

Calendar No. 221

103D CONGRESS
1ST SESSION

H. R. 3116

[Report No. 103-153]

AN ACT

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

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

OCTOBER 4 (legislative day, SEPTEMBER 27), 1993
Reported with amendments

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IN THE SENATE OF THE UNITED STATES

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Reported by Mr. INOUE, with amendments

[Omit the part struck through and insert the part printed in italic]

AN ACT

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

- 1 *Be it enacted by the Senate and House of Representa-*
- 2 *tives of the United States of America in Congress assembled,*
- 3 That the following sums are appropriated, out of any
- 4 money in the Treasury not otherwise appropriated, for the
- 5 fiscal year ending September 30, 1994, for military func-

1 tions administered by the Department of Defense, and for
2 other purposes, namely:

3 TITLE I

4 MILITARY PERSONNEL

5 MILITARY PERSONNEL, ARMY

6 For pay, allowances, individual clothing, interest on
7 deposits, gratuities, permanent change of station travel
8 (including all expenses thereof for organizational move-
9 ments), and expenses of temporary duty travel between
10 permanent duty stations, for members of the Army on ac-
11 tive duty (except members of reserve components provided
12 for elsewhere), cadets, and aviation cadets; and for pay-
13 ments pursuant to section 156 of Public Law 97-377, as
14 amended (42 U.S.C. 402 note), to section 229(b) of the
15 Social Security Act (42 U.S.C. 429(b)), and to the De-
16 partment of Defense Military Retirement Fund;
17 ~~\$21,571,207,000~~ *\$21,212,285,000*.

18 MILITARY PERSONNEL, NAVY

19 For pay, allowances, individual clothing, interest on
20 deposits, gratuities, permanent change of station travel
21 (including all expenses thereof for organizational move-
22 ments), and expenses of temporary duty travel between
23 permanent duty stations, for members of the Navy on ac-
24 tive duty (except members of the Reserve provided for
25 elsewhere), midshipmen, and aviation cadets; and for pay-

1 ments pursuant to section 156 of Public Law 97–377, as
2 amended (42 U.S.C. 402 note), to section 229(b) of the
3 Social Security Act (42 U.S.C. 429(b)), and to the De-
4 partment of Defense Military Retirement Fund;
5 ~~\$18,633,383,000~~ *\$18,156,982,000*.

6 MILITARY PERSONNEL, MARINE CORPS

7 For pay, allowances, individual clothing, interest on
8 deposits, gratuities, permanent change of station travel
9 (including all expenses thereof for organizational move-
10 ments), and expenses of temporary duty travel between
11 permanent duty stations, for members of the Marine
12 Corps on active duty (except members of the Reserve pro-
13 vided for elsewhere); and for payments pursuant to section
14 156 of Public Law 97–377, as amended (42 U.S.C. 402
15 note), to section 229(b) of the Social Security Act (42
16 U.S.C. 429(b)), and to the Department of Defense Mili-
17 tary Retirement Fund; ~~\$5,763,117,000~~ *\$5,755,272,000*.

18 MILITARY PERSONNEL, AIR FORCE

19 For pay, allowances, individual clothing, interest on
20 deposits, gratuities, permanent change of station travel
21 (including all expenses thereof for organizational move-
22 ments), and expenses of temporary duty travel between
23 permanent duty stations, for members of the Air Force
24 on active duty (except members of reserve components
25 provided for elsewhere), cadets, and aviation cadets; and

1 for payments pursuant to section 156 of Public Law 97–
2 377, as amended (42 U.S.C. 402 note), to section 229(b)
3 of the Social Security Act (42 U.S.C. 429(b)), and to the
4 Department of Defense Military Retirement Fund;
5 ~~\$15,916,937,000~~ *\$15,662,809,000*.

6 RESERVE PERSONNEL, ARMY

7 For pay, allowances, clothing, subsistence, gratuities,
8 travel, and related expenses for personnel of the Army Re-
9 serve on active duty under sections 265, 3021, and 3038
10 of title 10, United States Code, or while serving on active
11 duty under section 672(d) of title 10, United States Code,
12 in connection with performing duty specified in section
13 678(a) of title 10, United States Code, or while under-
14 going reserve training, or while performing drills or equiv-
15 alent duty or other duty, and for members of the Reserve
16 Officers' Training Corps, and expenses authorized by sec-
17 tion 2131 of title 10, United States Code, as authorized
18 by law; and for payments to the Department of Defense
19 Military Retirement Fund; ~~\$2,143,272,000~~
20 *\$2,138,416,000*.

21 RESERVE PERSONNEL, NAVY

22 For pay, allowances, clothing, subsistence, gratuities,
23 travel, and related expenses for personnel of the Navy Re-
24 serve on active duty under section 265 of title 10, United
25 States Code, or while serving on active duty under section

1 672(d) of title 10, United States Code, in connection with
2 performing duty specified in section 678(a) of title 10,
3 United States Code, or while undergoing reserve training,
4 or while performing drills or equivalent duty, and for
5 members of the Reserve Officers' Training Corps, and ex-
6 penses authorized by section 2131 of title 10, United
7 States Code, as authorized by law; and for payments to
8 the Department of Defense Military Retirement Fund;
9 ~~\$1,565,838,000~~ *\$1,550,989,000*.

10 RESERVE PERSONNEL, MARINE CORPS

11 For pay, allowances, clothing, subsistence, gratuities,
12 travel, and related expenses for personnel of the Marine
13 Corps Reserve on active duty under section 265 of title
14 10, United States Code, or while serving on active duty
15 under section 672(d) of title 10, United States Code, in
16 connection with performing duty specified in section
17 678(a) of title 10, United States Code, or while under-
18 going reserve training, or while performing drills or equiv-
19 alent duty, and for members of the Marine Corps platoon
20 leaders class, and expenses authorized by section 2131 of
21 title 10, United States Code, as authorized by law; and
22 for payments to the Department of Defense Military Re-
23 tirement Fund; ~~\$350,490,000~~ *\$311,661,000*.

1 RESERVE PERSONNEL, AIR FORCE

2 For pay, allowances, clothing, subsistence, gratuities,
3 travel, and related expenses for personnel of the Air Force
4 Reserve on active duty under sections 265, 8021, and
5 8038 of title 10, United States Code, or while serving on
6 active duty under section 672(d) of title 10, United States
7 Code, in connection with performing duty specified in sec-
8 tion 678(a) of title 10, United States Code, or while un-
9 dergoing reserve training, or while performing drills or
10 equivalent duty or other duty, and for members of the Air
11 Reserve Officers' Training Corps, and expenses authorized
12 by section 2131 of title 10, United States Code, as author-
13 ized by law; and for payments to the Department of De-
14 fense Military Retirement Fund; \$783,158,000
15 \$778,919,000.

16 NATIONAL GUARD PERSONNEL, ARMY

17 For pay, allowances, clothing, subsistence, gratuities,
18 travel, and related expenses for personnel of the Army Na-
19 tional Guard while on duty under section 265, 3021, or
20 3496 of title 10 or section 708 of title 32, United States
21 Code, or while serving on duty under section 672(d) of
22 title 10 or section 502(f) of title 32, United States Code,
23 in connection with performing duty specified in section
24 678(a) of title 10, United States Code, or while under-
25 going training, or while performing drills or equivalent

1 duty or other duty, and expenses authorized by section
 2 2131 of title 10, United States Code, as authorized by
 3 law; and for payments to the Department of Defense Military Retirement Fund; ~~\$3,334,183,000~~ *\$3,332,556,000*.

5 NATIONAL GUARD PERSONNEL, AIR FORCE

6 For pay, allowances, clothing, subsistence, gratuities,
 7 travel, and related expenses for personnel of the Air Na-
 8 tional Guard on duty under section 265, 8021, or 8496
 9 of title 10 or section 708 of title 32, United States Code,
 10 or while serving on duty under section 672(d) of title 10
 11 or section 502(f) of title 32, United States Code, in con-
 12 nection with performing duty specified in section 678(a)
 13 of title 10, United States Code, or while undergoing train-
 14 ing, or while performing drills or equivalent duty or other
 15 duty, and expenses authorized by section 2131 of title 10,
 16 United States Code, as authorized by law; and for pay-
 17 ments to the Department of Defense Military Retirement
 18 Fund; ~~\$1,215,935,000~~ *\$1,230,471,000*.

19 TITLE II

20 OPERATION AND MAINTENANCE

21 OPERATION AND MAINTENANCE, ARMY

22 (INCLUDING TRANSFER OF FUNDS)

23 For expenses, not otherwise provided for, necessary
 24 for the operation and maintenance of the Army, as author-
 25 ized by law; and not to exceed \$14,437,000 can be used

1 for emergencies and extraordinary expenses, to be ex-
2 pended on the approval or authority of the Secretary of
3 the Army, and payments may be made on his certificate
4 of necessity for confidential military purposes;
5 ~~\$15,221,091,000~~ *\$15,706,229,000* and, in addition,
6 ~~\$880,200,000, to be derived by transfer from the Defense~~
7 ~~Business Operations Fund~~ and \$150,000,000 shall be de-
8 rived by transfer from the National Defense Stockpile
9 Transaction Fund: *Provided, That \$450,000 shall be*
10 *made available only for the 1994 Memorial Day Celebra-*
11 *tion and \$450,000 shall be made available only for the*
12 *1994 Capitol Fourth Project: Provided further, That of the*
13 *funds appropriated in this paragraph, not less than*
14 *\$6,500,000 shall be made available only for the Army Envi-*
15 *ronmental Policy Institute, of which \$2,000,000 shall be*
16 *made available only for a study on the effects of depleted*
17 *uranium on the environment.*

18 OPERATION AND MAINTENANCE, NAVY

19 (INCLUDING TRANSFER OF FUNDS)

20 For expenses, not otherwise provided for, necessary
21 for the operation and maintenance of the Navy and the
22 Marine Corps, as authorized by law; and not to exceed
23 \$4,667,000 can be used for emergencies and extraordinary
24 expenses, to be expended on the approval or authority of
25 the Secretary of the Navy, and payments may be made

1 on his certificate of necessity for confidential military pur-
2 poses; ~~\$18,097,782,000~~ *\$19,845,083,000* and, in addition
3 ~~\$1,092,700,000,~~ to be derived by transfer from the De-
4 fense Business Operations Fund and addition,
5 \$150,000,000 shall be derived by transfer from the Na-
6 tional Defense Stockpile Transaction Fund: ~~Provided,~~
7 That ~~\$350,000~~ shall be available only to connect resi-
8 dences located in the vicinity of the Naval Air Warfare
9 Center, Warminster, to the Warminster municipal water
10 supply system.

11 OPERATION AND MAINTENANCE, MARINE CORPS

12 (INCLUDING TRANSFER OF FUNDS)

13 For expenses, not otherwise provided for, necessary
14 for the operation and maintenance of the Marine Corps,
15 as authorized by law; ~~\$1,773,889,000~~ and, in addition,
16 ~~\$121,000,000,~~ to be derived by transfer from the Defense
17 Business Operations Fund *\$1,834,495,000*.

