103D CONGRESS
1ST SESSION

H. R. 2401

AMENDMENTS

AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

In the Senate of the United States,

October 6 (legislative day, September 27), 1993.

Resolved, That the bill from the House of Representatives (H.R. 2401) entitled ''An Act to to authorize appropriations for fiscal year 1994 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 1994, and for other purposes'', do pass with the following

AMENDMENTS:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Defense Authorization Act for Fiscal Year 1994''.

SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.

(a) DIVISIONS.—This Act is organized into three divisions as follows:

(1) Division A—Department of Defense Authorizations.

(2) Division B—Military Construction Authorizations.

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

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

Sec. 1. Short title.
Sec. 2. Organization of Act into divisions; table of contents.
Sec. 3. Congressional defense committees defined.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

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Sec. 101. Army.
Sec. 102. Navy and Marine Corps.
Sec. 103. Air Force.
Sec. 104. Defense Agencies.
Sec. 105. Defense Inspector General.
Sec. 106. Reserve components.
Sec. 107. Chemical demilitarization program.

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Sec. 111. Modified M113 carriers and AGT–1500 turbine engines.
Sec. 112. Nuclear, biological, and chemical protective masks.
Sec. 113. Chemical agent monitoring program.
Sec. 114. Close tactical trainer quickstart program.

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Sec. 122. B–2 bomber aircraft program.
Sec. 123. Access by Comptroller General to information on heavy bomber programs.
Sec. 124. C–17 aircraft program.
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Sec. 126. Solid rocket motor upgrade program.
Sec. 127. Live-fire survivability testing of the C–17 aircraft.

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Sec. 132. Funding for certain tactical intelligence programs.
Sec. 133. Global Positioning System.
Sec. 134. Sense of Congress on expediting sealift procurement.
Sec. 135. Permanent authority to carry out AWACS memoranda of understanding.
Sec. 136. Ring laser gyro navigation systems.
Sec. 137. Operational support aircraft.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

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Sec. 201. Authorization of appropriations.

Sec. 202. Amount for basic research and exploratory development.
Sec. 203. Strategic Environmental Research and Development Program.
Sec. 204. Funding for defense conversion and reinvestment research and development programs.

Subtitle B—Program Requirements, Restrictions, and Limitations

Sec. 211. Kinetic Energy Antisatellite Program.
Sec. 212. Javelin missile program.
Sec. 213. Plan for testing new electronic countermeasures system for B–1B bombers.
Sec. 214. Space launch plan.
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Sec. 217. Limitations regarding federally funded research and development centers.

Subtitle C—Missile Defense Programs

Sec. 221. Revision of the Missile Defense Act of 1991.
Sec. 222. Funding of certain ballistic missile defense programs.
Sec. 223. Requirement for review of ballistic missile defense systems and components for compliance with ABM Treaty.
Sec. 224. Theater missile defense master plan.
Sec. 225. Extension of authority for transfer of responsibility for far-term follow-on technologies.
Sec. 226. Report on acquisition streamlining to accelerate deployment of initial ABM system.
Sec. 227. Funding for ballistic missile defense programs.
Sec. 228. Testing of national missile defense program projects.

Subtitle D—Other Matters

Sec. 231. Nuclear testing.
Sec. 232. One-year delay in transfer of management responsibility for naval mine countermeasures program to the Director, Defense Research and Engineering.
Sec. 233. Termination, reestablishment, and reconstitution of an advisory council on semiconductor technology.
Sec. 234. Authority to acquire Navy large cavitation channel, Memphis, Tennessee.
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Sec. 244. Report on nonproliferation and counterproliferation activities and programs.
Sec. 245. Definitions.

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Sec. 302. Working capital funds.
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Sec. 312. Implementation of the Defense Business Operations Fund.
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Subtitle C—Environmental Provisions

Sec. 321. Authority for military departments to participate in water conservation programs.
Sec. 322. Clarification of authority for energy conservation programs at military installations.
Sec. 323. Clarification of funding for environmental restoration activities at installations to be closed or realigned.
Sec. 324. Annual report on environmental restoration activities of the Department of Defense.
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Sec. 326. Prohibition on the purchase of surety bonds and other guaranties for the Department of Defense.
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Sec. 332. Maintenance and repair of Pacific battle monuments.
Sec. 333. Purchase of items not exceeding $100,000.
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Sec. 335. Contracts to perform workloads previously performed by depot-level activities of the Department of Defense.
Sec. 336. Promotion of civilian marksmanship.
Sec. 337. Amendments regarding pilot program to use National Guard personnel in medically underserved communities.
Sec. 338. Assistance to local educational agencies that benefit dependents of members of the Armed Forces and Department of Defense civilian employees.
Sec. 339. Annual assessment of force readiness.
Sec. 340. Budget information on Department of Defense recruiting expenditures.
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Subtitle B—Reserve Forces

Sec. 411. End strengths for Selected Reserve.
Sec. 412. End strengths for Reserves on active duty in support of the reserve components.
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Subtitle C—Military Training Student Loads

Sec. 421. Authorization of training student loads.

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Sec. 503. Temporary authority for involuntary separation of certain regular warrant officers.
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Sec. 512. Two-year extension of certain reserve officer management authorities.
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Sec. 515. National Guard management initiatives.
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Sec. 522. Graduation leave.
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Sec. 532. Extension of personnel management and benefits transition authorities.
Sec. 533. Technical and conforming amendments relating to transition authorities.

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Sec. 541. Assignments of women members of the Armed Forces.
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Sec. 543. Clarification of punitive UCMJ article regarding drunken driving.
Sec. 544. Authority to reduce active duty service obligation incurred in connection with advanced education assistance.
Sec. 545. Award of Purple Heart to members killed or wounded in action by friendly fire.
Sec. 546. Policy concerning homosexuality in the Armed Forces.
Sec. 547. Employment of retired members by foreign governments.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

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Subtitle B—Bonuses, Special Pay, and Incentive Pay

Sec. 611. Modification of authority relating to payment of certain Selected Reserve bonuses.
Sec. 612. Extension of authority relating to payment of certain bonuses, payment of other special pay, and repayment of certain education loans.

Subtitle C—Travel and Transportation Allowances

Sec. 621. Reimbursement of temporary lodging expenses.
Sec. 622. Treatment of advance pay paid to members evacuated from Homestead Air Force Base.

Subtitle D—Matters Related to Retired Pay and Separation Benefits

Sec. 631. Special pay for certain disabled members.
Sec. 632. Standardization of minimum service requirement for eligibility for certain separation benefits.
Sec. 633. Expansion of eligibility for certain separation benefits.
Sec. 634. Applicability to Coast Guard Reserve of certain reserve components transition initiatives.

Subtitle E—Benefits for Former POWs and Other Members Held Captive

Sec. 641. Permanent authority for claims by former prisoners of war based on violations of Geneva Conventions.
Sec. 642. Members eligible for benefits when held captive by terrorists.

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Sec. 651. Authority to limit direct payment of pay and allowances to certain members during war, hostilities, or national emergency.

Sec. 652. Losses incurred and gains realized in connection with housing members in private housing abroad.
Sec. 653. Postponement of performance of certain tax-related acts for certain persons serving in contingency operations.
Sec. 654. Benefits for dependents of members of the Armed Forces pending loss of right to retired pay as a result of a court-martial.
Sec. 655. Sense of Senate relating to excess leave and permissive temporary duty for certain members of the Armed Forces.

TITLE VII—HEALTH CARE PROVISIONS

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Sec. 702. Codification of CHAMPUS Peer Review Organization program procedures.
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Sec. 705. Exclusion of experienced military physicians from medicare definition of new physician.
Sec. 706. Enrollment in the dependents' dental program by certain members returning from overseas assignments.
Sec. 707. Sense of Senate on the provision of adequate medical care to military retirees.
Sec. 708. Independent study of conduct of medical study by Arctic Aeromedical Laboratory, Ladd Air Force Base, Alaska.

TITLE VIII—ACQUISITION POLICY

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Sec. 802. University Research Initiative Support Program.
Sec. 803. Operating Committee of the Critical Technologies Institute.
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Subtitle C—Other Matters

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Sec. 822. Prohibition on purchase of United States defense contractors by entities controlled by foreign governments.
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Sec. 825. Department of Defense purchases through other agencies.
Sec. 826. Authority of the Advanced Research Projects Agency to carry out certain pilot demonstration projects and prototype projects.
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Subtitle D—Defense Acquisition Pilot Program

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Sec. 902. Responsibilities of the Comptroller of the Department of Defense.
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Sec. 1002. Revision of date for submittal of joint report on scoring of budget outlays.
Sec. 1003. Discretionary authority of the Comptroller General to conduct annual audits of the acceptance by the Department of Defense of property, services, and contributions.

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Sec. 1032. Requirement for transfer of air refueling aircraft to reserve components of the Air Force.

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Subtitle F—Matters Relating to Allies and Other Nations

Sec. 1051. Burden sharing contributions by Japan, Kuwait, and the Republic of Korea.
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Sec. 1053. Findings regarding defense cooperation between the United States and Israel.
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Sec. 1062. Report on personnel requirements for control of transfer of certain weapons.
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Sec. 1064. Civilian faculty of the George C. Marshall European Center for Security Studies.
Sec. 1065. Administrative improvements in Goldwater Scholarship and Excellence in Education Program.
Sec. 1066. U.S.S. Indianapolis Memorial, Indianapolis, Indiana.
Sec. 1067. Involvement of Armed Forces in Somalia.
Sec. 1068. Sense of the Congress regarding establishment of an Office of Economic Conversion information within the Department of Commerce.
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Sec. 1074. Importance of naval oceanography survey and research in the post-cold war period.
Sec. 1075. Digital electronic devices.
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Sec. 2816. Justification of recommendations for closure or realignment of installations previously considered for closure or realignment.
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Sec. 2838. Conveyance of radar bomb scoring site, Conrad, Montana.
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Sec. 2909. Transition coordinators for assistance to communities affected by the closure of installations.
Sec. 2910. Coordination of activities of other Federal departments and agencies relating to installations to be closed.
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Sec. 2913. Identification of uncontaminated property at installations to be closed.
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Sec. 2916. Authority to contract for certain services at installations being closed or realigned.
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Sec. 3302. Revision of authority to dispose of certain materials authorized for disposal in fiscal year 1993.
Sec. 3303. Authorized uses of stockpile funds.

Subtitle B—Programmatic Changes

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Sec. 3312. Period of limitation for changing annual materials plan.
Sec. 3313. Rotation of materials to prevent technological obsolescence.
Sec. 3314. Uses of the National Defense Stockpile Transaction Fund.
Sec. 3315. National emergency planning assumptions for biennial report on stockpile requirements.
Sec. 3316. Repeal of advisory committee requirement.

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TITLE XXXV—PANAMA CANAL COMMISSION

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Sec. 3502. Authorization of expenditures.
Sec. 3503. Expenditures in accordance with other laws.

Sec. 3504. Employment of commission employees by the Government of Panama.
Sec. 3505. Labor-management relations.
Sec. 3506. Effective date.

SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES DEFINED.

For purposes of this Act, the term ''congressional defense committees'' means the Committees on Armed Services and the Committees on Appropriations of the Senate and House of Representatives.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Funding Authorizations

SEC. 101. ARMY.

Funds are hereby authorized to be appropriated for fiscal year 1994 for procurement for the Army as follows:

(1) For aircraft, $1,249,539,000.

(2) For missiles, $1,083,810,000.

(3) For weapons and tracked combat vehicles, $1,009,679,000.

(4) For ammunition, $621,049,000.

(5) For other procurement, $2,864,575,000.

SEC. 102. NAVY AND MARINE CORPS.

(a) NAVY.—Funds are hereby authorized to be appropriated for fiscal year 1994 for procurement for the Navy as follows:

(1) For aircraft, $5,755,166,000.

(2) For weapons, $3,000,614,000.

(3) For shipbuilding and conversion, $4,264,647,000.

(4) For other procurement, $2,820,931,000.

(b) MARINE CORPS.—Funds are hereby authorized to be appropriated for fiscal year 1994 for procurement for the Marine Corps in the amount of $480,521,000.

SEC. 103. AIR FORCE.

Funds are hereby authorized to be appropriated for fiscal year 1994 for procurement for the Air Force as follows:

(1) For aircraft, $4,041,664,000.

(2) For missiles, $4,245,404,000.

(3) For other procurement, $7,610,888,000.

SEC. 104. DEFENSE AGENCIES.

Funds are hereby authorized to be appropriated for fiscal year 1994 for procurement for the Defense Agencies in the amount of $2,044,971,000.

SEC. 105. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for fiscal year 1994 for procurement for the Inspector General of the Department of Defense in the amount of $600,000.

SEC. 106. RESERVE COMPONENTS.

Funds are hereby authorized to be appropriated for fiscal year 1994 for procurement of aircraft, vehicles, communications equipment, and other equipment for the reserve components of the Armed Forces as follows:

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

(2) For the Air National Guard, $285,000,000.

(3) For the Army Reserve, $65,000,000.

(4) For the Naval Reserve, $55,000,000.

(5) For the Air Force Reserve, $50,000,000.

(6) For the Marine Corps Reserve, $20,000,000.

(7) For reserve component simulation equipment, $75,000,000.

(8) For National Guard aircraft replacement and modernization, $150,000,000.

SEC. 107. CHEMICAL DEMILITARIZATION PROGRAM.

There is hereby authorized to be appropriated for fiscal year 1994, $442,947,000 for—

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

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

Subtitle B—Army Programs

SEC. 111. MODIFIED M113 CARRIERS AND AGT–1500 TURBINE ENGINES.

(a) ADDITIONAL AUTHORIZATION OF APPROPRIATIONS.—In addition to the funds authorized to be appro-

priated in section 101, funds are authorized to be appropriated for the Army for procurement of modified M113 carriers and AGT–1500 turbine engines in the amount of $148,000,000.

(b) LIMITATION.—None of the funds appropriated pursuant to the authorization in subsection (a) may be obligated during fiscal year 1994.

SEC. 112. NUCLEAR, BIOLOGICAL, AND CHEMICAL PROTECTIVE MASKS.

Of the unobligated balance of the funds appropriated for the Army for fiscal year 1993 for other procurement, $9,300,000 shall be available, to the extent provided in appropriations Acts, for procurement of M40/M42 nuclear, biological, and chemical protective masks.

SEC. 113. CHEMICAL AGENT MONITORING PROGRAM.

Funds appropriated for the Army for fiscal year 1993 for other procurement may not be obligated after the date of the enactment of this Act for the Improved Chemical Agent Monitor (ICAM) program.

SEC. 114. CLOSE TACTICAL TRAINER QUICKSTART PROGRAM.

Authority to reprogram funds for the Close Combat Tactical Trainer Quickstart Program. Subject to existing reprogramming procedures, the Secretary of the Army is authorized to reprogram funds in fiscal year 1994 to pro-

cure long lead component hardware items to accelerate the Close Combat Tactical Trainer Quickstart Program.

Subtitle C—Air Force Programs

SEC. 121. MODERNIZATION OF THE HEAVY BOMBER FORCE.

(a) FUNDING.—Of the amount authorized to be appropriated under section 103—

(1) not more than $37,400,000 shall be available for procurement of B–52 bomber aircraft; and

(2) not more than $177,355,000 shall be available for the B–1B bomber aircraft program.

(b) LIMITATIONS ON FUNDING.—Of the total amount made available pursuant to subsection (a) for the programs referred to in such subsection—

(1) none of such amount may be obligated or expended until all of the requirements set forth in section 152 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat. 2340) have been met; and

(2) not more than 50 percent of such amount may be expended before the commencement of flight testing in accordance with the test plan required by section 152(a) of such Act.

SEC. 122. B–2 BOMBER AIRCRAFT PROGRAM.

(a) AMOUNT FOR PROGRAM.—Subject to subsection (b), of the amount appropriated to the Air Force pursuant

to section 103(1) for fiscal year 1994 for procurement of aircraft, not more than $626,200,000 may be obligated for the B–2 bomber aircraft program.

(b) LIMITATIONS ON OBLIGATION.—(1) None of the funds made available for fiscal year 1994 for the B–2 bomber aircraft program may be obligated until the Secretary of Defense has submitted to the congressional defense committees the certifications and reports described in section 151(d)(1) of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat. 2339).

(2) Of the unobligated balances of funds authorized to be appropriated for procurement of B–2 aircraft for fiscal years 1992, 1993, and 1994, none of such funds may be obligated until—

(A) the Secretary of the Air Force—

(i) has entered into a definitized production contract with the prime contractor for air vehicles 17 through 21; or

(ii) has submitted to the congressional defense committees a report setting forth the reasons that a definitized contract cannot be entered into; and

(B) the Secretary of Defense has submitted to such committees a certification that the Department of the Air Force is in full compliance with the B–2

correction-of-deficiency requirements set forth in section 117(d) of Public Law 101–189 (103 Stat. 1376) in all aspects of deficiency correction.

(c) TOTAL PROGRAM LIMITATIONS.—(1) Notwithstanding any other provision of law, funds available for the Department of Defense pursuant to authorizations of appropriations in this or any other Act may not be expended for acquisition of more than 20 fully operational B–2 bomber aircraft that meet the Block 30 requirements (as defined by the Secretary of the Air Force as of August 1, 1993), plus one test aircraft.

(2) The total amount obligated on or after the date of the enactment of this Act for research, development, test, and evaluation for, and acquisition, modification and retrofitting of, the 20 B–2 bomber aircraft (and the one test aircraft) referred to in paragraph (1) and for paying the costs associated with termination of the B–2 bomber aircraft program upon completion of the acquisition of such 20 aircraft (and the one test aircraft) may not exceed $28,968,000,000 (in fiscal year 1981 constant dollars).

(3) The Congress declares that it will consider enacting legislation to increase the amount of the limitation specified in paragraph (2) if—

(A) for any fiscal year beginning after September 30, 1994, the Secretary of Defense has requested

funds for the B–2 bomber aircraft program in the documents submitted to Congress by the Secretary in connection with the budget submitted to Congress pursuant to section 1105 of title 31, United States Code, for that fiscal year;

(B) obligation of the total amount of the funds so requested would not have violated the limitation; and

(C) the requested funds—

(i) have not been made available for such fiscal year as requested; or

(ii) have been made available for such fiscal year but have not been obligated in such fiscal year by reason of any limitation or restriction on the obligation of such funds that is contained in an Act enacted after the date of the enactment of this Act.

SEC. 123. ACCESS BY COMPTROLLER GENERAL TO INFORMATION ON HEAVY BOMBER PROGRAMS.

The Secretary of Defense shall take all actions that are necessary to ensure that the Comptroller General of the United States and employees of the General Accounting Office designated by the Comptroller General have full, free, and prompt access to data, reports, and analyses generated by or on behalf of the Department of the Air Force (includ-

ing by Air Force contractors) that relate to operation, maintenance, repair, and modernization of heavy bombers, and the plans of the Air Force for operation, maintenance, repair, and modernization of heavy bombers in the future.

SEC. 124. C–17 AIRCRAFT PROGRAM.

(a) FISCAL YEAR 1994 LIMITATION.—None of the funds appropriated for the Department of Defense for fiscal year 1994 may be made available for procurement of C–17 aircraft until—

(1) all limitations and requirements set forth in subsections (b), (c), (d), (f), and (g) of section 134 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat. 2335) are satisfied; and

(2) the Secretary of Defense submits to the congressional defense committees a report on the C–17 acquisition program that contains—

(A) the results of the special Defense Acquisition Board review of the program;

(B) a discussion of the corrective actions to be taken by the Air Force with regard to such program;

(C) a discussion of the corrective actions to be taken by the contractor with regard to such program; and

(D) the findings and recommendations of the special Defense Science Board group resulting from the investigation of the program by that group.

(b) FISCAL YEAR 1995 LIMITATION.—None of the funds appropriated for the Department of Defense for fiscal year 1995 that are made available for the C–17 aircraft program (other than funds for advance procurement) may be obligated before the Secretary of Defense submits to the congressional defense committees a report containing a review of the airlift requirements of the Armed Forces. The review shall—

(1) be based on an analysis by a federally funded research and development center; and

(2) reflect consideration of—

(A) the changes in total airlift requirements resulting from the disintegration of the Warsaw Pact and Soviet Union that eliminate any major trans-Atlantic airlift requirement for Europe;

(B) the change in airlift requirements from requirements for airlift of large quantities of outsize cargo for reinforcement of the North Atlantic Treaty Organization (NATO) forces to requirements for airlift in connection with such lesser regional contingencies and humanitarian

operations as Operation Desert Shield, Operation Desert Storm, and Operation Restore Hope;

(C) the potential contribution that planned strategic sealift improvements can make toward—

(i) reducing the total demand for airlift; and

(ii) changing the type of cargo that airlift aircraft must carry;

(D) the declining demand for conducting airlift operations in austere airfield environments; and

(E) the trade-off between purchasing the type of additional capability that the C–17 aircraft can provide and purchasing and employing additional support equipment that would increase the cargo airlift capability of commercial cargo aircraft.

(c) LIMITATION ON ACQUISITION OF MORE THAN 5 AIRCRAFT.—Funds appropriated for the Department of Defense for fiscal years after fiscal year 1993 that are made available for the C–17 aircraft program (other than funds for advance procurement) may not be obligated to produce

more than 5 C–17 aircraft until the program meets the following milestones:

(1) Clearance of flight envelope with respect to altitude and speed.

(2) Takeoff of aircraft at a gross weight of 580,000 pounds and 160,000 pounds payload within a critical field length of 8500 feet at sea level and 90 degrees Fahrenheit day conditions (or equivalent results under other conditions).

(3) Backing aircraft up a two degree slope with a gross weight of 510,000 pounds.

(4) Unassisted 180 degree turn of aircraft on a paved runway of load classification group IV in less than 90 feet, using three maneuvers.

(5) Completion of static article ultimate load (150 percent of design limit load) test condition S.P. 5030 for wing up bending.

(6) Completion of electromagnetic radiation, electromagnetic compatibility, and lightening tests.

(7) Low velocity air drop of 5,000-pound, 8-foot length platform.

(8) Sequential air drop of multiple simulated paratroop dummies from both paratroop doors.

(9) A minimum unit equivalent assembly rate of 6.0 assemblies per year, as measured by the ratio of

annualized standard hours earned to that required to assemble one aircraft from the beginning of assembly to the completion of assembly prior to movement to the ramp at the prime contractor's facilities.

(10) For all aircraft scheduled for delivery in the prior 6-month period, delivery of each aircraft within one month of scheduled delivery date.

(d) LIMITATION ON ACQUISITION OF MORE THAN 8 AIRCRAFT.—Funds appropriated for the Department of Defense for fiscal years after fiscal year 1993 that are made available for the C–17 aircraft program (other than funds for advance procurement) may not be obligated to produce more than 8 aircraft until the program meets the following additional milestones:

(1) Clearance of flight envelope with respect to loads.

(2) Estimate of payload meets 95 percent of the requirement provided in the full-scale development contract for the key performance parameters for payload-to-range systems performance.

(3) Operational clearance for aircraft to be air refueled from operational KC–10 and KC–135 aircraft at standard Air Force refueling speeds for the specific tanker in a single receiver formation.

(4) Demonstration of combat offload with two 463L pallets using the air delivery system rails.

(5) Airdrop of 70 paratroopers on one pass, using both paratroop doors.

(6) Low velocity air drop of 30,000-pound, 24-foot length platform.

(e) LIMITATION ON ACQUISITION OF MORE THAN 10 AIRCRAFT.—Funds appropriated for the Department of Defense for fiscal years after fiscal year 1993 that are made available for the C–17 aircraft program (other than funds for advance procurement) may not be obligated to produce 11 or 12 aircraft until the program meets the following additional milestones:

(1) Estimate of payload meets 97.5 percent of the requirement provided in the full-scale development contract for the key performance parameters for payload-to-range systems performance.

(2) Landing of aircraft with a payload of 160,000 pounds and fuel necessary to fly 300 nautical miles on a 3,000-foot long, 90-foot wide, and load classification group IV runway at sea level, 90 degrees Fahrenheit day conditions (or equivalent results under other conditions).

(3) Low altitude parachute extraction system delivery of a 20,000-pound cargo.

(4) Simultaneous and sequential container delivery system airdrop of 30 bundles.

(5) Low velocity air drop of 42,000-pound platform.

(6) Satisfactory completion of one lifetime of testing of durability article.

(7) Air vehicle mean time between removal at cumulative flying hours to date of measurement indicates that the mature requirement established in the full-scale development contract will be met.

(f) FUNDING OUT OF NATIONAL DEFENSE STRATEGIC LIFT FUND.—Funds appropriated for the Department of Defense for fiscal year 1994 may be made available for procurement of the C–17 aircraft only in accordance with section 2218 of title 10, United States Code.

SEC. 125. JOINT PRIMARY AIRCRAFT TRAINING SYSTEM.

No funds appropriated for the Department of Defense pursuant to an authorization contained in this Act or any Act enacted after the date of the enactment of this Act may be obligated or expended to procure Joint Primary Aircraft Training System aircraft until the Secretary of Defense certifies to the congressional defense committees that the cockpit and ejection seat of such aircraft have been designed for safe and effective operation of the aircraft and ejection

system by at least 95 percent of the male pilot trainees and 95 percent of the female pilot trainees.

SEC. 126. SOLID ROCKET MOTOR UPGRADE PROGRAM.

(a) PROHIBITION ON USE OF FUNDS.—Funds appropriated to the Department of Defense may be used for implementing a supplemental agreement described in section 9164 of Public Law 102–396 only under the authorities in subsection (b).

(b) ACTIONS AUTHORIZED.—The Secretary of Defense may—

(1) restructure the provisions of contract F04701–85–C–0019 (hereafter in this subsection referred to as the ''prime contract'') and enter into an agreement to reimburse the subcontractor for the Solid Rocket Motor Upgrade (SRMU) subcontract under such prime contract (hereafter in this subsection referred to as the ''SRMU subcontractor'') for the costs incurred by the subcontractor for development and tooling related to the subcontract;

(2) reimburse the SRMU subcontractor for working capital expenses related to the subcontract only after consultation with the Comptroller General of the United States regarding whether such expenses are allowable under applicable laws;

(3) settle claims arising from disputes between the SRMU subcontractor and prime contractor;

(4) transfer funds to reimburse the subcontractor in accordance with paragraphs (1), (2) and (3);

(5) if the Secretary enters into an agreement to pay the SRMU subcontractor in accordance with paragraphs (1), (2) and (3), take such actions as are necessary to ensure that competitive procedures are used for awarding contracts in any future procurements of solid rocket motors for the Titan IV launch system;

(6) take such actions as are necessary to reduce or eliminate concurrency in the Solid Rocket Motor Upgrade program;

(7) change the type of the subcontract used for the Solid Rocket Motor Upgrade production subcontract and adjust the ceiling price for the prime contract accordingly, but only with respect to the Solid Rocket Motor Upgrade production subcontract; and

(8) if the Secretary decides to reimburse the SRMU subcontractor for development costs, tooling, and claims resulting from the termination or modification of the subcontract, terminate the Solid Rocket Motor Upgrade production subcontract or modify

such subcontract regarding the production quantities and production rates.

(c) RELATIONSHIP OF TRANSFER AUTHORITY TO OTHER TRANSFER AUTHORITY.—The authority provided in subsection (b)(4) is not in addition to any other transfer authority provided in this or any other Act.

SEC. 127. LIVE-FIRE SURVIVABILITY TESTING OF THE C–17 AIRCRAFT.

Section 132(d) of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484) is amended by striking out ''for fiscal year 1993''.

Subtitle D—Other Programs

SEC. 131. ALQ–135 JAMMER DEVICE.

Subsection 182(b)(2) of Public Law 101–510 is amended by striking out ''meets or exceeds all operational criteria established for the program'' and inserting in lieu thereof ''is operationally effective and suitable''.

SEC. 132. FUNDING FOR CERTAIN TACTICAL INTELLIGENCE PROGRAMS.

Notwithstanding the limitation in section 141 of Public Law 102–484 (106 Stat. 2338), funds authorized to be appropriated under such section are authorized to be made available for the following purposes:

(1) To complete EP–3 Aries conversion-in-lieu-of-procurement for the remainder of the EP–3 Aries aircraft fleet.

(2) To upgrade communications of the EP–3 Aries aircraft fleet to permit dissemination of collected data.

(3) To complete standardization of the RC–135 Rivet Joint aircraft fleet to Block III Baseline 6 configuration.

SEC. 133. GLOBAL POSITIONING SYSTEM.

(a) PROGRAM STUDY REQUIRED.—(1) The Secretary of Defense shall provide for an independent study to be conducted on the management and funding of the Global Positioning System program for the future.

(2) With the agreement of the National Academy of Sciences and the National Academy of Public Administration, the study shall be conducted jointly by those organizations.

(3) Of the amounts authorized to be appropriated to the Department of Defense for fiscal year 1994 and made available for procurement of Global Positioning System user equipment, for procurement of spacecraft, or for operations and maintenance, $5,000,000 may be used for carrying out the study required by paragraph (1).

(b) LIMITATION ON PROCUREMENT OF SYSTEMS NOT GPS EQUIPPED.—Funds may not be obligated after September 30, 2000, to modify or procure any Department of Defense aircraft, ship, armored vehicle, or indirect fire weapon system that is not equipped with a Global Positioning System receiver.

(c) REPORTING REQUIREMENT.—Not later than May 1, 1994, the Secretary of Defense, in coordination with the Director of Central Intelligence, shall submit to the congressional defense committees, the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives a report on the following questions:

(1) What, if any, threats to the health and safety of United States military forces, allied military forces, and the United States and allied civilian populations, and what, if any, threats of damage to property within the United States and allied countries, will result by the year 2000 from Global Positioning System navigation signals, local and wide-area differential navigation correction signals, kinematic differential correction signals, and commercially available map products based on the Global Positioning System?

(2) What, if any, threat to civil aviation and other transportation operations will result by the year 2000 from the signal jamming, deception, and other disruptive effects of Global Positioning System navigation signals?

(3) What, if any, actions can be taken to eliminate or mitigate such threats?

(4) What, if any, modifications of the Global Positioning System and derivative systems can be made to eliminate or significantly reduce such threats, or to increase the ability of the Department of Defense to mitigate such threats, without interfering with authorized and peaceful uses of the Global Positioning System?

SEC. 134. SENSE OF CONGRESS ON EXPEDITING SEALIFT PROCUREMENT.

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

(1) The Joint Chiefs of Staff have verified the urgent need for increased sealift.

(2) The Persian Gulf war provided graphic evidence of the United States longstanding need for increased sealift.

(3) The Congress has appropriated funds for a sealift program in each of the past four fiscal years.

(4) The United States shipbuilding industry and its supplier base would benefit, economically and through sustained employment, from increased ship conversion as well as from new ship construction.

(5) Maintaining or increasing ship conversion and construction helps to preserve the industrial base required for effective national defense.

(6) Enhanced sealift capacity is a vital requirement for the national security of the United States.

(b) EXPEDITED PROCUREMENT.—It is the sense of the Congress that the Secretary of the Navy should move expeditiously to award sealift conversion and construction contracts that represent a fair price to the taxpayer.

SEC. 135. PERMANENT AUTHORITY TO CARRY OUT AWACS MEMORANDA OF UNDERSTANDING.

Section 2350e of title 10, United States Code, is amended by striking out subsection (d).

SEC. 136. RING LASER GYRO NAVIGATION SYSTEMS.

Notwithstanding any other provision of law, none of the funds authorized for appropriations in fiscal years 1994, 1993, and 1992 for the Navy shall be obligated or expended for the procurement of ring laser gyro navigation systems for surface ships under a sole source contract.

SEC. 137. OPERATIONAL SUPPORT AIRCRAFT.

None of the funds appropriated for the Department of Defense for fiscal year 1994 may be obligated for a procurement of any operational support aircraft without full and open competition (as defined in section 2302(3) of title 10, United States Code), unless—

(1) the procurement is within an exception set forth in section 2304(c) of title 10, United States Code;

(2) the justification and certification requirements of section 2304(f) of such title are satisfied; and

(3) the Under Secretary of Defense for Acquisition certifies to the congressional defense committees that the procurement is within an exception set forth in section 2304(c) of such title.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorizations

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 1994 for the use of the Armed Forces for research, development, test, and evaluation as follows:

(1) For the Army, $5,303,738,000.

(2) For the Navy, $8,338,931,000.

(3) For the Air Force, $12,681,597,000.

(4) For the Defense Agencies, $9,775,951,000, of which—

(A) $252,592,000 is authorized for the activities of the Deputy Director, Defense Research and Engineering (Test and Evaluation); and

(B) $12,650,000 is authorized for the Director of Operational Test and Evaluation.

SEC. 202. AMOUNT FOR BASIC RESEARCH AND EXPLORATORY DEVELOPMENT.

(a) FISCAL YEAR 1994.—Of the amounts authorized to be appropriated by section 201, $4,549,445,000 shall be available for basic research and exploratory development projects.

(b) BASIC RESEARCH AND EXPLORATORY DEVELOPMENT DEFINED.—For purposes of this section, the term ''basic research and exploratory development'' means work funded in program elements for defense research and development under Department of Defense category 6.1 or 6.2.

SEC. 203. STRATEGIC ENVIRONMENTAL RESEARCH AND DEVELOPMENT PROGRAM.

Of the amounts authorized to be appropriated by section 201, $200,000,000 shall be available for the Strategic Environmental Research and Development Program.

SEC. 204. FUNDING FOR DEFENSE CONVERSION AND REINVESTMENT RESEARCH AND DEVELOPMENT PROGRAMS.

(a) Of the amounts authorized to be appropriated under section 201—

(1) $10,000,000 shall be available for the national defense program for analysis of the technology and industrial base under section 2503 of title 10, United States Code;

(2) $150,000,000 shall be available for defense dual-use critical technology partnerships established under section 2511 of such title;

(3) $100,000,000 shall be available for commercial-military integration partnerships established under section 2512 of such title;

(4) $100,000,000 shall be available for assistance of regional technology alliances under section 2513 of such title;

(5) $30,000,000 shall be available for defense advanced manufacturing technology partnerships established under section 2522 of such title;

(6) $100,000,000 shall be available for support of defense manufacturing technology extension programs under section 2523 of such title;

(7) $25,000,000 shall be available for defense manufacturing engineering education grants under section 2196 of such title;

(8) $10,000,000 shall be available for support of manufacturing experts in the classroom program under section 2197 of such title;

(9) $30,000,000 shall be available for the advanced materials synthesis and processing partnership program; and

(10) $50,000,000 shall be available for the agile manufacturing/enterprise integration program.

(b) Of the amounts authorized to be appropriated under section 201, $10,000,000 shall be available, in addition to the amounts specified in subsection (a), for the programs, projects, and activities described in subsection (a).

Subtitle B—Program Requirements, Restrictions, and Limitations

SEC. 211. KINETIC ENERGY ANTISATELLITE PROGRAM.

(a) CONVERSION OF PROGRAM.—The Secretary of Defense shall convert the Kinetic Energy Antisatellite (KE–ASAT) Program to a tactical antisatellite technologies program.

(b) LEVEL FUNDING.—Of the amounts authorized to be appropriated in this title, $10,000,000 shall be available

for fiscal year 1994 for engineering development under the program.

(c) DEVELOPMENT OF MOST CRITICAL TECHNOLOGIES.—The amount referred to in subsection (b) shall be available for engineering development of the most critical antisatellite technologies.

(d) LIMITATION PENDING SUBMISSION OF REPORT.—No funds appropriated to the Department of Defense for fiscal year 1994 may be obligated for the Kinetic Energy Antisatillite (KE–ASAT) program until the Secretary of Defense submits to Congress the report required by section 1363 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat. 2560) that contains, in addition to the matter required by such section, the Secretary's certification that there is a requirement for an antisatellite program.

SEC. 212. JAVELIN MISSILE PROGRAM.

(a) LIMITATION.—Of the funds authorized to be appropriated in section 201(1), not more than $34,937,000 may be obligated for the Javelin missile program until the Secretary of Defense certifies to the congressional defense committees that the Under Secretary of Defense for Acquisition—

(1) has conducted a thorough review of such program;

(2) has determined that the cost problems with the Javelin missile development and production are under control;

(3) has completed a cost-effectiveness evaluation and determined that the Javelin missile should enter production; and

(4) has approved an enhanced producibility plan developed by the Army.

(b) COST GROWTH REPORT.—The Secretary of Defense shall submit to Congress a report on the total extent of the increase in the cost of the Javelin program. The Secretary shall include in the report the Secretary's assessment of the extent of the contractor's liability for the increased cost and the actions being taken by or on behalf of the United States to obtain compensation for the contractor's share of the responsibility for the increased cost.

SEC. 213. PLAN FOR TESTING NEW ELECTRONIC COUNTERMEASURES SYSTEM FOR B–1B BOMBERS.

(a) REQUIREMENT FOR PLAN.—The Secretary of Defense shall develop a plan for testing the new electronic countermeasures system being developed for the B–1B bomber.

(b) CONTENT OF PLAN.—The plan shall contain—

(1) a detailed description of plans for developmental testing and for operational testing, includ-

ing early operational testing by the Director of Operational Test and Evaluation; and

(2) a full description of the range of test parameters, including B–1B bomber flight conditions, individual threat systems against which countermeasures will be tested, and testing of countermeasures in the presence of multiple threats.

(c) SUBMISSION OF PLAN.—(1) The Secretary shall submit the plan to the congressional defense committees.

(2) The Secretary shall provide a copy of the plan to the Director of Operational Test and Evaluation.

(d) REVIEW AND COMMENT.—The Director of Operational Test and Evaluation shall review the plan and submit any comments on the plan to the Secretary and directly to the congressional defense committees.

(e) SCOPE OF REVIEW.—The review required under subsection (d) shall include—

(1) the adequacy of the test plan to permit measurement of the extent to which the new electronic countermeasures system, if procured and installed in all B–1B bombers, would improve the survivability of B–1B bombers;

(2) the adequacy of available threat simulators to characterize threats that the B–1B bomber is likely to encounter on conventional bombing missions;

(3) the contribution of the new electronic countermeasures system to the effectiveness of the employment of B–1B bombers on conventional bombing missions if the new electronic countermeasures system were installed on all B–1B bomber aircraft; and

(4) such other matters as the Director of Operational Test and Evaluation considers significant.

(f) AVAILABILITY OF AUTHORIZED FUNDS.—Of the amount authorized to be appropriated under section 201(3), not more than $43,500,000 shall be available for the new electronic countermeasures system under the B–1B bomber aircraft program.

(g) LIMITATIONS.—(1) None of the funds made available pursuant to subsection (f) may be obligated until all of the requirements set forth in section 152 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat. 2340) have been met.

(2) Of the amount made available pursuant to subsection (f), not more than $20,000,000 may be obligated until the plan required by subsection (a) has been submitted to the congressional defense committees.

SEC. 214. SPACE LAUNCH PLAN.

(a) PLAN REQUIRED.—The Secretary of Defense shall develop a space launch plan that contains clearly defined priorities, goals, and milestones regarding new space

launch vehicles and technology. The Secretary shall submit the plan to Congress at the same time that he submits to Congress the future years defense program in 1994 pursuant to section 221 of title 10, United States Code.

(b) SELECTION OF LAUNCH VEHICLE OPTIONS.—Of the amount authorized to be appropriated in section 201(3) and to be made available for research, development, test, and evaluation of new space launch systems and technology, the Secretary of Defense shall allocate not less than 75 percent of such amount to one of the following options for a space launch system:

(1) A comprehensive demonstration of high-risk, far-term launch technology, such as reusable single-stage-to-orbit and air-breathing propulsion.

(2) A competitive acquisition program for a durable and inexpensive expendable or reusable launch vehicle with an initial operational capability date early in the next decade.

(3) A program to modify existing launch vehicles to achieve decreased cost and increased responsiveness.

(c) LIMITATION.—Not more than one-third of the amount authorized to be appropriated in section 201(3) and to be made available for research, development, test, and evaluation of new space launch systems and technology may be obligated until the Secretary certifies to the congres-

sional defense committees that the option selected for funding in accordance with subsection (b) is fully funded in the future years defense program referred to in subsection (a).

(d) USE OF FOREIGN LAUNCH VEHICLES.—(1) The Secretary of Defense shall conduct one or more studies to determine the potential for using space launch vehicles of foreign countries to launch United States national security payloads. The studies shall be conducted with the goal of determining whether the use of such launch vehicles would result in reduced costs for launches of national security payloads, increased competition in the furnishing of space launch vehicles for launching such payloads, and a reduction in the excessive United States space launch industrial base.

(2) Of the funds authorized to be appropriated under section 201(3) and to be made available for research, development, test, and evaluation of new space launch systems and technology, the Secretary of Defense shall allocate up to $5,000,000 for conducting studies described in paragraph (1).

(e) REQUIREMENT REGARDING DEVELOPMENT OF NEW LAUNCH VEHICLES.—If the Secretary of Defense selects an option referred to in paragraph (1) or (2) of subsection (b) for full funding in the future years defense plan referred to in subsection (a), the Secretary shall explore in-

novative government-industry funding, management, and acquisition strategies to minimize the cost and time involved.

(f) REQUIREMENT REGARDING MODIFICATION OF EXISTING LAUNCH VEHICLES.—If the Secretary of Defense selects the option referred to in paragraph (3) of subsection (b) for full funding under the future years defense plan referred to in subsection (a), the Secretary's plan shall provide for Department of Defense use of one medium-lift launch vehicle for satellite payloads instead of three medium-lift launch vehicles. The Secretary shall use competitive procedures to select the supplier of medium-lift launch vehicles.

(g) COST REDUCTION REQUIREMENT.—The plan shall provide for reducing the cost of producing existing launch vehicles at current and projected production rates below the current estimates of the costs for such production rates.

SEC. 215. MEDICAL COUNTERMEASURES AGAINST BIOWARFARE THREATS.

(a) FUNDING.—Of the amounts appropriated pursuant to section 201 for fiscal year 1994, not more than $108,300,000 shall be available for the medical component of the Biological Defense Research Program (BDRP) of the Department of Defense.

(b) LIMITATIONS.—(1) Funds appropriated or otherwise made available for the Department of Defense for fiscal year 1994 may be obligated and expended for product development, and for research, development, testing, and evaluation, of medical countermeasures against biowarfare threat agents only in accordance with this section.

(2) Of the funds made available pursuant to subsection (a), not more than $10,000,000 may be obligated or expended for research, development, test, or evaluation of medical countermeasures against far-term validated biowarfare threat agents.

(3) Of the funds made available pursuant to subsection (a), other than funds made available pursuant to paragraph (2) for the purpose set out in that paragraph—

(A) not more than 80 percent may be obligated and expended for product development, or for research, development, test, or evaluation, of medical countermeasures against near-term validated biowarfare threat agents; and

(B) not more than 20 percent may be obligated or expended for product development, or for research, development, test, or evaluation, of medical countermeasures against mid-term validated biowarfare threat agents.

(c) DEFINITIONS.—In this section, the terms ''validated biowarfare threat agent'', ''near-term validated biowarfare threat agent'', ''mid-term validated biowarfare threat agent'', and ''far-term validated biowarfare threat agent'' have the meanings given such terms, respectively, in section 241(c) of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484, 106 Stat. 2359).

SEC. 216. BASELINE REPORT FOR THE ARROW TACTICAL BALLISTIC MISSILE DEFENSE SYSTEM.

(a) BASELINE REPORT REQUIRED.—Not later than April 1, 1994, the Secretary of Defense shall submit to the congressional defense committees a baseline report on the Arrow tactical ballistic missile defense system of Israel. The Secretary shall design the report to provide such committees with the information the committees need to perform their oversight function.

(b) CONTENT OF REPORT.—At a minimum, the report shall include the following matters:

(1) The development and procurement schedules for the program.

(2) The estimated total cost of the program.

(3) The estimated total cost to the United States of involvement in the program, including funding

provided through foreign military sales financing under the Arms Export Control Act.

(4) The same or similar kinds of information that are included for a major defense acquisition program in a Selected Acquisition Report submitted pursuant to section 2432 of title 10, United States Code, to the extent that the Secretary can adapt the information requirements of that section for application to the Arrow tactical ballistic missile defense system.

(5) An assessment of the performance of the Arrow system.

(6) An evaluation of the development and production risks under the program.

(7) Alternatives to the Arrow system for meeting the tactical ballistic missile defense needs of Israel, including providing Israel with an existing or planned United States weapon system.

(8) For each such alternative—

(A) an assessment of the cost effectiveness of undertaking the alternative;

(B) the technology transfer implications; and

(C) the weapon proliferation implications.

(c) FORMS OF REPORT.—The Secretary shall submit the report in classified and unclassified versions.

SEC. 217. LIMITATIONS REGARDING FEDERALLY FUNDED RESEARCH AND DEVELOPMENT CENTERS.

(a) LIMITATIONS.—(1) Funds appropriated or otherwise made available for the Department of Defense for fiscal year 1994 pursuant to an authorization of appropriations in section 201 may be obligated for procuring work from any federally funded research and development center named in the table in paragraph (2) subject to the limitations set forth for such center in that table.

(2) The table referred to in paragraph (1) is as follows:

Federally funded research and development center:	Type of work for which funds may be obligated:	Maximum amount that may be obligated:	Maximum number of MTS-years that may be procured:
Center for Naval Analysis.	(unspecified)	$45,400,000	230
Institute for Defense Analysis.	Systems and engineering in connection with operational test and evaluation.	$13,500,000	76
	Research and development in connection with command, control, communications, and intelligence.	$33,500,000	136
	Studies and analysis.	$56,000,000	300
Rand Project Air Force.	(unspecified)	$24,000,000	116
National Defense Research Institute.	(unspecified)	$23,200,000	115
Arroyo Center.	(unspecified)	$21,000,000	104
Logistics Management Institute.	(unspecified)	$25,690,000	96
Aerospace Corporation.	(unspecified)	$376,770,000	2,165
MIT Lincoln Laboratory.	(unspecified)	$299,300,000	994
Mitre	(unspecified)	$399,700,000	2,357
Software Engineering Institute.	(unspecified)	$34,590,000	190
Institute for Advanced Technology.	(unspecified)	$0	0

(b) AUTHORITY TO WAIVE LIMITATIONS.—The Secretary of Defense may waive a limitation regarding a maximum amount or a maximum number of MTS-years that applies under subsection (a) to a federally funded research and development center if—

(1) the Secretary has notified the congressional defense committees of the proposed waiver and the reasons for the waiver, and the 60-day period that begins on the date of the notification has elapsed; or

(2) the Secretary determines that it is essential to the national security that funds be obligated for work in excess of that limitation within 60 days and notifies the congressional defense committees of that determination and the reasons for the determination.

(c) REPORT ON ALLOCATIONS FOR CENTERS.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report containing the following information:

(1) The proposed funding level and the estimated personnel level for fiscal year 1994 for each federally funded research and development center.

(2) The funding source for that funding level, by program element, and the amount transferred or to be

transferred from that source to each federally funded research and development center.

(d) LIMITATION PENDING SUBMISSION OF REPORT.—Notwithstanding any other provision of this section, no funds appropriated or otherwise made available for the Department of Defense for fiscal year 1994 may be obligated to obtain work from any federally funded research and development center until the Secretary of Defense has submitted the report required by subsection (c).

(e) LIMITATION REGARDING EMPLOYEE COMPENSATION.—(1) Except as provided in paragraph (2), during fiscal year 1994 no appropriated funds may be used to pay an employee of a federally funded research and development center named in the table in subsection (a)(2) at a higher rate of compensation than the rate of compensation that the center paid such employee during fiscal year 1993.

(2) The Secretary of Defense may waive the applicability of the limitation in paragraph (1) to any federally funded research and development center that certifies to the Secretary of Defense that the total expenditures of the center for fiscal year 1994, including any increases and planned increases in the rates of compensation for employees of the center, will be less than the amount equal to 94 percent of the maximum amount set forth for such center in the table in subsection (a)(2).

(f) DEFINITION.—In this section:

(1) The term ''MTS-year'' means a member of technical staff-year, as defined by the Secretary of Defense.

(2) The term ''technical staff'', with respect to a federally funded research and development center, means the following employees of the center:

(A) Researchers.

(B) Mathematicians.

(C) Programmers.

(D) Analysts.

(E) Economists.

(F) Scientists.

(G) Engineers.

(H) Other employees of the center who perform professional level technical work primarily in any of the following fields:

(i) Studies and analyses.

(ii) System engineering and integration.

(iii) Systems planning.

(iv) Program and policy planning and analysis.

(v) Basic and applied research.

(g) FUNDING.—(1) Of the amounts authorized to be appropriated to the Department of Defense for research, development, test, and evaluation for fiscal year 1994 pursuant to section 201, not more than $1,352,650,000 may be obligated for procuring services from the federally funded research and development centers listed in the table in subsection (a)(2).

(2) None of the funds authorized to be obligated under paragraph (1) may be obligated for the procurement of services from the Institute for Advanced Technology.

(h) UNDISTRIBUTED REDUCTION.—The total amount authorized to be appropriated for research, development, test, and evaluation in section 201 is hereby reduced by $200,000,000.

Subtitle C—Missile Defense Programs

SEC. 221. REVISION OF THE MISSILE DEFENSE ACT OF 1991.

(a) TERMINOLOGY AMENDMENTS.—The Missile Defense Act of 1991 (10 U.S.C. 2431 note) is amended—

(1) in section 234(c)(1)—

(A) by striking out ''Strategic Defense Initiative Organization (SDIO)'' and inserting in lieu thereof ''Ballistic Missile Defense Organization (BMDO)''; and

(B) by striking out ''Strategic Defense Initiative Organization's'' and inserting in lieu thereof ''Ballistic Missile Defense Organization's'';

(2) in section 235—

(A) in the section heading, by striking out ***''STRATEGIC DEFENSE INITIATIVE''*** *and inserting in lieu thereof* ***''BALLISTIC MISSILE DEFENSE PROGRAM''****; and*

(B) in the text of such section, by striking out ''Strategic Defense Initiative'' each place it appears and inserting in lieu thereof ''Ballistic Missile Defense program'';

(3) in the heading of section 236, by striking out ***''SDI''*** *and inserting in lieu thereof* ***''BMD''****; and*

(4) in sections 234, 235, and 236, by striking out ''Strategic Defense Initiative Organization'' each place it appears and inserting in lieu thereof ''Ballistic Missile Defense Organization''.

(b) REPEAL OF FUNDING, REPORTING, AND TRANSFER PROVISIONS.—(1) Section 237 of such Act is repealed.

(2) Such Act is amended by redesignating sections 238, 239, and 240 as sections 237, 238, and 239, respectively.

SEC. 222. FUNDING OF CERTAIN BALLISTIC MISSILE DEFENSE PROGRAMS.

(a) FUNDING FOR CERTAIN BALLISTIC MISSILE RDT&E.—If a decision is not made before February 28, 1994, to proceed into engineering and manufacturing development under a weapon system program referred to in subsection (b), the funds appropriated pursuant to the authorization of appropriations in section 201 that are available for engineering and manufacturing development for such a program shall be available for research, development, test, and evaluation of the Patriot PAC–3 Missile program.

(b) COVERED WEAPON SYSTEM PROGRAMS.—For purposes of subsection (a) the weapon system programs referred to in this subsection are as follows:

(1) The Patriot Multimode Missile Program.

(2) The Extended Range Interceptor (ERINT) missile program.

SEC. 223. REQUIREMENT FOR REVIEW OF BALLISTIC MISSILE DEFENSE SYSTEMS AND COMPONENTS FOR COMPLIANCE WITH ABM TREATY.

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

(1) That section 232(a)(1) of the Missile Defense Act of 1991 (10 U.S.C. 2431 note) establishes a goal for the United States to comply with the ABM Treaty (including any protocol or amendment thereto) and not develop, test, or deploy any ballistic missile de-

fense system, or component thereof, in violation of that treaty (as modified by any protocol or amendment thereto) while deploying an anti-ballistic missile system capable of providing a highly effective defense of the United States against limited attacks of ballistic missiles.

(2) That the Department of Defense has conducted no formal compliance reviews of any of the components or systems scheduled for early deployment as part of either the Theater Missile Defense Initiative or the initial limited defense system to be located at Grand Forks, North Dakota.

(3) That the Department of Defense is continuing to obligate hundreds of millions of dollars during fiscal year 1993 for the development and testing of systems or components of ballistic missile defense systems prior to a determination that, if successfully developed, tested, or deployed, those systems and components would be in compliance with the ABM Treaty.

(4) That the Department of Defense is requesting the authorization and appropriation of additional funds for continued development of such systems and components during fiscal year 1994.

(5) That the United States and its allies face existing and expanding threats from ballistic missiles

capable of being utilized as theater weapon systems that are presently possessed by, being developed by, or being acquired by a number of countries such as Iraq, Iran, North Korea, and others.

(6) That some theater ballistic missiles presently deployed or being developed (such as the Chinese-made CSS–2) have capabilities equal to or greater than missiles which had been determined to be strategic missiles 20 years earlier under the U.S.–USSR SALT I Interim Agreement of 1972.

(7) That the ABM Treaty was not intended to, and does not, apply to or limit research, development, testing, or deployment of missile defense systems, system upgrades, or system components that are designed to counter modern theater ballistic missiles regardless of their capabilities, unless such systems, system upgrades, or system components are tested against or have demonstrated capabilities to counter modern strategic ballistic missiles.

(8) That it is a national security priority of the United States to develop and deploy highly effective theater missile defense systems capable of countering the existing and expanding threats posed by modern theater ballistic missiles, as soon as is technically possible.

(9) That it is essential that the Secretary of Defense immediately undertake and complete compliance reviews of proposed theater missile defense systems, system upgrades, and system components so as to not delay the development and deployment of such highly effective theater missile defense systems.

(10) That the Secretary of Defense should immediately report to the Congress on any issue which arises during the course of such compliance reviews which appears to indicate that any provision of the ABM Treaty may limit research, development, testing, or deployment by the United States of highly effective theater missile defense systems capable of countering modern theater ballistic missiles.

(b) REQUIRED COMPLIANCE REVIEW.—(1) The Secretary of Defense shall review the program for each system and system upgrade specified in paragraph (2), and the system components, to determine whether the development, testing, and deployment of that system or system upgrade complies with the ABM Treaty.

(2) The systems and system upgrades to be reviewed pursuant to paragraph (1) are as follows:

(A) The Patriot Multimode Missile.

(B) The Extended Range Interceptor (ERINT).

(C) The Ground-Based Radar for theater missile defenses (GBR–T).

(D) The Theater High Altitude Area Defense interceptor missile (THAAD).

(E) The Brilliant Eyes space-based sensor system.

(F) Upgrades to the AEGIS/SPY radar system of the Navy.

(G) Upgrades to the Standard Missile–2 (SM–2) interceptor of the Navy.

(c) REPORT REQUIRED.—(1) For each system and system upgrade specified in paragraph (2) of subsection (b), the Secretary shall submit to the congressional defense committees a report on the results of the review required by that subsection. A report may include the results of the reviews of more than one system and system upgrade.

(2) With regard to the Brilliant Eyes space-based sensor, the Secretary shall include in the report findings on each of the following issues:

(A) Would the current baseline configuration of the Brilliant Eyes space-based sensor comply with the ABM Treaty if the system were used in conjunction with the planned ground-based radar system and its ground-based interceptors at Grand Forks, North Dakota?

(B) If not, can design changes or operational changes be made to the Brilliant Eyes space-based sensor that—

(i) will result in the usability of the sensor in conjunction with the planned ground-based radar system and its ground-based interceptors being in compliance with the ABM Treaty; and

(ii) will not prevent the system from performing its strategic defense missions with a high degree of effectiveness?

(C) If not, can the Brilliant Eyes space-based sensor be made, through design changes or operational changes, for use only with theater missile defense systems and be in compliance with the ABM Treaty?

(D) If so, to what extent would the Brilliant Eyes space-based sensor enhance the capability of upper-tier theater defense systems and lower-tier theater defense systems, respectively?

(d) LIMITATIONS ON FUNDING.—(1) Not more than one-half of the funds reported pursuant to section 227(c) to be allocated for fiscal year 1994 for a system or system upgrade specified in subsection (b)(2) of this section may be obligated for that system or system upgrade, or any of its components, until the Secretary has completed the compliance review of such system or system upgrade required

by subsection (b) and has submitted to the congressional defense committees the report on the results of the compliance review of that system or system upgrade as required by subsection (c). The preceding sentence does not apply with respect to the Brilliant Eyes space-based sensor system.

(2) Not more than $50,000,000 may be obligated for the Brilliant Eyes space-based sensor until the Secretary has completed the compliance review of such system required by subsection (b) and has submitted to the congressional defense committees the report required under subsection (c) for that system.

(e) ABM TREATY COMPLIANCE OF THEATER MISSILE DEFENSE SYSTEMS.—The Secretary of Defense has assured the Congress in the January 1993 Report to Congress on the Strategic Defense Initiative and in the June 1993 Report to Congress on the Theater Missile Defense Initiative that all programs, projects, and activities under both initiatives that are planned for execution in fiscal year 1994 fully comply with the ABM Treaty.

(f) DEFINITION.—In this section, the term ''ABM Treaty'' has the meaning given such term in section 239 of the Missile Defense Act of 1991 (10 U.S.C. 2431 note).

SEC. 224. THEATER MISSILE DEFENSE MASTER PLAN.

(a) MASTER PLAN REQUIRED.—(1) Not later than March 1, 1994, the Secretary of Defense shall submit to Congress a report containing an updated master plan for theater missile defenses.

(2) The plan shall include the following matters:

(A) A description of the mission and scope of theater missile defense.

(B) A description of the role of each of the Armed Forces in theater missile defense and an explanation of how those roles interact and complement each other.

(C) An evaluation of the cost and relative effectiveness of each interceptor and sensor under development as part of a theater missile defense system by the Ballistic Missile Defense Organization.

(D) A detailed acquisition strategy for theater missile defenses, including an analysis and comparison of the projected life-cycle costs of each theater missile defense system intended for production, showing the component costs for—

(i) research, development, test, and evaluation;

(ii) procurement;

(iii) operation and maintenance; and

(iv) personnel for each system.

(E) The baseline production rate for each system for each year of the program through completion of procurement.

(F) An estimate of the unit cost and capabilities of each element.

(G) A description of the current and planned testing program for theater missile defenses, including a description of demonstration targets to be tracked and engaged by multiple interceptors, target discrimination from decoys, and a shoot-look-shoot capability.

(H) A description of how any projected theater missile defense program will conform to existing Anti-Ballistic Missile Treaty and Intermediate Nuclear Forces Treaty regimes, indicating clearly any potential noncompliance with either treaty regime, when such noncompliance would occur, and the position of the Secretary of Defense as to whether provisions of either treaty regime would have to be renegotiated within that regime in order to address future contingencies.

(I) A description of planned theater missile defense doctrine, training, tactics, and force structure.

(b) OBJECTIVES OF PLAN.—In preparing the master plan the Secretary shall—

(1) seek to maximize the use of existing technologies (such as AEGIS, Patriot, and THAAD) rather than develop new systems;

(2) seek to maximize integration and compatibility among the systems, roles, and missions of the military departments; and

(3) seek to promote cross-service use of existing equipment (such as development of Army equipment for the Marine Corps or ground utilization of an air or sea system).

SEC. 225. EXTENSION OF AUTHORITY FOR TRANSFER OF RESPONSIBILITY FOR FAR-TERM FOLLOW-ON TECHNOLOGIES.

Section 234(d)(2) of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat. 2357; 10 U.S.C. 2431 note) is amended—

(1) in subparagraph (A)—

(A) by striking out ''1993'' and inserting in lieu thereof ''1994'';

(B) by striking out ''(A)''; and

(C) by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively; and

(2) by striking out ''(B) For purposes of subparagraph (A),'' and all that follows.

SEC. 226. REPORT ON ACQUISITION STREAMLINING TO ACCELERATE DEPLOYMENT OF INITIAL ABM SYSTEM.

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

(1) The Missile Defense Act of 1991 (10 U.S.C. 2431 note) calls for the deployment of an ABM Treaty-compliant anti-ballistic missile system capable of providing a highly effective defense of the United States against limited attacks by ballistic missiles.

(2) That Act directed the Secretary of Defense to structure a development program with the objective of deploying such systems by the earliest date allowed by the availability of appropriate technology and the completion of adequate integrated testing of all systems components.

(3) Since 1983, in excess of $30,000,000,000 has been provided for research and development of ballistic missile defense capabilities.

(4) Notwithstanding this huge expenditure of funds on missile defense technologies, the Secretary of Defense has proposed deployment of such a system no sooner than 2004.

(5) It is incredible that the initial deployment of a limited defense capability requires another 11 years

to accomplish within the congressionally mandated guidance.

(b) REVIEW REQUIRED.—The Secretary of Defense shall conduct an intensive and extensive review of opportunities to streamline the weapon systems acquisition process applicable to the development, deployment, and testing of ballistic missile defenses with the objective of reducing the cost of deployment and accelerating the schedule for deployment without significantly increasing programmatic risk or concurrency. In conducting the review, the Secretary shall obtain recommendations and advice from the Defense Science Board, the faculty of the Industrial College of the Armed Forces, and federally funded research and development centers supporting the Office of the Secretary of Defense.

(c) REPORT REQUIRED.—Not later than May 1, 1994, the Secretary shall submit to the congressional defense committees a report on his findings resulting from the review together with his recommendations for legislation, if any. The Secretary shall submit the report in unclassified form, but may also submit a classified version of the report if he considers it necessary to classify any of the information in his findings or recommendations or any related information.

SEC. 227. FUNDING FOR BALLISTIC MISSILE DEFENSE PROGRAMS.

(a) TOTAL AMOUNT.—Of the amounts appropriated pursuant to section 201 for fiscal year 1994, or otherwise made available to the Department of Defense for research, development, test and evaluation for fiscal year 1994, not more than $2,684,535,000 may be obligated for programs managed by the Ballistic Missile Defense Organization, of which—

(1) not more than 48 percent of the total amount may be obligated for Theater Missile Defense;

(2) not more than 32 percent of the total amount may be obligated for the Limited Defense System;

(3) not more than 9 percent of the total amount may be obligated for Other Follow-On Systems;

(4) not more than 10 percent of the total amount may be obligated for Research and Other Support Activities; and

(5) not more than 1 percent of the total amount may be obligated for Small Business Innovation Research program and the Small Business Technology Transfer program.

Notwithstanding paragraphs (1), (2), (3), and (4), the Secretary of Defense may obligate for a ballistic missile defense initiative or program element referred to in any such paragraph a total amount that exceeds by not more than 10

percent the maximum amount determined under that paragraph, except that the total amount obligated for all programs managed by the Ballistic Missile Defense Organization may not exceed the total amount authorized in the matter above paragraph (1).

(b) LIMITATION ON NUMBER OF TMD PROGRAMS.—(1) Subject to paragraph (2), the amount authorized to be obligated for Theater Missile Defense may be obligated only for—

(A) the Patriot PAC–3 Missile program;

(B) not more than 2 other lower-tier theater missile defense programs;

(C) not more than 2 upper-tier theater missile defense programs; and

(D) not more than 2 boost-phase intercept theater missile defense programs.

(2) The President may waive the limitation in paragraph (1) to the extent that the President determines appropriate in the national security interest of the United States.

(c) FUNDS NOT TO BE MADE AVAILABLE FOR BRILLIANT EYES.—None of the funds authorized to be obligated under subsection (a) may be obligated for the Brilliant Eyes space-based sensor program.

(d) REPORTING REQUIREMENT.—Not later than 60 days after the date of the enactment of this Act, the Sec-

retary of Defense shall submit to the congressional defense committees a report on the allocation of funds appropriated for the ballistic missile defense program for fiscal year 1994. The report shall specify the amount of such funds allocated for each program, project, and activity managed by the Ballistic Missile Defense Organization and shall list each ballistic missile defense program, project, and activity under the appropriate program element.

SEC. 228. TESTING OF NATIONAL MISSILE DEFENSE PROGRAM PROJECTS.

(a) ADVANCE REVIEW AND APPROVAL OF PROPOSED DEVELOPMENTAL TESTS.—No developmental test may be conducted under the limited missile defense program element of the Ballistic Missile Defense Program until the Director of the Ballistic Missile Defense Organization has notified the Secretary of Defense of the test and the Secretary has reviewed and approved (or approved with changes) the test plan.

(b) INDEPENDENT MONITORING OF TESTS.—(1) The Secretary shall provide for monitoring of the implementation of each test plan referred to in subsection (a) by a group composed of independent persons who—

(A) by reason of education, training, or experience, are qualified to monitor the testing covered by the plan; and

(B) are not assigned or detailed to, or otherwise performing duties of, the Ballistic Missile Defense Organization and are otherwise independent of such organization.

(2) The monitoring group shall submit to the Secretary its analysis of, and conclusions regarding, the conduct and results of each test monitored by the group.

Subtitle D—Other Matters

SEC. 231. NUCLEAR TESTING.

(a) LIMITATIONS.—(1) None of the funds appropriated pursuant to an authorization in this or any other Act may be obligated to support underground explosions of nuclear weapons, or devices, for testing of the effects of nuclear weapon explosions, including the so-called ''Mighty Uncle'' test.

(2) Funds available for the so-called ''Mighty Uncle'' test may not be obligated until the Secretary of Defense submits to the congressional defense committees a detailed spending plan for underground nuclear weapon testing that is consistent with the provisions of section 507 of Public Law 102–377 (106 Stat. 1343).

(b) CERTAIN ACTIONS AUTHORIZED.—The Secretary of Defense may proceed with underground nuclear test tunnel deactivation and environmental cleanup and may ex-

pend funds for infrastructure activities not prohibited by subsection (a).

(c) FUNDING.—Of the funds authorized to be appropriated pursuant to section 201, not more than $38,000,000 may be used for activities described in subsection (b).

(d) TERMINATION OF SAFEGUARD C PROGRAM.—The atmospheric test readiness program known as ''Safeguard C'' is hereby terminated.

SEC. 232. ONE-YEAR DELAY IN TRANSFER OF MANAGEMENT RESPONSIBILITY FOR NAVAL MINE COUNTERMEASURES PROGRAM TO THE DIRECTOR, DEFENSE RESEARCH AND ENGINEERING.

Section 216(a) of the National Defense Authorization for Fiscal Years 1992 and 1993 (Public Law 102–190; 105 Stat. 1317) as amended by section 215(l) of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat. 2352) is amended by striking out ''fiscal years 1994 through 1997'' and inserting in lieu thereof ''fiscal years 1995 through 1999''.

SEC. 233. TERMINATION, REESTABLISHMENT, AND RECONSTITUTION OF AN ADVISORY COUNCIL ON SEMICONDUCTOR TECHNOLOGY.

(a) TERMINATION OF ADVISORY COUNCIL ON FEDERAL PARTICIPATION IN SEMATECH.—The Advisory Council on Federal Participation in Sematech established by section

273 of the National Defense Authorization Act for Fiscal Years 1988 and 1989 (15 U.S.C. 4603) is hereby terminated.

(b) SEMICONDUCTOR TECHNOLOGY COUNCIL.—Section 273 of the National Defense Authorization Act for Fiscal Years 1988 and 1989 (15 U.S.C. 4603) is amended by striking out the heading and subsections (a) through (c) and inserting in lieu thereof the following:

"SEC. 273. SEMICONDUCTOR TECHNOLOGY COUNCIL.

"(a) ESTABLISHMENT.—There is established the Semiconductor Technology Council.

