of Energy for fiscal year 1995 for program di-
9 rection in carrying out weapons activities necessary for na-
10 tional security programs in the amount of \$169,852,000,
11 to be allocated as follows:

12 (1) For operating expenses for weapons pro-
13 gram direction, \$167,498,000.

14 (2) For capital equipment, \$2,354,000.

15 (e) RECONFIGURATION.—Subject to subsection (f),
16 funds are hereby authorized to be appropriated to the De-
17 partment of Energy for fiscal year 1995 for nuclear weap-
18 ons complex reconfiguration in carrying out weapons ac-
19 tivities necessary for national security programs in the
20 amount of \$152,271,000, to be allocated as follows:

21 (1) For operating expenses for reconfiguration,
22 \$94,271,000.

23 (2) For plant projects (including maintenance,
24 restoration, planning, construction, acquisition,
25 modification of facilities, and the continuation of

1 projects authorized in prior years, and land acqui-
2 sition related thereto), \$58,000,000, all of which to be
3 allocated as follows:

4 Project 93–D–123, complex-21, various lo-
5 cations.

6 (f) ADJUSTMENTS.—Subject to section 3105, the
7 total amount authorized to be appropriated pursuant to
8 this section is the sum of the amounts authorized to be
9 appropriated in subsections (a) through (e) reduced by the
10 sum of—

11 (1) \$131,077,000, for use of prior year bal-
12 ances; and

13 (2) \$11,000,000, for savings resulting from
14 procurement reform.

15 **SEC. 3102. ENVIRONMENTAL RESTORATION AND WASTE**
16 **MANAGEMENT.**

17 (a) CORRECTIVE ACTIVITIES.—Subject to subsection
18 (h), funds are hereby authorized to be appropriated to the
19 Department of Energy for fiscal year 1995 for corrective
20 activities in carrying out environmental restoration and
21 waste management activities necessary for national secu-
22 rity programs in the amount of \$1,012,000, all of which
23 to be allocated to a plant project (including maintenance,
24 restoration, planning, construction, acquisition, modifica-
25 tion of facilities, and the continuation of projects author-

1 ized in prior years, and land acquisition related thereto)
2 as follows:

3 Project 92–D–403, tank upgrades project, Law-
4 rence Livermore National Laboratory, California.

5 (b) ENVIRONMENTAL RESTORATION.—(1) Subject to
6 paragraph (2), funds are hereby authorized to be appro-
7 priated to the Department of Energy for fiscal year 1995
8 for environmental restoration for operating expenses in
9 carrying out environmental restoration and waste manage-
10 ment activities necessary for national security programs
11 in the amount of \$1,531,969,000.

12 (2) Subject to subsection (h), the amount authorized
13 to be appropriated pursuant to this subsection is the
14 amount authorized to be appropriated in paragraph (1)
15 reduced by \$133,900,000, as a result of the productivity
16 savings initiative.

17 (c) WASTE MANAGEMENT.—(1) Subject to paragraph
18 (2), funds are hereby authorized to be appropriated to the
19 Department of Energy for fiscal year 1995 for waste man-
20 agement in carrying out environmental restoration and
21 waste management activities necessary for national secu-
22 rity programs in the amount of \$2,913,045,000, to be allo-
23 cated as follows:

24 (A) For operating expenses, \$2,408,029,000.

25 (B) For capital equipment, \$104,790,000.

1 (C) For plant projects (including maintenance,
2 restoration, planning, construction, acquisition,
3 modification of facilities, and the continuation of
4 projects authorized in prior years, and land acquisition
5 related thereto), \$400,226,000, to be allocated
6 as follows:

7 Project GPD-171, general plant projects,
8 various locations, \$23,742,000.

9 Project 95-D-401, radiological support facilities,
10 Richland, Washington, \$1,585,000.

11 Project 95-D-402, install permanent electrical
12 service, Waste Isolation Pilot Plant, New
13 Mexico, \$700,000.

14 Project 95-D-403, hazardous waste storage
15 facility, Mound Plant, Miamisburg, Ohio,
16 \$597,000.

17 Project 95-D-405, industrial landfill V
18 and construction demolition landfill VII, Oak
19 Ridge Y-12 Plant, Oak Ridge, Tennessee,
20 \$1,000,000.

21 Project 95-D-406, road 5-01 reconstruction,
22 area 5, Nevada Test Site, Nevada,
23 \$2,338,000.

1 Project 95-D-407, 219-S secondary con-
2 tainment upgrade, Richland, Washington,
3 \$2,000,000.

4 Project 95-D-408, Phase II liquid effluent
5 treatment and disposal, Richland, Washington,
6 \$7,100,000.

7 Project 94-D-400, high explosive
8 wastewater treatment system, Los Alamos Na-
9 tional Laboratory, Los Alamos, New Mexico,
10 \$1,000,000.

11 Project 94-D-402, liquid waste treatment
12 system, Nevada Test Site, Nevada, \$3,292,000.

13 Project 94-D-404, Melton Valley storage
14 tank capacity increase, Oak Ridge National
15 Laboratory, Oak Ridge, Tennessee,
16 \$21,373,000.

17 Project 94-D-406, low-level waste disposal
18 facilities, K-25, Oak Ridge, Tennessee,
19 \$6,000,000.

20 Project 94-D-407, initial tank retrieval
21 systems, Richland, Washington, \$17,700,000.

22 Project 94-D-408, office facilities—200
23 East, Richland, Washington, \$4,000,000.

24 Project 94-D-411, solid waste operation
25 complex, Richland, Washington, \$42,200,000.

1 Project 94-D-416, solvent storage tanks
2 installation, Savannah River, South Carolina,
3 \$1,700,000.

4 Project 94-D-417, intermediate-level and
5 low-activity waste vaults, Savannah River,
6 South Carolina, \$300,000.

7 Project 93-D-174, plant drain waste
8 water treatment upgrades, Y-12 Plant, Oak
9 Ridge, Tennessee, \$1,400,000.

10 Project 93-D-178, building 374 liquid
11 waste treatment facility, Rocky Flats, Golden,
12 Colorado, \$3,300,000.

13 Project 93-D-181, radioactive liquid waste
14 line replacement, Richland, Washington,
15 \$3,300,000.

16 Project 93-D-182, replacement of cross-
17 site transfer system, Richland, Washington,
18 \$18,910,000.

19 Project 93-D-183, multi-tank waste stor-
20 age facility, Richland, Washington,
21 \$95,305,000.

22 Project 93-D-187, high-level waste re-
23 moval from filled waste tanks, Savannah River,
24 Aiken, South Carolina, \$26,525,000.