18 OPERATION AND MAINTENANCE, AIR FORCE

19 (INCLUDING TRANSFER OF FUNDS)

20 For expenses, not otherwise provided for, necessary
21 for the operation and maintenance of the Air Force, as
22 authorized by law; and not to exceed \$8,787,000 can be
23 used for emergencies and extraordinary expenses, to be ex-
24 pended on the approval or authority of the Secretary of
25 the Air Force, and payments may be made on his certifi-

1 cate of necessity for confidential military purposes;
2 \$18,305,447,000 ~~\$19,107,389,000~~ and, in addition,
3 \$941,400,000, to be derived by transfer from the Defense
4 Business Operations Fund and \$200,000,000 shall be de-
5 rived by transfer from the National Defense Stockpile
6 Transaction Fund: ~~Provided~~, That \$15,500,000 shall only
7 be used to operate, maintain and enhance the Tactical In-
8 terim CAMS and REMIS Reporting System (TICARRS-
9 92): ~~Provided further~~, That TICARRS-92 be reestab-
10 lished, with direct maintenance data input, as the support-
11 ing system for at least one wing each of F-15, F-16, and
12 F-117A aircraft by no later than February 1, 1994: ~~Pro-~~
13 ~~vided further~~, That TICARRS-92 be reestablished, with
14 direct maintenance data input, as the supporting system
15 for all F-15, F-16, and F-117A aircraft by no later than
16 April 1, 1994: ~~Provided further~~, That none of the funds
17 appropriated or otherwise made available under this Act
18 shall be used to operate, maintain or otherwise support
19 an automated maintenance management system for F-15,
20 F-16, and F-117A aircraft other than TICARRS-92
21 after April 1, 1994: ~~Provided further~~, That of the funds
22 appropriated under this heading, not more than
23 \$9,538,000 shall be available only for a grant to the
24 Women in Military Service For America Memorial Foun-
25 dation, Inc., to be used solely to perform the repair, res-

1 toration, and preservation of the main gate structures,
2 center plaza, and Homicycle of the Arlington National
3 Cemetery. These funds shall be made available solely for
4 project costs and none of the funds are for remuneration
5 of any entity or individual associated with fund raising
6 for the project: *Provided further*, That of the funds appro-
7 priated under this heading, \$5,000,000 shall be made
8 available only for continued environmental restoration of
9 the former Olmsted Air Force Base, Pennsylvania.

10 OPERATION AND MAINTENANCE, DEFENSE-WIDE

11 For expenses, not otherwise provided for, necessary
12 for the operation and maintenance of activities and agen-
13 cies of the Department of Defense (other than the military
14 departments), as authorized by law; ~~\$9,487,133,000~~
15 ~~\$9,452,165,000~~, of which not to exceed \$25,000,000 may
16 be available for the CINC initiative fund account; and of
17 which not to exceed \$19,422,000 can be used for emer-
18 gencies and extraordinary expenses, to be expended on the
19 approval or authority of the Secretary of Defense, and
20 payments may be made on his certificate of necessity for
21 confidential military purposes: ~~*Provided*~~, That of the
22 funds appropriated by this paragraph, \$996,001,000 shall
23 be made available only for the Special Operations Com-
24 mand: *Provided further*, That, of the funds appropriated
25 in this paragraph \$10,000,000 shall be available for activi-

1 ties to support the clearing of landmines for humanitarian
2 purposes: *Provided further, That of the funds appropriated*
3 *in this paragraph, \$427,705,000 shall not be obligated or*
4 *expended until authorized by law: Provided, That of the*
5 *funds appropriated under this heading, \$58,000,000 shall*
6 *be made available only for aiding school districts in accord-*
7 *ance with authority granted under sections 3(a) through*
8 *3(e) of Public Law 81-874: Provided further, That of the*
9 *funds appropriated in this paragraph, not less than*
10 *\$50,000,000 shall be made available only for the Legacy Re-*
11 *source Management Program, of which not less than*
12 *\$200,000 shall be made available for the Legacy Resource*
13 *Management Program fellowships: Provided further, That*
14 *of the funds appropriated under this heading, \$10,000,000*
15 *shall be made available only for the repair and mainte-*
16 *nance of federally owned education facilities located on*
17 *military installations.*

18 OPERATION AND MAINTENANCE, ARMY RESERVE

19 For expenses, not otherwise provided for, necessary
20 for the operation and maintenance, including training, or-
21 ganization, and administration, of the Army Reserve; re-
22 pair of facilities and equipment; hire of passenger motor
23 vehicles; travel and transportation; care of the dead;
24 recruiting; procurement of services, supplies, and
25 equipment; and communications; \$1,115,095,000: *Pro-*

1 ~~vided, That of the funds appropriated in this paragraph,~~
 2 \$19,505,000 shall not be obligated or expended until au-
 3 ~~thorized by law \$1,057,740,000.~~

4 OPERATION AND MAINTENANCE, NAVY RESERVE

5 For expenses, not otherwise provided for, necessary
 6 for the operation and maintenance, including training, or-
 7 ganization, and administration, of the Navy Reserve; re-
 8 pair of facilities and equipment; hire of passenger motor
 9 vehicles; travel and transportation; care of the dead; re-
 10 cruiting; procurement of services, supplies, and equip-
 11 ment; and communications; ~~\$807,200,000~~ \$761,137,000;
 12 ~~Provided, That operational control of the Naval Reserve~~
 13 ~~Personnel Center, including its functions and responsibil-~~
 14 ~~ities, shall be under the command and control of the Com-~~
 15 ~~mander, Naval Reserve Command: Provided further, That~~
 16 ~~of the funds appropriated in this paragraph, \$31,400,000~~
 17 ~~shall not be obligated or expended until authorized by law.~~

18 OPERATION AND MAINTENANCE, MARINE CORPS

19 RESERVE

20 For expenses, not otherwise provided for, necessary
 21 for the operation and maintenance, including training, or-
 22 ganization, and administration, of the Marine Corps Re-
 23 serve; repair of facilities and equipment; hire of passenger
 24 motor vehicles; travel and transportation; care of the dead;
 25 recruiting; procurement of services, supplies, and equip-

1 ment; and communications; ~~\$86,855,000: *Provided, That*~~
2 of the funds appropriated in this paragraph, \$11,805,000
3 shall not be obligated or expended until authorized by law
4 ~~\$75,125,000.~~

5 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

6 For expenses, not otherwise provided for, necessary
7 for the operation and maintenance, including training, or-
8 ganization, and administration, of the Air Force Reserve;
9 repair of facilities and equipment; hire of passenger motor
10 vehicles; travel and transportation; care of the dead; re-
11 cruiting; procurement of services, supplies, and equip-
12 ment; and communications; ~~\$1,370,222,000: *Provided,*~~
13 ~~That of the funds appropriated in this paragraph,~~
14 ~~\$15,644,000 shall not be obligated or expended until au-~~
15 ~~thorized by law~~ *\$1,333,470,000.*

16 OPERATION AND MAINTENANCE, ARMY NATIONAL
17 GUARD

18 For expenses of training, organizing, and administer-
19 ing the Army National Guard, including medical and hos-
20 pital treatment and related expenses in non-Federal hos-
21 pitals; maintenance, operation, and repairs to structures
22 and facilities; hire of passenger motor vehicles; personnel
23 services in the National Guard Bureau; travel expenses
24 (other than mileage), as authorized by law for Army per-
25 sonnel on active duty, for Army National Guard division,

1 regimental, and battalion commanders while inspecting
2 units in compliance with National Guard Bureau regula-
3 tions when specifically authorized by the Chief, National
4 Guard Bureau; supplying and equipping the Army Na-
5 tional Guard as authorized by law; and expenses of repair,
6 modification, maintenance, and issue of supplies and
7 equipment (including aircraft); \$2,272,018,000
8 ~~\$2,216,944,000: Provided, That of the funds appropriated~~
9 ~~in this paragraph, \$10,000,000 shall be available only for~~
10 ~~a National Guard Outreach Program in the Los Angeles~~
11 ~~School District: Provided further, That of the funds appro-~~
12 ~~riated in this paragraph, \$48,763,000 shall not be obli-~~
13 ~~gated or expended until authorized by law: Provided, That~~
14 ~~of the funds appropriated under this heading, \$3,000,000~~
15 ~~shall be made available only for the MEDRETES program.~~

16 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

17 For operation and maintenance of the Air National
18 Guard, including medical and hospital treatment and re-
19 lated expenses in non-Federal hospitals; maintenance, op-
20 eration, repair, and other necessary expenses of facilities
21 for the training and administration of the Air National
22 Guard, including repair of facilities, maintenance, oper-
23 ation, and modification of aircraft; transportation of
24 things; hire of passenger motor vehicles; supplies, mate-
25 rials, and equipment, as authorized by law for the Air Na-

1 tional Guard; and expenses incident to the maintenance
2 and use of supplies, materials, and equipment, including
3 such as may be furnished from stocks under the control
4 of agencies of the Department of Defense; travel expenses
5 (other than mileage) on the same basis as authorized by
6 law for Air National Guard personnel on active Federal
7 duty, for Air National Guard commanders while inspecting
8 units in compliance with National Guard Bureau regula-
9 tions when specifically authorized by the Chief, National
10 Guard Bureau; ~~\$2,695,233,000~~ *\$2,686,299,000: Provided,*
11 *That of the funds appropriated under this paragraph,*
12 *\$3,000,000 shall be made available only for the operation*
13 *of Air National Guard C-130H operational support air-*
14 *craft of the 159th Air National Guard Fighter Group and*
15 *the 169th Air National Guard Fighter Group: Provided*
16 *further, That of the funds appropriated in this paragraph,*
17 *\$30,000,000 shall not be obligated or expended until au-*
18 *thorized by law.*

19 NATIONAL BOARD FOR THE PROMOTION OF RIFLE
20 PRACTICE, ARMY

21 For the necessary expenses and personnel services
22 (other than pay and non-travel-related allowances of mem-
23 bers of the Armed Forces of the United States, except for
24 members of the reserve components thereof called or or-
25 dered to active duty to provide support for the national

1 matches) in accordance with law, for operation and main-
2 tenance of rifle ranges; the instruction of citizens in
3 marksmanship; the promotion of rifle practice; the conduct
4 of the national matches; the sale of ammunition under the
5 authority of title 10, United States Code, sections 4308
6 and 4311; the travel of rifle teams, military personnel, and
7 individuals attending regional, national, and international
8 competitions; and the payment to competitors at national
9 matches under section 4312 of title 10, United States
10 Code, of subsistence and travel allowances under section
11 4313 of title 10, United States Code; not to exceed
12 \$2,483,000.

13 COURT OF MILITARY APPEALS, DEFENSE

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

20 ENVIRONMENTAL RESTORATION, DEFENSE

21 (INCLUDING TRANSFER OF FUNDS)

22 For the Department of Defense; ~~\$1,716,800,000~~
23 \$2,207,800,000, to remain available until transferred: *Pro-*
24 *vided*, That the Secretary of Defense shall, upon determin-
25 ing that such funds are required for environmental res-

1 toration, reduction and recycling of hazardous waste, re-
2 search and development associated with hazardous wastes
3 and removal of unsafe buildings and debris of the Depart-
4 ment of Defense, or for similar purposes (including pro-
5 grams and operations at sites formerly used by the De-
6 partment of Defense), transfer the funds made available
7 by this appropriation to other appropriations made avail-
8 able to the Department of Defense as the Secretary may
9 designate, to be merged with and to be available for the
10 same purposes and for the same time period as the appro-
11 priations of funds to which transferred: *Provided further,*
12 That upon a determination that all or part of the funds
13 transferred from this appropriation are not necessary for
14 the purposes provided herein, such amounts may be trans-
15 ferred back to this appropriation: *Provided further,* That
16 of the funds provided under this heading, not less than
17 \$200,000,000 shall be available only for the expedited
18 cleanup of environmentally contaminated sites and only in
19 accordance with a comprehensive plan submitted to Con-
20 gress by the Secretary of Defense.