"(b) PURPOSES AND FUNCTIONS.—(1) The purposes of the Council are—

"(A) to seek ways to respond to the technology challenges for semiconductors by increasing efficiency, promoting creativity and entrepreneurship, and fostering precompetitive cooperation among industry, government, and academia; and

"(B) to make available judgments, assessments, insights, and recommendations that relate to the opportunities for new research and development efforts and the potential to better rationalize and align on a national basis semiconductor research and development.

"(2) The Council shall—

"(A) advise Sematech and the Secretary of Defense on appropriate technology goals for the research and development activities of Sematech;

"(B) review the technology developments and core technology challenges for semiconductors and explore opportunities for improved coordination among industry, government, and academia;

"(C) exchange views regarding the competitiveness of the semiconductor technology base and new or emerging semiconductor technologies that could affect national economic and security interests;

"(D) exchange and update information and identify overlaps and gaps regarding the efforts of industry, government, and academia in semiconductor research and development;

"(E) assess technology progress relative to the semiconductor technology roadmap;

"(F) make recommendations regarding the scope and content of semiconductor technology development supported by Federal departments and agencies;

"(G) appoint subgroups as necessary in connection with updating and implementing the semiconductor technology roadmap; and

"(H) publish an annual report addressing the semiconductor technology challenges and developments

for industry, government, and academia and the relationship among the challenges and developments for each, with particular emphasis on the role of Sematech.

"(c) MEMBERSHIP.—The Council shall be composed of 14 members as follows:

"(1) The Under Secretary of Defense for Acquisition, who shall be Cochairman of the Council.

"(2) The Under Secretary of Energy responsible for science and technology matters.

"(3) The Under Secretary of Commerce for Technology.

"(4) The Director of the Office of Science and Technology Policy.

"(5) The Assistant to the President for Economic Policy.

"(6) The Director of the National Science Foundation.

"(7) Eight members appointed by the President as follows:

"(A) Four individuals who are eminent in the semiconductor device industry, one of whom shall be Cochairman of the Council.

''(B) Two individuals who are eminent in the semiconductor equipment and materials industry.

''(C) One individual who is eminent in the semiconductor user industry.

''(D) One individual who is eminent in an academic institution.''.

(c) CONFORMING AMENDMENTS.—Part F of title II of such Act is amended—

(1) in section 271(c) (15 U.S.C. 4601(c)), by striking out paragraph (1) and inserting in lieu thereof the following:

''(1) The terms 'Semiconductor Technology Council' and 'Council' mean the advisory council established by section 273.'';

(2) in section 272(b)(1)(B) (15 U.S.C. 4602(b)(1)(B)), by striking out ''Advisory Council on Federal Participation in Sematech'' and inserting in lieu thereof ''Semiconductor Technology Council''; and

(3) in section 273 (15 U.S.C. 4603)—

(A) in the first sentence of subsection (d)—

(i) by striking out ''(c)(6)'' and inserting in lieu thereof ''(c)(7)''; and

(ii) by striking out ''two shall be appointed for a term of two years'' and insert-

ing in lieu thereof ''three shall be appointed for a term of two years'';

(B) in the first sentence of subsection (e), by striking out ''(c)(6)'' and inserting in lieu thereof ''(c)(7)''; and

(C) in subsection (f), by striking out ''Seven members'' and inserting in lieu thereof ''Nine members''.

(d) AUTHORITY TO CALL MEETING.—Section 273(g) of such Act (15 U.S.C. 4603(g)) is amended by striking out ''the Chairman or a majority of its members'' and inserting in lieu thereof ''a Cochairman''.

(e) SOURCE OF SUPPORT FOR SEMATECH.—Section 273 of such Act (22 U.S.C. 4603) is amended by adding at the end the following new subsection:

''(j) SUPPORT FOR COUNCIL.—The Council shall utilize Sematech as needed for general and administrative support in accomplishing the Council's purposes.''.

(f) FIRST MEETING OF NEW COUNCIL.—The first meeting of the Semiconductor Technology Council shall be held not later than 45 days after the date of the enactment of this Act.

(g) REFERENCE TO COUNCIL.—A reference in any provision of law to the Advisory Council on Federal Participation in Sematech shall be deemed to refer to the Semi-

conductor Technology Council established by section 273 of the National Defense Authorization Act for Fiscal Years 1988 and 1989, as amended by subsection (b).

SEC. 234. AUTHORITY TO ACQUIRE NAVY LARGE CAVITATION CHANNEL, MEMPHIS, TENNESSEE.

(a) AUTHORITY TO ACQUIRE.—The Secretary of the Navy may acquire all right, title, and interest of any party in and to a parcel of real property, including improvements thereon, consisting of approximately 88 acres and located on President's Island, Memphis, Tennessee, the site of the Navy Large Cavitation Channel.

(b) FUNDING.—To the extent provided in appropriations Acts, amounts appropriated pursuant to section 201(2) for the Navy shall be available for the acquisition of real property authorized under subsection (a).

(c) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be acquired under subsection (a) shall be determined by a survey that is satisfactory to the Secretary.

(d) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require any additional terms and conditions in connection with the acquisition under subsection (a) that the Secretary considers appropriate to protect the interests of the United States.

SEC. 235. STRATEGIC ENVIRONMENTAL RESEARCH COUNCIL.

(a) MEMBERSHIP.—Section 2902(b) of title 10, United States Code, is amended—

(1) by striking out paragraph (1);

(2) by redesignating paragraphs (2), (3), and (4), as paragraphs (1), (2), and (3), respectively;

(3) by inserting after paragraph (3), as so redesignated, the following new paragraph (4):

''(4) The Deputy Under Secretary of Defense responsible for environmental security.''; and

(4) by striking out paragraph (6) and inserting in lieu thereof the following new paragraph (6):

''(6) The Assistant Secretary of Energy responsible for environmental restoration and waste management.''.

(b) EXTENSION OF AUTHORITY TO ESTABLISH EMPLOYEE PAY RATES.—Section 2903(d)(2) of title 10, United States Code, is amended by striking out ''November 5, 1992'' and inserting in lieu thereof ''September 30, 1995''.

SEC. 236. SENSE OF THE SENATE ON METALCASTING INDUSTRY.

It is the Sense of the Senate that—

(1) The health and viability of the metalcasting industry of the United States are a serious risk, and

(2) The Secretary of Defense should seriously consider providing funds, from within the funds made available pursuant to section 204, for metalcasting industry research and development activities, including the following activities:

(A) Development of casting technologies and techniques.

(B) Improvement of technology transfer within the metalcasting industry in the United States.

(C) Improvement of training for the metalcasting industry workforce.

SEC. 237. INTERIM RECONNAISSANCE PROGRAM.

(a) Of the funds authorized to be appropriated in section 201 for the Joint Program Office for Unmanned Aerial Vehicles, up to $40,000,000 may be obligated and expended for the purposes of initiating a long-endurance, unmanned reconnaissance aerial vehicle program, subject to the conditions outlined in subsection (b) and subsection (c).

(b) The funds may be obligated only to procure, integrate, test and evaluate non-development airframes, sensors, communication equipment, mission planning equipment and ground stations.

(c) None of the funds may be obligated until the Department identifies the programs within the jurisdiction of

the Joint Program Office that will be terminated or deferred, consistent with normal reprogramming procedures.

Subtitle E—Programs in Support of the Prevention and Control of Proliferation of Weapons of Mass Destruction

SEC. 241. SHORT TITLE.

This subtitle may be cited as the ''Prevention and Control of the Proliferation of Weapons of Mass Destruction Act of 1993''.

SEC. 242. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the United States should have the ability to counter effectively potential threats to United States interests that arise from the proliferation of such weapons;

(2) the Department of Defense, the Department of Energy, and the Intelligence Community have an important role in preventing the proliferation of weapons of mass destruction and dealing with the consequences of any proliferation of such weapons;

(3) the Department of Defense, the Department of Energy, and the Intelligence Community have unique capabilities and expertise that can enhance the effectiveness of United States and international

nonproliferation efforts, including capabilities and expertise regarding—

(A) detection and monitoring of proliferation of weapons of mass destruction;

(B) development of effective export control regimes;

(C) interdiction and destruction of weapons of mass destruction and related weapons material; and

(D) carrying out international monitoring and inspection regimes that relate to proliferation of such weapons and material;

(4) the Department of Defense, the Department of Energy, and the Intelligence Community have unique capabilities and expertise that directly contribute to the ability of the United States to implement United States policy to counter effectively the threats that arise from the proliferation of weapons of mass destruction, including capabilities and expertise regarding—

(A) responses to terrorism, theft, or accidents involving weapons of mass destruction;

(B) conduct of intrusive international inspections for verification of arms control treaties;

(C) direct and discrete counterproliferation actions that require use of force; and

(D) development and deployment of active military countermeasures and protective measures against threats resulting from arms proliferation, including defenses against ballistic missile attacks; and

(5) in a manner consistent with the nonproliferation policy of the United States, the Department of Defense, the Department of Energy, and the Intelligence Community should continue to maintain and improve their capabilities to identify, monitor, and respond to the proliferation of weapons of mass destruction and delivery systems for such weapons.

SEC. 243. JOINT COMMITTEE FOR REVIEW OF NONPROLIFERATION PROGRAMS OF THE UNITED STATES.

(a) ESTABLISHMENT.—(1) In support of the nonproliferation policy of the United States, there is hereby established a Non-Proliferation Program Review Committee composed of the following members:

(A) The Secretary of Defense.

(B) The Secretary of Energy.

(C) The Director of Central Intelligence.

(D) The Director of the United States Arms Control Disarmament Agency.

(E) The Chairman of the Joint Chiefs of Staff.

(2) The Secretary of Defense shall chair the committee.

(3) A member of the committee may designate a representative to perform routinely the duties of the member. A representative shall be in a position of Deputy Assistant Secretary or a position equivalent to or above the level of Deputy Assistant Secretary. A representative of the Chairman of the Joint Chiefs of Staff shall be a person in a grade equivalent to that of Deputy Assistant Secretary of Defense.

(4) The Secretary of Defense may delegate to the Under Secretary of Defense for Acquisition the performance of the duties of the Chairman of the committee.

(5) The members of the committee shall first meet not later than 30 days after the date of the enactment of this Act. Upon designation of working level officials and representatives, the members of the committee shall jointly notify the appropriate committees of Congress that the committee has been constituted. The notification shall identify the representatives designated pursuant to paragraph (3) and the working level officials of the committee.

(b) PURPOSES OF THE COMMITTEE.—The purposes of the committee are as follows:

(1) To optimize funding for, and ensure the development and deployment of—

(A) highly effective technologies and capabilities for the detection, monitoring, collection, processing, analysis, and dissemination of information in support of United States nonproliferation policy; and

(B) disabling technologies in support of such policy.

(2) To identify and eliminate undesirable redundancies or uncoordinated efforts in the development and deployment of such technologies and capabilities.

(c) DUTIES.—The committee shall—

(1) identify and review existing and proposed capabilities (including counterproliferation capabilities) and technologies for support of United States nonproliferation policy with regard to—

(A) intelligence;

(B) battlefield surveillance;

(C) passive defenses;

(D) active defenses;

(E) counterforce capabilities;

(F) inspection support; and

(G) support of export control programs;

(2) as part of the review pursuant to paragraph (1), review all directed energy and laser programs for detecting, characterizing, or interdicting weapons of mass destruction, their delivery platforms, or other orbiting platforms with a view to the elimination of redundancy and the optimization of funding for the systems not eliminated;

(3) prescribe requirements and priorities for the development and deployment of highly effective capabilities and technologies to support fully the nonproliferation policy of the United States;

(4) identify deficiencies in existing capabilities and technologies;

(5) formulate near-term, mid-term, and long-term programmatic options for meeting requirements established by the committee and eliminating deficiencies identified by the committee; and

(6) in carrying out the other duties of the committee, ensure that all types of counterproliferation actions are considered.

(d) ACCESS TO INFORMATION.—The committee shall have access to information on all programs, projects, and activities of the Department of Defense, Department of Energy, and the intelligence community that are pertinent to the purposes and duties of the committee.

(e) BUDGET RECOMMENDATIONS.—The committee may submit to the officials referred to in subsection (a) any recommendations regarding existing or planned budgets as the committee considers appropriate to encourage funding for capabilities and technologies at the level necessary to support United States nonproliferation policy.

SEC. 244. REPORT ON NONPROLIFERATION AND COUNTERPROLIFERATION ACTIVITIES AND PROGRAMS.

(a) REPORT REQUIRED.—Not later than May 1, 1994, the Secretary of Defense shall submit to Congress a report on the findings of the committee on nonproliferation activities established pursuant to section 243.

(b) CONTENT OF REPORT.—The report shall include the following matters:

(1) A complete list, by program, of the existing, planned, and proposed capabilities and technologies reviewed by the committee, including all directed energy and laser programs reviewed pursuant to section 243(c)(2).

(2) A complete description of the requirements and priorities established by the committee.

(3) A comprehensive discussion of the near-term, mid-term, and long-term programmatic options formulated by the committee for meeting requirements

prescribed by the committee and eliminating deficiencies identified by the committee, including the annual funding requirements and completion dates established for each such option.

(4) An explanation of the recommendations made pursuant section 243(e) and a full discussion of the actions taken on such recommendations, including the actions taken to implement the recommendations.

(5) A discussion of the existing and planned capabilities of the Armed Forces of the United States—

(A) to detect and monitor clandestine programs for the acquisition or production of weapons of mass destruction;

(B) to respond to terrorism or accidents involving such weapons and thefts of materials related to any weapon of mass destruction; and

(C) to assist in the interdiction and destruction of weapons of mass destruction, related weapons materials, and advanced conventional weapons.

(6) A description of—

(A) the extent to which the Secretary of Defense has incorporated nonproliferation and counterproliferation missions into the overall

missions of the unified combatant commands; and

(B) how the special operations command established pursuant to section 167(a) of title 10, United States Code, might support the commanders of the other unified combatant commands and the commanders of the specified combatant commands in the performance of such overall missions.

(c) FORMS OF REPORT.—The report shall be submitted in both unclassified and classified forms, as appropriate.

SEC. 245. DEFINITIONS.

In this subtitle:

(1) The term ''appropriate congressional committees'' means the following:

(A) The Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate.

(B) The Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) The term ''intelligence community'' has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 401a).

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

SEC. 301. OPERATION AND MAINTENANCE FUNDING.

Funds are hereby authorized to be appropriated for fiscal year 1994 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance in amounts as follows:

(1) For the Army, $15,194,036,000.

(2) For the Navy, $19,081,792,000.

(3) For the Marine Corps, $1,790,489,000.

(4) For the Air Force, $18,932,246,000.

(5) For Defense Agencies $9,523,283,000.

(6) For the Defense Health Program, $9,303,447,000.

(7) For the Army Reserve, $1,096,190,000.

(8) For the Naval Reserve, $782,800,000.

(9) For the Marine Corps Reserve, $83,100,000.

(10) For the Air Force Reserve, $1,356,078,000.

(11) For the Army National Guard, $2,216,944,000.

(12) For the Air National Guard, $2,717,733,000.

(13) For the National Board for the Promotion of Rifle Practice, $2,483,000.

(14) For the Defense Inspector General, $127,001,000.

(15) For Drug Interdiction and Counter-Drug Activities, Defense-wide, $1,168,200,000.

(16) For the Court of Military Appeals, $6,055,000.

(17) For Environmental Restoration, Defense, $2,369,400,000.

(18) For Humanitarian Assistance, $48,000,000.

(19) For support for the 1996 Summer Olympics, $2,000,000.

(20) For support for the 1994 World Cup Games, $12,000,000.

(21) For Former Soviet Union Threat Reduction, $400,000,000.

SEC. 302. WORKING CAPITAL FUNDS.

There is hereby authorized to be appropriated for fiscal year 1994 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for the Defense Business Operations Fund, $1,161,095,000.

SEC. 303. FUNDING NATIONAL DEFENSE STRATEGIC LIFT REQUIREMENTS.

(a) RENAMING FUND.—Section 2218 of title 10, United States Code, is amended—

(1) by striking out the section heading and inserting in lieu thereof the following:

"§ 2218. National Defense Strategic Lift Fund";

and

(2) by striking out ''National Defense Strategic Sealift Fund'' each time it appears and inserting in lieu thereof ''National Defense Strategic Lift Fund''.

(b) FUND PURPOSES.—Subsection (c)(1) of such section is amended—

(1) by striking out ''and'' at the end of subparagraph (C);

(2) by striking out the period at the end of subparagraph (D) and inserting in lieu thereof ''; and''; and

(3) by adding at the end the following new subparagraph:

''(E) construction, purchase, alteration, and conversion of Department of Defense strategic airlift aircraft.''.

(c) DEPOSITS IN THE FUND.—Subsection (d)(1) of such section is amended—

(1) by striking out ''and'' at the end of subparagraph (C);''

(2) by striking out the period at the end of subparagraph (D) and inserting in lieu thereof ''; and''; and

(3) by adding at the end the following new subparagraph:

''(E) construction, purchase, alteration, and conversion of Department of Defense strategic airlift aircraft.''.

(d) CONTENT OF BUDGET REQUESTS.—Subsection (h) of such section is amended—

(1) by striking out ''and'' at the end of paragraph (3);

(2) by striking out the period at the end of paragraph (4) and inserting in lieu thereof ''; and''; and

(3) by adding at the end the following new paragraph:

''(5) the amount requested for programs, projects, and activities for construction, purchase, alteration, and conversion of Department of Defense strategic airlift aircraft.''.

(e) STRATEGIC AIRLIFT AIRCRAFT DEFINED.—Subsection (k) of such section is amended by adding at the end the following new paragraph:

"(4) The term 'strategic airlift aircraft' means any cargo aircraft owned, operated, controlled, or chartered by the Department of Defense that has intercontinental range.".

(f) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal year 1994 for the use of the Department of Defense for the National Defense Strategic Lift Fund in the amount of $2,669,100,000.

SEC. 304. ARMED FORCES RETIREMENT HOME.

There is hereby authorized to be appropriated for fiscal year 1994 from the Armed Forces Retirement Home Trust Fund the sum of $61,918,000 for the operation of the Armed Forces Retirement Home, including the United States Soldiers' and Airmen's Home and the Naval Home.

SEC. 305. NATIONAL SECURITY EDUCATION TRUST FUND OBLIGATIONS.

During fiscal year 1994, $24,000,000 is authorized to be obligated from the National Security Education Trust Fund established by section 804(a) of the David L. Boren National Security Education Act of 1991 (Public Law 102–183; 50 U.S.C. 1904(a)).

SEC. 306. TRANSFER AUTHORITY.

(a) AUTHORITY.—The Secretary of Defense, to the extent provided in appropriations Acts, may transfer funds

as provided in this section during fiscal year 1994. Funds so transferred are in addition to the funds authorized to be appropriated in section 301.

(b) FROM THE DEFENSE BUSINESS OPERATIONS FUND.—(1) Subject to paragraph (2), not more than $3,035,300,000 may be transferred from the Defense Business Operations Fund to appropriations for operations and maintenance for fiscal year 1994 in amounts as follows:

(A) For the Army, $880,200,000.

(B) For the Navy, $1,092,700,000.

(C) For the Marine Corps, $121,000,000.

(D) For the Air Force, $941,400,000.

(2) Amounts may be transferred under this subsection only to the extent that the Fund contains cash balances sufficient for such transfers.

(c) FROM THE NATIONAL DEFENSE STOCKPILE TRANSACTION FUND.—Not more than $500,000,000 may be transferred from the National Defense Stockpile Transaction Fund to appropriations for operation and maintenance for fiscal year 1994 in amounts as follows:

(1) For the Army, $150,000,000.

(2) For the Navy, $150,000,000.

(3) For the Air Force, $200,000,000.

(d) TREATMENT OF TRANSFERS.—Amounts transferred under this section—

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

(2) shall be deemed to increase the amount authorized to be appropriated for the account to which the amount is transferred by an amount equal to the amount transferred; and

(3) may not be expended for an item that has been denied authorization of appropriations by Congress.

(e) RELATIONSHIP TO OTHER TRANSFER AUTHORITY.—An increase under subsection (d)(2) in an amount authorized to be appropriated is in addition to an increase in that amount that results from a transfer of an authorization of appropriations pursuant to section 1001.

(f) RELATIONSHIP TO APPROPRIATED FUNDS.—Funds made available by transfer under this section shall be in addition to funds made available pursuant to an authorization of appropriations in section 301.

SEC. 307. FUNDS FOR CLEARING LANDMINES.

Of the funds authorized to be appropriated in section 301, not more than $10,000,000 is authorized for activities to support the clearing of landmines for humanitarian purposes (as determined by the Secretary of Defense), including

the clearing of landmines in areas in which refugee repatriation programs are on-going.

Subtitle B—Defense Business Operations Fund

SEC. 311. EXTENSION OF AUTHORITY FOR USE OF THE DEFENSE BUSINESS OPERATIONS FUND.

Section 316(a) of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (Public Law 102–190; 10 U.S.C. 2208 note) is amended by striking out ''April 15, 1994'' and inserting in lieu thereof ''December 31, 1994''.

SEC. 312. IMPLEMENTATION OF THE DEFENSE BUSINESS OPERATIONS FUND.

Section 316 of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (Public Law 102–190; 10 U.S.C. 2208 note) is amended by striking out subsections (d), (e), and (f) and inserting in lieu thereof the following new subsections:

''(d) COMPREHENSIVE MANAGEMENT PLAN.—(1) Not later than 30 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 1994, the Secretary of Defense shall submit to the congressional defense committees a comprehensive management plan for the Defense Business Operations Fund. The Secretary shall identify in the plan the actions the Department of Defense

will take to improve the implementation and operation of the Defense Business Operations Fund.

''(2)(A) The plan should also include the following matters:

''(i) The specific tasks to be performed to address the serious shortcomings that exist in the Fund's implementation and operation.

''(ii) Milestones for starting and completing each task.

''(iii) A statement of the resources needed to complete each task.

''(iv) The specific organizations within the Department of Defense that are responsible for accomplishing each task.

''(v) Department of Defense plans to monitor the implementation of all corrective actions.

''(B) The plan should also address the following specific areas:

''(i) The management and organizational structure of the Fund.

''(ii) The development and implementation of the policies and procedures, including internal controls, applicable to the Fund.

''(iii) Management reporting, including financial and operational reporting.

"(iv) Accuracy and reliability of cost accounting data.

"(v) Development and use of performance indicators to measure the efficiency and effectiveness of Fund operations.

"(vi) The status of efforts to develop and implement new financial systems for the Fund.

"(e) PROGRESS REPORT ON IMPLEMENTATION.—Not later than February 1, 1994, the Secretary of Defense shall submit to the Congress a report on the progress made in implementing the comprehensive management plan required by subsection (d). The report should 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 that he submits the report to Congress.

"(f) RESPONSIBILITIES OF THE COMPTROLLER GENERAL.—(1) The Comptroller General of the United States shall monitor and evaluate the progress of the Department of Defense in developing and implementing the comprehensive management plan required by subsection (d).

"(2) Not later than March 1, 1994, the Comptroller General shall submit to the Congress a report containing the following:

''(A) The findings and conclusions of the Comptroller General resulting from the monitoring and evaluation conducted under paragraph (1).

''(B) An evaluation of the progress report submitted to Congress by the Secretary of Defense pursuant to subsection (e).

''(C) Any recommendations for legislation or administrative action concerning the Fund that the Comptroller General considers appropriate.''.

SEC. 313. LIMITATION ON OBLIGATIONS AGAINST THE DEFENSE BUSINESS OPERATIONS FUND.

(a) LIMITATION.—(1) The Secretary of Defense may not incur obligations against the supply management divisions of the Defense Business Operations Fund of the Department of Defense during fiscal year 1994 in a total amount in excess of 65 percent of the total amount derived from sales from such divisions during that fiscal year.

(2) For purposes of determining the amount of obligations incurred against, and sales from, such divisions during fiscal year 1994, the Secretary shall exclude obligations and sales for fuel, commissary and subsistence items, retail operations, repair of equipment, and the cost of operations.

(b) EXCEPTION.—The Secretary of Defense may waive the limitation described in subsection (a) if the Secretary determines that such waiver is necessary in order to main-

tain the readiness and combat effectiveness of the Armed Forces. The Secretary shall immediately notify Congress of any such waiver and the reasons for such waiver.

Subtitle C—Environmental Provisions

SEC. 321. AUTHORITY FOR MILITARY DEPARTMENTS TO PARTICIPATE IN WATER CONSERVATION PROGRAMS.

(a) AUTHORITY.—Chapter 169 of title 10, United States Code, is amended by adding at the end the following:

"§ 2866. Water conservation at military installations

"(a) WATER CONSERVATION ACTIVITIES.—(1) The Secretary of Defense shall permit and encourage each military department, Defense Agency, and other instrumentality of the Department of Defense to participate in programs conducted by any water utility for the management of water or for water conservation.

"(2) The Secretary of Defense may authorize any military installation to accept any financial incentive (including an agreement to reduce the amount of a future water bill), goods, or services generally available from a water utility to adopt technologies and practices that the Secretary determines are cost effective for the Federal Government.

"(3) Subject to paragraph (4), the Secretary of Defense may authorize the Secretary of a military department hav-

ing jurisdiction over a military installation to enter into agreements with water utilities to design and implement cost-effective demand and conservation incentive programs (including water management services, facilities, alterations, and the installation and maintenance of water saving devices and technologies by the utilities) to address the requirements and circumstances of the installation.

"(4)(A) If an agreement under paragraph (3) provides for the utility to advance financing costs for the design or implementation of a program referred to in that paragraph to be repayed by the United States, the cost of such advance may be recovered by the utility under terms no less favorable than those applicable to its most favored customer.

"(B) Subject to the availability of appropriations, repayment of costs advanced under subparagraph (A) shall be made from funds available to a military department for the purchase of utility services.

"(C) An agreement under paragraph (3) shall provide that title to any water-saving device or technology installed at a military installation pursuant to the agreement shall vest in the United States. Such title may vest at such time during the term of the agreement, or upon expiration of the agreement, as determined to be in the best interests of the United States.

''(b) USE OF WATER COST SAVINGS.—Water cost savings realized under this section shall be utilized in accordance with section 2865(b) of this title.

''(c) WATER CONSERVATION CONSTRUCTION PROJECTS.—(1) The Secretary of Defense may carry out a military construction project for water conservation, not previously authorized, using funds appropriated or otherwise made available for water conservation.

''(2) Section 2865(e)(2) of this title shall apply to a project to be carried out under the authority of paragraph (1).

''(d) DEFINITION.—In this section, the term 'water utility' means any publicly or privately owned entity (including a municipal or regional authority or water district) that delivers potable water to a military installation through a transmission or distribution system.''.

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

''2866. Water conservation at military installations.''.

SEC. 322. CLARIFICATION OF AUTHORITY FOR ENERGY CONSERVATION PROGRAMS AT MILITARY INSTALLATIONS.

(a) USE OF SAVINGS.—Subsection (b)(2) of section 2865 of title 10, United States Code, is amended to read as follows:

''(2) Of the total amount that remains available for obligation under paragraph (1) and section 2866(b) of this title—

''(A) one-half of such amount shall be used for the implementation of additional energy conservation measures and for water conservation activities at such buildings, facilities, or installations of the Department of Defense as may be designated (in accordance with regulations which the Secretary of Defense shall prescribe) by the head of the department, agency, or instrumentality that realized the savings referred to in paragraph (1) or referred to in section 2866(b) of this title; and

''(B) one-half of such amount shall be allocated among the installations that realized such savings in the same proportions as such savings were realized at such installations and the amount so allocated to an installation shall be utilized at such installation for—

''(i) improvements to existing military family housing units;

''(ii) any unspecified minor construction project that will enhance the quality of life of personnel; or

''(iii) any morale, welfare, or recreation facility or service.''.

(b) COVERED UTILITIES.—Subsection (d) of such section 2865 is amended by adding at the end the following:

''(5) In this subsection, the terms 'gas utility' and 'electric utility' mean any publicly or privately owned entity (including a municipal or regional authority or Federal power marketing agency) that deliver natural gas or electricity, respectively, to a military installation through a transmission or distribution system.''.

SEC. 323. CLARIFICATION OF FUNDING FOR ENVIRONMENTAL RESTORATION ACTIVITIES AT INSTALLATIONS TO BE CLOSED OR REALIGNED.

Section 2906(e) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) is amended—

(1) by inserting ''(1)'' before ''Except for'';

(2) in paragraph (1), as so designated, by inserting ''and except as provided in paragraph (2)'' in the first sentence after ''subsection (a)''; and

(3) by adding at the end the following:

''(2) Funds in the Defense Environmental Restoration Account established under section 2703(a) of title 10, United States Code, may be used for obligations incurred for purposes described in section 2905(a)(1)(C)—

''(A) in fiscal year 1994 for installations approved for closure or realignment under this part in 1993; and

''(B) in fiscal year 1996 for installations approved for closure or realignment under this part in 1995.''.

SEC. 324. ANNUAL REPORT ON ENVIRONMENTAL RESTORATION ACTIVITIES OF THE DEPARTMENT OF DEFENSE.

(a) REPORT ON IMPLEMENTATION OF PROGRAMS.—Paragraph (2) of section 2706(a) of title 10, United States Code, is amended—

(1) by redesignating subparagraph (D) as subparagraph (E);

(2) by striking out subparagraph (C) and inserting in lieu thereof the following new subparagraphs (C) and (D):

''(C) The estimated cost of carrying out response actions at each facility on the National Priorities List for each of the 5 fiscal years following the fiscal year in which the report is submitted.

''(D) The costs incurred for response actions at each facility on the National Priorities List during the fiscal year preceding the fiscal year in which the report is filed.''; and

(3) by adding at the end the following:

''(F) The estimated cost of carrying out response actions at facilities other than facilities on the National Priorities List for each of the 5 fiscal years following the fiscal year in which the report is submitted.''.

(b) TIMING OF REPORT.—Such section 2706(a) is further amended by adding at the end the following:

''(3) The Secretary shall submit the annual report required under this subsection no later than April 15 of each year.''.

SEC. 325. EXTENSION OF PERIOD OF APPLICABILITY OF REQUIREMENT FOR REIMBURSEMENT OF THE FEDERAL GOVERNMENT FOR CERTAIN LIABILITIES ARISING UNDER CONTRACTS RELATING TO HAZARDOUS WASTE.

Section 2708(b)(1) of title 10, United States Code, by striking out ''and 1993'' and inserting in lieu thereof ''through 1996''.

SEC. 326. PROHIBITION ON THE PURCHASE OF SURETY BONDS AND OTHER GUARANTIES FOR THE DEPARTMENT OF DEFENSE.

No funds appropriated or otherwise made available to the Department of Defense for fiscal year 1994 may be obligated or expended for the purchase of surety bonds or other

guaranties of financial responsibility in order to guarantee the performance of any direct function of the Department of Defense.

SEC. 327. CLARIFICATION OF SCOPE OF INDEMNIFICATION OF TRANSFEREES OF CLOSING DEFENSE PROPERTY.

(a) INDEMNIFICATION FOR PETROLEUM PRODUCTS.—Subsection (a)(1) of section 330 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 10 U.S.C. 2687 note) is amended by striking out ''or pollutant or contaminant'' and inserting in lieu thereof '', pollutant or contaminant, any petroleum product, or any other derivative of petroleum''.

(b) ACTIVITIES SUBJECT TO INDEMNIFICATION.—Such subsection (a)(1) is further amended by inserting ''(including defense activities carried out by a contractor or subcontractor under a contract with the Department of Defense or a military department)'' after ''Department of Defense activities''.

(c) STATE OWNERSHIP OR CONTROL.—Subsection (a)(2)(A) of such section is amended by inserting ''(including a leasehold interest)'' after ''or control''.

(d) RELATIONSHIP TO OTHER AUTHORITIES.—Subsection (e) of such section is amended—

(1) by striking out ''RELATIONSHIP TO OTHER LAW.—'' and inserting in lieu thereof ''RELATIONSHIP TO EXISTING LAW AND CONTRACTS.—''; and

(2) by striking out ''in any way'' and inserting in lieu thereof ''in any way—

''(1) section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)), any other provision of law, or any regulation; or

''(2) any provision of a contract of the Department of Defense or a military department, or any provision of a subcontract under such a contract, that provides the Department of Defense or the military department with a right of contribution against the contractor or subcontractor, as the case may be.''.

SEC. 328. SHIPBOARD PLASTIC AND SOLID WASTE CONTROL.

(a) SHORT TITLE.—This section may be cited as the ''Act to Prevent Pollution from Ships Amendments of 1993''.

(b) DEADLINE FOR COMPLIANCE BY SHIPS OWNED OR OPERATED BY THE DEPARTMENT OF THE NAVY WITH CERTAIN POLLUTION CONTROL CONVENTIONS.—Subsection (b)(2)(A) of section 3 of the Act to Prevent Pollution from

Ships (33 U.S.C. 1902) is amended by striking out ''after 5 years'' and all that follows and inserting in lieu thereof '', subject to subsection (f) of this section, as follows:

''(i) After December 31, 1993, to all ships referred to in paragraph (1)(A) of this subsection other than those owned or operated by the Department of the Navy.

''(ii) Except as provided in subsection (c) of this section, after December 31, 1998, to all ships referred to in paragraph (1)(A) of this subsection other than submersibles owned or operated by the Department of the Navy when such submersibles are engaged in noncommercial service.

''(iii) Except as provided in subsection (c) of this section, after December 31, 2008, to all ships referred to in paragraph (1)(A) of this subsection.''.

(c) SPECIAL AREA DISCHARGES.—Section 3 of such Act is amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (g), respectively; and

(2) by inserting after subsection (b) the following new subsection (c):

''(c) DISCHARGES IN SPECIAL AREAS.—(1) Not later than December 31, 2000, all surface vessels owned or operated by the Department of the Navy, and not later than

December 31, 2008, all submersibles owned or operated by the Department of the Navy, shall comply with the special area requirements of Regulation 5 of Annex V of the Convention.

"(2) Not later than 3 years after the date of the enactment of the Act to Prevent Pollution from Ships Amendments of 1993, the Secretary of the Navy, shall, in consultation with the Secretary of State, the Secretary of Commerce, the Secretary of Transportation, and the Administrator of the Environmental Protection Agency, submit to the Congress a plan for the compliance by all vessels owned or operated by the Department of the Navy with the requirements set forth in paragraph (1) of this subsection. Such plan shall be submitted after opportunity for public participation in its preparation, and for public review and comment.

"(3) If the Navy plan for compliance demonstrates that compliance with the requirements set forth in paragraph (1) of this subsection is not technologically feasible in the case of certain vessels under certain circumstances, the plan shall include information describing—

"(A) the ships for which full compliance with the requirements of paragraph (1) of this subsection is not technologically feasible;

"(B) the technical and operational impediments to achieving such compliance;

''(C) a proposed alternative schedule for achieving such compliance as rapidly as is technologically feasible; and

''(D) such other information as the Secretary of the Navy considers relevant and appropriate.

''(4) Upon receipt of the compliance plan under paragraph (2) of this subsection, the Congress may modify the applicability of paragraph (1) of this subsection, as appropriate.''.

(d) COMPLIANCE MEASURES.—Such section 3 is amended by inserting after subsection (d), as redesignated by subsection (c)(1), the following new subsection:

''(e) COMPLIANCE BY EXCLUDED VESSELS.—(1) The Secretary of the Navy shall develop and, as appropriate, support the development of technologies and practices for solid waste management aboard ships owned or operated by the Department of the Navy, including technologies and practices for the reduction of the waste stream generated aboard such ships, that are necessary to ensure the compliance of such ships with Annex V to the Convention on or before the dates referred to in subsections (b)(2)(A) and (c)(1) of this section.

''(2) Notwithstanding any effective date of the application of this section to a ship, the provisions of Annex V of the Convention with respect to the disposal of plastic

shall apply to ships equipped with plastic processors required for the long-term collection and storage of plastic aboard ships of the Navy upon the installation of such processors in such ships.

"(3)(A) Within 12 months after the date of the enactment of the Act to Prevent Pollution from Ships Amendments of 1993, the Secretary of the Navy shall promulgate regulations applicable to ships referred to in subsection (b)(1)(A) of this section owned or operated by the Department of the Navy. The regulations shall be consistent with operational requirements of such ships and shall be revised from time to time in accordance with this subsection.

"(B) The regulations promulgated under subparagraph (A) of this paragraph shall include the following requirements:

"(i) That compacted trash discharged from submersibles be negatively buoyant and contain the minimum amount practicable of plastic.

"(ii) That plastics contaminated by substances other than food not be discharged overboard from any ship during the last 20 days before the ship enters port.

"(iii) That plastics contaminated by food not be discharged overboard from any ship during the last 3 days before the ship enters port.

''(4)(A) The Secretary of Defense shall publish in the Federal Register a report setting forth the names of ships provided with equipment enabling such ships to comply with Annex V to the Convention and describing the amount and nature of the discharges in special areas during the preceding year from ships referred to in subsection (b)(1)(A) of this section owned or operated by the Department of the Navy. ''.

(e) WAIVER AUTHORITY.—Such section 3, as amended by subsection (d), is further amended by inserting after subsection (e) the following new subsection:

''(f) WAIVER AUTHORITY.—The President may waive the effective dates of the requirements set forth in subsections (b)(2)(A) and (c) of this section and in subsection (f) of the Act to Prevent Pollution from Ships Amendments of 1993 if the President determines it to be in the paramount interest of the United States to do so. Any such waiver shall be for a period not in excess of 1 year. The President shall submit a report to the Congress each January on all waivers from the requirements of this section granted during the preceding calendar year, together with the reasons for granting such waivers.''.

(f) OTHER ACTIONS.—(1) Not later than October 1, 1994, the Secretary of the Navy shall release a request for proposals for equipment (hereinafter in this subsection re-

ferred to as ''plastics processor'') required for the long-term collection and storage of plastic aboard ships of the Navy.

(2) Not later than July 1, 1996, the Secretary shall install the first production unit of the plastics processor on board a Navy ship.

(3) Not later than July 1, 1997, the Secretary shall complete the installation of plastics processors on board not less than 50 percent of the ships of the Navy that require such processors in order to comply with the provisions of section 3 of the Act to Prevent Pollution from Ships, as amended by subsections (b), (c), and (d) of this section.

(4) Not later than July 1, 1998, the Secretary shall complete the installation of plastics processors on board not less than 75 percent of the ships of the Navy that require such processors in order to comply with such provisions.

(5) Not later than December 31, 1998, the Secretary shall complete the installation of plastics processors on board all ships of the Navy that require such processors in order to comply with such provisions.

(g) DEFINITION.—Section 1(a) of the Act to Prevent Pollution from Ships (33 U.S.C. 1901(a)) is amended by adding at the end the following:

''(10) 'submersible' means a submarine, or any other vessel designed to operate under water.''.

Subtitle D—Other Matters

SEC. 331. REPEAL OF AN EXCEPTION TO A LIMITATION ON THE PERFORMANCE OF DEPOT-LEVEL MAINTENANCE OF MATERIEL.

Section 2466(a) of title 10, United States Code, is amended—

(1) by striking out paragraph (2); and

(2) in paragraph (1), by striking out ''(1) Except as provided in paragraph (2), the'' and inserting in lieu thereof ''The''.

SEC. 332. MAINTENANCE AND REPAIR OF PACIFIC BATTLE MONUMENTS.

(a) AUTHORITY.—The Commandant of the Marine Corps may perform necessary minor maintenance and repairs of Pacific battle monuments until, by agreement between the Commandant and the Secretary of the American Battle Monuments Commission, the American Battle Monuments Commission undertakes the responsibility for maintenance and repair of such battle monuments.

(b) FUNDING.—(1) In each fiscal year that the Commandant performs maintenance and repair activities pursuant to the authority in subsection (a), the Commandant may expend for such activities not more than $15,000 of the amount made available to the Marine Corps for such fiscal year for operation and maintenance.

(2) Of the amounts available to the Marine Corps for fiscal year 1993 for operation and maintenance, $150,000 may, to the extent provided in appropriations Acts, be made available for the repair and relocation of a monument located on Iwo Jima that commemorates the sacrifice of American military personnel during World War II.

(c) DEFINITION.—In this section, the term ''Pacific battle monument'' means a monument on an island in the Pacific Ocean that commemorates combat actions of any of the Armed Forces.

SEC. 333. PURCHASE OF ITEMS NOT EXCEEDING $100,000.

Funds appropriated pursuant to the authorization of appropriations in section 301 may be used to purchase items not exceeding $100,000 for each item.

SEC. 334. EXTENSION OF AUTHORITY FOR AVIATION DEPOTS AND NAVAL SHIPYARDS TO ENGAGE IN DEFENSE-RELATED PRODUCTION AND SERVICES.

Section 1425(e) of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510) is amended by striking out ''September 30, 1993'' and inserting in lieu thereof ''September 30, 1994''.

SEC. 335. CONTRACTS TO PERFORM WORKLOADS PREVIOUSLY PERFORMED BY DEPOT-LEVEL ACTIVITIES OF THE DEPARTMENT OF DEFENSE.

Section 2469 of title 10, United States Code, is amended—

(1) by inserting ''(a) REQUIREMENT FOR COMPETITION.—'' before ''The Secretary of Defense'';

(2) by striking out ''threshold'';

(3) by striking out ''unless'' and all that follows and inserting in lieu thereof ''to performance by a contractor unless the Secretary uses competitive procedures for the selection of the contractor to perform such workload.''; and

(4) by adding at the end the following new subsection:

''(b) INAPPLICABILITY OF OMB CIRCULAR A–76.—Office of Management and Budget Circular A–76 does not apply to a performance change to which subsection (a) applies.''.

SEC. 336. PROMOTION OF CIVILIAN MARKSMANSHIP.

Section 4308(c) of title 10, United States Code, is amended by adding at the end the following: ''Notwithstanding any other provision of law, such amounts shall remain available until expended.''.

SEC. 337. AMENDMENTS REGARDING PILOT PROGRAM TO USE NATIONAL GUARD PERSONNEL IN MEDICALLY UNDERSERVED COMMUNITIES.

(a) AGREEMENT WITH DISTRICT OF COLUMBIA.—Section 376 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat. 2386; 32 U.S.C. 501 note) is amended by adding at the end of subsection (a) the following: ''In the case of an agreement with the District of Columbia, the agreement shall be with the commanding general of the District of Columbia National Guard.''.

(b) NATIONAL GUARD TRAINING AUTHORIZED TO INCLUDE THE PROVISION OF HEALTH CARE.—Section 376 of such Act is amended by striking out subsection (b) and inserting in lieu thereof the following new subsection (b):

''(b) TRAINING AUTHORIZED TO INCLUDE PROVISION OF HEALTH CARE.—Training conducted pursuant to section 270 of title 10, United States Code, and section 502 of title 32, United States Code, may include, as an activity conducted in the course of and incident to required or additional National Guard training, the provision of health care under an agreement entered into pursuant to subsection (a).''.

(c) FUNDING, SAVINGS, AND DEFINITION PROVISIONS.—Section 376 of such Act is amended—

(1) by redesignating subsection (f) as subsection (i); and

(2) by inserting after subsection (e) the following new subsections:

"(f) FUNDING AND USE OF OTHER RESOURCES.—Funds appropriated for operation and maintenance of the National Guard may be used for supplies and equipment necessary for the provision of health care to medically underserved communities under an agreement entered into pursuant to subsection (a). Supplies and equipment furnished by a State, a department or agency of the Federal Government, or any private organization or individual may also be used for the provision of health care to medically underserved communities under such an agreement.

"(g) RETIREMENT CREDIT FOR FISCAL YEAR 1993 SERVICE.—Service under an agreement entered into pursuant to subsection (a) that was performed by National Guard personnel before October 1, 1993 (the effective date of an amendment of subsection (b) to clarify the status of service under such an agreement as training), shall be counted as service under section 502 of title 32, United States Code, for the purpose of computing years of service for entitlement to retired pay under subparagraph (A) or (B) of section 1332(a)(2) of title 10, United States Code.

"(h) DEFINITIONS.—In this section:

''(1) The term 'health care' includes medical and dental care services.

''(2) The term 'State' includes the Commonwealth of Puerto Rico, a territory (as defined in section 101(1) of title 32, United States Code), and the District of Columbia.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 1993.

SEC. 338. ASSISTANCE TO LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES.

(a) ELIGIBLE LOCAL EDUCATIONAL AGENCIES.—Section 386(c) of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat. 2395; 20 U.S.C. 238 note) is amended—

(1) by striking out ''or'' at the end of paragraph (1);

(2) by redesignating paragraph (2) as paragraph (3);

(3) by inserting after paragraph (1) the following new paragraph (2):

''(2) there has been a significant increase, as determined by the Secretary of Defense, in the number of military dependent students in average daily at-

tendance in the schools of that agency as a result of a relocation of Armed Forces personnel or civilian employees of the Department of Defense or as a result of a realignment of one or more military installations; or''; and

(4) in paragraph (3), as redesignated by paragraph (2), by inserting ''or (2)'' before the period at the end.

(b) TECHNICAL CORRECTION.—Section 386 of such Act is amended by—

(1) by redesignating the second subsection (e), relating to definitions, as subsection (h); and

(2) by transferring such subsection, as so redesignated, to the end of such section.

(c) EFFECTIVE DATE OF AMENDMENTS.—The amendments made by subsections (a) and (b) shall take effect as of October 23, 1992, as if section 386 of Public Law 102–484 had been enacted as amended by such subsections.

(d) FUNDING.—Of the amounts authorized to be appropriated pursuant to section 301(5)—

(1) $50,000,000 shall be available for providing assistance to local educational agencies under subsection (b) of section 386 of Public Law 102–484; and

(2) $8,000,000 shall be available for making payments to local educational agencies under subsection (d) of such section.

(e) NOTIFICATION AND DISBURSAL.—(1) The Secretary shall notify on or before June 30, 1994, each local educational agency eligible for assistance under subsections (b) and (d) of section 386 of Public Law 102–484 for fiscal year 1994 of such agency's eligibility for such assistance and the amount of such assistance.

(2) The Secretary shall disburse the funds made available pursuant to subsection (d) no later than 30 days after notification to eligible local education agencies.

SEC. 339. ANNUAL ASSESSMENT OF FORCE READINESS.

(a) ANNUAL ASSESSMENT REQUIRED.—Not later than March 1 of each of 1994, 1995, and 1996, the Chairman of the Joint Chiefs of Staff shall submit to Congress an assessment of—

(1) the readiness and capability of the Armed Forces of the United States to carry out the full range of the missions assigned to the Armed Forces; and

(2) the associated level or degree of risk for the Armed Forces in responding to current and anticipated threats to national security interests of the United States.

(b) CONTENT OF ASSESSMENT.—Each assessment shall include, for the 5-year period described in subsection (c), the following matters:

(1) An unclassified description of the current and projected readiness and capability of the Armed Forces of the United States taking into consideration each of the following areas:

(A) Personnel.

(B) Training and exercises.

(C) Logistics, including equipment maintenance and supply availability.

(D) Equipment modernization.

(E) Installations, real property, and facilities.

(F) Munitions.

(G) Mobility.

(H) Wartime sustainability.

(2) The personal assessment of the Chairman of the Joint Chiefs of Staff regarding the readiness and capabilities of the Armed Forces together with the Chairman's personal judgment on whether there are significant problems or risks regarding the capabilities and readiness of the Armed Forces.

(3) Any factors that the Chairman or any other member of the Joint Chiefs of Staff believes may lead

to a decrease in force readiness or a degradation in the overall capability of the Armed Forces.

(4) Any recommended actions that the Chairman of the Joint Chiefs of Staff considers appropriate.

(5) Any classified annexes that the Chairman of the Joint Chiefs of Staff considers appropriate.

(c) PERIOD ASSESSED.—The assessment shall include information for the fiscal year in which the assessment is submitted, the 3 preceding fiscal years, and projections for the subsequent fiscal year.

(d) INTERIM ASSESSMENTS.—If, at any time between submissions of assessments to Congress under subsection (a), the Chairman of the Joint Chiefs of Staff determines that there is a significant change in the projected readiness or capability of the Armed Forces from the readiness or capability projected in the most recent annual assessment, the Chairman shall submit to the Congress a revised assessment that reflects each such significant change.

SEC. 340. BUDGET INFORMATION ON DEPARTMENT OF DEFENSE RECRUITING EXPENDITURES.

(a) IN GENERAL.—Chapter 9 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 227. Recruiting costs

''The Secretary shall include in the budget justification documents submitted to Congress each year in connection with the submission of the budget pursuant to section 1105 of title 31 the following matters:

''(1) The amount requested for the recruitment of persons for enlistment, appointment, or induction into the armed forces, including—

''(A) the personnel costs for Department of Defense personnel whose duties include—

''(i) recruitment;

''(ii) the management of Department of Defense personnel performing recruitment duties; or

''(iii) supporting Department of Defense personnel in the performance of duties referred to in clause (i) or (ii);

''(B) the cost of providing support for such personnel for the performance of those duties;

''(C) operation and maintenance costs associated with recruitment, including the costs of paid advertising and facilities;

''(D) the costs of incentives, including—

''(i) amounts paid under sections 302d, 308a, 308c, 308f, 308g, 308h (for a first en-

listment), and 308i of title 37, relating to bonuses and other incentives;

''(ii) amounts deposited in the Department of Defense Education Benefits Fund pursuant to section 2006(g) of this title; and

''(iii) payments under the provisions of chapters 105, 107, and 109 of this title and chapter 30 of title 38; and

''(E) costs associated with military entrance processing;

''(2) the appropriation accounts from which such costs are to be paid; and

''(3) the estimated average total annual cost of recruiting a person for enlistment, appointment, or induction into the armed forces for the fiscal year covered by the budget justification documents, determined and reported separately for—

''(A) each armed force;

''(B) the active component of each armed force;

''(C) each of the reserve components of each armed force; and

''(D) for all of the armed forces.''.

(b) TABLE OF SECTIONS.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''227. Recruiting costs.''.

SEC. 341. REVISION OF AUTHORITIES ON NATIONAL SECURITY EDUCATION TRUST FUND.

(a) CREDITING OF GIFTS TO THE NATIONAL SECURITY EDUCATION TRUST FUND.—Section 804(e) of the David L. Boren National Security Education Act of 1991 (50 U.S.C. 1904(e)) is amended by adding at the end the following:

''(3) Any gifts of money shall be credited to and form a part of the Fund.''.

(b) REPEAL OF AUTHORIZATION REQUIREMENT.—Section 804(b) of such Act is amended—

(1) by striking out paragraph (2);

(2) by striking out ''(1)''; and

(3) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

SEC. 401. END STRENGTHS FOR ACTIVE FORCES.

The Armed Forces are authorized strengths for active duty personnel as of September 30, 1994, as follows:

(1) The Army, 540,000, of whom not more than 84,414 shall be commissioned officers.

(2) The Navy, 480,800, of whom not more than 62,747 shall be commissioned officers.

(3) The Marine Corps, 177,000, of whom not more than 17,851 shall be commissioned officers.

(4) The Air Force, 424,400, of whom not more than 80,632 shall be commissioned officers.

SEC. 402. TEMPORARY VARIATION OF PERMANENT END STRENGTH LIMITATIONS FOR CERTAIN GRADES OF OFFICERS IN THE MARINE CORPS.

(a) VARIATION IN PERMANENT LIMITATIONS.—Notwithstanding the items relating to majors and lieutenant colonels of the Marine Corps in the table in section 523(a)(1) of title 10, United States Code, in the administration of the limitation in such section for a fiscal year referred to in the table in subsection (b) of this section with respect to commissioned officers of the Marine Corps serving on active duty in the grades of major and lieutenant colonel, the numbers applicable to such commissioned officers shall be the numbers set forth for such fiscal year in the table in subsection (b).

(b) TABLE.—The table referred to in subsection (a) is as follows:

"Fiscal year:	***Number of officers who may be serving on active duty in the grade of:***	
	Major	*Lieutenant colonel*

1994	*3,023*	*1,577*
1995	*3,081*	*1,610*
1996	*3,139*	*1,643*
1997	*3,196*	*1,677.''.*

Subtitle B—Reserve Forces

SEC. 411. END STRENGTHS FOR SELECTED RESERVE.

(a) IN GENERAL.—The Armed Forces are authorized strengths for Selected Reserve personnel of the reserve components as of September 30, 1994, as follows:

(1) The Army National Guard of the United States, 410,000.

(2) The Army Reserve, 260,000.

(3) The Naval Reserve, 127,000.

(4) The Marine Corps Reserve, 42,200.

(5) The Air National Guard of the United States, 119,760.

(6) The Air Force Reserve, 81,500.

(7) The Coast Guard Reserve, 10,500.

(b) WAIVER AUTHORITY.—The Secretary of Defense may vary an end strength authorized by subsection (a) by not more than 2 percent above or below that authorized end strength.

(c) ADJUSTMENTS.—The end strengths prescribed by subsection (a) for the Selected Reserve of any reserve component shall be reduced proportionately by—

(1) the total authorized strength of units organized to serve as units of the Selected Reserve of such

component which are on active duty (other than for training) at the end of the fiscal year, and

(2) the total number of individual members not in units organized to serve as units of the Selected Reserve of such component who are on active duty (other than for training or for unsatisfactory participation in training) without their consent at the end of the fiscal year.

Whenever such units or such individual members are released from active duty during any fiscal year, the end strength prescribed for such fiscal year for the Selected Reserve of such reserve component shall be proportionately increased by the total authorized strengths of such units and by the total number of such individual members.

SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE DUTY IN SUPPORT OF THE RESERVE COMPONENTS.

Within the end strengths prescribed in section 411(a), the reserve components of the Armed Forces are authorized, as of September 30, 1994, the following number of Reserves to be serving on full-time active duty or, in the case of members of the National Guard, full-time National Guard duty for the purpose of organizing, administering, recruiting, instructing, or training the reserve components:

(1) The Army National Guard of the United States, 24,180.

(2) The Army Reserve, 12,542.

(3) The Naval Reserve, 20,415.

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

(5) The Air National Guard of the United States, 9,517.

(6) The Air Force Reserve, 648.

SEC. 413. TEMPORARY VARIATION OF PERMANENT END STRENGTH LIMITATIONS FOR AIR FORCE PERSONNEL SERVING ON ACTIVE DUTY IN CERTAIN GRADES IN SUPPORT OF THE RESERVE COMPONENTS.

(a) SENIOR ENLISTED MEMBERS.—Notwithstanding the items relating to pay grades E–8 and E–9 of the Air Force in the table in section 517(b) of title 10, United States Code, in the administration of the limitation in such section for fiscal year 1994 with respect to enlisted members of the Air Force serving on active duty in pay grades E–8 and E–9 for duty referred to in that section, the numbers applicable to such enlisted members are as follows:

(1) Grade E–8, 840.

(2) Grade E–9, 328.

(b) CERTAIN OFFICER GRADES.—Notwithstanding the items relating to lieutenant colonels and colonels of the Air

Force in the table in section 524(a) of such title, in the administration of the limitation in such section for fiscal year 1994 with respect to commissioned officers of the Air Force serving on active duty in the grades of lieutenant colonel and colonel for duty referred to in that section, the numbers applicable to such commissioned officers are as follows:

(1) Lieutenant colonel, 636.

(2) Colonel, 274.

Subtitle C—Military Training Student Loads

SEC. 421. AUTHORIZATION OF TRAINING STUDENT LOADS.

(a) IN GENERAL.—For fiscal year 1994, Armed Forces are authorized average military training student loads as follows:

(1) The Army, 75,220.

(2) The Navy, 45,269.

(3) The Marine Corps, 22,753.

(4) The Air Force, 33,439.

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

(c) ADJUSTMENTS.—The average military training student loads authorized in subsection (a) shall be adjusted

consistent with the end strengths authorized in parts A and B. The Secretary of Defense shall prescribe the manner in which such adjustments shall be apportioned.

Subtitle D—Authorization of Appropriations

SEC. 431. AUTHORIZATION OF APPROPRIATIONS FOR MILITARY PERSONNEL.

There is hereby authorized to be appropriated to the Department of Defense for military personnel for fiscal year 1994 a total of $70,711,000,000. The authorization in the preceding sentence supersedes any other authorization of appropriations (definite or indefinite) for such purpose for fiscal year 1994.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy

SEC. 501. AWARD OF CONSTRUCTIVE SERVICE CREDIT FOR ADVANCED EDUCATION IN A HEALTH PROFESSION.

(a) CREDIT UPON ORIGINAL APPOINTMENT IN A REGULAR COMPONENT.—Section 533(b)(1) of title 10, United States Code, is amended—

(1) in subparagraph (A)—

(A) by inserting ''(including advanced education in a health profession)'' in the first sen-

tence after ''One year for each year of advanced education'';

(B) by striking out ''Except as provided in clause (E), in'' at the beginning of the second sentence and inserting in lieu thereof ''In''; and

(C) by striking out ''postsecondary education in excess of four that are'' in the second sentence and inserting in lieu thereof ''advanced education'';

(2) by striking out subparagraph (E); and

(3) by redesignating subparagraph (F) as subparagraph (E).

(b) CREDIT UPON ORIGINAL APPOINTMENT AS RESERVE OFFICER IN THE ARMY.—Section 3353(b)(1) of title 10, United States Code, is amended—

(1) in subparagraph (A)—

(A) by inserting ''(including advanced education in a health profession)'' in the first sentence after ''One year for each year of advanced education'';

(B) by striking out ''Except as provided in clause (E), in '' at the beginning of the second sentence and inserting in lieu thereof ''In''; and

(C) by striking out ''postsecondary education in excess of four that are'' in the second

sentence and inserting in lieu thereof ''advanced education'';

(2) by striking out subparagraph (E); and

(3) by redesignating subparagraph (F) as subparagraph (E).

(c) CREDIT UPON ORIGINAL APPOINTMENT AS OFFICER IN NAVAL RESERVE OR MARINE CORPS RESERVE.—Section 5600(b)(1) of title 10, United States Code, is amended—

(1) in subparagraph (A)—

(A) by inserting ''(including advanced education in a health profession)'' in the first sentence after ''One year for each year of advanced education'';

(B) by striking out ''Except as provided in clause (E), in'' at the beginning of the second sentence and inserting in lieu thereof ''In''; and

(C) by striking out ''postsecondary education in excess of four that are'' in the second sentence and inserting in lieu thereof ''advanced education'';

(2) by striking out subparagraph (E); and

(3) by redesignating subparagraph (F) as subparagraph (E).

(d) CREDIT UPON ORIGINAL APPOINTMENT AS RESERVE OFFICER IN THE AIR FORCE.—Section 8353(b)(1) of title 10, United States Code, is amended—

(1) in subparagraph (A)—

(A) by inserting ''(including advanced education in a health profession)'' in the first sentence after ''One year for each year of advanced education'';

(B) by striking out ''Except as provided in clause (E), in'' at the beginning of the second sentence and inserting in lieu thereof ''In''; and

(C) by striking out ''postsecondary education in excess of four that are'' in the second sentence and inserting in lieu thereof ''advanced education'';

(2) by striking out subparagraph (E); and

(3) by redesignating subparagraph (F) as subparagraph (E).

SEC. 502. ORIGINAL APPOINTMENT AS REGULAR OFFICERS CERTAIN RESERVE OFFICERS IN HEALTH PROFESSIONS.

Section 532 of title 10, United States Code, is amended by adding at the end the following:

''(e)(1) An original appointment as a commissioned officer (other than as a commissioned warrant officer) in

the Regular Army, Regular Navy, Regular Air Force, or Regular Marine Corps may given to a person referred to in paragraph (2) in accordance with subsection (a) without regard to the requirement in paragraph (2) of such subsection.

''(2) Paragraph (1) applies to a person who is a reserve commissioned officer of the Medical Corps, Medical Specialist Corps, Nurse Corps, or Veterinary Corps of the Army, a reserve commissioned officer in the Medical Corps or Nurse Corps of the Navy, or a reserve commissioned officer of the Air Force designated as a medical officer, biomedical science officer, or Air Force nurse.''.

SEC. 503. TEMPORARY AUTHORITY FOR INVOLUNTARY SEPARATION OF CERTAIN REGULAR WARRANT OFFICERS.

(a) IN GENERAL.—Chapter 33A of title 10, United States Code, is amended by inserting after section 580 the following new section:

''§ 580a. Enhanced authority for selective early discharges

''(a) The Secretary of Defense may authorize the Secretary of a military department, during the two-year period beginning on October 1, 1993, to take the action set forth in subsection (b) with respect to regular warrant officers of an armed force under the jurisdiction of that Secretary.

"(b) The Secretary of a military department may, with respect to regular warrant officers of an armed force, when authorized to do so under subsection (a), convene selection boards under section 573(c) of this title to consider for discharge regular warrant officers on the warrant officer active-duty list—

"(1) who have served at least one year of active duty in the grade currently held;

"(2) whose names are not on a list of warrant officers recommended for promotion; and

"(3) who are not eligible to be retired under any provision of law and are not within two years of becoming so eligible.

"(c)(1) In the case of an action under subsection (b), the Secretary of the military department concerned may submit to a selection board convened pursuant to that subsection—

"(A) the names of all regular warrant officers described in that subsection in a particular grade and competitive category; or

"(B) the names of all regular warrant officers described in that subsection in a particular grade and competitive category who also are in particular year groups or specialties, or both, within that competitive category.

"(2) The Secretary concerned shall specify the total number of warrant officers to be recommended for discharge by a selection board convened pursuant to subsection (b). That number may not be more than 30 percent of the number of officers considered—

"(A) in each grade in each competitive category; or

"(B) in each grade, year group, or specialty (or combination thereof) in each competitive category.

"(3) The total number of regular warrant officers described in subsection (b) from any of the armed forces (or from any of the armed forces in a particular grade) who may be recommended during a fiscal year for discharge by a selection board convened pursuant to the authority of that subsection may not exceed 70 percent of the decrease, as compared to the preceding fiscal year, in the number of warrant officers of that armed force (or the number of warrant officers of that armed force in that grade) authorized to be serving on active duty as of the end of that fiscal year.

"(4) A warrant officer who is recommended for discharge by a selection board convened pursuant to the authority of subsection (b) and whose discharge is approved by the Secretary concerned shall be discharged on a date specified by the Secretary concerned.

''(5) Selection of warrant officers for discharge under this subsection shall be based on the needs of the service.

''(d) The discharge of any warrant officer pursuant to this section shall be considered involuntary for purposes of any other provision of law.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 33A of such title is amended by inserting after the item relating to section 580 the following new item:

''580a. Enhanced authority for selective early discharges.''.

SEC. 504. TWO-YEAR EXTENSION OF AUTHORITY FOR TEMPORARY PROMOTIONS OF CERTAIN NAVY LIEUTENANTS.

Effective as of September 29, 1993, section 5721(f) of title 10, United States Code, is amended by striking out ''September 30, 1993'' and inserting in lieu thereof ''September 30, 1995''.

Subtitle B—Reserve Components

SEC. 511. LIMITED DELEGATION OF PRESIDENTIAL AUTHORITY TO ORDER SELECTED RESERVE TO ACTIVE DUTY.

(a) AUTHORITY TO ORDER THE SELECTED RESERVE TO ACTIVE DUTY.—Section 673b(a) of title 10, United States Code, is amended by striking out ''when the President determines that it is necessary to augment the active

forces for any operational mission, he'' and inserting in lieu thereof ''the President''.

(b) MAXIMUM NUMBER SERVING ON ACTIVE DUTY CONCURRENTLY.—Section 673b(c) of such title is amended to read as follows:

''(c)(1) Except as provided in paragraph (2), the number of members of the Selected Reserve that are on active duty at any one time under subsection (a) may not exceed 25,000.

''(2) When the President determines it necessary in order to augment the active forces for an operational mission, the number of members of the Selected Reserve that are on active duty at one time under subsection (a) may exceed 25,000 but may not exceed 200,000.''.

SEC. 512. TWO-YEAR EXTENSION OF CERTAIN RESERVE OFFICER MANAGEMENT AUTHORITIES.

(a) GRADE DETERMINATION AUTHORITY FOR CERTAIN RESERVE MEDICAL OFFICERS.—Sections 3359(b) and 8359(b) of title 10, United States Code, are amended by striking out ''September 30, 1993'' and inserting in lieu thereof ''September 30, 1995''.

(b) PROMOTION AUTHORITY FOR CERTAIN RESERVE OFFICERS SERVING ON ACTIVE DUTY.—Sections 3380(d) and 8380(d) of title 10, United States Code, are amended

by striking out ''September 30, 1993'' and inserting in lieu thereof ''September 30, 1995''.

(c) YEARS OF SERVICE FOR MANDATORY TRANSFER TO THE RETIRED RESERVE.—Section 1016(d) of the Department of Defense Authorization Act, 1984 (10 U.S.C. 3360 note) is amended by striking out ''September 30, 1993'' and inserting in lieu thereof ''September 30, 1995''.

(d) EFFECTIVE DATE.—(1) The amendments made by this section shall take effect as of September 30, 1993.

(2) If the date of the enactment of this Act is after September 30, 1993, the Secretary of the Army or the Secretary of the Air Force, as appropriate, shall provide, in the case of a Reserve officer appointed to a higher grade on or after the date of the enactment of this Act under an appointment described in paragraph (3), that the date of rank of such officer under that appointment shall be the date of rank that would have applied to the appointment had the authority referred to in that paragraph not lapsed.

(3) An appointment referred to in paragraph (2) is an appointment under section 3380 or 8380 of title 10, United States Code, that (as determined by the Secretary concerned) would have been made during the period beginning on October 1, 1993, and ending on the date of the enactment of this Act had the authority to make appointments under that section not lapsed during such period.

SEC. 513. CONSISTENCY OF TREATMENT OF NATIONAL GUARD TECHNICIANS AND OTHER MEMBERS OF THE NATIONAL GUARD.

(a) FEDERAL RECOGNITION QUALIFICATIONS FOR TECHNICIANS.—Section 709 of title 32, United States Code, is amended by adding at the end the following new subsection:

''(i) The Secretary concerned may not prescribe for purposes of eligibility for Federal recognition under section 301 of this title special qualifications applicable to technicians employed under subsection (a) that are not applicable pursuant to that section to the other members of the National Guard in the same grade, branch, position, and type of unit or organization involved.''.

(b) MILITARY EDUCATION.—(1) Section 523 of the National Defense Authorization Act, Fiscal Year 1989 (Public Law 100–456; 102 Stat. 1918, 1974; 32 U.S.C. 709 note) is repealed.

(2) Section 506 of the National Defense Authorization Act for Fiscal Years 1990 and 1991 (Public Law 101–189; 103 Stat. 1438; 32 U.S.C. 709 note) is repealed.

SEC. 514. EXCEPTION TO REQUIREMENT FOR 12 WEEKS OF BASIC TRAINING.

Section 671(b) of title 10, United States Code, is amended—

(1) by inserting ''(1)'' after ''(b)''; and

(2) by adding at the end the following new paragraph:

''(2)(A) Notwithstanding paragraph (1) and section 4(a) of the Military Selective Service Act (50 U.S.C. App. 454(a)), under regulations prescribed in accordance with subparagraph (B), the Secretary concerned may establish a period of basic training (or equivalent training) shorter than 12 weeks for persons inducted, enlisted, or appointed in an armed force who have developed skills in the civilian sector that can be readily applied in the armed forces.