1 Project 92-D-177, tank 101-AZ waste re-
2 trieval system, Richland, Washington,
3 \$5,000,000.

4 Project 92-D-188, waste management
5 ES&H, and compliance activities, various loca-
6 tions, \$2,846,000.

7 Project 91-D-171, waste receiving and
8 processing facility, module 1, Richland, Wash-
9 ington, \$3,995,000.

10 Project 90-D-172, aging waste transfer
11 line, Richland, Washington, \$3,819,000.

12 Project 90-D-177, RWMC transuranic
13 (TRU) waste characterization and storage facil-
14 ity, Idaho National Engineering Laboratory,
15 Idaho, \$11,747,000.

16 Project 90-D-178, TSA retrieval contain-
17 ment building, Idaho National Engineering
18 Laboratory, Idaho, \$7,594,000.

19 Project 89-D-173, tank farm ventilation
20 upgrade, Richland, Washington, \$800,000.

21 Project 89-D-174, replacement high-level
22 waste evaporator, Savannah River, South Caro-
23 lina, \$18,000,000.

1 Project 89-D-175, hazardous waste/mixed
2 waste disposal facility, Savannah River, South
3 Carolina, \$500,000.

4 Project 86-D-103, decontamination and
5 waste treatment facility, Lawrence Livermore
6 National Laboratory, California, \$9,500,000.

7 Project 83-D-148, nonradioactive hazard-
8 ous waste management, Savannah River, South
9 Carolina, \$6,000,000.

10 Project 81-T-105, defense waste process-
11 ing facility, Savannah River, South Carolina,
12 \$45,058,000.

13 (2) Subject to subsection (h), the total amount au-
14 thorized to be appropriated pursuant to this subsection is
15 the sum of the amounts authorized to be appropriated in
16 paragraph (1) reduced by \$160,800,000, as a result of the
17 productivity savings initiative.

18 (d) TECHNOLOGY DEVELOPMENT.—Subject to sub-
19 section (h), funds are hereby authorized to be appro-
20 priated to the Department of Energy for fiscal year 1995
21 for technology development in carrying out environmental
22 restoration and waste management activities necessary for
23 national security programs in the amount of
24 \$426,409,000, to be allocated as follows:

25 (1) For operating expenses, \$400,974,000.

1 (2) For capital equipment, \$25,435,000.

2 (e) TRANSPORTATION MANAGEMENT.—Subject to
3 subsection (h), funds are hereby authorized to be appro-
4 priated to the Department of Energy for fiscal year 1995
5 for transportation management in carrying out environ-
6 mental restoration and waste management activities nec-
7 essary for national security programs in the amount of
8 \$20,684,000, to be allocated as follows:

9 (1) For operating expenses, \$20,240,000.

10 (2) For capital equipment, \$444,000.

11 (f) PROGRAM DIRECTION.—Subject to subsection (h),
12 funds are hereby authorized to be appropriated to the De-
13 partment of Energy for fiscal year 1995 for program di-
14 rection in carrying out environmental restoration and
15 waste management activities necessary for national secu-
16 rity programs in the amount of \$84,948,000, to be allo-
17 cated as follows:

18 (1) For operating expenses, \$83,748,000.

19 (2) For capital equipment, \$1,200,000.

20 (g) FACILITY TRANSITION AND MANAGEMENT.—(1)
21 Subject to paragraph (2), funds are hereby authorized to
22 be appropriated to the Department of Energy for fiscal
23 year 1995 for facility transition and management in carry-
24 ing out environmental restoration and waste management

1 activities necessary for national security programs in the
2 amount of \$791,857,000, to be allocated as follows:

3 (A) For operating expenses, \$681,550,000.

4 (B) For capital equipment, \$23,947,000.

5 (C) For plant projects (including maintenance,
6 restoration, planning, construction, acquisition,
7 modification of facilities, and the continuation of
8 projects authorized in prior years, and land acquisition
9 related thereto), \$86,360,000, to be allocated as
10 follows:

11 Project GPD-171, general plant projects,
12 various locations, \$20,495,000.

13 Project 95-D-453, primary highway route
14 north of the Wye Barricade, Richland, Wash-
15 ington, \$2,500,000.

16 Project 95-D-454, 324 facility compliance/
17 renovation, Richland, Washington, \$1,500,000.

18 Project 95-D-455, Idaho National Engi-
19 neering Laboratory radio communications up-
20 grade, Idaho National Engineering Laboratory,
21 Idaho, \$1,440,000.

22 Project 95-D-456, security facilities up-
23 grade, Idaho Chemical Processing Plant, Idaho
24 National Engineering Laboratory, Idaho,
25 \$986,000.

1 Project 94-D-122, underground storage
2 tanks, Rocky Flats, Colorado, \$2,500,000.

3 Project 94-D-401, emergency response fa-
4 cility, Idaho National Engineering Laboratory,
5 Idaho, \$5,219,000.

6 Project 94-D-412, 300 area process sewer
7 piping upgrade, Richland, Washington,
8 \$7,800,000.

9 Project 94-D-415, medical facilities, Idaho
10 National Engineering Laboratory, Idaho,
11 \$4,920,000.

12 Project 94-D-451, infrastructure replace-
13 ment, Rocky Flats Plant, Golden, Colorado,
14 \$10,600,000.

15 Project 93-D-172, electrical upgrade,
16 Idaho National Engineering Laboratory, Idaho,
17 \$7,800,000.

18 Project 93-D-184, 325 facility compliance/
19 renovation, Richland, Washington, \$1,000,000.

20 Project 93-D-186, 200 area unsecured
21 core area fabrication shop, Richland, Washing-
22 ton, \$4,000,000.

23 Project 92-D-125, master safeguards and
24 security agreement/materials surveillance task

1 force security upgrades, Rocky Flats Plant,
2 Golden, Colorado, \$2,100,000.

3 Project 92-D-181, INEL fire and life
4 safety improvements, Idaho National Engineer-
5 ing Laboratory, Idaho, \$6,000,000.

6 Project 92-D-182, INEL sewer system
7 upgrade, Idaho National Engineering Labora-
8 tory, Idaho, \$1,900,000.

9 Project 92-D-186, steam system rehabili-
10 tation, Phase II, Richland, Washington,
11 \$5,600,000.

12 (2) Subject to subsection (h), the total amount au-
13 thorized to be appropriated pursuant to this subsection is
14 the sum of the amounts authorized to be appropriated in
15 paragraph (1) reduced by \$5,000,000, as a result of the
16 productivity savings initiative.