21 SUPPORT FOR INTERNATIONAL SPORTING

22 COMPETITIONS, DEFENSE

23 (INCLUDING TRANSFER OF FUNDS)

24 For expenses of logistical support (including security
25 planning and services) and personnel services provided by

1 the Department of Defense for the World University
2 Games, the 1996 Games of the XXVI Olympiad, and the
3 World Cup USA Organizing Committee, (other than pay
4 and nontravel related allowances of members of the Armed
5 Forces of the United States, except for members of the
6 Reserve components thereof called or ordered to active
7 duty to provide support for such international sporting
8 competitions), as authorized by law, provided by any com-
9 ponent of the Department of Defense to such sporting
10 competitions, \$6,000,000, of which not less than
11 \$2,000,000 shall be available only for the 1996 Games of
12 the XXVI Olympiad, to remain available until expended:
13 *Provided*, That unobligated balances of funds appropriated
14 in the Department of Defense Appropriations Act, 1992
15 (Public Law 102-172) under the headings "World Univer-
16 sity Games" and "Summer Olympics" and unobligated
17 balances of the funds appropriated in the Department of
18 Defense Appropriations Act, 1993, (Public Law 102-396)
19 under the headings "World University Games" and "Sum-
20 mer Olympics" and "World Cup USA 1994" in title H
21 of that Act shall, notwithstanding section 8003 of Public
22 Law 102-172 and section 9003 of Public Law 102-396,
23 upon the enactment of this Act, be transferred to this ap-
24 propriation, to be merged with and to be available for the
25 same purposes, and for the same time period, as this ap-

1 ~~appropriation: *Provided further,* That the funds so trans-~~
2 ~~ferred from such Acts under the headings “Summer Olym-~~
3 ~~pies” shall be available only for expenses for, or incurred~~
4 ~~in anticipation of, the support provided, or to be provided,~~
5 ~~to the 1996 Games of the XXVI Olympiad: *Provided fur-*~~
6 ~~*ther,* That funds appropriated in this paragraph shall not~~
7 ~~be obligated or expended until authorized by law.~~

8 *SUMMER OLYMPICS*

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

17 *WORLD CUP USA 1994*

18 *For logistical support and personnel services (other*
19 *than pay and nontravel related allowances of members of*
20 *the Armed Forces of the United States, except for members*
21 *of the reserve components thereof called or ordered to active*
22 *duty to provide support for the World Cup USA 1994 Orga-*
23 *nizing Committee) provided by any component of the De-*
24 *partment of Defense to the World Cup USA 1994 Organiz-*
25 *ing Committee; \$12,000,000.*

1 HUMANITARIAN ASSISTANCE

2 For transportation for humanitarian relief for the
3 people of Afghanistan, *the Kurdish population and other*
4 *minorities of northern Iraq, and the people of sub-Saharan*
5 *Africa, acquisition and shipment of transportation assets*
6 *to assist in the distribution of such relief, and for trans-*
7 *portation and distribution of humanitarian relief supplies,*
8 *and excess non-lethal property; \$15,000,000 \$48,000,000,*
9 *to remain available for obligation until September 30,*
10 *1995:—Provided, That of the funds appropriated in this*
11 *paragraph, \$15,000,000 shall not be obligated or ex-*
12 *pende until authorized by law: Provided, That of the funds*
13 *appropriated under this heading, \$30,000,000 shall be made*
14 *available only for Kurdish relief activities, of which*
15 *\$15,000,000 shall be made available for a 1993–1994 win-*
16 *terization relief program: Provided further, That of the*
17 *funds appropriated under this heading, \$10,000,000 shall*
18 *be made available for activities to support clearing of land*
19 *mines for humanitarian purposes.*

20 FORMER SOVIET UNION THREAT REDUCTION

21 For assistance to the republics of the former Soviet
22 Union, including assistance provided by contract or by
23 grants, for facilitating the elimination and the safe and
24 secure transportation and storage of nuclear, chemical and
25 other weapons; for providing incentives for demilitariza-

1 tion; for establishing programs to prevent the proliferation
2 of weapons, weapons components, and weapons-related
3 technology and expertise; for expansion of military-to-mili-
4 tary contacts; for supporting the conversion of military
5 technologies and capabilities into civilian activities; and for
6 retraining military personnel of the former Soviet Union;
7 \$400,000,000, to remain available until expended: *Pro-*
8 *vided, That of the funds appropriated under this heading,*
9 *\$10,000,000 shall be made available only for the continuing*
10 *study, assessment, and identification of nuclear waste dis-*
11 *posal by the former Soviet Union in the Arctic region: Pro-*
12 *vided further, That the transfer authority provided in sec-*
13 *tion 9110(a) of the Department of Defense Appropriations*
14 *Act, 1993, shall continue to be in effect during fiscal year*
15 *1994: Provided further, That any transfer made under the*
16 *foregoing proviso in this paragraph shall be subject to the*
17 *limitations and the reporting requirements stipulated in*
18 *section 8006 of this Act.*

19 TITLE III

20 PROCUREMENT

21 AIRCRAFT PROCUREMENT, ARMY

22 For construction, procurement, production, modifica-
23 tion, and modernization of aircraft, equipment, including
24 ordnance, ground handling equipment, spare parts, and
25 accessories therefor; specialized equipment and training

1 devices; expansion of public and private plants, including
2 the land necessary therefor, for the foregoing purposes,
3 and such lands and interest therein, may be acquired, and
4 construction prosecuted thereon prior to approval of title;
5 and procurement and installation of equipment, appli-
6 ances, and machine tools in public and private plants; re-
7 serve plant and Government and contractor-owned equip-
8 ment layaway; and other expenses necessary for the fore-
9 going purposes; ~~\$1,726,164,000~~ \$1,125,303,000, to remain
10 available for obligation until September 30, 1996: ~~Pro-~~
11 ~~vided;~~ That of the funds appropriated in this paragraph,
12 ~~\$219,627,000 shall not be obligated or expended until au-~~
13 ~~thorized by law.~~

14 MISSILE PROCUREMENT, ARMY

15 For construction, procurement, production, modifica-
16 tion, and modernization of missiles, equipment, including
17 ordnance, ground handling equipment, spare parts, and
18 accessories therefor; specialized equipment and training
19 devices; expansion of public and private plants, including
20 the land necessary therefor, for the foregoing purposes,
21 and such lands and interests therein, may be acquired,
22 and construction prosecuted thereon prior to approval of
23 title; and procurement and installation of equipment, ap-
24 pliances, and machine tools in public and private plants;
25 reserve plant and Government and contractor-owned

1 equipment layaway; and other expenses necessary for the
2 foregoing purposes; ~~\$1,126,110,000~~ \$934,123,000, to re-
3 main available for obligation until September 30, 1996:—
4 *Provided*, That of the funds appropriated in this para-
5 graph, \$41,795,000 shall not be obligated or expended
6 until authorized by law.

7 PROCUREMENT OF WEAPONS AND TRACKED COMBAT
8 VEHICLES, ARMY

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

1 PROCUREMENT OF AMMUNITION, ARMY

2 (INCLUDING TRANSFER OF FUNDS)

3 For construction, procurement, production, and
4 modification of ammunition, and accessories therefor; spe-
5 cialized equipment and training devices; expansion of pub-
6 lic and private plants, including ammunition facilities au-
7 thorized by section 2854, title 10, United States Code, and
8 the land necessary therefor, for the foregoing purposes,
9 and such lands and interests therein, may be acquired,
10 and construction prosecuted thereon prior to approval of
11 title; and procurement and installation of equipment, ap-
12 pliances, and machine tools in public and private plants;
13 reserve plant and Government and contractor-owned
14 equipment layaway; and other expenses necessary for the
15 foregoing purposes; ~~\$620,787,000~~ *\$610,174,000*, and, in
16 addition, ~~\$100,000,000~~, to be derived by transfer from the
17 Conventional Ammunition Working Capital Fund of the
18 Department of Defense, to remain available for obligation
19 until September 30, 1996.

20 OTHER PROCUREMENT, ARMY

21 For construction, procurement, production, and
22 modification of vehicles, including tactical, support, and
23 nontracked combat vehicles; the purchase of not to exceed
24 16 passenger motor vehicles for replacement only; commu-
25 nications and electronic equipment; other support equip-

1 ment; spare parts, ordnance, and accessories therefor; spe-
2 cialized equipment and training devices; expansion of pub-
3 lic and private plants, including the land necessary there-
4 for, for the foregoing purposes, and such lands and inter-
5 ests therein, may be acquired, and construction prosecuted
6 thereon prior to approval of title; and procurement and
7 installation of equipment, appliances, and machine tools
8 in public and private plants; reserve plant and Govern-
9 ment and contractor-owned equipment layaway; and other
10 expenses necessary for the foregoing purposes;
11 ~~\$2,904,933,000~~ *\$2,784,474,000*, to remain available for
12 obligation until September 30, 1996.

13 AIRCRAFT PROCUREMENT, NAVY

14 For construction, procurement, production, modifica-
15 tion, and modernization of aircraft, equipment, including
16 ordnance, spare parts, and accessories therefor; specialized
17 equipment; expansion of public and private plants, includ-
18 ing the land necessary therefor, and such lands and inter-
19 ests therein, may be acquired, and construction prosecuted
20 thereon prior to approval of title; and procurement and
21 installation of equipment, appliances, and machine tools
22 in public and private plants; reserve plant and Govern-
23 ment and contractor-owned equipment layaway;
24 ~~\$5,664,216,000~~ *\$5,665,615,000*, to remain available for
25 obligation until September 30, 1996.

1 WEAPONS PROCUREMENT, NAVY

2 For construction, procurement, production, modifica-
3 tion, and modernization of missiles, torpedoes, other weap-
4 ons, other ordnance and ammunition, and related support
5 equipment including spare parts, and accessories therefor;
6 expansion of public and private plants, including the land
7 necessary therefor, and such lands and interests therein,
8 may be acquired, and construction prosecuted thereon
9 prior to approval of title; and procurement and installation
10 of equipment, appliances, and machine tools in public and
11 private plants; reserve plant and Government and contrac-
12 tor-owned equipment layaway; ~~\$2,808,986,000~~
13 *\$2,972,906,000*, to remain available for obligation until
14 September 30, 1996: ~~Provided, That of the funds appro-~~
15 ~~priated in this paragraph, \$44,162,000 shall not be obli-~~
16 ~~gated or expended until authorized by law.~~

17 SHIPBUILDING AND CONVERSION, NAVY

18 For expenses necessary for the construction, acquisi-
19 tion, or conversion of vessels as authorized by law, includ-
20 ing armor and armament thereof, plant equipment, appli-
21 ances, and machine tools and installation thereof in public
22 and private plants; reserve plant and Government and con-
23 tractor-owned equipment layaway; procurement of critical,
24 long leadtime components and designs for vessels to be
25 constructed or converted in the future; and expansion of

1 public and private plants, including land necessary there-
2 for, and such lands and interests therein, may be acquired,
3 and construction prosecuted thereon prior to approval of
4 title, as follows:

5 *Carrier replacement program, \$3,403,600,000:*
6 *Provided, That these funds shall not be obligated or ex-*
7 *pendent until authorized by law;*

8 Refueling overhauls, \$31,127,000;

9 DDG-51 destroyer program, ~~\$2,642,772,000~~
10 *\$2,610,972,000;*

11 LHD-1 amphibious assault ship program,
12 \$893,848,000, *of which \$50,000,000 may be available*
13 *for advance procurement on the LHD-7 amphibious*
14 *assault ship;*

15 Mine warfare command and control ship,
16 \$124,175,000;

17 Oceanographic ship program, \$110,049,000:
18 *Provided, That pursuant to 10 U.S.C. section*
19 *2304(c)(5), the last vessel of the T-AGS 60 oceano-*
20 *graphic research ship program may be procured as*
21 *an option to the contract for the construction of the*
22 *lead ship of the class: Provided further, That none*
23 *of the funds provided in this Act or any other Act*
24 *may be obligated for T-AGS multibeam sonar sys-*
25 *tems prior to review by the Committees on Appro-*

1 priations of a Navy plan detailing compliance with
2 the recommendations of the Comptroller General of
3 the United States set forth in his decision of August
4 19, 1993 (Case B-253129) \$62,482,000;

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

8 In all: ~~\$5,397,102,000~~ \$7,332,133,000, to remain available
9 for obligation until September 30, 1998: *Provided*, That
10 additional obligations may be incurred after September
11 30, 1998, for engineering services, tests, evaluations, and
12 other such budgeted work that must be performed in the
13 final stage of ship construction: *Provided further*, That
14 none of the funds herein provided for the construction or
15 conversion of any naval vessel to be constructed in ship-
16 yards in the United States shall be expended in foreign
17 facilities for the construction of major components of such
18 vessel: *Provided further*, That none of the funds herein
19 provided shall be used for the construction of any naval
20 vessel in foreign shipyards: ~~*Provided further*, That of the~~
21 ~~funds appropriated in this paragraph,~~ \$1,236,914,000
22 shall not be obligated or expended until authorized by law.