''(B) The Secretary of Defense shall prescribe regulations governing the implementation of the authority provided in subparagraph (A). The regulations shall apply uniformly to the military departments. The Secretary of Transportation shall prescribe regulations governing the implementation of the authority provided in subparagraph (A) for the Coast Guard when it is not operating as a service in the Navy.''.

SEC. 515. NATIONAL GUARD MANAGEMENT INITIATIVES.

(a) CLARIFICATION REGARDING FEMALE MEMBERS OF THE MILITIA.—Section 311(a) of title 10, United States Code, is amended by inserting '', warrant officers, or enlisted members'' after ''female citizens of the United States who are commissioned officers''.

(b) REPEAL OF REQUIREMENTS FOR PHYSICAL EXAMINATION OF NATIONAL GUARD MEMBERS CALLED INTO FEDERAL SERVICE.—(1)(A) Section 3502 of title 10, United States Code, is repealed.

(B) The table of sections at the beginning of chapter 341 of such title is amended by striking out the item relating to section 3502.

(2)(A) Section 8502 of title 10, United States Code, is repealed.

(B) The table of sections at the beginning of chapter 841 of such title is amended by striking out the item relating to section 8502.

(c) INCREASED PERIOD FOR COMPLETION OF UNIT TRAINING.—Section 502(b) of title 32, United States Code, is amended by striking out ''30 consecutive days'' in the second sentence and inserting in lieu thereof ''90 consecutive days''.

(d) EXCEPTIONS TO 30-DAY NOTICE FOR TERMINATION OF EMPLOYMENT OF TECHNICIANS.—Subsection 709(e)(6) of title 32, United States Code, is amended by inserting after ''termination of employment as a technician and'' the following: '', unless the technician is serving under a temporary appointment, is serving in a trial or probationary period, or has voluntarily ceased to be a member

of the National Guard when such membership is a condition of employment,''.

(e) REPEAL OF LIMIT ON NUMBER OF TECHNICIANS EMPLOYED CONCURRENTLY.—Subsection 709(h) of title 32, United States Code, is repealed.

(f) PERSONNEL AUTHORIZED TO MAKE UNSERVICEABILITY FINDINGS.—Subsection 710(f) of title 32, United States Code, is amended—

(1) by inserting ''(1)'' after ''(f)'';

(2) in the first sentence, by striking out ''of the Regular Army or the Regular Air Force, as the case may be,''; and

(3) by adding at the end the following new paragraph:

''(2) The Secretary shall designate a commissioned officer of the Regular Army, a commissioned officer of the Army National Guard who is also a commissioned officer of the Army National Guard of the United States, a commissioned officer of the Regular Air Force, or a commissioned officer of the Air National Guard who is also a commissioned officer of the Air National Guard of the United States to conduct inspections and make findings for purposes of paragraph (1).''.

SEC. 516. FREQUENCY OF PHYSICAL EXAMINATIONS OF MEMBERS OF THE READY RESERVE.

Section 1004(a)(1) of title 10, United States Code, is amended by striking out ''four years'' and inserting in lieu thereof ''five years''.

Subtitle C—Service Academies

SEC. 521. CONGRESSIONAL NOMINATIONS.

Sections 4342(a), 6954(a), and 9342(a) of title 10, United States Code, are amended—

(1) in the sentence following paragraph (9), by striking out ''a principal candidate and nine alternates'' and inserting in lieu thereof ''10 persons''; and

(2) by inserting after such sentence the following: ''Nominees may be submitted without ranking, or with a principal candidate and 9 ranked or unranked alternates. Qualified nominees not selected for appointment under this subsection shall be considered qualified alternates for the purposes of selection under other provisions of this chapter.''.

SEC. 522. GRADUATION LEAVE.

Section 702(a) of title 10, United States Code, is amended by striking out ''regular'' in the first sentence.

SEC. 523. MANAGEMENT OF FACULTIES.

(a) IN GENERAL.—(1) Title 10, United States Code, is amended by inserting after chapter 111 the following new chapter:

"CHAPTER 112—MANAGEMENT OF FACULTIES OF THE SERVICE ACADEMIES

"Sec.
"2000. Academy defined.
"2000a. Faculty management.
"2000b. Requirement to report misconduct.

"§ 2000. Academy defined

"For purposes of this chapter, 'Academy' means the United States Military Academy, the United States Naval Academy, or the United States Air Force Academy.

"§ 2000a. Faculty management

"(a) AUTHORITY OF SECRETARY OF DEFENSE.—The Secretary of Defense may, without regard to any other provision of law relating to the number, classification, or compensation of employees—

"(1) establish such positions for civilian faculty of an Academy as the Secretary considers necessary to carry out the functions of the Academy;

"(2) appoint individuals to such positions; and

"(3) subject to section 5373 of title 5, fix the compensation of such individuals for service in such positions.

"(b) EXCLUSIVE AUTHORITY.—The authority of the Secretary to take an action under subsection (a) is exclusive.

"(c) INAPPLICABILITY OF CERTAIN CIVIL SERVICE LAWS.—To provide for the effective and efficient manage-

ment of the civilian faculty of an Academy, such faculty shall be exempt from the following provisions of title 5:

"(1) Chapter 43, relating to performance appraisals.

"(2) Chapter 51, relating to classification.

"(3) Chapter 53, relating to pay rates and systems.

"(4) Section 5542, relating to overtime pay rates.

"(5) Chapter 61, relating to hours of work.

"§ 2000b. Requirement to report misconduct

"(a) REQUIREMENT.—Each officer and each civilian member of the teaching staff of an Academy shall report to the Superintendent of the Academy, or the Superintendent's designee, any fact that tends to evidence the commission of hazing or any violation of an Academy regulation by a cadet or midshipman.

"(b) FAILURE OF OFFICER TO REPORT.—Any officer who willfully fails to make a report required by subsection (a) shall be reassigned from duties involving the teaching or supervision of cadets or midshipmen and, at the request of the Superintendent, shall be reassigned from the Academy.

"(c) FAILURE OF CIVILIAN FACULTY MEMBER TO REPORT.—Subject to the approval of the Secretary of Defense,

the Superintendent of an Academy shall remove any civilian member of the teaching staff of the Academy who willfully fails to make a report required by subsection (a).''.

(2) The tables of chapters at the beginning of subtitle A of title 10, United States Code, and the beginning of part III of such subtitle are amended by inserting after the item relating to chapter 111 the following:

''112. Management of faculties of the service academies ..... 2000''.

(b) REPEAL OF SUPERSEDED LAW.—(1) Section 6965 of title 10, United States Code, is repealed.

(2) The table of sections at the beginning of chapter 603 of such title is amended by striking the item relating to section 6965.

Subtitle D—Force Reduction Transition

SEC. 531. TEACHER AND TEACHER AIDE PROGRAM FOR SEPARATED MEMBERS OF THE ARMED FORCES.

(a) REVISED DEADLINE FOR APPLICATIONS.—Section 1151(e)(1) of title 10, United States Code, is amended by striking out ''before the date of the discharge or release'' in the first sentence and inserting in lieu thereof ''not later than one year after the discharge or release''.

(b) DISCRETIONARY AUTHORITY TO MAKE GRANTS TO FACILITATE PLACEMENTS.—Paragraphs (1) and (2) of section 1151(h) of title 10, United States Code, are amended

by striking out ''shall offer'' and inserting in lieu thereof ''may offer''.

(c) ELIGIBILITY OF MEMBERS NOT EDUCATIONALLY QUALIFIED FOR TEACHER PLACEMENT ASSISTANCE.—Section 1151 of title 10, United States Code, is amended—

(1) in subsection (c)—

(A) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(B) by inserting after paragraph (1) the following new paragraph (2):

''(2) For purposes of this section, a former member of the armed forces who did not meet the minimum educational qualification criterion set forth in paragraph (1)(B)(i) for teacher placement assistance before discharge or release from active duty shall be considered to be a member satisfying such educational qualification criterion upon satisfying that criterion within 5 years after discharge or release from active duty.'';

(2) in subsection (e)(1), as amended by subsection (a), by inserting before the period at the end of the first sentence the following: ''or, in the case of an applicant becoming educationally qualified for teacher placement assistance in accordance with subsection (c)(2), not later than one year after the applicant becomes educationally qualified.'';

(3) by redesignating subsection (k) as subsection (l); and

(4) by inserting after subsection (j) the following new subsection (k):

"(k) IDENTIFICATION OF NCOS WITHOUT DEGREES AS CANDIDATES FOR ASSISTANCE.—The Secretary shall provide under the program for—

"(1) identifying, during each fiscal year in the period referred to in subsection (c)(1)(A), noncommissioned officers who, on or before the end of such fiscal year, will have completed 10 or more years of continuous active duty, who have the potential to perform competently as elementary or secondary school teachers, but who do not satisfy the minimum educational qualification criterion under subsection (c)(1)(B)(i) for teacher placement assistance; and

"(2) informing the noncommissioned officers so identified of the opportunity to qualify in accordance with subsection (c)(2) for teacher placement assistance under the program.".

SEC. 532. EXTENSION OF PERSONNEL MANAGEMENT AND BENEFITS TRANSITION AUTHORITIES.

(a) RETIREMENT OF CERTAIN LIMITED DUTY OFFICERS OF THE NAVY.—Sections 633, 634, 6383(a)(5), and 6383(i) of title 10, United States Code, are amended by

striking out ''October 1, 1995'' and inserting in lieu thereof ''October 1, 1998''.

(b) EARLY RETIREMENT AUTHORITY FOR CERTAIN ACTIVE DUTY MEMBERS DURING ACTIVE FORCE DRAWDOWN.—Section 4403(i) of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat. 2704; 10 U.S.C. 1293 note) is amended by striking out ''October 1, 1995'' and inserting in lieu thereof ''October 1, 1998''.

(c) GUARD AND RESERVE TRANSITION INITIATIVES.—Section 4411 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat. 2712; 10 U.S.C. 1162 note) is amended by striking out ''September 30, 1995'' and inserting in lieu thereof ''October 1, 1998''.

(d) WAIVER OF SERVICE REQUIREMENT FOR CERTAIN RESERVISTS UNDER MONTGOMERY GI BILL.—Section 2133(b)(1)(B) of title 10, United States Code, and section 3012(b)(1)(B)(iii) of title 38, United States Code, are amended by striking out ''September 30, 1995,'' and inserting in lieu thereof in each instance ''October 1, 1998''.

(e) PROGRAM OF EDUCATIONAL LEAVE RELATING TO CONTINUING PUBLIC AND COMMUNITY SERVICE.—Section 4463(f) of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 10 U.S.C. 1143a note)

is amended by striking out ''September 30, 1995'' and inserting in lieu thereof ''October 1, 1998''.

(f) SPECIAL SEPARATION BENEFITS FOR CERTAIN VOLUNTARILY SEPARATED MEMBERS.—Section 1174a(h) of title 10, United States Code, is amended by striking out ''September 30, 1995'' and inserting in lieu thereof ''September 30, 1998''.

(g) VOLUNTARY SEPARATION INCENTIVES FOR CERTAIN VOLUNTARILY SEPARATED MEMBERS.—Section 1175 of title 10, United States Code, is amended—

(1) in subsections (d)(3) and (h)(6), by striking out ''September 30, 1995'' each place it appears and inserting in lieu thereof ''September 30, 1998''; and

(2) in subsection (h)(7)(A), by striking out ''fiscal year 1996'' and inserting in lieu thereof ''fiscal year 1999''.

(h) UNIFORM PROCESS FOR IMPLEMENTING REDUCTIONS IN STRENGTHS.—Section 402(a) of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 104 Stat. 1544) is amended by striking out ''five-year period'' each place it appears and inserting in lieu thereof ''eight-year period''.

(i) TRAVEL AND TRANSPORTATION ALLOWANCES AND STORAGE OF BAGGAGE AND HOUSEHOLD EFFECTS FOR CERTAIN MEMBERS BEING INVOLUNTARILY SEPARATED.—

(1) Sections 404(c)(1)(C), 404(f)(2)(B)(v), 406(a)(2)(B)(v) and 406(g)(1)(C) of title 37, United States Code, are amended by striking out ''five-year period'' and inserting in lieu thereof in each instance ''eight-year period''.

(2) Section 503(c) of the National Defense Act Authorization Act for Fiscal Year 1991 (Public Law 101–510; 37 U.S.C. 406 note) is amended by striking out ''five-year period'' and inserting in lieu thereof ''eight-year period''.

(j) CONTINUED ENROLLMENT OF DEPENDENTS OF CERTAIN INVOLUNTARILY SEPARATED MEMBERS IN DEFENSE DEPENDENTS' EDUCATION SYSTEM.—Section 1407(c) of the Defense Dependents' Education Act of 1978 (20 U.S.C. 926(c)) is amended by striking out ''five-year period'' and inserting in lieu thereof ''eight-year period''.

(k) REDUCTION OF TIME-IN-GRADE REQUIREMENT FOR RETENTION OF GRADE UPON VOLUNTARY RETIREMENT.—Section 1370(a)(2)(A) of title 10, United States Code, is amended by striking out ''five-year period'' and inserting in lieu thereof ''eight-year period''.

(l) REQUIRED LENGTH OF COMMISSIONED SERVICE FOR VOLUNTARY RETIREMENT AS AN OFFICER.—Sections 3911(b), 6323(a)(2), and 8911(b) of title 10, United States Code, are amended by striking out ''five-year period'' and inserting in lieu thereof ''eight-year period''.

SEC. 533. TECHNICAL AND CONFORMING AMENDMENTS RELATING TO TRANSITION AUTHORITIES.

(a) RETENTION ON ACTIVE DUTY OF ENLISTED RESERVES WITH BETWEEN 18 AND 20 YEARS OF SERVICE.—Section 1176(b) of title 10, United States Code, is amended to read as follows:

"(b) RESERVE MEMBERS.—(1) A reserve enlisted member serving in an active status who is selected to be involuntarily separated, or whose term of enlistment expires and who is denied reenlistment, and who on the date on which the member is to be discharged or transferred from an active status is entitled to be credited with at least 18 but less than 20 years of service computed under section 1332 of this title, may not be discharged or transferred from an active status without the member's consent before the earlier of the following:

"(A) If as of the date on which the member is to be discharged or transferred from an active status the member has at least 18, but less than 19, years of service computed under section 1332 of this title—

"(i) the date on which the member is entitled to be credited with 20 years of service computed under section 1332 of this title; or

"(ii) the third anniversary of the date on which the member would otherwise be discharged or transferred from an active status.

''(B) If as of the date on which the member is to be discharged or transferred from an active status the member has at least 19, but less than 20, years of service computed under section 1332 of this title—

''(i) the date on which the member is entitled to be credited with 20 years of service computed under section 1332 if this title; or

''(ii) the second anniversary of the date on which the member would otherwise be discharged or transferred from an active status.

''(2) This subsection does not apply to members who are discharged or transferred from an active status for physical disability or for cause.''.

(b) AUTHORITY TO ORDER EARLY RETIREES TO ACTIVE DUTY.—Section 688(a) of title 10, United States Code, is amended in the first sentence—

(1) by striking out ''or'' after ''20 years of active service,''; and

(2) by inserting '', or a member of the Retired Reserve, the Fleet Reserve, or the Fleet Marine Corps Reserve who has been retired under the provisions of section 4403(b) of Public Law 102–484'' after ''Fleet Marine Corps Reserve''.

Subtitle E—Other Matters

SEC. 541. ASSIGNMENTS OF WOMEN MEMBERS OF THE ARMED FORCES.

(a) REPEAL OF STATUTORY RESTRICTION ON THE ASSIGNMENT OF WOMEN IN THE NAVY AND MARINE CORPS.—Section 6015 of title 10, United States Code, is repealed.

(b) ARMY ASSIGNMENTS.—(1) Part II of subtitle B of title 10, United States Code, is amended by inserting after chapter 345 the following new chapter:

"CHAPTER 346—ADMINISTRATION

"3591. Assignments of women members.

"§ 3591. Assignments of women members

"Under regulations prescribed by the Secretary of Defense, the Secretary of the Army may prescribe the kinds of duties which women members of the Army shall be assigned and the military authority which such members shall exercise.".

(2) The tables of chapters at the beginning of subtitle B of such title and of part II of such subtitle are amended by inserting after the item relating to chapter 345 the following:

"346. Administration ..... 3591".

(c) NAVY AND MARINE CORPS ASSIGNMENTS.—(1) Chapter 555 of title 10, United States Code, is amended

by inserting after section 6014 the following new section 6015:

"§ 6015. Assignments of women members

''Under regulations prescribed by the Secretary of Defense, the Secretary of the Navy may prescribe the kinds of duties which women members of the Navy and women members of the Marine Corps shall be assigned and the military authority which such members shall exercise.''.

(2) The table of sections at the beginning of such chapter is amended by striking out the item relating to section 6015 and inserting in lieu thereof the following:

''6015. Assignments of women members.''.

(d) AIR FORCE ASSIGNMENTS.—(1) Part II of subtitle D of title 10, United States Code, is amended by inserting after chapter 845 the following new chapter:

"CHAPTER 846—ADMINISTRATION

''3691. Assignments of women members.

"§ 8591. Assignments of women members

''Under regulations prescribed by the Secretary of Defense, the Secretary of the Air Force may prescribe the kinds of duties which women members of the Air Force shall be assigned and the military authority which such members shall exercise.''.

(2) The tables of chapters at the beginning of subtitle D of such title and of part II of such subtitle are amended

by inserting after the item relating to chapter 845 the following:

"846. Administration ..... 8591".

(e) NOTIFICATION REQUIREMENTS.—(1)(A) The Secretary of Defense shall transmit to the Committees on Armed Services of the Senate and House of Representatives, on a day during which Congress is in session, any regulation that the Secretary proposes for the purposes of section 3591, 6015, or 8591 of title 10, United States Code, as added by this section. The Secretary may not issue the proposed regulation (or any modification of the proposed regulation) as a final regulation within the 60-day period beginning on the date on which the Secretary transmits the proposed regulation to such committees.

(B) For purposes of subparagraph (A), Congress is in session on a day during which either House of Congress is in session.

(C) A day on which both Houses of Congress are not in session shall not be counted in the computation of the 60-day period referred to in subparagraph (A).

(2) The Secretary of Defense shall transmit to the Committees on Armed Services of the Senate and House of Representatives any regulation that the Secretary issues as a final regulation for the purposes of section 3591, 6015, or 8591 of title 10, United States Code, as added by this section. The final regulation may not become effective within

the 90-day period beginning on the date on which the Secretary transmits the final regulation to such committees.

SEC. 542. REDUCTION IN THE MAXIMUM NUMBER OF YEARS TO BE ON TEMPORARY DISABILITY RETIRED LIST.

(a) IN GENERAL.—(1) Section 1210(b) of title 10, United States Code, is amended by striking out ''five years'' in the first sentence and inserting in lieu thereof ''three years''.

(2) Section 1210(h) of title 10, United States Code, is amended by striking out ''five years'' and inserting in lieu thereof ''three years''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply to a member of the Armed Forces who is placed on a temporary disability retired list on or after such date.

SEC. 543. CLARIFICATION OF PUNITIVE UCMJ ARTICLE REGARDING DRUNKEN DRIVING.

(a) CLARIFICATION.—Paragraph (2) of section 911 of title 10, United States Code (article 111 of the Uniform Code of Military Justice), is amended by inserting ''or more'' after ''0.10 grams'' both places it appears.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as if included in the amendment

to section 911 of title 10, United States Code, made by section 1066(a)(1) of Public Law 102–484 on October 23, 1992.

SEC. 544. AUTHORITY TO REDUCE ACTIVE DUTY SERVICE OBLIGATION INCURRED IN CONNECTION WITH ADVANCED EDUCATION ASSISTANCE.

Section 2005 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(g) The Secretary concerned, may at any time before October 1, 1998, modify an agreement described in subsection (a) to reduce the active duty service obligation specified in the agreement if the Secretary determines that it is in the best interests of the United States to do so. The Secretary shall reduce the amount required to be reimbursed to the United States proportionately with the reduction in the period of obligated active duty service.''.

SEC. 545. AWARD OF PURPLE HEART TO MEMBERS KILLED OR WOUNDED IN ACTION BY FRIENDLY FIRE.

(a) IN GENERAL.—Chapter 57 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 1129. Purple Heart: members killed or wounded in action by friendly fire

''(a) For purposes of the award of the Purple Heart, the Secretary concerned shall treat a member of the armed

forces described in subsection (b) in the same manner as a member who is killed or wounded in action as the result of an act of an enemy of the United States.

''(b) A member described in this subsection is a member who is killed or wounded in action by weapon fire while directly engaged in armed conflict, other than as the result of an act of an enemy of the United States, unless (in the case of a wound) the wound is the result of willful misconduct of the member.

''(c) This section applies to members of the armed forces who are killed or wounded on or after December 7, 1941. In the case of a member killed or wounded as described in subsection (b) on or after December 7, 1941, and before the date of the enactment of this section, the Secretary concerned shall award the Purple Heart under subsection (a) in each case which is known to the Secretary before the date of the enactment of this section or for which an application is made to the Secretary in such manner as the Secretary requires.''.

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

''1129. Purple Heart: members killed or wounded in action by friendly fire.''.

SEC. 546. POLICY CONCERNING HOMOSEXUALITY IN THE ARMED FORCES.

(a) CODIFICATION.—(1) Chapter 37 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 654. Policy concerning homosexuality in the armed forces

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

''(1) Section 8 of article I of the Constitution of the United States commits exclusively to the Congress the powers to raise and support armies, provide and maintain a Navy, and make rules for the government and regulation of the land and naval forces.

''(2) There is no constitutional right to serve in the armed forces.

''(3) Pursuant to the powers conferred by section 8 of article I of the Constitution of the United States, it lies within the discretion of the Congress to establish qualifications for and conditions of service in the armed forces.

''(4) The primary purpose of the armed forces is to prepare for and to prevail in combat should the need arise.

''(5) The conduct of military operations requires members of the armed forces to make extraordinary

sacrifices, including the ultimate sacrifice, in order to provide for the common defense.

"(6) Success in combat requires military units that are characterized by high morale, good order and discipline, and unit cohesion.

"(7) One of the most critical elements in combat capability is unit cohesion, that is, the bonds of trust among individual service members that make the combat effectiveness of a military unit greater than the sum of the combat effectiveness of the individual unit members.

"(8) Military life is fundamentally different from civilian life in that—

"(A) the extraordinary responsibilities of the armed forces, the unique conditions of military service, and the critical role of unit cohesion, require that the military community, while subject to civilian control, exist as a specialized society; and

"(B) the military society is characterized by its own laws, rules, customs, and traditions, including numerous restrictions on personal behavior, that would not be acceptable in civilian society.

"(9) The standards of conduct for members of the armed forces regulate a member's life for 24 hours each day beginning at the moment the member enters military status and not ending until that person is discharged or otherwise separated from the armed forces.

"(10) Those standards of conduct, including the Uniform Code of Military Justice, apply to a member of the armed forces at all times that the member has a military status, whether the member is on base or off base, and whether the member is on duty or off duty.

"(11) The pervasive application of the standards of conduct is necessary because members of the armed forces must be ready at all times for worldwide deployment to a combat environment.

"(12) The worldwide deployment of United States military forces, the international responsibilities of the United States, and the potential for involvement of the armed forces in actual combat routinely make it necessary for members of the armed forces involuntarily to accept living conditions and working conditions that are often spartan, primitive, and characterized by forced intimacy with little or no privacy.

"(13) The prohibition against homosexual conduct is a longstanding element of military law that continues to be necessary in the unique circumstances of military service.

"(14) The armed forces must maintain personnel policies that exclude persons whose presence in the armed forces would create an unacceptable risk to the armed forces' high standards of morale, good order and discipline, and unit cohesion that are the essence of military capability.

"(15) The presence in the armed forces of persons who demonstrate a propensity or intent to engage in homosexual acts would create an unacceptable risk to the high standards of morale, good order and discipline, and unit cohesion that are the essence of military capability.

"(b) POLICY.—A member of the armed forces shall be separated from the armed forces under regulations prescribed by the Secretary of Defense if one or more of the following findings is made and approved in accordance with procedures set forth in such regulations:

"(1) That the member has engaged in, attempted to engage in, or solicited another to engage in a homosexual act or acts unless there are further findings, made and approved in accordance with procedures set

forth in such regulations, that the member has demonstrated that—

"(A) such conduct is a departure from the member's usual and customary behavior;

"(B) such conduct, under all the circumstances, is unlikely to recur;

"(C) such conduct was not accomplished by use of force, coercion, or intimidation;

"(D) under the particular circumstances of the case, the member's continued presence in the armed forces is consistent with the interests of the armed forces in proper discipline, good order, and morale; and

"(E) the member does not have a propensity or intent to engage in homosexual acts.

"(2) That the member has stated that he or she is a homosexual or bisexual, or words to that effect, unless there is a further finding, made and approved in accordance with procedures set forth in the regulations, that the member has demonstrated that he or she is not a person who engages in, attempts to engage in, has a propensity to engage in, or intends to engage in homosexual acts.

"(3) That the member has married or attempted to marry a person known to be of the same biological sex.

"(c) ENTRY STANDARDS AND DOCUMENTS.—(1) The Secretary of Defense shall ensure that the standards for enlistment and appointment of members of the armed forces reflect the policies set forth in subsection (b).

"(2) The documents used to effectuate the enlistment or appointment of a person as a member of the armed forces shall set forth the provisions of subsection (b).

"(d) REQUIRED BRIEFINGS.—The briefings that members of the armed forces receive upon entry into the armed forces and periodically thereafter under section 937 of this title (article 137 of the Uniform Code of Military Justice) shall include a detailed explanation of the applicable laws and regulations governing sexual conduct by members of the armed forces, including the policies prescribed under subsection (b).

"(e) RULE OF CONSTRUCTION.—Nothing in subsection (b) shall be construed to require that a member of the armed forces be processed for separation from the armed forces when a determination is made in accordance with regulations prescribed by the Secretary of Defense that—

''(1) the member engaged in conduct or made statements for the purpose of avoiding or terminating military service; and

''(2) separation of the member would not be in the best interest of the armed forces.

''(f) DEFINITIONS.—In this section:

''(1) The term 'homosexual' means a person, regardless of sex, who engages in, attempts to engage in, has a propensity to engage in, or intends to engage in homosexual acts, and includes the terms 'gay' and 'lesbian'.

''(2) The term 'bisexual' means a person who engages in, attempts to engage in, has a propensity to engage in, or intends to engage in homosexual and heterosexual acts.

''(3) The term 'homosexual act' means—

''(A) any bodily contact, actively undertaken or passively permitted, between members of the same sex for the purpose of satisfying sexual desires; and

''(B) any bodily contact which a reasonable person would understand to demonstrate a propensity or intent to engage in an act described in subparagraph (A).''.

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

"654. Policy concerning homosexuality in the armed forces.".

(b) REGULATIONS.—Not later than 90 days after the date of enactment of this Act, the Secretary of Defense shall revise Department of Defense regulations, and issue such new regulations as may be necessary, to implement section 654 of title 10, United States Code, as added by subsection (a).

(c) SAVINGS PROVISION.—Nothing in this section or section 654 of title 10, United States Code, as added by subsection (a) may be construed to invalidate any inquiry, investigation, administrative action or proceeding, court-martial, or judicial proceeding conducted before the effective date of regulations issued by the Secretary of Defense to implement such section 654.

(d) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the suspension of questioning concerning homosexuality as part of the processing of individuals for accession into the Armed Forces under the interim policy of January 29, 1993, should be continued, but the Secretary of Defense may reinstate that questioning with such questions or such revised questions as he considers appropriate if the Secretary determines that it is necessary to do so in order to effectuate the

policy set forth in section 654 of title 10, United States Code, as added by subsection (a); and

(2) the Secretary of Defense should consider issuing guidance governing the circumstances under which members of the Armed Forces questioned about homosexuality for administrative purposes should be afforded warnings similar to the warnings under section 831(b) of title 10, United States Code (article 31(b) of the Uniform Code of Military Justice).

SEC. 547. EMPLOYMENT OF RETIRED MEMBERS BY FOREIGN GOVERNMENTS.

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

(1) It is in the national security interest of the United States to promote democracy throughout the world.

(2) The armed forces of newly democratic nations often lack the democratic traditions that are a hallmark of the Armed Forces of the United States.

(3) The understanding of military roles and missions in a democracy is essential for the development and preservation of democratic forms of government.

(4) The service of retired members of the Armed Forces of the United States in the armed forces of newly democratic nations could lead to a better un-

derstanding of military roles and missions in a democracy.

(b) CONGRESSIONAL CONSENT.—(1) Chapter 53 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 1058. Military service of retired personnel with newly democratic nations

"(a) CONGRESSIONAL CONSENT.—(1) Subject to subsection (b), Congress consents to a retired member of the uniformed services referred to in subsection (b)—

"(A) accepting employment by, or holding an office or position in, the armed forces of a newly democratic nation; and

"(B) accepting compensation associated with such employment, office, or position.

"(b) DETERMINATIONS AND APPROVAL REQUIRED.—(1) The Secretary concerned and the Secretary of State shall jointly determine whether a nation is a newly democratic nation for the purposes of this section.

"(2) The consent provided in subsection (a) for a retired member of the uniformed services to accept employment or hold an office or position shall apply to a retired member of the armed forces only if the Secretary concerned and the Secretary of State jointly approve the employment or the holding of such office or position.

"(c) CONTINUED ENTITLEMENT TO RETIRED PAY AND BENEFITS.—The eligibility of a retired member of the uniformed services to receive retired or retainer pay and other benefits arising from the retired member's status as a retired member of the uniformed services, and the eligibility of dependents of such retired member to receive benefits on the basis of such retired member's status as a retired member of the uniformed services, may not be terminated by reason of employment or holding of an office or position consented to in subsection (a).

"(d) RETIRED MEMBER DEFINED.—In this section, the term 'retired member of the uniformed services' means a member or former member of the uniformed services who is entitled to receive retired or retainer pay.".

(2) The table of sections at the beginning of chapter 53 of such title is amended by adding at the end the following:

"1058. Military service of retired personnel with newly democratic governments.".

(c) EFFECTIVE DATE.—Section 1058 of title 10, United States Code, as added by subsection (a), shall take effect as of January 1, 1993.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

SEC. 601. MILITARY PAY RAISE FOR FISCAL YEAR 1994.

(a) WAIVER OF SECTION 1009 ADJUSTMENT.—Any adjustment required by section 1009 of title 37, United States Code, in elements of compensation of members of the uniformed services to become effective during fiscal year 1994 shall not be made.

(b) INCREASE IN BASIC PAY, BAS, AND BAQ.—Effective on January 1, 1994, the rates of basic pay, basic allowance for subsistence, and basic allowance for quarters of members of the uniformed services are increased by 2.2 percent.

Subtitle B—Bonuses, Special Pay, and Incentive Pay

SEC. 611. MODIFICATION OF AUTHORITY RELATING TO PAYMENT OF CERTAIN SELECTED RESERVE BONUSES.

(a) BONUS FOR ENLISTMENT.—Section 308c(b) of title 37, United States Code, is amended—

(1) in paragraph (1), by striking out ''one-half of the bonus shall be paid'' and inserting in lieu thereof ''an amount in excess of one-half of the bonus may be paid''; and

(2) in paragraph (2), by inserting ''\, if any,'' after ''remainder''.

(b) BONUS FOR ENTRY INTO AFFILIATION AGREEMENT.—Section 308e(c)(2) of title 37, United States Code, is amended—

(1) by inserting ''(A)'' after ''(2)'';

(2) by designating the second sentence as subparagraph (B);

(3) in subparagraph (B), as so designated, by striking out ''fifth anniversary'' and inserting in lieu thereof ''sixth anniversary''; and

(4) by adding at the end the following:

''(C) The Secretary concerned may pay in monthly installments a bonus authorized to be paid in a lump sum under this section. The Secretary concerned may determine the amount of the monthly installments. The Secretary concerned may pay a monthly installment authorized under this subparagraph for a month only if the person's service in the Selected Reserve for that month was satisfactory (as determined by such Secretary under regulations prescribed by the Secretary of Defense). The entitlement of a person to a portion of a bonus under this section that is not paid for a month by reason of the preceding sentence shall lapse.''.

SEC. 612. EXTENSION OF AUTHORITY RELATING TO PAYMENT OF CERTAIN BONUSES, PAYMENT OF OTHER SPECIAL PAY, AND REPAYMENT OF CERTAIN EDUCATION LOANS.

(a) NURSE OFFICER CANDIDATE ACCESSION PROGRAM.—Section 2130a(a)(1) of title 10 United States Code, is amended by striking out ''September 30, 1993,'' and inserting in lieu thereof ''September 30, 1995,''.

(b) ACCESSION BONUS FOR REGISTERED NURSES.—Section 302d(a)(1) of title 37, United States Code, is amended by striking out ''September 30, 1993,'' and inserting in lieu thereof ''September 30, 1995,''.

(c) INCENTIVE SPECIAL PAY FOR NURSE ANESTHETISTS.—Section 302e(a)(1) of title 37, United States Code, is amended by striking out ''September 30, 1993,'' and inserting in lieu thereof ''September 30, 1995,''.

(d) AVIATION OFFICER RETENTION BONUS.—Section 301b(a) of title 37, United States Code, is amended by striking out ''September 30, 1993'' and inserting in lieu thereof ''September 30, 1995''.

(e) SPECIAL PAY FOR ENLISTED MEMBERS OF THE SELECTED RESERVE ASSIGNED TO CERTAIN HIGH PRIORITY UNITS.—Section 308d(c) of title 37, United States Code, is amended by striking out ''September 30, 1993'' and inserting in lieu thereof ''September 30, 1995''.

(f) REENLISTMENT BONUS FOR ACTIVE MEMBERS.—Section 308(g) of title 37, United States Code, is amended by striking out ''September 30, 1993'' and inserting in lieu thereof ''September 30, 1995''.

(g) ENLISTMENT BONUS FOR CRITICAL SKILLS.—Section 308a(c) of title 37, United States Code, is amended by striking out ''September 30, 1993'' and inserting in lieu thereof ''September 30, 1995''.

(h) RESERVE ENLISTMENT AND REENLISTMENT BONUS AUTHORITIES FOR RESERVE FORCES.—Sections 308b(f), 308c(e), 308e(e), 308h(g) and 308i(i) of title 37, United States Code, are amended by striking out ''September 30, 1993'' and inserting in lieu thereof ''September 30, 1995''.

(i) SPECIAL PAY FOR CRITICALLY SHORT WARTIME HEALTH SPECIALIST IN THE SELECTED RESERVE.—Section 613(d) of the National Defense Authorization Act, Fiscal Year 1989 (37 U.S.C. 302 note) is amended by striking out ''September 30, 1993'' and inserting in lieu thereof ''September 30, 1995''.

(j) REPAYMENT OF EDUCATION LOANS FOR CERTAIN HEALTH PROFESSIONALS WHO SERVE IN THE SELECTED RESERVE.—Section 2172(d) of title 10, United States Code, is amended by striking out ''October 1, 1993'' and inserting in lieu thereof ''October 1, 1995''.

(k) ARMY ENLISTMENT BONUS.—(1) Section 308f(c) of title 37, United States Code, is amended by striking out ''September 30, 1992'' and inserting in lieu thereof ''September 30, 1995''.

(2) The amendment made by paragraph (1) shall take effect as of September 30, 1992.

Subtitle C—Travel and Transportation Allowances

SEC. 621. REIMBURSEMENT OF TEMPORARY LODGING EXPENSES.

(a) PERIODS COVERED.—Subsection (a) of section 404a of title 37, United States Code, is amended—

(1) in the second sentence, by striking out ''four days'' and inserting in lieu thereof ''10 days''; and

(2) in the third sentence, by striking out ''two days'' and inserting in lieu thereof ''five days''.

(b) REPEAL OF SUPERSEDED AUTHORITY.—Subsection (d) of such section is repealed.

SEC. 622. TREATMENT OF ADVANCE PAY PAID TO MEMBERS EVACUATED FROM HOMESTEAD AIR FORCE BASE.

Notwithstanding any other provision of law, the advance payments of pay for permanent change of station that were received by members of the uniformed services evacuated in August, 1992, from Homestead Air Force Base,

Florida, because of Hurricane Andrew, shall be treated as having been paid as evacuation advance pay under the authority of section 1006(c) of title 37, United States Code.

Subtitle D—Matters Related to Retired Pay and Separation Benefits

SEC. 631. SPECIAL PAY FOR CERTAIN DISABLED MEMBERS.

(a) SPECIAL PAY FOR CERTAIN DISABLED MEMBERS.—A person who has a service-connected disability rated as total may be paid a special pay under this section if the person is entitled to emergency officers', regular, or reserve retirement pay based solely on—

(1) the person's age;

(2) the length of the person's service in the uniformed services; or

(3) both the person's age and the length of such service.

(b) AMOUNT OF SPECIAL PAY.—The amount of special pay that may be paid a person under subsection (a) for any month may not exceed the monthly amount of the compensation that is paid such person under laws administered by the Secretary of Veterans Affairs.

(c) FUNDING.—The cost of the special pay authorized to be paid under this section shall be paid out of funds available to the Department of Defense for travel of person-

nel of the Department of Defense in positions within the Office of the Secretary of Defense, the Office of the Secretary of the Army, the Office of the Secretary of the Navy, and the Office of the Secretary of the Air Force.

(d) DEFINITIONS.—In this section, the terms ''compensation'' and ''service-connected'' have the meanings given such terms in section 101 of title 38, United States Code.

(e) EFFECTIVE DATE.—(1) Except as provided in paragraph (2), this section shall take effect on January 1, 1994.

(2) This section shall not take effect if, before January 1, 1994, the Secretary of Defense submits to the Committees on Armed Services of the Senate and House of Representatives the report required by section 641 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat. 2424).

(f) APPLICABILITY.—(1) Except as provided in paragraph (2), this section shall apply to months that begin on or after the effective date of this section.

(2) This section shall not be effective for months that begin after September 30, 1994.

SEC. 632. STANDARDIZATION OF MINIMUM SERVICE REQUIREMENT FOR ELIGIBILITY FOR CERTAIN SEPARATION BENEFITS.

Section 1174(a)(1) of title 10, United States Code, is amended by striking out ''five'' and inserting in lieu thereof ''six''.

SEC. 633. EXPANSION OF ELIGIBILITY FOR CERTAIN SEPARATION BENEFITS.

(a) SPECIAL SEPARATION BENEFITS PROGRAMS.—Section 1174a(c)(2) of title 10, United States Code, is amended by striking out ''before December 5, 1991''.

(b) VOLUNTARY SEPARATION INCENTIVE PROGRAM.—Section 1175(d)(1) of title 10, United States Code, is amended by striking out ''before December 5, 1991''.

SEC. 634. APPLICABILITY TO COAST GUARD RESERVE OF CERTAIN RESERVE COMPONENTS TRANSITION INITIATIVES.

(a) IN GENERAL.—Subtitle B of title XLIV of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat. 2712) shall apply to members of the Coast Guard Reserve in the same manner and to the same extent as that subtitle applies to the reserve components of the Department of Defense. The Secretary of Transportation shall implement the provisions of that subtitle with respect to the Coast Guard Reserve.

(b) FUNDING.—Funds made available to the Department of Transportation shall be used to carry out the provisions of subtitle B of title XLIV of such Act with respect to the Coast Guard Reserve.

(c) PERIOD OF APPLICABILITY.—The provisions of subtitle B of title XLIV of such Act shall apply to members of the Coast Guard Reserve during the period beginning October 1, 1993, and ending on September 30, 1996.

(d) PROSPECTIVE ELIGIBILITY.—No member of the Coast Guard Reserve shall be eligible for any benefits provided under the provisions of subtitle B of title XLIV of such Act before the date of the enactment of this Act.

(e) SCOPE OF REFERENCE.—In this section, a reference to subtitle B of title XLIV of the National Defense Authorization Act for Fiscal Year 1993 includes the amendments made by sections 4417, 4419, and 4422 of such Act.

Subtitle E—Benefits for Former POWs and Other Members Held Captive

SEC. 641. PERMANENT AUTHORITY FOR CLAIMS BY FORMER PRISONERS OF WAR BASED ON VIOLATIONS OF GENEVA CONVENTIONS.

Section 6 of the War Claims Act of 1948 (50 U.S.C. App. 2005) is amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following new subsection (g):

''(g)(1) As used in the subsection, the term 'prisoner of war' means any person appointed, enrolled, enlisted, or inducted under competent authority as a member of the Armed Forces of the United States who was held in captivity as a prisoner of war during any period declared by the President or Congress to have been a period in which the Armed Forces were involved in conflict with a force hostile to the United States, except that such term does not include any member who, at any time, voluntarily, knowingly, and without duress gave aid to, collaborated with, or in any manner served such hostile force.

''(2)(A) The Commission may receive any claim referred to in subparagraph (B), determine the amount and validity of such claim according to law, and provide for payment of compensation for such claim.

''(B) A claim referred to in this subparagraph is any claim filed by a prisoner of war for compensation for the failure of a force hostile to the United States, or its agents, while holding such person as a prisoner of war, to furnish the prisoner of war with the quantity or quality of food

prescribed for prisoners of war under the terms of the Geneva Convention of August 12, 1949.

"(C) A claimant shall bear the burden of proving the allegations contained in the claim.

"(D) Compensation shall be provided to any prisoner of war under this paragraph at the rate (as determined by the Commission) of one-half the average of the subsistence portion of the per diem rates paid worldwide by the Government to members of the Armed Forces for each day that the person was held as a prisoner of war and received food that, in quantity or quality, did not meet the requirements prescribed under the terms of the Geneva Convention.

"(3)(A) The Commission may receive, determine according to law the amount and validity of, and provide for the payment of any claim filed by any prisoner of war for compensation—

"(i) for the failure of a force hostile to the United States, or its agents, while holding such person as a prisoner of war, to meet the conditions and requirements prescribed under part III, section III, of the Geneva Convention of August 12, 1949, relating to labor of prisoners of war; or

"(ii) for inhumane treatment of the prisoner of war by the hostile force by which the prisoner of war was held, or its agents.

"(B) For purposes of subparagraph (A)(ii), the term 'inhumane treatment' includes the failure of a force hostile to the United States, or its agents, to meet the conditions and requirements of one or more of the provisions of article 3, 12, 13, 14, 17, 19, 22, 23, 24, 25, 27, 29, 43, 44, 45, 46, 47, 48, 84, 85, 86, 87, 88, 89, 90, 97, or 98 of the Geneva Convention of August 12, 1949.

"(C) Compensation shall be allowed to any prisoner of war under this paragraph at a rate not to exceed an amount equal to—

"(i) one-half of the average of the per diem rates paid worldwide by the Federal Government to members of the Armed Forces, minus

"(ii) one-half of the average of the subsistence portion of the per diem rates paid worldwide by the Federal Government to members of the Armed Forces, for each day the person was held as a prisoner of war and with respect to which the person proves (in a manner acceptable to the Commission) the failure by a hostile force, or its agents to meet the conditions and requirements referred to in clause (i) of subparagraph (A) or proves (in a manner acceptable to the Commission) the inhumane treatment referred to in clause (ii) of such subparagraph (A).

"(4) Any claim allowed by the Commission under this subsection shall be certified to the Secretary of the Treasury for payment out of funds appropriated pursuant to paragraph (10). Such claim shall be paid by the Secretary of the Treasury to the person entitled thereto, or, in the case of the death of such person, to the persons, and in the order of priority, established under subsection (d)(4).

"(5) Each claim filed under this subsection shall be filed not later than 3 years after the later of—

"(A) the date on which the prisoner of war filing the claim returns to the jurisdiction of the Armed Forces of the United States; or

"(B) in the case of any prisoner of war who has not returned to the jurisdiction of the Armed Forces of the United States, the date on which the Secretary of Defense makes a determination that the prisoner of war has died or is presumed to be dead.

"(6)(A) The Commission shall make a determination with respect to the validity of each claim filed under this subsection at the earliest practicable date, but not later than one year after the date on which the claim is filed.

"(B) The Commission shall notify the person submitting a claim under this subsection of the determination of the Commission with respect to the validity of the claim.

Such notification shall be sent by certified or register mail, return receipt requested.

"(C) The failure of the Commission to make a determination of the validity of a claim within the one year period referred to in subparagraph (A), such be treated as a final denial of the claim by the Commission on that date.

"(7)(A) A claimant whose claim under this section was denied by the Commission (including a claimant whose claim is treated as denied under paragraph (6)(C)) may file in the United States Court of Federal Claims a complaint, motion, petition, or other appropriate pleading with the United States Court of Federal Claims alleging that the denial of such complaint was wrongful.

"(B) The claimant shall file such complaint, motion, petition, or other pleading not later than 2 years after the date of such final denial.

"(C) The Attorney General of the United States may arbitrate or settle by compromise or other settlement any claim cognizable under this subsection. Any such settlement is not competent evidence of liability or damages.

"(D) The amount of a settlement, judgment, or award in favor of a claimant under this paragraph may not exceed the amount sought by the claimant in the claim before the Commission on which an action under this paragraph is based unless the claimant alleges and proves facts not avail-

able or reasonably discoverable at the time of the determination of the validity of such claim by the Commission that justify the award of an amount in excess of such amount.

''(E) Not more than 20 percent of the amount awarded under this paragraph to a claimant may be paid by or on behalf of the claimant to any attorney or agent for services rendered in connection with a claim under this paragraph.

''(8) The acceptance by a person of compensation or other award provided for or paid under this subsection shall constitute a full and complete release of any claim of the person against the United States by reason of any allegation stated in the claim.

''(9) Any claim allowed under the provisions of this subsection including claims allowed by the Court of Federal Claims shall be paid from funds appropriated pursuant to the authorization of appropriations in paragraph (10).

''(10) There are authorized to be appropriated such amounts as may be necessary to carry out the purposes of this subsection, including any amounts necessary for administrative expenses of the Commission.''.

SEC. 642. MEMBERS ELIGIBLE FOR BENEFITS WHEN HELD CAPTIVE BY TERRORISTS.

(a) IN GENERAL.—Section 559(a)(1) of title 37, United States Code, is amended by striking out ''if Congress provides to such a member, in an Act enacted after August

27, 1986, monetary payment in respect of such period of captivity''.

(b) CLERICAL AMENDMENTS.—(1) The heading of section 559 of such title is amended to read as follows:

''§ 559. Benefits: members held as captives; victims of terrorist acts''.

(2) The table of sections at the beginning of chapter 10 of such title is amended by striking out the item relating to section 559 and inserting in lieu thereof the following:

''559. Benefits: members held as captives; victims of terrorist acts.''.

Subtitle F—Other Matters

SEC. 651. AUTHORITY TO LIMIT DIRECT PAYMENT OF PAY AND ALLOWANCES TO CERTAIN MEMBERS DURING WAR, HOSTILITIES, OR NATIONAL EMERGENCY.

(a) IN GENERAL.—(1) Chapter 19 of title 37, United States Code, is amended by adding at the end the following:

''§ 1015. Pay and allowances: limit on direct payment during period of war, hostilities, or national emergency

''(a) AUTHORITY TO LIMIT DIRECT PAYMENT.—The Secretary concerned may limit the direct payment of pay and allowances, or a portion thereof, to a member of the uniformed services serving on active duty in an area designated by the Secretary of Defense for the purposes of this

subsection during a war, hostilities, or a national emergency declared by the President or Congress.

''(b) ALTERNATIVE PAYMENT AUTHORITY.—Any amount of pay and allowances due a member described in subsection (a) but not paid directly to such member by reason of the exercise of the authority provided in such subsection may, as directed by the member pursuant to regulations prescribed by the Secretary concerned—

''(1) be paid through allotments or assignments made by the member; or

''(2) be credited to the account of the member and paid to the member upon—

''(A) the end of the period referred to in subsection (a); or

''(B) the departure of the member from an area referred to in such subsection.

''(c) PROMPT PAYMENT REQUIREMENT.—The Secretary concerned shall ensure prompt payment of any pay and allowance due to be paid a member under subsection (b)(2)(B).''.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''1015. Pay and allowances: limit on direct payment during period of war, hostilities, or national emergency.''.

(b) CONFORMING AMENDMENT.—Section 1005 of such title is amended by striking out ''Members'' and inserting

in lieu thereof ''Except as provided in section 1015 of this title, members''.

SEC. 652. LOSSES INCURRED AND GAINS REALIZED IN CONNECTION WITH HOUSING MEMBERS IN PRIVATE HOUSING ABROAD.

(a) PAYMENT OF LOSSES AND RECOUPMENT OF GAINS.—Section 405(d) of title 37, United States Code, is amended to read as follows:

''(d)(1) In the case of a member of the uniformed services authorized to receive a per diem allowance under subsection (a), the Secretary concerned may, under such regulations as such Secretary may prescribe, make a lump-sum payment for nonrecurring expenses incurred by the member in occupying private housing outside of the United States. Nonrecurring expenses for which a member may be reimbursed under this paragraph include losses sustained by the member on the refund of a rental deposit (or other deposit made by the member to secure housing) as a result of fluctuations in the relative value of the currencies of the United States and the foreign country in which such housing is located. Expenses for which payments are made under this subsection may not be considered for purposes of determining the per diem allowance of the member under subsection (a).

"(2) The Secretary concerned may recoup the full amount of a refunded deposit referred to in paragraph (1) that was paid by the United States, including any gain resulting from a fluctuation in currency values referred to in that paragraph.".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 1993.

SEC. 653. POSTPONEMENT OF PERFORMANCE OF CERTAIN TAX-RELATED ACTS FOR CERTAIN PERSONS SERVING IN CONTINGENCY OPERATIONS.

Section 7508(f) of the Internal Revenue Code of 1986 is amended to read as follows:

"(f) TREATMENT OF INDIVIDUALS PERFORMING CONTINGENCY OPERATION SERVICE.—

"(1) IN GENERAL.—Any individual who performs contingency operation service (and the spouse of such individual) shall be entitled to the benefits of this section in the same manner as if such service were service referred to in subsection (a).

"(2) CONTINGENCY OPERATION SERVICE.—For the purposes of this subsection, the term 'contingency operation service' means any service in the Armed Forces or in support of the Armed Forces if—

"(A) such service is performed in an area designated by the Secretary of Defense pursuant

to regulations prescribed by the Secretary under this paragraph as a contingency operation area; and

''(B) such services are performed during a contingency operation (as such term is defined in section 101(a)(13) of title 10, United States Code.''.

SEC. 654. BENEFITS FOR DEPENDENTS OF MEMBERS OF THE ARMED FORCES PENDING LOSS OF RIGHT TO RETIRED PAY AS A RESULT OF A COURT-MARTIAL.

(a) PAYMENT REQUIRED.—Subsection (h) of section 1408 of title 10, United States Code, is amended—

(1) by redesignating paragraph (10) as paragraph (11); and

(2) by inserting after paragraph (9) the following new paragraph (10):

''(10)(A) For purposes of this subsection, in the case of a member of the armed forces who has been sentenced by a court-martial to receive a punishment that will terminate the eligibility of that member to receive retired pay if executed, the eligibility of that member to receive retired pay shall be considered terminated effective upon the approval of that sentence by the court-martial convening authority.

''(B) If each form of the punishment that would result in the termination of eligibility to receive retired pay is later remitted, set aside, or mitigated to a punishment that does not result in the termination of that eligibility, a payment of benefits to the eligible recipient under this subsection that is based on the punishment so vacated, set aside, or mitigated shall cease. The cessation of payments shall be effective as of the first day of the first month following the month in which the Secretary of the military department concerned notifies the recipient of such benefits in writing that payment of the benefits will cease. The recipient may not be required to repay the benefits received before that effective date (except to the extent necessary to recoup any amount that was erroneous when paid).''.

(b) ADMINISTRATION FOR THE COAST GUARD.—Subsection (h) of such section is amended—

(1) in paragraph (2)(A), by inserting after ''Secretary of Defense'' the following: ''or, for the Coast Guard when it is not operating as a service in the Navy, by the Secretary of Transportation''; and

(2) in paragraph (8), by inserting before the period at the end the following: ''or, in the case of the Coast Guard, out of funds appropriated to the Department of Transportation for payment of retired pay for the Coast Guard''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as of October 23, 1992, and shall apply as if the provisions of the paragraph (10) of section 1408(h) of title 10, United States Code, added by such subsection were included in the amendment made by section 653(a)(2) of Public Law 102–484 (106 Stat. 2426).

SEC. 655. SENSE OF SENATE RELATING TO EXCESS LEAVE AND PERMISSIVE TEMPORARY DUTY FOR CERTAIN MEMBERS OF THE ARMED FORCES.

(a) SENSE OF SENATE.—(1) It is the sense of the Senate that the Secretary of Defense ensure that a member whose home of record is outside the continental United States and who is stationed inside the continental United States at the time of the separation of the member be eligible to receive the same amount of excess leave or permissive temporary duty under section 1149 of title 10, United States Code, as a member who is stationed overseas.

(2) In this subsection, the term ''continental United States'' means the 48 contiguous States and the District of Columbia.

(b) REPORT ON AREAS OF INEQUITABLE TREATMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense submit a report to Congress—

(1) describing all provisions of law concerning pay and allowances for members of the Armed Forces in which members whose homes of record are outside the continental United States receive different treatment than members whose homes of record are in the continental United States; and

(2) containing recommendations to equalize such treatment.

TITLE VII—HEALTH CARE PROVISIONS

SEC. 701. EXTENSION AND REVISION OF SPECIALIZED TREATMENT FACILITY PROGRAM AUTHORITY.

(a) AUTHORITY.—(1) Section 1105 of title 10, United States Code, is amended to read as follows:

"§ 1105. Specialized treatment facility program

"(a) PROGRAM AUTHORIZED.—The Secretary of Defense, in consultation with the other administering Secretaries, may conduct a specialized treatment facility program.

"(b) FACILITIES AUTHORIZED TO BE USED.—Under the program, the Secretary may designate health care facilities of the uniformed services and civilian health care facilities as specialized treatment facilities.

"(c) WAIVER OF NONEMERGENCY HEALTH CARE RESTRICTION.—Under the program, the Secretary of Defense

may waive, with regard to the provision of a particular service, the 40-mile radius restriction set forth in section 1079(a)(7) of this title if the Secretary determines that the use of a different geographical area restriction will result in a more cost-effective provision of the service.

"(d) CIVILIAN FACILITY SERVICE AREA.—For purposes of the program, the service area of a civilian health care facility designated pursuant to subsection (b) shall be comparable in size to the service areas of facilities of the uniformed services.

"(e) ISSUANCE OF NONAVAILABILITY OF HEALTH CARE STATEMENTS.—Under the program, a commanding officer of a facility of the uniformed services, in determining whether to issue a nonavailability of health care statement for a person entitled to health care in facilities of the uniformed services under this chapter, may consider the availability of health care services for such person pursuant to any contract or agreement entered into under this chapter for the provision of health care services.

"(f) PAYMENT OF COSTS RELATED TO CARE IN SPECIALIZED TREATMENT FACILITIES.—(1) Subject to paragraph (2), the Secretary of Defense, in connection with the treatment of a covered beneficiary under the program, may provide the following benefits:

"(A) Full or partial reimbursement of a member of the uniformed services for the reasonable expenses incurred by the member in transporting a covered beneficiary to or from a health care facility of the uniformed services or a civilian health care facility at which specialized health care services are provided pursuant to this chapter.

"(B) Full or partial reimbursement of a person (including a member of the uniformed services) for the reasonable expenses of transportation, temporary lodging, and meals (not to exceed a per diem rate determined in accordance with implementing regulations) incurred by such person in accompanying a covered beneficiary as a nonmedical attendant to a health care facility referred to in subparagraph (A).

"(C) In-kind transportation, lodging, or meals instead of reimbursements under subparagraph (A) or (B) for transportation, lodging, or meals, respectively.

"(2) The Secretary may make reimbursements or provide transportation, lodging, and meals under paragraph (1) in the case of a covered beneficiary only if the total cost to the Department of Defense of doing so and of providing the health care in such case is less than the cost to the Department of providing the health care to the covered beneficiary by other means authorized under this chapter.

''(3) In this subsection, the term 'covered beneficiary' means a person entitled to health care under this chapter.

''(g) REGULATIONS.—The Secretary of Defense, after consulting with the other administering Secretaries, shall prescribe regulations to carry out the specialized treatment facility program authorized in this section.

''(h) EXPIRATION OF PROGRAM.—The authority under this section shall expire at the end of September 30, 1995.''.

(2) The table of sections at the beginning of chapter 55 of such title is amended by striking out the item relating to section 1105 and inserting in lieu thereof the following:

''1105. Specialized treatment facility program.''.

(b) CONFORMING AMENDMENT.—Section 1079(a)(7) of title 10, United States Code, is amended by striking out ''except that—'' and all that follows and inserting in lieu thereof the following: ''except that those services may be provided in any case in which another insurance plan or program provides primary coverage for those services;''.

SEC. 702. CODIFICATION OF CHAMPUS PEER REVIEW ORGANIZATION PROGRAM PROCEDURES.

Section 1079 of title 10, United States Code, is amended by adding at the end the following:

''(o)(1) The Secretary of Defense may not provide a health care service under the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) if such service is determined not medically or psychologically nec-

essary by a peer review board acting under the CHAMPUS Peer Review Organization program.

''(2) The Secretary of Defense may, after consulting with the other administering Secretaries, adopt or adapt for use under the CHAMPUS Peer Review Organization program, as the Secretary considers appropriate, any of the quality and utilization review requirements and procedures that are utilized by the Peer Review Organization program under part B of title XI of the Social Security Act (42 U.S.C. 1320c et seq.).''.

SEC. 703. FLEXIBLE DEADLINE FOR COMMENCEMENT OF CHAMPUS REFORM INITIATIVE IN HAWAII AND CALIFORNIA.

Section 713(b)(1) of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat. 2435; 10 U.S.C. 1073 note) is amended by inserting '', or as soon thereafter as is practicable'' after ''August 1, 1993''.

SEC. 704. DELAY OF TERMINATION OF STATUS OF CERTAIN FACILITIES AS UNIFORMED SERVICES TREATMENT FACILITIES.

Section 1252(e) of the Department of Defense Authorization Act, 1984 (42 U.S.C. 248d(e)) is amended by striking out ''December 31, 1993'' in the first sentence and inserting in lieu thereof ''December 31, 1998''.

SEC. 705. EXCLUSION OF EXPERIENCED MILITARY PHYSICIANS FROM MEDICARE DEFINITION OF NEW PHYSICIAN.

(a) CHARGES IN RURAL AREAS; EFFECT OF UNIFORMED SERVICE EXPERIENCE.—Section 1842(b)(4)(F)(i) of the Social Security Act (42 U.S.C. 1395u(b)(4)(F)(i)) is amended by adding at the end the following new sentence: ''The preceding sentence shall not apply to any health care practitioner who before the practitioner's first year of practice has served at least four years as a health care practitioner in one of the uniformed services.''.

(b) CHARGES BY NEW PHYSICIANS; EFFECT OF UNIFORMED SERVICE EXPERIENCE.—Section 1848(a)(4) of the Social Security Act (42 U.S.C. 1395w–4(a)(4)) is amended by inserting '', or to any physician who before the practitioner's first year of practice has served at least four years as a physician in one of the uniformed services'' before the period at the end of the second sentence.

SEC. 706. ENROLLMENT IN THE DEPENDENTS' DENTAL PROGRAM BY CERTAIN MEMBERS RETURNING FROM OVERSEAS ASSIGNMENTS.

(a) IN GENERAL.—The Secretary of Defense shall revise the regulations applicable to the dependents' dental program established under section 1076a of title 10, United States Code, and the provisions of dental benefits plans established under that program, to the extent necessary to per-

mit members of the uniformed services described in subsection (b) to enroll in a dental benefits plan under such program without regard to the length of the uncompleted portion of the member's period of obligated service.

(b) COVERED MEMBERS.—Subsection (a) applies with respect to a member of the uniformed services referred to in the first sentence of section 1076a(a)(1) of title 10, United States Code, who is reassigned from a permanent duty station where a dental benefits plan referred to in subsection (a) is not available to a permanent duty station where such a plan is available.

SEC. 707. SENSE OF SENATE ON THE PROVISION OF ADEQUATE MEDICAL CARE TO MILITARY RETIREES.

(a) SENSE OF THE SENATE.—It is the sense of the Senate that the Secretary of Defense should encourage increased use of physicians, dentists, and other health care professionals in the reserve components of the Armed Forces of the United States in order to provide retired military personnel with care under section 1074(b) of title 10, United States Code, while such members of the reserve components are performing active duty, full-time National Guard duty, or inactive-duty training consistent with other military training requirements.

(b) DEFINITIONS.—In this section:

(1) The term ''retired military personnel'' means persons who are eligible for medical and dental care under section 1074(b) of title 10, United States Code.

(2) The terms ''active duty'', ''full-time National Guard training'', and ''inactive-duty training'' have the meaning given such terms in section 101(d) of such title.

SEC. 708. INDEPENDENT STUDY OF CONDUCT OF MEDICAL STUDY BY ARCTIC AEROMEDICAL LABORATORY, LADD AIR FORCE BASE, ALASKA.

(a) REQUIREMENT FOR STUDY.—The Secretary of Defense shall provide, in accordance with this section, for an independent study of the conduct of a series of medical studies performed during or prior to 1957 by the Air Force Arctic Aeromedical Laboratory in Alaska. The series of medical studies referred to in the preceding sentence was designed to study thyroid activity in men exposed to cold, and involved the administration of a radioactive isotope (Iodine 131) to certain Alaska Natives.

(b) CONDUCT OF REQUIRED STUDY.—The study referred to in subsection (a) shall be conducted by the Institute of Medicine of the National Academy of Sciences or a similar organization.

(c) DIRECT OR INDIRECT DOD INVOLVEMENT.—The Secretary may provide for the study either—

(1) by entering into an agreement with an independent organization referred to in subsection (b) to conduct the study; or

(2) by transferring to the Secretary of the Interior, the Secretary of Health and Human Services, or the head of another department or agency of the Federal Government funds to carry out the study in accordance with subsection (b).

(d) REPORT.—The Secretary of Defense or the head of the department or agency of the Federal Government carrying out the study shall submit to Congress a report on the results of the study. The report shall, at a minimum, include the following matters:

(1) Whether the series of studies referred to in subsection (a) was conducted in accordance with generally accepted guidelines for the use of human participants in medical experimentation.

(2) Whether Iodine 131 dosages were administered in accordance with radiation exposure standards generally accepted as of 1957 and with radiation exposure standards generally accepted as of 1993.

(3) The guidelines that should have been followed in the conduct of the series of studies, including guidelines regarding notification of participants about any possible risks.

(4) Whether subsequent studies of the participants should have been provided for and conducted to determine whether any participants suffered long term ill effects of the administration of Iodine 131 and, in the case of such ill effects, needed medical care for such effects.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Department of Defense for fiscal year 1994, $150,000 for carrying out the study referred to in subsection (a).

TITLE VIII—ACQUISITION POLICY

Subtitle A—Defense Technology and Industrial Base, Reinvestment, and Conversion

SEC. 801. MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM.

(a) PROGRAM AUTHORIZED.—(1) Subchapter IV of chapter 148 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 2525. Manufacturing Science and Technology Program

"(a) ESTABLISHMENT.—The Secretary of Defense shall establish a Manufacturing Science and Technology pro-

gram. The Director of Defense Research and Engineering shall administer the program.

"(b) PURPOSE.—It shall be the purpose of the program to enhance the capability of industry to meet the manufacturing needs of the Department of Defense.

"(c) COMPONENTS.—The Secretary of Defense shall ensure that programs for manufacturing science and technology are established in the military departments, the Office of the Secretary of Defense, and the Defense Logistics Agency.

"(d) COMPETITION AND COST SHARING.—(1) Competitive procedures shall be used for awarding all contracts, grants, and cooperative agreements under the program.

"(2) At least 50 percent of the contracts, grants, and cooperative agreements shall be awarded on the basis of cost sharing arrangements involving significant contributions to the cost of the project from non-Federal Government sources.

"(3) A contract, grant, or cooperative agreement may not be awarded under this program on any basis other than a cost-shared basis unless the Secretary of Defense determines that the contract, grant, or cooperative agreement is for a program that—

"(A) is not likely to have immediate and direct commercial applications; or

"(B) is of sufficiently high risk to discourage cost sharing by non-Federal Government sources.

"(e) REVIEW AUTHORITY.—The Secretary of Defense may review any project proposed by the Congress to be awarded under the program on a basis that is inconsistent with paragraphs (1) and (2) of subsection (d) and may cancel any such project that the Secretary finds not to be in support of the national security requirements of the United States.".

(2) The table of sections at the beginning of subchapter IV of such chapter is amended by adding at the end the following:

"2525. Manufacturing Science and Technology Program.".

(b) FUNDING.—Of the amounts authorized to be appropriated under section 201, not more than $301,033,000 shall be available for the Manufacturing Science and Technology Program under section 2525 of title 10, United States Code (as added by subsection (a)), of which—

(1) not more than $20,000,000 shall be available for the Army;

(2) not more than $50,000,000 shall be available for the Navy;

(3) not more than $60,000,000 shall be available for the Air Force; and

(4) not more than $171,033,000 shall be available for the Defense Agencies.

SEC. 802. UNIVERSITY RESEARCH INITIATIVE SUPPORT PROGRAM.

(a) ESTABLISHMENT.—The Secretary of Defense, through the Director of Defense Research and Engineering, shall establish a University Research Initiative Support Program.

(b) PURPOSE.—Under the program, the Director shall award grants and contracts to eligible institutions of higher education to support the conduct of research and development relevant to requirements of the Department of Defense.

(c) ELIGIBILITY.—An institution of higher education is eligible for a grant or contract under the program if the institution has received less than a total of $1,000,000 in grants and contracts from the Department of Defense in the two fiscal years before the fiscal year in which the institution submits a proposal for such grant or contract.

(d) COMPETITION REQUIRED.—The Director shall use competitive procedures in awarding grants and contracts under the program.

(e) PROGRAM REQUIREMENTS.—Not later than 90 days after the date of the enactment of this Act, the Director of Defense Research and Engineering shall prescribe directives for carrying out the program. The directives shall require a merit-based selection process that is consistent with the provisions of section 2361(a) of title 10, United States Code, and shall require that each person selected to partici-

pate in such a merit-based selection process be a member of the faculty or staff of an institution of higher education that is a member of the National Association of State Universities and Land Grant Colleges or the American Association of State Colleges and Universities.

(f) FUNDING.—Of the amounts authorized to be appropriated under section 201, not more than $50,000,000 shall be available for the University Research Initiative Support Program.

SEC. 803. OPERATING COMMITTEE OF THE CRITICAL TECHNOLOGIES INSTITUTE.

Section 822(c) of the National Defense Authorization Act for Fiscal Year 1991 (42 U.S.C. 6686(c)) is amended to read as follows:

''(c) OPERATING COMMITTEE.—(1) The Institute shall have an Operating Committee composed of five members as follows:

''(A) The Director of the Office of Science and Technology Policy, who shall chair the committee.

''(B) The Director of the National Institutes of Health.

''(C) The Director of the National Institute for Standards and Technology.

''(D) The Director of the Advanced Research Projects Agency.

''(E) The Under Secretary of Energy having responsibility for science and technology matters.

''(2) The Operating Committee shall meet not less than four times each year.''.

SEC. 804. TARGETING DEFENSE CONVERSION FUNDS.