17 (h) PRIOR YEAR BALANCES.—Subject to section
18 3105, the total amount authorized to be appropriated pur-
19 suant to this section is the sum of the amounts authorized
20 to be appropriated in subsections (a), (b)(2), (c)(2), (d),
21 (e), (f), and (g)(2) reduced by the sum of—

22 (1) \$240,300,000 for use of prior year bal-
23 ances; and

24 (2) \$17,500,000 for savings resulting from pro-
25 curement reform.

1 **SEC. 3103. NUCLEAR MATERIALS SUPPORT AND OTHER DE-**
2 **FENSE PROGRAMS.**

3 (a) MATERIALS SUPPORT.—Subject to subsection
4 (d), funds are hereby authorized to be appropriated to the
5 Department of Energy for fiscal year 1995 for materials
6 support in carrying out nuclear materials support nec-
7 essary for national security programs in the amount of
8 \$887,225,000, to be allocated as follows:

9 (1) For reactor operations, \$163,634,000.

10 (2) For processing of nuclear materials,
11 \$369,468,000.

12 (3) For support services, \$167,776,000.

13 (4) For capital equipment, \$39,427,000.

14 (5) For plant projects (including maintenance,
15 restoration, planning, construction, acquisition,
16 modification of facilities, and the continuation of
17 projects authorized in prior years, and land acqui-
18 sition related thereto), \$88,950,000, to be allocated as
19 follows:

20 Project GPD-146, general plant projects,
21 various locations, \$21,000,000.

22 Project 95-D-154, health physics site sup-
23 port facility, Savannah River, South Carolina,
24 \$2,000,000.

1 Project 95-D-155, upgrade site road in-
2 frastructure, Savannah River, South Carolina,
3 \$750,000.

4 Project 95-D-156, radio trunking system,
5 Savannah River, South Carolina, \$2,100,000.

6 Project 95-D-157, D-area powerhouse life
7 extension, Savannah River, South Carolina,
8 \$4,000,000.

9 Project 95-D-158, disassembly basin up-
10 grades K, L, and P, Savannah River, South
11 Carolina, \$13,000,000.

12 Project 93-D-147, domestic water system
13 upgrade, Phases I and II, Savannah River,
14 South Carolina, \$11,300,000.

15 Project 93-D-148, replace high-level drain
16 lines, Savannah River, South Carolina,
17 \$2,700,000.

18 Project 93-D-152, environmental modi-
19 fication for production facilities, Savannah
20 River, South Carolina, \$2,900,000.

21 Project 92-D-143, health protection in-
22 strument calibration facility, Savannah River,
23 South Carolina, \$3,000,000.

1 Project 90–D–149, plantwide fire protec-
2 tion, Phases I and II, Savannah River, South
3 Carolina, \$21,000,000.

4 Project 92–D–150, operations support fa-
5 cilities, Savannah River, South Carolina,
6 \$2,000,000.

7 Project 92–D–153, engineering support fa-
8 cility, Savannah River, South Carolina,
9 \$3,200,000.

10 (6) For program direction, \$58,000,000.

11 (b) OTHER DEFENSE PROGRAMS.—Subject to sub-
12 section (d), funds are hereby authorized to be appro-
13 priated to the Department of Energy for fiscal year 1995
14 for other defense programs in carrying out defense pro-
15 grams necessary for national security programs in the
16 amount of \$692,204,000, to be allocated as follows:

17 (1) For verification and control technology,
18 \$358,102,000, to be allocated as follows:

19 (A) For operating expenses, \$342,229,000.

20 (B) For capital equipment, \$15,873,000.

21 (2) For nuclear safeguards and security,
22 \$85,816,000, to be allocated as follows:

23 (A) For operating expenses, \$82,421,000.

24 (B) For capital equipment, \$3,395,000.

25 (3) For security investigations, \$38,827,000.

1 (4) For security evaluations, \$14,780,000.

2 (5) For the Office of Nuclear Safety,
3 \$24,679,000, to be allocated as follows:

4 (A) For operating expenses, \$24,629,000.

5 (B) For capital equipment, \$50,000.

6 (6) For worker and community transition,
7 \$120,000,000.

8 (7) For fissile material control and disposition,
9 \$50,000,000.

10 (c) NAVAL REACTORS.—Subject to subsection (d),
11 funds are hereby authorized to be appropriated to the De-
12 partment of Energy for fiscal year 1995 for naval reactors
13 in carrying out nuclear materials support and other de-
14 fense programs necessary for national security programs
15 in the amount of \$730,651,000, to be allocated as follows:

16 (1) For naval reactors development,
17 \$698,651,000, to be allocated as follows:

18 (A) For operating expenses:

19 (i) For plant development,
20 \$146,700,000.

21 (ii) For reactor development,
22 \$348,951,000.

23 (iii) For reactor operation and evalua-
24 tion, \$136,000,000.

1 (iv) For program direction,
2 \$18,800,000.

3 (B) For capital equipment, \$28,200,000.

4 (C) For plant projects (including maintenance,
5 restoration, planning, construction, acquisition,
6 modification of facilities, and the continuation of projects
7 authorized in prior years, and land acquisition related thereto),
8 \$20,000,000, to be allocated as follows:

10 Project GPN-101, general plant
11 projects, various locations, \$6,200,000.

12 Project 95-D-200, laboratory systems
13 and hot cell upgrades, various locations,
14 \$2,400,000.

15 Project 95-D-201, advanced test reactor
16 radioactive waste system upgrades, Idaho National Engineering
17 Laboratory, Idaho, \$700,000.

19 Project 93-D-200, engineering services
20 facilities, Knolls Atomic Power Laboratory,
21 Niskayuna, New York, \$7,900,000.

23 Project 92-D-200, laboratories facilities
24 upgrades, various locations,
25 \$2,800,000.

1 (2) For enrichment materials, for operating ex-
2 penses, \$32,000,000.

3 (d) ADJUSTMENTS.—Subject to section 3105, the
4 total amount that may be appropriated pursuant to this
5 section is the sum of the amounts authorized to be appro-
6 priated in subsections (a), (b), and (c) reduced by the sum
7 of —

8 (1) \$40,000,000, for recovery of overpayment to
9 the Savannah River Pension Fund;

10 (2) \$6,500,000, for savings resulting from pro-
11 curement reform; and

12 (3) \$369,700,000, for transfer and use of prior
13 year balances for materials support and other de-
14 fense programs.

15 **SEC. 3104. DEFENSE NUCLEAR WASTE DISPOSAL.**

16 Funds are hereby authorized to be appropriated to
17 the Department of Energy for fiscal year 1995 for pay-
18 ment to the Nuclear Waste Fund established in section
19 302(c) of the Nuclear Waste Policy Act of 1982 (42
20 U.S.C. 10222(c)) in the amount of \$129,430,000.