23 OTHER PROCUREMENT, NAVY

24 For procurement, production, and modernization of
25 support equipment and materials not otherwise provided

1 for, Navy ordnance (except ordnance for new aircraft, new
2 ships, and ships authorized for conversion); the purchase
3 of not to exceed 609 passenger motor vehicles for replace-
4 ment only; expansion of public and private plants, includ-
5 ing the land necessary therefor, and such lands and inter-
6 ests therein, may be acquired, and construction prosecuted
7 thereon prior to approval of title; and procurement and
8 installation of equipment, appliances, and machine tools
9 in public and private plants; reserve plant and Govern-
10 ment and contractor-owned equipment layaway;
11 ~~\$2,980,815,000~~ *\$2,794,718,000*, to remain available for
12 obligation until September 30, 1996: ~~*Provided*~~, That of
13 the funds herein provided for the Computer Acquisition
14 Productivity Program, not less than \$20,000,000 shall be
15 available, ~~obligated~~, and expended only for automatic data
16 processing investment equipment and peripheral equip-
17 ment and related software for Defense Accounting Office
18 and Naval Computer and Telecommunications Station,
19 New Orleans, the Enlisted Personnel Management Center,
20 and the Naval Reserve Personnel Center: *Provided further*,
21 That all Naval and Marine Corps active and reserve per-
22 sonnel central design activities and personnel accounting
23 programs shall be managed and coordinated at the En-
24 listed Personnel Management Center and the Naval Re-
25 serve Personnel Center: *Provided further*, That the Sec-

1 retary of Defense shall provide a report on establishing
2 a full service finance and accounting operation for joint
3 reserve functions at the Defense Accounting Office, New
4 Orleans and the Naval Reserve Forces Command: *Pro-*
5 *vided further*, That the operations and functions of the Re-
6 serve Financial Management System shall remain
7 colocated with the Commander, Naval Reserve Force: *Pro-*
8 *vided further*, That of the funds appropriated in this para-
9 graph, \$119,335,000 shall not be obligated or expended
10 until authorized by law.

11 PROCUREMENT, MARINE CORPS

12 For expenses necessary for the procurement, manu-
13 facture, and modification of missiles, armament, ammuni-
14 tion, military equipment, spare parts, and accessories
15 therefor; plant equipment, appliances, and machine tools,
16 and installation thereof in public and private plants; re-
17 serve plant and Government and contractor-owned equip-
18 ment layaway; vehicles for the Marine Corps, including the
19 purchase of not to exceed 96 passenger motor vehicles for
20 replacement only; and expansion of public and private
21 plants, including land necessary therefor, and such lands
22 and interests therein, may be acquired and construction
23 prosecuted thereon prior to approval of title;
24 ~~\$527,754,000~~ \$441,056,000, to remain available for obli-
25 gation until September 30, 1996: ~~*Provided*~~, That of the

1 funds appropriated in this paragraph, \$56,733,000 shall
2 not be obligated or expended until authorized by law.

3 AIRCRAFT PROCUREMENT, AIR FORCE

4 For construction, procurement, and modification of
5 aircraft and equipment, including armor and armament,
6 specialized ground handling equipment, and training de-
7 vices, spare parts, and accessories therefor; specialized
8 equipment; expansion of public and private plants, Gov-
9 ernment-owned equipment and installation thereof in such
10 plants, erection of structures, and acquisition of land, for
11 the foregoing purposes, and such lands and interests
12 therein, may be acquired, and construction prosecuted
13 thereon prior to approval of title; reserve plant and Gov-
14 ernment and contractor-owned equipment layaway; and
15 other expenses necessary for the foregoing purposes in-
16 cluding rents and transportation of things;
17 ~~\$6,887,201,000~~ \$4,017,475,000, to remain available for
18 obligation until September 30, 1996: ~~Provided, That of~~
19 ~~the funds appropriated in this paragraph,~~ not less than
20 \$20,000,000 shall be available only for the C-130J air-
21 craft.

22 MISSILE PROCUREMENT, AIR FORCE

23 For construction, procurement, and modification of
24 missiles, spacecraft, rockets, and related equipment, in-
25 cluding spare parts and accessories therefor, ground han-

1 dling equipment, and training devices; expansion of public
2 and private plants, Government-owned equipment and in-
3 stallation thereof in such plants, erection of structures,
4 and acquisition of land, for the foregoing purposes, and
5 such lands and interests therein, may be acquired, and
6 construction prosecuted thereon prior to approval of title;
7 reserve plant and Government and contractor-owned
8 equipment layaway; and other expenses necessary for the
9 foregoing purposes including rents and transportation of
10 things; ~~\$3,845,354,000~~ \$4,127,514,000, to remain avail-
11 able for obligation until September 30, 1996:—*Provided,*
12 ~~That of the funds appropriated in this paragraph,~~
13 ~~\$224,483,000 shall not be obligated or expended until au-~~
14 ~~thorized by law.~~

15 OTHER PROCUREMENT, AIR FORCE

16 For procurement and modification of equipment (in-
17 cluding ground guidance and electronic control equipment,
18 and ground electronic and communication equipment),
19 and supplies, materials, and spare parts therefor, not oth-
20 erwise provided for; the purchase of not to exceed 2 vehi-
21 cles required for physical security of personnel, notwith-
22 standing price limitations applicable to passenger vehicles
23 but not to exceed \$180,000 per vehicle; the purchase of
24 not to exceed 710 passenger motor vehicles of which 695
25 shall be for replacement only; and expansion of public and

1 private plants, Government-owned equipment and installa-
2 tion thereof in such plants, erection of structures, and ac-
3 quisition of land, for the foregoing purposes, and such
4 lands and interests therein, may be acquired, and con-
5 struction prosecuted thereon, prior to approval of title; re-
6 serve plant and Government and contractor-owned equip-
7 ment layaway; ~~\$7,336,918,000~~ *\$7,527,084,000*, to remain
8 available for obligation until September 30, 1996.

9 NATIONAL GUARD AND RESERVE EQUIPMENT

10 For procurement of aircraft, missiles, tracked combat
11 vehicles, ammunition, other weapons, and other procure-
12 ment for the reserve components of the Armed Forces;
13 ~~\$1,178,100,000~~ *\$785,000,000*, to remain available for obli-
14 gation until September 30, 1996: ~~Provided, That of the~~
15 ~~funds appropriated in this paragraph, \$184,825,000 shall~~
16 ~~not be obligated or expended until authorized by law.~~

17 PROCUREMENT, DEFENSE-WIDE

18 For expenses of activities and agencies of the Depart-
19 ment of Defense (other than the military departments)
20 necessary for procurement, production, and modification
21 of equipment, supplies, materials, and spare parts there-
22 for, not otherwise provided for; the purchase of not to ex-
23 ceed 1 vehicle required for physical security of personnel,
24 notwithstanding price limitations applicable to passenger
25 vehicles but not to exceed \$180,000 per vehicle; and the

1 purchase of not to exceed 438 passenger motor vehicles,
2 of which 420 shall be for replacement only; expansion of
3 public and private plants, equipment, and installation
4 thereof in such plants, erection of structures, and acquisi-
5 tion of land for the foregoing purposes, and such lands
6 and interests therein, may be acquired, and construction
7 prosecuted thereon prior to approval of title; reserve plant
8 and Government and contractor-owned equipment lay-
9 away; ~~\$1,557,344,000~~ \$1,602,726,000, to remain available
10 for obligation until September 30, 1996: ~~Provided, That~~
11 the funds available under this heading for the High Per-
12 formance Computer Modernization plan may be used only
13 for: (1) the execution of existing contract upgrade options
14 of installed stable supercomputer facilities that have not
15 kept technically current; or (2) the acquisition in open,
16 competitive procurements of architecturally stable, fully
17 user-operational, compatible supercomputers possessing
18 essentially stable system software, which have been suc-
19 cessfully demonstrated using statistically valid samples of
20 the current workload of the laboratories in question with-
21 out substantive reprogramming or program conversion.

22 DEFENSE PRODUCTION ACT PURCHASES

23 For activities by the Department of Defense pursuant
24 to sections 108, 301, 302, and 303 of the Defense Produc-
25 tion Act of 1950, as amended (50 U.S.C. App. 2061);

1 ~~\$200,000,000~~, to remain available until expended: *Pro-*
 2 *vided*, That none of these funds shall be obligated for any
 3 project unless a Presidential determination has been made
 4 in accordance with the Defense Production Act: *Provided*
 5 *further*, That the Department of Defense shall notify the
 6 Committees on Appropriations of the House of Represent-
 7 atives and the Senate sixty days prior to the release of
 8 funds for any project not previously approved by Congress.

9 TITLE IV

10 RESEARCH, DEVELOPMENT, TEST AND

11 EVALUATION

12 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

13 ARMY

14 For expenses necessary for basic and applied sci-
 15 entific research, development, test and evaluation, includ-
 16 ing maintenance, rehabilitation, lease, and operation of fa-
 17 cilities and equipment, as authorized by law;
 18 ~~\$5,560,082,000~~ \$5,275,385,000, to remain available for
 19 obligation until September 30, 1995: *Provided*, That
 20 \$2,000,000 shall be made available only for the Center
 21 for Prostate Disease Research at the Walter Reed Army
 22 Institute of Research: *Provided further*, That \$5,000,000
 23 shall be made available only for the Center of Excellence
 24 in Breast Cancer Research and Training at the National
 25 Naval Medical Center, in Bethesda, Maryland: ~~*Provided*~~

1 *further*, That not less than \$1,000,000 of the funds appro-
2 priated in this paragraph shall be made available only to
3 a joint research partnership involving an educational insti-
4 tution, not now engaged in a large volume of basic re-
5 search, and a biomedical research institute, including a
6 working arrangement with Canadian and German sci-
7 entists, for the development and testing of a new insulin
8 derivative for the treatment of diabetes and hypoglycemia
9 in the dependents of active duty military members: *Pro-*
10 *vided further*, That \$1,000,000 of the funds appropriated
11 in this paragraph shall be available for a lyme disease pro-
12 gram: *Provided further*, That of the funds appropriated
13 in this paragraph, \$142,941,000 shall not be obligated or
14 expended until authorized by law: *Provided further*, That
15 of the funds appropriated under this heading, \$15,000,000
16 may be made available for an upgrade of the Los Alamos
17 Meson Physics Facility/Los Alamos Neutron Scattering
18 Center upon the determination by the Secretary of Defense
19 and the Secretary of Energy that the project will make a
20 significant contribution to enhancing the capabilities of
21 United States armed forces.