It is the sense of Congress that—

(1) defense conversion funds, including funds for community assistance and dislocated personnel, should serve to relieve distress in areas of the country that are the most adversely affected by reduced spending for national defense and by military base closures;

(2) in the determinations of whether applicants for defense conversion assistance meet applicable cost-sharing requirements, all non-Federal funds, including funds from States and from local sources, should be considered;

(3) by April 30, 1994 (with respect to activities during the first half of fiscal year 1994) and by October 31, 1994 (with respect to activities during the second half of fiscal year 1994), the Secretary of Defense should submit to Congress a report setting forth—

(A) the geographic distribution of the sources of all proposals received for defense conversion assistance and the geographic distribu-

tion of the defense conversion assistance awarded (in order to indicate the extent to which the policy in paragraph (1) is being carried out); and

(B) the number of proposals for defense conversion assistance received from small businesses and the number of awards of defense conversion assistance to small businesses (in order to provide a basis for determining whether sufficient opportunities exist for small businesses to receive an appropriate portion of defense conversion funds and whether the cost-sharing requirements for small businesses should be reduced); and

(4) by January 1, 1994, the Secretary of Defense should—

(A) submit to Congress any recommendations that, taking into consideration the experience with providing defense conversion assistance during fiscal year 1993, the Secretary considers appropriate regarding—

(i) what share of the costs of participating in a defense conversion program should be borne by non-Department of Defense sources; and

(ii) what, if any, changes should be made in the laws providing authority for defense conversion programs; and

(B) prescribe regulations to provide full credit for in-kind contributions of non-Department of Defense sources for purposes of defense conversion program cost-sharing requirements.

SEC. 805. SMALL BUSINESS PARTICIPATION.

(a) DUAL-USE CRITICAL TECHNOLOGY PARTNERSHIPS.—(1) Section 2511 of title 10, United States Code, is amended—

(A) by redesignating subsection (g) as subsection (h); and

(B) by inserting after subsection (f) the following new subsection (g):

''(g) SMALL BUSINESS PARTICIPATION.—(1) The Secretary shall ensure that small businesses and consortia involving one or more small businesses are afforded an opportunity to participate in the partnerships program.

''(2) The Secretary shall conduct seminars or similar programs for small businesses in order to disseminate information regarding the partnerships program widely to small businesses.

''(3) The Secretary shall establish a goal that at least 15 percent of the total amount appropriated for a fiscal

year for partnerships under this section be expended for partnerships that involve small businesses or consortia involving one or more small businesses.

''(4) In this section, the term 'small business' has the meaning given the term 'small business concern' pursuant to section 3 of the Small Business Act (15 U.S.C. 632).''.

(2) Not later than the date on which the President submits to Congress the budget for fiscal year 1995 pursuant to section 1105 of title 31, United States Code, the Secretary of Defense shall submit to Congress a plan for achieving the goal required by subsection (g)(3) of section 2511 of title 10, United States Code, as added by paragraph (1)(B).

(b) SBA MEMBERSHIP ON THE NATIONAL DEFENSE TECHNOLOGY AND INDUSTRIAL BASE COUNCIL.—Section 2502(b) of title 10, United States Code, is amended—

(1) by redesignating paragraph (5) as paragraph (6); and

(2) by inserting after paragraph (4) the following new paragraph (5):

''(5) The Administrator of the Small Business Administration.''.

Subtitle B—Acquisition Assistance Programs

SEC. 811. CONTRACT GOAL FOR DISADVANTAGED SMALL BUSINESSES AND CERTAIN INSTITUTIONS OF HIGHER EDUCATION.

(a) SCOPE OF REFERENCE TO HISTORICALLY BLACK COLLEGES AND UNIVERSITIES.—Subparagraph (B) of section 2323(a)(1) of title 10, United States Code, is amended to read as follows:

''(B) historically Black colleges and universities, including any nonprofit research institution that was an integral part of such a college or university before November 14, 1986;''.

(b) DEFINITION OF MINORITY INSTITUTION.—Subparagraph (C) of section 2323(a)(1) of title 10, United States Code, is amended to read as follows:

''(C) minority institutions (as defined in section 1046(3) of the Higher Education Act of 1965 (20 U.S.C. 1135d–5(3)), which, for the purposes of this section, shall include Hispanic-serving institutions (as defined in section 316(b)(1)) of such Act (20 U.S.C. 1059c(b)(1)).''.

(c) AWARD ELIGIBILITY.—Section 2323(f)(2) of title 10, United States Code, is amended to read as follows:

"(2) The Secretary of Defense shall prescribe regulations that prohibit awarding a contract under this section to an entity described in subsection (a)(1) unless the entity agrees to comply with the requirements of section 15(o)(1) of the Small Business Act (15 U.S.C. 644(o)(1)).".

(d) IMPLEMENTING REGULATIONS.—(1) The Secretary of Defense shall propose amendments to the Department of Defense Supplement to the Federal Acquisition Regulation that address the matters described in subsection (g) and subsection (h)(2) of section 2323 of title 10, United States Code.

(2) Not later than 15 days after the date of the enactment of this Act, the Secretary shall publish such proposed amendments in accordance with section 22 of the Office of Federal Procurement Policy Act (41 U.S.C. 418b). The Secretary shall provide a period of at least 60 days for public comment on the proposed amendments.

(3) The Secretary shall publish the final regulations not later than 120 days after the date of the enactment of this Act.

(e) FUNDING.—(1) Of the amounts authorized to be appropriated for fiscal year 1994 pursuant to title II of this Act, $15,000,000 shall be available for such fiscal year for infrastructure assistance to historically Black colleges and universities and minority institutions under section 2323(c)(3) of title 10, United States Code.

(2) Of the amount made available pursuant to paragraph (1), not more than $1,000,000 may be used to provide infrastructure assistance of the types described in section 2323(c)(3) of title 10, United States Code, to educational institutions that have student body enrollments equal to or greater than 51 percent of the student body enrollment standard under which such educational institution would qualify as a minority institution under section 1046(3) of the Higher Education Act of 1965 (20 U.S.C. 1135d–5(3)).

SEC. 812. PROCUREMENT TECHNICAL ASSISTANCE PROGRAMS.

(a) PROCUREMENT TECHNICAL ASSISTANCE PROGRAM FUNDING.—Of the amount authorized to be appropriated in section 301(5), $12,000,000 shall be available for carrying out the provisions of chapter 142 of title 10, United States Code.

(b) SPECIFIC PROGRAMS.—Of the amounts referred to in subsection (a), $600,000 shall be available for fiscal year 1994 for the purpose of carrying out programs sponsored by eligible entities referred to in subparagraph (D) of section 2411(1) of title 10, United States Code, that provide procurement technical assistance in distressed areas referred to in subparagraph (B) of section 2411(2) of such title. If there is an insufficient number of satisfactory proposals for cooperative agreements in such distressed areas

to allow for effective use of the funds made available in accordance with this subsection in such areas, the funds shall be allocated among the Defense Contract Administration Services regions in accordance with section 2415 of such title.

SEC. 813. PILOT MENTOR-PROTEGE PROGRAM FUNDING AND IMPROVEMENTS.

(a) FUNDING.—Of the amounts authorized to be appropriated for fiscal year 1994 pursuant to title I of this Act, $50,000,000 shall be available for conducting the pilot Mentor-Protege Program established pursuant to section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 2301 note).

(b) REGULATIONS.—(1) The fifth sentence of section 831(k) of the National Defense Authorization Act for Fiscal Year 1991 (10 U.S.C. 2301 note) is amended to read as follows: ''The Department of Defense policy regarding the pilot Mentor-Protege Program shall be published and maintained as an appendix to the Department of Defense Supplement to the Federal Acquisition Regulation.''.

(2) The Secretary of Defense shall ensure that, within 30 days after the date of the enactment of this Act, the Department of Defense policy regarding the pilot Mentor-Protege Program, as in effect on September 30, 1993, is incorporated into the Department of Defense Supplement to the

Federal Acquisition Regulation as an appendix. Revisions to such policy (or any successor policy) shall be published and maintained in such supplement as an appendix.

(c) EQUITY CAPITAL INVESTMENT.—(1) Section 831(f)(6) of the National Defense Authorization Act for Fiscal Year 1991 (10 U.S.C. 2301 note) is amended by striking out ''10 percent'' and inserting in lieu thereof ''40 percent''.

(2) The amendment made by paragraph (1) shall take effect as of October 1, 1991.

(d) EXTENSION OF PROGRAM ADMISSIONS.—Section 831(j)(1) of the National Defense Authorization Act for Fiscal Year 1991 (10 U.S.C. 2301 note) is amended by striking ''September 30, 1994'' and inserting ''September 30, 1995''.

Subtitle C—Other Matters

SEC. 821. REIMBURSEMENT OF INDIRECT COSTS OF INSTITUTIONS OF HIGHER EDUCATION UNDER DEPARTMENT OF DEFENSE CONTRACTS.

(a) IN GENERAL.—Department of Defense reimbursements of allowable indirect costs incurred by an institution of higher education for work performed for the Department of Defense under a Department of Defense contract may not be limited by regulation to a maximum amount unless that same limitation is applied uniformly to all other organizations performing similar work for the Department of Defense under Department of Defense contracts.

(b) WAIVERS.—The governing body of an institution of higher education may waive the application of the prohibition in subsection (a) to such institution in order to simplify the overall management by that institution of cost reimbursements for contracts awarded to the institution.

(c) DEFINITIONS.—In this section:

(1) The term ''allowable indirect costs'' means costs that are generally considered allowable as indirect costs under regulations that establish the cost reimbursement principles applicable to an institution of higher education for purposes of Department of Defense contracts.

(2) The term ''institution of higher education'' has the meaning given such term in section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a)).

SEC. 822. PROHIBITION ON PURCHASE OF UNITED STATES DEFENSE CONTRACTORS BY ENTITIES CONTROLLED BY FOREIGN GOVERNMENTS.

Section 835(c)(1)(A) of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat. 2462; 50 U.S.C. App. 2170a) is amended by striking out ''owned or controlled'' and inserting in lieu thereof ''controlled, either directly or indirectly,''.

SEC. 823. PROHIBITION ON AWARD OF CERTAIN DEPARTMENT OF DEFENSE AND DEPARTMENT OF ENERGY CONTRACTS TO ENTITIES CONTROLLED BY A FOREIGN GOVERNMENT.

(a) TERMINOLOGY AMENDMENT.—Subsection (a) of section 2536 of title 10, United States Code, is amended—

(1) by striking out ''a company owned by''; and

(2) by striking out ''that company'' and inserting in lieu thereof ''that entity''.

(b) DEFINITION OF ENTITY CONTROLLED BY FOREIGN GOVERNMENT.—Subsection (c)(1)(A) of such section is amended by striking out ''owned or controlled'' and inserting in lieu thereof ''controlled, either directly or indirectly,''.

(c) CLERICAL AMENDMENTS.—(1) The section heading of such section is amended by striking out ***''companies owned by an entity''*** *and inserting in lieu thereof* ***''entities''****.*

(2) The item relating to such section in the table of sections at the beginning of subchapter V of chapter 148 of title 10, United States Code, is amended to read as follows:

''2536. Prohibition on award of certain Department of Defense and Department of Energy contracts to entities controlled by a foreign government.''.

SEC. 824. REPORTS BY DEFENSE CONTRACTORS ON DEALINGS WITH TERRORIST COUNTRIES AND NATIONALS OF TERRORIST COUNTRIES.

(a) IN GENERAL.—(1) Chapter 141 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 2410i. Defense contractor transactions with terrorist countries and nationals of terrorist countries

"(a) REPORTS REQUIRED FROM CONTRACTORS.—(1)(A) The Secretary of Defense shall require that each person—

"(i) before entering into a contract with the Department of Defense to provide goods or services to the Department, report to the Secretary any commercial transactions which such person has conducted with any terrorist country or with any national of a terrorist country; and

"(ii) report to the Secretary any commercial transactions which such person conducts, during the period of the contract, with any terrorist country, or with any national of a terrorist country.

"(B) The requirement contained in subparagraph (A)(ii) shall be included in the contract with the Department of Defense.

"(b) ANNUAL REPORT TO CONGRESS.—(1) The Secretary of Defense shall submit to the Congress an annual report on defense contractor transactions with terrorist countries and nationals of terrorist countries.

"(2) The report shall contain the following matters:

"(A) A list of the persons who conducted commercial transactions with terrorist countries and nationals of terrorist countries during the year covered by the report, as reported pursuant to subsection (a).

"(B) The terrorist countries and nationals of terrorist countries with which such transactions were conducted.

"(C) The nature of the transactions.

"(c) DEFINITIONS.—In this section:

"(1) The term 'terrorist country' means a country the government of which the Secretary of State has determined pursuant to law, as of March 1, 1993, is a government that has repeatedly provided support for acts of international terrorism.

"(2) The term 'national' means, with respect to a terrorist country—

"(A) a natural person who is a citizen of such country; or

"(B) a corporation or other legal entity that is organized under the laws of that country, if

natural persons who are citizens of that country own, directly or indirectly, 50 percent or more of the outstanding capital stock or other beneficial interest of such corporation or entity.''.

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

''2410i. Defense contractor transactions with terrorist countries and nationals of terrorist countries.''.

(b) EFFECTIVE DATE.—Section 2410i of title 10, United States Code, shall take effect 60 days after the date of the enactment of this Act and shall apply to contracts entered into on or after the effective date of such section.

SEC. 825. DEPARTMENT OF DEFENSE PURCHASES THROUGH OTHER AGENCIES.

(a) REGULATIONS REQUIRED.—Not later than six months after the date of the enactment of this Act, the Secretary of Defense shall issue regulations governing the exercise by the Department of Defense of the authority under section 1535 of title 31, United States Code, to purchase goods and services under contracts entered into or administered by another agency.

(b) CONTENT OF REGULATIONS.—The regulations issued pursuant to subsection (a) shall—

(1) require that each purchase described in subsection (a) be approved in advance by a warranted contracting officer of the Department of Defense with

authority to contract for the goods or services to be purchased or by another official in a position specifically designated by regulation to approve such purchase;

(2) provide that such a purchase of goods or services may be made only if—

(A) the purchase is appropriately made under a contract that the agency filling the purchase order entered into, before the purchase order, in order to meet the requirements of such agency for the same or similar goods or services;

(B) the agency filling the purchase order is better qualified to enter into or administer the contract for such goods or services by reason of capabilities or expertise that is not available within the Department;

(C) the agency or unit filling the order is specifically authorized by law or regulations to purchase such goods or services on behalf of other agencies; or

(D) the purchase is authorized by an Executive order or a revision to the Federal Acquisition Regulation setting forth specific additional circumstances in which purchases referred to in subsection (a) are authorized;

(3) prohibit any such purchase under a contract or other agreement entered into or administered by an agency not covered by the provisions of chapter 137 of title 10, United States Code, or title III of the Federal Property and Administrative Services Act of 1949 and not covered by the Federal Acquisition Regulation unless the purchase is approved in advance by the Senior Acquisition Executive responsible for purchasing by the ordering agency or unit; and

(4) prohibit any payment to the agency filling a purchase order of any fee that exceeds the actual cost or, if the actual cost is not known, the estimated cost of entering into and administering the contract or other agreement under which the order is filled.

(c) MONITORING SYSTEM REQUIRED.—The Secretary of Defense shall ensure that, not later than one year after the date of enactment of this Act, systems of the Department of Defense for collecting and evaluating procurement data are capable of collecting and evaluating appropriate data on procurements conducted under the regulations issued pursuant to paragraph (a).

(d) TERMINATION.—This section shall cease to be effective one year after the date on which final regulations issued pursuant to subsection (a) take effect.

SEC. 826. AUTHORITY OF THE ADVANCED RESEARCH PROJECTS AGENCY TO CARRY OUT CERTAIN PILOT DEMONSTRATION PROJECTS AND PROTOTYPE PROJECTS.

(a) AUTHORITY.—The Director of the Advanced Research Projects Agency may, under the authority of section 2371 of title 10, United States Code, carry out pilot technology demonstration projects and prototype projects that are directly relevant to weapons or weapons systems proposed to be acquired or developed by the Department of Defense.

(b) EXERCISE OF AUTHORITY.—(1) Subsections (d)(2) and (d)(3) of such section 2371 shall not apply to pilot projects carried out under subsection (a).

(2) The Director shall, to the maximum extent practicable, utilize competitive procedures when entering into agreements to carry out projects under subsection (a).

(c) PERIOD OF AUTHORITY.—The authority of the Director to carry out projects under subsection (a) shall terminate 3 years after the date of the enactment of this Act.

SEC. 827. IMPROVEMENT OF PRICING POLICIES FOR USE OF MAJOR RANGE AND TEST FACILITY INSTALLATIONS OF THE MILITARY DEPARTMENTS.

(a) IN GENERAL.—Chapter 159 of title 10, United States Code, is amended by inserting after section 2680 the following new section:

"§ 2681. Use of test and evaluation installations by commercial entities

"(a) CONTRACT AUTHORITY.—The Secretary of the military department concerned, in consultation with the Secretary of Defense, may enter into contracts with commercial entities that desire to conduct commercial test and evaluation activities at a Major Range and Test Facility Installation under the jurisdiction of the Secretary.

"(b) TERMINATION OR LIMITATION OF CONTRACT UNDER CERTAIN CIRCUMSTANCES.—A contract entered into under subsection (a) shall contain a provision that the installation commander may terminate, prohibit, or suspend immediately any commercial test or evaluation activity to be conducted at the Major Range and Test Facility Installation under the contract if the installation commander certifies in writing that the test or evaluation activity is or would be detrimental—

"(1) to the public health and safety;

"(2) to property (either public or private); or

"(3) to any national security interest or foreign policy interest of the United States.

"(c) CONTRACT PRICE.—A contract entered into under subsection (a) shall include a provision that requires a commercial entity using a Major Range and Test Facility Installation under the contract to reimburse the installation for all direct costs to the United States that are associated

with the test and evaluation activities conducted by the commercial entity under the contract, as determined by the installation commander. In addition, the contract may include a provision that requires the commercial entity to reimburse the installation for such indirect costs related to the use of the installation as the installation commander considers to be appropriate.

''(d) RETENTION OF FUNDS COLLECTED FROM COMMERCIAL USERS.—Amounts collected under subsection (c) from a commercial entity conducting test and evaluation activities at a Major Range and Test Facility Installation shall be credited to the appropriation accounts under which the costs associated with the test and evaluation activities of the commercial entity were incurred.

''(e) REGULATIONS AND LIMITATIONS.—The Secretary of the military department concerned, in consultation with the Secretary of Defense, shall prescribe regulations to carry out this section. The authority of installation commanders under subsections (b) and (c) shall be subject to the authority, direction, and control of the Secretary of the military department concerned.

''(f) DEFINITIONS.—In this section:

''(1) The term 'Major Range and Test Facility Installation' means a test and evaluation installation

under the jurisdiction of the Secretary of a military department and designated as such by the Secretary.

"(2) The term 'direct costs' includes the cost of—

"(A) labor, material, facilities, utilities, equipment, supplies, and any other resources damaged or consumed during the test or evaluation activities or maintained for a particular commercial entity; and

"(B) construction specifically performed for the commercial entity to conduct test and evaluation activities.

"(3) The term 'installation commander' means the commander of a Major Range and Test Facility Installation.

"(g) TERMINATION OF AUTHORITY.—The authority provided to the Secretary of a military department by subsection (a) shall terminate on September 30, 1998.

"(h) REPORT.—Not later than January 1, 1999, the Secretary of each military department shall submit to the Secretary of Defense and Congress a report describing the number and purposes of contracts entered into under subsection (a) and evaluating the extent to which the authority under this section is exercised to open Major Range and Test Facility Installations to commercial test and evaluation activities.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item related to section 2680 the following new item:

''2681. Use of test and evaluation installations by commercial entities.''.

Subtitle D—Defense Acquisition Pilot Program

SEC. 831. DEFENSE ACQUISITION PILOT PROGRAM AMENDMENTS.

(a) REPEAL OF LIMITATION ON NUMBER OF PARTICIPATING DEFENSE ACQUISITION PROGRAMS.—Section 809(b)(1) of the National Defense Authorization Act for Fiscal Year 1991 (10 U.S.C. 2430 note) is amended by striking out ''not more than six''.

(b) REPEAL OF REQUIREMENT TO DESIGNATE PARTICIPATING PROGRAMS AS DEFENSE ENTERPRISE PROGRAMS.—Section 809 of such Act is amended by striking out subsection (d).

(c) PUBLICATION OF POLICIES AND GUIDELINES FOR PUBLIC COMMENT.—Section 809 of such Act is amended by striking out subsection (e) and inserting in lieu thereof the following:

''(d) PUBLICATION OF POLICIES AND GUIDELINES.—The Secretary shall publish in the Federal Register a proposed memorandum setting forth policies and guidelines for implementation of the pilot program under this section and provide an opportunity for public comment on the proposed

memorandum for a period of 60 days after the date of publication. The Secretary shall publish in the Federal Register any subsequent proposed change to the memorandum and provide an opportunity for public comment on each such proposed change for a period of 60 days after the date of publication.''.

(d) CONGRESSIONAL NOTIFICATION REQUIREMENTS.—Section 809 of such Act is amended—

(1) by redesignating subsection (f) as subsection (e); and

(2) in paragraph (2)(D) of subsection (e), as so redesignated, by striking out ''specific budgetary and personnel savings'' and inserting in lieu thereof ''a discussion of the efficiencies or savings''.

SEC. 832. REFERENCE TO DEFENSE ACQUISITION PILOT PROGRAM.

A reference in this subtitle to the Defense Acquisition Pilot Program is a reference to the defense acquisition pilot program authorized by section 809 of the National Defense Authorization Act for Fiscal Year 1991 (10 U.S.C. 2430 note).

SEC. 833. MISSION ORIENTED PROGRAM MANAGEMENT.

It is the sense of Congress that—

(1) in the exercise of the authority provided in section 809 of the National Defense Authorization Act

for Fiscal Year 1991 (10 U.S.C. 2430 note), the Secretary of Defense should propose for one or more of the defense acquisition programs covered by the Defense Acquisition Pilot Program to utilize the concept of mission oriented program management that includes—

(A) establishing a mission oriented program executive office; and

(B) designating a lead agency for the mission oriented program executive office;

(2) the duties of the program executive officer for each of one or more of such programs should include—

(A) planning, programming, and carrying out research, development, and acquisition activities;

(B) providing advice regarding the preparation and integration of budgets for research, development, and acquisition activities;

(C) informing the operational commands of alternative technology solutions to fulfill emerging requirements;

(D) ensuring that the acquisition plan for the program realistically reflects the budget and related decisions made for that program;

(E) managing related technical support resources;

(F) conducting integrated decision team meetings; and

(G) providing technological advice to users of program products and to the officials within the military departments who prepare plans, programs, and budgets;

(3) the Chairman of the Joint Chiefs of Staff, in consultation with the Under Secretary of Defense for Acquisition, should prescribe policies and procedures for the interaction of the commanders of the unified and specified combatant commands with the mission oriented program executive officers, and such policies and procedures should include provisions for enabling the user commands to perform acceptance testing; and

(4) the management functions of a program manager should not duplicate the management functions of the mission oriented program executive officer.

SEC. 834. SAVINGS OBJECTIVES.

It is the sense of Congress that the Secretary of Defense, on the basis of the experience under the Defense Acquisition Pilot Program, should seek personnel reductions and other management and administrative savings that, by Septem-

ber 30, 1998, will achieve at least a 25-percent reduction in defense acquisition management costs below the costs of defense acquisition management during fiscal year 1993.

SEC. 835. PROGRAM PHASES AND PHASE FUNDING.

(a) ACQUISITION PROGRAM PHASES.—It is the sense of Congress that—

(1) the Secretary of Defense should propose that one or more defense acquisition programs proposed for participation in the Defense Acquisition Pilot Program be exempted from acquisition regulations regarding program phases that are applicable to other Department of Defense acquisition programs; and

(2) a program so exempted should follow a simplified acquisition program cycle that is results oriented and consists of—

(A) an integrated decision team meeting phase which—

(i) could be requested by a potential user of the system or component to be acquired, the head of a laboratory, or a program office on such bases as the emergence of a new military requirement, cost savings opportunity, or new technology opportunity;

(ii) should be conducted by a program executive officer; and

(iii) should usually be completed within 1 to 3 months.;

(B) a prototype development and testing phase which should include operational tests and concerns relating to manufacturing operations and life cycle support and should usually be completed within 6 to 36 months and should produce sufficient numbers of prototypes to assess operational utility;

(C) a product integration, development, and testing phase which—

(i) should include full-scale development, integration of components, and operational testing; and

(ii) should usually be completed within 1 to 5 years; and

(D) a phase for production, integration into existing systems, or production and integration into existing systems.

(b) PHASE FUNDING.—To the extent provided in legislation pursuant to subsection of (c)(1)(B) of section 809 of the National Defense Authorization Act for Fiscal Year 1991 (10 U.S.C. 2430 note) and to the extent provided in appropriations Acts, the Secretary of Defense is authorized to expend for a defense acquisition program participating

in the Defense Acquisition Pilot Program such sums as are necessary to carry out a phase of the acquisition program cycle after the Secretary determines that objective quantifiable performance expectations relating to the execution of that phase have been identified.

(c) MAJOR PROGRAM DECISION.—It is the sense of the Congress that the Secretary of Defense should establish for one or more defense acquisition programs participating in the Defense Acquisition Pilot Program an approval process having one major decision point.

SEC. 836. PROGRAM WORK FORCE POLICIES.

(a) IN GENERAL.—The Secretary of Defense shall review the incentives and personnel actions available to the Secretary for encouraging excellence in the acquisition workforce of the Department of Defense and may provide an enhanced system of incentives, in accordance with applicable law, for the encouragement of excellence in the work force of a participating acquisition program.

(b) ENHANCED SYSTEM OF INCENTIVES.—The Secretary of Defense should consider providing for program executive officers, program managers, and other acquisition personnel of defense acquisition programs participating in the Defense Acquisition Pilot Program an enhanced system of incentives which—

(1) in accordance with applicable law, relates pay to performance; and

(2) provides for consideration of the extent to which the performance of such personnel contributes to the achievement of cost goals, schedule goals, and performance goals established for such programs.

SEC. 837. EFFICIENT CONTRACTING PROCESSES.

It is the sense of the Congress that the Secretary of Defense, in exercising the authority provided in section 809 of the National Defense Authorization Act for Fiscal Year 1991 (10 U.S.C. 2430 note), should seek to simplify the procurement process, streamline the period for entering into contracts, and simplify specifications and requirements.

SEC. 838. CONTRACT ADMINISTRATION: PERFORMANCE BASED CONTRACT MANAGEMENT.

It is the sense of the Congress that the Secretary of Defense should propose under section 809 of the National Defense Authorization Act for Fiscal Year 1991 (10 U.S.C. 2430 note) that, for one or more defense acquisition programs participating in the Defense Acquisition Pilot Program, payments under section 2307(a) of title 10, United States Code, be made on any of the following bases:

(1) Performance measured by statistical process controls.

(2) Event accomplishment.

(3) Other quantifiable measures of results.

SEC. 839. CONTRACTOR PERFORMANCE ASSESSMENT.

(a) COLLECTION AND ANALYSIS OF PERFORMANCE INFORMATION.—The Secretary of Defense shall collect and analyze information on contractor performance under the Defense Acquisition Pilot Program.

(b) INFORMATION TO BE INCLUDED.—Information collected under subsection (a) shall include the history of the performance of each contractor under the Defense Acquisition Pilot Program contracts and, for each such contract performed by the contractor, a technical evaluation of the contractor's performance prepared by the program manager responsible for the contract.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

SEC. 901. ASSISTANT SECRETARY OF DEFENSE FOR LEGISLATIVE AFFAIRS.

Section 136(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(5) One of the Assistant Secretaries shall be the Assistant Secretary of Defense for Legislative Affairs. He shall have as his principal duty the overall supervision of legislative affairs of the Department of Defense.''.

SEC. 902. RESPONSIBILITIES OF THE COMPTROLLER OF THE DEPARTMENT OF DEFENSE.

Section 137(c) of title 10, United States Code, is amended—

(1) by striking out ''and'' at the end of paragraph (4);

(2) by striking out the period at the end of paragraph (5) and inserting in lieu thereof ''; and''; and

(3) by adding at the end the following new paragraph:

''(6) in informing, in a timely manner, the Committees on Armed Services and on Appropriations of the Senate and House of Representatives regarding all matters relating to the budgetary, fiscal, and analytic activities of the Department of Defense that are under the supervision of the Comptroller.''.

SEC. 903. REPEAL OF TERMINATION OF REQUIREMENT FOR A DIRECTOR OF EXPEDITIONARY WARFARE.

Section 5038(e) of title 10, United States Code, is repealed.

TITLE X—GENERAL PROVISIONS

Subtitle A—Financial Matters

SEC. 1001. TRANSFER AUTHORITY.

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—(1) Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary

may transfer amounts of authorizations made available to the Department of Defense in this division for fiscal year 1994 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) The total amount of authorizations that the Secretary of Defense may transfer under the authority of this section may not exceed $1,000,000,000.

(b) LIMITATIONS.—The authority provided by this section to transfer authorizations—

(1) may only be used to provide authority for items that have a higher priority than the items from which authority is transferred; and

(2) may not be used to provide authority for an item that has been denied authorization by Congress.

(c) EFFECT ON AUTHORIZATION AMOUNTS.—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) NOTICE TO CONGRESS.—The Secretary of Defense shall promptly notify Congress of transfers made under the authority of this section.

SEC. 1002. REVISION OF DATE FOR SUBMITTAL OF JOINT REPORT ON SCORING OF BUDGET OUTLAYS.

Section 226(a) of title 10, United States Code, is amended—

(1) by striking out ''Not later than'' and all that follows through ''section 1105 of title 31'', and inserting in lieu thereof ''Not later than December 15 of each year''; and

(2) in paragraph (1), by striking out ''that budget'' and inserting in lieu thereof ''the budget to be submitted to Congress in the following year pursuant to section 1105 of title 31''.

SEC. 1003. DISCRETIONARY AUTHORITY OF THE COMPTROLLER GENERAL TO CONDUCT ANNUAL AUDITS OF THE ACCEPTANCE BY THE DEPARTMENT OF DEFENSE OF PROPERTY, SERVICES, AND CONTRIBUTIONS.

(a) PROPERTY AND SERVICES FROM FOREIGN COUNTRIES IN CONNECTION WITH MUTUAL DEFENSE OR OCCUPATION.—Section 2350g(d) of title 10, United States Code, is amended—

(1) by striking out ''shall conduct'' and inserting in lieu thereof ''may conduct''; and

(2) by striking out ''each such audit'' and inserting in lieu thereof ''each audit conducted under this subsection''.

(b) CONTRIBUTIONS FOR DEPARTMENT OF DEFENSE USE.—Section 2608(i) of title 10, United States Code, is amended—

(1) by striking out ''shall conduct'' and inserting in lieu thereof ''may conduct''; and

(2) by striking out ''each such audit'' and inserting in lieu thereof ''each audit conducted under this subsection''.

Subtitle B—Fiscal Year 1993 Authorization Matters

SEC. 1011. AUTHORITY FOR OBLIGATION OF CERTAIN UNAUTHORIZED FISCAL YEAR 1993 DEFENSE APPROPRIATIONS.

(a) AUTHORITY.—The amounts described in subsection (b), totaling $4,343,219,000 may be obligated and expended for programs, projects, and activities of the Department of Defense in accordance with fiscal year 1993 defense appropriations except as otherwise provided in section 1012.

(b) COVERED AMOUNTS.—The amounts referred to in subsection (a) are the amounts provided for programs, projects, and activities of the Department of Defense in fiscal year 1993 defense appropriations that are in excess of the amounts provided for such programs, projects, and activities in fiscal year 1993 defense authorizations.

(c) DEFINITIONS.—For the purposes of this subtitle:

(1) FISCAL YEAR 1993 DEFENSE APPROPRIATIONS.—The term ''fiscal year 1993 defense appropriations'' means amounts appropriated or otherwise made available to the Department of Defense for fiscal year 1993 in the Department of Defense Appropriations Act, 1993 (Public Law 102–396).

(2) FISCAL YEAR 1993 DEFENSE AUTHORIZATIONS.—The term ''fiscal year 1993 defense authorizations'' means amounts authorized to be appropriated for the Department of Defense for fiscal year 1993 in the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484).

SEC. 1012. LIMITATION ON OBLIGATION FOR CERTAIN UNAUTHORIZED APPROPRIATIONS.

(a) PROGRAMS NOT AVAILABLE FOR OBLIGATION.—Amounts described in section 1011(b) may not be obligated or expended for the following programs, projects, and activities of the Department of Defense (for which amounts were provided in fiscal year 1993 defense appropriations):

(1) The University Research Initiatives program under research, development, test, and evaluation for the Defense Agencies in the amount of $136,450,000.

(2) The C–20 aircraft program under aircraft procurement for the Navy in the amount of $25,000,000.

(3) The 105MM M490A1 tank cartridge program under ammunition for the Army in the amount of $20,000,000.

(4) The 155MM M107 artillery projectile program under ammunition for the Army in the amount of $35,000,000.

(5) The 155MM M203 propellant charge program under ammunition for the Army in the amount of $22,487,000.

(6) The LSV landing craft program under other procurement for the Army in the amount of $18,000,000.

(7) The Offshore Petroleum Delivery System under other procurement for the Navy in the amount of $22,000,000.

(8) The AN/SPS–48 radar program under other procurement for the Navy in the amount of $51,500,000.

(9) The HARM missile program under missile procurement for the Air Force in the amount of $113,700,000.

(10) The KC–135 reengining program under aircraft procurement for the Air Force, $87,174,000.

(11) The P–3 upgrade program for the Naval Reserve under procurement of National Guard and Reserve Equipment in the amount of $25,000,000.

(12) Operational Support Aircraft under procurement of National Guard and Reserve Equipment in the amount of $249,200,000 as follows:

(A) C–12J aircraft for Army Reserve, $42,300,000.

(B) C–20 aircraft for the Army Reserve, $27,000,000.

(C) C–23 aircraft for the Army National Guard, $60,000,000.

(D) C–26 aircraft for the Army National Guard, $23,000,000.

(E) C–212 aircraft for the Army National Guard, $57,900,000.

(F) P–180 aircraft for the Army National Guard, $16,000,000.

(G) C–26 aircraft for the Air National Guard, $23,000,000.

SEC. 1013. USE OF FISCAL YEAR 1993 AIR FORCE AIRCRAFT PROCUREMENT FUNDS FOR HIGHER PRIORITY PROGRAMS.

To the extent provided in appropriations Acts, the Secretary of the Air Force may use not more than $100,900,000 of the funds appropriated for the Air Force for fiscal year 1993 for procurement of aircraft in order to fund fiscal year 1994 programs of the Air Force having a higher priority than the aircraft procurement programs for which such funds are otherwise available.

SEC. 1014. SUPPLEMENTAL AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1993.

(a) AUTHORIZATION OF SUPPLEMENTAL APPROPRIATIONS.—There is authorized to be appropriated for fiscal year 1993 for covering the incremental costs arising from Operation Restore Hope, Operation Provide Comfort, and Operation Southern Watch, and deficiencies in funding of the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS), and for repairing flood damage at Camp Pendleton, California, $1,246,928 as follows:

(1) For Military Personnel:

For the Navy, $7,100,000.

(2) For Operation and Maintenance:

(A) For the Army, $149,800,000.

(B) For the Navy, $46,356,000.

(C) For the Marine Corps, $122,192,000.

(D) For the Air Force, $226,400,000.

(E) For the Defense Agencies, $2,000,000.

(F) For the Naval Reserve, $237,000.

(G) For Humanitarian Assistance, $23,000,000.

(H) For Real Property Maintenance, Defense, $29,098,000.

(I) For the Defense Health Program, $299,900,000.

(3) For Military Construction:

(A) For the Navy inside the United States, $3,000,000.

(B) For the Navy for family housing inside the United States, $4,345,000.

(4) For Working Capital Funds:

For the Defense Business Operations Fund, $293,500,000.

(b) NATIONAL SECURITY EDUCATION TRUST FUND OBLIGATIONS.—During fiscal year 1993, sums in the National Security Education Trust Fund are authorized to be obligated in the total amount of $10,000,000.

Subtitle C—Joint Officer Personnel Matters

SEC. 1021. JOINT OFFICER PERSONNEL POLICY.

(a) FIVE-YEAR EXTENSION OF EXCEPTIONS TO REQUIREMENT OF JOINT DUTY ASSIGNMENT FOR PROMOTION TO GENERAL OR FLAG OFFICER.—Section 619(e) of title 10, United States Code, is amended—

(1) in the second sentence of paragraph (1), by striking out ''January 1, 1994'' and inserting in lieu thereof ''January 1, 1999''; and

(2) in paragraph (2), by striking out subparagraph (E) and inserting in lieu thereof the following:

''(E) until January 1, 1999, in the case of an officer who served in an assignment (other than a joint duty assignment) that began before October 1, 1986, and that involved significant experience in joint matters (as determined by the Secretary) if the officer served in that assignment for a period of sufficient duration (which may not be less than 12 months) for his service to have been considered a full tour of duty under the policies and regulations in effect on September 30, 1986.''.

(b) SERVING-IN WAIVER.—Section 619(e) of title 10, United States Code, as amended by subsection (a), is further

amended by adding at the end of paragraph (2) the following:

''(F) in the case of an officer who has served at least 180 days in a joint duty assignment prior to the date of the convening of a selection board that recommends the officer for appointment to the grade of brigadier general or rear admiral (lower half), but only if that officer's total consecutive service in joint duty assignments within that same organization is not less than two years.''.

(c) WAIVER FOR THE GOOD OF THE SERVICE.—Section 619(e)(3)(B) of title 10, United States Code, is amended by adding at the end the following: ''Notwithstanding the preceding sentence, the Secretary of Defense may, on a case-by-case basis, delay the assignment of a general or flag officer to a joint duty assignment if an appropriate joint duty assignment is not available. An officer whose joint duty assignment has been so delayed may not be promoted to the grade of major general or rear admiral (upper half) until the officer completes a full tour of duty in a joint duty assignment.''.

SEC. 1022. JOINT DUTY CREDIT FOR CERTAIN DUTY PERFORMED DURING OPERATIONS DESERT SHIELD AND DESERT STORM.

(a) AUTHORITY TO GIVE JOINT DUTY CREDIT.—Notwithstanding subsection (e) of section 933 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat. 2476; 10 U.S.C. 664 note), the Secretary of Defense, in consultation with the Chairman of the Joint Chiefs of Staff, may give an officer credit for having completed a tour of duty in a joint duty assignment pursuant to the provisions of such section if—

(1) the Chief of Staff of the Army, the Chief of Naval Operations, the Chief of Staff of the Air Force, or the Commandant of the Marine Corps recommended (before the expiration of authority under subsection (e) of such section) that the officer be given such credit, credit was denied that officer or credit for less than a full tour was given that officer, and the Secretary determines that the decision not to give the credit or not to give greater credit, as the case may be, to such officer was incorrect; or

(2) the Secretary determines that the officer's ability to submit a timely request for consideration for such credit was impaired by involvement of the officer in an operational assignment and, as a result of

the failure to submit a timely request, the officer was not recommended for such credit.

(b) CLARIFICATION OF INTENDED RELATIONSHIP BETWEEN CREDIT AND PROMOTIONS.—Section 933(a)(1) of such Act is amended by striking out ''chapter 38'' and inserting in lieu thereof ''chapters 36 and 38''.

(c) DURATION OF AUTHORITY.—The authority of the Secretary of Defense under subsection (a) expires at the end of the 60-day period beginning on the date of the enactment of this Act.

Subtitle D—Matters Relating to Reserve Components

SEC. 1031. REVIEW OF AIR FORCE PLANS TO TRANSFER HEAVY BOMBERS TO RESERVE COMPONENTS UNITS.

(a) REVIEW OF AIR FORCE PLANS.—(1) The Secretary of Defense shall review Air Force plans to transfer certain heavy bomber units from the active component of the Air Force to the reserve components of the Air Force.

(2) In carrying out the review, the Secretary shall consider the following matters:

(A) The compatibility of Air Force plans with the relevant results of the internal review of the Department of Defense (known as the ''bottom-up re-

view'') being conducted during 1993 by direction of the Secretary of Defense.

(B) The effect that the transfer will have on the immediate availability of substantial numbers of heavy bombers for combat operations.

(C) The levels of full-time and part-time employees that will be necessary at reserve components units in order to provide adequate logistics and maintenance support for intensive and sustained heavy bomber operations.

(D) The requirements for additional military construction funding that will result from the transfer and relocation of heavy bomber operations.

(b) SECRETARY OF DEFENSE PLAN REQUIRED.—(1) The Secretary of Defense, in consultation with the Secretary of the Air Force, shall develop a comprehensive plan for proposed transfers of heavy bomber units from the active component of the Air Force to the reserve components of the Air Force. The plan shall cover the period beginning on the date of the enactment of this Act and ending January 1, 2000.

(2) The plan shall include the following matters:

(A) The unit designation of each active component unit from which heavy bombers are to be transferred.

(B) The unit designation of each reserve component unit to which such heavy bombers are to be transferred.

(C) The proposed date of inactivation of each active component unit transferring heavy bombers.

(D) The proposed date of activation of each reserve component unit receiving heavy bombers.

(E) The requirements at each reserve component unit receiving heavy bombers for additional Armed Forces personnel and civilian personnel, additional facilities for the bomber aircraft, additional military construction funds other than for facilities construction, additional spare parts, and additional logistics, maintenance, and test equipment beyond such resources that become available by reason of the inactivation of the active component unit.

(c) REPORTING REQUIREMENTS.—Not later than March 31, 1994, the Secretary shall submit to the congressional defense committees—

(1) a report on the results of the review required under subsection (a), and

(2) the plan required under subsection (b).

SEC. 1032. REQUIREMENT FOR TRANSFER OF AIR REFUELING AIRCRAFT TO RESERVE COMPONENTS OF THE AIR FORCE.

The Secretary of the Air Force shall transfer from active component squadrons of the Air Force to two Air National Guard or Air Force Reserve squadrons operating KC–135E aircraft a number of KC–135R aircraft that is sufficient to modernize such squadrons.

Subtitle E—International Peacekeeping Activities

SEC. 1041. GENERAL AUTHORIZATION OF SUPPORT FOR INTERNATIONAL PEACEKEEPING ACTIVITIES.

(a) AUTHORIZED SUPPORT FOR FISCAL YEAR 1994.—The Secretary of Defense may provide assistance for international peacekeeping activities during fiscal year 1994, in accordance with section 403 of title 10, United States Code, in an amount not to exceed $300,000,000. Notwithstanding the second sentence of subsection (b) of that section, the assistance so provided may be derived from funds appropriated to the Department of Defense for fiscal year 1994 for operation and maintenance or from balances in working capital funds.

(b) EXTENSION OF AUTHORITY.—Section 403(h) of title 10, United States Code, is amended by striking out ''September 30, 1993'' and inserting in lieu thereof ''September 30, 1994''.

SEC. 1042. REPORT ON MULTINATIONAL PEACEKEEPING AND PEACE ENFORCEMENT.

(a) REPORT REQUIRED.—Not later than the date on which the President submits to Congress the budget for fiscal year 1995 under section 1105 of title 31, United States Code, the President, after consultation with the Secretary of State and the Secretary of Defense, shall submit to the Committees on Armed Services of the Senate and the House of Representatives, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a report on United States policy on multinational peacekeeping and peace enforcement.

(b) CONTENT OF REPORT.—The report shall contain a comprehensive analysis and discussion of the following matters:

(1) Criteria for participation by the United States in multinational missions through the United Nations, North Atlantic Treaty Organization, or other regional alliances and international organizations.

(2) Proposals for expanding peacekeeping activities by the North Atlantic Treaty Organization and the North Atlantic Cooperation Council, including joint operations, joint training, and joint doctrine development.

(3) A summary of progress made by the United States, in consultation with other nations, to develop

joint doctrine for peacekeeping and peace enforcement operations, and plans to conduct joint exercises with other nations for such purposes.

(4) The principles guiding decisions to place United States forces under foreign command.

(5) Proposals to establish opportunities within the Armed Forces of the United States for voluntary duty in units designated for assignment to multinational peacekeeping and peace enforcement missions.

(6) Proposals to modify the budgetary and financial policies of the United Nations for peacekeeping and peace enforcement missions, including—

(A) proposals regarding the structure and control of budgetary procedures;

(B) proposals regarding United Nations accounting procedures; and

(C) specific proposals—

(i) to establish a revolving capital fund to finance the costs of starting new United Nations operations approved by the Security Council;

(ii) to establish a requirement that United Nations member nations pay one-third of the anticipated first-year costs of a

new operation immediately upon Security Council approval of that operation;

(iii) to establish a requirement that United Nations member nations be charged interest penalties on late payment of their assessments for peacekeeping or peace enforcement missions; and

(iv) regarding possible sources of international revenue for United Nations peacekeeping and peace enforcement missions.

(7) Proposals to establish a small United Nations Rapid Deployment Force under the direction of the United Nations Security Council in order to provide for quick intervention in disputes for the purpose of preventing a larger outbreak of hostilities.

(8) Congressional authorization and approval requirements for participation of United States forces in multinational peacekeeping and peace enforcement missions, including the applicability of the War Powers Resolution.

(9) Proposals that the United States and other United Nations member nations negotiate special agreements under article 43 of the United Nations Charter to provide for those states to make armed forces, assistance, and facilities available to the Unit-

ed Nations Security Council for the purposes stated in article 42 of that charter, not only on an ad hoc basis, but also on a permanent on-call basis for rapid deployment under Security Council authorization.

(10) A proposal that member nations of the United Nations commit to keep equipment specified by the Secretary General of the United Nations available for immediate sale, loan, or donation to the United Nations when required.

(11) A proposal that member nations of the United Nations make airlift and sealift capacity available to the United Nations without charge or at lower than commercial rates.

(12) An evaluation of the current capabilities and future needs of the United Nations for improved command, control, communications, and intelligence infrastructure, including facilities, equipment, procedures, training, and personnel, and an analysis of United States capabilities and experience in such matters that could be applied or offered directly to the United Nations.

(13) An evaluation of the potential role of the Military Staff Committee of the United Nations Security Council.

(14) Any other information that may be useful to inform Congress on matters relating to United States policy and proposals on peacekeeping and peace enforcement missions.

Subtitle F—Matters Relating to Allies and Other Nations

SEC. 1051. BURDEN SHARING CONTRIBUTIONS BY JAPAN, KUWAIT, AND THE REPUBLIC OF KOREA.

(a) IN GENERAL.—Subchapter II of chapter 138 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 2350j. Burden sharing contributions by Japan, Kuwait, and Korea

"(a) AUTHORITY TO ACCEPT CONTRIBUTIONS.—Notwithstanding section 1306 of title 31, the Secretary of Defense, in consultation with the Secretary of State, may accept cash contributions from Japan, Kuwait, and the Republic of Korea for the purposes specified in subsection (c).

"(b) CREDITS.—Contributions accepted under subsection (a) shall be credited to appropriations of the Department of Defense. The contributions so credited shall be merged with the appropriations to which credited.

"(c) AVAILABILITY OF CONTRIBUTIONS.—Contributions accepted under subsection (a) shall be available only

for payment of the following costs associated with facilities used by the armed forces:

"(1) Compensation for local national employees of the Department of Defense.

"(2) Military construction projects of the Department of Defense, in accordance with subsection (d).

"(3) Supplies and services for the Department of Defense.

"(d) AUTHORIZATION OF MILITARY CONSTRUCTION.—Contributions credited under subsection (b) to an appropriation account of the Department of Defense may be used—

"(1) by the Secretary of Defense to carry out a military construction project that is consistent with the purposes for which the contribution was made and is not otherwise authorized by law; or

"(2) by the Secretary of a military department, with the approval of the Secretary of Defense, to carry out such a project.

"(e) NOTICE AND WAIT REQUIREMENTS.—(1) When a decision is made to carry out a military construction project under subsection (d), the Secretary of Defense shall submit to the Committees on Armed Services and on Appropriations of the Senate and House of Representatives a report containing—

''(A) an explanation of the need for the project;

''(B) the then current estimate of the cost of the project; and

''(C) a justification for carrying out the project under that subsection.

''(2) The Secretary of Defense or the Secretary of a military department may not commence a military construction project under subsection (d) before the expiration of the 21-day period beginning on the date on which the Secretary of Defense submits the report regarding the project in accordance with paragraph (1).

''(f) REPORTING REQUIREMENT.—Not later than 30 days after the end of each fiscal year, the Secretary of Defense shall submit to the Committees on Armed Services and on Appropriations of the Senate and House of Representatives a report specifying separately for Japan, Kuwait, and the Republic of Korea—

''(1) the amount of the contributions accepted by the Secretary during the preceding fiscal year under this section;

''(2) the purposes for which the contributions were made;

''(3) the amount of the contributions expended during the preceding fiscal year; and

"(4) the purposes for which the contributions were expended.".

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

"2350j. Burden sharing contributions by Japan, Kuwait, and Korea.".

SEC. 1052. DEFENSE CONVERSION AND REINVESTMENT; EXPORT LOAN GUARANTEES.

(a) AUTHORITY FOR PROVIDING LOAN GUARANTEES.—(1) During fiscal year 1994, the President may issue guarantees for the sale of defense articles and defense services to the member nations of the North Atlantic Treaty Organization and to Israel, Australia, Japan, and the Republic of Korea. The aggregate amount guaranteed under this section in such fiscal year may not exceed $1,000,000,000.

(2) In issuing medium- and long-term guarantees for sales pursuant to paragraph (1), the President shall not offer terms and conditions more beneficial than would be provided by the Export-Import Bank of the United States under similar circumstances in conjunction with the provision of guarantees for nondefense articles and services.

(3) The authority of this subsection may be exercised only to such extent and in such amounts as is provided for in advance in appropriations Acts.

(b) SUBSIDY COST AND FUNDING.—(1) There is authorized to be appropriated for fiscal year 1994, $25,000,000 for the subsidy cost of the loan guarantees issued under this section.

(2) Funds authorized to be available for the Export-Import Bank of the United States may not be used for the execution of the program under this section.

(c) EXECUTIVE AGENCY.—The Department of Defense shall be the executive agency for administration of the program under this section unless the President, in consultation with the Congress, designates another agency to implement the program. Applications for guarantees issued under this section shall be submitted to the Secretary of Defense, who may make such arrangements as are necessary with other agencies to process the applications and otherwise to implement the program under this section.

(d) FEES CHARGED AND COLLECTED.—A fee shall be charged for each guarantee issued under the program under this section. All fees collected in connection with guarantees issued under the program shall be available to offset the cost of guarantee obligations under the program. All of the fees collected under this subsection, together with earnings on

those fees and other income arising from guarantee operations under the program, shall be held in a financing account maintained in the Treasury of the United States. All funds in such account may be invested in obligations of the United States. Any interest or other receipts derived from such investments shall be credited to such account and may be used for the purposes of the program.

(e) INTERAGENCY REVIEW PROCESS.—The issuance of loan guarantees for defense exports under this section shall be subject to all United States Government review procedures for arms sales to foreign governments and shall be consistent with United States policy on arms sales to those nations referred to in subsection (a).

(f) NATIONAL SECURITY COUNCIL REVIEW PROCESS.—In addition to the interagency review process for arms sales to foreign governments referred to in subsection (e), the National Security Council shall review the proposed defense sale and determine that it is in accord with United States security interests, that it contributes to collective defense burden sharing, and that it is consistent with United States nonproliferation goals.

(g) DEFINITIONS.—In this section, the terms ''defense articles'', ''defense services'', and ''defense articles and defense services'' have the meanings given those terms, respec-

tively, in section 47 of the Arms Export Control Act (22 U.S.C. 2794).

SEC. 1053. FINDINGS REGARDING DEFENSE COOPERATION BETWEEN THE UNITED STATES AND ISRAEL.

Congress makes the following findings:

(1) The President has made a commitment to maintain the qualitative superiority of the Israeli Defense Forces over any combination of adversary armed forces.

(2) The President has expressed a desire to enhance United States-Israeli military and technical cooperation, particularly in the areas of missile defense, counter-proliferation of weapons of mass destruction, and counter-proliferation of ballistic missiles.

(3) Maintaining the qualitative superiority of the Israeli Defense Forces and strengthening United States defense ties with Israel will help to ensure that Israel has the military strength and political support necessary for taking risks for peace while providing Arab states with an incentive to pursue negotiations instead of war.

(4) The establishment of the United States Israel Science and Technology Commission, the binational Senior Planning Group, and the Technology Transfer

Working Group is in the interest of both the United States and Israel.

(5) It is in the national interests of the United States and Israel for the organizations referred to in paragraph (4) to work to strengthen existing mechanisms for cooperation and to eliminate barriers to further collaboration between the United States and Israel.

(6) Israel continues to face difficult threats to its national security that are compounded by the proliferation of weapons of mass destruction and ballistic missiles.

SEC. 1054. DEFENSE BURDENSHARING.

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

(1) Since fiscal year 1985, the budget of the Department of Defense has declined by 34 percent in real terms.

(2) During the past few years, the United States military presence overseas has declined significantly in the following ways:

(A) Since fiscal year 1986, the number of United States military personnel permanently stationed overseas has declined by almost 200,000 personnel.

(B) From fiscal year 1989 to fiscal year 1994, spending by the United States to support the stationing of United States military forces overseas will have declined by 36 percent.

(C) Since January 1990, the Department of Defense has announced the closure, reduction, or transfer to standby status of 840 United States military facilities overseas, which is a 50 percent reduction in the number of such facilities.

(3) The United States military presence overseas will continue to decline as a result of actions by the executive branch and the following initiatives of the Congress:

(A) Section 1302 of the National Defense Authorization Act for Fiscal Year 1993, which required a 40 percent reduction by September 30, 1996, in the number of United States military personnel permanently stationed ashore in overseas locations.

(B) Section 1303 of the National Defense Authorization Act for Fiscal Year 1993, which specified that no more than 100,000 United States military personnel may be permanently stationed ashore in NATO member countries after September 30, 1996.

(C) Section 1301 of the National Defense Authorization Act for Fiscal Year 1993, which reduced the spending proposed by the Department of Defense for overseas basing activities during fiscal year 1993 by $500,000,000.

(D) Sections 913 and 915 of the National Defense Authorization Act for Fiscal Years 1990 and 1991, which directed the President to consult with East Asian allies, and to develop a plan, regarding gradually reducing the United States military force structure in East Asia.

(4) The East Asia Strategy Initiative, which was developed in response to sections 913 and 915 of the National Defense Authorization Act for Fiscal Years 1990 and 1991, has resulted in the withdrawal of more than 12,000 United States military personnel from Japan and the Republic of Korea since fiscal year 1990.

(5) In response to actions by the executive branch and the Congress, allied countries in which United States military personnel are stationed and alliances in which the United States participates have agreed in the following ways to offset more of the costs incurred by the United States in basing military forces overseas:

(A) Under the 1991 Special Measures Agreement between Japan and the United States, Japan will pay by 1995 almost all yen-denominated costs of stationing United States military personnel in Japan.

(B) The Republic of Korea has agreed to pay by 1995, one-third of the won-based costs incurred by the United States in stationing United States military personnel in the Republic of Korea.

(C) The North Atlantic Treaty Organization (NATO) has agreed that the Infrastructure Program could pay the annual operation and maintenance costs of facilities that would support the reinforcement of Europe by United States military forces.

(b) FUNDING REDUCTIONS.—(1) The total amount authorized to be appropriated to the Department of Defense for operation and maintenance and for military construction (including NATO Infrastructure) to conduct overseas basing activities during fiscal year 1994 may not exceed the amount equal to the baseline for fiscal year 1993 reduced by $1,355,500,000.

(2) For purposes of paragraph (1), the baseline for fiscal year 1993 is the sum of the amounts that were made

available for overseas basing activities out of the amounts appropriated for such fiscal year for the following purposes:

(A) Operation and maintenance.

(B) Family housing, operations.

(C) Family housing, construction.

(D) Military construction (including NATO Infrastructure).

(c) SENSE OF CONGRESS.—It is the sense of Congress that the amounts obligated to conduct overseas basing activities should decline significantly in fiscal year 1995 and in future fiscal years as—

(1) the number of United States military personnel stationed overseas continues to decline; and

(2) the countries in which United States military personnel are stationed and the alliances in which the United States participates assume an increased share of United States overseas basing costs.

(d) BURDENSHARING AGREEMENTS FOR INCREASED HOST NATION SUPPORT.—(1) In order to achieve additional savings in overseas basing costs, the President should intensify his efforts to negotiate a more favorable host-nation agreement with each foreign country to which this paragraph applies under paragraph (3)(A).

(2) For purposes of paragraph (1), a more favorable host-nation agreement is an agreement under which such foreign country—

(A) assumes an increased share of the costs of United States military installations in that country, including the costs of—

(i) labor, utilities, and services;

(ii) military construction projects and real property maintenance;

(iii) leasing requirements associated with the United States military presence; and

(iv) actions necessary to meet local environmental standards;

(B) relieves the Armed Forces of the United States of all tax liability that, with respect to forces located in such country, is incurred by the Armed Forces under the laws of that country and the laws of the community where those forces are located; and

(C) ensures that goods and services furnished in that country to the Armed Forces of the United States are provided at minimum cost and without imposition of user fees.

(3)(A) Except as provided in subparagraph (B), paragraph (1) applies with respect to—

(i) each country of the North Atlantic Treaty Organization (other than the United States); and

(ii) each other foreign country with which the United States has a bilateral or multilateral defense agreement that provides for the assignment of combat units of the Armed Forces of the United States to permanent duty in that country or the placement of combat equipment of the United States in that country.

(B) Paragraph (1) does not apply with respect to—

(i) a foreign country that receives assistance under section 23 of the Arms Export Control Act (22 U.S.C. 2673) (relating to the foreign military financing program) or under the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.); or

(ii) a foreign country that has agreed to assume, not later than September 30, 1996, at least 75 percent of the nonpersonnel costs of United States military installations in the country.

Subtitle G—Other Matters

SEC. 1061. ADDITIONAL SUPPORT FOR COUNTER-DRUG ACTIVITIES.

Section 1004(b) of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C.

374 note) is amended by adding at the end the following new paragraph:

''(10) Aerial and ground reconnaissance.''.

SEC. 1062. REPORT ON PERSONNEL REQUIREMENTS FOR CONTROL OF TRANSFER OF CERTAIN WEAPONS.

(a) REPORT ON MANPOWER REQUIRED TO IMPLEMENT EXPORT CONTROLS ON CERTAIN WEAPONS TRANSFERS.—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense and the Secretary of Energy shall jointly submit to the committees of Congress named in subsection (c) a report entitled ''Manpower Required to Implement Export Controls on Certain Weapons Transfers''.

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

(1) A clear statement of the role of the Department of Defense, and a clear statement of the role of the Department of Energy, in implementing export controls on goods and technology related to nuclear, chemical, and biological weapons.

(2) A discussion of the number and skills of personnel currently available in the Department of Defense and the Department of Energy to perform the respective roles of such department.

(3) An assessment of the adequacy of the number and skills of such personnel for the effective performance of such roles.

(4) For each of fiscal years 1988, 1989, 1990, 1991, 1992, 1993, and 1994, the total number of Department of Defense and Department of Energy full-time employees and military personnel who, in the implementation of export controls on goods and technology related to nuclear, chemical, and biological weapons, carry out the following activities of such department:

(A) Review of private sector export license applications and government-to-government cooperative activities.

(B) Intelligence analysis and activities.

(C) Policy coordination.

(D) International liaison activity.

(E) Technical review.

(5) For each fiscal year referred to in paragraph (4), the grades of the personnel referred to in that paragraph and the special knowledge, experience, and expertise of such personnel that enable such personnel to carry out the activities referred to in that paragraph.

(6) An assessment of the adequacy of the staffing in each of the categories specified in subparagraphs (A) through (E) of paragraph (4).

(7) Recommendations concerning measures, including any legislation necessary, to eliminate any identified staffing deficiencies and to improve interagency coordination with respect to implementing export controls on goods and technology related to nuclear, chemical, and biological weapons.

(8) All Department of Defense activities undertaken during fiscal years 1989, 1990, 1991, 1992, and 1993 in fulfillment of the responsibilities of the Department of Defense under section 602(c) of the Nuclear Non-Proliferation Act of 1978 (Public Law 96–280; 22 U.S.C. 3282(c)) with respect to nuclear weapons proliferation threats and the role of the department in addressing such threats.

(c) SUBMISSION OF REPORT.—The Secretary of Defense and the Secretary of Energy shall submit the report to—

(1) the Committees on Armed Services and on Governmental Affairs of the Senate; and

(2) the Committee on Armed Services of the House of Representatives.

(d) FORM OF REPORT.—The report shall be submitted in unclassified form but may also be submitted in classified form if the Secretary of Defense and the Secretary of Energy consider it necessary to include classified information in order to satisfy fully the requirements of this section.

SEC. 1063. NATIONAL GUARD CIVILIAN YOUTH OPPORTUNITIES PILOT PROGRAM AMENDMENTS.

Section 1091 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat. 2519; 32 U.S.C. 501 note) is amended—

(1) by striking out subsection (c) and inserting in lieu thereof the following:

''(c) CONDUCT OF THE PROGRAM.—The Secretary of Defense may provide for the conduct of the program in such States as he determines to be appropriate.'';

(2) in subsection (d)(3), by striking out ''reimburse'' and inserting in lieu thereof ''provide funds to'';

(3) in subsection (l), by striking out paragraph (2) and inserting in lieu thereof the following:

''(2) The term 'State' includes the Commonwealth of Puerto Rico, the territories (as defined in section 101(1) of title 32, United States Code), and the District of Columbia.''; and

(4) in subsection (m)—

(A) by inserting ''(1)'' after ''(m);

(B) by striking out ''for fiscal year 1993''; and

(C) by adding at the end the following new paragraph:

''(2) Notwithstanding section 9003 of Public Law 102–396 (106 Stat. 1900), of the total amount appropriated for fiscal year 1993 for operation and maintenance for the Army National Guard, for operation and maintenance for the Air National Guard, for the National Guard Civilian Youth Opportunities Pilot Program, for National Guard Civilian Youth Opportunities, Urban Youth Program and Youth Conservation Corps Camps, and the STARBASE youth education program, $49,000,000 shall remain available for obligation for such purposes and programs until the enactment of an Act appropriating funds for the Department of Defense for fiscal year 1995.''.

SEC. 1064. CIVILIAN FACULTY OF THE GEORGE C. MARSHALL EUROPEAN CENTER FOR SECURITY STUDIES.

(a) IN GENERAL.—Chapter 81 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 1599. George C. Marshall European Center for Security Studies: civilian faculty members

"(a) AUTHORITY OF THE SECRETARY.—The Secretary of Defense may employ as many civilians as directors, deans, professors, scholars, instructors, researchers, and lecturers at the George C. Marshall European Center for Securities Studies as the Secretary considers necessary.

"(b) COMPENSATION OF FACULTY MEMBERS.—The compensation of persons employed under this section shall be prescribed by the Secretary of Defense.".

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

"1599. George C. Marshall European Center for Security Studies: civilian faculty members.".

SEC. 1065. ADMINISTRATIVE IMPROVEMENTS IN GOLDWATER SCHOLARSHIP AND EXCELLENCE IN EDUCATION PROGRAM.

(a) TERMS OF OFFICE OF FOUNDATION MEMBERS.—Section 1404(c)(1) of the Barry Goldwater Scholarship and Excellence in Education Act (title XIV of Public Law 99–661; 20 U.S.C. 4703) is amended—

(1) by striking out ", and" at the end of subparagraph (A) and inserting in lieu thereof a semicolon;

(2) by striking out the period at the end of subparagraph (B) and inserting in lieu thereof ''; and''; and

(3) by adding at the end the following:

''(C) notwithstanding the term limitation provided for under this paragraph, any member appointed under this paragraph may serve under such appointment until the successor to such member is appointed.''.

(b) LEASE AUTHORITY.—Section 1411(a)(7) of such Act (20 U.S.C. 4710(a)(7)) is amended by striking out ''District of Columbia'' and inserting in lieu thereof ''the Washington, District of Columbia, metropolitan area''.

SEC. 1066. U.S.S. INDIANAPOLIS MEMORIAL, INDIANAPOLIS, INDIANA.

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

(1) That, on July 30, 1945, among the closing days of World War II, the U.S.S. Indianapolis (CA–35) was sunk as a result of a torpedo attack on that ship.

(2) That the memorial to the U.S.S. Indianapolis (CA–35) located on the east bank of the Indianapolis water canal in downtown Indianapolis, Indiana, will honor the personal sacrifice of the 1,197 servicemen who were aboard the U.S.S. Indianapolis

(CA–35) on that day, 881 of whom died as one of the greatest single combat losses suffered by the United States Navy in World War II.

(3) That the memorial will pay fitting tribute to that gallant ship and its final crew, and will forever commemorate the place of the U.S.S. Indianapolis in United States Navy history as the last major ship lost in World War II.

(4) That, as a memorial to the last major ship lost by the United States Navy in World War II, the memorial to the U.S.S. Indianapolis will rank in importance with the memorial to the U.S.S. Arizona (BB–39), one of the first ships lost by the United States Navy in World War II.

(5) That the memorial to the U.S.S. Indianapolis symbolizes the devoted service of the United States Navy and Marine Corps personnel, particularly those who lost their lives at sea in the Pacific Theater during World War II, whose dedication and sacrifice in the cause of liberty and freedom were instrumental in the triumph of the United States in that war.

(6) That the citizens of the United States have a continuing obligation to educate future generations about the military and other historic endeavors of this great Nation.

(b) RECOGNITION AS A NATIONAL MEMORIAL.—The memorial to the U.S.S. Indianapolis (CA–35) in Indianapolis, Indiana, is hereby recognized as the national memorial to the U.S.S. Indianapolis (CA–35) and to the final crew of that historic warship.

SEC. 1067. INVOLVEMENT OF ARMED FORCES IN SOMALIA.

(a) SENSE OF CONGRESS REGARDING UNITED STATES POLICY TOWARDS SOMALIA.—

(1) Since United States Armed Forces made significant contributions under Operation Restore Hope towards the establishment of a secure environment for humanitarian relief operations and restoration of peace in the region to end the humanitarian disaster that had claimed more than 300,000 lives.

(2) Since the mission of United States forces in support of the United Nations appears to be evolving from the establishment of ''a secure environment for humanitarian relief operations,'' as set out in United Nations Security Council Resolution 794 of December 3, 1992, to one of internal security and nation building.

(b) STATEMENT OF CONGRESSIONAL POLICY.—

(1) CONSULTATION WITH THE CONGRESS.—The President should consult closely with the Congress regarding United States policy with respect to Somalia,

including in particular the deployment of United States Armed Forces in that country, whether under United Nations or United States command.

(2) PLANNING.—The United States shall facilitate the assumption of the functions of United States forces by the United Nations.

(3) REPORTING REQUIREMENT.—

(A) The President shall ensure that the goals and objectives supporting deployment of United States forces to Somalia and a description of the mission, command arrangements, size, functions, location, and anticipated duration in Somalia of those forces are clearly articulated and provided in a detailed report to the Congress by October 15, 1993.

(B) Such report shall include the status of planning to transfer the function contained in paragraph (2).

(4) CONGRESSIONAL APPROVAL.—Upon reporting under the requirements of paragraph (3) Congress believes the President should by November 15, 1993, seek and receive congressional authorization in order for the deployment of United States forces to Somalia to continue.