21 **SEC. 3105. GENERAL REDUCTION IN AUTHORIZATION OF**
22 **APPROPRIATIONS.**

23 The total amount authorized to be appropriated pur-
24 suant to sections 3101, 3102, 3103, and 3104 is the sum
25 of the amounts authorized to be appropriated in such sec-

1 tions reduced by \$220,000,000 for use of prior year bal-
2 ances from 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
12 for that program by this title; or

13 (ii) \$10,000,000 more than the amount
14 authorized 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
17 been 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
21 the congressional defense committees a report con-
22 taining a full and complete statement of the action
23 proposed to be taken and the facts and cir-
24 cumstances relied upon in support of the proposed
25 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 cer-
8 tain.

9 (b) LIMITATION ON AMOUNT OBLIGATED.—In no
10 event may the total amount of funds obligated pursuant
11 to this title exceed the total amount authorized to be ap-
12 propriated by this title.

13 **SEC. 3122. LIMITS ON GENERAL PLANT PROJECTS.**

14 (a) IN GENERAL.—The Secretary of Energy may
15 carry out any construction project under the general plant
16 projects authorized by this title if the total estimated cost
17 of the construction project does not exceed \$2,000,000.

18 (b) REPORT TO CONGRESS.—If, at any time during
19 the construction of any general plant project authorized
20 by this title, the estimated cost of the project is revised
21 because of unforeseen cost variations and the revised cost
22 of the project exceeds \$2,000,000, the Secretary shall im-
23 mediately furnish a complete report to the congressional
24 defense committees explaining the reasons for the cost
25 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
6 the current estimated cost of the construction project,
7 which is authorized by section 3101, 3102, or 3103, or
8 which is in support of national security programs of the
9 Department of Energy and was authorized by any pre-
10 vious Act, exceeds by more than 25 percent the higher
11 of—

12 (A) the amount authorized for the project; or

13 (B) the amount of the total estimated cost for
14 the project as shown in the most recent budget jus-
15 tification data submitted to the Congress.

16 (2) An action described in paragraph (1) may be
17 taken if—

18 (A) the Secretary of Energy has submitted to
19 the congressional defense committees a report on the
20 action and the circumstances making such action
21 necessary; and

22 (B) a period of 30 days has elapsed after the
23 date on which the report is received by the commit-
24 tees.

25 (3) In the computation of the 30-day period under
26 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 cer-
3 tain.

4 (b) EXCEPTION.—Subsection (a) shall not apply to
5 any construction project which has a current estimated
6 cost of less than \$5,000,000.

7 **SEC. 3124. FUNDS TRANSFER AUTHORITY.**

8 The Secretary of Energy may transfer funds appro-
9 priated pursuant to this title to other agencies of the Fed-
10 eral Government for the performance of the work for
11 which the funds were appropriated, and funds so trans-
12 ferred may be merged with the appropriations of the agen-
13 cy to which the funds are transferred.

14 **SEC. 3125. AUTHORITY FOR CONSTRUCTION DESIGN.**

15 (a) IN GENERAL.—(1) Within the amounts author-
16 ized by this title, the Secretary of Energy may carry out
17 advance planning and construction design (including ar-
18 chitectural and engineering services) in connection with
19 any proposed construction project if the total estimated
20 cost for such planning and design does not exceed
21 \$3,000,000.

22 (2) In the case of any project in which the total esti-
23 mated cost for advance planning and design exceeds
24 \$600,000, the Secretary shall notify the congressional de-
25 fense committees in writing of the details of such project

1 at least 30 days before any funds are obligated for design
2 services for such project.

3 (b) SPECIFIC AUTHORITY REQUIRED.—In any case
4 in which the total estimated cost for advance planning and
5 construction design in connection with any construction
6 project exceeds \$3,000,000, funds for such planning and
7 design must be specifically authorized by law.

8 **SEC. 3126. REQUIREMENT FOR COMPLETION OF CONCEPTUAL DESIGN TO PRECEDE REQUEST FOR**
9 **CONSTRUCTION FUNDS.**
10

11 (a) REQUIREMENT.—Before submitting to Congress
12 a request for funds for a construction project that is in
13 support of a national security program of the Department
14 of Energy, the Secretary of Energy shall complete a conceptual design for that project.

16 (b) EXCEPTIONS.—The requirement in subsection (a)
17 does not apply to requests for funds—

18 (1) for the costs of preparing a conceptual design
19 for a construction project referred to in that
20 subsection; or

21 (2) for emergency planning, design, and construction
22 activities under section 3127.

1 **SEC. 3127. AUTHORITY FOR EMERGENCY PLANNING, DE-**
2 **SIGN, AND CONSTRUCTION ACTIVITIES.**

3 (a) **AUTHORITY.**—The Secretary of Energy may use
4 any funds available to the Department of Energy under
5 sections 3101, 3102, and 3103, including those funds au-
6 thorized to be appropriated for advance planning and con-
7 struction design, to perform planning, design, and con-
8 struction activities for any Department of Energy national
9 security program construction project that, as determined
10 by the Secretary, must proceed expeditiously in order to
11 protect public health and safety, meet the needs of na-
12 tional defense, or protect property.

13 (b) **LIMITATION.**—The Secretary may not exercise
14 the authority under subsection (a) in the case of any con-
15 struction project until the Secretary has submitted to the
16 congressional defense committees a report on the activities
17 that the Secretary intends to carry out under this section
18 and the circumstances making such activities necessary.

19 (c) **SPECIFIC AUTHORITY.**—The requirement of sec-
20 tion 3125(b) does not apply to emergency planning, de-
21 sign, and construction activities conducted under this sec-
22 tion.

23 (d) **REPORT.**—The Secretary of Energy shall prompt-
24 ly report to the congressional defense committees any ex-
25 ercise of authority under this section.

1 **SEC. 3128. FUNDS AVAILABLE FOR ALL NATIONAL SECU-**
2 **RITY PROGRAMS OF THE DEPARTMENT OF**
3 **ENERGY.**

4 Subject to the provisions of appropriation Acts and
5 section 3121, amounts appropriated pursuant to this title
6 that are made available for management and support ac-
7 tivities and for general plant projects are available for use,
8 when necessary, in connection with all national security
9 programs of the Department of Energy.

10 **SEC. 3129. AVAILABILITY OF FUNDS.**

11 When so specified in an appropriation Act, amounts
12 appropriated for operating expenses, plant projects, and
13 capital equipment may remain available until expended.