22 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
23 NAVY

24 For expenses necessary for basic and applied sci-
25 entific research, development, test and evaluation, includ-

1 ing maintenance, rehabilitation, lease, and operation of
2 facilities and equipment, as authorized by law;
3 ~~\$8,604,777,000~~ \$7,925,369,000, to remain available for
4 obligation until September 30, 1995: ~~Provided~~, That for
5 continued research and development programs at the Na-
6 tional Center for Physical Acoustics, centering on ocean
7 acoustics as it applies to advanced antisubmarine warfare
8 acoustics issues with focus on ocean bottom acoustics,
9 seismic coupling, sea-surface and bottom scattering, oce-
10 anic ambient noise, underwater sound propagation, bubble
11 related ambient noise, acoustically active surfaces, ma-
12 chinery noise, propagation physics, solid state acoustics,
13 electrorheological fluids, transducer development, ultra-
14 sonic sensors, and other such projects as may be agreed
15 upon, \$1,000,000 shall be made available, as a grant, to
16 the Mississippi Resource Development Corporation, of
17 which not to exceed \$250,000 of such sum may be used
18 to provide such special equipment as may be required for
19 particular projects: *Provided further*, That none of the
20 funds appropriated in this paragraph may be obligated or
21 expended to develop or purchase equipment for an Aegis
22 destroyer variant (commonly known as "Flight IIA")
23 whose initial operating capability is budgeted to be
24 achieved prior to the initial operating capability of the
25 Ship Self-Defense program, nor to develop sensor, proc-

1 essor, or display capabilities which duplicate in any way
2 those being developed in the Ship Self-Defense program:
3 *Provided further,* That funds appropriated in this para-
4 graph for Aegis Combat System Engineering tactical dis-
5 play simplification may be obligated only to develop equip-
6 ment on an interim basis which is planned to be installed
7 in Aegis ships prior to the date that the first production
8 unit of the Advanced Display System is planned to be ac-
9 cepted by the Government: *Provided further,* That funds
10 appropriated in this paragraph for Aegis Combat System
11 Engineering tactical display simplification may not be obli-
12 gated on contracts which include production options for
13 ship installations planned beyond the date that the first
14 production unit of the Advanced Display System is
15 planned to be accepted by the Government: *Provided fur-*
16 *ther,* That funds appropriated in this paragraph for devel-
17 opment of E-2C aircraft upgrades may not be obligated
18 until the Under Secretary of Defense for Acquisition sub-
19 mits a plan to the Committees on Appropriations and
20 Armed Services of each House of Congress for develop-
21 ment and deployment of a fully participating cooperative
22 engagement capability on E-2 aircraft to be fielded con-
23 current with and no later than major computer upgrades
24 for the aircraft: *Provided further,* That funds appropriated
25 in this paragraph for development of the L-X ship may

1 not be obligated unless the baseline design of the ship in-
2 cludes cooperative engagement capability and sufficient
3 own-ship self-defense capability against advanced sea-
4 skimming antiship cruise missiles in the baseline design
5 to achieve an estimated probability of survival from attack
6 by such missiles at a level no less than any other Navy
7 ship: *Provided further*, That after January 1, 1994, funds
8 appropriated in this paragraph for the Naval Research
9 Laboratory may not be obligated unless the Navy's Manu-
10 facturing Technology Program Office has responsibilities
11 and position equivalent to the Science and Technology Di-
12 rectorates at the Office of Naval Research and is fully
13 staffed to meet those responsibilities.

14 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

15 AIR FORCE

16 For expenses necessary for basic and applied sci-
17 entific research, development, test and evaluation, includ-
18 ing maintenance, rehabilitation, lease, and operation of fa-
19 cilities and equipment, as authorized by law;
20 ~~\$12,608,995,000~~ *\$11,847,970,000*, to remain available for
21 obligation until September 30, 1995: *Provided*, That not
22 less than \$21,000,000 of the funds appropriated in this
23 paragraph shall be made available only for the Joint Seis-
24 mic Program and Global Seismic Network administered
25 by the Incorporated Research Institutions for Seismol-

1 ~~ogy: Provided further, That not less than \$60,000,000 of~~
2 ~~the funds appropriated in this paragraph shall be made~~
3 ~~available only for the National Center for Manufacturing~~
4 ~~Sciences (NCMS): Provided, That not less than~~
5 ~~\$74,000,000 of the funds appropriated in this paragraph~~
6 ~~shall be made available only for development of the Global~~
7 ~~Positioning System (GPS) Aided Relative Synthetic Aper-~~
8 ~~ture Radar Targeting/GPS-Aided Munitions (GATS/GAM)~~
9 ~~capability for the B-2 Advanced Technology Bomber: Pro-~~
10 ~~vided further, That of the funds appropriated in this para-~~
11 ~~graph, not less than \$15,000,000 of the funds in the Ad-~~
12 ~~vanced Weapons program element shall be made available~~
13 ~~only to continue the establishment and operation of an~~
14 ~~image information processing center supporting the Air~~
15 ~~Force Maui Space Surveillance Site (MSSS): Provided fur-~~
16 ~~ther, That of the funds appropriated in this paragraph,~~
17 ~~\$2,000,000 shall be made available only for development~~
18 ~~and testing of down-sized test equipment for the F-15.~~

19 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

20 DEFENSE-WIDE

21 For expenses of activities and agencies of the Depart-
22 ment of Defense (other than the military departments),
23 necessary for basic and applied scientific research, devel-
24 opment, test and evaluation; advanced research projects
25 as may be designated and determined by the Secretary

1 of Defense, pursuant to law; maintenance, rehabilitation,
2 lease, and operation of facilities and equipment, as author-
3 ized by law; ~~\$9,376,918,000~~ \$8,296,588,000, to remain
4 available for obligation until September 30, 1995: ~~Pro-~~
5 ~~vided~~; That not less than \$97,000,000 of the funds appro-
6 priated in this paragraph are available only for the Ex-
7 tended Range Interceptor (ERINT) missile: *Provided fur-*
8 *ther*; That the Ballistic Missile Defense Organization
9 (BMDO) shall continue its current strategy of flight test-
10 ing, ground testing, simulations, and other Government
11 analyses of the Patriot Multimode Missile and the Ex-
12 tended Range Interceptor for selection of the best tech-
13 nology in terms of cost, schedule, risk, and performance
14 to meet PAC-3 missile requirements for theater missile
15 defense and that the Director, BMDO, will determine
16 when there is adequate information to proceed to selection
17 for engineering and manufacturing development: *Provided*
18 *further*; That none of the funds in this paragraph may be
19 used to operate more than one external affairs office in
20 the Washington, D.C. area for ballistic missile defense
21 programs: *Provided further*; That not less than
22 \$15,000,000 of the funds appropriated in this paragraph
23 shall be made available as a grant awarded through com-
24 petitive procedures to a State supported historically black
25 college or university with a demonstrated expertise in

1 physics and materials science, a doubled enrollment over
2 the past seven years, and a leading enrollment of National
3 Achievement Scholars over the last several years, for con-
4 struction to expand facilities for basic sciences and engi-
5 neering associated with research, development, and other
6 programs of major importance to the Department of De-
7 fense: *Provided further*, That not less than 25 percent of
8 the funds appropriated in this paragraph for the High
9 Performance Computing initiative may be obligated only
10 for research designed to develop improved performance
11 from high performance computing systems and technology
12 utilizing parallel vector processing architecture: *Provided*
13 *further*, That not less than \$20,000,000 of the funds ap-
14 propriated in this paragraph shall be available only for an
15 Experimental Program to Stimulate Competitive Research
16 (EPSCOR) in the Department of Defense which shall in-
17 clude all States eligible as of the date of enactment of this
18 Act for the National Science Foundation Experimental
19 Program to Stimulate Competitive Research: *Provided fur-*
20 *ther*, That none of the funds appropriated in this para-
21 graph for research, development, demonstration, or com-
22 mercialization of electric vehicles and the related infra-
23 structure; fuel cell research; natural gas research; or coal
24 research, authorized to be conducted by the Secretary of
25 Energy under statutes administered by such Secretary

1 shall be obligated by the Secretary of Defense except in
2 accordance with the applicable provisions of the Energy
3 Policy Act of 1992 and other relevant statutes and pursu-
4 ant to an agreement, made available to the applicable leg-
5 islative and appropriation Committees of Congress, be-
6 tween the Secretary of Defense and the Secretary of En-
7 ergy that provides for coordination of all such activities
8 with the relevant programs at the Department of Energy
9 administered under such Acts: *Provided further*, That of
10 the funds appropriated under this heading, not less than
11 \$52,000,000 shall be made available only for the Com-
12 puter-aided Acquisition and Logistics Support (CALC)
13 Shared Resource Center (CSRC) program. Of that
14 amount, not less than \$30,000,000 shall be made available
15 only for the continued operation of the original CSRC by
16 the current nonprofit institution or its successor in inter-
17 est, as the Department's tri-service CALC standards and
18 technologies development, deployment, training, and edu-
19 cation hub for the CSRC program; the continued oper-
20 ation of the CSRC Regional Satellite (CRS); and the es-
21 tablishment and continued operation of additional CRSs
22 to be operated by educational or other nonprofit institu-
23 tions. In addition, \$20,000,000 shall be made available
24 only for the continued operation of the six original CRSs:
25 *Provided further*, That none of the funds in this Act can

1 be expended to pay the salaries or expenses of the Depart-
2 ment's CSRC Program Management Office unless such of-
3 fice is located within the Office of the Secretary of De-
4 fense: *Provided further,* That nothing shall prohibit use of
5 the CSRC or CRSs by industry, associations, other De-
6 partment of Defense services and agencies, and other gov-
7 ernment agencies for efforts to be separately negotiated
8 and funded: *Provided further,* That \$2,300,000 shall be
9 made available only for cell adhesion molecule research:
10 *Provided,* That of the funds appropriated in this para-
11 graph, not less than \$5,000,000 of the funds in the High
12 Performance Computing Modernization program element
13 shall be made available only to upgrade the supercomputing
14 capability and capacity of the Maui High Performance
15 Computing Center.

16 DEVELOPMENTAL TEST AND EVALUATION, DEFENSE

17 For expenses, not otherwise provided for, of inde-
18 pendent activities of the Director, Test and Evaluation in
19 the direction and supervision of developmental test and
20 evaluation, including performance and joint developmental
21 testing and evaluation; and administrative expenses in
22 connection therewith; ~~\$232,592,000~~ \$228,047,000, to re-
23 main available for obligation until September 30, 1995.

1 OPERATIONAL TEST AND EVALUATION, DEFENSE

2 For expenses, not otherwise provided for, necessary
3 for the independent activities of the Director, Operational
4 Test and Evaluation in the direction and supervision of
5 operational test and evaluation, including initial oper-
6 ational test and evaluation which is conducted prior to,
7 and in support of, production decisions; joint operational
8 testing and evaluation; and administrative expenses in
9 connection therewith; \$12,650,000, to remain available for
10 obligation until September 30, 1995.

11 TITLE V

12 REVOLVING AND MANAGEMENT FUNDS

13 DEFENSE BUSINESS OPERATIONS FUND

14 For the Defense Business Operations Fund;
15 ~~\$1,091,100,000~~ *\$1,161,095,000:—Provided, That none of*
16 *the funds available in the Defense Business Operations*
17 *Fund shall be used for any hardware procurement, new*
18 *development, or expansion of the Defense Business Man-*
19 *agement System; except that funds may be used to con-*
20 *tinue minimal maintenance efforts of the Defense Busi-*
21 *ness Management System for the Defense Logistics Agen-*
22 *cy to continue daily operations.*

1 NATIONAL DEFENSE ~~SEALIFT~~ *STRATEGIC LIFT* FUND
2 (INCLUDING TRANSFER OF FUNDS)

3 For National Defense ~~SEALIFT~~ *Strategic Lift* Fund
4 programs, projects, and activities, \$490,800,000
5 \$2,669,100,000, to remain available until expended:—*Pro-*
6 *vided*, That up to \$200,000,000 shall be available for
7 transfer to the Secretary of Transportation for costs (as
8 defined in section 502 of the Federal Credit Reform Act
9 of 1990) of loan guarantee commitments under title XII
10 of the Merchant Marine Act, 1936, as amended by H.R.
11 2401, the National Defense Authorization Act for Fiscal
12 Year 1994: *Provided further*, That any facilities financed
13 by the foregoing loan guarantee commitments must make
14 use of new technologies and processes which have been
15 demonstrated by Department of Defense organizations
16 prior to construction of facilities: *Provided further*, That
17 all loan guarantees or loan guarantee commitments made
18 by the Secretary of Transportation shall occur only after
19 consultation with the Secretary of Defense: *Provided fur-*
20 *ther*, That notwithstanding any other provision of law, the
21 Secretary of Transportation shall give priority to provid-
22 ing loan guarantees to businesses located in enterprise
23 zones and investing private funds in developing integrated
24 design and manufacturing facilities technologies: *Provided*
25 *further*, That notwithstanding any other provision of law,

1 all loan guarantees or loan guarantee commitments for
2 ship construction shall be made without regard to gross
3 ton weight.