SEC. 1068. SENSE OF THE CONGRESS REGARDING ESTABLISHMENT OF AN OFFICE OF ECONOMIC CONVERSION INFORMATION WITHIN THE DEPARTMENT OF COMMERCE.

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

(1) The available Federal resources for defense economic adjustment and conversion assistance are spread among 23 different Federal departments and agencies.

(2) Numerous other Federal departments and agencies are involved in related technology reinvestment activities.

(3) Workers and communities adversely affected by closures of military installations or decreased spending for national defense often experience difficulty finding which Federal department or agency is appropriate for providing assistance needed by such workers and communities.

(4) Expanded coordination between Federal departments and agencies could greatly improve Federal efforts to assist in defense economic adjustment and conversion.

(b) SENSE OF CONGRESS REGARDING ESTABLISHMENT OF AN OFFICE OF ECONOMIC CONVERSION INFORMATION.—It is the sense of the Congress that the President

should work with the Congress to establish within the Department of Commerce an Office of Economic Conversion Information which, under the joint direction of the Secretary of Commerce and the Secretary of Defense, would—

(1) serve as an information clearinghouse to provide comprehensive information regarding assistance for communities, workers, and businesses that have been adversely affected by closures of military installations and reduced spending for national defense;

(2) enhance and consolidate existing programs for collecting and disseminating information regarding defense economic adjustment and conversion;

(3) be widely publicized as the central point of access for the public on issues related to defense economic adjustment and conversion;

(4) develop data bases of information, to be available to help communities, businesses, and workers dependent on spending for national defense identify and apply for assistance from Federal departments and agencies, including—

(A) comprehensive listings and summaries of all major Federal, State, and local economic adjustment and conversion programs;

(B) a data base listing information available to the public regarding major defense con-

tract terminations and closures of military installations and identifying affected communities, industries, and jobs;

(C) listings and summaries of defense conversion attempts and successes; and

(D) relevant reference lists and bibliographies;

(5) provide information to communities, workers, and businesses by such easily accessible and easily used means as toll-free telephone information lines, inexpensive and frequently updated manuals and other print materials, workshops on clearinghouse services, and on-line computer access to clearinghouse information;

(6) facilitate a series of community roundtables, involving consultation and briefings with communities, workers, and businesses adversely affected by closures of military installations and reduced spending for national defense, to be held annually in all major regions of the United States so affected; and

(7) establish a mechanism, coordinated by the Secretary of Commerce and the Secretary of Defense, to ensure adequate cooperation between all Federal departments and agencies that oversee defense eco-

nomic adjustment and conversion assistance programs.

(c) SENSE OF CONGRESS REGARDING EVALUATION AND FUNDING OF THE OFFICE OF ECONOMIC CONVERSION INFORMATION.—It is further the sense of Congress that—

(1) after the Office of Economic Conversion Information has been in operation for three years, the Secretary of Commerce and the Secretary of Defense should jointly conduct a comprehensive evaluation of the operations of such office and consider whether the purpose of the office should be modified or the office should be terminated; and

(2) the operating expenses for the Office of Economic Conversion Information should not exceed $5,000,000 for each of the first three full fiscal years in which the office is in operation.

SEC. 1069. TRANSFER OF OBSOLETE DESTROYER TENDER YOSEMITE.

(a) AUTHORITY.—Notwithstanding subsections (a) and (c) of section 7308 of title 10, United States Code, but subject to subsection (b) of that section, the Secretary of the Navy may transfer the obsolete destroyer tender Yosemite to the nonprofit organization Ships at Sea for education and drug rehabilitation purposes.

(b) LIMITATIONS.—The transfer authorized by section (a) may be made only if the Secretary determines that the vessel Yosemite is of no further use to the United States for national security purposes.

(c) TERMS AND CONDITIONS.—The Secretary may require such terms and conditions in connection with the transfer authorized by this section as the Secretary considers appropriate.

SEC. 1070. TRANSPORTATION OF CARGOES BY WATER.

Chapter 157 of title 10, United States Code, is amended by inserting a new section 2631a, as follows:

"§ 2631a. Contingency planning

"(a) CONSIDERATION OF PRIVATE CAPABILITIES.—The Secretary of Defense shall ensure that all studies and reports of the Department of Defense, and all actions taken in the Department of Defense, concerning sealift and related intermodal transportation requirements take into consideration the full range of the transportation and distribution capabilities that are available from operators of privately owned United States flag merchant vessels.

"(b) PRIVATE CAPACITIES PRESENTATIONS.—The Secretary shall afford each operator of a vessel referred to in subsection (a), not less often than annually, an opportunity to present to the Department of Defense information on its port-to-port and intermodal transportation capacities.

''(c) CERTIFICATION REQUIREMENT.—The Secretary shall submit to the Secretary of Transportation, not less often than annually, a certification of compliance with the requirements of subsection (b).''.

SEC. 1071. BURIAL OF REMAINS AT ARLINGTON NATIONAL CEMETERY.

(a) ELIGIBILITY.—Under regulations prescribed by the Secretary of the Army, former prisoners of war who, having served honorably in active military, naval, or air service (as determined in accordance with such regulations), die on or after the date of the enactment of this Act shall be eligible for burial in Arlington National Cemetery, Virginia.

(b) SAVINGS PROVISION.—This section may not be construed to make ineligible for burial in Arlington National Cemetery any former prisoner of war who was eligible before the date of the enactment of this Act to be buried in such cemetery.

(c) DEFINITION.—In this section, the term ''former prisoner of war'' has the meaning given such term in section 101(32) of title 38, United States Code.

SEC. 1072. SENSE OF THE CONGRESS REGARDING THE JUSTIFICATION FOR CONTINUING THE EXTREMELY LOW FREQUENCY COMMUNICATION SYSTEM.

(a) FINDINGS.—(1) There is a need to re-evaluate all defense spending in light of the post-Cold War era and budget and fiscal constraints;

(2) The Extremely Low Frequency Communications System (ELF System) was originally designed to play a role in the strategic deterrence mission against the former Soviet Union;

(3) The threat of nuclear war has greatly diminished since the collapse of the Soviet Union;

(4) The ELF System is increasingly in use for communications with our SSN attack submarines in addition to our strategic missile submarines;

(5) Military base closing, downsizing of military facilities and activities, and termination of selected projects are appropriate in light of the end of the Cold War and the approximately $4,000,000,000,000 national debt;

(6) It is appropriate to establish funding priorities within the military defense budget; and

(7) Ongoing studies of the effects of ELF operations on human health and the environment are due to be concluded next year.

(b) SENSE OF CONGRESS.—Now, therefore, it is the sense of Congress that—

(1) the Secretary of Defense should conduct an evaluation of the benefits and costs of continued operation of the Extremely Low Frequency Communications System and alternatives thereto, if any;

(2) the results of such an evaluation should be submitted to the Congressional Defense Committees prior to consideration of the fiscal year 1995 Defense budget request; and

(3) the Extremely Low Frequency Communication System should again be considered in the next round of military base closures.

SEC. 1073. BASING FOR C–130 AIRCRAFT.

The Secretary of the Air Force shall determine the unit assignment and basing location for any C–130 aircraft procured for the Air Force Reserve from funds appropriated for National Guard and Reserve Equipment procurement for fiscal year 1992 or 1993 in such manner as the Secretary determines to be in the best interest of the Air Force.

SEC. 1074. IMPORTANCE OF NAVAL OCEANOGRAPHY SURVEY AND RESEARCH IN THE POST-COLD WAR PERIOD.

(a) The Senate finds that—

(1) the Oceanographer of the Navy is responsible for the all Navy oceanographic research and survey efforts;

(2) oceanographic research and surveys are critical investments in the Navy's ability to operate in littoral waters of the world with an increased confidence of operational success;

(3) oceanographic surveys enable the Navy to conduct naval operations in greater safety, particularly in littoral waters;

(4) the survey of littoral waters is most safely conducted during periods of peace when conflict is not imminent and the risk to lives and ships are diminished;

(5) the Navy has reduced their oceanographic research and survey effort by almost 50 percent over the last five years;

(6) this reduction in effort is the result of undistributed budget reductions required by the Comptroller of the Navy to meet overall Navy budget targets;

(7) the number of naval ships dedicated to oceanographic survey and research have been reduced from 12 to 7 over the last five years, significantly reducing the Navy's oceanographic survey capability;

(b) Therefore, it is the sense of the Congress that—

(1) additional reductions to the Office of the Oceanographer of the Navy which will further reduce the level of oceanographic survey and research efforts of the Navy should be avoided;

(2) a window of opportunity exists which allows near unencumbered access to littoral waters which are now available for surveying and research;

(3) committing limited resources to the Navy's oceanographic research and survey effort should be considered a force multiplier to United States combat forces in future conflicts, particularly in littoral waters;

(4) the Navy should exploit this opportunity to survey and research these critical littoral waters and maintain funding levels for oceanographic surveying and research.

SEC. 1075. DIGITAL ELECTRONIC DEVICES.

Of the funds authorized to be appropriated pursuant to section 201(1), $24,000,000 may be obligated and expended for the purposes of demonstrating in field maneuvers the integration of digital electronic devices for purposes of command, control, battle management and combat identification for all major weapon systems contained in a combined arms brigade.

SEC. 1076. RESEARCH ON EXPOSURE TO HAZARDOUS AGENTS AND MATERIALS OF ARMED SERVICES PERSONNEL WHO SERVED IN THE PERSIAN GULF WAR.

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

(1) A number of veterans of the Persian Gulf War have reported unexplained illnesses and claim that such illnesses are a consequence of exposure to chemical, biological, radiological, or other hazardous agents or materials as a result of service in Southwest Asia during the Persian Gulf War.

(2) Members of the Armed Forces of the former Czechoslovakian Federative Republic who served on a chemical decontamination team in Southwest Asia during the period of the Persian Gulf War have claimed exposure to chemical agents during such service, and the Czech Minister of Defense has confirmed that members of that chemical decontamination team detected low levels of nerve gas in that region during that period.

(3) Reports indicate that members of the United States Armed Forces who served in Southwest Asia during the Persian Gulf War may have been exposed to combined chemical warfare agents and other hazardous agents and substances during such service.

(4) Such exposure may have occurred directly as a result of attack on such members by Iraqi forces or indirectly as a result of prolonged ''downwind'' exposure to airborne chemical warfare agents or other hazardous substances that were dispersed as a consequence of the bombing of Iraqi chemical weapons facilities, nuclear facilities, and other facilities containing hazardous substances.

(5) It is in the interest of the United States that medical professionals providing care to members of the Armed Forces and to veterans understand the nature of the illnesses that such members and veterans may contract in order to ensure that such professionals have sufficient information to provide proper care to such members and veterans.

(b) SENSE OF THE CONGRESS.—It is the sense of the Congress that—

(1) one of the threats to international peace and to the interests of the United States in the post-Cold War era is the proliferation of weapons utilizing chemical, biological, radiological, or other hazardous agents or materials;

(2) the readiness of the United States to engage in future military conflicts will be directly related to the capability of the United States—

(A) to identify the threat to members of the Armed Forces posed by the utilization of such weapons and the agents and materials utilized in such weapons;

(B) to protect such members from the adverse effects of exposure to such agents and materials; and

(C) to treat the casualties that result from the utilization of such weapons and from exposure to such agents and materials; and

(3) the Department of Defense is uniquely capable of conducting research into the sources and effects of exposure of members of the Armed Forces during military conflicts to chemical, biological, radiological, and other hazardous agents and materials.

(c) CONTRACT FOR RESEARCH FACILITY AND ACTIVITIES.—(1) Subject to paragraph (2), the Secretary of the Army shall enter into a contract with a hospital or other existing health care or health care research facility in order to ensure that the research referred to in paragraph (3) is carried out.

(2)(A) The Secretary shall enter into the contract under paragraph (1) using full and open competition.

(B) The facility referred to in such paragraph shall be affiliated with a medical facility of the Department of Veterans Affairs.

(3) The research referred to in paragraph (1) is research into the effects upon humans of exposure to hazardous agents and materials, including chemical and biological warfare agents, toxins, and materials to which members of the Armed Forces may have been exposed as a result of service in Southwest Asia during the Persian Gulf War.

(4) Humans may not be exposed to hazardous agents or materials as a result of the carrying out of research under this subsection.

(d) STUDY ON REPORTS OF EXPOSURE TO HAZARDOUS AGENTS AND MATERIALS.—(1) Subject to paragraph (2), the Secretary of Defense shall carry out a study in order to determine the validity and accuracy of claims that members of the Armed Forces who served in Southwest Asia during the Persian Gulf War were exposed to combined chemical warfare agents, biological warfare agents, biological toxins, and other unconventional warfare agents or other environmental conditions hazardous to the health of such members as a result of such service. The study shall identify the locations at which such exposure, if any, occurred and the extent, if any, of such exposure.

(2) The study under paragraph (1) shall include an investigation of such exposure directly as a result of attack on such members by Iraqi forces and indirectly as a result of prolonged downwind exposure to such agents and toxins dispersed in consequence of the bombing of Iraqi chemical weapons facilities, nuclear facilities, and other facilities containing hazardous substances.

(e) STUDY ON EXPOSURE TO DEPLETED URANIUM.—The Secretary of the Army shall carry out a study of the effects upon humans of exposure to fragments of depleted uranium from weapons rounds that have been fired.

(f) PARTICIPATION BY THE DEPARTMENT OF DEFENSE.—(1) The Secretary of Defense shall ensure that all elements of the Departments of the Defense, including all chemical and biological warfare defense programs, provide to the facility with which the Secretary of the Army contracts under subsection (c) any information possessed by such elements on the identity and quantity of the chemical, biological, radiological, and other hazardous agents and materials to which members of the Armed Forces may have been exposed as a result of service in Southwest Asia during the Persian Gulf War and on the effects upon humans of such exposure.

(2) The Secretary of Defense shall ensure that the elements of the Department of Defense referred to in para-

graph (1) provide to the persons or entities carrying out the study referred to in subsection (e) information possessed by such elements on the sources and effects of exposure to depleted uranium on the members referred to in paragraph (1).

(g) REPORTS TO CONGRESS.—(1) Not later than each of March 1, 1994, and October 1, 1994, the Secretary shall submit to the congressional defense committees an interim report on the results during the year preceding the report of the research and studies, as the case may be, carried out under subsections (c), (d), and (e).

(2) The reports submitted under this subsection shall be submitted in an unclassified form but may have a classified annex.

(h) BUDGET INFORMATION.—The Secretary of Defense shall ensure that each budget submitted to the Congress under section 1105 of title 31, United States Code, for a fiscal year in which the contract referred to in subsection (c) is in force, the Secretary carries out the study referred to in subsection (d), or the Secretary carries out the study referred to in subsection (e), as the case may be, contains a request for such funds as the Secretary determines necessary in order to carry out the contract or such studies, as the case may be, during that fiscal year.

(i) FUNDING.—Funds for programs authorized in this section shall be derived from amounts to be appropriated for the Department of Defense.

(j) LIMITATION ON EXPENDITURES.—The total amount that may be expended in fiscal year 1994 with respect to activities under this section is as follows:

(1) For research activities carried out under subsection (c), $2,000,000.

(2) For the study carried out under subsection (d), $2,000,000.

(3) For the study carried out under subsection (e), $1,700,000.

(k) DEFINITION.—In this section, the term ''Persian Gulf War'' has the meaning given such term in section 101(33) of title 38, United States Code.

SEC. 1077. SENSE OF CONGRESS RELATING TO THE PROLIFERATION OF SPACE LAUNCH VEHICLE TECHNOLOGIES.

(a) FINDINGS.—The Congress finds the following:

(1) The United States has joined with other nations in the Missile Technology Control Regime (MTCR) which restricts the transfer of missiles or equipment or technology that could contribute to the design, development or production of missiles capable of delivering weapons of mass destruction.

(2) Missile technology is indistinguishable from and interchangeable with space launch vehicle technology.

(3) Transfers of missile technology or space launch vehicle technology cannot be safeguarded in a manner that would provide timely warning of diversion for military purposes.

(4) It has been United States policy since agreeing to the guidelines of the Missile Technology Control Regime to treat the sale or transfer of space launch vehicle technology as restrictively as the sale or transfer of missile technology.

(5) Previous congressional action on missile proliferation, notably title XVII of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 104 Stat. 1738), has explicitly supported this policy through such actions as the statutory definition of the term ''missile'' to mean ''a category I system as defined in the MTCR Annex, and any other unmanned delivery system of similar capability, as well as the specially designed production facilities for these systems''.

(6) There is strong evidence that emerging national space launch programs in the Third World are not economically viable.

(7) The United States has successfully dissuaded countries from pursuing space launch vehicle programs in part by offering to cooperate with them in other areas of space science and technology.

(8) The United States has successfully dissuaded other MTCR adherents, and countries who have agreed to abide by MTCR guidelines, from providing assistance to emerging national space launch programs in the Third World.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Congress supports the strict interpretation by the United States of the Missile Technology Control Regime concerning—

(A) the inability to distinguish space launch vehicle technology from missile technology under the regime; and

(B) the inability to safeguard space launch vehicle technology in a manner that would provide timely warning of its diversion to military purposes; and

(2) the United States and the governments of other nations adhering to the Missile Technology Control Regime should be recognized for—

(A) the success of such governments in restricting the export of space launch vehicle technology and of missile technology; and

(B) the significant contribution made by the imposition of such restrictions to reducing the proliferation of missile technology capable of being used to deliver weapons of mass destruction.

(c) DEFINITIONS.—In this section:

(1) The term ''Missile Technology Control Regime'' or ''MTCR'' means the policy statement, between the United States, the United Kingdom, the Federal Republic of Germany, France, Italy, Canada, and Japan, announced on April 16, 1987, to restrict sensitive missile-relevant transfers based on the MTCR Annex, and any amendments thereto.

(2) The term ''MTCR Annex'' means the Guidelines and Equipment and Technology Annex of the Missile Technology Control Regime, and any amendments thereto.

SEC. 1078. AMERICAN DIPLOMATIC FACILITIES IN GERMANY.

(a) No embassy, chancery, or consular facilities in Germany other than the facilities already occuppied as of January 1, 1993 by United States diplomatic personnel

may be purchased, constructed, leased or otherwise occupied unless such facilities are purchased, constructed, modified or leased with funds provided by the German government as an offset for the value of facilities returned by the United States Government to the Government of Germany pursuant to Article 52 of the current Status of Forces Agreement with the Government of Germany.

(b) The Secretary of State or his representative may not enter into any legal instrument to purchase, construct, modify or lease any facility in Germany acquired pursuant to subsection (a) of this section until the Secretary of Defense certifies that the United States Government has received or is scheduled to receive cash payments or offsets-in-kind of a value not less than 50 percent of the value of the facilities returned by the United States Government to the Government of Germany pursuant to Article 52 of the current Status of Forces Agreement with the Government of Germany.

SEC. 1079. EFFECTIVE DATE FOR CHANGES IN SERVICEMEN'S GROUP LIFE INSURANCE PROGRAM.

(a) USE OF INTERNATIONAL DATE LINE.—Section 1967 of title 38, United States Code, is amended by adding at the end the following new subsection:

''(f) The effective date and time for any change in benefits under the Servicemen's Group Life Insurance Program

shall be based on the date and time according to the time zone immediately west of the International Date Line.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to amendments to chapter 19 of title 38, United States Code, that take effect after November 29, 1992.

SEC. 1080. AWARD OF THE NAVY EXPEDITIONARY MEDAL.

It is the sense of the Senate that the Secretary of the Navy should direct that members who served in Task Force 16, culminating in the air-raid commonly known as the ''Doolittle raid on Tokyo'', during April 1942, be awarded the Navy Expeditionary Medal for such service.

SEC. 1081. REPORT ON MILITARY FOOD DISTRIBUTION PRACTICES.

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

(1) The Defense Personnel Support Center, a component of the Defense Logistics Agency (DLA), purchases more than 90 percent of the food supplied to military ''end-users'' such as dining halls, hospitals and other facilities that feed troops.

(2) Semiperishable items, such as canned goods, are stored in four DLA depots. Perishable items, including fresh and frozen vegetables, fruits, and meats,

are stored in 21 contractor-operated Defense Subsistence Offices.

(3) Private sector end-users, including independent restaurants, hospitals, and hotels, obtain their food through direct delivery from distributors.

(4) A Department of Defense comprehensive inventory reduction plan, issued in May 1990, stated that ''where DoD requirements can be met through commercial distribution systems in a timely and cost-effective fashion, no value is added by pushing items through the DoD warehousing systems.''.

(5) A June 1993 GAO report determined that the Department of Defense could achieve substantial cost savings by expanding the use of private sector food distributors and practices in the military food supply system.

(b) REVIEW REQUIRED.—The Secretary of Defense shall conduct a review which evaluates the feasibility and economic benefits resulting from the expanded use of full-line distributors to deliver food directly to military end-users. The review should address whether the expanded use of distributors could reduce depot storage of food (except for war reserve stocks and items bound for overseas), and eliminates the requirement for Defense Subsistence Offices and certain base warehouse activities. The review should include

a cost comparison of the Department of Defense supply system with the costs of commercial distributors. The review should also consider what obstacles may exist that would hinder the Department of Defense's ability to procure commercial items and institute commercial logistics practices.

(c) REPORT.—Not later than March 1, 1994, the Secretary shall submit to the congressional defense committees a report on his findings from the review together with any recommendations.

SEC. 1082. PREVENTION OF ENTRY INTO THE UNITED STATES OF CERTAIN FORMER MEMBERS OF THE IRAQI ARMED FORCES.

It is the sense of the Senate that no person who was a member of the armed forces of Iraq during the period from August 2, 1990 through February 28, 1991 and who is in a refugee camp in Saudi Arabia as of the date of enactment of this Act shall be granted entry into the United States under the Immigration and Nationality Act, as amended, unless the President certifies to Congress prior to such entry that such person—

(1) assisted the United States or coalition armed forces after defection from the armed forces of Iraq or after capture by the United States or coalition armed forces; and

(2) did not commit or assist in the commission of war crimes.

SEC. 1083. SHORT TITLE.

Sections 1083, 1084, and 1085 may be cited as ''NATO Review Requirements''.

SEC. 1084. FINDINGS; POLICY.

(a) FINDINGS.—The Congress finds that—

(1) the North Atlantic Treaty Organization (NATO) has successfully met the challenge of helping to maintain the peace, security and freedom of the United States and its NATO allies for more than forty years;

(2) the national security interests of the United States have been well served by the process of consultation, coordination, and military cooperation in the NATO framework;

(3) recent history has witnessed radical changes in the international security environment, including the fall of the Berlin Wall, the unification of Germany, the disbanding of the Warsaw Pact and the disintegration of the Soviet Union;

(4) the military threats which NATO was established to deter have receded with the end of the Cold War, calling into question both the future value of the

alliance and the rationale for United States military deployments in Europe;

(5) the post-Cold War security situation continues to present a wide array of challenges to United States national interests, many of which interests the United States shares with its allies in Europe and Canada;

(6) the international community may prove capable of deterring many threats to the common peace if it can respond decisively to aggression;

(7) the United States must share the burden of its international security commitments with other nations if it is to tend to the needs of its own citizens in a responsible fashion;

(8) several of the newly democratic nations of Central and Eastern Europe have expressed interest in seeking membership in NATO;

(9) many of the security challenges facing the post-Cold War world would be best handled through coherent multilateral responses;

(10) the United States should never send its military forces into combat unless they are provided with the best opportunity to accomplish their objectives with as little risk as possible;

(11) military interventions against antagonistic armed forces cannot be conducted safely or effectively on a multilateral basis unless such operations are jointly planned in advance and are executed by units which have trained together and are familiar with each others operational procedures;

(12) NATO is currently the only organization with the experience, trained staff and infrastructure necessary to support military cooperation with the major military allies of the United States;

(13) the NATO allies already have volunteered to consider requests from the United Nations and the Conference on Security and Cooperation in Europe for assistance in maintaining the peace;

(14) justification of the relevance of NATO in the post-Cold War world will depend largely upon the alliance's ability to adapt its mission and procedures to the new security environment;

(15) justification of future United States support for the alliance and for a United States military presence in Europe will depend upon NATO's ability to address those security interests which the United States shares with its allies in Europe and Canada;

(16) a summit meeting of the NATO heads of state, which has been scheduled for January 1994,

would present an excellent opportunity for the President of the United States to articulate a new, broader security mission for the alliance in the post-Cold War world, one which will enable it to address a wider array of threats to its members' interests and which will help to share more effectively the burden of international security requirements.

(b) POLICY.—It is the sense of the Congress that—

(1) old threats to the security of the United States and its allies in the North Atlantic Treaty Organization have retreated radically but new, more diverse challenges have arisen in the form of ethno-religious conflict in Central and Eastern Europe and the proliferation of weapons of mass destruction in regions proximate to alliance territory and NATO's mission must be redefined so that it may respond to such challenges to its members' security even when those challenges emanate from beyond the geographic boundaries of its members' territories;

(2) future United States military involvement in, and contributions to, NATO should be determined in relation to the alliance's success or failure in adapting itself to confronting the challenges of the post-Cold War world.

SEC. 1085. REPORT.

Within 30 calendar days of the enactment of this legislation, the President, in consultation with the Secretary of State and the Secretary of Defense, shall send a report to the Armed Services Committees of the United States Senate and House of Representatives and to the Foreign Relations Committee of the United States Senate and the Foreign Affairs Committee of the House of Representatives. This report should contain recommendations on—

(1) the manner in which NATO can formulate and implement a strategy to address the new, more disparate threats to the security of its members;

(2) the feasibility of having NATO conduct security operations beyond the geographic boundaries of the alliance;

(3) the manner in which NATO should restructure its forces, training and equipment for the new security environment;

(4) the desirability of expanding the alliance to include either traditionally neutral nations or the new democratic nations of Eastern or Central Europe who wish to join NATO;

(5) the proper size and composition of United States forces to be deployed in Europe to assist in the implementation of NATO's new mandate and possible reduction in United States military deployments in

Europe in the event of the alliance's failure to adopt a new mandate;

(6) the structure and organization of NATO headquarters, with particular attention to the need to reinvigorate the NATO Military Committee;

(7) the desirability of having additional NATO forces train in North America in a manner supportive of NATO's proposed new strategy;

(8) the structure of NATO's military command, with particular attention to the need to make NATO's Rapid Reaction Force a credible deterrent to regional aggression;

(9) the levels of United States, European and Canadian defense budgets and their ability to finance forces consistent with the implementation of NATO's new mandate.

SEC. 1086. LOCATION OF JOINT WARFIGHTING SIMULATION CENTER.

The Secretary of Defense shall provide that the Joint Warfighting Simulation Center, established by the Secretary on July 1, 1993, be located with the Army Training and Doctrine Command at Fort Monroe, Virginia.

SEC. 1087. SANCTIONS AGAINST SERBIA AND MONTENEGRO.

(a) CODIFICATION OF EXECUTIVE BRANCH SANCTIONS.—The sanctions against Serbia and Montenegro described in the following directives of the executive branch of Government are hereby enacted into law:

(1) Executive Order 12808 of May 30, 1992, as continued in effect on May 25, 1993.

(2) Executive Order 12810 of June 5, 1992.

(3) Executive Order 12831 of January 15, 1993.

(4) Executive Order 12846 of April 25, 1993.

(5) Department of State Public Notice 1427, effective July 11, 1991.

(6) Proclamation 6389 of December 5, 1991 (56 Fed. Register 64467).

(7) Department of Transportation Order 92–5–38 of May 20, 1992.

(8) Federal Aviation Administration action of June 19, 1992 (14 C.F.R. Part 91).

(b) PROHIBITION ON ASSISTANCE.—(1) No funds appropriated or otherwise made available by law may be obligated or expended for Serbia or Montenegro.

(2) The prohibition of paragraph (1) includes funds which were obligated but not expended under any law enacted before the date of enactment of this Act.

(c) INTERNATIONAL FINANCIAL INSTITUTIONS.—The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to use the voice and vote of the United States to oppose any assistance of the respective institutions to Serbia or Montenegro.

(d) EXCEPTION.—Notwithstanding any other provision of law, the President is authorized and encouraged to exempt from sanctions imposed against the Republic of Serbia and the Republic of Montenegro those United States-supported programs, projects, or activities involving reform of the electoral process, or the development of democratic institutions or democratic political parties, in these two countries.

(e) WAIVER.—(1) Notwithstanding any other provision of this section (other than paragraph (2)), the President may waive the application, in whole or in part, of any sanction or prohibition contained in this section if the President determines, and so certifies to Congress, that it would be in the national interest of the United States to do so.

(2) The waiver authority of paragraph (1) may not be used to waive any sanction or prohibition in subsections (a), (b), and (c) unless the territory of Bosnia-Hercegovina, as recognized by the United States on April 2, 1992, is con-

trolled by a government of Bosnia-Hercegovina recognized by the United States, and that government or its people, are not subject to military action in or against it by Serbia and Montenegro or Bosnian Serbian forces.

SEC. 1088. ENVIRONMENTAL EDUCATION OPPORTUNITIES PROGRAM.

(a) PROGRAM REQUIRED.—(1)(A) Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Administrator of the Environmental Protection Agency and the Secretary of Energy, shall establish a scholarship program for education and training for qualified individuals in order to enable such individuals to acquire career training in environmental engineering, environmental sciences, or environmental project management in fields related to hazardous waste management and cleanup.

(B) The program established pursuant to subparagraph (A) may include educational activities and training related to—

(i) site remediation;

(ii) site characterization;

(iii) hazardous waste management;

(iv) hazardous waste reduction;

(v) recycling;

(vi) process and materials engineering;

(vii) training for positions related to environmental engineering, environmental sciences, or environmental project management (including training for management positions); and

(viii) environmental engineering with respect to the construction of facilities to address the items described in clauses (i) through (vii).

(C) The program established pursuant to subparagraph (A) shall include educational activities designed for personnel participating in a program to achieve specialization in the following fields:

(i) Earth sciences.

(ii) Chemistry.

(iii) Chemical Engineering.

(iv) Environmental engineering.

(v) Statistics.

(vi) Toxicology.

(vii) Industrial hygiene.

(viii) Health physics.

(ix) Environmental project management.

(b) FUNDING.—(1) From amounts appropriated pursuant to this authorization, the Secretary of Defense shall award scholarships to individuals described in paragraph (g)(5) to attend programs at the hazardous substance research centers institutions of higher education at both un-

dergraduate and graduate levels which lead to the awarding of an academic degree or a certification that is supplemental to an academic degree.

(c) REPAYMENT.—(1) Any individual receiving educational assistance from the United States under the program carried out under this section shall agree to pay to the United States the total amount of the educational assistance provided to the individual by the United States under the program, plus interest at the rate prescribed in paragraph (4), if the individual does not complete the educational program for which the assistance is provided.

(2) If an individual fails to pay to the United States the total amount required pursuant to paragraph (1), including the interest, at the rate prescribed in paragraph (4), the unpaid amount shall be recoverable by the United States from the individual or his estate by—

(A) in the case of an individual who is an employee of the United States, set off against accrued pay, compensation, amount of retirement credit, or other amount due the employee from the United States; and

(B) such other method as is provided by law for the recovery of amounts owing to the United States.

(3) The Secretary of Defense may waive in whole or in part a required repayment under this subsection if the

Secretary of Defense determines that the recovery would be against equity and good conscience or would be contrary to the best interests of the United States.

(4) The total amount of educational assistance provided to an individual under a program carried out under subsection (a) shall, for purposes of repayment under this section, bear interest at the applicable rate of interest under section 427A(c) of the Higher Education Act of 1965 (20 U.S.C. 1077a(c)).

(d) COORDINATION OF BENEFITS.—Any educational assistance provided to an individual under the program carried out under subsection (a) shall be taken into account in determining the eligibility of that individual for Federal student financial assistance provided under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.).

(e) COST AND FUNDING.—The cost of carrying out the program required by this section may not exceed $8,000,000 in any fiscal year.

(f) REPORT TO CONGRESS.—Not later than January 1, 1995, the Secretary of Defense, in consultation with the Secretary of Energy and the Administrator of the Environmental Protection Agency, shall submit to the Congress a report on activities undertaken under the program established under this section and recommendations for future activities under the program.

(g) DEFINITIONS.—In this section:

(1) The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) The term ''hazardous substance research centers'' means the hazardous substance research centers described in section 311(d) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9660(d)). Such term includes the Great Plains and Rocky Mountain Hazardous Substance Research Center, the Northeast Hazardous Substance Research Center, the Great Lakes and Mid-Atlantic Hazardous Substance Research Center, the South and Southwest Hazardous Substance Research Center, and the Western Region Hazardous Substance Research Center.

(3) The term ''hazardous waste'' means—

(A) waste listed as hazardous waste pursuant to subtitle C of the Solid Waste Disposal Act (42 U.S.C. 6921 et seq.);

(B) radioactive waste; and

(C) mixed waste.

(4) The term ''mixed waste'' means waste that contains a mixture of waste described in subparagraphs (A) and (B) of paragraph (3).

(5) INDIVIDUALS ELIGIBLE FOR TRAINING, ASSISTANCE, AND SERVICES.—

(1) CERTAIN MEMBERS OF THE ARMED FORCES.—A member of the Armed Forces shall be eligible for training, adjustment assistance, and employment services under this section if the member—

(A) was on active duty or full-time National Guard duty on September 30, 1990;

(B) during the 5-year period beginning on that date—

(i) is involuntarily separated (as defined in section 1141 of title 10, United States Code) from active duty or full-time National Guard duty; or

(ii) is separated from active duty or full-time National Guard duty pursuant to a special separation benefits program under section 1174a of title 10, United States Code, or the voluntary separation incentive program under section 1175 of that title;

(C) is not entitled to retired or retainer pay incident to that separation; and

(D) applies for such training, adjustment assistance, or employment services before the end

of the 180-day period beginning on the date of that separation.

(2) CERTAIN DEFENSE EMPLOYEES.—

(A) IN GENERAL.—Except as provided in subparagraph (B), a civilian employee of the Department of Defense or the Department of Energy shall be eligible for training, adjustment assistance, and employment services under this section if the employee—

(i) during the 5-year period beginning on October 1, 1992, is terminated or laid off (or receives a notice of termination or lay off) from such employment as a result of reductions in defense spending, as determined by the Secretary of Defense or the Secretary of Energy, except that, in the case of a notice of termination or lay off, the eligibility of the employee shall not begin until 180 days before the projected date of the termination or lay off; and

(ii) is not entitled to retired or retainer pay incident to that termination or lay off.

(B) SPECIAL RULE FOR CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DEFENSE EM-

PLOYED AT CERTAIN MILITARY INSTALLATIONS.—

(i) IN GENERAL.—A civilian employee of the Department of Defense employed at a military installation being closed or realigned under the laws referred to in clause (ii) shall be eligible for training, adjustment assistance, and employment services under this section beginning on the date on which such employee receives actual notice of termination, or the date determined by the Secretary of Defense under clause (iii), whichever occurs earlier.

(ii) CERTAIN DEFENSE LAWS.—The laws referred to in this clause are—

(I) the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note); and

(II) title II of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526; 10 U.S.C. 2687 note).

(iii) DATE.—The date determined under this clause is the date that is 24

months before the date on which the military installation is to be closed or the realignment of the installation is to be completed, as the case may be.

(6) The term ''radioactive waste'' means solid, liquid, or gaseous material that contains radionuclides regulated under the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.) of negligible economic value (considering the cost of recovery).

SEC. 1089. MEDICAL LASER BURN TREATMENT.

Of the funds authorized to be appropriated in section 201(1), $2,000,000 shall be available to continue the support of advanced laser burn treatment diagnostics and therapeutic research under the Army's medical research program.

SEC. 1090. TECHNICAL AND CLERICAL AMENDMENTS.

(a) MISCELLANEOUS AMENDMENTS TO TITLE 10, UNITED STATES CODE.—Title 10, United States Code, is amended as follows:

(1) Section 401 is amended by striking out subsection (f).

(2) Section 1408 is amended—

(A) in subsections (b)(1)(A), (f)(1), and (f)(2), by striking out ''subsection (h)'' and inserting in lieu thereof ''subsection (i)''; and

(B) in subsection (h)(4)(B), by inserting ''of'' after ''of that termination''.

(3) Section 1605(a) is amended by striking out ''(50 U.S.C. 403 note)'' and inserting in lieu thereof ''(50 U.S.C. 2153)''.

(4) Section 1804(b)(1) is amended by striking out ''his or her'' and inserting in lieu thereof ''the volunteer's''.

(5) Section 2031(a)(1) is amended in the second sentence by striking out ''Not more than 200 units may be established by all of the military departments each year, and the'' and by inserting in lieu thereof ''The''.

(6) Section 2305(b)(4)(A) is amended by realigning clauses (i) and (ii) so that they are indented two ems from the left margin.

(7) Subsections (a), (e), and (g) of section 2371 are amended by striking out ''Defense Advanced Research Projects Agency'' and inserting in lieu thereof ''Advanced Research Projects Agency''.

(8) Section 2469 is amended by striking out '', prior to any such change,''.

(9)(A) Section 2490a is transferred to the end of chapter 165, redesignated as section 2783, and amended—

(i) in subsection (b)(2)—

(I) by striking out ''title 10, United States Code'' and inserting in lieu thereof ''this title'';

(II) by striking out the comma after ''Justice)''; and

(III) by striking out ''of such title'' and inserting in lieu thereof ''of this title''; and

(ii) in subsection (c)(1), by striking out ''Armed Forces'' and inserting in lieu thereof ''armed forces''.

(B) The table of sections at the beginning of chapter 147 is amended by striking out the item relating to section 2490a.

(C) The table of sections at the beginning of chapter 165 is amended by adding at the end the following new item:

''2783. Nonappropriated fund instrumentalities: financial management and use of nonappropriated funds.''.

(10) Section 2491 is amended—

(A) in paragraph (2), by striking out ''nonmilitary application'' and inserting in lieu thereof ''nonmilitary applications''; and

(B) in paragraph (8), by striking out ''subsection (f)'' and inserting in lieu thereof ''subsection (b)(4)''.

(11) Section 2501(b)(2) is amended by striking out ''and thereby free up capital'' and inserting in lieu thereof ''that, by reducing the public sector demand for capital, increases the amount of capital available''.

(12) Section 2513 is amended—

(A) in subsection (b), by striking out ''ELIGIBLE CENTERS.—'' and inserting in lieu thereof ''ELIGIBLE ALLIANCES.—''; and

(B) in subsection (c)(2)(B)—

(i) by striking out ''two'' in clause (ii) and inserting in lieu thereof ''one''; and

(ii) by redesignating the clause (iii) added by section 4223(d) of Public Law 102–484 (106 Stat. 2681) as clause (iv); and

(iii) by striking out ''an'' in clause (iv), as so redesignated, and inserting in lieu thereof ''An''.

(13) Section 2771 is amended—

(A) in subsection (a), by striking out ''who dies after December 31, 1955''; and

(B) in subsection (b), by striking out ''for the'' and all that follows and inserting in lieu thereof ''for the uniformed services.''.

(14) Section 9315 is amended—

(A) in subsection (b), by striking out ''Air Training Command'' and inserting in lieu thereof ''Air Education and Training Command''; and

(B) in subsection (c), by striking out ''Air Force Training Command'' and inserting in lieu thereof ''Air Education and Training Command of the Air Force''.

(b) SUBSECTION HEADINGS.—

(1) Section 2507 of title 10, United States Code, is amended—

(A) in subsection (a), by inserting ''AUTHORITY.—'' after ''(a)'';

(B) in subsection (b), by inserting ''CONDITION FOR USE OF AUTHORITY.—'' after ''(b)'';

(C) in subsection (c), by inserting ''PENALTY FOR NONCOMPLIANCE.—'' after ''(c)'';

(D) in subsection (d), by inserting ''LIMITATIONS ON DISCLOSURE OF INFORMATION.—'' after ''(d)'';

(E) in subsection (e), by inserting ''REGULATIONS.—'' after ''(e)''; and

(F) in subsection (f), by inserting ''DEFINITIONS.—'' after ''(f)''.

(2) Section 2523 of such title is amended—

(A) in subsection (a), by inserting ''IN GENERAL.—'' after ''(a)''; and

(B) in subsection (b), by striking out ''(b)(1)'' and inserting in lieu thereof ''(b) PROGRAM REQUIREMENTS.—(1)''.

(c) AMENDMENTS TO PUBLIC LAW 102–484.—Public Law 102–484 is amended as follows:

(1) Section 1051(b)(2) (106 Stat. 2498) is amended—

(A) by striking out '' 'section 101(47) of title 10,' '' and inserting in lieu thereof '' 'section 101(47) of title 10' ''; and

(B) by striking out '' 'section 101 of title 10,' '' and inserting in lieu thereof '' 'section 101 of title 10' ''.

(2) Section 1313(2) (106 Stat. 2548) is amended, effective as of October 23, 1992, by striking out '' 'structure and' '' and inserting in lieu thereof '' 'structure, and' ''.

(3) Section 1365 (106 Stat. 2561) is amended by striking out ''(e) DEFINITION.—'' and inserting in lieu thereof ''(d) DEFINITION.—''.

(4) Section 1441 (106 Stat. 2566) is amended in the matter preceding paragraph (1) by striking out ''the FREEDOM Support Act of 1992'' and inserting in lieu thereof ''the Freedom for Russia and Emerging Eurasian Democracies and Open Markets Support Act of 1992 (Public Law 102–511; 106 Stat. 3345; 22 U.S.C. 5861)''.

(5) Section 1505(e)(2) (106 Stat. 2571) is amended by striking out ''(d)(2)'' in the matter preceding subparagraph (A) and inserting in lieu thereof ''(d)(4)''.

(6) Section 1828 (106 Stat. 2585; 36 U.S.C. 5108) is amended by striking out ''board of the directors'' and inserting in lieu thereof ''board of directors''.

(d) CROSS REFERENCE AMENDMENTS IN OTHER LAWS.—

(1) Effective as of December 19, 1991, section 12 of the Coast Guard Authorization Act of 1991 (Public Law 102–241; 105 Stat. 2213) is amended by striking out ''Section 406(b)(2)(E) of title 37,'' and inserting in lieu thereof ''Section 406(b)(1)(E) of title 37,''.

(2) Section 3(c)(2) of Public Law 101–533 (22 U.S.C. 3142) is amended by striking out ''section 2522 of title 10'' and inserting in lieu thereof ''section 2506 of title 10''.

(3) Section 109(17) of the Ethics in Government Act of 1978 (5 U.S.C. App.) is amended by striking out ''section 101(8) of title 10'' and inserting in lieu thereof ''section 101(a)(9) of title 10''.

(4) Section 179(a)(2)(B) of the National and Community Service Act of 1990 (42 U.S.C. 12639(a)(4)) is amended by striking out ''section 101(4) of title 10,'' and inserting in lieu thereof ''section 101(a)(4) of title 10,''.

SEC. 1091. TERMINATION OF CERTAIN DEPARTMENT OF DEFENSE REPORTING REQUIREMENTS.

Not later than April 30, 1994, the Secretary of Defense shall submit to the Armed Services Committees of the Senate and House of Representatives a list of the reports required of the Department of Defense by law on that date that the Secretary determines are unnecessary or incompatible with the efficient management of the Department of Defense. Unless otherwise provided by a law enacted after the date of the enactment of this Act, the requirement for the submittal to Congress of any report included in the list submitted under this section shall expire on October 30, 1995.

SEC. 1092. REPORTS RELATING TO CERTAIN SPECIAL ACCESS PROGRAMS AND SIMILAR PROGRAMS.

(a) IN GENERAL.—(1) Not later than February 1 of each year, the head of each covered department or agency shall submit to the appropriate oversight committees a report on each special access program carried out in the department or agency.

(2) Each such report shall set forth—

(A) the total amount requested by the department or agency for special access programs within the budget submitted under section 1105 of title 31, United States Code, for the fiscal year following the fiscal year in which the report is submitted; and

(B) for each program in such budget that is a special access program—

(i) a brief description of the program;

(ii) in the case of a procurement program, a brief discussion of the major milestones established for the program;

(iii) the actual cost of the program for each fiscal year during which the program has been conducted before the fiscal year during which that budget is submitted; and

(iv) the estimated total cost of the program and the estimated cost of the program for (I) the current fiscal year, (II) the fiscal year for which

the budget is submitted, and (III) each of the four succeeding fiscal years during which the program is expected to be conducted.

(b) NEWLY DESIGNATED PROGRAMS.—(1) Not later than February 1 of each year, the head of each covered department or agency shall submit to the appropriate oversight committees a report that, with respect to each new special access program, provides—

(A) notice of the designation of the program as a special access program;

(B) justification for such designation; and

(C) the current estimate of the total program cost for the program.

(2) In this subsection, the term ''new special access program'' means a special access program that has not previously been covered in a notice and justification under this subsection.

(c) REVISION IN CLASSIFICATION OF PROGRAMS.—(1) Whenever a change in the classification of a special access program of a covered department or agency is planned to be made or whenever classified information concerning a special access program of a covered department or agency is to be declassified and made public, the head of the department or agency shall submit to the appropriate oversight committees a report containing a description of the pro-

posed change or the information to be declassified, the reasons for the proposed change or declassification, and notice of any public announcement planned to be made with respect to the proposed change or declassification.

(2) Except as provided in paragraph (3), a report referred to in paragraph (1) shall be submitted not less than 14 days before the date on which the proposed change, declassification, or public announcement is to occur.

(3) If the head of the department or agency determines that because of exceptional circumstances the requirement of paragraph (2) cannot be met with respect to a proposed change, declassification, or public announcement concerning a special access program of the department or agency, the head of the department or agency may submit the report required by paragraph (1) regarding the proposed change, declassification, or public announcement at any time before the proposed change, declassification, or public announcement is made and shall include in the report an explanation of the exceptional circumstances.

(d) REVISION OF CRITERIA FOR DESIGNATING PROGRAMS.—Whenever there is a modification or termination of the policy and criteria used for designating a program of a covered department or agency as a special access program, the head of the department or agency shall promptly notify the appropriate oversight committees of such modi-

fication or termination. Any such notification shall contain the reasons for the modification or termination and, in the case of a modification, the provisions of the policy as modified.

(e) WAIVER OF REPORTING REQUIREMENT.—(1) The head of a covered department or agency may waive any requirement under subsection (a), (b), or (c) that certain information be included in a report under that subsection if the head of the department or agency determines that inclusion of that information in the report would adversely affect the national security. Any such waiver shall be made on a case-by-case basis.

(2) If the head of a department or agency exercises the authority provided under paragraph (1), the head of the department or agency shall provide the information described in that subsection with respect to the special access program concerned, and the justification for the waiver, jointly to the chairman and ranking minority member of each of the appropriate oversight committees.

(f) INITIATION OF PROGRAMS.—A special access program may not be initiated until—

(1) the appropriate oversight committees are notified of the program; and

(2) a period of 30 days elapses after such notification is received.

(g) DEFINITIONS.—In this Act:

(1) The term ''appropriate oversight committees'', in the case of a special access program carried out in a covered department or agency, means—

(A) each committee of the Senate and the committee of the House of Representatives having jurisdiction over legislation that authorizes the program, as determined under the Standing Rules of the Senate and the Rules of the House of Representatives, respectively; and

(B) the Committees on Appropriations of the Senate and House of Representatives.

(2) The term ''covered department or agency'' means any department or agency of the Federal Government that carries out a special access program (other than the Department of Defense or an agency in the Intelligence Community (as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a))).

(3) The term ''special access program'' means any program that, under the authority of Executive Order 12356 (or any successor Executive order), is established by the head of a department or agency whom the President has designated in the Federal Register as an original ''top secret'' classification au-

thority that imposes ''need-to-know'' controls or access controls beyond those controls normally required (by regulations applicable to such department or agency) for access to information classified as ''confidential'', ''secret'', or ''top secret''.

SEC. 1093. DEPARTMENT OF DEFENSE FOOD STOCKS FOR ASSISTANCE IN BOSNIA-HERCEGOVINA AND ARMENIA.

Beginning not later than 10 days after the date of the enactment of this Act, the Secretary of Defense should make available to the Office of Foreign Disaster Assistance of the Agency for International Development, out of stocks for which there exists appropriations, of the Department of Defense, 500,000 cases of meals ready to eat for distribution over next four months, as humanitarian relief, in Bosnia-Hercegovina and Armenia. To the extent possible, these supplies should come from surplus stocks.

SEC. 1094. LANDMINE MORATORIUM EXTENSION ACT.

(a) SHORT TITLE.—This section shall be titled the ''Landmine Moratorium Extension Act of 1993''.

(b) FINDINGS.—The Congress makes the following findings:

(1) Anti-personnel landmines, which are designed to maim and kill people, have been used indiscriminately in dramatically increasing numbers

around the world. Hundreds of thousands of non-combatant civilians, including children, have been the primary victims. unlike other military weapons, landmines often remain implanted and undiscovered after conflict has ended, causing massive suffering to civilian populations.

(2) Tens of millions of landmines have been strewn in at least 62 countries, often making whole areas uninhabitable. The State Department estimates there are more than 10,000,000 landmines in Afghanistan, 9,000,000 in Angola, 4,000,000 in Cambodia, 3,000,000 in Iraqi Kurdistan, and 2,000,000 each in Somalia, Mozambique, and the former Yugoslavia. Hundreds of thousands of landmines were used in conflicts in Central America in the 1980s.

(3) Advanced technologies are being used to manufacture sophisticated mines which can be scattered remotely at a rate of 1,000 per hour. These mines, which are being produced by many industralized countries, were found in Iraqi arsenals after the Persian Gulf War.

(4) At least 300 types of anti-personnel landmines have been manufactured by at least 44 countries, including the United States. However, the United States is not a major exporter of landmines. Dur-

ing the past ten years the Administration has approved ten licenses for the commercial export of anti-personnel landmines with a total value of $980,000, and the sale under the Foreign Military Sales program of 108,852 anti-personnel landmines.

(5) The United States signed, but has not ratified, the 1980 Convention on Prohibitations or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed To Be Excessively Injurious or To Have Indiscriminate Effects. Protocol II of the Convention, otherwise known as the Landmine Protocol, prohibits the indiscriminate use of landmines.

(6) When it signed the 1980 Convention, the United States stated: ''We believe that the Convention represents a positive step forward in efforts to minimize injury or damage to the civilian population in time of armed conflict. Our signature of the Convention reflects the general willingness of the United States to adopt practical and reasonable provisions concerning the conduct of military operations, for the purpose of protecting noncombatants.''.

(7) The United States also indicated that it had supported procedures to enforce compliance, which were omitted from the Convention's final draft. The

United States stated: ''The United States strongly supported proposals by other countries during the Conference to include special procedures for dealing with compliance matters, and reserves the right to propose at a later date additional procedures and remedies, should this prove necessary, to deal with such problems.''.

(8) The lack of compliance procedures and other weaknesses have significantly undermined the effectiveness of the Landmine Protocol. Since it entered into force on December 2, 1983, the number of civilians maimed and killed by anti-personnel landmines has multiplied.

(9) Since the moratorium on United States sales, transfers and exports of anti-personnel landmines was signed into law on October 23, 1992, the European Parliament has issued a resolution calling for a five year moratorium on sales, transfers and exports of anti-personnel landmines, and the Government of France has announced that it has ceased all sales, transfers and exports of anti-personnel landmines.

(10) On December 2, 1993, ten years will have elapsed since the 1980 Convention entered into force, triggering the right of any party to request a United Nations conference to review the Convention. Amend-

ments to the Landmine Protocol may be considered at that time. A formal request has been made to the United Nations Secretary General for a review conference. With necessary preparations and consultations among governments, a review conference is not expected to be convened before late 1994 or early 1995.

(11) The United States should continue to set an example for other countries in such negotiations by extending the moratorium on sales, transfers and exports of anti-personnel landmines for an additional three years. A moratorium of this duration would extend the current prohibition on the sale, transfer and export of anti-personnel landmines a sufficient time to take into account the results of a United Nations review conference.

(c) STATEMENT OF POLICY.—

(1) It shall be the policy of the United States to seek verifiable international agreements prohibiting the sale, transfer or export, and further limiting the manufacture, possession and use of anti-personnel landmines.

(2) It is the sense of the Congress that the President should submit the 1980 Convention on Certain Conventional Weapons to the Senate for ratification.

Furthermore, the Administration should participate in a United Nations conference to review the Landmine Protocol, and actively seek to negotiate under United Nations auspices a modification of the Landmine Protocol, or another international agreement, to prohibit the sale, transfer or export of anti-personnel landmines, and to further limit their manufacture, possession and use.

(d) MORATORIUM ON TRANSFERS OF ANTI-PERSONNEL LANDMINES ABROAD.—For a period of three years beginning on the date of enactment of this Act—

(1) no sale may be made or financed, no transfer may be made, and no license for export may be issued, under the Arms Export Control Act, with respect to any anti-personnel landmine; and

(2) no assistance may be provided under the Foreign Assistance Act of 1961, with respect to the provision of any anti-personnel landmine.

(e) DEFINITION.—For purposes of this section, the term ''anti-personnel landmine'' means—

(1) any munition placed under, on, or near the ground or other surface area, or delivered by artillery, rocket, mortar, or similar means or dropped from an aircraft and which is designed to be detonated or ex-

ploded by the presence, proximity, or contact of a person;

(2) any device or material which is designed, constructed, or adapted to kill or injure and which functions unexpectedly when a person disturbs or approaches an apparently harmless object or performs an apparently safe act;

(3) any manually-emplaced munition or device designed to kill, injure, or damage and which is actuated by remote control or automatically after a lapse of time.

TITLE XI—COOPERATIVE THREAT REDUCTION WITH STATES OF FORMER SOVIET UNION

SEC. 1101. SHORT TITLE.

This title may be cited as the ''Cooperative Threat Reduction Act of 1993''.

SEC. 1102. FINDINGS ON COOPERATIVE THREAT REDUCTION.

The Congress finds that it is in the national security interest of the United States for the United States to do the following:

(1) Facilitate, on a priority basis, the transportation, storage, safeguarding, and elimination of nu-

clear and other weapons of the independent states of the former Soviet Union, including—

(A) the safe and secure storage of fissile materials derived from the elimination of nuclear weapons;

(B) the dismantlement of—

(i) intercontinental ballistic missiles and launchers for such missiles;

(ii) submarine-launched ballistic missiles and launchers for such missiles; and

(iii) heavy bombers; and

(C) the elimination of chemical, biological and other weapons capabilities.

(2) Facilitate, on a priority basis, the prevention of proliferation of weapons (and components of weapons) of mass destruction and destabilizing conventional weapons of the independent states of the former Soviet Union, and the establishment of verifiable safeguards against the proliferation of such weapons and components.

(3) Facilitate, on a priority basis, the prevention of diversion of weapons-related scientific expertise of the independent states of the former Soviet Union to terrorist groups or third countries.

(4) Support—

(A) the demilitarization of the defense-related industry and equipment of the independent states of the former Soviet Union;

(B) the conversion of such industry and equipment to civilian purposes and uses; and

(C) the environmental restoration of former military sites and installations.

(5) Expand military-to-military and defense contacts between the United States and the independent states of the former Soviet Union.

SEC. 1103. AUTHORITY FOR PROGRAMS TO FACILITATE COOPERATIVE THREAT REDUCTION.

(a) IN GENERAL.—Notwithstanding any other provision of law, the President may conduct programs described in subsection (b) to assist the independent states of the former Soviet Union in the demilitarization of the former Soviet Union. Any such program may be carried out only to the extent that the President determines that the program will directly contribute to the national security interests of the United States.

(b) AUTHORIZED PROGRAMS.—The programs referred to in subsection (a) are the following:

(1) Programs to facilitate the elimination, and the safe and secure transportation and storage, of nu-

clear, chemical, and other weapons and their delivery vehicles.

(2) Programs to facilitate the safe and secure storage of fissile materials derived from the elimination of nuclear weapons.

(3) Programs to prevent the proliferation of weapons, weapons components, and weapons-related technology and expertise.

(4) Programs to expand military-to-military and defense contacts.

(5) Programs to facilitate the demilitarization of defense industries and the conversion of military technologies and capabilities into civilian activities and to assist in the environmental restoration of former military sites and installations.

(6) Programs to house and retrain military personnel of the former Soviet Union who have been released from military service, but only if such programs are carried out in conjunction with, and contribute significantly and directly to achieving the purposes of, one or more of the programs described in paragraphs (1) through (5) of this subsection.

(7) Other programs as described in section 212(b) of the Soviet Nuclear Threat Reduction Act of 1991 (title II of Public Law 102–228; 22 U.S.C. 2551

note) and section 1412(b) of the Former Soviet Union Demilitarization Act of 1992 (title XIV of Public Law 102–484; 22 U.S.C. 5901 et seq.).

(c) UNITED STATES PARTICIPATION.—The programs described in subsection (b) should, to the extent feasible, draw upon United States technology and expertise, especially from the private sector of the United States.

(d) RESTRICTIONS.—Assistance authorized by subsection (a) may not be provided to any independent state of the former Soviet Union for any year unless the President certifies to Congress for that year that the proposed recipient state is committed to each of the following:

(1) Making substantial investment of its resources for dismantling or destroying its weapons of mass destruction, if such state has an obligation under a treaty or other agreement to destroy or dismantle any such weapons.

(2) Foregoing any military modernization program that exceeds legitimate defense requirements and foregoing the replacement of destroyed weapons of mass destruction.

(3) Foregoing any use in new nuclear weapons of fissionable or other components of destroyed nuclear weapons.

(4) Facilitating United States verification of any weapons destruction carried out under this title, section 1412(b) of the Former Soviet Union Demilitarization Act of 1992 (title XIV of Public Law 102–484; 22 U.S.C. 590(b)), or section 212(b) of the Soviet Nuclear Threat Reduction Act of 1991 (title II of Public Law 102–228; 22 U.S.C. 2551 note).

(5) Complying with all relevant arms control agreements.

(6) Observing internationally recognized human rights, including the protection of minorities.

SEC. 1104. FUNDING FOR FISCAL YEAR 1994.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds authorized to be appropriated under section 301(21) shall be available for cooperative threat reduction with states of the former Soviet Union under this title.

(b) AVAILABILITY OF FUNDS PREVIOUSLY AUTHORIZED TO BE TRANSFERRED.—(1) To the extent provided in appropriations Acts, of the total amount authorized to be transferred under sections 108 and 109 of Public Law 102–229 (105 Stat. 1708) and section 9110 of Public Law 102–396 (106 Stat. 1928), the Secretary of Defense may transfer not more than $400,000,000 to the appropriate fiscal year 1994 accounts within the Department of Defense

for cooperative threat reduction with states of the former Soviet Union under this title.

(2) Funds transferred pursuant to paragraph (1) shall be in addition to funds authorized to be appropriated under subsection (a).

(3) A transfer made to an account under the authority of paragraph (1) shall be deemed to increase the amount authorized for that account by the amount transferred.

(4) The transfer authority provided in this subsection is in addition to the transfer authority provided in section 1001 of this Act.

SEC. 1105. PRIOR NOTICE TO CONGRESS OF OBLIGATION OF FUNDS.

(a) NOTICE OF PROPOSED OBLIGATION.—Not less than 15 days before obligation of any funds for programs under section 1203, the President shall transmit to the appropriate congressional committees (as defined in section 1207) a report on the proposed obligation. Each such report shall specify—

(1) the activities and forms of assistance for which the President plans to obligate such funds;

(2) the amount of the proposed obligation; and

(3) the projected involvement of the departments and agencies of the United States Government and the private sector of the United States.

(b) INDUSTRIAL DEMILITARIZATION.—Any report under subsection (a) that covers proposed industrial demilitarization projects shall contain additional information to assist the Congress in determining the merits of the proposed projects. Such information shall include descriptions of—

(1) the facilities to be demilitarized;

(2) the types of activities conducted at those facilities and of the types of nonmilitary activities planned for those facilities;

(3) the forms of assistance to be provided by the United States Government and by the private sector of the United States;

(4) the extent to which military production capability will consequently be eliminated at those facilities; and

(5) the mechanisms to be established for monitoring progress on those projects.

SEC. 1106. SEMIANNUAL REPORT.

Not later than April 30, 1994, and not later than October 30, 1994, the President shall transmit to the appropriate congressional committees a report on the activities carried out under this title. Each such report shall set forth, for the preceding six-month period and cumulatively, the following:

(1) The amounts obligated and expended for such activities and the purposes for which they were obligated and expended.

(2) A description of the participation, if any, of each department and agency of the United States Government in such activities.

(3) A description of the activities carried out and the forms of assistance provided, and a description of the extent to which the private sector of the United States has participated in the activities for which amounts were obligated and expended under this title.

(4) Such other information as the President considers appropriate to fully inform the Congress concerning the operation of the programs and activities carried out under this title, including, with respect to proposed industrial demilitarization projects, additional information on the progress toward demilitarization of facilities and the conversion of the demilitarized facilities to civilian activities.

SEC. 1107. APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.

In this title, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Relations of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committees on Appropriations of the House and the Senate, wherever the account, budget activity, or program is funded from appropriations made under the international affairs budget function (150);

(2) the Committees on Armed Services and the Committees on Appropriations of the Senate and the House of Representatives, wherever the account, budget activity, or program is funded from appropriations made under the national defense budget function (050); and

(3) the committee to which the specified activities of section 1203, if the subject of separate legislation, would be referred under the rules of the respective House of Congress.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

SEC. 2001. SHORT TITLE.

This division may be cited as the ''Military Construction Authorization Act for Fiscal Year 1994''.

TITLE XXI—ARMY

SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(1), the Secretary of the Army may acquire real property and carry out military construction projects in the total amount of $603,553,000 for the installations and locations inside the United States, and in the amounts for such installations and locations, set forth in the following table:

Army: Inside the United States

State	Installation or location	Amount
Alabama	Fort Rucker	$28,250,000
Alaska	Fort Richardson	$10,770,000
	Fort Wainwright	$740,000
Arizona	Fort Huachuca	$8,850,000
California	Fort Irwin	$5,900,000
Colorado	Fitzsimmons Army Medical Center	$4,400,000
	Fort Carson	$4,050,000
Georgia	Fort Benning	$37,650,000
	Fort Gillen	$2,600,000
	Fort Stewart	$20,300,000
Hawaii	Schofield Barracks	$18,600,000
Kansas	Fort Riley	$14,642,000
Kentucky	Fort Campbell	$50,300,000
	Fort Knox	$41,350,000
Maryland	Aberdeen Proving Ground	$20,250,000
Missouri	Fort Leonard Wood	$1,000,000
Nevada	Hawthorne Army Ammunition Plant	$11,700,000
New Jersey	Fort Monmouth	$7,500,000
	Picatinny Arsenal	$10,500,000
New Mexico	White Sands Missile Range	$8,700,000
New York	Fort Drum	$9,800,000
	United States Military Academy, West Point	$13,800,000
North Carolina	Fort Bragg	$102,240,000

***Army: Inside the United States**—Continued*

State	Installation or location	Amount
Oklahoma	Fort Sill	$15,700,000
Pennsylvania	Tobyhanna Army Depot	$750,000
South Carolina	Fort Jackson	$2,700,000
Texas	Fort Bliss	$14,000,000
	Fort Hood	$49,400,000
	Fort Sam Houston	$4,351,000
Utah	Dugway Proving Ground	$16,500,000
	Tooele Army Depot	$800,000
Virginia	Fort Belvoir	$8,860,000
	Fort Lee	$32,600,000
	Fort Myer	$6,800,000
Washington	Fort Lewis	$14,200,000
CONUS Classified	Classified Locations	$3,000,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(2), the Secretary of the Army may acquire real property and carry out military construction projects in the total amount of $26,500,000 for the installations and locations outside the United States, and in the amounts for such installations and locations, set forth in the following table:

Army: Outside the United States

Country or other	Installation or location	Amount
Johnston Island	Johnston Island	$1,700,000
Kwajalein Atoll	Kwajalein	$21,200,000
OCONUS Classified	Classified Locations	$3,600,000

SEC. 2102. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(6)(A), the Secretary of the Army may construct or acquire family housing units (in-

cluding land acquisition) in the total amount of $138,950,000 at the installations, for the purposes, and in the amounts for such installations set forth in the following table:

Army: Family Housing

State	Installation	Purpose	Amount
California	Fort Irwin	220 units	$25,000,000
Hawaii	Schofield Barracks	348 units	$52,000,000
Maryland	Fort Meade	275 units	$26,000,000
New York	United States Military Academy, West Point	100 units	$15,000,000
North Carolina	Fort Bragg	224 units	$18,000,000
Wisconsin	Fort McCoy	16 units	$2,950,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(6)(A), the Secretary of the Army may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $11,805,000.

SEC. 2103. 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 2104(a)(6)(A), the Secretary of the Army may improve existing military family housing in an amount not to exceed $77,630,000.

SEC. 2104. AUTHORIZATION OF APPROPRIATIONS, ARMY.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 1993, for military construction, land acquisition, and military family housing functions of the Department of the Army in the total amount of $2,369,330,000 as follows:

(1) For military construction projects inside the United States authorized by section 2101(a), $603,553,000.

(2) For military construction projects outside the United States authorized by section 2101(b), $26,500,000.

(3) For the construction of the Ammunition Demilitarization Facility, Anniston Army Depot, Alabama, authorized in section 2101(a) of the Military Construction Authorization Act for Fiscal Year 1991 (division B of Public Law 101–510; 104 Stat. 1758), section 2101(a) of the Military Construction Authorization Act for Fiscal Year 1992 (division B of Public Law 102–190; 105 Stat. 1508), and section 2101(a) of the Military Construction Authorization Act for Fiscal Year 1993 (division B of Public Law 102–484; 106 Stat. 2586), $110,900,000.

(4) For unspecified minor military construction projects authorized by section 2805 of title 10, United States Code, $12,000,000.

(5) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $110,991,000.

(6) For military family housing functions:

(A) For construction and acquisition of military family housing and facilities, $228,385,000.

(B) For support of military family housing (including the functions described in section 2833 of title 10, United States Code), $1,125,601,000, of which not more than $268,139,000 may be obligated or expended for the leasing of military family housing worldwide.

(7) For the Homeowners Assistance Program as authorized by section 2832 of title 10, United States Code, $151,400,000, to remain available until expended.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2101 of this Act may not exceed the total amount authorized to be appropriated under paragraphs (1) and (2) of subsection (a).

SEC. 2105. TERMINATION OF AUTHORITY TO CARRY OUT CERTAIN PROJECTS.

(a) FISCAL YEAR 1993 PROJECT.—(1) The table in section 2101(a) of the Military Construction Authorization Act for Fiscal Year 1993 (division B of Public Law 102–484; 106 Stat. 2586) is amended by striking out the item relating to the Tooele Army Depot, Utah.

(2) Section 2105(a) of such Act (106 Stat. 2588) is amended—

(A) by striking out ''$2,127,397,000'' and inserting in lieu thereof ''$2,118,197,000''; and

(B) in paragraph (1), by striking out ''$338,860,000'' and inserting in lieu thereof ''$329,660,000''.

(b) FISCAL YEAR 1992 PROJECTS.—(1) Section 2101(a) of the Military Construction Authorization Act for Fiscal Year 1992 (division B of Public Law 102–190; 105 Stat. 1508) is amended by striking out the following items:

(A) Under the heading ''NEW YORK'', the item relating to Seneca Army Depot.

(B) Under the heading ''VIRGINIA'', the item relating to Vint Hill Farms Station.