14 **Subtitle C—Program Authoriza-**
15 **tions, Restrictions, and Limita-**
16 **tions**

17 **SEC. 3131. STOCKPILE STEWARDSHIP RECRUITMENT AND**
18 **TRAINING PROGRAM.**

19 (a) CONDUCT OF PROGRAM.—(1) As part of the
20 stockpile stewardship program established pursuant to
21 section 3138 of the National Defense Authorization Act
22 for Fiscal Year 1994 (Public Law 103–160; 107 Stat.
23 1946; 42 U.S.C. 2121 note), the Secretary of Energy shall
24 conduct a stockpile stewardship recruitment and training
25 program at the Sandia National Laboratories, the Law-

1 rence Livermore National Laboratory, and the Los Ala-
2 mos National Laboratory.

3 (2) The recruitment and training program shall be
4 conducted in coordination with the Chairman of the Joint
5 Nuclear Weapons Council established by section 179 of
6 title 10, United States Code, and the directors of the lab-
7 oratories referred to in paragraph (1).

8 (b) SUPPORT OF DUAL-USE PROGRAMS.—(1) As
9 part of the recruitment and training program, the direc-
10 tors of the laboratories referred to in subsection (a)(1)
11 may employ undergraduate students, graduate students,
12 and postdoctoral fellows to carry out research sponsored
13 by such laboratories for military or nonmilitary dual-use
14 programs related to nuclear weapons stockpile steward-
15 ship.

16 (2) Of the amounts authorized to be appropriated to
17 the Secretary of Energy pursuant to section 3101(a)(1)
18 for weapons activities for core research and development
19 and allocated by the Secretary for education initiatives,
20 \$4,000,000 shall be available for carrying out paragraph
21 (1). The amount available under this paragraph shall be
22 allocated equally among the laboratories referred to in
23 subsection (a)(1).

24 (c) ESTABLISHMENT OF RETIREE CORPS.—As part
25 of the training and recruitment program, the Secretary,

1 in coordination with the directors of the laboratories re-
2 ferred to in subsection (a)(1), shall establish for the lab-
3 oratories a retiree corps of retired scientists who have ex-
4 pertise in research and development of nuclear weapons.
5 The directors may employ the retired scientists on a part-
6 time basis to provide appropriate assistance on nuclear
7 weapons issues, to contribute relevant information to be
8 archived, and to help to provide training to other sci-
9 entists.

10 (d) REPORT.—(1) Not later than February 1, 1995,
11 the Secretary of Energy shall submit to the congressional
12 defense committees a report on the demographic trends
13 of the personnel of the laboratories referred to in sub-
14 section (a)(1) and on actions taken by the Department
15 of Energy to remedy identified deficiencies in various skill
16 areas.

17 (2) The report shall be prepared in coordination with
18 the Chairman of the Joint Nuclear Weapons Council and
19 the directors of the laboratories. Information included in
20 the report shall be aggregated and compiled into statistical
21 categories.

22 (3) The report shall include the following:

23 (A) An inventory of the weapons-related tasks
24 that the laboratories need to perform to support
25 their nuclear weapons responsibilities.

1 (B) An inventory of the skills necessary to com-
2 plete the weapons-related tasks referred to in sub-
3 paragraph (A).

4 (C) For each laboratory, the number of sci-
5 entists needed in each skill area to perform such
6 tasks.

7 (D) The number of the scientists providing
8 services in each skill area at each laboratory, stated
9 by age.

10 (E) An assessment of which skill areas are
11 understaffed.

12 (F) The number of scientists entering the weap-
13 ons program at each laboratory, and their skill
14 areas.

15 (G) The number of full-time equivalent person-
16 nel with weapon skills, their distribution by skill
17 and, for each such skill, their distribution by age.

18 (H) The number of scientists retiring from the
19 weapons program in the 5- year period ending on
20 the date of the report and the skill areas in which
21 they worked in the year preceding their retirement.

22 (I) Based on the information contained in sub-
23 paragraphs (A) through (H), a projection of the
24 skills areas that will become understaffed in the five
25 years following the date of the report.

1 (J) Alternative actions that may be taken to re-
2 tain and recruit scientists for the weapons programs
3 at the laboratories in order to preserve a sufficient
4 skill base and to fulfill stockpile stewardship respon-
5 sibilities.

6 (K) Any plans of the Secretary to take any of
7 the alternative actions referred to in subparagraph
8 (J).

9 **SEC. 3132. DEFENSE INERTIAL CONFINEMENT FUSION PRO-**
10 **GRAM.**

11 Of the funds authorized to be appropriated by this
12 title to the Department of Energy for fiscal year 1995,
13 \$176,473,000 shall be available for the defense inertial
14 confinement fusion program.

15 **SEC. 3133. PAYMENT OF PENALTIES.**

16 The Secretary of Energy may pay to the Hazardous
17 Substance Superfund established under section 9507 of
18 the Internal Revenue Code of 1986 (26 U.S.C. 9507),
19 from funds appropriated to the Department of Energy for
20 environmental restoration and waste management activi-
21 ties pursuant to section 3102, stipulated civil penalties as-
22 sessed under the Comprehensive Environmental Response,
23 Compensation and Liability Act of 1980 (42 U.S.C. 9601
24 et seq.) in amounts as follows:

1 (1) \$50,000, assessed against the Fernald En-
2 vironmental Management Project, Ohio, under such
3 Act.

4 (2) \$50,000, assessed against the Portsmouth
5 Gaseous Diffusion Plant, Ohio, under such Act.

6 **SEC. 3134. WATER MANAGEMENT PROGRAMS.**

7 From funds authorized to be appropriated pursuant
8 to section 3102 to the Department of Energy for environ-
9 mental restoration and waste management activities, the
10 Secretary of Energy may reimburse the cities of West-
11 minster, Broomfield, Thornton, and Northglenn, in the
12 State of Colorado, \$11,415,000 for the cost of implement-
13 ing water management programs. Reimbursements for the
14 water management programs shall not be considered a
15 major Federal action for purposes of section 102(2) of the
16 National Environmental Policy Act of 1969 (42 U.S.C.
17 4332(2)).

18 **SEC. 3135. LIMITATION ON USE OF FUNDS FOR SPECIAL AC-**
19 **CESS PROGRAMS.**

20 Not more than 20 percent of the funds appropriated
21 or otherwise made available to the Department of Energy
22 for fiscal year 1995 pursuant to this title that are avail-
23 able for limited access programs and special access pro-
24 gram may be obligated for a limited access program or
25 special access program until the Secretary of Energy sub-

1 mits to the congressional defense committees the annual
2 reports required to be submitted in that fiscal year under
3 subsections (a) and (b) of section 93 of the Atomic Energy
4 Act of 1954 (42 U.S.C. 2122a).