4 TITLE VI

5 OTHER DEPARTMENT OF DEFENSE PROGRAMS

6 DEFENSE HEALTH PROGRAM

7 For expenses, not otherwise provided for, for medical
8 and health care programs of the Department of Defense,
9 as authorized by law; ~~\$9,644,447,000~~ \$9,576,209,000, of
10 which ~~\$9,368,185,000~~ \$9,303,447,000 shall be for Oper-
11 ation and maintenance, of which ~~\$276,262,000~~
12 \$272,762,000, to remain available for obligation until Sep-
13 tember 30, 1996, shall be for Procurement: *Provided,*
14 That the Department shall competitively contract during
15 fiscal year 1994 for mail service pharmacy for at least two
16 multi-state regions in addition to the ongoing solicitations
17 for Florida, South Carolina, Georgia, Delaware, New Jer-
18 sey, Pennsylvania, and Hawaii, as well as each base clo-
19 sure area not supported by an at-risk managed care plan;
20 that such services shall be procured independent of any
21 other Department managed care contracts; that one multi-
22 state region shall include the State of Kentucky: ~~*Provided*~~
23 ~~*further,*~~ That of the funds appropriated in this Act, such
24 funds as necessary shall be used for the continuation of
25 the cooperative program model being established at Mad-

1 igan Medical Center for severely behavior disordered stu-
 2 dents: *Provided further, That of the funds appropriated*
 3 *in this paragraph, \$265,000,000 shall not be obligated or*
 4 *expended until authorized by law: Provided further, That*
 5 *of the funds appropriated under this heading, not less than*
 6 *\$1,410,000 shall be made available only for annual incen-*
 7 *tive pay bonuses for certified nurse anesthetists: Provided*
 8 *further, That of the funds appropriated under this heading,*
 9 *not less than \$3,000,000 shall be made available only for*
 10 *nursing research programs: Provided further, That of the*
 11 *funds appropriated under this heading, \$1,500,000 shall be*
 12 *made available for the National Museum of Health and*
 13 *Medicine.*

14 CHEMICAL AGENTS AND MUNITIONS DESTRUCTION,
 15 DEFENSE

16 For expenses, not otherwise provided for, necessary
 17 for the destruction of the United States stockpile of lethal
 18 chemical agents and munitions in accordance with the pro-
 19 visions of section 1412 of the Department of Defense Au-
 20 thorization Act, 1986, (50 U.S.C. 1521) and for the de-
 21 struction of other chemical warfare materials that are not
 22 in the chemical weapon stockpile, ~~\$397,561,000~~
 23 ~~\$395,847,000~~, of which ~~\$292,061,000~~ ~~\$278,361,000~~ shall
 24 be for Operation and maintenance, ~~\$74,800,000~~
 25 ~~\$65,886,000~~, shall be for Procurement, to remain available

1 until September 30, 1996, shall be for Procurement, and
2 ~~\$30,700,000~~ *\$51,600,000*, shall be for Research, develop-
3 *ment, test and evaluation*, to remain available until Sep-
4 ~~tember 30, 1995,~~ shall be for Research, development, test
5 and evaluation: *Provided*, That of the funds appropriated
6 ~~in this paragraph, \$30,700,000 shall not be obligated or~~
7 ~~expended until authorized by law.~~

8 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,
9 DEFENSE

10 (INCLUDING TRANSFER OF FUNDS)

11 For drug interdiction and counter-drug activities of
12 the Department of Defense, for transfer to appropriations
13 available to the Department of Defense for military per-
14 sonnel of the reserve components serving under the provi-
15 sions of title 10 and title 32, United States Code; for Op-
16 eration and maintenance; for Procurement; and for Re-
17 search, development, test and evaluation; ~~\$757,785,000~~
18 *\$1,080,656,000*: *Provided*, That the funds appropriated by
19 this paragraph shall be available for obligation for the
20 same time period and for the same purpose as the appro-
21 priation to which transferred: *Provided further*, That the
22 transfer authority provided in this paragraph is in addi-
23 tion to any transfer authority contained elsewhere in this
24 Act: ~~*Provided further*, That of the funds appropriated in~~

1 ~~this paragraph, not less than \$5,900,000 shall be available~~
2 ~~only for the Gulf States Counter-Narcotics Initiative.~~

3 OFFICE OF THE INSPECTOR GENERAL

4 For expenses and activities of the Office of the
5 Inspector General in carrying out the provisions of the
6 Inspector General Act of 1978, as amended; ~~\$169,801,000~~
7 ~~\$127,601,000~~, of which ~~\$169,001,000~~ ~~\$126,801,000~~ shall
8 be for Operation and maintenance, of which not to exceed
9 \$400,000 is available for emergencies and extraordinary
10 expenses to be expended on the approval or authority of
11 the Inspector General, and payments may be made on his
12 certificate of necessity for confidential military purposes;
13 and of which \$800,000, to remain available until Septem-
14 ber 30, 1996, shall be for Procurement.

15 TITLE VII

16 RELATED AGENCIES

17 NATIONAL FOREIGN INTELLIGENCE PROGRAM

18 CENTRAL INTELLIGENCE AGENCY RETIREMENT AND

19 DISABILITY SYSTEM FUND

20 For payment to the Central Intelligence Agency Re-
21 tirement and Disability System Fund, to maintain proper
22 funding level for continuing the operation of the Central
23 Intelligence Agency Retirement and Disability System;
24 \$182,300,000.

1 NATIONAL SECURITY EDUCATION TRUST FUND

2 (RESCISSION)

3 Of the funds made available in Public Law 103-50
4 for the National Security Education Act under the head-
5 ing "National Security Education Trust Fund",
6 \$10,000,000 is hereby rescinded.

7 Of the funds made available in Public Law 102-172
8 for the National Security Education Trust Fund,
9 \$140,000,000 and interest earned and accrued thereon is
10 hereby rescinded.

11 *For the purposes of Title VIII of Public Law 102-183,*
12 *\$24,000,000 to be derived from the National Security Edu-*
13 *cation Trust Fund, to remain available until expended.*

14 COMMUNITY MANAGEMENT STAFF

15 For necessary expenses of the Community Manage-
16 ment Staff; ~~\$114,688,000~~ \$115,788,000.

17 TITLE VIII

18 GENERAL PROVISIONS

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

22 SEC. 8002. During the current fiscal year, provisions
23 of law prohibiting the payment of compensation to, or em-
24 ployment of, any person not a citizen of the United States
25 shall not apply to personnel of the Department of Defense:

1 *Provided*, That salary increases granted to direct and indi-
2 rect hire foreign national employees of the Department of
3 Defense funded by this Act shall not be at a rate in excess
4 of the percentage increase authorized by law for civilian
5 employees of the Department of Defense whose pay is
6 computed under the provisions of section 5332 of title 5,
7 United States Code, or at a rate in excess of the percent-
8 age increase provided by the appropriate host nation to
9 its own employees, whichever is higher: *Provided further*,
10 That this section shall not apply to Department of De-
11 fense foreign service national employees serving at United
12 States diplomatic missions whose pay is set by the Depart-
13 ment of State under the Foreign Service Act of 1980: *Pro-*
14 *vided further*, *That the limitations of this provision shall*
15 *not apply to foreign national employees of the Department*
16 *of Defense in the Republic of Turkey.*

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

20 SEC. 8004. No more than 20 per centum of the ap-
21 propriations in this Act which are limited for obligation
22 during the current fiscal year shall be obligated during
23 the last two months of the fiscal year: *Provided*, That this
24 section shall not apply to obligations for support of active
25 duty training of reserve components or summer camp

1 be used unless for higher priority items, based on unfore-
2 seen military requirements, than those for which originally
3 appropriated and in no case where the item for which
4 funds are requested has been denied by Congress: *Pro-*
5 *vided further*, That the Secretary of Defense shall notify
6 the Congress promptly of all transfers made pursuant to
7 this authority or any other authority in this Act.

8 (TRANSFER OF FUNDS)

9 SEC. 8007. During the current fiscal year, cash bal-
10 ances in working capital funds of the Department of De-
11 fense established pursuant to section 2208 of title 10,
12 United States Code, may be maintained in only such
13 amounts as are necessary at any time for cash disburse-
14 ments to be made from such funds: *Provided*, That trans-
15 fers may be made between such funds and the “Foreign
16 Currency Fluctuations, Defense” and “Operation and
17 Maintenance” appropriation accounts in such amounts as
18 may be determined by the Secretary of Defense, with the
19 approval of the Office of Management and Budget, except
20 that such transfers may not be made unless the Secretary
21 of Defense has notified the Congress of the proposed
22 transfer. Except in amounts equal to the amounts appro-
23 priated to working capital funds in this Act, no obligations
24 may be made against a working capital fund to procure
25 or increase the value of war reserve material inventory,

1 unless the Secretary of Defense has notified the Congress
2 prior to any such obligation.

3 SEC. 8008. Using funds available by this Act or any
4 other Act, the Secretary of the Air Force, pursuant to a
5 determination under section 2690 of title 10, United
6 States Code, may implement cost-effective agreements for
7 required heating facility modernization in the
8 Kaiserslautern Military Community in the Federal Repub-
9 lic of Germany: *Provided*, That in the City of
10 Kaiserslautern such agreements will include the use of
11 United States anthracite as the base load energy for mu-
12 nicipal district heat to the United States Defense installa-
13 tions: *Provided further*, That at Landstuhl Army Regional
14 Medical Center and Ramstein Air Base, furnished heat
15 may be obtained from private, regional or municipal serv-
16 ices, if provisions are included for the consideration of
17 United States coal as an energy source.

18 SEC. 8009. Funds appropriated by this Act may not
19 be used to initiate a special access program without prior
20 notification 30 calendar days in session in advance to the
21 Committees on Appropriations and Armed Services of the
22 Senate and House of Representatives.

23 SEC. 8010. None of the funds contained in this Act
24 available for the Civilian Health and Medical Program of
25 the Uniformed Services shall be available for payments to

1 physicians and other authorized individual health care pro-
2 viders in excess of the amounts allowed in fiscal year 1993
3 for similar services, except that: (a) for services for which
4 the Secretary of Defense determines an increase is justi-
5 fied by economic circumstances, the allowable amounts
6 may be increased in accordance with appropriate economic
7 index data similar to that used pursuant to title XVIII
8 of the Social Security Act; and (b) for services the Sec-
9 retary determines are overpriced based on allowable pay-
10 ments under title XVIII of the Social Security Act, the
11 allowable amounts shall be reduced by not more than 15
12 percent (except that the reduction may be waived if the
13 Secretary determines that it would impair adequate access
14 to health care services for beneficiaries). The Secretary
15 shall solicit public comment prior to promulgating regula-
16 tions to implement this section. Such regulations shall in-
17 clude a limitation, similar to that used under title XVIII
18 of the Social Security Act, on the extent to which a pro-
19 vider may bill a beneficiary an actual charge in excess of
20 the allowable amount.