(2) Section 2105(a) of such Act (105 Stat. 1511) is amended—

(A) by striking out ''$2,576,674,000'' and inserting in lieu thereof ''$2,571,974,000''; and

(B) in paragraph (1), by striking out ''$718,829,000'' and inserting in lieu thereof ''$714,129,000''.

TITLE XXII—NAVY

SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(1), the Secretary of the Navy may acquire real property and carry out military construction projects in the total amount of $495,400,000 for the installations and locations inside the United States, and in the amounts for such installations and locations, set forth in the following table:

Navy: Inside the United States

State	Installation or location	Amount
Arizona	Yuma Marine Corps Air Station	$14,100,000
California	Barstow Marine Corps Logistics Base	$8,690,000
	Camp Pendleton Marine Corps Air Station	$3,850,000
	Camp Pendleton Marine Corps Base	$11,130,000
	Fallbrook Naval Weapons Station Annex	$4,630,000
	Lemoore Naval Air Station	$1,930,000
	San Diego Naval Hospital	$2,700,000
	San Diego Fleet Industrial Supply Center	$2,270,000
	San Diego Marine Corps Recruit Depot	$1,130,000
	Twentynine Palms Marine Corps Air-Ground Combat Center	$7,900,000
Connecticut	New London Naval Submarine Base	$36,740,000
District of Columbia	Washington, Commandant, Naval District	$3,110,000
	Naval Research Laboratory	$2,380,000
Florida	Jacksonville Naval Air Station	$14,420,000
	Mayport Naval Station	$3,260,000
	Pensacola Naval Air Station	$6,420,000
Georgia	Albany Marine Corps Logistics Base	$940,000
	Kings Bay Naval Submarine Base	$10,920,000

***Navy: Inside the United States**—Continued*

State	Installation or location	Amount
	Kings Bay Trident Training Facility	*$3,870,000*
Hawaii	*Barbers Point Naval Air Station*	*$2,700,000*
	Honolulu, Naval Communications and Telecommunications Area Master Station, Eastern Pacific	*$9,120,000*
	Pearl Harbor, Commander, Oceanographic System Pacific	*$16,780,000*
	Pearl Harbor Naval Inactive Ship Maintenance Facility	*$2,620,000*
	Pearl Harbor Naval Submarine Base	*$54,140,000*
	Pearl Harbor Public Works Center	*$27,540,000*
Maine	*Kittery, Portsmouth Naval Shipyard*	*$4,780,000*
Maryland	*Bethesda National Naval Medical Center*	*$3,090,000*
	Indian Head, Naval Surface Weapons Center	*$3,400,000*
	Patuxent River Naval Air Station	*$1,000,000*
Mississippi	*Pascagoula Naval Station*	*$3,900,000*
	Gulfport Naval Construction Battalion Center	*$10,400,000*
New Jersey	*Earle Naval Weapons Station*	*$2,580,000*
North Carolina	*Camp Lejeune Marine Corps Base*	*$41,290,000*
	Camp Lejeune Naval Hospital	*$2,370,000*
	Cherry Point Marine Corps Air Station	*$7,500,000*
Pennsylvania	*Philadelphia Aviation Supply Office*	*$1,900,000*
	Philadelphia Naval Inactive Ship Maintenance Facility	*$8,660,000*
Rhode Island	*Newport, Naval Education and Training Center*	*$11,300,000*
South Carolina	*Beaufort Marine Corps Air Station*	*$10,900,000*
	Charleston Naval Weapons Station	*$580,000*
Tennessee	*Memphis Naval Air Station*	*$1,450,000*
Texas	*Corpus Christi Naval Air Station*	*$1,670,000*
Virginia	*Chesapeake, Marine Corps Security Battalion*	*$5,380,000*
	Craney Island Fleet and Industrial Supply Center Annex	*$11,740,000*
	Norfolk, Commander, Operational Test and Evaluation Force	*$8,100,000*
	Norfolk Naval Air Station	*$12,270,000*
	Norfolk Public Works Center	*$5,330,000*
	Portsmouth, Norfolk Naval Shipyard	*$13,420,000*
	Quantico, Combat Development Command	*$7,450,000*
	Wallops Island, Naval Surface Weapons Center Detachment	*$10,170,000*
Washington	*Bangor Naval Submarine Base*	*$3,100,000*
	Everett Naval Station	*$34,000,000*
	Keyport, Naval Undersea Warfare Center Division	*$8,980,000*
Various Locations	*Wastewater Collection and Treatment Facilities*	*$3,260,000*
	Land Acquisition	*$2,140,000*

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(2), the Secretary of the Navy may acquire real property and carry out military construction projects in the total amount of $95,650,000 for the installations and locations outside the United States, and in the amounts for such installations and locations, set forth in the following table:

Navy: Outside the United States

Country	Installation or location	Amount
Guam	Naval Hospital	$2,460,000
	Military Sealift Command Office	$2,170,000
	Anderson Air Force Base Naval Air Facility.	$7,310,000
	Naval Magazine	$3,750,000
	Naval Ocean Communication Center	$690,000
	Naval Station	$14,520,000
	Fleet/Industrial Supply Center	$22,440,000
	Public Works Center	$20,680,000
Italy	Naples Naval Support Activity	$11,740,000
	Sigonella Naval Air Station	$3,460,000
Spain	Rota Naval Station	$2,670,000
Various Locations	Host Nation Infrastructure Support	$2,960,000
	Land Acquisition	$800,000

SEC. 2202. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(5)(A), the Secretary of the Navy may construct or acquire family housing units (including land acquisition) in the total amount of $164,149,000 at the installations, for the purposes, and in

the amounts for such installations and purposes set forth in the following table:

Navy: Family Housing

State	Installation	Purpose	Amount
California	San Diego Navy Public Works Center	318 units	$36,571,000
District of Columbia	Washington Navy Public Works Center	188 units	$21,556,000
Florida	Pensacola Navy Public Works Center	Housing Self Help/Warehouse	$300,000
Georgia	Kings Bay Naval Submarine Base	Housing Office/Self Help/Warehouse	$790,000
Maine	Brunswick Naval Air Station	Mobile Home Spaces	$490,000
Virginia	Norfolk, Naval Public Works Center/Naval Amphibious Base Little Creek	392 units	$50,674,000
	Oceana Naval Air Station	Community Center	$860,000
Washington	Bangor Naval Submarine Base	290 units	$27,438,000
	Whidby Island, Naval Air Station	106 units	$10,000,000
United Kingdom	London Naval Activities Support	81 units	$15,470,000

(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 $22,924,000.

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 $183,135,000.

SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 1993, for military construction, land acquisition, and military family housing functions of the Department of the Navy in the total amount of $1,866,186,000 as follows:

(1) For military construction projects inside the United States authorized by section 2201(a), $495,400,000.

(2) For military construction projects outside the United States authorized by section 2201(b), $95,650,000.

(3) For unspecified minor construction projects authorized by section 2805 of title 10, United States Code, $5,500,000.

(4) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $64,373,000.

(5) For military family housing functions:

(A) For construction and acquisition of military family housing and facilities, $370,208,000.

(B) For support of military family housing (including functions described in section 2833 of title 10, United States Code), $835,055,000, of which not more than $113,308,000 may be obligated or expended for the leasing of military family housing units worldwide.

(b) LIMITATION OF TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2201 of this Act may not exceed the total amount authorized to be appropriated under paragraphs (1) and (2) of subsection (a).

SEC. 2205. TERMINATION OF AUTHORITY TO CARRY OUT CERTAIN PROJECTS.

(a) FISCAL YEAR 1993 PROJECTS.—(1) The table in section 2201(a) of the Military Construction Authorization Act for Fiscal Year 1993 (division B of Public Law 102–484; 106 Stat. 2589) is amended by striking out the items relating to the following installations:

(A) Mare Island Naval Shipyard, California.

(B) Miramar Naval Air Station, California.

(C) Cecil Field, Naval Air Station, Florida.

(D) Memphis, Naval Air Station, Tennessee.

(2) Section 2204(a) of such Act (106 Stat. 2592) is amended—

(A) by striking out ''$1,450,529,000'' and inserting in lieu thereof ''$1,411,616,000'';

(B) in paragraph (1), by striking out ''$312,557,000'' and inserting in lieu thereof ''$274,897,000''; and

(C) in paragraph (5)(B), by striking out ''$661,246,000'' and inserting in lieu thereof ''$659,993,000''.

(b) FISCAL YEAR 1992 PROJECTS.—(1) Section 2201(a) of the Military Construction Authorization Act for Fiscal Year 1992 (division B of Public Law 102–190; 105 Stat. 1514) is amended by striking out the following items:

(A) Under the heading ''CALIFORNIA'', the item relating to Vallejo, Mare Island Naval Shipyard.

(B) Under the heading ''FLORIDA'', the item relating to Pensacola, Naval Supply Center.

(C) Under the heading ''SOUTH CAROLINA'', the item relating to Charleston, Fleet and Mine Warfare Training Center.

(2) Section 2205(a) of such Act (105 Stat. 1518) is amended—

(A) by striking out ''$1,832,149,000'' and inserting in lieu thereof ''$1,798,980,000'';

(B) in paragraph (1), by striking out ''$739,859,000'' and inserting in lieu thereof ''$706,969,000''; and

(C) in paragraph (4), by striking out ''$12,400,000'' and inserting in lieu thereof ''$12,121,000''.

(c) FISCAL YEAR 1990 PROJECTS.—(1) Section 2201(a) of the Military Construction Authorization Act for Fiscal Years 1990 and 1991 (division B of Public Law 101–189; 103 Stat. 1621) is amended under the heading ''NEW YORK'', by striking out the item relating to New York, Naval Station and inserting in lieu thereof the following:

''New York, Naval Station, $20,978,000.''.

(2)(A) Section 2202(a) of such Act (103 Stat. 1626) is amended by striking out the item relating to San Francisco, Navy Public Works Center, California.

(B) The table relating to the Navy in section 2702(b) of the Military Construction Authorization Act for Fiscal Year 1993 (division B of Public Law 102–484; 106 Stat. 2603) is amended by striking out the item relating to Navy Public Works Center, San Francisco, California.

(3) Section 2204(a) of the Military Construction Authorization Act for Fiscal Years 1990 and 1991 (103 Stat. 1626) is amended—

(A) by striking out ''$1,962,935,000'' and inserting in lieu thereof ''$1,925,273,000'';

(B) in paragraph (1), by striking out ''$915,511,000'' and inserting in lieu thereof ''$910,849,000'';

(C) in paragraph (5), by striking out ''$5,810,000'' and inserting in lieu thereof ''$2,810,000''; and

(D) in paragraph (6)(A), by striking out ''$191,290,000'' and inserting in lieu thereof ''$157,290,000''.

TITLE XXIII—AIR FORCE

SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(1), the Secretary of the Air Force may acquire real property and carry out military construction projects in the total amount of $864,752,000 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	Gunter Air Force Base Annex	$4,680,000
	Maxwell Air Force Base	$16,170,000
Alaska	Cape Romanzof Long Range Radar Site	$3,350,000
	Eielson Air Force Base	$13,300,000
	Elmendorf Air Force Base	$33,305,000
	Fort Richardson	$5,000,000
Arizona	Davis-Monthan Air Force Base	$7,350,000
	Luke Air Force Base	$12,750,000
	Navajo Army Depot	$7,250,000
Arkansas	Little Rock Air Force Base	$4,500,000
California	Edwards Air Force Base	$11,300,000
	McClellan Air Force Base	$1,900,000
	Travis Air Force Base	$14,040,000
	Vandenberg Air Force Base	$20,728,000
Colorado	Buckley Air National Guard Base	$39,000,000
	Cheyenne Mountain Air Force Base	$4,450,000
	Peterson Air Force Base	$21,030,000
	United States Air Force Academy	$11,680,000
Delaware	Dover Air Force Base	$7,760,000
District of Columbia	Bolling Air Force Base	$2,000,000
Florida	Cape Canaveral Air Force Station	$19,200,000
	Eglin Air Force Base	$12,050,000
	Eglin Auxiliary Field No. 9	$7,829,000
	Patrick Air Force Base	$3,850,000
	Tyndall Air Force Base	$2,600,000
Georgia	Moody Air Force Base	$16,070,000
	Robins Air Force Base	$55,370,000
Hawaii	Hickam Air Force Base	$13,800,000
	Kaena Point	$7,350,000
Illinois	Scott Air Force Base	$7,450,000
Kansas	McConnell Air Force Base	$1,900,000
Louisiana	Barksdale Air Force Base	$13,860,000
Maryland	Andrews Air Force Base	$17,990,000
Mississippi	Columbus Air Force Base	$2,900,000
	Keesler Air Force Base	$8,710,000
Missouri	Whiteman Air Force Base	$36,388,000
Montana	Malmstrom Air Force Base	$7,700,000
Nebraska	Offutt Air Force Base	$11,000,000
Nevada	Nellis Air Force Base	$5,750,000
New Mexico	Cannon Air Force Base	$8,915,000
	Holloman Air Force Base	$11,100,000
	Kirtland Air Force Base	$42,161,000
North Carolina	Pope Air Force Base	$8,600,000
	Seymour Johnson Air Force Base	$5,380,000
North Dakota	Grand Forks Air Force Base	$12,800,000
	Minot Air Force Base	$14,500,000
Ohio	Wright-Patterson Air Force Base	$44,680,000
Oklahoma	Altus Air Force Base	$6,930,000
	Tinker Air Force Base	$28,649,000
	Vance Air Force Base	$6,000,000

***Air Force: Inside the United States**—Continued*

State	Installation or location	Amount
South Carolina	Charleston Air Force Base	$1,100,000
	Shaw Air Force Base	$5,870,000
South Dakota	Ellsworth Air Force Base	$6,830,000
Tennessee	Arnold Air Force Base	$1,500,000
Texas	Dyess Air Force Base	$10,390,000
	Goodfellow Air Force Base	$3,700,000
	Kelly Air Force Base	$27,481,000
	Lackland Air Force Base	$30,093,000
	Laughlin Air Force Base	$8,650,000
	Randolph Air Force Base	$5,300,000
	Reese Air Force Base	$900,000
	Sheppard Air Force Base	$18,030,000
Utah	Hill Air Force Base	$8,380,000
Virginia	Langley Air Force Base	$17,823,000
Washington	Fairchild Air Force Base	$3,500,000
	McChord Air Force Base	$10,900,000
Wyoming	F.E. Warren Air Force Base	$12,640,000
Various Locations	Classified	$8,140,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(2), the Secretary of the Air Force may acquire real property and may carry out military construction projects in the total amount of $33,852,000 for the installations and locations outside the United States, and in the amounts for such installations and locations, set forth in the following table:

Air Force: Outside the United States

Country	Installation or location	Amount
Antigua Island	Antigua Air Station	$1,000,000
Ascension Island	Ascension Auxiliary Air Field	$3,400,000
Germany	Ramstein Air Base	$3,100,000
Greenland	Thule Air Base	$5,492,000
Guam	Andersen Air Force Base	$4,100,000
Indian Ocean	Diego Garcia Air Base	$2,260,000
Oman	Thumrait Air Base	$1,800,000
Turkey	Incirlik Air Base	$2,400,000

***Air Force: Outside the United States**—Continued*

Country	Installation or location	Amount
United Kingdom	*RAF Mildenhall*	*$4,800,000*
Classified	*Classified Location*	*$5,500,000*

1 ***SEC. 2302. FAMILY HOUSING.***

2 *(a) CONSTRUCTION AND ACQUISITION.—Using*
3 *amounts appropriated pursuant to the authorization of ap-*
4 *propriations in section 2304(a)(7)(A), the Secretary of the*
5 *Air Force may construct or acquire family housing units*
6 *(including land acquisition) in the total amount of*
7 *$130,264,000 at the installations, for the purposes, and in*
8 *the amounts for such installations and purposes set forth*
9 *in the following table:*

Air Force: Family Housing

State or Country	Installation	Purpose	Amount
Alabama	*Maxwell Air Force Base*	*55 units*	*$4,080,000*
Arkansas	*Little Rock Air Force Base*	*Housing office/ Maintenance facility*	*$980,000*
California	*Vandenberg Air Force Base*	*166 units*	*$21,907,000*
Florida	*Patrick Air Force Base*	*155 units*	*$15,388,000*
	Tyndall Air Force Base	*Infrastructure*	*$5,732,000*
Georgia	*Robins Air Force Base*	*118 units*	*$7,424,000*
Illinois	*Scott Air Force Base*	*Cardinal Creek Housing units.*	*$20,000,000*
Louisiana	*Barksdale Air Force Base*	*118 units*	*$8,578,000*
Massachusetts	*Hanscom Air Force Base*	*48 units*	*$5,135,000*
Montana	*Malmstrom Air Force Base*	*Housing office*	*$581,000*

***Air Force: Family Housing**—Continued*

State or Country	Installation	Purpose	Amount
Texas	Dyess Air Force Base	Housing maintenance facility	$281,000
	Lackland Air Force Base	111 units	$8,770,000
Virginia	Langley Air Force Base	Housing office	$452,000
Washington	Fairchild Air Force Base	1 unit	$184,000
Wyoming	F.E. Warren Air Force Base	104 units	$10,572,000
Italy	Comiso Air Base	460 units	$20,200,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(7)(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 $9,901,000.

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)(7)(A), the Secretary of the Air Force may improve existing military family housing units in an amount not to exceed $75,070,000.

SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 1993, for military construction, land acquisition, and military family housing functions of the Department of the Air Force in the total amount of $2,101,925,000 as follows:

(1) For military construction projects inside the United States authorized by section 2301(a), $864,752,000.

(2) For military construction projects outside the United States authorized by section 2301(b), $33,852,000.

(3) For unspecified minor construction projects authorized by section 2805 of title 10, United States Code, $6,844,000.

(4) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $63,180,000.

(5) For advances to the Secretary of Transportation for construction of defense access roads under section 210 of title 23, United States Code, $7,150,000.

(6) For the balance of the amount authorized under section 2301(a) of the Military Construction Authorization Act for Fiscal Year 1993 (division B of

Public Law 102–484; 106 Stat. 2593) for the construction of the Climatic Test Chamber, Eglin Air Force Base, Florida, $57,000,000.

(7) For military family housing functions:

(A) For construction and acquisition of military family housing and facilities, $215,235,000.

(B) For support of military family housing (including functions described in section 2833 of title 10, United States Code), $853,912,000 of which not more than $118,266,000 may be obligated or expended for leasing of military family housing units worldwide.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2301 of this Act may not exceed the total amount authorized to be appropriated under paragraphs (1) and (2) of subsection (a).

SEC. 2305. TERMINATION OF AUTHORITY TO CARRY OUT CERTAIN PROJECTS.

(a) FISCAL YEAR 1993 PROJECTS.—(1) The table in section 2301(a) of the Military Construction Authorization Act for Fiscal Year 1993 (division B of Public Law 102–

484; 106 Stat. 2593) is amended by striking out the item relating to March Air Force Base, California.

(2) The table in section 2302(a) of such Act (106 Stat. 2595) is amended by striking out the item relating to March Air Force Base, California.

(3) Section 2303 of such Act (106 Stat. 2596) is amended by striking out ''$150,000,000'' and inserting in lieu thereof ''$139,649,000''.

(4) Section 2304(a) of such Act (106 Stat. 2596) is amended—

(A) by striking out ''$2,062,707,000'' and inserting in lieu thereof ''$2,011,755,000'';

(B) in paragraph (1), by striking out ''$667,290,000'' and inserting in lieu thereof ''$665,040,000''; and

(C) in paragraph (5)(A), by striking out ''$283,786,000'' and inserting in lieu thereof ''$235,084,000''.

(b) FISCAL YEAR 1992 PROJECTS.—(1) Section 2301(a) of the Military Construction Authorization Act for Fiscal Year 1992 (division B of Public Law 102–190; 105 Stat. 1521) is amended—

(A) under the heading ''CALIFORNIA'', by striking out the item relating to March Air Force Base and inserting in lieu thereof the following:

''March Air Force Base, $7,272,000.'';

(B) under the heading ''FLORIDA'', by striking out the item relating to Homestead Air Force Base; and

(C) under the heading ''NEW YORK''—

(i) by striking out the item relating to Griffiss Air Force Base; and

(ii) by striking out the item relating to Plattsburgh Air Force Base and inserting in lieu thereof the following:

''Plattsburgh Air Force Base, $960,000.''.

(2) Section 2303 of such Act (105 Stat. 1526) is amended by striking out ''$141,236,000'' and inserting in lieu thereof ''$134,836,000''.

(3) Section 2305(a) of such Act (105 Stat. 1525) is amended—

(A) by striking out ''$2,089,303,000'' and inserting in lieu thereof ''$2,066,585,000'';

(B) in paragraph (1), by striking out ''$778,970,000'' and inserting in lieu thereof ''$762,652,000''; and

(C) in paragraph (8)(A), by striking out ''$161,583,000'' and inserting in lieu thereof ''$155,183,000''.

SEC. 2306. RELOCATION OF STUDENT DORMITORY PROJECT TO BEALE AIR FORCE BASE, CALIFORNIA.

Section 2301(a) of the Military Construction Authorization Act for Fiscal Year 1991 (division B of Public Law 101–510; 104 Stat. 1769) is amended in the matter under the heading ''CALIFORNIA''—

(1) by striking out the item relating to Beale Air Force Base and inserting in lieu thereof the following: ''Beale Air Force Base, $9,950,000.''; and

(2) by striking out the item relating to Sierra Army Depot.

SEC. 2307. RELOCATION OF MUNITION MAINTENANCE FACILITY PROJECT TO BEALE AIR FORCE BASE, CALIFORNIA.

Section 2301(a) of the Military Construction Authorization Act for Fiscal Year 1992 (division B of Public Law 102–190; 105 Stat. 1521) is amended in the matter under the heading ''CALIFORNIA''—

(1) by striking out the item relating to Beale Air Force Base and inserting in lieu thereof the following: ''Beale Air Force Base, $4,950,000.''; and

(2) by striking out the item relating to Sierra Army Depot.

SEC. 2308. RELOCATION OF COMBAT ARMS TRAINING AND MAINTENANCE FACILITY PROJECT TO SCHOFIELD BARRACKS OPEN RANGE, HAWAII.

Section 2301(a) of the Military Construction Authorization Act for Fiscal Year 1991 (division B of Public Law 101–510; 104 Stat. 1769) is amended in the matter under the heading ''HAWAII'' by striking out the item relating to Wheeler Air Force Base and inserting in lieu thereof the following:

''Schofield Barracks Open Range, $1,400,000.

''Wheeler Air Force Base, $2,100,000.''.

SEC. 2309. AUTHORITY TO TRANSFER FUNDS FOR CONSTRUCTION OF FAMILY HOUSING, SCOTT AIR FORCE BASE, ILLINOIS.

Notwithstanding any other provision of law, the Secretary of the Air Force shall transfer any funds made available for the construction of family housing at Scott Air Force Base, Illinois, pursuant to the authorization for such construction in section 2302(a) of the Military Construction Authorization Act for Fiscal Year 1993 (division B of Public Law 102–484; 106 Stat. 2595) to the County of Saint Clair, Illinois, in order to assist the County of Saint Clair in the construction, at a location determined by the Secretary, of a family housing complex to replace the Cardinal Creek Housing Complex, Scott Air Force Base.

SEC. 2310. INCREASE IN AUTHORIZED UNIT COST FOR CERTAIN FAMILY HOUSING, RANDOLPH AIR FORCE BASE, TEXAS.

Section 2303(b) of the National Defense Authorization Act for Fiscal Years 1990 and 1991 (Public Law 101–189; 103 Stat. 1635) is amended in the matter relating to Randolph Air Force Base, Texas, by striking out ''$78,000'' and inserting in lieu thereof ''$95,000''.

TITLE XXIV—DEFENSE AGENCIES

SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a)(1), the Secretary of Defense may acquire real property and carry out military construction projects in the total amount of $256,902,000 for the installations and locations inside the United States, and in the amounts for such installations and locations, set forth in the following table:

Defense Agencies: Inside the United States

Agency	Installation or location	Amount
Defense Logistics Agency	Defense Reutilization and Marketing Office, Fairbanks, Alaska	$6,500,000
	Defense Reutilization and Marketing Office, March Air Force Base, California	$630,000
	Defense Fuel Support Point, Pearl Harbor, Hawaii	$2,250,000
	Defense Construction Supply Center, Columbia, Ohio	$3,100,000

***Defense Agencies: Inside the United States**—Continued*

Agency	Installation or location	Amount
	Defense Reutilization and Marketing Office, Hill Air Force Base, Utah	*$1,700,000*
	Defense General Supply Center, Richmond, Virginia	*$17,000,000*
	Fort Belvoir, Virginia	*$5,200,000*
Defense Medical Facility Office	*Edwards Air Force Base, California*	*$1,700,000*
	Fort Detrick, Maryland	*$4,300,000*
	Offutt Air Force Base, Nebraska	*$1,100,000*
	Cannon Air Force Base, New Mexico	*$13,600,000*
	Grand Forks Air Force Base, North Dakota	*$860,000*
	Ellsworth Air Force Base, South Dakota	*$1,400,000*
	Fort Sam Houston, Texas	*$4,800,000*
	Fort Eustis, Virginia	*$3,650,000*
	Fairchild Air Force Base, Washington	*$8,250,000*
National Security Agency	*Fort Meade, Maryland*	*$58,630,000*
Office Secretary of Defense	*Various Locations, Special Activities, Air Force*	*$5,600,000*
Section 6 Schools	*Fort McClellan, Alabama*	*$2,798,000*
	Robins Air Force Base, Georgia	*$3,160,000*
	Fort Campbell, Kentucky	*$13,182,000*
	Fort Knox, Kentucky	*$7,707,000*
	Fort Polk, Louisiana	*$4,950,000*
	Camp Lejeune, North Carolina	*$1,793,000*
	Fort Bragg, North Carolina	*$8,838,000*
	Quantico Marine Corps Base, Virginia	*$422,000*
Special Operations Force	*Eglin Auxiliary Field No. 9, Florida*	*$19,582,000*
	Fort Campbell, Kentucky	*$6,950,000*
	Fort Bragg, North Carolina	*$38,450,000*
	Olmstead Field, Pennsylvania	*$1,300,000*
	Little Creek Naval Amphibious Base, Virginia	*$7,500,000*

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a)(2), the Secretary of Defense may acquire real property and carry out military construction projects in the total amount of $26,113,000 for the installations and locations outside the United States, and in the

amounts for such installations and locations, set forth in the following table:

Defense Agencies: Outside the United States

Agency	Installation or location	Amount
Defense Logistics Agency	*Diego Garcia*	*$9,558,000*
	Roosevelt Roads, Puerto Rico	*$5,800,000*
Various locations	*Various classified projects*	*$10,755,000*

SEC. 2402. ENERGY CONSERVATION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a)(11), the Secretary of Defense may carry out energy conservation projects under section 2865 of title 10, United States Code.

SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 1993, for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments), in the total amount of $4,097,814,000 as follows:

(1) For military construction projects inside the United States authorized by section 2401(a), $256,902,000.

(2) For military construction projects outside the United States authorized by section 2401(b), $26,113,000.

(3) For military construction projects at Fort Sam Houston, Texas, hospital replacement, authorized by section 2401(a) of the Military Construction Authorization Act, 1987 (division B of Public Law 99–661; 100 Stat. 4034), $75,000,000.

(4) For military construction projects at Portsmouth Naval Hospital, Virginia, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Years 1990 and 1991 (division B of Public Law 101–189; 103 Stat. 1639), $211,900,000.

(5) For military construction projects at Elmendorf Air Force Base, Alaska, hospital replacement, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 1993 (division B of Public Law 102–484; 106 Stat. 2599), $135,000,000.

(6) For military construction projects at Fort Bragg, North Carolina, hospital replacement, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 1993, $195,000,000.

(7) For military construction projects at Millington Naval Air Station, Tennessee, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 1993, $5,000,000.

(8) For unspecified minor construction projects authorized by section 2805 of title 10, United States Code, $21,658,000.

(9) For contingency construction projects of the Secretary of Defense under section 2804 of title 10, United States Code, $12,200,000.

(10) For architectural and engineering services and for construction design under section 2807 of title 10, United States Code, $42,405,000.

(11) For energy conservation projects authorized by section 2402, $50,000,000.

(12) For base closure and realignment activities as authorized by title II of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526; 10 U.S.C. 2687 note), $12,830,000.

(13) For base closure and realignment activities as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note), $3,026,310,000.

(14) For military family housing functions (including functions described in section 2833 of title 10, United States Code), $27,496,000, of which not more than $22,882,000 may be obligated or expended for

the leasing of military family housing units worldwide.

(b) LIMITATION OF TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variations authorized by law, the total cost of all projects carried out under section 2401 may not exceed the total amount authorized to be appropriated under paragraphs (1) and (2) of subsection (a).

(c) LIMITATION ON OBLIGATIONS.—Funds appropriated for fiscal year 1994 pursuant to the authorization of appropriations in subsection (a)(1) may not be obligated for any of the following projects in excess of the amount set forth for such project as follows:

(1) Construction of an Army medical center at Fort Bragg, North Carolina, $160,000,000.

(2) Construction of a naval hospital at Portsmouth, Virginia, $171,900,000.

(3) Construction of the hospital at Elmendorf Air Force Base, Alaska, $98,000,000.

SEC. 2404. TERMINATION OF AUTHORITY TO CARRY OUT CERTAIN PROJECTS.

(a) FISCAL YEAR 1992 PROJECTS.—Section 2401(a) of the Military Construction Authorization Act for Fiscal

Year 1992 (division B of Public Law 102–190; 105 Stat. 1528) is amended by striking out the following items:

(1) Under the heading ''DEFENSE LOGISTICS AGENCY'', the item relating to Dayton Defense Electronic Supply Center, Ohio.

(2) Under the heading ''DEFENSE MEDICAL FACILITIES OFFICE'', the items relating to—

(A) Homestead Air Force Base, Florida; and

(B) Dallas Naval Air Station, Texas.

(b) CONFORMING AMENDMENTS.—Section 2404 of such Act (105 Stat. 1531) is amended—

(1) in subsection (a)—

(A) by striking out ''$1,680,940,000'' and inserting in lieu thereof ''$1,665,440,000''; and

(B) by striking out ''$434,500,000'' in paragraph (1) and inserting in lieu thereof ''$419,000,000''; and

(2) in subsection (c)—

(A) by inserting ''and'' in paragraph (1) after the semicolon;

(B) by striking out ''; and'' at the end of paragraph (2) and inserting in lieu thereof a period; and

(3) by striking out paragraph (3).

TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION INFRASTRUCTURE

SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of Defense may make contributions for the North Atlantic Treaty Organization Infrastructure Program as provided in section 2806 of title 10, United States Code, in an amount not to exceed the sum of the amount authorized to be appropriated for this purpose in section 2502 and the amount collected from the North Atlantic Treaty Organization as a result of construction previously financed by the United States.

SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 1993, for contributions by the Secretary of Defense under section 2806 of title 10, United States Code, for the share of the United States of the cost of projects for the North Atlantic Treaty Organization Infrastructure Program as authorized by section 2501, in the amount of $240,000,000.

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, 1993, 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, $277,051,000; and

(B) for the Army Reserve, $124,794,000.

(2) For the Department of the Navy, for the Naval and Marine Corps Reserve, $25,013,000.

(3) For the Department of the Air Force—

(A) for the Air National Guard of the United States, $233,793,000; and

(B) for the Air Force Reserve, $68,427,000.

SEC. 2602. REDUCTION IN AMOUNTS AUTHORIZED TO BE APPROPRIATED FOR RESERVE MILITARY CONSTRUCTION PROJECTS.

(a) FISCAL YEAR 1993 AUTHORIZATION.—Section 2601(2) of the Military Construction Authorization Act for Fiscal Year 1993 (division B of Public Law 102–484; 106 Stat. 2602) is amended by striking out ''$17,200,000'' and inserting in lieu thereof ''$10,700,000''.

(b) FISCAL YEAR 1992 AUTHORIZATION.—Section 2601(2) of the Military Construction Authorization Act for Fiscal Year 1992 (division B of Public Law 102–190; 105 Stat. 1534) is amended by striking out ''$56,900,000'' and inserting in lieu thereof ''$31,800,000''.

(c) FISCAL YEAR 1991 AUTHORIZATION.—Section 2601(2) of the Military Construction Authorization Act for Fiscal Year 1991 (division B of Public Law 101–510; 104 Stat. 1781) is amended by striking out ''$80,307,000'' and inserting in lieu thereof ''$78,667,000''.

(d) FISCAL YEAR 1990 AUTHORIZATIONS.—Section 2601(2) of the Military Construction Authorization Act for Fiscal Years 1990 and 1991 (division B of Public Law 101–189; 103 Stat. 1645) is amended by striking out ''$56,600,000'' and inserting in lieu thereof ''$54,250,000''.

TITLE XXVII—EXPIRATION OF AUTHORIZATIONS

SEC. 2701. EXPIRATION OF AUTHORIZATIONS AND AMOUNTS REQUIRED TO BE SPECIFIED BY LAW.

(a) EXPIRATION OF AUTHORIZATIONS AFTER THREE YEARS.—Except as provided in subsection (b), all authorizations contained in titles XXI through XXVI for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Infrastructure program (and authorizations of appropriations therefor) shall expire on the later of—

(1) October 1, 1996; or

(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 1997.

(b) EXCEPTION.—Subsection (a) shall not apply to authorizations for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Infrastructure program (and authorizations of appropriations therefor), for which appropriated funds have been obligated before the later of—

(1) October 1, 1996; or

(2) the date of the enactment of an Act authorizing funds for fiscal year 1997 for military construction projects, land acquisition, family housing projects and facilities, or contributions to the North Atlantic Treaty Organization Infrastructure program.

SEC. 2702. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 1991 PROJECTS.

(a) EXTENSIONS.—Notwithstanding section 2701(b) of the Military Construction Authorization Act for Fiscal Year 1991 (division B of Public Law 101–510, 104 Stat. 1782), authorizations for the projects set forth in the tables in subsection (b), as provided in section 2101, 2301, or 2401 of that Act and extended by section 2702(a) of the Military Construction Authorization Act for Fiscal Year 1992 (division B of Public Law 102–190; 105 Stat. 1535), shall remain in effect until October 1, 1994, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 1995, whichever is later.

(b) TABLES.—(1) The projects referred to in subsection (a) for the Army, in the total amount of $38,200,000, are as follows:

Army: Extension of 1991 Project Authorizations

State	Installation or location	Project	Amount
Maryland	Aberdeen Proving Ground	Toxicology Research Facility	$33,000,000

***Army: Extension of 1991 Project Authorizations**—Continued*

State	Installation or location	Project	Amount
Missouri	*Fort Leonard Wood*	*Child Development Center*	*$3,050,000*
Virginia	*Fort Myer*	*Child Development Center*	*$2,150,000*

1 *(2) In the projects referred to in subsection (a) for the*
2 *Air Force, in the total amount of $39,450,000, are as fol-*
3 *lows:*

Air Force: Extension of 1991 Project Authorizations

State	Installation or location	Project	Amount
Alaska	*Clear Air Force Station*	*Alter Dormitory (Phase II)*	*$5,000,000*
California	*Sierra Army Depot*	*Dormitory*	*$3,650,000*
Colorado	*Buckley Air National Guard Base*	*Child Development Center*	*$4,550,000*
Hawaii	*Hickam Air Force Base*	*Dormitory*	*$6,100,000*
	Wheeler Air Force Base	*Combat Arms Training & Maintenance Facility*	*$1,400,000*
Oklahoma	*Tinker Air Force Base*	*AWACS Aircraft Fire Protection*	*$2,750,000*
Utah	*Hill Air Force Base*	*Depot Warehouse*	*$16,000,000*

4 *(3) The project referred to in subsection (a) for Defense*
5 *Agencies, in the total amount of $9,500,000, is as follows:*

Defense Agencies: Extension of 1991 Project Authorizations

State	Installation or location	Project	Amount
Maryland	*Defense Logistics Agency, Defense Reutilization and Marketing Office, Fort Meade*	*Covered Storage*	*$9,500,000*

SEC. 2703. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 1990 PROJECTS.

(a) EXTENSIONS.—Notwithstanding section 2701(b) of the Military Construction Authorization Act for Fiscal Years 1990 and 1991 (division B of Public Law 101–189; 103 Stat. 1645), authorizations for the projects set forth in the table in subsection (b), as provided in section 2301 of that Act and extended by section 2702(a) of the Military Construction Authorization Act for Fiscal Year 1993 (division B of Public Law 102–484; 106 Stat. 2603), shall remain in effect until October 1, 1994, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 1995, whichever is later.

(b) TABLE.—The projects referred to in subsection (a) for the Air Force, in the total amount of $19,000,000, are as follows:

Air Force: Extension of 1990 Project Authorizations

State	Installation or location	Project	Amount
Colorado	Lowry Air Force Base	Computer Operations Facility	$15,500,000
	Lowry Air Force Base	Logistics support facility	$3,500,000

SEC. 2704. EFFECTIVE DATE.

Titles XXI, XXII, XXIII, XXIV, XXV, and XVI shall take effect on the later of—

(1) October 1, 1993; or

(2) the date of the enactment of this Act.

TITLE XXVIII—GENERAL PROVISIONS

Subtitle A—Military Construction Program and Military Family Housing Changes

SEC. 2801. REVISION OF MILITARY FAMILY HOUSING RENTAL AUTHORITY.

(a) ANNUAL ADJUSTMENT OF MAXIMUM LEASE AMOUNT FOR LEASES IN THE UNITED STATES.—Subsection (b) of section 2828 of title 10, United States Code, is amended by adding at the end the following:

''(4) The maximum lease amount under paragraphs (2) and (3) shall be increased on January 1 of each year by a percentage equal to the percentage by which the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics for September 30 of the preceding year exceeds the Consumer Price Index for All Urban Consumers for September of the year before such preceding year.''.

(b) INCREASED MAXIMUM LEASE AMOUNT FOR 300 LEASED UNITS IN FOREIGN COUNTRIES.—Paragraph (1) of subsection (e) of such section is amended—

(1) in the first sentence—

(A) by striking out ''Expenditures'' and inserting in lieu thereof ''(A) Except as provided

in subparagraphs (B) and (C), expenditures''; and

(B) by striking out ''from October 1, 1987'';

(2) by designating the third sentence as subparagraph (C);

(3) by inserting after subparagraph (A), as designated by paragraph (1), the following:

''(B) Expenditures for the rental of not more than 300 units of family housing in foreign countries (including the costs of utilities, maintenance, and operation) may exceed the maximum amount that, except for this subparagraph, would be applicable under subparagraph (A) but may not exceed $25,000 per unit per annum as adjusted for foreign currency fluctuations from October 1, 1987.''; and

(4) in subparagraph (C), as designated by paragraph (2), by striking out ''That maximum lease amount'' and inserting in lieu thereof ''The maximum lease amounts set forth in subparagraphs (A) and (B).''.

(c) ANNUAL ADJUSTMENT IN MAXIMUM LEASE AMOUNT FOR LEASES IN FOREIGN COUNTRIES.—Such subsection is further amended—

(1) by redesignating paragraph (2) as paragraph (3); and

(2) by inserting after paragraph (1), as so amended, the following:

''(3) The maximum lease amount under subparagraphs (A) and (B) of paragraph (1) shall be increased on January 1 of each year by a percentage equal to the percentage by which the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics for September of the preceding year exceeds the Consumer Price Index for All Urban Consumers for September of the year before such preceding year.''.

(d) CONFORMING AMENDMENT.—Section 2834(b) of title 10, United States Code, is amended by striking out ''amount may be waived by the Secretary concerned under the second sentence of section 2828(e)(1) of this title'' and inserting in lieu thereof ''amounts under section 2828(e)(1) of this title may be waived by the Secretary concerned under subparagraph (C) of such section''.

SEC. 2802. USE OF PROCEEDS OF SALE OF ELECTRICITY FROM ALTERNATE ENERGY AND COGENERATION PRODUCTION FACILITIES.

(a) AVAILABILITY OF PROCEEDS.—Section 2483(b) of title 10, United States Code, is amended by striking out the period at the end and inserting in lieu thereof the following: '' and may be used as follows:

''(1) To carry out minor military construction projects under section 2805 of this title that are designed to increase energy conservation.

''(2) To carry out military construction projects under the comprehensive energy performance plan developed by the Secretary of Defense under section 2865(a) of this title.''.

(b) USE OF PROCEEDS.—Section 2865(b)(1) of title 10, United States Code, is amended by inserting ''and the funds available under section 2483(b) of this title'' after ''subsection (d)(2),''.

(c) TECHNICAL AMENDMENTS.—Section 2865(b) of such title is amended—

(1) in paragraph (1), by striking out ''The Secretary shall provide that two-thirds'' and inserting in lieu thereof ''Two-thirds''; and

(2) in paragraph (2), by striking out ''The amount'' and inserting in lieu thereof ''The Secretary shall provide that the amount''.

SEC. 2803. ENERGY CONSERVATION MEASURES FOR THE DEPARTMENT OF DEFENSE.

Section 2865 of title 10, United States Code, is amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following new subsection (f):

''(f) REPLACEMENT OF ENERGY-INEFFICIENT SYSTEMS, OPERATIONS, AND PROCESSES.—(1) Energy conservation measures identified and accomplished under the energy performance plan developed pursuant to subsection (a) may include—

''(A) replacement of an existing energy consuming system with the best available energy-saving technology; and

''(B) replacement of an existing maintenance operation or process with a maintenance operation or process that results in energy conservation.

''(2) In paragraph (1), the term 'energy consuming system' includes—

''(A) lighting equipment;

''(B) a lighting system;

''(C) heating equipment;

''(D) a heating system;

''(E) cooling equipment;

''(F) a cooling and ventilating system;

''(G) industrial equipment; and

''(H) an industrial system.''.

SEC. 2804. AUTHORITY TO ACQUIRE EXISTING FACILITIES IN LIEU OF CARRYING OUT CONSTRUCTION AUTHORIZED BY LAW.

(a) ACQUISITION AUTHORITY.—(1) Subchapter I of chapter 169 of title 10, United States Code, is amended by adding at the end the following:

"§ 2813. Acquisition of existing facilities in lieu of authorized construction

''The Secretary concerned may acquire an existing facility (including the real property on which the facility is located) at or near a military installation instead of carrying out a military construction project authorized by law for that military installation, and may use funds appropriated for the military construction project to do so, if—

''(1) the Secretary determines that—

''(A) the acquisition of such facility satisfies the requirements of the military department concerned for the authorized military construction project; and

''(B) it is in the best interests of the United States to acquire such facility instead of carrying out the military construction project; and

''(2) the Secretary has transmitted to the Committees on Armed Services of the Senate and House of Representatives a written notification of the determination to acquire the existing facility, including

the reasons for acquiring that facility instead of carrying out the authorized military construction project.''.

(2) The table of sections at the beginning of subchapter I of such chapter is amended by adding at the end the following:

''2813. Acquisition of existing facilities in lieu of authorized construction.''.

(b) APPLICABILITY.—Section 2813 of title 10, United States Code, as added by subsection (a), shall apply with respect to projects authorized on or after the date of the enactment of this Act and to projects authorized before such date for which construction contracts have not been awarded before such date.

SEC. 2805. TREATMENT OF PARTICIPATION IN DEPARTMENT OF STATE HOUSING POOL UNDER LIMITATION ON FAMILY HOUSING RENTALS OVERSEAS.

Section 2834(b) of title 10, United States Code, as amended by section 2801(d), is further amended by striking out ''included.'' and inserting in lieu thereof ''excluded.''.

SEC. 2806. EXTENSION OF AUTHORITY TO LEASE REAL PROPERTY FOR SPECIAL OPERATIONS ACTIVITIES.

(a) EXTENSION OF EXPIRING AUTHORITY.—Section 2680(d) of title 10, United States Code, is amended by strik-

ing out ''September 30, 1993.'' and inserting in lieu thereof ''September 30, 1995.''.

(b) EXTENSION OF REPORTING REQUIREMENT.—Section 2863(b) of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (Public Law 102–190; 10 U.S.C. 2680 note) is amended by striking out ''March 1, 1993, and March 1, 1994,'' and inserting in lieu thereof ''March 1 of each of the years 1994, 1995, and 1996,''.

Subtitle B—Defense Base Closure and Realignment

SEC. 2811. MODIFICATION OF REQUIREMENT FOR REPORTS ON ACTIVITIES OF THE DEFENSE BASE CLOSURE ACCOUNT 1990.

Section 2906(c)(1) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) is amended—

(1) by inserting ''(A)'' after ''(1)''; and

(2) by adding at the end the following:

''(B) The report for a fiscal year shall include the following:

''(i) The expenditures, identified by subaccount, for each military department and Defense Agency.

''(ii) The fiscal year in which appropriations for such expenditures were made and the fiscal year in which funds were obligated for such expenditures.

"(iii) Each military construction project for which such expenditures were made, identified by installation and project title.

"(iv) A description and explanation of the extent, if any, to which obligations for military construction projects for the fiscal year differed from proposals for projects and funding levels that were included in the justification transmitted to Congress under section 2907(1), or otherwise, for the funding proposals for the Account for such fiscal year, including an explanation of—

"(I) any failure to carry out military construction projects that were proposed; and

"(II) any obligations for military construction projects that were not proposed.".

SEC. 2812. BASE CLOSURE CRITERIA.

(a) REQUIREMENT.—In developing base closure and realignment selection criteria in accordance with section 2903(b)(2)(B) of the Defense Base Closure and Realignment Act of 1990 (Public Law 101–510; 10 U.S.C. 2687 note), the Secretary of Defense shall consider whether the criteria should include the direct costs of such closures and realignments to other Federal departments and agencies.

(b) REPORT ON AMENDMENT.—(1) The Secretary shall submit to the Committees on Armed Services of the Senate

and House of Representatives a report on any criteria proposed in accordance with section 2903(b)(2)(B) of the Defense Base Closure and Realignment Act of 1990. The report shall include a discussion of the proposed criteria and include a justification for any decision not to propose a criterion regarding the direct costs of base closures and realignments to other Federal agencies and departments.

(2) The Secretary shall submit the report upon publication of the proposed criteria in accordance with section 2903(b)(2)(B) of the Defense Base Closure and Realignment Act of 1990.

SEC. 2813. LIMITATION ON EXPENDITURE OF FUNDS FROM THE DEFENSE BASE CLOSURE ACCOUNT 1990 FOR MILITARY CONSTRUCTION IN SUPPORT OF TRANSFERS OF FUNCTIONS.

(a) LIMITATION.—If the Secretary of Defense recommends to the Base Closure and Realignment Commission pursuant to section 2903(c) of the 1990 base closure Act that an installation be closed or realigned, the Secretary identifies in documents submitted to the Commission one or more installations to which a function performed at the recommended installation would be transferred, and the recommended installation is closed or realigned pursuant to such Act, then, except as provided in subsection (b) and notwithstanding any other provision of law, funds in the De-

fense Base Closure Account 1990 may not be used for military construction in support of the transfer of that function to any installation other than an installation so identified in such documents.

(b) EXCEPTION.—The limitation in subsection (a) ceases to be applicable to military construction in support of the transfer of a function to an installation on the 60th day following the date on which the Secretary submits to the Committees on Armed Services of the Senate and House of Representatives a notification of the proposed transfer that—

(1) identifies the installation to which the function is to be transferred; and

(2) includes the justification for the transfer to such installation.

(c) DEFINITION.—In this section:

(1) The term ''1990 base closure Act'' means the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note).

(2) The term ''Defense Base Closure Account 1990'' means the account established under section 2906 of the 1990 base closure Act.

SEC. 2814. EVALUATION AND REPORT ON PROPOSALS FOR PURCHASE OR LEASE OF CERTAIN FACILITIES, ARLINGTON, VIRGINIA.

(a) EVALUATION.—(1) The Secretary of the Navy shall evaluate the proposals referred to in paragraph (2) for leasing or purchasing for the Navy any of the buildings described in paragraph (3).

(2) Under paragraph (1), the Secretary shall consider proposals presented to the Secretary the proposals that were presented to the 1993 Defense Base Closure and Realignment Commission regarding the building described in paragraph (3).

(3) The buildings referred to in paragraphs (1) and (2) are buildings located in Arlington, Virginia, that are currently leased by the Navy under leases that will terminate as a result of the transfer of Navy functions from such buildings under the base closure process.

(b) REPORT.—(1) The Secretary shall submit to the congressional defense committees a report on the evaluation required under subsection (a). The report shall include the following:

(A) An assessment of the reasonableness of each proposal in light of market conditions at the time of the report.

(B) A comparison of the cost of retaining the functions referred to in subsection (a)(1) at the build-

ings referred to in that subsection through the lease or purchase of such buildings with the cost of transferring such functions in accordance with the base closure process.

(C) An assessment of the impact on the military capabilities of the Navy of retaining the Naval Systems Command in close proximity to the Pentagon.

(2) The Secretary shall submit the report not later than 180 days after the date of the enactment of this Act.

(c) DEFINITIONS.—In this section,

(1) The term ''base closure process'' means the process for selecting military installations for closure or realignment established under the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note).

(2) The term ''1993 Defense Base Closure and Realignment Commission'' means the commission appointed in 1993 under section 2902 of such Act.

SEC. 2815. RESIDUAL VALUE OF OVERSEAS INSTALLATIONS BEING CLOSED.

(a) ANNUAL REPORTS.—Subsection (a) of section 1304 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 10 U.S.C. 113 note) is amended—

(1) in paragraph (1), by inserting ''by installation'' after ''basing plan'';

(2) by striking out paragraph (3) and inserting in lieu thereof the following:

''(3) the status of negotiations, if any, between the United States and the host government as to United States claims for compensation for the fair market value of the improvements made by the United States at each installation referred to in paragraph (2), and to any claims of the host government for damages or restoration of the installation, including the representative of the United States in any such negotiations;'';

(3) by redesignating paragraph (6) as paragraph (7); and

(4) by striking out paragraph (5) and inserting in lieu thereof the following new paragraphs (5) and (6):

''(5) the cost to the United States of any improvements made at each installation referred to in paragraph (2) and the fair market value of such improvements, expressed in constant dollars based on the date of completion of the improvements;

''(6) in each case in which negotiations between the United States and a host government have re-

sulted in an agreement for the payment to the United States by the host government of the value of improvements to an installation made by the United States, the amount of such payment, the form of such payment, and the expected date of such payment; and''.

(b) OMB REVIEW OF PROPOSED SETTLEMENTS.*—Section 2921 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 2687 note) is amended by adding at the end the following:*

''(g) OMB REVIEW OF PROPOSED SETTLEMENTS.*—The Secretary of Defense may not enter into an agreement of settlement with a host country regarding the release to the host country of improvements made by the United States at facilities at an installation until the Secretary submits the proposed settlement to the Director of the Office of Management and Budget and 30 days elapse after the date of such submittal. The Director shall evaluate the overall equity of the proposed settlement. In evaluating the proposed settlement, the Director shall consider such factors as the extent of the United States capital investment in the improvements being released to the host country, depreciation, the condition of the improvements, and any applicable requirements for environmental remediation or restoration.''.*

SEC. 2816. JUSTIFICATION OF RECOMMENDATIONS FOR CLOSURE OR REALIGNMENT OF INSTALLATIONS PREVIOUSLY CONSIDERED FOR CLOSURE OR REALIGNMENT.

(a) REQUIREMENT.—(1)(A) The Secretary of Defense shall include with the recommendation of the Secretary for the closure or realignment under a base closure law of an installation referred to in subparagraph (B) the justification described in paragraph (2).

(B) An installation referred to in subparagraph (A) is any installation recommended by the Secretary of Defense for closure or realignment under a base closure law in a year before the date of the enactment of this Act and not recommended for closure or realignment by a base closure and realignment commission in its recommendations for closure and realignment in that year by reason of the failure of the Secretary's recommendation to meet the criteria or force structure plan, as the case may be, upon which the Secretary's recommendation was based.

(2) A justification referred to in paragraph (1) shall include—

(A) an explanation of—

(i) the manner, if any, in which the recommendation of the Secretary for the closure or realignment of an installation referred to in paragraph (1)(A) is the direct result of—

(I) an amendment to the criteria used by the Secretary in making the recommendation since the Secretary's previous recommendation; or

(II) changes in the force-structure plan (or other military requirements) since such previous recommendation; and

(B) the manner, if any, in which the making of such recommendation in accordance with such amendment or changes eliminates the failure referred to in paragraph (1)(B); or

(2) in the event that such recommendation is not the direct result of such amendment or changes, an explanation of the manner in which such recommendation addresses the failure referred to in paragraph (1)(B).

(b) DEFINITION.—In this section, the term ''base closure law'' means the following:

(1) The provisions of title II of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526; 10 U.S.C. 2687 note).

(2) The Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note).

SEC. 2817. EMPLOYMENT OF DEPARTMENT OF DEFENSE CIVILIAN PERSONNEL TO CARRY OUT ENVIRONMENTAL RESTORATION AT MILITARY INSTALLATIONS TO BE CLOSED.

(a) IN GENERAL.—(1) The Secretary of Defense may, in keeping with the cost saving and cleanup schedule goals of the Department of Defense with respect to the closure of military installations—

(A) provide such training to the personnel described in paragraph (2) as the Secretary determines necessary in order to qualify such personnel to carry out environmental assessment, remediation, and restoration activities (including asbestos abatement) at military installations closed or to be closed pursuant to a base closure law; and

(B) employ such personnel to carry out such activities, or require contractors engaged in carrying out such activities to employ such personnel.

(2) The personnel referred to in paragraph (1) are Department of Defense civilian personnel whose employment would be terminated (except for the employment of such personnel under paragraph (1)) by reason of the closure of a military installation pursuant to a base closure law.

(3) This subsection shall not be construed to revise or modify any requirement established under Federal or State law relating to environmental assessment, remediation, or

restoration activities at military installations referred to in paragraph (1)(A).

(b) PRIORITY IN TRAINING AND EMPLOYMENT.—The Secretary shall give priority in providing training and employment under subsection (a) to persons employed at any military installation whose closure pursuant to a base closure law will directly result in the termination of the employment of at least 1,000 Department of Defense civilian employees.

(c) FUNDING.—Notwithstanding any other provision of law, the Secretary may carry out the training and employment referred to in subsection (a) using funds available for environmental training in addition to funds in the following accounts:

(1) The Department of Defense Base Closure Account established under section 207 of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526; 10 U.S.C. 2687 note).

(2) The Department of Defense Base Closure Account 1990 established under section 2906 of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note).

(d) DEFINITION.—In this section, the term ''base closure law'' means the following:

(1) The provisions of title II of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526; 10 U.S.C. 2687 note).

(2) The Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note).

SEC. 2818. REPORTS ON COSTS OF THE CLOSURE OR REALIGNMENT OF MILITARY INSTALLATIONS.–

(a) ESTIMATED COSTS OF CLOSURES AND REALIGNMENTS.—(1) The Secretary of Defense shall submit to the congressional defense committees a report on the costs (other than costs related to environmental restoration and remediation) estimated at the time of the report of the closure or realignment of any military installation referred to in paragraph (2) under the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) as follows:

(A) Not later than 6 months after the date of the enactment of this Act, in the case of such installations approved for closure or realignment under such Act in 1991 and not closed or realigned on such date.

(B) Not later than January 1, 1995, in the case of such installations approved for closure or realignment under such Act in 1993.

(2) A military installation referred to in paragraph (1) is an installation whose closure or realignment results in the termination of employment at the installation of not less than 1,000 Department of Defense civilian employees.

(b) EXCESS COSTS.—If the costs (other than costs related to environmental restoration and remediation) to be incurred by the Secretary in carrying out the closure or realignment under a base closure law of a military installation referred to in subsection (a) exceeds by more than 50 percent the costs estimated for such closure or realignment in the cost estimate prepared by the Secretary in recommending the installation for closure or realignment—

(1) the Secretary shall notify the Comptroller General that the costs of such closure or realignment will exceed such estimated costs; and

(2) not later than 6 months after the date of such notification, the Comptroller General shall submit to such committees a detailed audit of the costs to be incurred by the Secretary in carrying out such closure or realignment, including an assessment of the reasons that such costs differed from the cost estimated for such closure or realignment in such costs estimate.

(c) ANNUAL REPORT ON EXCESS COSTS.—(1) The Secretary shall submit to the congressional defense committees an annual report on the estimated costs of activities related to the closure or realignment, as the case may be, of each installation for which the Secretary makes the determination referred to in subsection (b).

(2) Each report under paragraph (1) shall include—

(A) an estimate of the costs to be incurred by the Secretary in completing the closure or realignment, as the case may be, of the installation; and

(B) if the amount of such costs exceed the amount of estimated costs for such completion in the report on the installation submitted under this section in the previous year, an explanation of such excess.

(3) The Secretary shall submit the report required under paragraph (1) at the same time as the President submits to Congress the budget for the Department of Defense under section 1105 of title 31, United States Code. The Secretary shall submit a report for each installation referred to in that paragraph until the completion of the closure or realignment, as the case may be, of such installation.

(d) REQUIREMENT RELATING TO REPORTS.—Costs shall be expressed in each report required under this section in constant fiscal year 1993 dollars.

(e) DEFINITION.—In this section, the term ''base closure law'' means the following:

(1) The provisions of title II of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526; 10 U.S.C. 2687 note).

(2) The Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note).

SEC. 2819. CONSULTATION REQUIREMENT FOR LOCAL REUSE AUTHORITIES AND GOVERNMENTS.

Section 2905(b)(2) of the Defense Base Closure and Realignment Act of 1990 (title XXIX of Public Law 101–510; 10 U.S.C. 2687 note), as amended by section 2907, is further amended by adding at the end the following new subparagraphs (I) and (J):

''(I) Subject to subparagraph (J), the local reuse authority with respect to a military installation closed under this part, or the local government in whose jurisdiction the installation is wholly located, as the case may be, shall certify to the Secretary that such authority or government, as the case may be, has consulted in the efforts of such author-

ity or government on such plan and, to the maximum extent practicable, included in such efforts the following:

"(i) The civilian employees of the Department of Defense at such installation.

"(ii) The regional and local chambers of commerce, if any, in such vicinity of the installation.

"(iii) Appropriate representatives of any governmental entity in the region in which such installation is located, if the number of employees of such installation on the date of the approval of closure of such installation constitutes more than 5 percent of the total civilian workforce of the area under the jurisdiction of such governmental entity.

"(J)(i) The certification required under subparagraph (I) shall be submitted, in the case of installations approved for closure under this part for which no reutilization and redevelopment plan has been submitted to the Secretary on or before the date of the enactment of this Act, before the submittal of such plans for such installations.

"(ii) Each local reuse authority or local government, as the case may be, that has submitted an interim reutilization and redevelopment plan to the Secretary under this part on or before the date of the enactment of this Act shall submit a certification to the Secretary under subpara-

graph (I) before the submittal of its final reutilization and redevelopment plan.''.

Subtitle C—Land Transactions

SEC. 2831. CONVEYANCE OF NATURAL GAS DISTRIBUTION SYSTEM, FORT BELVOIR, VIRGINIA.

(a) AUTHORITY TO CONVEY.—(1) The Secretary of the Army may convey to the Washington Gas Company, Virginia (in this section referred to as ''Washington Gas Company''), all right, title, and interest of the United States in and to the natural gas distribution system described in paragraph (2).

(2) The natural distribution gas system referred to in paragraph (1) is the natural gas distribution system, located at Fort Belvoir, Virginia, consisting of approximately 15.6 miles of natural gas distribution lines and the equipment, fixtures, structures, and other improvements owned and utilized by the Federal Government at Fort Belvoir in order to provide natural gas to and distribute natural gas at Fort Belvoir. The natural gas distribution system does not include any real property.

(b) RELATED EASEMENTS.—The Secretary may grant to Washington Gas Company the following easements relating to the conveyance of the natural gas distribution system authorized by subsection (a):

(1) Such easements, if any, as the Secretary and Washington Gas Company jointly determine are necessary in order to provide access to the natural gas distribution system for maintenance, safety, and other purposes.

(2) Such rights of way appurtenant, if any, as the Secretary and Washington Gas Company jointly determine are necessary in order to satisfy requirements imposed by any Federal or State agency relating to the maintenance of a buffer zone around the natural gas distribution system.

(c) REQUIREMENT RELATING TO CONVEYANCE.—The Secretary may not carry out the conveyance of the natural gas distribution system authorized in subsection (a) unless Washington Gas Company agrees to accept the system in its existing condition at the time of the conveyance.

(d) CONDITIONS.—The conveyance of the natural gas distribution system authorized by subsection (a) is subject to the following conditions:

(1) That Washington Gas Company provide natural gas to and distribute natural gas at Fort Belvoir at a rate that is no less favorable than the rate Washington Gas Company would charge a public or private consumer of natural gas similar to Fort Belvoir for the provision and distribution of natural gas.

(2) That Washington Gas Company maintain, repair, conduct safety inspections, and conduct leak test surveys required for the natural gas distribution system.

(3) That Washington Gas Company, at no cost to the Federal Government, expand and upgrade the natural gas distribution system as necessary to meet the increasing needs of Fort Belvoir for natural gas that will result from conversion, to the extent anticipated by the Secretary at the time of conveyance, of oil-burning utilities at Fort Belvoir to natural gas-burning utilities.

(4) That Washington Gas Company comply with all applicable environmental laws and regulations (including any permit or license requirements) in providing and distributing natural gas to Fort Belvoir through the natural gas distribution system.

(5) That Washington Gas Company not commence any expansion of the natural gas distribution system without approval of such expansion by the commander of Fort Belvoir.

(e) FAIR MARKET VALUE.—The Secretary shall ensure that the value to the Army of the actions taken by Washington Gas Company in accordance with subsection (d) is at

least equal to the fair market value of the natural gas distribution system conveyed pursuant to subsection (a).

(f) REVERSION.—If the Secretary determines at any time that Washington Gas Company is not complying with the conditions set forth in subsection (d), all right, title, and interest of Washington Gas Company in and to the natural gas distribution system conveyed pursuant to subsection (a), including improvements thereto and any modifications made to the system by Washington Gas Company after such conveyance, and any easements granted under subsection (b), shall revert to the United States and the United States shall have the right of immediate possession, including the right to operate the system.

(g) DESCRIPTION OF PROPERTY.—The exact legal description of the equipment, fixtures, structures, and improvements to be conveyed under subsection (a), and of any easements granted under subsection (b), shall be determined in a manner, including by survey, satisfactory to the Secretary. The cost of any survey or other services performed at the direction of the Secretary pursuant to the authority in the preceding sentence shall be borne by Washington Gas Company.

(h) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require any additional terms and conditions in connection with the conveyance under subsection (a) and

the grant of any easement under subsection (b) that the Secretary considers appropriate to protect the interests of the United States.

SEC. 2832. CONVEYANCE OF WATER DISTRIBUTION SYSTEM, FORT LEE, VIRGINIA.

(a) AUTHORITY TO CONVEY.—(1) The Secretary of the Army may convey to the American Water Company, Virginia (in this section referred to as ''American Water Company''), all right, title, and interest of the United States in and to the water distribution system described in paragraph (2).

(2) The water distribution system described in paragraph (1) is the water distribution system located at Fort Lee, Virginia, consisting of approximately 7 miles of transmission lines, 85 miles of distribution and service lines, fire hydrants, elevated storage tanks, pumping stations, and other improvements, owned and utilized by the Federal Government in order to provide water to and distribute water at Fort Lee. The water distribution system does not include any real property.

(b) RELATED EASEMENTS.—The Secretary may grant to American Water Company the following easements relating to the conveyance of the water distribution system authorized by subsection (a):

(1) Such easements, if any, as the Secretary and American Water Company jointly determine are necessary in order to provide for access by American Water Company to the water distribution system for maintenance, safety, and related purposes.

(2) Such rights of way appurtenant, if any, as the Secretary and American Water Company jointly determine are necessary in order to satisfy requirements imposed by any Federal or State agency relating to the maintenance of a buffer zone around the water distribution system.

(c) REQUIREMENT RELATING TO CONVEYANCE.—The Secretary may not carry out the conveyance of the water distribution system authorized by subsection (a) unless Washington Gas Company agrees to accept the system in its existing condition at the time of the conveyance.

(d) CONDITIONS.—The conveyance of the water distribution system authorized in subsection (a) shall be subject to the following conditions:

(1) That American Water Company provide water to and distribute water at Fort Lee at a rate that is no less favorable than the rate American Water Company would charge a public or private consumer of water similar to Fort Lee for the provision and distribution of water.

(2) That American Water Company maintain, repair, and conduct safety inspections of the water distribution system.

(3) That American Water Company comply with all applicable environmental laws and regulations (including any permit or license requirements) in providing and distributing water at Fort Lee through the water distribution system.

(4) That American Water Company not commence any expansion of the water distribution system without approval of such expansion by the commander of Fort Lee.

(e) FAIR MARKET VALUE.—The Secretary shall ensure that the value to the Army of the actions taken by American Water Company in accordance with subsection (d) is at least equal to the fair market value of the water distribution system conveyed pursuant to subsection (a).

(f) REVERSION.—If the Secretary determines at any time that American Water Company is not complying with the conditions specified in subsection (d), all right, title, and interest of American Water Company in and to the water distribution system conveyed pursuant to subsection (a), including any improvements thereto and any modifications made to the system by American Water Company after such conveyance, and any easements granted under

subsection (b), shall revert to the United States and the United States shall have the immediate right to operate the water distribution system.

(g) DESCRIPTION OF PROPERTY.—The exact legal description of the water distribution system to be conveyed pursuant to subsection (a), including any easements granted with respect to such system under subsection (b), shall be determined in a manner, including by survey, satisfactory to the Secretary. The cost of any survey or other services performed at the direction of the Secretary pursuant to the authority in the preceding sentence shall be borne by American Water Company.

(h) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require any additional terms and conditions in connection with the conveyance under subsection (a) and the grant of any easement under subsection (b) that the Secretary considers appropriate to protect the interests of the United States.

SEC. 2833. CONVEYANCE OF WASTE WATER TREATMENT FACILITY, FORT PICKETT, VIRGINIA.

(a) AUTHORITY TO CONVEY.—The Secretary of the Army may convey to the Town of Blackstone, Virginia (in this section referred to as the ''Town''), all right, title, and interest of the United States in and to a parcel of real property consisting of approximately 11.5 acres, including a

waste water treatment facility and other improvements thereon, located at Fort Pickett, Virginia.

(b) CONDITIONS.—The conveyance authorized in subsection (a) shall be subject to the following conditions:

(1) That the Town design and carry out such expansion or improvement of the waste water treatment facility as the Secretary and the Town jointly determine necessary in order to ensure operation of the facility in compliance with all applicable Federal and State environmental laws (including any permit or license requirements).

(2) That the Town operate the waste water treatment facility in compliance with such laws.

(3) That the Town provide disposal services, waste water treatment services, and other related services to Fort Pickett at a rate that is no less favorable than the rate the Town would charge a public or private entity similar to Fort Pickett for the provision of such services.

(4) That the Town reserve 75 percent of the operating capacity of the waste water treatment facility for use by the Army in the event that such use is necessitated by a realignment or change in the operations of Fort Pickett.

(5) That the Town accept liability under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) for any environmental restoration or remediation required at the facility by reason of the provision of waste water treatment services at the facility to entities other than the Army.

(c) FAIR MARKET VALUE.—The Secretary shall ensure that the value to the Army of the actions taken by the Town in accordance with subsection (d) is at least equal to the fair market value of the waste water treatment facility conveyed pursuant to subsection (a).