5 **SEC. 3136. PROTECTION OF NUCLEAR WEAPONS FACILI-**
6 **TIES WORKERS.**

7 Of the funds authorized to be appropriated by section
8 310(2) for environmental restoration and waste manage-
9 ment activities, \$11,000,000 shall be available to carry out
10 activities authorized under section 3131 of the National
11 Defense Authorization Act for Fiscal Years 1992 and
12 1993 (Public Law 102-190; 105 Stat. 1571; 42 U.S.C.
13 7274d), relating to worker protection at nuclear weapons
14 facilities.

15 **SEC. 3137. NATIONAL SECURITY PROGRAMS.**

16 Notwithstanding any other provision of law, not more
17 than 90 percent of the funds appropriated to the Depart-
18 ment of Energy for national security programs under this
19 title may be obligated for such programs until the Sec-
20 retary of Energy submits to the congressional defense
21 committees the five-year budget plan with respect to fiscal
22 year 1995 required under section 3144 of the National
23 Defense Authorization Act for Fiscal Years 1990 and
24 1991 (Public Law 101-189; 103 Stat. 1681; 42 U.S.C.
25 7271b).

1 **SEC. 3138. SCHOLARSHIP AND FELLOWSHIP PROGRAM FOR**
2 **ENVIRONMENTAL RESTORATION AND WASTE**
3 **MANAGEMENT.**

4 Of the funds authorized to be appropriated to the De-
5 partment of Energy for fiscal year 1995 for environmental
6 restoration and waste management, \$1,000,000 shall be
7 available for the Scholarship and Fellowship Program for
8 Environmental Restoration and Waste Management car-
9 ried out under section 3123 of the National Defense Au-
10 thorization Act for Fiscal Years 1992 and 1993 (Public
11 Law 102-190; 105 Stat. 1572; 42 U.S.C. 7274e).

12 **SEC. 3139. HAZARDOUS MATERIALS MANAGEMENT AND**
13 **HAZARDOUS MATERIALS EMERGENCY RE-**
14 **SPONSE TRAINING PROGRAM.**

15 Of the funds authorized to be appropriated to the De-
16 partment of Energy for fiscal year 1995 under section
17 3102(d), not more than \$14,000,000 shall be available to
18 carry out a hazardous materials management and hazard-
19 ous materials emergency response training program at
20 Hanford Nuclear Reservation, Richland, Washington.

21 **SEC. 3140. PROGRAMS FOR PERSONS WHO MAY HAVE BEEN**
22 **EXPOSED TO RADIATION RELEASED FROM**
23 **HANFORD NUCLEAR RESERVATION.**

24 (a) FUNDING.—Of the funds authorized to be appro-
25 priated to the Department of Energy under section 3101
26 for fiscal year 1995, \$3,295,591 shall be available for ac-

1 tivities relating to the Hanford Health Information Net-
2 work established pursuant to the authority set forth in
3 section 3138 of the National Defense Authorization Act
4 for Fiscal Year 1991 (Public Law 101-510; 104 Stat.
5 1834).

6 (b) LIMITATION ON RELEASE OF CERTAIN PER-
7 SONAL INFORMATION.—(1) Information referred to in
8 paragraph (2) that is collected from an individual pursu-
9 ant to operation of the Hanford Health Information Net-
10 work shall be used only by the Network unless the individ-
11 ual, or a designated legal representative of the individual,
12 authorizes in writing the use of the information for an-
13 other purpose.

14 (2) Paragraph (1) applies to the following informa-
15 tion:

16 (A) The name, address, telephone number, and
17 medical information and records of each individual
18 requesting assistance and information from the Net-
19 work.

20 (B) Such other information or categories of in-
21 formation as the chief officers of the health depart-
22 ments of the States of Washington, Oregon, and
23 Idaho jointly designate as information covered by
24 this subsection.

1 **SEC. 3141. SOLAR ENERGY ACTIVITIES AT NEVADA TEST**
2 **SITE, NEVADA.**

3 Of the funds authorized to be appropriated to the De-
4 partment of Energy under section 3101, \$10,000,000
5 shall be available for development of solar energy at the
6 Nevada Test Site, Nevada.

7 **Subtitle D—Other Matters**

8 **SEC. 3151. ACCOUNTING PROCEDURES FOR DEPARTMENT**
9 **OF ENERGY FUNDS.**

10 (a) IN GENERAL.—The Secretary of Energy shall
11 prescribe procedures to account for the use of funds for
12 the performance of the programs and activities of the De-
13 partment of Energy for which funds are appropriated for
14 national security programs of the Department of Energy.
15 The procedures shall provide for such accounting for fiscal
16 years beginning after fiscal year 1996.

17 (b) COVERED MATTERS.—The Secretary shall pre-
18 scribe procedures under subsection (a)—

19 (1) to account for the funds appropriated to the
20 Department for national security programs and ac-
21 tivities of the Department that are not used for the
22 purpose for which such funds were appropriated;
23 and

24 (2) to provide an accounting for all encumbered
25 funds, unencumbered funds, unobligated funds,

1 costed funds, and uncosted obligations of the De-
2 partment in that fiscal year.

3 **SEC. 3152. APPROVAL FOR CERTAIN NUCLEAR WEAPONS**
4 **ACTIVITIES.**

5 (a) APPROVAL BY JOINT NUCLEAR WEAPONS COUN-
6 CIL.—Subsection (d) of section 179 of title 10, United
7 States Code, is amended—

8 (1) by redesignating paragraphs (8) and (9) as
9 paragraphs (9) and (10), respectively; and

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

12 “(8) Coordinating and approving activities initi-
13 ated or conducted by the Department of Energy for
14 the study, development, and production of nuclear
15 warheads, including concept definition studies, fea-
16 sibility studies, engineering development, hardware
17 component fabrication, warhead production, and
18 warhead retirement.”.

19 (b) TECHNICAL AMENDMENTS.—Subsections (a)(3)
20 and (b) of such section are amended by striking out “ap-
21 pointed” each place it appears and inserting in lieu thereof
22 “designated”.

1 **SEC. 3153. STUDY OF FEASIBILITY OF CONDUCTING CER-**
2 **TAIN ACTIVITIES AT THE NEVADA TEST SITE,**
3 **NEVADA.**

4 Not later than April 1, 1995, the Secretary of Energy
5 shall submit to Congress a report on the feasibility of con-
6 ducting the following activities at the Nevada Test Site,
7 Nevada:

8 (1) The demilitarization of large rocket motors,
9 high energetic explosives and conventional ordnance.

10 (2) Disarmament and demilitarization of con-
11 ventional weapons and components, generally.

12 (3) The conduct of experiments that assist in
13 monitoring compliance with international agreements
14 on the nonproliferation of nuclear weapons.