21 SEC. 8011. None of the funds provided in this Act
22 shall be available to initiate (1) a multiyear contract that
23 employs economic order quantity procurement in excess of
24 \$20,000,000 in any one year of the contract or that in-
25 cludes an unfunded contingent liability in excess of

1 \$20,000,000, or (2) a contract for advance procurement
2 leading to a multiyear contract that employs economic
3 order quantity procurement in excess of \$20,000,000 in
4 any one year, unless the Committees on Appropriations
5 and Armed Services of the Senate and House of Rep-
6 resentatives have been notified at least thirty days in ad-
7 vance of the proposed contract award: *Provided*, That no
8 part of any appropriation contained in this Act shall be
9 available to initiate a multiyear contract for which the eco-
10 nomic order quantity advance procurement is not funded
11 at least to the limits of the Government's liability: *Pro-*
12 *vided further*, That no part of any appropriation contained
13 in this Act shall be available to initiate multiyear procure-
14 ment contracts for any systems or component thereof if
15 the value of the multiyear contract would exceed
16 \$500,000,000 unless specifically provided in this Act: *Pro-*
17 *vided further*, That no multiyear procurement contract can
18 be terminated without 10-day prior notification to the
19 Committees on Appropriations and Armed Services of the
20 House of Representatives and the Senate: *Provided fur-*
21 *ther*, That the execution of multiyear authority shall re-
22 quire the use of a present value analysis to determine low-
23 est cost compared to an annual procurement.

24 ~~SEC. 8012.~~ (a) None of the funds appropriated by
25 this Act shall be available to convert a position in support

1 of the Army Reserve, Air Force Reserve, Army National
2 Guard, and Air National Guard occupied by, or pro-
3 grammed to be occupied by, a (civilian) military technician
4 to a position to be held by a person in an active duty sta-
5 tus or active Guard or Reserve status if that conversion
6 would reduce the total number of positions occupied by,
7 or programmed to be occupied by, (civilian) military tech-
8 nicians of the component concerned, below 69,061: *Pro-*
9 *vided*, That none of the funds appropriated by this Act
10 shall be available to support more than 46,111 positions
11 in support of the Army Reserve, Army National Guard,
12 or Air National Guard occupied by, or programmed to be
13 occupied by, persons in an active Guard or Reserve status:
14 *Provided further*, That none of the funds appropriated by
15 this Act may be used to include (civilian) military techni-
16 cians in computing civilian personnel ceilings, including
17 statutory or administratively imposed ceilings, on activi-
18 ties in support of the Army Reserve, Air Force Reserve,
19 Army National Guard, or Air National Guard.

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

23 *SEC. 8012. Within the funds appropriated for the oper-*
24 *ation and maintenance of the Armed Forces, funds are here-*
25 *by appropriated pursuant to section 401 of title 10, United*

1 *States Code, for humanitarian and civic assistance costs*
2 *under chapter 20 of title 10, United States Code. Such funds*
3 *may also be obligated for humanitarian and civic assist-*
4 *ance costs incidental to authorized operations and pursuant*
5 *to authority granted in section 401 of chapter 20 of title*
6 *10, United States Code, and these obligations shall be re-*
7 *ported to Congress on September 30 of each year: Provided,*
8 *That funds available for operation and maintenance shall*
9 *be available for providing humanitarian and similar assist-*
10 *ance by using Civic Action Teams in the Trust Territories*
11 *of the Pacific Islands and freely associated states of Micro-*
12 *nesia, pursuant to the Compact of Free Association as au-*
13 *thorized by Public Law 99-239: Provided further, That*
14 *upon a determination by the Secretary of the Army that*
15 *such action is beneficial for graduate medical education*
16 *programs conducted at Army medical facilities located in*
17 *Hawaii, the Secretary of the Army may authorize the pro-*
18 *vision of medical services at such facilities and transpor-*
19 *tation to such facilities, on a nonreimbursable basis, for ci-*
20 *vilian patients from American Samoa, the Commonwealth*
21 *of the Northern Mariana Islands, the Marshall Islands, the*
22 *Federated States of Micronesia, Palau, and Guam.*

23 SEC. 8013. Notwithstanding any other provision of
24 law, governments of Indian tribes shall be treated as State
25 and local governments for the purposes of disposition of

1 real property recommended for closure in the report of the
2 Defense Secretary's Commission on Base Realignments
3 and Closures, December 1988, the report to the President
4 from the Defense Base Closure and Realignment Commis-
5 sion, July 1991, and Public Law 100-526.

6 ~~SEC. 8014. (a) The provisions of section 115(a)(4)~~
7 ~~of title 10, United States Code, shall not apply with re-~~
8 ~~spect to fiscal year 1994 or with respect to the appropria-~~
9 ~~tion of funds for that year.~~

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

17 ~~(c) The fiscal year 1995 budget request for the De-~~
18 ~~partment of Defense as well as all justification material~~
19 ~~and other documentation supporting the fiscal year 1995~~
20 ~~Department of Defense budget request shall be prepared~~
21 ~~and submitted to the Congress as if subsections (a) and~~
22 ~~(b) of this provision were effective with regard to fiscal~~
23 ~~year 1995.~~

24 *SEC. 8014. Notwithstanding any other provision of*
25 *law, none of the funds made available by this Act shall be*

1 *used by the Department of Defense to exceed, outside the*
2 *fifty United States, its territories, and the District of Co-*
3 *lumbia, 131,250 civilian workyears: Provided, That*
4 *workyears shall be applied as defined in the Federal Person-*
5 *nel Manual: Provided further, That workyears expended in*
6 *dependent student hiring programs for disadvantaged*
7 *youths shall not be included in this workyear limitation.*

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

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

23 SEC. 8017. None of the funds available to the De-
24 partment of Defense may be used for the floating storage

1 of petroleum or petroleum products except in vessels of
2 or belonging to the United States.

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

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

16 SEC. 8020. (a) None of the funds appropriated by
17 this Act shall be used to make contributions to the Depart-
18 ment of Defense Education Benefits Fund pursuant to
19 section 2006(g) of title 10, United States Code, represent-
20 ing the normal cost for future benefits under section
21 1415(c) of title 38, United States Code, for any member
22 of the armed services who, on or after the date of enact-
23 ment of this Act—

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

1 (2) receives an enlistment bonus under section
2 308a or 308f of title 37, United States Code,
3 nor shall any amounts representing the normal cost of
4 such future benefits be transferred from the Fund by the
5 Secretary of the Treasury to the Secretary of Veterans
6 Affairs pursuant to section 2006(d) of title 10, United
7 States Code; nor shall the Secretary of Veterans Affairs
8 pay such benefits to any such member: *Provided*, That,
9 in the case of a member covered by clause (1), these limi-
10 tations shall not apply to members in combat arms skills
11 or to members who enlist in the armed services on or after
12 July 1, 1989, under a program continued or established
13 by the Secretary of Defense in fiscal year 1991 to test
14 the cost-effective use of special recruiting incentives in-
15 volving not more than nineteen noncombat arms skills ap-
16 proved in advance by the Secretary of Defense: *Provided*
17 *further*, That this subsection applies only to active compo-
18 nents of the Army.

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

1 That this subsection shall not apply to those members who
2 have reenlisted with this option prior to October 1, 1987:
3 *Provided further*, That this subsection applies only to ac-
4 tive components of the Army.

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

15 SEC. 8022. None of the funds appropriated by this
16 Act shall be available to convert to contractor performance
17 an activity or function of the Department of Defense that,
18 on or after the date of enactment of this Act, is performed
19 by more than ten Department of Defense civilian employ-
20 ees until a most efficient and cost-effective organization
21 analysis is completed on such activity or function and cer-
22 tification of the analysis is made to the Committees on
23 Appropriations of the House of Representatives and the
24 Senate: *Provided*, That this section shall not apply to a
25 commercial or industrial type function of the Department

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

10 ~~SEC. 8023. None of the funds appropriated or made~~
11 ~~available by this Act may be obligated for acquisition of~~
12 ~~major automated information systems which have not suc-~~
13 ~~cessfully completed oversight reviews required by Defense~~
14 ~~Department regulations: *Provided*, That the automated in-~~
15 ~~formation systems oversight review board will be inde-~~
16 ~~pendent of any other Department review function and~~
17 ~~chaired by the Assistant Secretary of Defense (Command,~~
18 ~~Control, Communications and Intelligence): *Provided fur-*~~
19 ~~*ther*, That except for those programs to modernize and de-~~
20 ~~velop migration and standard automated information sys-~~
21 ~~tems that have been certified by the Department's senior~~
22 ~~information resource management (IRM) official as being~~
23 ~~fully compliant with the Department's information man-~~
24 ~~agement initiative as defined in Defense Department Di-~~
25 ~~rective 8000.1, no funds may be expended for moderniza-~~

1 tion or development of any automated information system
2 (AIS) by the military departments, services, defense agen-
3 cies, Joint Staff or Military Commands in excess of
4 \$1,000,000 unless the senior official of the Office of the
5 Secretary of Defense with primary responsibility for the
6 functions being supported or to be supported certifies to
7 the Assistant Secretary of Defense for Command, Control,
8 Communications and Intelligence that the functional
9 requirement(s) is valid and that the system modernization
10 or development has no unnecessary duplication of other
11 available or planned AISs: *Provided further*, That the De-
12 partment shall develop the capability for open systems in-
13 tegration of commercial-off-the-shelf (COTS) applications
14 within the Composite Health Care System (CHCS): *Pro-*
15 *vided further*, That the Department shall limit deployment
16 of the Defense Blood Standard System (DBSS) to donor
17 and processing centers, and shall procure, install, and in-
18 tegrate by April 1, 1994, at two or more CHCS sites an
19 open system compliant COTS hospital-based blood bank/
20 transfusion application, with security access by application
21 function and developed in the same application language
22 as CHCS: *Provided further*, That the Department shall
23 procure and install at all CHCS alpha and beta sites by
24 April 1, 1994, an open system integrated anatomic pathol-
25 ogy COTS application with security access by application

1 function and developed with the same software application
2 language as CHCS: *Provided further*, That notwithstand-
3 ing any other provision of law, the one time investment
4 cost, including the procurement or lease of new or
5 reutilized automatic data processing investment equip-
6 ment, peripheral equipment and related software, for the
7 July 16, 1993 DOD Data Center Consolidation Plan shall
8 not exceed \$309,000,000.

9 *SEC. 8023. None of the funds appropriated or made*
10 *available by this Act may be obligated for acquisition of*
11 *major automated information systems which have not suc-*
12 *cessfully completed oversight reviews required by Defense*
13 *Department regulations: Provided, That none of the funds*
14 *appropriated or made available by this Act may be obli-*
15 *gated on Composite Health Care System acquisition con-*
16 *tracts if such contracts would cause the total life cycle cost*
17 *estimate of \$1,600,000,000 expressed in fiscal year 1986*
18 *constant dollars to be exceeded.*

19 SEC. 8024. Notwithstanding any other provision of
20 law, the Secretary of the Navy may use funds appro-
21 priated to charter ships to be used as auxiliary mine-
22 sweepers providing that the owner agrees that these ships
23 may be activated as Navy Reserve ships with Navy Re-
24 serve crews used in training exercises conducted in accord-
25 ance with law and policies governing Naval Reserve forces:

1 *Provided*, That none of the funds appropriated or made
2 available in this Act may be used to inactivate, disestab-
3 lish, or discontinue the Navy's Craft of Opportunity Pro-
4 gram.