(d) REVERSION.—If the Secretary determines at any time that the Town is not complying with the conditions specified in subsection (b), all right, title, and interest in and to the real property (including the waste water treatment system) conveyed pursuant to subsection (a), including any improvements thereto and any modifications made to the system by the Town after such conveyance, shall revert to the United States and the United States shall have the right of immediate entry thereon, including the right of access to and operation of the waste water treatment system.

(e) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under

subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be borne by the Town.

(f) ENVIRONMENTAL COMPLIANCE.—(1) The Town shall be responsible for compliance with all applicable environmental laws and regulations, including any permit or license requirements. The Town shall also be responsible for executing and constructing environmental improvements to the plant as required by applicable law.

(2) The Secretary, subject to the availability of appropriated funds, and the Town shall share future environmental compliance costs based on a pro rata share of reserved plant capacity as determined by the Secretary under subsection (c).

(3) The Secretary of the Army shall complete any environmental removal or remediation required under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) with respect to the facility conveyed under this section before carrying out the conveyance.

(g) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require any additional terms and conditions in connection with the conveyance authorized under subsection (a) that the Secretary considers appropriate to protect the interests of the United States.

SEC. 2834. CONVEYANCE OF WATER DISTRIBUTION SYSTEM AND RESERVOIR, STEWART ARMY SUBPOST, NEW YORK.

(a) AUTHORITY TO CONVEY.—(1) The Secretary of the Army may convey to the Town of New Windsor, New York (in this section referred to as the ''Town''), all right, title, and interest of the United States in and to the property described in paragraph (2).

(2) The property referred to in paragraph (1) is the following property located at the Stewart Army Subpost, New York:

(A) A parcel of real property consisting of approximately 7 acres, including a reservoir and improvements thereon, the site of the Stewart Army Subpost water distribution system.

(B) Any equipment, fixtures, structures, or other improvements (including any water transmission lines, water distribution and service lines, fire hydrants, water pumping stations, and other improvements) not located on the parcel described in subparagraph (A) that are owned and utilized by the Federal Government in order to provide water to and distribute water at Stewart Army Subpost.

(b) RELATED EASEMENTS.—The Secretary may grant to the Town the following easements relating to the conveyance of the property authorized by subsection (a):

(1) Such easements, if any, as the Secretary and the Town jointly determine are necessary in order to provide access to the water distribution system referred to in paragraph (2) of that subsection for maintenance, safety, and other purposes.

(2) Such rights of way appurtenant, if any, as the Secretary and the Town jointly determine are necessary in order to satisfy requirements imposed by any Federal or State agency relating to the maintenance of a buffer zone around the water distribution system.

(c) REQUIREMENT RELATING TO CONVEYANCE.—The Secretary may not carry out the conveyance of the water distribution system authorized in subsection (a) unless the Town agrees to accept the system in its existing condition at the time of the conveyance.

(d) CONDITIONS.—The conveyance authorized in subsection (a) shall be subject to the following conditions:

(1) That the Town provide water to and distribute water at Stewart Army Subpost at a rate that is no less favorable than the rate the Town would charge a public or private entity similar to Stewart Army Subpost for the provision and distribution of water.

(2) That the Town operate the water distribution system in compliance with all applicable Federal and

State environmental laws and regulations (including any permit and license requirements).

(3) That the Town not commence any expansion of the water distribution system without approval of such expansion by the commander of Stewart Army Subpost.

(e) FAIR MARKET VALUE.—The Secretary shall ensure that the value to the Army of the actions taken by the Town in accordance with subsection (d) is at least equal to the fair market value of the water distribution system conveyed pursuant to subsection (a).

(f) REVERSION.—If the Secretary determines at any time that the Town is not complying with the conditions specified in subsection (d), all right, title, and interest of the Town in and to the property (including the water distribution system) conveyed pursuant to subsection (a), including any improvements thereto and any modifications made to the water distribution system by the Town after such conveyance, shall revert to the United States and the United States shall have the right of immediate entry thereon, including the right of access to and operation of the water distribution system.

(g) DESCRIPTION OF PROPERTY.—The exact legal description of the property to be conveyed under subsection (a), and of any easements granted under subsection (b),

shall be determined in a manner, including by survey, satisfactory to the Secretary. The cost of any survey or other services performed at the direction of the Secretary pursuant to the authority in the preceding sentence, shall be borne by the Town.

(h) ENVIRONMENTAL CLEANUP.—The Secretary shall complete any environmental removal or remediation required under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) with respect to the facility conveyed under this section before carrying out the conveyance.

(i) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require any additional terms and conditions in connection with the conveyance authorized under subsection (a) and the easements granted under subsection (b) that the Secretary considers appropriate to protect the interests of the United States.

SEC. 2835. LEASE OF REAL PROPERTY, CAMP PENDLETON MARINE CORPS BASE, CALIFORNIA.

(a) AUTHORITY TO ENTER INTO LEASE.—(1) The Secretary of the Navy may lease to Tri-Cities Municipal Water District, California (in this section referred to as the ''District''), a special governmental district of the State of California, such parcels (including sub-surface portions of such parcels) of real property located in the vicinity of the lower

San Mateo Water Basin, in the northern portion of Camp Pendleton Marine Corps Base, California, as the Secretary determines will meet the requirement set forth in paragraph (2).

(2) The lease authorized in paragraph (1) shall permit the District—

(A) to develop, operate, and maintain water extraction facilities on the parcels subject to the lease; and

(B) to provide water and water distribution services for the District and for the northern portion of Camp Pendleton Marine Corps Base in a manner mutually beneficial to the District and Camp Pendleton Marine Corps Base (as jointly determined by the Secretary and the District).

(3) The lease shall be for such period not longer than 50 years as the Secretary determines to be in the best interests of the United States.

(b) CONSIDERATION.—As consideration for the lease authorized by subsection (a)—

(1) the District shall—

(A) construct, operate, and maintain on the property subject to the lease such improvements as the Secretary and the District jointly determine to be necessary in order to ensure that

water is delivered to and stored in the lower San Mateo Water Basin so as to provide a sustained source of water sufficient for the purposes of Camp Pendleton Marine Corps Base and the District; and

(B) operate and maintain the water extraction, storage, and distribution system (including any infrastructure associated with such system) located within the northern portion of Camp Pendleton Marine Corps Base; and

(2) in the event that the fair market value of the interests leased by the Secretary under subsection (a)(1) exceeds the fair market value (as so determined) of the actions taken by the District under paragraph (1) of this subsection, the District shall pay or provide in-kind services to the United States in an amount or value, as the case may be, that is equal to such excess amount.

(c) DESCRIPTION OF PROPERTY.—The exact acreages and legal descriptions of the parcels to be leased pursuant to subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of such survey shall be borne by District.

(d) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require any additional terms and conditions

in connection with the lease under subsection (a) that the Secretary considers appropriate to protect the interests of the United States.

SEC. 2836. CONVEYANCE OF ELECTRICITY DISTRIBUTION SYSTEM, FORT DIX, NEW JERSEY.

(a) AUTHORITY TO CONVEY.—(1) The Secretary of the Army may convey to the Jersey Central Power and Light Company, New Jersey (in this section referred to as ''Jersey Central''), all right, title, and interest of the United States in and to the electricity distribution system described in paragraph (2).

(2) The electricity distribution system referred to in paragraph (1) is the electricity distribution system located at Fort Dix, New Jersey, consisting of approximately 145.6 miles of electricity distribution lines, electricity poles, transformers, electricity substations, and other electricity distribution improvements owned and utilized by the Federal Government in order to provide electricity to and distribute electricity at Fort Dix. The electricity distribution system does not include any real property.

(b) RELATED EASEMENTS.—The Secretary may grant to Jersey Central the following easements relating to the conveyance of the electricity distribution system authorized by subsection (a):

(1) Such easements, if any, as the Secretary and Jersey Central jointly determine are necessary in order to provide for the access by Jersey Central to the electricity distribution system for maintenance, safety, and related purposes.

(2) Such rights of way appurtenant, if any, as the Secretary and Jersey Central jointly determine are necessary in order to satisfy the requirements imposed by any Federal or State agency relating to the maintenance of a buffer zone around the electricity distribution system.

(c) REQUIREMENT RELATING TO CONVEYANCE.—The Secretary may not carry out the conveyance of the electricity distribution system authorized by subsection (a) unless Jersey Central agrees to accept the system in its existing condition at the time of the conveyance.

(d) CONDITIONS.—The conveyance of the electricity distribution system authorized in subsection (a) shall be subject to the following conditions:

(1) That Jersey Central provide electricity to and distribute electricity at Fort Dix at a rate that is no less favorable than the rate Jersey Central would charge a public or private consumer of electricity similar to Fort Dix for the provision and distribution of electricity.

(2) That Jersey Central carry out safety upgrades to permit the distribution system to carry electricity at up to 13,800 volts.

(3) That Jersey Central improve the electricity distribution system by installing additional lightning protection devices in such a manner as to permit the installation of air conditioning in family housing units.

(4) That Jersey Central maintain and repair, and conduct safety inspections and power factor surveys, of the electricity distribution system.

(5) That Jersey Central comply with all applicable environmental laws and regulations (including any permit or license requirements) in providing and distributing electricity at Fort Dix through the electricity distribution system.

(6) That Jersey Central not commence any expansion of the electricity distribution system without approval of such expansion by the commander of Fort Dix.

(e) FAIR MARKET VALUE.—The Secretary shall ensure that the value to the Army of the actions taken by Jersey Central in accordance with subsection (d) is at least equal to the fair market value of the electricity distribution system conveyed pursuant to subsection (a).

(f) REVERSION.—If the Secretary determines at any time that Jersey Central is not complying with the conditions specified in subsection (d), all right, title, and interest of Jersey Central in and to the electrical distribution system conveyed pursuant to subsection (a), including any improvements thereto and any modifications made to the system by Jersey Central after such conveyance, and any easements granted under subsection (b), shall revert to the United States and the United States shall have the right of immediate entry thereon, including the right to operate the electricity distribution system.

(g) DESCRIPTION OF PROPERTY.—The exact legal description of the electricity distribution system to be conveyed pursuant to subsection (a), and of any easements granted under subsection (b), shall be determined in a manner, including by survey, satisfactory to the Secretary. The cost of any survey or other services performed at the direction of the Secretary pursuant to the authority in the preceding sentence shall be borne by Jersey Central.

(h) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require any additional terms and conditions in connection with the conveyance under subsection (a) and the grant of any easement under subsection (b) that the Secretary considers appropriate to protect the interests of the United States.

SEC. 2837. MODIFICATION OF TERMINATION OF LEASE AND SALE OF FACILITIES, NAVAL RESERVE CENTER, ATLANTA, GEORGIA.

(a) CONSIDERATION.—Subsection (b) of section 2846 of the Military Construction Authorization Act for Fiscal Year 1993 (division B of Public Law 102–484; 106 Stat. 2623) is amended by striking out ''aggregate'' and all that follows through ''subsection (a)(2)'' and inserting in lieu thereof ''lesser of the cost of expanding the Marine Corps Reserve Center to be constructed at Dobbins Air Force Base, Georgia, in accordance with subsection (c)(1), or $3,000,000''.

(b) USE OF FUNDS.—Subsection (c) of such section is amended—

(1) by striking out paragraph (2);

(2) in paragraph (1), by striking out ''(1)(A) Subject to the availability of appropriations for this purpose and subparagraph (B),'' and inserting in lieu thereof ''(1) Subject to paragraph (2),'';

(3) by redesignating subparagraph (B) as paragraph (2); and

(4) in paragraph (2), as so designated, by striking out ''subparagraph (A)'' and inserting in lieu thereof ''paragraph (1)''.

(c) LEASEBACK OF FACILITIES.—Such section 2846 is further amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection (d):

''(d) LEASEBACK OF FACILITIES.—The Secretary may lease from the Institute, at fair market rental value, the facilities referred to in subsection (a)(2) after the sale of such facilities referred to in that subsection. The term of such lease may not exceed 2 years.''.

SEC. 2838. CONVEYANCE OF RADAR BOMB SCORING SITE, CONRAD, MONTANA.

(a) CONVEYANCE.—The Secretary of the Air Force may convey, without consideration, to the City of Conrad, Montana (in this section referred to as the ''City''), all right, title, and interest of the United States in and to the parcel of real property consisting of approximately 42 acres located in Conrad, Montana, which has served as a support complex, recreational facilities, and family housing for the Radar Bomb Scoring Site, Conrad, Montana, together with any improvements thereon.

(b) CONDITION OF CONVEYANCE.—The conveyance authorized under subsection (a) shall be subject to the condition that the City—

(1) utilize the property and recreational facilities conveyed under that subsection for housing and recreation purposes; or

(2) enter into an agreement with an appropriate public or private entity to lease such property and facilities to that entity for such uses.

(c) REVERSION.—If the Secretary determines at any time that the property conveyed under subsection (a) is not being utilized in accordance with subsection (b) all right, title, and interest in and to the property conveyed pursuant to such subsection (a), including any improvements thereon, shall revert to the United States and the United States shall have the right of immediate entry onto the property.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property conveyed under this section shall be determined by a survey satisfactory to the Secretary. The cost of such survey shall be borne by the City.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under this section as the Secretary determines appropriate to protect the interests of the United States.

SEC. 2839. FINANCIAL ASSISTANCE FOR IMPROVEMENT OF DYSART CHANNEL, LUKE AIR FORCE BASE, ARIZONA.

(a) ASSISTANCE AUTHORIZED.—The Secretary of the Air Force may provide financial assistance, out of any funds available for the Air Force for fiscal years after fiscal year 1993, to the Flood Control District of Maricopa County, Arizona (in this section referred to as ''the Flood Control District''), in order to assist the Flood Control District in widening Dysart Channel and making such other improvements of Dysart Channel that the Secretary and the Flood Control District jointly determine are necessary to prevent the flooding of Luke Air Force Base, Arizona.

(b) MAXIMUM AMOUNT.—The total amount of the financial assistance provided under this section may not exceed the lesser of—

(1) an amount equal to 50 percent of the total cost (as determined by the Secretary) of widening Dysart Channel and making the other improvements referred to in subsection (a); or

(2) $6,000,000.

(c) CONSIDERATION.—As consideration for the financial assistance provided pursuant to subsection (a), the Flood Control District shall convey to the United States all right, title, and interest of the Flood Control District in and to the real property, if any, acquired by the Flood Con-

trol District in widening Dysart Channel and making the other improvements referred to in subsection (a).

(d) ASSISTANCE AGREEMENT.—The Secretary may not provide the financial assistance referred to in subsection (a) unless—

(1) the Secretary and the Flood Control District enter into an agreement allocating between the Air Force and the Flood Control District the costs of widening Dysart Channel and making the other improvements referred to in subsection (a);

(2) the Flood Control District agrees to hold harmless, defend, and indemnify in full the Air Force, and any of its officers, members, employees, or agents, from and against any suit, claim, demand or action, liability, judgment, cost, or other fee arising out of the actions taken by the Flood Control District in widening Dysart Channel and making the other improvement referred to in subsection (a); and

(3) the Flood Control District agrees not to acquire any real property in widening Dysart Channel and making the other improvements referred to in subsection (a) without the advance approval of the Secretary.

(e) PROJECT DESIGN AND EXECUTION.—The Flood Control District shall establish the requirements applicable

to widening Dysart Channel and making the other improvements referred to in subsection (a) and shall undertake responsibility for the timely execution of such widening and other improvements.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the financial assistance provided under this section as the Secretary determines appropriate to protect the interests of the United States.

SEC. 2840. LAND CONVEYANCE, BROWARD COUNTY, FLORIDA.

(a) LAND CONVEYANCE.—The Secretary of the Navy may convey to Broward County, Florida (in this section referred to as the ''County''), all right, title, and interest of the United States in and to a parcel of real property, including improvements thereon, consisting of approximately 18.45 acres and comprising a portion of Fort Lauderdale-Hollywood International Airport, Florida.

(b) CONSIDERATION.—The County shall provide the United States with consideration for the conveyance under subsection (a) that is equal to at least the fair market value of the property conveyed. The County may provide that consideration by either of the following methods, as elected by the County:

(1) Constructing (or paying the costs of constructing) at a location selected by the Secretary within Broward County, Florida, a suitable facility to replace the improvements conveyed under subsection (a).

(2) Paying to the United States an amount equal to the fair market value of the parcel of property conveyed under subsection (a).

(c) REQUIREMENT RELATING TO ELECTION.—If the County elects to construct (or pay the costs of construction) of a replacement facility under subsection (b)(1), the County shall pay to the United States the amount, if any, by which the fair market value of the property conveyed under subsection (a) exceeds the fair market value of the replacement facility.

(d) REPLACEMENT FACILITY.—If the County elects to pay the fair market value of the real property under subsection (b)(2) as consideration for the conveyance authorized under subsection (a), the Secretary shall use the amount paid by the County to construct a suitable facility to replace the improvements conveyed under subsection (a).

(e) USE OF PROCEEDS.—The Secretary shall deposit any amount paid to the United States under this section and not used for the purposes of constructing a replacement facility under subsection (d) in the account established

under section 204(h) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 485(h)).

(f) DETERMINATION OF FAIR MARKET VALUE.—The Secretary shall determine the fair market value of the parcel of real property to be conveyed under subsection (a) and of the improvements, if any, constructed under subsection (b)(1). Such determination shall be final.

(g) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the parcel of real property to be conveyed under subsection (a) shall be determined by surveys that are satisfactory to the Secretary. The cost of the surveys shall be borne by the County.

(h) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require any additional terms and conditions in connection with the conveyance under subsection (a) that the Secretary considers appropriate to protect the interests of the United States.

SEC. 2841. LAND TRANSFER, WOODBRIDGE RESEARCH FACILITY, VIRGINIA.

(a) REQUIREMENT OF TRANSFER.—Notwithstanding any other provision of law, the Secretary of the Army shall transfer, without reimbursement, to the Department of the Interior, a parcel of real property consisting of approximately 580 acres and comprising the Harry Diamond Army Research Laboratory, Woodbridge Research Facility,

Virginia, together with any improvements thereon. The transfer shall occur no later than September 30, 1994.

(b) USE OF TRANSFERRED PROPERTY.—The Secretary of the Interior shall incorporate the real property transferred under subsection (a) into the Marumsco National Wildlife Refuge, Virginia.

(c) ENVIRONMENTAL RESPONSIBILITY.—The Secretary of the Army shall retain responsibility for any environmental restoration or remediation required at the real property transferred under subsection (a).

SEC. 2842. LAND CONVEYANCE, CHARLESTON, SOUTH CAROLINA.

(a) IN GENERAL.—The Secretary of the Navy may convey to the Division of Public Railways, South Carolina Department of Commerce (in this section referred to as the ''Railway'') all right, title and interest of the United States in and to a parcel of real property consisting of approximately 10.9 acres and comprising a portion of the Charleston Naval Weapons Station South Annex, North Charleston, South Carolina.

(b) CONSIDERATION.—(1) As consideration for the conveyance under subsection (a) the Railway shall pay to the United States on amount equal to the fair market value of the property as determined by the Secretary.

(c) USE OF PROCEEDS.—The Secretary may use the proceeds received from the sale of property authorized by this section to pay for the cost of any environmental restoration of the property being conveyed. Any proceeds which remain after any necessary environmental restoration has been completed shall be deposited in the special account established pursuant to section 204(h) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 485(h)).

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of such survey shall be borne by the Railway.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance authorized by subsection (a) as the Secretary considers to be necessary to protect the interests of the United States.

SEC. 2843. AVAILABILITY OF SURPLUS MILITARY EQUIPMENT.

The Secretary of Defense shall make his best effort to make available surplus military equipment scheduled for retirement or disposal owing to military downsizing, base closure or realignment to communities suffering economic

hardships from the closure of a military base, if such equipment is important to the economic development efforts of those communities, and if such equipment does not have an alternative military use.

SEC. 2844. CONVEYANCE OF LAND IN FORT MISSOULA, MONTANA.

(a) LAND USE DETERMINATION.—Not later than 30 days after the date of enactment of this Act, the Secretary of the Army shall determine whether a parcel of land consisting of approximately 11 acres, and improvements thereon, located in Fort Missoula, Missoula County, Montana, is excess to the needs of the Department of the Army.

(b) AUTHORIZATION.—If the Secretary determines that the property identified in subsection (a) is excess to the needs of the Department of the Army, the Secretary may, subject to subsection (c), convey to the Northern Rockies Heritage Center, a nonprofit corporation incorporated in the State of Montana, all right, title, and interest of the United States to such property.

(c) CONDITIONS.—The conveyance authorized in subsection (b) shall be subject to the conditions that—

(1) the property conveyed may be used only for historic, cultural, or educational purposes;

(2) the Northern Rockies Heritage Center shall enter into an agreement with the Secretary of Agri-

culture concerning the use of the property by the Department of Agriculture;

(3) the Northern Rockies Heritage Center shall indemnify the United States against all liability in connection with any hazardous materials, substances, or conditions that may be found on the property; and

(4) the Northern Rockies Heritage Center shall, prior to the conveyance and for the first year of operation of the Northern Rockies Heritage Center after the conveyance, establish, to the satisfaction of the Secretary of the Army, that it has the ability to maintain the property described in subsection (a) for the purposes described in paragraph (1).

(d) REVERSIONARY INTEREST.—If the property conveyed pursuant to subsection (b) is used for purposes other than those specified in subsection (c)(1), all right, title, and interest to and in the property shall revert to the United States at no cost to the United States, which shall have immediate right of entry on the land.

(e) DESCRIPTION.—The exact acreage and legal description of the property conveyed under subsection (b) shall be determined by surveys that the Secretary determines are satisfactory. The Northern Rockies Heritage Center shall pay the cost of any survey required by the Secretary.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may establish such additional terms and conditions for the conveyance as the Secretary considers appropriate to protect the interests of the United States.

(g) CONGRESSIONAL NOTIFICATION.—If the Secretary determines that the property identified in subsection (a) is not excess to the needs of the Department of the Army, the Secretary shall notify Congress in writing of the plans of the Department of the Army for maintaining and utilizing the property. Such notification shall be made not later than 60 days after the date of enactment of this Act.

SEC. 2845. LAND TRANSFER, FORT SHERIDEN, ILLINOIS AND ARLINGTON COUNTY, VIRGINIA.

The Secretary of Defense shall review, and shall provide a report of such review to the Committees on Armed Services of the Senate and the House of Representatives not later than September 24, 1993, a proposed transfer of lands under the control of the Secretary of the Army, and lands under the control of the Secretary of the Navy, located at Fort Sheridan, Illinois, for a parcel of real estate, consisting of approximately 7.1 acres, located in Arlington County, Virginia and commonly known at the ''Twin Bridges'' parcel, including the proposal to utilize the ''Twin Bridges'' parcel for the purpose of constructing and operating the National Museum of the United States Army, utilizing solely

donated funds for the construction and operation of such museum.

Subtitle D—Other Matters

SEC. 2851. REPORTS ON ECONOMIC AND ENVIRONMENTAL EFFECTS OF TRANSFER OF MINE WARFARE CENTER OF EXCELLENCE.

(a) SUBMITTAL OF EIS.—The Secretary of the Navy shall, upon completion of the environmental impact statement with respect to the construction and operation of the Mine Warfare Center of Excellence at Ingleside, Texas, submit a copy of such environmental impact statement to the congressional defense committees.

(b) MATTERS TO BE COVERED IN EIS.—The Secretary shall ensure that the environmental impact statement referred to in subsection (a) includes an analysis of the environmental impact of the construction and operation at Ingleside, Texas, of the following Mine Warfare Center of Excellence facilities:

(1) A magnetic silencing facility.

(2) A small boat pier.

(3) A support pier for a helicopter and sled.

(4) A drill-mine field for mine warfare training.

(c) ECONOMIC ASSESSMENT.—At the same time that the Secretary submits the environmental impact statement under subsection (a), the Secretary shall submit to the con-

gressional defense committees an assessment by the Secretary of the cost to the Navy of consolidating the Navy mine warfare forces at Ingleside, Texas. The report shall include a comparison of such cost with the cost of consolidating such forces at alternative locations.

(d) SUSPENSION OF CERTAIN ACTIVITIES PENDING RECEIPT OF REPORT AND ASSESSMENT.—(1) The Secretary may not take any action after July 31, 1993, to relocate any of the Navy mine warfare forces to Ingleside, Texas, until 60 days after the date of the submittal of the environmental impact statement under subsection (a) and the economic assessment under subsection (c).

(2) Paragraph (1) does not apply to the relocation of Navy mine countermeasure ships.

SEC. 2852. PROHIBITION ON USE OF FUNDS FOR PLANNING AND DESIGN FOR DEPARTMENT OF DEFENSE VACCINE PRODUCTION FACILITY.

(a) PROHIBITION.—None of the funds authorized to be appropriated for the Department of Defense for fiscal year 1994 may be obligated for architectural and engineering services or for construction design in connection with the Department of Defense vaccine production facility.

(b) REPORT.—Not later than February 1, 1994, the Secretary of Defense, in consultation with the Secretary of the Army, shall submit to the congressional defense commit-

tees a report containing a complete explanation of the necessity for constructing within the United States a Department of Defense facility for the production of vaccine for the Department of Defense.

SEC. 2853. GRANT RELATING TO ELEMENTARY SCHOOL FOR DEPENDENTS OF DEPARTMENT OF DEFENSE PERSONNEL, FORT BELVOIR, VIRGINIA.

(a) GRANT AUTHORIZED.—The Secretary of the Army may make a grant to the Fairfax County School Board, Virginia, in order to assist the School Board in constructing a public elementary school facility, to be owned and operated by the School Board, in the vicinity of Fort Belvoir, Virginia.

(b) CAPACITY REQUIREMENT.—The school facility constructed with the grant made under subsection (a) shall be sufficient (as determined by the Secretary) to accommodate the dependents of members of the Armed Forces assigned to duty at Fort Belvoir and the dependents of employees of the Department of Defense employed at Fort Belvoir.

(c) MAXIMUM AMOUNT OF GRANT.—The amount of the grant under this section may not exceed $8,000,000.

(d) REQUIREMENTS RELATING TO CONSTRUCTION OF SCHOOL.—(1) The Fairfax County School Board shall establish the design and function specifications applicable to

the elementary school facility constructed with the grant made under this section.

(2) The Fairfax County School Board shall be responsible for soliciting bids and awarding contracts for the construction of the school facility and shall undertake responsibility for the timely construction of the school facility under such contracts.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require any additional terms and conditions in connection with the grant authorized under subsection (a) that the Secretary considers appropriate to protect the interests of the United States.

SEC. 2854. ALLOTMENT OF SPACE IN FEDERAL BUILDINGS TO CREDIT UNIONS.

Section 124 of the Federal Credit Union Act (12 U.S.C. 1770) is amended in the first sentence—

(1) by striking out ''at least 95 per centum'' and all that follows through ''and the members of their families,''; and

(2) by striking out ''allot space to such credit union'' and all that follows through the period and inserting in lieu thereof ''allot space to such credit union without charge for rent or services if at least 95 per centum of the membership of the credit union to be served by the allotment of space is composed of

persons who either are presently Federal employees or were Federal employees at the time of admission into the credit union, and members of their families, and if space is available.''.

SEC. 2855. STUDY OF EFFECTS OF AIR FORCE ACTIVITIES ON DUCK VALLEY RESERVATION.

(a) STUDY.—The Secretary of the Air Force shall carry out a study to determine—

(1) the effects on Air Force operations of a requirement that overflights of the Duck Valley Reservation of the Shoshone-Paiute Tribes occur no lower than 15,000 feet above ground level of such reservation;

(2) the effects on such operations of a requirement that no military activities occur within such reservation or the area within 15 miles of the boundary of such reservation; and

(3) whether such operations can be carried out within the areas referred to in paragraph (2) in accordance with the following:

(A) The provisions of the National Historic Preservation Act (16 U.S.C. 470 et seq.).

(B) The provisions of the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.).

(b) REPORT.—The Secretary shall submit to Congress the report required under subsection (a) not later than 120 days after the date of the enactment of this Act.

SEC. 2856. DISPOSITION OF REAL PROPERTY AT MISSILE SITES TO ADJACENT LANDOWNERS.

Section 9781 of title 10, United States Code, is amended—

(1) in subsection (a)(1), by substituting ''Administrator of General Services'' for ''Secretary of the Air Force'';

(2) in subsection (a)(2), by striking out subparagraph (D) and inserting in lieu thereof the following:

''(D) is surrounded by lands that are adjacent to such tract and that—

''(i) are owned in fee simple by one owner, either individually or by more than one person jointly, in common, or by the entirety; or

''(ii) are owned separately by two or more owners.''; and

(3) in subsection (b)—

(A) by inserting ''(1)'' after ''(b)''; and revising the single paragraph thereof to read as follows:

''(b)(1) The Administrator shall convey, for fair market value, the interest of the United States in any tract of

land referred to in subsection (a) or in any easement in connection with any such tract of land to any person or persons described in paragraph (a)(2)(D)(i) who, with respect to such land, are ready, willing, and able to purchase such interest for the fair market value of such interest. Whenever such interest of the United States is available for purchase under this section, the Administrator shall transmit a notice of the availability of such interest to each such person or persons.''.

(B) by adding at the end the following new paragraph:

''(2)(A) In the case of a tract of land surrounded by lands that are adjacent to such tract and are owned separately by two or more owners, the Administrator shall dispose of that tract of land in accordance with this paragraph.

''(B) The Administrator shall conduct a sealed bid competitive sale at which all of such owners are afforded the opportunity to compete to acquire the interest of the United States in such tract. The Administrator shall restrict to the owners of the adjacent lands the opportunity to compete in the sealed bid competitive sale.

''(C) Subject to paragraph (C), the Administrator shall convey the interest of the United States in the tract to the highest bidder.

''(D) The Administrator shall satisfy the requirements of paragraph (1) regarding notice, fair market value, and the qualifications of the purchaser in disposing of the tract in accordance with the results of the sealed bid competitive sale.

''(E) If all bids received by the Administrator pursuant to subparagraph (A) are less than the fair market value of the tract of land, the tract of land shall be disposed of in accordance with the provisions of title II of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 481 et seq.).''.

(4) In subsection (c), by substituting ''Administrator'' for ''Secretary'';

(5) In subsection (e), by substituting ''Secretary of the Air Force'' for ''Secretary'' as it first appears in the subsection and by substituting ''Administrator'' for ''Secretary'' as it last appears in the subsection; and

(6) In subsection (f), by substituting ''Administrator'' for ''Secretary''.

TITLE XXIX—BASE CLOSURE ASSISTANCE

SEC. 2901. SHORT TITLE.

This title may be cited as the ''Base Closure Communities Act of 1993''.

SEC. 2902. FINDINGS.

Congress makes the following findings:

(1) The closure and realignment of military installations within the United States is a necessary consequence of the end of the Cold War and of changed United States national security requirements.

(2) A military installation is a significant source of employment for many communities, and the closure or realignment of an installation may cause economic hardship for such communities.

(3) It is in the interest of the United States that the Federal Government facilitate the economic recovery of communities that experience adverse economic circumstances as a result of the closure or realignment of a military installation.

(4) The Federal Government may facilitate the economic recovery of a community by preventing or reducing the loss of jobs that might otherwise occur as a result of such a closure or realignment.

(5) It is in the interest of the United States that the Federal Government work with communities that experience adverse economic circumstances as the result of the closure of military installations to identify and implement means of reutilizing or redeveloping such installations in a beneficial manner.

(6) The Federal Government may provide such assistance by accelerating environmental restoration at military installations to be closed, and by closing such installations, in a manner that best ensures the beneficial reutilization or redevelopment of such installations by such communities.

(7) The Federal Government may best ensure such reutilization and redevelopment by making available real and personal property of the closing military installations to communities affected by such closures on a timely basis, and, if appropriate, at less than fair market value.

SEC. 2903. PROHIBITION ON TRANSFER OF CERTAIN PROPERTY LOCATED AT MILITARY INSTALLATIONS TO BE CLOSED.

Section 2905(b)(2) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) is amended—

(1) in subparagraph (A), by striking out ''Subject to subparagraph (C),'' and inserting in lieu thereof ''Subject to subparagraphs (C), (F), and (G),''; and

(2) by adding at the end the following:

''(F)(i) Not later than 6 months after the date of approval of closure of an installation, the Secretary of Defense

shall, in consultation with the local reuse authority recognized and funded by the Secretary, identify the items (or categories of items) of personal property related to real property on that installation that is anticipated to be included in a reutilization and redevelopment plan with respect to such installation. Such items may include common use items.

"(ii) If no local reuse authority recognized and funded by the Secretary exists with respect to a military installation referred to in clause (i), the Secretary shall consult with—

"(I) the local government in whose jurisdiction the installation is wholly located; or

"(II) a local government agency or State government agency designated for the purpose of such consultation by the chief executive office of that State.

"(iii) Except as provided in clauses (vi) and (vii), the Secretary of Defense may not carry out any of the activities referred to in clause (iv), until the earlier of—

"(I) one week after the date on which the reutilization and redevelopment plan, if any, for the installation is submitted to the Secretary by the local reuse authority;

"(II) the date on which the local reuse authority notifies the Secretary that it will not submit a plan referred to in subclause (I);

"(III) twenty-four months after the date of approval of closure or realignment of the installation; or

"(IV) ninety days before the closure of the installation.

"(iv) The activities referred to in clause (iii) are activities relating to the closure of a military installation as follows:

"(I) The transfer from the installation of items of personal property identified in accordance with clause (i).

"(II) The reduction in maintenance and repair of facilities or equipment of the installation below levels required to support the use of such facilities or equipment for nonmilitary purposes.

"(v) The Secretary may not transfer items of personal property on an installation to be closed or realigned under this part to another installation, or dispose of such items, if they are identified in a reutilization and redevelopment plan for the installation submitted to the Secretary by a local reuse authority as items essential to the reuse of the installation.

''(vi) This subparagraph shall not apply to any personal property—

''(I) that is required for the operation of a unit or weapons system being transferred to another installation;

''(II) that is uniquely military in character, and has no civilian use (other than use for its material content or as a source of commonly used components); or

''(III) that the local reuse authority agrees is not required in connection with the reutilization or redevelopment of an installation to be closed.

''(vii) Notwithstanding clauses (iii) and (v), the Secretary may carry out any of the activities referred to in clauses (iv) and (v) if the Secretary determines that such activities are in the national security interest of the United States.''.

SEC. 2904. AUTHORITY TO TRANSFER PROPERTY AT CLOSED OR REALIGNED INSTALLATIONS TO AFFECTED COMMUNITIES AND STATES.

Section 2905(b)(2) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note), as amended by section 2903, is further amended by adding at the end the following:

"(G)(i) The Secretary of Defense may, under regulations prescribed by the Secretary that set forth guidelines for determining consideration, transfer real property or facilities and any personal property related thereto (including common use items of personal property) located at a military installation to be closed or realigned under this part to—

"(I) the redevelopment authority of a community that is located near the installation, if such redevelopment authority is authorized to accept the transfer;

"(II) the redevelopment authority of the State in which the installation is located, if such redevelopment authority is authorized to accept the transfer; or

"(III) any other public entity selected for such transfer by the Secretary.

"(ii) The transfer under this subparagraph may be for consideration, without consideration, for consideration in kind, or for consideration at or below the fair market value of the real property, facilities, or personal property transferred.

"(iii) The transfer under clause (i) may not take place until the redevelopment authority or other public entity selected by the Secretary for the transfer has taken into consideration in the reutilization and redevelopment plan for the military installation to be closed or realigned the needs

of the homeless in the community or communities affected by such closure and has reasonably provided for such needs in such plan. All transfers shall be in accord with section 120(h) of CERCLA.''.

SEC. 2905. AUTHORITY TO LEASE CERTAIN PROPERTY AT INSTALLATIONS TO BE CLOSED.

(a) LEASE AUTHORITY.—(1) Section 2667(f) of title 10, United States Code, is amended by inserting ''or local reuse authorities recognized by the Secretary of Defense'' after ''governments''.

(2) Section 2667 of such title is amended by adding at the end the following:

''(g)(1) Notwithstanding paragraph (3) of subsection (a) and title II of the Federal Property and Administrative Service Act of 1949 (40 U.S.C. 481 et seq.), whenever the Secretary of a military department concerned considers it advantageous to the United States, the Secretary concerned may lease to any lessee, upon any terms that the Secretary concerned considers appropriate, any real and related personal property (including common use items of personal property) that is located at a military installation that has been selected for closure under the following provisions of law:

''(A) The provisions of title II of the Defense Authorization Amendments and Base Closure and Re-

alignment Act (Public Law 100–526; 10 U.S.C. 2687 note).

"(B) The Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note).

"(2)(A) The Secretary concerned may provide, in the case of the lease of property referred to in paragraph (1), for the payment (in cash or kind) by the lessee of consideration in an amount that is less than the fair market rental of the leasehold interest. Services relating to the protection and maintenance of the property leased may constitute all or part of such consideration.

"(B) The term of a lease under this paragraph may be for such number of years as the Secretary concerned determines appropriate.

"(C) A lease under this paragraph may include an option to purchase the property subject to the lease. Such option shall be exercisable upon the termination of the lease and shall be for a price, fixed in the lease, that the Secretary concerned considers likely to represent fair market value of the property subject to the option at the anticipated date of termination of the lease. The exercise of such option shall be in accordance with section 120(h) of CERCLA.

"(3) Before entering into any lease under this subsection, the Secretary shall consult with the Administrator

of the Environmental Protection Agency in order to determine whether the environmental conditions at the property proposed for leasing permit the lease of the property. The Secretary and the Administrator shall enter into a memorandum of understanding setting forth procedures for carrying out the determinations under this paragraph.

''(4)(A) The Secretary of Defense shall, in regulations prescribed by the Secretary, permit the payment by the Secretary concerned of the administrative costs (including any administrative costs of the Department of Defense or of contractors of the department) relating to the entry of a lessee described in subparagraph (B) into a lease under this subsection.

''(B) A lessee referred to in subparagraph (A) is any lessee whose financial circumstances are such that the payment of costs under this paragraph is necessary to facilitate the entry of the lessee into the lease.

''(C) The regulations prescribed under this paragraph shall provide for determining whether a lessee is entitled to the payment of costs under this paragraph.''.

(b) CONFORMING AMENDMENTS.—(1) The section heading of section 2667 of title 10, United States Code, is amended to read as follows:

"§ 2667. Leases: non-excess property; property at installations to be closed".

(2) The table of sections at the beginning of chapter 159 of such title is amended by striking out the item relating to section 2667 and inserting in lieu thereof the following:

''2667. Leases: non-excess property; property at installations to be closed.''.

(c) REGULATIONS.—The Secretary of Defense shall prescribe the regulations referred to in section 2667(g)(3)(A) of title 10, United States Code (as added by subsection (a)), not later than 30 days after the date of the enactment of this Act.

SEC. 2906. DELEGATION OF AUTHORITY TO ENTER INTO LEASES OF CERTAIN PROPERTY.

The Secretary of Defense shall, in regulations prescribed by the Secretary, provide for the delegation of the authority of the Secretary to enter in leases under section 2667(g) of title 10, United States Code (as amended by section 2905(a)). The regulations shall specify one or more officials to whom such authority shall be delegated. The Secretary shall prescribe such regulations not later than 30 days after the date of the enactment of this Act.

SEC. 2907. EXPEDITED DETERMINATION OF TRANSFERABILITY OF EXCESS PROPERTY OF INSTALLATIONS TO BE CLOSED.

(a) EXPEDITED DETERMINATION OF TRANSFERABILITY.—Section 2905(b)(2) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note), as amended by section 2904, is further amended by adding at the end the following:

"(H)(i) Except as provided in clause (ii), the Secretary of Defense shall take such actions as the Secretary determines necessary to ensure that final determinations under subsection (b)(1) regarding whether another department or agency of the Federal Government has identified a use for any portion of an installation to be closed under this part, or will accept transfer of any portion of such installation, are made not later than 6 months after the date of approval of closure of that installation.

"(ii) The Secretary may, in consultation with the local reuse authority with respect to an installation, postpone the making of the final determinations referred to in clause (i) with respect to the installation for such period as the Secretary determines appropriate if the Secretary determines that such postponement is in the best interests of the communities affected by the closure of the installation.".

(b) APPLICABILITY.—The Secretary of Defense shall make the determination required under section 2905(b)(2)(H) of such Act, as amended by subsection (a), in the case of installations whose date of approval of closure occurred more than 6 months before the date of the enactment of this Act, and which are not closed within 6 months of such date, not later than 6 months after such date.

SEC. 2908. AVAILABILITY OF PROPERTY AND SERVICES FOR ASSISTING THE HOMELESS.

(a) AVAILABILITY OF PROPERTY.—Section 2905(b) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2667 note) is amended by adding at the end the following:

"(3)(A) Except as provided in subparagraph (B), nothing in this section shall limit or otherwise affect the application of the provisions of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11301 et seq.) to installations closed or realigned under this part.

"(B)(i) Not later than 30 days after the date of approval of closure or realignment of an installation under this part, the Secretary of Defense shall submit to the Secretary of Housing and Urban Development information with respect to the buildings and other real property located at the installation that satisfies the requirements for quarterly requests for information of the Secretary of Housing

and Urban Development under subsection (a) of section 501 of such Act (42 U.S.C. 11411).

"(ii) Not later than 60 days after the date referred to in clause (i), the Secretary of Housing and Urban Development shall identify the buildings and other real property at the installation that meet the requirement of the third sentence of such subsection (a) and notify the Secretary of Defense of such identification.

"(iii) Not later than 15 days after the date referred to in clause (ii), the Secretary of Housing and Urban Development shall publish in accordance with subsection (c) of such section a list of the buildings and other real property identified under clause (ii).

"(iv)(I) Buildings and other real property included in the list published under clause (iii) shall remain available to assist the homeless in accordance with subsection (d) of such section 501.

"(II) If, at the end of the period referred to in paragraph (1) of such subsection (d), no notice of intent to use the buildings or other property, or any portion thereof, to assist the homeless is received by the Secretary of Health and Human Services under paragraph (2) of such subsection, the Secretary of Defense may make such buildings or other property, or portion thereof, available to the local redevelopment authority, if any, that has submitted a

reutilization or redevelopment plan with respect to such installation for use of such buildings or other property, or portion, thereof, in accordance with such plan.''.

(b) APPLICABILITY.—The Secretary of Defense shall carry out the requirements of section 2905(b)(3)(B) of such Act, as amended by subsection (a), with respect to installations whose date of approval of closure is more than 90 days before the date of the enactment of this Act, and which are not closed on such date, not later than 30 days after such date.

SEC. 2909. TRANSITION COORDINATORS FOR ASSISTANCE TO COMMUNITIES AFFECTED BY THE CLOSURE OF INSTALLATIONS.

(a) IN GENERAL.—The Secretary of Defense shall designate a transition coordinator for each military installation to be closed under a base closure law. The transition coordinator shall carry out the activities for such coordinator set forth in subsection (c).

(b) TIMING OF DESIGNATION.—A transition coordinator shall be designated for a military installation under subsection (a) as follows:

(1) Not later than 15 days after the date of approval of closure of that the installation.

(2) In the case of installations approved for closure under a base closure law before the date of the

enactment of this Act, not later than 15 days after such date of enactment.

(c) RESPONSIBILITIES.—A transition coordinator designated with respect to an installation shall—

(1) encourage, after consultation with officials of Federal and State departments and agencies concerned, the development of strategies for the expeditious environmental cleanup and restoration of the installation by the Department of Defense;

(2) assist the Secretary of the military department concerned in designating real property at the installation that has the potential for rapid and beneficial reuse or redevelopment in accordance with the reutilization and redevelopment plan for the installation;

(3) assist such Secretary in identifying strategies for accelerating completion of environmental cleanup and restoration of the real property designated under paragraph (2);

(4) assist such Secretary in developing plans for ensuring that, to the maximum extent practicable, the Department of Defense carries out any activities at the installation after the closure of the installation in a manner that takes into account, and supports, the

reutilization and redevelopment plan for the installation;

(5) assist such Secretary in developing plans for the closure of the installation that take into account the goals set forth in the reutilization and redevelopment plan for the installation;

(6) assist the Secretary of Defense in making determinations with respect to requirements for, or the transfer of property at, the installation under section 2905(b)(2)(H) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note), as added by section 2907;

(7) assist a local economic redevelopment authority concerned with reuse of the installation in identifying real or personal property located at the installation that may have significant potential for reuse in accordance with the reutilization and redevelopment plan for the installation;

(8) assist the Office of Economic Adjustment of the Department of Defense and other departments and agencies of the Federal Government in coordinating the provision of assistance under transition assistance and transition mitigation programs with community

redevelopment activities with respect to the installation;

(9) assist the Secretary of the military department concerned in identifying leases of property located at the installation that are consistent with the reutilization and redevelopment plan for the installation; and

(10) assist the Secretary of Defense in identifying real or personal property located at the installation that may be utilized to meet the needs of the homeless by consulting with the Interagency Council on the Homeless or the local lead agency of the homeless, if any, referred to in section 210(b) of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11320(b)) for the State in which the installation is located.

SEC. 2910. COORDINATION OF ACTIVITIES OF OTHER FEDERAL DEPARTMENTS AND AGENCIES RELATING TO INSTALLATIONS TO BE CLOSED.

Not later than 30 days after the date of the enactment of this Act, the head of each department or agency of the Federal Government having jurisdiction over a matter arising out of the closure of a military installation under a base closure law, or the reutilization of such an installation, shall designate for each such installation an individual in

such department or agency who shall provide information and assistance to the transition coordinator for such installation designated under section 2907 on the assistance, programs, or other activities of such department or agency with respect to the closure or redevelopment of such installation.

SEC. 2911. COMMUNITY RESPONSE BOARD.

(a) REQUIREMENT.—The Secretary of Defense shall establish a community response board with respect to the closure of military installations under base closure laws. The community response board shall have the responsibilities set forth in subsection (c).

(b) COMPOSITION; CHAIRMAN.—(1) The community response board shall be composed of the following members:

(A) The Secretary of each military department concerned or a representative or representatives of such military department who has an expertise in environmental matters or property disposal matters and who shall be appointed by that Secretary.

(B) One representative of the Department of Defense having an expertise in environmental matters, to be appointed by the Secretary of Defense.

(C) One representative of the Department of Defense having an expertise in the disposal of property, to be appointed by the Secretary of Defense.

(D) One representative of the Office of Economic Adjustment of the Department of Defense, to be appointed by the Secretary of Defense.

(E) On representative of the Department of Labor, to be appointed by the Secretary of Labor.

(F) One representative of the Environmental Protection Agency, to be appointed by the Administrator of the Environmental Protection Agency.

(G) One representative of the General Services Administration, to be appointed by the Administrator of General Services.

(H) One representative of the National Economic Council, to be appointed by the Director of the National Economic Council.

(I) The Executive Director of the Interagency Council on the Homeless pursuant to section 201 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11311).

(J) One representative of the Department of Housing and Urban Development, to be appointed by the Secretary of Housing and Urban Development.

(K) Such other representatives as the Secretary of Defense, in consultation with the Director of the National Economic Council, determines appropriate.

(2) The Secretary of a military department may serve as a representative of such department under paragraph (1)(A).

(3) The Secretary of Defense, in consultation with the Director of the National Economic Council, shall designate the chairman of the board.

(c) RESPONSIBILITIES.—(1) The community response board shall—

(A) receive comments from appropriate representatives of the redevelopment authorities, if any, established with respect to installations to be closed or realigned under a base closure law on the progress, if any, made by such authorities toward the reutilization or redevelopment of such installations, and any impediments to such progress;

(B) to the maximum extent practicable, propose and develop solutions to such impediments; and

(C) submit a report to the President on such comments and solutions.

(2) In proposing and developing solutions to impediments to the reutilization or redevelopment under paragraph (1)(B), each member of the board shall, to the maximum extent practicable, solicit comments and proposals on such solutions from the Federal department or agency of which such member is a representative and utilize the re-

sources and expertise of the Federal department or agency of which such member is a representative.

(3)(A) The community response board shall receive comments under paragraph (1)(A) by public hearing and by any other means determined appropriate by the board.

(B) The community response board shall offer to hold, and upon the approval of a redevelopment authority shall hold, not less than one such hearing each year with respect to each major installation approved for closure under a base closure law until that installation has been closed for more than 5 years. When holding a hearing with respect to an installation, the board shall ensure that the member or members of the board from the military department having jurisdiction over the installation is present.

(C) At each hearing with respect to an installation, the transition coordinator designated for such installation, or the designee of the coordinator, shall appear before the board with representatives of the redevelopment authority.

(D) The community response board shall meet at least three times each year to carry out the activities referred to in paragraph (1)(B).

(E) The community response board shall submit a report referred to in paragraph (1)(C) at least once each year.

(d) TERMINATION.—The authority of the community response board to carry out activities under this section shall terminate on December 31, 2006.

SEC. 2912. ASSISTANCE TO AFFECTED STATES AND COMMUNITIES THROUGH THE OFFICE OF ECONOMIC ADJUSTMENT.

(a) IN GENERAL.—From the funds authorized to be appropriated to the Department of Defense for the activities of the Office of Economic Adjustment of the Department of Defense, the Secretary of Defense may make grants to not more than one redevelopment authority of each community adversely affected by the closure of a military installation, to redevelopment authorities of States so affected, and to communities so affected in order to assist such authorities and communities, as the case may be, in developing and implementing reutilization and redevelopment plans for property located at military installations closed under base closure laws.

(b) PROCESSING REQUIREMENT.—The Secretary shall determine whether to make a grant under this section to a redevelopment authority or community, as the case may be, not later than 7 days after receiving a complete application for a grant from such authority or community.

SEC. 2913. IDENTIFICATION OF UNCONTAMINATED PROPERTY AT INSTALLATIONS TO BE CLOSED.

The Secretary of Defense shall identify the real property located at each military installation selected in 1993 or 1995 for closure under the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) pursuant to the provisions of section 120(h)(4) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)(4)). The Secretary shall identify such real property at an installation not later than the earlier of—

(1) the date that is 9 months after the date of the submittal, if any, to the transition coordinator for the installation of a specific use proposed for all or a portion of the real property of the installation; or

(2) the date that is 18 months after the date of approval of closure of that installation.

SEC. 2914. SEMINARS ON REUSE OR REDEVELOPMENT OF PROPERTY AT INSTALLATIONS TO BE CLOSED.

The Secretary of Defense shall conduct seminars for communities in which a military installation to be closed or realigned under a base closure law is located. Such seminars shall be conducted within 6 months after the date of approval of closure of that installation, shall present the various Federal programs for the reutilization and redevel-

opment of installations to be closed under such law, and shall provide information about employment assistance, including employment assistance under Federal programs, available to members of such communities.

SEC. 2915. COMPLIANCE WITH CERTAIN ENVIRONMENTAL REQUIREMENTS RELATING TO CLOSURE OF INSTALLATIONS.

The Secretary of Defense shall, with respect to each military installation approved for closure or realignment under a base closure law—

(1) complete any environmental impact analyses required with respect to the installation pursuant to the base closure law under which the installation is closed, and pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), not later than 12 months, to the extent possible, after the date of the submittal, if any, to the Secretary of the military department concerned of an acceptable (as determined by the Secretary) reutilization and redevelopment plan for the installation by the community (as determined by the Secretary); and

(2) ensure that the environmental impact statement addresses environmental matters arising out of such plan.

SEC. 2916. AUTHORITY TO CONTRACT FOR CERTAIN SERVICES AT INSTALLATIONS BEING CLOSED OR REALIGNED.

(a) BASE CLOSURES UNDER 1988 ACT.—Section 204(b) of the Defense Authorization Amendments and Base Closure and Realignment Act (title II of Public Law 100–526; 10 U.S.C. 2687 note) is amended by adding at the end the following:

''(5) The Secretary may contract with local governments for the provision of police services, fire protection services, airfield operation services, or other community services by such governments at military installations to be closed under this title if the Secretary determines that the provision of such services under such contracts is in the best interests of the Department of Defense. The Secretary may exercise the authority provided under this paragraph without regard to the provisions of chapter 146 of title 10, United States Code.''.

(b) BASE CLOSURES UNDER 1990 ACT.—Section 2905(b) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note), as amended by section 2906(b) is further amended by adding at the end the following:

''(4) The Secretary may contract with local governments for the provision of police services, fire protection services, airfield operation services, or other community

services by such governments at military installations to be closed under this title if the Secretary determines that the provision of such services under such contracts is in the best interests of the Department of Defense. The Secretary may exercise the authority provided under this paragraph without regard to the provisions of chapter 146 of title 10, United States Code.''.

SEC. 2917. CLARIFICATION OF UTILIZATION OF FUNDS FOR COMMUNITY ECONOMIC ADJUSTMENT ASSISTANCE.

(a) UTILIZATION OF FUNDS.—Subject to subsection (b), funds made available to the Economic Development Administration for economic adjustment assistance under section 4305 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat. 2700) may by utilized by the administration for administrative activities in support of the provision of such assistance.

(b) LIMITATION.—Not more than three percent of the funds referred to in subsection (a) may be utilized by the administration for the administrative activities referred to in such subsection.

SEC. 2918. DEFINITIONS.

(a) BASE CLOSURE COMMUNITIES ACT.—In this title:

(1) The term ''base closure law'' means the following:

(A) The provisions of title II of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526; 10 U.S.C. 2687 note).

(B) The Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note).

(2) The term ''reutilization and redevelopment plan'', in the case of an installation to be closed under a base closure law, means a plan that—

(A) is agreed to by the local redevelopment authority concerned or other entity recognized by the Secretary of Defense as the authority to direct the reutilization and redevelopment of the installation; and

(B) provides for the reuse of the real property and related personal property of the installation that is available as a result of the closure of the installation.

(3) The term ''date of approval'', with respect to a closure or realignment of an installation, means the date on which the authority of Congress to disapprove a recommendation of closure or realignment, as the case may be, of such installation under the applicable base closure law expires.

(b) BASE CLOSURE ACT 1990.—Section 2910 of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) is amended by adding at the end the following new paragraph:

"(8) The term 'date of approval of closure', with respect to a closure or realignment of an installation, means the date on which the authority of Congress to disapprove a recommendation of closure or realignment, as the case may be, of such installation under this part expires.".

SEC. 2919. AUTHORITY TO CONTRACT FOR CERTAIN SERVICES AT INSTALLATIONS BEING CLOSED OR REALIGNED.

(a) SECTION NOT TO TAKE EFFECT.—Section 2916 shall not take effect.

(b) BASE CLOSURES UNDER 1988 ACT.—Section 204(b) of the Defense Authorization Amendments and Base Closure and Realignment Act (title II of Public Law 100–526; 10 U.S.C. 2687 note) is amended by adding at the end the following:

"(5)(A) Subject to subparagraph (C), the Secretary may contract with local governments for the provision of police services, fire protection services, airfield operation services, or other community services by such governments

at military installations to be closed under this title if the Secretary determines that the provision of such services under such contracts is in the best interests of the Department of Defense.

''(B) The Secretary may exercise the authority provided under this paragraph without regard to the provisions of chapter 146 of title 10, United States Code.

''(C) The Secretary may not exercise the authority under subparagraph (A) with respect to a military installation earlier than 180 days before the date on which the installation is to be closed.

''(D) The Secretary shall include in a contract for services entered into with a local government under this subsection a clause that requires the use of professionals to furnish the services to the extent that professionals are available in the area under the jurisdiction of such government.''.

(c) BASE CLOSURES UNDER 1990 ACT.—Section 2905(b) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) is amended by adding at the end the following:

''(4)(A) Subject to subparagraph (C), the Secretary may contract with local governments for the provision of police services, fire protection services, airfield operation services, or other community services by such governments

at military installations to be closed under this part if the Secretary determines that the provision of such services under such contracts is in the best interests of the Department of Defense.

''(B) The Secretary may exercise the authority provided under this paragraph without regard to the provisions of chapter 146 of title 10, United States Code.

''(C) The Secretary may not exercise the authority under subparagraph (A) with respect to a military installation earlier than 180 days before the date on which the installation is to be closed.

''(D) The Secretary shall include in a contract for services entered into with a local government under this subsection a clause that requires the use of professionals to furnish the services to the extent that professionals are available in the area under the jurisdiction of such government.''.

DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Subtitle A—National Security Programs Authorizations

SEC. 3101. WEAPONS ACTIVITIES.

(a) OPERATING EXPENSES.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 1994 for operating expenses incurred in carrying out weapons activities necessary for national security programs in the amount $3,735,571,000, to be allocated as follows:

(1) For research and development, $1,152,325,000.

(2) For weapons testing, $375,000,000.

(3) For stockpile support, $1,792,280,000.

(4) For program direction, $277,466,000.

(5) For complex reconfiguration, $138,500,000.

(b) PLANT PROJECTS.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 1994 for plant projects (including maintenance, res-

toration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto) in carrying out weapons activities necessary for national security programs as follows:

Project GPD–101, general plan projects, various locations, $16,500,000.

Project GPD–121, general plant projects, various locations, $7,700,000.

Project 94–D–102, nuclear weapons research, development, and testing facilities revitalization, Phase V, various locations, $11,110,000.

Project 94–D–124, hydrogen fluoride supply system, Y–12 Plant, Oak Ridge, Tennessee, $5,000,000.

Project 94–D–125, upgrade life safety, Kansas City Plant, Kansas City, Missouri, $3,000,000.

Project 94–D–127, emergency notification system, Pantex Plant, Amarillo, Texas, $1,000,000.

Project 94–D–128, environmental safety and health analytical laboratory, Pantex Plant, Amarillo, Texas, $800,000.

Project 93–D–102, Nevada support facility, North Las Vegas, Nevada, $6,000,000.

Project 93–D–122, life safety upgrades, Y–12 Plant, Oak Ridge, Tennessee, $5,000,000.

Project 93–D–123, complex–21, various locations, $25,000,000.

Project 92–D–102, nuclear weapons research, development, and testing facilities revitalization, Phase IV, various locations, $27,479,000.

Project 92–D–126, replace emergency notification systems, various locations, $10,500,000.

Project 90–D–102, nuclear weapons research, development, and testing facilities revitalization, Phase III, various locations, $30,805,000.

Project 88–D–106, nuclear weapons research, development, and testing facilities revitalization, Phase II, various locations, $39,624,000.

Project 88–D–122, facilities capability assurance program, various locations, $27,100,000.

Project 88–D–123, security enhancement, Pantex Plant, Amarillo, Texas, $20,000,000.

(c) CAPITAL EQUIPMENT.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 1994 for capital equipment not related to construction in carrying out weapons activities necessary for national security programs in the amount of $123,034,000.

(d) ADJUSTMENT FOR SAVINGS.—The total amount authorized to be appropriated pursuant to this section is

the sum of the amounts specified in subsections (a) through (c) reduced by $393,641,000.

SEC. 3102. NEW TRITIUM PRODUCTION AND PLUTONIUM DISPOSITION ACTIVITIES.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 1994 for expenses incurred in carrying out new tritium production activities and plutonium disposition activities necessary for national security programs in the amount of $83,000,000, offset by $43,000,000 in prior year funds.

SEC. 3103. ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT.

(a) OPERATING EXPENSES.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 1994 for operating expenses incurred in carrying out environmental restoration and waste management activities necessary for national security programs in the amount of $4,782,213,000, to be allocated as follows:

(1) For corrective activities, $2,170,000.

(2) For environmental restoration, $1,536,027,000.

(3) For waste management, $2,275,441,000.

(4) For technology development, $361,150,000.

(5) For transportation management, $19,730,000.

(6) For program direction, $82,427,000.

(7) For facility transition, $545,268,000.

(b) PLANT PROJECTS.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 1994 for plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto) to carry out environmental restoration and waste management activities necessary for national security programs as follows:

Project GPD–171, general plant projects, various locations, $49,015,000.

Project 94–D–122, underground storage tanks, Rocky Flats Plant, Golden, Colorado, $700,000.

Project 94–D–400, high explosive wastewater treatment, Los Alamos National Laboratory, Los Alamos, New Mexico, $1,000,000.

Project 94–D–401, emergency response facility, Idaho National Engineering Laboratory, Idaho, $600,000.

Project 94–D–402, liquid waste treatment system, Nevada Test Site, $491,000.

Project 94–D–404, Melton Valley storage tanks capacity increase, Oak Ridge National Laboratory, Oak Ridge, Tennessee, $9,400,000.

Project 94–D–405, Central neutralization facility pipeline extension project, Oak Ridge K–25 Plant, Oak Ridge, Tennessee, $1,714,000.

Project 94–D–406, low-level waste disposal facility, Oak Ridge K–25 Plant, Oak Ridge, Tennessee, $6,000,000.

Project 94–D–407, initial tank retrieval systems, Richland, Washington, $7,000,000.

Project 94–D–408, 200 east office facility, Richland, Washington, $1,200,000.

Project 94–D–411, solid waste operations complex project, Richland, Washington, $7,100,000.

Project 94–D–412, 300 area process sewer piping system upgrade, Richland, Washington, $1,100,000.

Project 94–D–414, site 300 explosive waste storage facility, Lawrence Livermore National Laboratory, Livermore, California, $370,000.

Project 94–D–415, medical facilities, Idaho National Engineering Laboratory, Idaho, $1,100,000.

Project 94–D–416, Solvent Storage Tanks installation, Savannah River Site, South Carolina, $1,500,000.

Project 94–D–417, intermediate level and low activity waste vaults, Savannah River Site, South Carolina, $1,000,000.

Project 94–D–451, infrastructure replacement Rocky Flats Plant, Golden, Colorado, $6,600,000.

Project 93–D–172, electrical upgrade, Idaho National Engineering Laboratory, Idaho, $9,600,000.

Project 93–D–174, plant drain waste water treatment upgrades, Y–12 Plant, Oak Ridge, Tennessee, $3,500,000.

Project 93–D–175, industrial waste compaction facility, Y–12 Plant, Oak Ridge, Tennessee, $1,800,000.

Project 93–D–176, Oak Ridge reservation storage facility, K–25 Plant, Oak Ridge, Tennessee, $6,039,000.

Project 93–D–177, disposal of K–1515 sanitary water treatment plant waste, K–125 Plant, Oak Ridge, Tennessee, $7,100,000.

Project 93–D–178, building 374 liquid waste treatment facility, Rocky Flats Plant, Golden, Colorado, $1,000,000.

Project 93–D–181, radioactive liquid waste line replacement, Richland, Washington, $6,000,000.

Project 93–D–182, replacement of cross-site transfer system, Richland, Washington, $6,500,000.

Project 93–D–183, multi-function waste remediation facility, Richland, Washington, $25,660,000.

Project 93–D–184, 325 facility compliance/renovation, Richland, Washington, $3,500,000.

Project 93–D–185, landlord program safety compliance, Phase II, Richland, Washington, $1,351,000.

Project 93–D–187, high-level waste removal from filled waste tanks, Savannah River, South Carolina, $13,230,000.

Project 93–D–188, new sanitary landfill, Savannah River, South Carolina, $1,020,000.

Project 92–D–125, master safeguards and security agreement/material surveillance task force security upgrades, Rocky Flats Plant, Golden, Colorado, $3,900,000.

Project 92–D–172, hazardous waste treatment and processing facility, Pantex Plant, Amarillo, Texas, $300,000.

Project 92–D–173, nitrogen oxide abatement facility, Idaho Chemical Processing Plant, Idaho National Engineering Laboratory, Idaho, $10,000,000.

Project 92–D–177, tank 101–AZ waste retrieval system, Richland, Washington, $7,000,000.

Project 92–D–181, fire and life safety improvements, Idaho National Engineering Laboratory, Idaho, $5,000,000.

Project 92–D–182, sewer system upgrade, Idaho National Engineering Laboratory, Idaho, $1,450,000.

Project 92–D–183, transportation complex, Idaho National Engineering Laboratory, Idaho, $7,198,000.

Project 92–D–184, Hanford infrastructure underground storage tanks, Richland, Washington, $300,000.

Project 92–D–186, steam system rehabilitation, Phase II, Richland, Washington, $4,300,000.

Project 92–D–187, 300 area electrical distribution, conversion, and safety improvements, Phase II, Richland, Washington, $10,276,000.

Project 92–D–188, waste management ES&H, and compliance activities, various locations, $8,568,000.

Project 92–D–403, tank upgrade project, Lawrence Livermore National Laboratory, California, $3,888,000.

Project 91–D–171, waste receiving and processing facility, module 1, Richland, Washington, $17,700,000.

Project 91–D–175, 300 area electrical distribution, conversion, and safety improvements, Phase I, Richland, Washington, $1,500,000.

Project 90–D–172, aging waste transfer lines, Richland, Washington, $5,000,000.

Project 90–D–175, landlord program safety compliance-I, Richland, Washington, $1,800,000.

Project 90–D–177, RWMC transuranic (TRU) waste characterization and storage facility, Idaho National Engineering Laboratory, Idaho, $21,700,000.

Project 89–D–172, Hanford environmental compliance, Richland, Washington, $11,700,000.

Project 89–D–173, tank farm ventilation upgrade, Richland, Washington, $1,000,000.

Project 89–D–174, replacement high-level waste evaporator, Savannah River, South Carolina, $23,974,000.

Project 89–D–175, hazardous waste/mixed waste disposal facility, Savannah River, South Carolina, $7,000,000.

Project 87–D–181, diversion box and pump pit containment buildings, Savannah River, South Carolina, $2,137,000.

Project 86–D–103, decontamination and waste treatment facility, Lawrence Livermore National Laboratory, California, $10,260,000.

Project 83–D–148, nonradioactive hazardous waste management, Savannah River, South Carolina, $9,769,000.

Project 81–T–105, defense waste processing facility, Savannah River, South Carolina, $43,873,000.

(c) CAPITAL EQUIPMENT.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 1994 for capital equipment not related to construction in carrying out environmental restoration and waste management activities necessary for national security programs in the amount of $203,826,000, to be allocated as follows:

(1) For corrective activities, $600,000.

(2) For waste management, $138,781,000.

(3) For technology development, $29,850,000.

(4) For transportation management, $400,000.

(5) For program direction, $9,469,000.

(6) For facility transition, $24,726,000

(d) USE OF FUNDS.—From funds authorized to be appropriated pursuant to subsection (a) to the Department of Energy for environmental restoration and waste management activities, the Secretary of Energy may reimburse the cities of Westminster, Broomfield, Thornton, and Northglenn, in the State of Colorado, $21,415,000 for the cost of implementing water management programs. Reim-

bursements for the water management programs shall not be considered a major Federal action for purposes of 102(2) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)).

(e) GENERAL REDUCTION IN OPERATING EXPENSES.—The amount authorized to be appropriated for operating expenses pursuant to subsection (a) is the amount specified in that subsection reduced by $40,000,000.

(f) PRIOR YEAR BALANCES.—The total amount authorized to be appropriated pursuant to this section is the sum of the amounts specified in subsections (a), (b), and (c) reduced by $86,600,000. In determining the amount authorized to be appropriated pursuant to subsection (a) for the purposes of this subsection, subsection (e) shall be taken into account.

SEC. 3104. MATERIALS SUPPORT AND OTHER DEFENSE PROGRAMS.

(a) OPERATING EXPENSES.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 1994 for operating expenses incurred in carrying out nuclear materials production and other defense programs necessary for national security programs in the amount of $2,171,039,000, to be allocated as follows:

(1) For materials support, $853,966,000.

(2) For verification and control technology, $341,941,000.