15 (4) The conduct of programs for the Depart-
16 ment of Energy and the Department of Defense to
17 develop simulator technologies for nuclear weapons
18 design and effects, including advanced hydrodynamic
19 simulators, fusion test facilities, and nuclear weap-
20 ons effects simulators (such as the Decade and Jupi-
21 ter simulators).

22 (5) The conduct of the stockpile stewardship
23 program established pursuant to section 3138 of the
24 National Defense Authorization Act for Fiscal Year
25 1994 (42 U.S.C. 2121 note).

1 (6) Experiments related to the nonproliferation
2 of nuclear weapons, including experiments with re-
3 spect to disablement of such weapons, nuclear
4 forensics, sensors, and verification and monitoring.

5 **SEC. 3154. TRITIUM PRODUCTION.**

6 (a) ASSUMPTION OF RESPONSIBILITY FOR PRODUC-
7 TION.—Notwithstanding any other provision of law, the
8 Defense Nuclear Agency shall, effective October 1, 1995,
9 undertake responsibility for the production of tritium to
10 meet the tritium requirements of the United States after
11 2008.

12 (b) BUDGETARY MATTERS.—(1) The Secretary of
13 Defense shall identify in the defense budget documents
14 submitted to Congress for fiscal year 1996 the amount
15 that the Secretary proposes to make available to the De-
16 fense Nuclear Agency for that fiscal year in order to fund
17 the activities of the agency undertaken pursuant to sub-
18 section (a).

19 (2) The amount included in the budget documents
20 shall be the amount that the Secretary determines nec-
21 essary to ensure that the Defense Nuclear Agency has suf-
22 ficient resources—

23 (A) to identify and study tritium production
24 technologies necessary to meet the tritium require-
25 ments of the United States after 2008;

1 (B) to meet any requirement under Federal law
2 for the preparation of assessments of the affects of
3 the utilization of technologies identified under sub-
4 paragraph (A) on the environment; and

5 (C) to select a tritium production technology to
6 meet the requirements referred to in that subpara-
7 graph.

8 (c) DEFENSE BUDGET DOCUMENTS DEFINED.—For
9 purposes of this section, the defense budget documents for
10 fiscal year 1996 are the documents relating to the budget
11 for the Department of Defense for such fiscal year that
12 the Secretary of Defense submits to Congress in support
13 of the budget for fiscal year 1996 that the President sub-
14 mits to Congress pursuant to section 1105(a) of title 31,
15 United States Code.

16 **SEC. 3155. OFFICE OF FISSILE MATERIALS DISPOSITION.**

17 (a) ESTABLISHMENT.—Title II of the Department of
18 Energy Organization Act (42 U.S.C. 7131 et seq.) is
19 amended by adding at the end the following:

20 “OFFICE OF FISSILE MATERIALS DISPOSITION

21 “SEC. 212. (a) There shall be within the Department
22 an Office of Fissile Materials Disposition.

23 “(b) The Secretary shall designate the head of the
24 Office. The head of the Office shall report to the Under
25 Secretary.

1 “(c) The head of the Office shall be responsible for
 2 all activities of the Department relating to the manage-
 3 ment, storage, and disposition of fissile materials from
 4 weapons and weapons systems that are excess to the na-
 5 tional security needs of the United States.”.

6 (b) CONFORMING AMENDMENT.—The table of con-
 7 tents in the first section of such Act is amended by insert-
 8 ing after the item relating to section 210 the following
 9 new items:

“Sec. 211. Office of Minority Economic Impact.

“Sec. 212. Office of Fissile Materials Disposition.”.

10 **SEC. 3156. EXTENSION OF AUTHORITY TO LOAN PERSON-**
 11 **NEL AND FACILITIES AT IDAHO NATIONAL**
 12 **ENGINEERING LABORATORY.**

13 Section 1434 of the National Defense Authorization
 14 Act, Fiscal Year 1989 (Public Law 100–456; 102 Stat.
 15 2074), as amended by section 3136 of the National De-
 16 fense Authorization Act for Fiscal Year 1993 (Public Law
 17 102–484; 106 Stat. 2641), is further amended—

18 (1) in the third sentence of subsection (a)(3),
 19 by striking out “fiscal years 1993 and 1994” and in-
 20 serting in lieu thereof “fiscal years 1993, 1994,
 21 1995, 1996, and 1997”; and

22 (2) in subsection (c), by striking out “Septem-
 23 ber 30, 1994, with respect to the Idaho National
 24 Engineering Laboratory” and inserting in lieu there-

1 of “September 30, 1997, with respect to the Idaho
2 National 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
11 facilities and (B) all other facilities owned or
12 operated by the Department of Energy” in the
13 first sentence and inserting in lieu thereof “all
14 facilities owned or operated by the Department
15 of Energy except defense nuclear facilities”;
16 and

17 (B) by inserting “such” in the third sen-
18 tence after “restoration at all”;

19 (2) in paragraph (4), by striking out “The plan
20 shall contain the following matter:” and inserting in
21 lieu thereof “The plan shall include, with respect to
22 the Department of Energy facilities required by
23 paragraph (1) to be covered by the plan, the follow-
24 ing matters:”;

25 (3) by striking out paragraph (6); and

1 (4) by redesignating paragraph (7) as para-
2 graph (6).

3 **SEC. 3158. INCREASE IN NUMBER OF POSITIONS FOR ENVI-**
4 **RONMENTAL RESTORATION AND WASTE MAN-**
5 **AGEMENT PERSONNEL EXCEPTED FROM**
6 **CIVIL SERVICE LAWS.**

7 Subsection (d) of section 621 of the Department of
8 Energy Organization Act (42 U.S.C. 7231) is amended
9 to read as follows:

10 “(d)(1) In addition to the number of positions which
11 may be placed above GS-15 under section 5108 of title
12 5, United States Code, under existing law, or under this
13 Act, and to the extent the Secretary considers necessary
14 to the discharge of the Secretary’s functions, the Secretary
15 may appoint personnel as follows:

16 “(A) Not more than 350 scientific, engineering,
17 professional, and administrative personnel who shall
18 perform environmental restoration and waste man-
19 agement functions and safety-related functions at
20 defense nuclear facilities.

21 “(B) Not more than 200 scientific, engineering,
22 professional, and administrative personnel who shall
23 perform such other functions as the Secretary shall
24 designate.

25 “(2) The Secretary may—

1 “(A) appoint personnel under paragraph (1)
2 without regard to the civil service laws; and

3 “(B) fix the compensation of such personnel not
4 in excess of the maximum rate payable for positions
5 the rate of basic pay for which is fixed under section
6 5376 of title 5, United States Code.”.