(3) For nuclear safeguards and security, $86,246,000.

(4) For security investigations, $53,335,000.

(5) For security evaluations, $14,961,000.

(6) For nuclear safety, $24,859,000.

(7) For worker training and adjustment, $100,000,000.

(8) For naval reactors, $695,731,000.

(b) PLANT PROJECTS.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 1994 for plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto) in carrying out nuclear materials production and other defense programs necessary for national security programs as follows:

(1) For materials production:

Project GPD–146, general plant projects, various locations, $31,760,000.

Project 93–D–147, domestic water system upgrade, Phase I, Savannah River, South Carolina, $7,720,000.

Project 93–D–148, replace high-level drain lines, Savannah River, South Carolina, $1,800,000.

Project 93–D–152, environmental modification for production facilities, Savannah River, South Carolina, $20,000,000.

Project 92–D–140, F&H canyon exhaust upgrades, Savannah River, South Carolina, $15,000,000.

Project 92–D–142, nuclear material processing training center, Savannah River, South Carolina, $8,900,000.

Project 92–D–143, health protection instrument calibration facility, Savannah River, South Carolina, $9,600,000.

Project 92–D–150, operations support facilities, Savannah River, South Carolina, $26,900,000.

Project 92–D–153, engineering support facility, Savannah River, South Carolina, $9,500,000.

Project 90–D–149, plantwide fire protection, Phases I and II, Savannah River, South Carolina, $25,950,000.

Project 86–D–149, productivity retention program, Phases I, II, III, IV, V, and VI, various locations, $3,700,000.

(2) For verification and control technology:

Project 90–D–186, center for national security and arms control, Sandia National Laboratories, Albuquerque, New Mexico, $8,515,000.

(3) For naval reactors development:

Project GPN–101, general plant projects, various locations, $7,500,000.

Project 93–D–200, engineering services facilities, Knolls Atomic Power Laboratory, Niskayuna, New York, $7,000,000.

Project 92–D–200, laboratories facilities upgrades, various locations, $2,800,000.

Project 90–N–102, expended core facility dry cell project, Naval Reactors Facility, Idaho, $7,800,000.

(c) CAPITAL EQUIPMENT.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 1994 for capital equipment not related to construction in carrying out nuclear materials production and other defense programs necessary for national security programs as follows:

(1) For material support, $75,209,000.

(2) For verification and control technology, $15,573,000.

(3) For nuclear safeguards and security, $4,101,000.

(4) For nuclear safety, $50,000.

(5) For naval reactors development, $46,900,000.

(d) ADJUSTMENTS.—The total amount that may be appropriated pursuant to this section is the sum of the amounts specified in subsections (a) through (c) reduced by $393,132,000 for anticipated savings.

SEC. 3105. DEFENSE NUCLEAR WASTE DISPOSAL.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 1994 for payment to the Nuclear Waste Fund, $120,000,000.

SEC. 3106. FUNDING USES AND LIMITATIONS.

(a) NATIONAL SECURITY PROGRAMS.—Notwithstanding any other provision of law, not more than 90 percent of the funds appropriated to the Department of Energy for national security programs under this title may be obligated for such programs until the Secretary of Energy submits to the congressional defense committees the five-year budget plan with respect to fiscal year 1994 required under section 3144 of the National Defense Authorization Act for Fiscal Years 1990 and 1991 (Public Law 101–189; 103 Stat. 1681; 42 U.S.C. 7271b).

(b) INERTIAL CONFINEMENT FUSION.—Of the funds authorized to be appropriated to the Department of Energy for fiscal year 1994 for operating expenses and capital equipment, $188,413,000 shall be available for the defense inertial confinement fusion program.

(c) FIRE PROTECTION AND COOLING OR REFRIGERATION SYSTEMS.—None of the funds appropriated or otherwise made available to the Department of Energy for fiscal year 1994 may be obligated for the design, purchase, or installation of any fire protection system or cooling or refrigeration system that utilizes class I substances (as listed under section 602(a) of the Clean Air Act (42 U.S.C. 7671a(a)) unless the Secretary of Energy determines that an alternative system meeting the operational requirements of the Department of Energy is not commercially available or is not cost-effective when analyzed under a life-cycle cost analysis.

(d) NEW TRITIUM PRODUCTION ACTIVITIES AND PLUTONIUM DISPOSITION ACTIVITIES.—Funds authorized to be appropriated for fiscal year 1994 or otherwise made available to the Secretary of Energy for such fiscal year for new tritium production activities and plutonium disposition activities shall be available only for the following purposes and in the following amounts:

(1) For evaluation of an advanced light water reactor and a modular high temperature gas reactor to determine the feasibility and effectiveness of disposing of plutonium, production of tritium (if needed), and production of electricity, $40,000,000.

(2) For evaluation of accelerator technology to determine the feasibility and effectiveness of disposing of plutonium, production of tritium (if needed), and production of electricity, $18,000,000.

(3) For evaluation of an advance liquid metal reactor to determine the feasibility and effectiveness of disposing of plutonium, production of tritium (if needed), and production of electricity, $25,000,000.

(e) EXPENDED CORE FACILITY DRY CELL.—None of the funds appropriated or otherwise made available to the Department of Energy for fiscal year 1994 may be obligated for project 90–N–102, expended core facility dry cell project, Naval Reactors Facility, Idaho, until shipment of spent naval nuclear fuel from United States naval surface ships and submarines to the Idaho Engineering Laboratory, Idaho, is resumed.

(f) NUCLEAR WEAPONS TESTING.—(1) Funds authorized to be appropriated under section 3101(a)(2) for the Department of Energy for fiscal year 1994 for weapons testing and funds otherwise made available to the department for

that fiscal year for that purpose shall be available only for the following purposes and in the following amounts:

(A) For infrastructure maintenance at the Nevada Test Site, $131,250,000.

(B) For maintaining the technical capability to resume testing at the Nevada Test Site, $109,375,000.

(C) For activities, including research and development, of Department of Energy laboratories in determining means of nuclear weapons testing as alternatives to underground nuclear weapons testing, $134,375,000.

(2) The Secretary of Energy may not obligate an aggregate amount in excess of $180,000,000 for the purposes described in subparagraphs (B) and (C) of paragraph (1) until the Secretary submits to the congressional defense committees a detailed plan for carrying out the activities described in subparagraphs (B) and (C) of that paragraph.

(3) Each year at the time of the President's submission of a a budget under section 1105 of title 31, United States Code, the President shall submit a report covering the most recently completed calendar year setting forth—

(A) Whether the Stockpile Surveillance Program of the Department of Energy, and the calculations and experiments performed by Sandia National Laboratories, Lawrence Livermore National Laboratory,

or Los Alamos National Laboratory have raised any concerns with regard to the safety, security, effectiveness, or reliability or existing United States nuclear weapons; and

(B) If such concerns have been raised, the President's evaluation of each concern and report on what actions are being or will be taken to address it.

(g) VERIFICATION CONTROL TECHNOLOGY.—Of the funds authorized to be appropriated to the Department of Energy for fiscal year 1994 for operating expenses and capital equipment for activities relating to verification and control technology, not more than $334,441,000 may be obligated until the Secretary of Defense submits the report required by section 1104.

(h) SCHOLARSHIP AND FELLOWSHIP PROGRAM FOR ENVIRONMENTAL AND WASTE MANAGEMENT.—Of the funds authorized to be appropriated to the Department of Energy for fiscal year 1994 for environmental restoration and waste management, $1,000,000 shall be available for the Scholarship and Fellowship Program for Environmental Restoration and Waste Management carried out under section 3132 of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (Public Law 102–190; 42 U.S.C. 7274e).

(i) HANFORD HEALTH INFORMATION NETWORK.—Of the funds authorized to be appropriated to the Department of Energy for fiscal year 1994 under section 3101(a), $1,750,000 shall be available for activities relating to the Hanford health information network established pursuant to the authority set forth in section 3138 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 104 Stat. 1834).

(j) PROTECTION OF NUCLEAR WEAPONS FACILITIES WORKERS.—Of the funds authorized to be appropriated to the Department of Energy for fiscal year 1994 for environmental restoration and waste management, $10,000,000 shall be available for activities relating to worker protection at nuclear weapons facilities.

(k) MERGER OF CERTAIN FUNDS WITH FUNDS APPROPRIATED FOR NEW PRODUCTION REACTORS.—Notwithstanding any other provision of law, of the funds made available to the Department of Energy for new production reactor activities before the date of the enactment of this Act, $43,000,000 shall be merged with the funds authorized to be appropriated for new tritium production and plutonium disposition under section 3102 and shall be available for the same purposes and the same period as the funds with which merged.

(l) TECHNOLOGY TRANSFER AND ECONOMIC DEVELOPMENT.—None of the funds appropriated to the Department of Energy for fiscal year 1994 pursuant to the authorization of appropriations in section 3103, or otherwise made available to the department for environmental restoration and waste management activities for such fiscal year, may be obligated to foster technology transfer to and economic development activities in the Southeastern United States until 30 days after the date on which the Secretary of Energy submits to the congressional defense committees a report containing a plan for the expenditure of funds in a manner that ensures an equitable expenditure of funds for such purposes throughout the Southeastern United States.

Subtitle B—Recurring General Provisions

SEC. 3121. REPROGRAMMING.

(a) NOTICE TO CONGRESS.—(1) Except as otherwise provided in this title—

(A) no amount appropriated pursuant to this title may be used for any program in excess of the lesser of—

(i) 105 percent of the amount authorized for that program by this title; or

(ii) $10,000,000 more than the amount authorized for that program by this title; and

(B) no amount appropriated pursuant to this title may be used for any program which has not been presented to, or requested of, the Congress.

(2) An action described in paragraph (1) may not be taken until—

(A) the Secretary of Energy has submitted to the congressional defense committees a report containing a full and complete statement of the action proposed to be taken and the facts and circumstances relied upon in support of such proposed action; and

(B) a period of 30 days has elapsed after the date on which the report is received by the committees.

(3) In the computation of the 30-day period under paragraph (2), there shall be excluded any day on which either House of Congress is not in session because of an adjournment of more than 3 calendar days to a day certain.

(b) LIMITATION ON AMOUNT OBLIGATED.—In no event may the total amount of funds obligated pursuant to this title exceed the total amount authorized to be appropriated by this title.

SEC. 3122. LIMITS ON GENERAL PLANT PROJECTS.

(a) IN GENERAL.—The Secretary of Energy may carry out any construction project under the general plant projects provisions authorized by this title if the total esti-

mated cost of the construction project does not exceed $2,000,000.

(b) REPORT TO CONGRESS.—If, at any time during the construction of any general plant project authorized by this title, the estimated cost of the project is revised because of unforeseen cost variations and the revised cost of the project exceeds $2,000,000, the Secretary shall immediately furnish a complete report to the congressional defense committees explaining the reasons for the cost variation.

SEC. 3123. LIMITS ON CONSTRUCTION PROJECTS.

(a) IN GENERAL.—(1) Except as provided in paragraph (2), construction on a construction project may not be started or additional obligations incurred in connection with the project above the total estimated cost, whenever the current estimated cost of the construction project, which is authorized by sections 3101, 3102, 3103, and 3104, or which is in support of national security programs of the Department of Energy and was authorized by any previous Act, exceeds by more than 25 percent the higher of—

(A) the amount authorized for the project; or

(B) the amount of the total estimated cost for the project as shown in the most recent budget justification data submitted to Congress.

(2) An action described in paragraph (1) may be taken if—

(A) the Secretary of Energy has submitted to the congressional defense committees a report on the actions and the circumstances making such actions necessary; and

(B) a period of 30 days has elapsed after the date on which the report is received by the committees.

(3) In the computation of the 30-day period under paragraph (2), there shall be excluded any day on which either House of Congress is not in session because of an adjournment of more than 3 calendar days to a day certain.

(b) EXCEPTION.—Subsection (a) shall not apply to any construction project which has a current estimated cost of less than $5,000,000.

SEC. 3124. FUND TRANSFER AUTHORITY.

Funds appropriated pursuant to this title may be transferred to other agencies of the Federal Government for the performance of the work for which the funds were appropriated, and funds so transferred may be merged with the appropriations of the agency to which the funds are transferred.

SEC. 3125. AUTHORITY FOR CONSTRUCTION DESIGN.

(a) IN GENERAL.—(1) Within the amounts authorized by this title for plant engineering and design, the Secretary of Energy may carry out advance planning and construc-

tion design (including architectural and engineering services) in connection with any proposed construction project if the total estimated cost for such planning and design does not exceed $2,000,000.

(2) In the case of any project in which the total estimated cost for advance planning and design exceeds $300,000, the Secretary shall notify the congressional defense committees in writing of the details of such project at least 30 days before any funds are obligated for design services for such project.

(b) SPECIFIC AUTHORITY REQUIRED.—In any case in which the total estimated cost for advance planning and construction design in connection with any construction project exceeds $2,000,000, funds for such planning and design must be specifically authorized by law.

SEC. 3126. AUTHORITY FOR EMERGENCY PLANNING, DESIGN, AND CONSTRUCTION ACTIVITIES.

(a) AUTHORITY.—The Secretary of Energy may use any funds available to the Department of Energy, including those funds authorized to be appropriated for advance planning and construction design under sections 3101, 3102, 3103, 3104, to perform planning, design, and construction activities for any Department of Energy defense activity construction project that, as determined by the Secretary, must proceed expeditiously in order to protect public health

and safety, meet the needs of national defense, or protect property.

(b) LIMITATION.—The Secretary may not exercise the authority under subsection (a) in the case of any construction project until the Secretary has submitted to the congressional defense committees a report on the activities that the Secretary intends to carry out under this section and the circumstances making such activities necessary.

(c) SPECIFIC AUTHORITY.—The requirement of section 3125(b) does not apply to emergency planning, design, and construction activities conducted under this section.

(d) REPORT.—The Secretary of Energy shall promptly report to the congressional defense committees any exercise of authority under this section.

SEC. 3127. FUNDS AVAILABLE FOR ALL NATIONAL SECURITY PROGRAMS OF THE DEPARTMENT OF ENERGY.

Subject to the provisions of appropriation Acts and section 3121, amounts appropriated pursuant to this title for management and support activities and for general plant projects are available for use, when necessary, in connection with all national security programs of the Department of Energy.

SEC. 3128. AVAILABILITY OF FUNDS.

When so specified in an appropriation Act, amounts appropriated for operating expenses, plant projects, and capital equipment may remain available until expended.

Subtitle C—Other Matters

SEC. 3131. USE OF FUNDS FOR PAYMENT OF PENALTY ASSESSED AGAINST HANFORD PROJECT.

The Secretary of Energy may pay to the Hazardous Substances Response Trust, from funds appropriated to the Department of Energy for environmental restoration and waste management activities pursuant to section 3103, a stipulated civil penalty in the amount of $100,000 assessed under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) and the Hanford Consent Agreement and Compliance Order for Department of Energy Hanford.

SEC. 3132. OFFICE OF TRITIUM PRODUCTION AND PLUTONIUM DISPOSITION.

(a) ESTABLISHMENT.—There is hereby established in the Office of the Assistant Secretary of Energy for Defense Programs an Office of Tritium Production and Plutonium Disposition.

(b) RESPONSIBILITIES.—The responsibilities of the office shall include the following:

(1) Activities relating to the development, design, and construction (including research in support

thereof) of a tritium production facility in order to ensure that a tritium production facility replacing existing tritium production facilities of the Department of Energy and capable of meeting the anticipated need of the Department of Defense for tritium is in operation no later than December 31, 2011.

(2) Carrying out the evaluation of an advanced light water reactor and a high temperature gas reactor referred to in section 3105(d)(2) of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat. 2636).

(3) Activities relating to the design, development, and construction (including research in support thereof) of the reactors referred to in paragraph (2).

(4) Research and development activities relating to design, development, and construction by the Department of Energy of an advanced metal reactor that utilizes an actinide recycling process and that is capable of burning plutonium, producing tritium, and producing electricity.

(5) Research and development activities relating to the design, development, and construction by the Department of Energy of an accelerator technology that is capable of burning plutonium, producing tritium, and producing electricity.

(6) Activities relating to the design, development, and construction (including research in support thereof) of a facility to treat and dispose of excess plutonium.

SEC. 3133. AUTHORITY TO TRANSFER CERTAIN DEPARTMENT OF ENERGY PROPERTY.

(a) AUTHORITY TO TRANSFER.—(1) Notwithstanding any other provision of law, the Secretary of Energy may transfer, for consideration, all right, title, and interest of the United States in and to the property referred to in subsection (b) to any person if the Secretary determines that such transfer will mitigate the adverse economic consequences that might otherwise arise from the closure of a Department of Energy facility.

(2) The amount of consideration received by the United States for a transfer under paragraph (1) may be less than the fair market value of the property transferred if the Secretary determines that the receipt of such lesser amount by the United States is in accordance with the purpose of such transfer under this section.

(b) COVERED PROPERTY.—Property that may be transferred under subsection (a) is the following property of the Department of Energy that is located at department facilities to be closed:

(1) The personal property and fixtures at such facilities that the Secretary determines to be excess to the needs of the department.

(2) Any other personal property and fixtures at such facilities the replacement cost of which does not exceed an amount equal to 110 percent of the cost of transporting the property or fixtures to another department facility.

(c) OTHER TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions with respect to a transfer of property under subsection (a) as the Secretary determines appropriate to protect the interests of the United States.

SEC. 3134. REAUTHORIZATION AND EXPANSION OF AUTHORITY TO LOAN PERSONNEL AND FACILITIES.

(a) AUTHORITY TO LOAN PERSONNEL.—Subsection (a)(1) of section 1434 of the National Defense Authorization Act, Fiscal Year 1989 (Public Law 100–456; 102 Stat. 2074), as amended by section 3136 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 104 Stat. 1824) and section 3136 of National Defense Authorization for Fiscal Year 1993 (Public Law 102–484; 106 Stat. 2641), is further amended—

(1) in subparagraph (A)—

(A) by striking out ''and'' at the end of clause (i):

(B) by striking out the period at the end of clause (ii) and inserting in lieu thereof a semicolon; and

(C) by adding at the end the following:

''(iii) at the Savannah River Site, South Carolina, to loan personnel in accordance with this section to any community-based organization; and

''(iv) at Oak Ridge, Tennessee, to loan personnel in accordance with this section to any community-based organization.''; and

(2) in subparagraph (B)—

(A) by striking out ''and the Idaho'' and inserting in lieu thereof '', the Idaho''; and

(B) by adding before the period at the end the following: '', the Savannah River Site, and Oak Ridge''.

(b) AUTHORITY TO LOAN FACILITIES.—Subsection (b) of such Act is amended—

(1) by striking out ''or the Idaho'' and inserting in lieu thereof ''the Idaho''; and

(2) by inserting ''Savannah River Site, South Carolina, or Oak Ridge, Tennessee,'' before ''to any community-based organization''.

(c) DURATION OF PROGRAM.—Subsection (c) of such section is amended—

(1) by striking out ''Reservation, and'' and inserting in lieu thereof ''Reservation,''; and

(2) by inserting after ''Idaho National Engineering Laboratory'' the following: '', and September 30, 1995, with respect to the Savannah River Site, and to Oak Ridge''.

SEC. 3135. INCLUSION OF ANALYSIS OF NEVADA TEST SITE IN ENVIRONMENTAL ASSESSMENT OF RECONFIGURATION OF DEPARTMENT OF ENERGY NUCLEAR WEAPONS COMPLEX.

In preparing an environmental impact statement in connection with a decision to reconfigure the functions, facilities, and personnel of the Department of Energy relating to research and development, production, and testing of nuclear materials and weapons, the Secretary of Energy shall include an analysis of the Nevada Test Site as a potential site for the location of some or all of such functions, facilities, and personnel.

SEC. 3136. DEPARTMENT OF ENERGY MANAGEMENT.

(a) UNDER SECRETARIES.—Section 202 of the Department of Energy Organization Act (42 U.S.C. 7132) is amended—

(1) in subsection (a), by striking out ''Under Secretary'' and inserting in lieu thereof ''Under Secretaries''; and

(2) by striking out subsection (b) and inserting in lieu thereof the following:

''(b) There shall be in the Department three Under Secretaries and a General Counsel, who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall perform such functions and duties the Secretary prescribes. The Under Secretaries shall be compensated at the rate for level III of the Executive Schedule under section 5314 of title 5, United States Code, and the General Counsel shall be compensated at the rate provided for level IV of the Executive Schedule under section 5315 of title 5, United States Code.''.

(b) RATES OF PAY.—Section 5314 of title 5, United States Code, is amended by striking out the item relating to the Under Secretary, Department of Energy, and inserting in lieu thereof the following:

''Under Secretaries, Department of Energy (3).''.

SEC. 3137. TRAINING PROGRAMS FOR MANAGEMENT OF HAZARDOUS MATERIALS AND OF HAZARDOUS MATERIALS EMERGENCY RESPONSE ACTIVITIES.

(a) AUTHORITY TO CARRY OUT PROGRAMS.—The Secretary of Energy may carry out the programs described in subsection (b) for persons who work with hazardous materials.

(b) NATURE OF PROGRAMS.—The programs referred to in subsection (a) are programs relating to management of hazardous materials and of hazardous materials emergency response that are designed to enhance the safety of the persons referred to in subsection (a) and to protect the environment.

(c) REGIONAL TRAINING CENTERS.—(1) The programs referred to in subsection (a) may be conducted at regional training centers to be operated under the supervision of the Secretary by qualified (as determined by the Secretary) not-for-profit organizations acting in cooperation with States, labor organizations, or Indian tribes.

(2) In consultation with appropriate representatives of colleges and universities and other organizations having appropriate technical expertise, the Secretary may develop—

(A) standards relating to the operation of centers under this subsection; and

(B) the curricula of the training programs carried out under subsection (a).

(d) AUTHORITY TO CONSTRUCT FACILITIES.—The Secretary may, in cooperation with the Chief of Engineers of the Army, construct such facilities as the Secretary determines necessary to carry out the training programs authorized under subsection (a), including regional training centers located at Department of Energy sites.

(e) DEFINITION.—In this section, the term ''Indian tribe'' has the meaning provided in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)).

(f) FUNDING.—From funds authorized to be appropriated to the Secretary of Energy under this division, $20,000,000 may be used to carry out programs authorized in subsection (a).

SEC. 3138. REVIEW OF DEPARTMENT OF ENERGY ENVIRONMENTAL COMPLIANCE AGREEMENTS.

(a) REVIEW REQUIRED.—The Secretary of Energy shall review each agreement that the Department of Energy has entered into with the Environmental Protection Agency, a State, or an Indian tribe to bring a Department of Energy facility into compliance with the requirements of the Clean Air Act (42 U.S.C. 7401 et seq.), the Federal Water Pollution Control Act (42 U.S.C. 6901 et seq.), the Com-

prehensive Environmental Response Compensation and Liability Act (42 U.S.C. 9601 et seq.), the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.), or a comparable State or local government law or regulation.

(b) CONTENT OF REVIEW.—The review required by subsection (a) shall identify all required actions or milestones that—

(1) can be completed faster than the schedule provided in the agreement;

(2) are unnecessary because of—

(A) technological or programmatic changes; or

(B) changes in circumstances or assumptions;

(3) cannot be completed by the completion date scheduled in the agreement, but can be accomplished within a reasonable time after such date by the use of a more efficient or more cost-effective technology than the technology that has been used;

(4) cannot be completed by the completion date scheduled in the agreement because necessary technology will not be available in time to meet that schedule;

(5) cannot be completed by the completion date scheduled in the agreement because site characteriza-

tion, site analysis, or another necessary information collection activity will not be completed in time to meet that schedule; or

(6) may endanger worker health and safety if carried out within the period provided in the agreement.

(c) CONSULTATION REQUIREMENT.—In conducting the review of an agreement pursuant to subsection (a), the Secretary shall consult with all parties to the agreement and representatives of the community in which the Department of Energy facility covered by the agreement is located.

(d) REPORT TO CONGRESS.—The Secretary of Energy, at the same time that the President submits to Congress the budget for fiscal year 1996 pursuant to section 1105 of title 31, United States Code, shall submit to Congress a report setting forth the following matters:

(1) The results of the review conducted pursuant to subsection (a).

(2) Any alternatives to the milestones and commitments that the Secretary considers appropriate.

(3) An explanation of any alternative action or milestone that the Secretary considers necessary, and the reason such alternative is necessary.

(4) For each such alternative—

(A) the date on which the alternative was presented to the other parties to the agreement concerned;

(B) whether the alternative was accepted, rejected, or modified by any party to the agreement; and

(C) whether the agreement was modified to incorporate the alternative.

(e) EXISTING OBLIGATIONS.—(1) Notwithstanding any other provision of this section, nothing in this Act is intended to void or amend any obligation of the United States under any agreement referred to in subsection (a). In addition, this section is not intended to require any party to any agreement referred to in subsection (a) to renegotiate its agreement.

(2) The Secretary of Energy shall, 60 days prior to filing its report required in subsection (d), provide a copy of the proposed report and request comments from parties to agreements referred to in subsection (a). Any such comments received shall be printed as an appendix to the report to Congress.

SEC. 3139. EXTENSION OF REVIEW OF WASTE ISOLATION PILOT PLANT IN NEW MEXICO.

Section 1433(a) of the National Defense Authorization Act, Fiscal Year 1989 (Public Law 100–456; 102 Stat.

2073) is amended in the second sentence by striking out ''four additional one-year periods'' and inserting in lieu thereof ''nine additional one-year period''.

SEC. 3140. STANDARDIZATION OF REQUIREMENTS AFFECTING DEPARTMENT OF ENERGY EMPLOYEES.

(a) Part A of title VI of the Department of Energy Organization Act (42 U.S.C. 7211 through 7218) is repealed.

(b) The table of contents for the Department of Energy Organization Act is amended by striking out the matter relating to part A of title VI.

Subtitle D—Cooperative Research and Development

SEC. 3141. SHORT TITLE.

This subtitle may be cited as the ''Department of Energy National Competitiveness Technology Partnership Act of 1993''.

SEC. 3142. DEFINITIONS.

For purposes of this subtitle, the term—

(a) ''Department'' means the United States Department of Energy; and

(b) ''Secretary'' means the Secretary of the United States Department of Energy.

SEC. 3143. COMPETITIVENESS AMENDMENT TO THE DEPARTMENT OF ENERGY ORGANIZATION ACT.

(a) The Department of Energy Organization Act is amended by adding the following new title (42 U.S.C. 7101 et seq.):

"TITLE XI—TECHNOLOGY PARTNERSHIPS

"SEC. 1101. FINDINGS, PURPOSES AND DEFINITIONS.

"(a) FINDINGS.—For purposes of this title, Congress finds that—

"(1) the Department has scientific and technical resources within the departmental laboratories in many areas of importance to the economic, scientific and technological competitiveness of United States industry;

"(2) the extensive scientific and technical investment in people, facilities and equipment in the departmental laboratories can contribute to the achievement of national technology goals in areas such as the environment, health, space, and transportation;

"(3) the Department has pursued aggressively the transfer of technology from departmental laboratories to the private sector; however, the capabilities of the laboratories could be made more fully accessible to United States industry and to other Federal agencies;

"(4) technology development has been increasingly driven by the commercial marketplace, and the private sector has research and development capabilities in a broad range of generic technologies;

"(5) the Department and the departmental laboratories would benefit, in carrying out their missions, from collaboration and partnership with United States industry and other Federal agencies; and

"(6) partnerships between the departmental laboratories and United States industry can provide significant benefits to the Nation as a whole, including creation of jobs for United States workers and improvement of the competitive position of the United States in key sectors of the economy such as aerospace, automotive, chemical and electronics.

"(b) PURPOSES.—The purposes of this title are—

"(1) to promote partnerships among the Department, the departmental laboratories and the private sector;

"(2) to establish a goal for the amount of departmental laboratory resources to be committed to partnerships;

"(3) to ensure that the Department and the departmental laboratories play an appropriate role,

consistent with the core competencies of the laboratories, in implementing the President's critical technology strategies;

''(4) to provide additional authority to the Secretary to enter into partnerships with the private sector to carry out research, development, demonstration and commercial application activities;

''(5) to streamline the approval process for cooperative research and development agreements proposed by the departmental laboratories; and

''(6) to facilitate greater cooperation between the Department and other federal agencies as part of an integrated national effort to improve United States competitiveness.

''(c) DEFINITIONS.—For purposes of this title, the term—

''(1) 'cooperative research and development agreement' has the meaning given that term in section 12 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(d)(1));

''(2) 'core competency' means an area in which the Secretary determines a departmental laboratory has developed expertise and demonstrated capabilities;

"(3) 'critical technology' means a technology identified in the Report of the National Critical Technologies Panel;

"(4) 'departmental laboratory' means a facility operated by or on behalf of the Department that would be considered a laboratory as that term is defined in section 12 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(d)(2)) or any other laboratory or facility designated by the Secretary;

"(5) 'disadvantaged' has the same meaning as that term has in section 8(a) (5) and (6) of the Small Business Act (15 U.S.C. 637(a) (5) and (6));

"(6) 'dual-use technology' means a technology that has military and commercial applications;

"(7) 'educational institution' means a college, university, or elementary or secondary school, including any not-for-profit organization dedicated to education that would be exempt under section 501(a) of the Internal Revenue Code of 1986;

"(8) 'minority college or university' means a historically Black college or university that would be considered a 'part B institution' by section 322(2) of the Higher Education Act of 1965 (20 U.S.C. 1061(2)) or a 'minority institution' as that term is

defined in section 1046 of the Higher Education Act of 1965 (20 U.S.C. 1135d–5(3));

''(9) 'multi-program departmental laboratory' means any of the following: Argonne National Laboratory, Brookhaven National Laboratory, Idaho National Engineering Laboratory, Lawrence Berkeley Laboratory, Lawrence Livermore National Laboratory, Los Alamos National Laboratory, National Renewable Energy Laboratory, Oak Ridge National Laboratory, Pacific Northwest Laboratory, and Sandia National Laboratories;

''(10) 'partnership' means any arrangement under which the Secretary or one or more departmental laboratories undertakes research, development, demonstration, commercial application or technical assistance activities in cooperation with one or more non-Federal partners and which may include partners from other Federal agencies;

''(11) 'Report of the National Critical Technologies Panel' means the biennial report on national critical technologies submitted to Congress by the President pursuant to section 603(d) of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6683(d)); and

"(12) 'small business' means a business concern that meets the applicable standards prescribed pursuant to section 3(a) of the Small Business Act (15 U.S.C. 632(a)).

"SEC. 1102. GENERAL AUTHORITY.

"(a)(1) In carrying out the missions of the Department, the Secretary and the departmental laboratories may conduct research, development, demonstration or commercial application activities that build on the core competencies of the departmental laboratories.

"(2) In addition to missions established pursuant to other laws, the Secretary may assign to departmental laboratories any of the following missions:

"(A) National security, including the—

"(i) advancement of the military application of atomic energy;

"(ii) support of the production of atomic weapons, or atomic weapons parts, including special nuclear materials;

"(iii) support of naval nuclear propulsion programs;

"(iv) support for the dismantlement of atomic weapons and the safe storage, transportation and disposal of special nuclear materials;

"(v) development of technologies and techniques for the safe storage, processing, treatment, transportation, and disposal of hazardous waste (including radioactive waste) resulting from nuclear materials production, weapons production and surveillance programs, and naval nuclear propulsion programs and of technologies and techniques for the reduction of environmental hazards and contamination due to such waste and the environmental restoration of sites affected by such waste;

"(vi) development of technologies and processes that facilitate the effective negotiation and verification of international arms control agreements and the containment of the proliferation of nuclear weapons and the proliferation of delivery systems for such weapons; and

"(vii) protection of health and promotion of safety in carrying out other national security missions.

"(B) Energy-related science and technology, including the—

''(i) enhancement of the understanding of all forms of energy production and use;

''(ii) support of basic and applied research on the fundamental nature of matter and energy, including construction and operation of unique scientific instruments;

''(iii) development of energy resources, including solar, geothermal, fossil, and nuclear energy resources, and related fuel cycles;

''(iv) pursuit of a comprehensive program of research and development on the environmental effects of energy technologies and programs;

''(v) development of technologies and processes to reduce the generation of waste or pollution or the consumption of energy or materials;

''(vi) development of technologies and techniques for the safe storage, processing, treatment, management, transportation and disposal of nuclear waste resulting from commercial nuclear activities; and

"(vii) improvement of the quality of education in science, mathematics, and engineering.

"(C) Technology transfer.

"(3)(A) In addition to the missions identified in subsection (a)(2), the Departmental laboratories may pursue supporting missions to the extent that these supporting missions—

"(i) support the technology policies of the President;

"(ii) are developed in consultation with and coordinated with any other Federal agency or agencies that carry out such mission activities;

"(iii) are built upon the competencies developed in carrying out the primary missions identified in subsection (a)(2) and do not interfere with the pursuit of the missions identified in subsection (a)(2); and

"(iv) are carried out through a process that solicits the views of United States industry and other appropriate parties.

"(B) These supporting missions shall include activities in the following areas:

"(i) developing and operating high-performance computing and communications systems,

with the goals of contributing to a national information infrastructure and addressing complex scientific and industrial challenges which require large-scale computational capabilities;

"(ii) conducting research on and development of advanced manufacturing systems and technologies, with the goal of assisting the private sector in improving the productivity, quality, energy efficiency, and control of manufacturing processes; and

"(iii) conducting research on and development of advanced materials, with the goals of increasing energy efficiency, environmental protection, and improved industrial performance.

"(4) In carrying out the Department's missions, the Secretary, and the directors of the departmental laboratories, shall, to the maximum extent practicable, make use of partnerships. Such partnerships shall be for purposes of the following:

"(A) to lead to the development of technologies that the private sector can commercialize in areas of technology with broad application important to United States technological and economic competitiveness;

"(B) to provide Federal support in areas of technology where the cost or risk is too high for the private sector to support alone but that offer a potentially high payoff to the United States;

"(C) to contribute to the education and training of scientists and engineers;

"(D) to provide university and private researchers access to departmental laboratory facilities; or

"(E) to provide technical expertise to universities, industry or other Federal agencies.

"(b) The Secretary, in carrying out partnerships, may enter into agreements using instruments authorized under applicable laws, including but not limited to contracts, cooperative research and development agreements, work for other agreements, user-facility agreements, cooperative agreements, grants, personnel exchange agreements and patent and software licenses with any person, any agency or instrumentality of the United States, any State or local governmental entity, any educational institution, and any other entity, private sector or otherwise.

"(c) The Secretary and the directors of the departmental laboratories shall utilize partnerships with United States industry, to the maximum extent practicable, to ensure that technologies developed in pursuit of the Depart-

ment's missions are applied and commercialized in a timely manner.

''(d) The Secretary shall work with other Federal agencies to carry out research, development, demonstration or commercial application activities where the core competencies of the departmental laboratories could contribute to the missions of such other agencies.

''SEC. 1103. ESTABLISHMENT OF GOAL FOR PARTNERSHIPS BETWEEN DEPARTMENTAL LABORATORIES AND UNITED STATES INDUSTRY.

''(a) Beginning in fiscal year 1994, the Secretary shall establish a goal to make available for cost-shared partnerships with United States industry not less than 20 percent of the annual funds provided by the Secretary to each multi-program departmental laboratory for research, development, demonstration and commercial application activities.

''(b) Beginning in fiscal year 1994, the Secretary shall establish an appropriate goal for the amount of resources to be made available for cost-shared partnerships with United States industry at other departmental laboratories.

"SEC. 1104. ROLE OF THE DEPARTMENT IN THE DEVELOPMENT OF CRITICAL TECHNOLOGY STRATEGIES.

"(a) The Secretary shall develop a multi-year critical technology strategy for research, development, demonstration and commercial application activities supported by the Department for the critical technologies listed in the Report of the National Critical Technologies Panel.

"(b) In developing such strategy, the Secretary shall—

"(1) identify the core competencies of each departmental laboratory;

"(2) develop goals and objectives for the appropriate role of the Department in each of the critical technologies listed in the report, taking into consideration the core competencies of the departmental laboratories;

"(3) consult with appropriate representatives of United States industry, including members of industry associations and representatives of labor organizations; and

"(4) participate in the executive branch process to develop critical technology strategies.

"SEC. 1105. PARTNERSHIP PREFERENCES.

"(a) The Secretary shall ensure that the principal economic benefits of any partnership accrue to the United States economy.

"(b) Any partnership that would be given preference under section 12(c)(4) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a (c)(4)) if it were a cooperative research and development agreement shall be given preference under this title.

"(c) The Secretary shall issue guidelines, after consultation with the Laboratory Partnership Advisory Board established in section 1109, for application of section 12(c)(4) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a (c)(4)) and application of subsection (a) of this section to partnerships.

"(d) The Secretary shall encourage partnerships that involve minority colleges or universities or private sector entities owned or controlled by disadvantaged individuals.

"SEC. 1106. EVALUATION OF PARTNERSHIP PROGRAMS.

"(a) The Secretary, in consultation with the Laboratory Partnership Advisory Board established in section 1109, shall develop mechanisms for independent evaluation of the ongoing partnership activities of the Department and the departmental laboratories.

"(b)(1) The Secretary and the director of each departmental laboratory shall develop mechanisms for assessing the progress of each partnership.

"(2) The Secretary and the director of each departmental laboratory shall utilize the mechanisms developed

under paragraph (1) to evaluate the accomplishments of each ongoing multi-year partnership and shall condition continued Federal participation in each partnership on demonstrated progress.

"SEC. 1107. ANNUAL REPORT.

"(a) The Secretary shall submit an annual report to Congress describing the ongoing partnership activities of the Secretary and each departmental laboratory and, to the extent practicable, the activities planned by the Secretary and by each departmental laboratory for the coming fiscal year. In developing the report, the Secretary shall seek the advice of the Laboratory Partnership Advisory Board established in section 1109.

"(b) The Secretary shall submit the report under subsection (a) to the appropriate Committees of the Congress. No later than March 1, 1994, and no later than the first of March of each subsequent year, the Secretary shall submit the report under subsection (a) that covers the fiscal year beginning on the first of October of such year.

"(c) Each director of a departmental laboratory shall provide annually to the Secretary a report on ongoing partnership activities and a plan and such other information as the Secretary may reasonably require describing the partnership activities the director plans to carry out in the coming fiscal year. The director shall provide such report

and plan in a timely manner as prescribed by the Secretary to permit preparation of the report under subsection (a).

''(d) The Secretary's description of planned activities under subsection (a) shall include, to the extent such information is available, appropriate information on—

''(1) the total funds to be allocated to partnership activities by the Secretary and by the director of each departmental laboratory;

''(2) a breakdown of funds to be allocated by the Secretary and by the director of each departmental laboratory for partnership activities by area of technology;

''(3) any plans for additional funds not described in paragraph (2) to be set aside for partnerships during the coming fiscal year;

''(4) any partnership that involves a Federal contribution in excess of $500,000 the Secretary or the director of each departmental laboratory expects to enter into in the coming fiscal year;

''(5) the technologies that will be advanced by each partnership that involves a Federal contribution in excess of $500,000;

''(6) the types of entities that will be eligible for participation in partnerships;

"(7) the nature of the partnership arrangements, including the anticipated level of financial and in-kind contribution from participants and any repayment terms;

"(8) the extent of use of competitive procedures in selecting partnerships; and

"(9) such other information that the Secretary finds relevant to the determination of the appropriate level of Federal support for such partnerships.

"(e) The Secretary shall provide appropriate notice in advance to Congress of any partnership, which has not been described previously in the report required by subsection (a), that involves a Federal contribution in excess of $500,000.

"SEC. 1108. PARTNERSHIP PAYMENTS.

"(a)(1) Partnership agreements entered into by the Secretary may require a person or other entity to make payments to the Department, or any other Federal agency, as a condition for receiving support under the agreement.

"(2) The amount of any payment received by the Federal Government pursuant to a requirement imposed under paragraph (1) may be credited, to the extent authorized by the Secretary, to the account established under paragraph (3). Amounts so credited shall be available, subject to appropriations, for partnerships.

"(3) There is hereby established in the United States Treasury an account to be known as the 'Department of Energy Partnership Fund'. Funds in such account shall be available to the Secretary for the support of partnerships.

"(b) The Secretary may advance funds under any partnership without regard to section 3324 of title 31 of the United States Code to—

"(1) small businesses;

"(2) not-for-profit organizations that would be exempt under section 501(a) of the Internal Revenue Code of 1986; or

"(3) State or local governmental entities.

"SEC. 1109. LABORATORY PARTNERSHIP ADVISORY BOARD AND INDUSTRIAL ADVISORY GROUPS AT MULTI-PROGRAM DEPARTMENTAL LABORATORIES.

"(a)(1) The Secretary shall establish within the Department an advisory board to be known as the 'Laboratory Partnership Advisory Board', to provide the Secretary with advice on the implementation of this title.

"(2) The membership of the Laboratory Partnership Advisory Board shall consist of persons who are qualified to provide the Secretary with advice on the implementation of this title. Members of the Board shall include representa-

tives primarily from United States industry but shall also include representatives from—

"(A) small businesses;

"(B) private sector entities owned or controlled by disadvantaged persons;

"(C) educational institutions, including representatives from minority colleges or universities;

"(D) laboratories of other Federal agencies; and

"(E) professional and technical societies in the United States.

"(3) The Laboratory Partnership Advisory Board shall request comment and suggestions from departmental laboratories to assist the Board in providing advice to the Secretary on the implementation of this title.

"(b) The director of each multi-program departmental laboratory shall establish an advisory group consisting of persons from United States industry to—

"(1) evaluate new initiatives proposed by the departmental laboratory;

"(2) identify opportunities for partnerships with United States industry; and

"(3) evaluate ongoing programs at the departmental laboratory from the perspective of United States industry.

''(c) Nothing in this section is intended to preclude the Secretary or the director of a departmental laboratory from utilizing existing advisory boards to achieve the purposes of this section.

''SEC. 1110. FELLOWSHIP PROGRAM.

''The Secretary shall encourage scientists, engineers and technical staff from departmental laboratories to serve as visiting fellows in research and manufacturing facilities of industrial organizations, State and local governments, and educational institutions in the United States and foreign countries. The Secretary may establish a formal fellowship program for this purpose or may authorize such activities on a case-by-case basis. The Secretary shall also encourage scientists and engineers from United States industry to serve as visiting scientists and engineers in the departmental laboratories.

''SEC. 1111. COOPERATION WITH STATE AND LOCAL PROGRAMS FOR TECHNOLOGY DEVELOPMENT AND DISSEMINATION.

''The Secretary and the director of each departmental laboratory shall seek opportunities to coordinate their activities with programs of State and local governments for technology development and dissemination, including programs funded in part by the Secretary of Defense pursuant to section 2523 of title 10 of the United States Code and

section 2513 of title 10 of the United States Code and programs funded in part by the Secretary of Commerce pursuant to sections 25 and 26 of the Act of March 3, 1901 (15 U.S.C. 278k and 278l) and section 5121(b) of the Omnibus Trade and Competitiveness Act of 1988 (15 U.S.C. 278l note).

"SEC. 1112. AVAILABILITY OF FUNDS FOR PARTNERSHIPS.

"(a) All of the funds authorized to be appropriated to the Secretary for research, development, demonstration or commercial application activities, other than atomic energy defense programs, shall be available for partnerships to the extent such partnerships are consistent with the goals and objectives of such activities.

"(b) All of the funds authorized to be appropriated to the Secretary for atomic energy defense activities shall be available for partnerships to the extent such partnerships are consistent with the goals and objectives of such activities.

"(c) Funds authorized to be appropriated to the Secretary and made available for departmental laboratory-directed research and development shall be available for any partnership.

"SEC. 1113. PROTECTION OF INFORMATION.

"Section 12(c)(7) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(c)(7)), relating

to the protection of information, shall apply to the partnership activities undertaken by the Secretary and by the directors of the departmental laboratories.

"SEC. 1114. FAIRNESS OF OPPORTUNITY.

"(a) The Secretary and the director of each departmental laboratory shall institute procedures to ensure that information on laboratory capabilities and arrangements for participating in partnerships with the Secretary or the departmental laboratories is publicly disseminated.

"(b) Prior to entering into any partnership having a Federal contribution in excess of $5,000,000, the Secretary or director of a departmental laboratory shall ensure that the opportunity to participate in such partnership has been publicly announced to potential participants.

"(c) In cases where the Secretary or the director of a departmental laboratory believes a potential partnership activity would benefit from broad participation from the private sector, the Secretary or the director of such departmental laboratory may take such steps as may be necessary to facilitate formation of a United States industry consortium to pursue the partnership activity.

"SEC. 1115. PRODUCT LIABILITY.

"The Secretary, after consultation with the Laboratory Partnership Advisory Board established in section 1109, and the Attorney General shall enter into a memorandum

of understanding establishing a consistent policy and standards regarding the liability of the United States, of the non-Federal entity operating a departmental laboratory and of any other party to a partnership for product liability claims arising from partnership activities. The Secretary and the director of each departmental laboratory shall, to the maximum extent practicable, incorporate into any partnership the policy and standards established in the memorandum of understanding.

"SEC. 1116. INTELLECTUAL PROPERTY.

''The Secretary shall, after consultation with the Laboratory Partnership Advisory Board established in section 1109, develop guidelines governing the application of intellectual property laws by the Secretary and by the director of each departmental laboratory in partnership arrangements.

"SEC. 1117. SMALL BUSINESS.

''(a) The Secretary shall develop simplified procedures and guidelines for partnerships involving small businesses to facilitate access to the resources and capabilities of the departmental laboratories.

''(b) Notwithstanding any other law, the Secretary may waive, in whole or in part, any cost-sharing requirement for a small business involved in a partnership if the Secretary determines that the cost-sharing requirement

would impose an undue hardship on the small business and would prevent the formation of the partnership.

''(c) Notwithstanding section 12(d) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(d)(1)), the Secretary may provide funds as part of a cooperative research and development agreement to a small business if the Secretary determines that the funds are necessary to prevent imposing an undue hardship on the small business and necessary for the formation of the cooperative research and development agreement.

''SEC. 1118. MINORITY COLLEGE AND UNIVERSITY REPORT.

''Within one year after the date of enactment of this title, and annually thereafter, the Secretary shall submit to the appropriate committees of the United States Senate and the United States House of Representatives a report identifying opportunities for minority colleges and universities to participate in programs and activities being carried out by the Department or the departmental laboratories. The Secretary shall consult with representatives of minority colleges and universities in preparing the report. Such report shall—

''(a) describe ongoing education and training programs being carried out by the Department or the departmental laboratories with respect to or in con-

junction with minority colleges and universities in the areas of mathematics, science, and engineering;

''(b) describe ongoing research, development demonstration or commercial application activities involving the Department or the departmental laboratories and minority colleges and universities;

''(c) describe funding levels for the programs and activities described in subsections (a) and (b);

''(d) identify ways for the Department or the departmental laboratories to assist minority colleges and universities in providing education and training in the fields of mathematics, science, and engineering;

''(e) identify ways for the Department or the departmental laboratories to assist minority colleges and universities in entering into partnerships;

''(f) address the need for and potential role of the Department or the departmental laboratories in providing to minority colleges and universities the following:

''(1) increased research opportunities for faculty and students;

''(2) assistance in faculty development and recruitment and curriculum enhancement and development; and

"(3) laboratory instrumentation and equipment, including computer equipment, through purchase, loan, or other transfer;

"(g) address the need for and potential role of the Department or the departmental laboratories in providing funding and technical assistance for the development of infrastructure facilities, including buildings and laboratory facilities at minority colleges and universities; and

"(h) make specific proposals and recommendations, together with estimates of necessary funding levels, for initiatives to be carried out by the Department or the departmental laboratories to assist minority colleges and universities in providing education and training in the areas of mathematics, science, and engineering, and in entering into partnerships with the Department or departmental laboratories.

"SEC. 1119. MINORITY COLLEGE AND UNIVERSITY SCHOLARSHIP PROGRAM.

"The Secretary shall establish a scholarship program for students attending minority colleges or universities and pursuing a degree in energy-related scientific, mathematical, engineering, and technical disciplines. The program shall include tuition assistance. The program shall provide

an opportunity for the scholarship recipient to participate in an applied work experience in a departmental laboratory. Recipients of such scholarships shall be students deemed by the Secretary to have demonstrated (1) a need for such assistance and (2) academic potential in the particular area of study. Scholarships awarded under this program shall be known as Secretary of Energy Scholarships.''.

(b) CONFORMING AMENDMENT.—The table of contents of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.) is amended by adding at the end thereof the following items:

''TITLE XI—TECHNOLOGY PARTNERSHIPS

''Sec. 1101. Finding, purposes, and definitions.
''Sec. 1102. General authority.
''Sec. 1103. Establishment of goal for partnerships between departmental laboratories and United States industry.
''Sec. 1104. Role of the Department in the development of critical technology strategies.
''Sec. 1105. Partnership preferences.
''Sec. 1106. Evaluation of partnership programs.
''Sec. 1107. Annual report.
''Sec. 1108. Partnership payments.
''Sec. 1109. Laboratory partnership advisory board and industrial advisory groups at multi-program departmental laboratories.
''Sec. 1110. Fellowship program.
''Sec. 1111. Cooperation with State and local programs for technology development and dissemination.
''Sec. 1112. Availability of funds for partnerships.
''Sec. 1113. Protection of information.
''Sec. 1114. Fairness of opportunity.
''Sec. 1115. Product liability.
''Sec. 1116. Intellectual property.
''Sec. 1117. Small business.
''Sec. 1118. Minority college and university report.
''Sec. 1119. Minority college and university scholarship program.''.

SEC. 3144. NATIONAL ADVANCED MANUFACTURING TECHNOLOGIES PROGRAM.

The Secretary is encouraged to use partnerships to expedite the private sector deployment of advanced manufacturing technologies as required by section 2202(a) of the Energy Policy Act of 1992 (42 U.S.C. 13502).

SEC. 3145. NOT-FOR-PROFIT ORGANIZATIONS.

The Secretary shall encourage the establishment of not-for-profit organizations, such as the Center for Applied Development of Environmental Technology (CADET), that will facilitate the transfer of technologies from the departmental laboratories to the private sector.

SEC. 3146. CAREER PATH PROGRAM.

(a) The Secretary, utilizing authority under other applicable law and the authority of this section, shall establish a career path program to recruit employees of the national laboratories to serve in positions in the Department.

(b) Section 207 of title 18, United States Code, is amended by inserting after subsection (j)(6) the following:

"(7) NATIONAL LABORATORIES.—(A) The restrictions contained in subsections (a), (b), (c), and (d) shall not apply to an appearance or communication made, or advice or aid rendered by a person employed at a facility described in subparagraph (B), if the appearance or communication is made on behalf of the

facility or the advice or aid is provided to the contractor of the facility.

"(B) This paragraph applies to the following: Argonne National Laboratory, Brookhaven National Laboratory, Idaho National Engineering Laboratory, Lawrence Berkeley Laboratory, Lawrence Livermore National Laboratory, Los Alamos National Laboratory, National Renewable Energy Laboratory, Oak Ridge National Laboratory, Pacific Northwest Laboratory, and Sandia National Laboratories.".

(c) Section 27 of the Office of Federal Procurement Policy Act (41 U.S.C. 423) is amended by inserting the following new subsection:

"(q) NATIONAL LABORATORIES.—(1) The restrictions on obtaining a recusal contained in paragraphs (c)(2) and (c)(3) shall not apply to discussions of future employment or business opportunity between a procurement official and a competing contractor managing and operating a facility described in paragraph (3): Provided, That such discussions concern the employment of the procurement official at such facility.

"(2) The restrictions contained in paragraph (f)(1) shall not apply to activities performed on behalf of a facility described in paragraph (3).

"(3) This subsection applies to the following: Argonne National Laboratory, Brookhaven National Laboratory, Idaho National Engineering Laboratory, Lawrence Berkeley Laboratory, Lawrence Livermore National Laboratory, Los Alamos National Laboratory, National Renewable Energy Laboratory, Oak Ridge National Laboratory, Pacific Northwest Laboratory, and Sandia National Laboratories.".

SEC. 3147. AVLIS COMMERCIALIZATION.

(a) PREDEPLOYMENT CONTRACTOR.—Not later than ninety days after the date of enactment of this Act, the Secretary shall solicit proposals for a commercial predeployment contractor to conduct such activities as may be necessary to enable the Secretary or any successor to the Secretary's uranium enrichment enterprise to deploy a commercial uranium enrichment plant using the Atomic Vapor Laser Isotope Separation (AVLIS) technology. Such activities shall include—

(1) developing a transition plan for transferring the AVLIS program from research, development, and demonstration activities at the Lawrence Livermore National Laboratory to deployment of a commercial AVLIS production plant;

(2) confirming the technical performance of AVLIS technology;

(3) developing the economic and industrial assessments necessary for the Secretary or his successor to make a commercial decision whether to deploy AVLIS;

(4) providing an industrial perspective for the planning and execution of remaining demonstration program activities; and

(5) completing feasibility and risk studies necessary for a commercial decision whether to deploy AVLIS, including financing options.

(b) ADDITIONAL ACTIVITIES.—Based upon the results of subsection (a), the Secretary may solicit additional proposals to complete the following activities:

(1) site selection, site characterization, and environmental documentation activities for a commercial AVLIS plant;

(2) engineering design of a production plant, developing a project schedule, and initiating operations planning;

(3) activities leading to obtaining necessary licenses from the Nuclear Regulatory Commission; and

(4) ensuring the successful integration of AVLIS technology into the commercial nuclear fuel cycle.

(c) REPORTS.—The Secretary shall submit to the Committee on Energy and Natural Resources of the United

States Senate and to the Speaker of the House of Representatives a written report on the progress made toward the deployment of a commercial AVLIS production plant ninety days after the date of enactment of this Act and each ninety days thereafter.

SEC. 3148. AMENDMENTS TO STEVENSON-WYDLER TECHNOLOGY INNOVATION ACT.

(a) Section 12(c)(5) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(c)(5)) is amended—

(1) by deleting subparagraph (C)(i) and inserting in lieu thereof the following:

"(C)(i) Any agency that has contracted with a non-Federal entity to operate a laboratory shall review and approve, request specific modifications to, or disapprove a joint work statement and cooperative research and development agreement that is submitted by the director of such laboratory within thirty days after such submission. In any case where an agency has requested specific modifications to a joint work statement or cooperative research and development agreement, the agency shall approve or disapprove any resubmission of such joint work statement or cooperative research and develop-

ment agreement within fifteen days after such resubmission. No agreement may be entered into by a Government-owned, contractor-operated laboratory under this section before both approval of the cooperative research and development agreement and a joint work statement.'';

(2) by adding in subparagraph (C)(ii) the words, ''or cooperative research and development agreement'' after ''joint work statement'';

(3) by deleting subparagraph (C)(iv);

(4) by deleting subparagraph (C)(v) and inserting in lieu thereof:

''(C)(iv) If an agency fails to complete a review under clause (i) within any of the specified time-periods, the agency shall submit to the Congress, within ten days after the failure to complete the review, a report on the reasons for such failure. The agency shall, at the end of each successive 15-day period thereafter during which such failure continues, submit to Congress another report on the reasons for the continued failure.''; *and*

(5) by deleting subparagraph (C)(vi).

(b) Section 12(d)(2) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(d)(2)) is amended—

(1) in subparagraph (B) by striking ''substantial'' before ''purpose''; and

(2) in subparagraph (C) by striking ''the primary purpose'' and inserting in lieu thereof ''one of the purposes''.

SEC. 3149. GUIDELINES.

The implementation of the provisions of this Act shall not be delayed pending the issuance of guidelines, policies or standards required by sections 1105, 1115 and 1116 of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.) as added by section 3143 of this Act.

SEC. 3150. AUTHORIZATION.

(a) In addition to funds made available for partnerships under section 1112 of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.) as added by section 3143 of this Act, there is authorized to be appropriated from funds otherwise available to the Secretary for partnership activities with industry in areas other than atomic energy defense activities $100,000,000 for fiscal year 1994, $140,000,000 for fiscal year 1995, $180,000,000 for fiscal year 1996 and $220,000,000 for fiscal year 1997.

(b) There is authorized to be appropriated to the Secretary for the Minority College and University Scholarship Program established in section 1119 of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.) as added by section 3143 of this Act in areas other than atomic energy defense activities $1,000,000 for fiscal year 1994, $2,000,000 for fiscal year 1995 and $3,000,000 for fiscal year 1996.

(c) There is authorized to be appropriated to the Secretary for research or educational programs, in areas other than atomic energy defense activities, carried out through partnerships or otherwise, and for related facilities and equipment that involve minority colleges or universities such sums as may be necessary.

TITLE XXXII—NUCLEAR SAFETY

SEC. 3201. AUTHORIZATION FOR DEFENSE NUCLEAR SAFETY BOARD.

There are authorized to be appropriated for fiscal year 1994, $18,000,000 for the operation of the Defense Nuclear Facilities Safety Board under chapter 21 of the Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

SEC. 3202. REQUIREMENT FOR TRANSMITTAL TO CONGRESS OF CERTAIN INFORMATION PREPARED BY DEFENSE NUCLEAR SAFETY BOARD.

(a) REQUIREMENT.—Chapter 21 of the Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.) is amended—

(1) by redesignating section 320 as section 321; and

(2) by inserting after section 319 the following new section 320:

"SEC. 320. TRANSMITTAL OF CERTAIN INFORMATION TO CONGRESS.

''Whenever the Board submits or transmits to the President or the Director of the Office of Management and Budget any budget estimate, budget request, supplemental budget request, or other budget information, any legislative recommendation, or any statement or information in preparation of a report to be submitted to Congress pursuant to section 316(a), the Board shall submit at the same time a copy thereof to Congress.''.

(b) CLERICAL AMENDMENT.—The table of contents at the beginning of the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.) is amended by striking out the item relating to section 320 and inserting in lieu thereof the following:

''Sec. 320. Transmittal of certain information to Congress.
''Sec. 321. Annual authorization of appropriations.''.

TITLE XXXIII—NATIONAL DEFENSE STOCKPILE

Subtitle A—Authorizations of Disposals and Use of Funds

SEC. 3301. DISPOSAL OF OBSOLETE AND EXCESS MATERIALS CONTAINED IN THE NATIONAL DEFENSE STOCKPILE.

(a) DISPOSAL AUTHORIZED.—Subject to the conditions specified in subsection (b), the President may dispose of obsolete and excess materials currently contained in the National Defense Stockpile in order to modernize the stockpile. The materials subject to disposal under this subsection and the quantity of each material authorized to be disposed of by the President are set forth in the following table:

Authorized Stockpile Disposals

Material for disposal	Quantity
Aluminum	62,843 short tons
Analgesics	53,525 pounds of anhydrous morphine alkaloid
Antimony	32,140 short tons
Diamond Dies, Small	25,473 pieces
Manganese, Electrolytic	14,172 short tons
Mica, Muscovite Block, Stained and Better	1,866,166 pounds
Mica, Muscovite Film, 1st & 2d quality	158,440 pounds
Mica, Muscovite Splittings	12,540,382 pounds
Quinidine	2,471,287 avoirdupois ounces
Quinidine, Non-Stockpile Grade	1,691 avoirdupois ounces
Quinine	2,770,091 avoirdupois ounces
Quinine, Non-Stockpile Grade	475,950 avoirdupois ounces
Rare Earths	504 short dry tons
Vanadium Pentoxide	718 short tons of contained vanadium

(b) CONDITIONS ON DISPOSAL.—The authority of the President under subsection (a) to dispose of materials stored in the stockpile may not be used unless and until the Secretary of Defense certifies that the disposal of such materials will not adversely affect the capability of the National Defense Stockpile to supply the strategic and critical materials necessary to meet the needs of the United States during a period of national emergency that requires a significant level of mobilization of the economy of the United States, including any reconstitution of the military and industrial capabilities necessary to meet the planning assumptions used by the Secretary of Defense under section 14(b) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h–5(b)).

SEC. 3302. REVISION OF AUTHORITY TO DISPOSE OF CERTAIN MATERIALS AUTHORIZED FOR DISPOSAL IN FISCAL YEAR 1993.

(a) CHROMITE AND MANGANESE ORES.—During fiscal year 1994, the disposal of chromite and manganese ores of metallurgical grade under the authority of section 3302(a) of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat. 2649; 50 U.S.C. 98d note) may be made only for processing within the United States and the territories and possessions of the United States.

(b) CHROMIUM AND MANGANESE FERRO.—Section 3302(f) of such Act (106 Stat. 2651; 50 U.S.C. 98d note) is amended by striking out ''October 1, 1993'' and inserting in lieu thereof ''October 1, 1994''.

SEC. 3303. AUTHORIZED USES OF STOCKPILE FUNDS.

During fiscal year 1994, the National Defense Stockpile Manager may obligate up to $67,300,000 of the funds in the National Defense Stockpile Transaction Fund (subject to such limitations as may be provided in appropriations Acts) for the authorized uses of such funds under section 9(b)(2) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h(b)(2)).

Subtitle B—Programmatic Changes

SEC. 3311. STOCKPILING PRINCIPLES.

Section 2(c)(2) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98a(c)(2)) is amended to read as follows:

> *''(2) The quantities of materials stockpiled under this Act should be sufficient to meet the needs of the United States during a period of a national emergency that would necessitate an expansion of the Armed Forces together with a significant mobilization of the economy of the United States under planning guidance issued by the Secretary of Defense.''.*

SEC. 3312. PERIOD OF LIMITATION FOR CHANGING ANNUAL MATERIALS PLAN.

Section 5(a)(2) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98d(a)(2)) is amended—

(1) by inserting ''(A)'' after ''(2)'';

(2) in subparagraph (A), as so designated, by striking out the last sentence and inserting in lieu thereof the following: ''The President shall submit such statement on a day when both Houses of Congress are in session.''; and

(3) by adding at the end the following:

''(B) In the event of a war declared by Congress or a national emergency declared by the President or Congress, the President may carry out any change under subparagraph (A) (including any obligation or expenditure relating to such change) before the expiration of the 30-day period referred to in such subparagraph.''.

SEC. 3313. ROTATION OF MATERIALS TO PREVENT TECHNOLOGICAL OBSOLESCENCE.

Section 6(a)(4) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98e(a)(4)) is amended by inserting ''or technological obsolescence'' after ''deterioration''.

SEC. 3314. USES OF THE NATIONAL DEFENSE STOCKPILE TRANSACTION FUND.

(a) ADDITIONAL USES.—Section 9(b)(2) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C.

98h(b)(2)) is amended by adding at the end the following new subparagraphs:

''(J) Pay of employees of the National Defense Stockpile program.

''(K) Other expenses of the National Defense Stockpile program.''.

(b) CONFORMING AMENDMENT.—Section 9 of such Act is amended by striking out paragraph (4).

SEC. 3315. NATIONAL EMERGENCY PLANNING ASSUMPTIONS FOR BIENNIAL REPORT ON STOCKPILE REQUIREMENTS.

Section 14(b) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h–5(b)) is amended in the first sentence by striking out '', based upon'' and all that follows through ''three years.'' and inserting in lieu thereof a period and the following: ''Such assumptions shall be based on an assumed national emergency involving military conflict that necessitates an expansion of the Armed Forces together with a significant mobilization of the economy of the United States.''.

SEC. 3316. REPEAL OF ADVISORY COMMITTEE REQUIREMENT.

Section 3306 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat. 2652; 50 U.S.C. 98h–1 note) is repealed.

TITLE XXXIV—CIVIL DEFENSE

SEC. 3401. AUTHORIZATION OF APPROPRIATIONS.

There is hereby authorized to be appropriated $152,900,000 for fiscal year 1994 for the purpose of carrying out the Federal Civil Defense Act of 1950 (50 U.S.C. App. 2251 et seq.).

TITLE XXXV—PANAMA CANAL COMMISSION

SEC. 3501. SHORT TITLE.

This title may be cited as the ''Panama Canal Commission Authorization Act for Fiscal Year 1994''.

SEC. 3502. AUTHORIZATION OF EXPENDITURES.

(a) IN GENERAL.—The Panama Canal Commission is authorized to make such expenditures within the limits of funds and borrowing authority available to it in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as may be necessary under the Panama Canal Act of 1979 (22 U.S.C. 3601 et seq.) for the operation, maintenance, and improvement of the Panama Canal for fiscal year 1994.

(b) LIMITATIONS.—Expenditures under subsection (a) for administrative expenses may not exceed $51,742,000, of which not more than—

(1) $11,000 may be expended for official reception and representation expenses of the Panama Canal Commission Board of Directors;

(2) $5,000 may be expended for official reception and representation expenses of the Panama Canal Commission Secretary; and

(3) $30,000 may be expended for official reception and representation expenses of the Panama Canal Administrator.

(c) REPLACEMENT VEHICLES.—Available funds may be used, under the authority of subsection (a), for the purchase of not more than 35 passenger motor vehicles (including large heavy-duty vehicles used to transport Commission personnel across the Isthmus of Panama). A vehicle may be purchased under the authority of the preceding sentence only as necessary to replace a passenger motor vehicle of the Commission that is disposed of by the Commission. The purchase price of each vehicle may not exceed $18,000.

SEC. 3503. EXPENDITURES IN ACCORDANCE WITH OTHER LAWS.

Expenditures authorized under this Act may be made only in accordance with the Panama Canal Treaties of 1977 and any law of the United States implementing those treaties.

SEC. 3504. EMPLOYMENT OF COMMISSION EMPLOYEES BY THE GOVERNMENT OF PANAMA.

(a) CONSENT OF CONGRESS.—Subject to subsection (b), the Congress consents to employees of the Panama Canal Commission who are not citizens of the United States accepting civil employment with agencies and organizations affiliated with the Government of Panama (and compensation for that employment) for which the consent of Congress is required by the 8th clause of section 9 of article I of the Constitution of the United States, relating to acceptance of emolument, office, or title from a foreign State.

(b) CONDITION.—Employees described in subsection (a) may accept employment described in that subsection (and compensation for that employment) only if the employment is approved by the designated agency ethics official of the Panama Canal Commission designated pursuant to the Ethics in Government Act of 1978, and by the Administrator of the Panama Canal Commission.

SEC. 3505. LABOR-MANAGEMENT RELATIONS.

Section 1271(a) of the Panama Canal Act of 1979 (22 U.S.C. 3701(a)) is amended—

(1) in paragraph (1), by striking out ''and'' after the semicolon;

(2) in paragraph (2), by striking out ''supervisors.'' and inserting in lieu thereof ''supervisors; and''; and

(3) by adding at the end the following:

''(3) any negotiated grievance procedures under section 7121 of such title 5, including any provisions relating to binding arbitration, shall, with respect to any personnel action to which subchapter II of chapter 75 of such title applies (as determined under section 7512 of such title), be available, in accordance with their terms, to the same extent and in the same manner as if employees of the Panama Canal Commission were not excluded from such subchapter under section 7511(b)(8) of such title.''.

SEC. 3506. EFFECTIVE DATE.

(a) IN GENERAL.—Except as provided in subsection (b), this title shall take effect on October 1, 1993.

(b) SPECIAL RULE.—Paragraph (3) of section 1271(a) of the Panama Canal Act of 1979 (22 U.S.C. 3701(a)), as added by section 3505(3), shall take effect on the date of

the enactment of this Act and shall apply with respect to grievances arising on or after such date.

Amend the title so as to read: ''To authorize appropriations for fiscal year 1994 for military activities of the Department of Defense, for military construction, and for defense programs of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.''.

Attest:

Secretary.

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