7 **TITLE XXXII—DEFENSE NU-**
8 **CLEAR FACILITIES SAFETY**
9 **BOARD AUTHORIZATION**

10 **SEC. 3201. AUTHORIZATION.**

11 There are authorized to be appropriated for fiscal
12 year 1995, \$17,933,000 for the operation of the Defense
13 Nuclear Facilities Safety Board under chapter 21 of the
14 Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

15 **TITLE XXXIII—NATIONAL**
16 **DEFENSE STOCKPILE**

17 **SEC. 3301. DISPOSAL OF OBSOLETE AND EXCESS MATE-**
18 **RIALS CONTAINED IN THE NATIONAL DE-**
19 **FENSE STOCKPILE.**

20 (a) DISPOSAL AUTHORIZED.—Subject to the condi-
21 tions specified in subsection (b), the President may dis-
22 pose of obsolete and excess materials currently contained
23 in the National Defense Stockpile in order to modernize
24 the stockpile. The materials subject to disposal under this
25 subsection and the quantity of each material authorized

1 to be disposed of by the President are set forth in the
 2 following table:

Authorized Stockpile Disposals

Material for disposal	Quantity
Aluminum	62,843 short tons
Tungsten Group	51,336,478 pounds of contained tung- sten

3 (b) CONDITIONS ON DISPOSAL.—The authority of the
 4 President under subsection (a) to dispose of materials
 5 stored in the stockpile may not be used unless and until
 6 the Secretary of Defense certifies that the disposal of such
 7 materials will not adversely affect the capability of the Na-
 8 tional Defense Stockpile to supply the strategic and criti-
 9 cal materials necessary to meet the needs of the United
 10 States during a period of national emergency that requires
 11 a significant level of mobilization of the economy of the
 12 United States, including any reconstitution of the military
 13 and industrial capabilities necessary to meet the planning
 14 assumptions used by the Secretary of Defense under sec-
 15 tion 14(b) of the Strategic and Critical Materials Stock
 16 Piling Act (50 U.S.C. 98h–5(b)).

17 **SEC. 3302. AUTHORIZED USES OF STOCKPILE FUNDS.**

18 Subject to such limitations as may be provided in ap-
 19 propriations Acts, during fiscal year 1995, the National
 20 Defense Stockpile Manager may obligate up to
 21 \$54,200,000 of the funds in the National Defense Stock-

1 pile Transaction Fund established under subsection (a) of
2 section 9 of the Strategic and Critical Materials Stock Piling
3 Act (50 U.S.C. 98h) for the authorized uses of such
4 funds under subsection (b)(2) of such section.

5 **SEC. 3303. REPEAL OF ADVISORY COMMITTEE REQUIRE-**
6 **MENT.**

7 Section 3306 of the National Defense Authorization
8 Act for Fiscal Year 1993 (Public Law 102-484; 106 Stat.
9 2652; 50 U.S.C. 98h-1 note) is repealed.

10 **SEC. 3304. ROTATION OF MATERIALS TO PREVENT TECHNO-**
11 **LOGICAL OBSOLESCENCE.**

12 Section 6(a)(4) of the Strategic and Critical Mate-
13 rials Stock Piling Act (50 U.S.C. 98e(a)(4)) is amended
14 by inserting “or technological obsolescence” after “deterio-
15 ration”.

16 **TITLE XXXIV—CIVIL DEFENSE**

17 **SEC. 3401. AUTHORIZATION OF APPROPRIATIONS.**

18 There is hereby authorized to be appropriated
19 \$129,658,000 for fiscal year 1995 for the purpose of car-
20 rying out the Federal Civil Defense Act of 1950 (50
21 U.S.C. 2251 et seq.).

1 **TITLE XXXV—PANAMA CANAL**
2 **COMMISSION**

3 **SEC. 3501. SHORT TITLE.**

4 This title may be cited as the “Panama Canal Com-
5 mission Authorization Act for Fiscal Year 1995”.

6 **SEC. 3502. AUTHORIZATION OF EXPENDITURES.**

7 (a) IN GENERAL.—Subject to subsection (b), the
8 Panama Canal Commission is authorized to make such ex-
9 penditures within the limits of funds and borrowing au-
10 thority available to it in accordance with law, and to make
11 such contracts and commitments without regard to fiscal
12 year limitations, as may be necessary under the Panama
13 Canal Act of 1979 (22 U.S.C. 3601) for the operation,
14 maintenance, and improvement of the Panama Canal for
15 fiscal year 1995.

16 (b) LIMITATIONS.—For fiscal year 1995, the Panama
17 Canal Commission may expend from funds in the Panama
18 Canal Revolving Fund not more than \$50,030,000 for ad-
19 ministrative expenses, of which not more than—

20 (1) \$11,000 may be used for official reception
21 and representation expenses of the Supervisory
22 Board of the Commission;

23 (2) \$5,000 may be used for official reception
24 and representation expenses of the Secretary of the
25 Commission; and

1 (3) \$30,000 may be used for official reception
2 and representation expenses of the Administrator of
3 the Commission.

4 (c) REPLACEMENT VEHICLES.—Funds available to
5 the Panama Canal Commission shall be available for the
6 purchase of not to exceed 43 passenger motor vehicles (in-
7 cluding large heavy-duty vehicles to be used to transport
8 Commission personnel across the isthmus of Panama). A
9 vehicle may be purchased with such funds only as nec-
10 essary to replace another passenger motor vehicle of the
11 Commission. The purchase price of each vehicle may not
12 exceed \$19,500.

13 **SEC. 3503. EXPENDITURES IN ACCORDANCE WITH OTHER**
14 **LAWS.**

15 Expenditures authorized under this Act may be made
16 only in accordance with the Panama Canal Treaties of
17 1977 and any law of the United States implementing
18 those treaties.

19 **SEC. 3504. COSTS OF EDUCATIONAL SERVICES OBTAINED**
20 **IN THE UNITED STATES.**

21 Section 1321(e)(2) of the Panama Canal Act of 1979
22 (22 U.S.C. 3731(e)(2)) is amended by inserting “or the
23 United States” after “schools in the Republic of Panama”.

1 **SEC. 3505. SPECIAL IMMIGRANT STATUS OF PANAMANIAN**
 2 **EMPLOYED BY THE UNITED STATES IN THE**
 3 **FORMER CANAL ZONE.**

4 Section 101(a)(27)(F) of the Immigration and Na-
 5 tionality Act (8 U.S.C. 1101(a)(27)(F)) is amended in
 6 clause (ii) by inserting “or continues to be employed by
 7 the United States Government in an area of the former
 8 Canal Zone” after “employment”.

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Calendar No. 459

103D CONGRESS
2D SESSION

S. 2182

[Report No. 103-282]

A BILL

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.

JUNE 14 (legislative day, JUNE 7), 1994

Read twice and placed on the calendar