5 SEC. 8025. Notwithstanding any other provision of
6 law, the Department shall competitively award contracts
7 in fiscal year 1994 for at least four new region-wide, at-
8 risk, fixed price managed care support contracts consist-
9 ent with the following requirements: (1) each contract or
10 acquisition shall reflect the major features of the
11 CHAMPUS Reform Initiative and include provision for
12 the commanders of major military medical centers to par-
13 ticipate as the regional lead agents; (2) each such contract
14 or acquisition shall include a triple option benefit; (3) one
15 similar contract or acquisition shall cover the State of
16 Florida (which may include Department of Veterans Af-
17 fairs' medical facilities with the concurrence of the Sec-
18 retary of Veterans Affairs); (4) one similar contract shall
19 cover the States of Washington and Oregon; (5) each
20 other such contract or acquisition shall include at least
21 one complete State; (6) the managed care support con-
22 tracts for California and Hawaii, Florida, Washington and
23 Oregon shall not be counted for purposes of the required
24 four new contracts of acquisitions; and (7) the Depart-
25 ment shall modify a currently operating CHAMPUS serv-

1 ice contract to include an at-risk managed health care pro-
2 vision, to provide services not later than 90 days after en-
3 actment of this Act, in the area of Homestead Air Force
4 Base, to include the Homestead and South Miami Hos-
5 pitals as institutional providers, with a benefit structure
6 substantially identical to that established in fiscal year
7 1993 for the Carswell, Bergstrom and England Air Force
8 Bases (including a retail pharmacy network available to
9 Medicare-eligible beneficiaries), said provision to remain
10 effective as an interim measure until implementation of
11 the competitive at-risk contract for Florida as required by
12 this section: *Provided further*, That none of the funds ap-
13 propriated, or otherwise made available to the Department
14 of Defense, by this or any other Act of Congress, shall
15 be used to implement or administer any changes to the
16 operating CHAMPUS Reform Initiative-like contracts un-
17 less the scope of benefits and program management struc-
18 ture are consistent with the basic CHAMPUS Reform Ini-
19 tiative design in operation on January 1, 1993: *Provided*
20 *further*, That any law or regulation of a State or local gov-
21 ernment relating to health insurance, prepaid health
22 plans, or other health care delivery, administration, and
23 financing methods shall be preempted and shall not apply
24 to any contract entered into pursuant to chapter 55 of
25 title 10, United States Code: *Provided further*, That any

1 requirements for the certification of cost effectiveness, ac-
2 cess and quality of any managed health care programs will
3 be construed to require that the certification compare on
4 a national basis the program to be certified with the stand-
5 ard CHAMPUS program as determined by the application
6 of sound actuarial principles: *Provided further*, That the
7 Department shall competitively award at least two con-
8 tracts in fiscal year 1994 for stand-alone, at-risk managed
9 mental health services in high utilization, high-cost areas,
10 consistent with the management and service delivery fea-
11 tures in operation in the Contracted Provider Arrange-
12 ment (CPA) Tidewater Demonstration.

13 *SEC. 8025. None of the funds appropriated by this Act*
14 *may be used to establish new region-wide, at-risk, fixed*
15 *price managed care contracts possessing features similar to*
16 *those of the CHAMPUS Reform Initiative until such time*
17 *as the Secretary of Defense submits to the Congress a plan*
18 *to implement a nation-wide managed health care program*
19 *for the military health services system: Provided, That the*
20 *program shall include, but not be limited to: (1) a uniform,*
21 *stabilized benefit structure characterized by a triple option*
22 *health benefit feature; (2) a regionally-based health care*
23 *management system; (3) cost minimization incentives in-*
24 *cluding "gatekeeping" and annual enrollment procedures,*
25 *capitation budgeting, and at-risk provider contracts; and*

1 (4) full and open competition for all managed care support
2 contracts: Provided further, That the implementation of the
3 nation-wide managed care military health services system
4 shall be completed by September 30, 1996.

5 SEC. 8026. Funds appropriated or made available in
6 this Act shall be obligated and expended to continue to
7 fully utilize the facilities at the United States Army Engi-
8 neer's Waterways Experiment Station, including the con-
9 tinued availability of the supercomputer capability: *Pro-*
10 *vided*, That none of the funds in this Act may be used
11 to purchase any supercomputer which is not manufactured
12 in the United States, unless the Secretary of Defense cer-
13 tifies to the Armed Services and Appropriations Commit-
14 tees of Congress that such an acquisition must be made
15 in order to acquire capability for national security pur-
16 poses that is not available from United States manufactur-
17 ers.

18 SEC. 8027. For the purposes of the Balanced Budget
19 and Emergency Deficit Control Act of 1985 (Public Law
20 99-177) as amended by the Balanced Budget and Emer-
21 gency Deficit Control Reaffirmation Act of 1987 (Public
22 Law 100-119) and by the Budget Enforcement Act of
23 1990 (Public Law 101-508), the term program, project,
24 and activity for appropriations contained in this Act shall
25 be defined as the most specific level of budget items identi-

1 fied in the Department of Defense Appropriations Act,
2 1994, the accompanying House and Senate Committee re-
3 ports, the conference report and accompanying joint ex-
4 planatory statement of the managers of the Committee of
5 Conference, the related classified annexes and reports, and
6 the P-1 and R-1 budget justification documents as subse-
7 quently modified by Congressional action: *Provided*, That
8 the following exception to the above definition shall apply:

9 For the Military Personnel and the Operation and
10 Maintenance accounts, the term “program, project, and
11 activity” is defined as the appropriations accounts con-
12 tained in the Department of Defense Appropriations Act:
13 *Provided further*, That at the time the President submits
14 his budget for fiscal year 1995, the Department of De-
15 fense shall transmit to the Committees on Appropriations
16 and the Committees on Armed Services of the Senate and
17 the House of Representatives a budget justification docu-
18 ment to be known as the “O-1” which shall identify, at
19 the budget activity, activity group, and subactivity group
20 level, the amounts requested by the President to be appro-
21 priated to the Department of Defense for operation and
22 maintenance in any budget request, or amended budget
23 request, for fiscal year 1995.

24 ~~SEC. 8028. Of the funds appropriated to the Army,~~
25 ~~\$217,600,000 shall be available only for the Reserve Com-~~

1 ponent Automation System (RCAS): *Provided*, That none
2 of these funds can be expended—

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

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

7 (3) to pay the salary of an RCAS program
8 manager who has not been selected and approved by
9 the Chief of the National Guard Bureau and char-
10 tered by the Chief of the National Guard Bureau
11 and the Secretary of the Army;

12 (4) unless the Program Manager (PM) charter
13 makes the PM accountable to the Chief of the Na-
14 tional Guard Bureau and fully defines his authority,
15 responsibility, reporting channels and organizational
16 structure;

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

22 (6) to pay contracted costs for the acquisition
23 of RCAS unless RCAS is an integrated system con-
24 sisting of software, hardware, and communications
25 equipment and unless such contract continues to

1 preclude the use of Government furnished equip-
2 ment, operating systems, and executive and applica-
3 tions software; and

4 (7) unless RCAS performs its own classified in-
5 formation processing; *Provided further*, That not-
6 withstanding any other provision of law, none of the
7 funds appropriated shall be available for procure-
8 ment of computers for the Army Reserve Component
9 which are used to network or expand the capabilities
10 of existing or future information systems or dupli-
11 cate functions to be provided under the RCAS con-
12 tract unless the procurement meets the following cri-
13 teria: (A) only RCAS automated data processing
14 (ADP) equipment may be procured and only in the
15 numbers and types allocated by the RCAS program
16 to each site; (B) the requesting organizational ele-
17 ment has no computer for stand-alone office auto-
18 mation usage; (C) replacement equipment will not
19 exceed the minimum required to maintain the reli-
20 ability of existing capabilities; (D) replacements will
21 be justified solely on the cost and feasibility of re-
22 pairs and maintenance of present ADP equipment as
23 compared to the cost of replacement; and (E) the
24 procurement is recommended by both the Chief of
25 the respective Reserve Component and the Chief of

1 the National Guard Bureau, and approved by the
2 Functional Proponent in the Department of De-
3 fense.

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

12 ~~SEC. 8029.~~ None of the funds in this Act may be
13 available for the purchase by the Department of Defense
14 (and its departments and agencies) of welded shipboard
15 anchor and mooring chain 4 inches in diameter and under
16 unless the anchor and mooring chain are manufactured
17 in the United States from components which are substan-
18 tially manufactured in the United States: *Provided*, That
19 for the purpose of this section manufactured will include
20 cutting, heat treating, quality control, testing of chain and
21 welding (including the forging and shot blasting process):
22 *Provided further*, That for the purpose of this section sub-
23 stantially all of the components of anchor and mooring
24 chain shall be considered to be produced or manufactured
25 in the United States if the aggregate cost of the compo-

1 nents produced or manufactured in the United States ex-
2 ceeds the aggregate cost of the components produced or
3 manufactured outside the United States: *Provided further,*
4 That when adequate domestic supplies are not available
5 to meet Department of Defense requirements on a timely
6 basis, the Secretary of the service responsible for the pro-
7 curement may waive this restriction on a case-by-case
8 basis by certifying in writing to the Committees on Appro-
9 priations that such an acquisition must be made in order
10 to acquire capability for national security purposes.

11 *SEC. 8029. Notwithstanding any other provision of*
12 *law, none of the funds appropriated in this Act may be*
13 *used to purchase, install, replace, or otherwise repair any*
14 *lock on a safe or security container which protects informa-*
15 *tion critical to national security or any other classified ma-*
16 *terials and which has not been certified as passing the secu-*
17 *rity lock specifications contained in regulation FF-L-2740*
18 *dated October 12, 1989, and has not passed all testing cri-*
19 *teria and procedures established through February 28,*
20 *1992.*

21 (TRANSFER OF FUNDS)

22 *SEC. 8030. Notwithstanding any other provision of*
23 *law, the Department of Defense may transfer prior year,*
24 *unobligated balances and funds appropriated in this Act*
25 *to the operation and maintenance appropriations for the*
26 *purpose of providing military technician and Department*

1 of Defense medical personnel pay and medical programs
2 (including CHAMPUS) the same exemption from seques-
3 tration set forth in the Balanced Budget and Emergency
4 Deficit Control Act of 1985 (Public Law 99-177) as
5 amended by the Balanced Budget and Emergency Deficit
6 Control Reaffirmation Act of 1987 (Public Law 100-119)
7 and by the Budget Enforcement Act of 1990 (Public Law
8 101-508) as that granted the other military personnel ac-
9 counts: *Provided*, That any transfer made pursuant to any
10 use of the authority provided by this provision shall be
11 limited so that the amounts reprogrammed to the oper-
12 ation and maintenance appropriations do not exceed the
13 amounts sequestered under the Balanced Budget and
14 Emergency Deficit Control Act of 1985 (Public Law 99-
15 177) as amended by the Balanced Budget and Emergency
16 Deficit Control Reaffirmation Act of 1987 (Public Law
17 100-119) and by the Budget Enforcement Act of 1990
18 (Public Law 101-508): *Provided further*, That the author-
19 ity to make transfers pursuant to this section is in addi-
20 tion to the authority to make transfers under other provi-
21 sions of this Act: *Provided further*, That the Secretary of
22 Defense may proceed with such transfer after notifying
23 the Appropriations Committees of the House of Rep-
24 resentatives and the Senate twenty calendar days in ses-

1 sion before any such transfer of funds under this
2 provision.

3 *SEC. 8030. None of the funds available to the Depart-*
4 *ment of the Navy may be used to enter into any contract*
5 *for the overhaul, repair, or maintenance of any naval vessel*
6 *homeported on the West Coast of the United States which*
7 *includes charges for interport differential as an evaluation*
8 *factor for award.*

9 SEC. 8031. None of the funds appropriated by this
10 Act available for the Civilian Health and Medical Program
11 of the Uniformed Services (CHAMPUS) shall be available
12 for the reimbursement of any health care provider for in-
13 patient mental health service for care received when a pa-
14 tient is referred to a provider of inpatient mental health
15 care or residential treatment care by a medical or health
16 care professional having an economic interest in the facil-
17 ity to which the patient is referred: *Provided*, That this
18 limitation does not apply in the case of inpatient mental
19 health services provided under the program for the handi-
20 capped under subsection (d) of section 1079 of title 10,
21 United States Code, provided as partial hospital care, or
22 provided pursuant to a waiver authorized by the Secretary
23 of Defense because of medical or psychological cir-
24 cumstances of the patient that are confirmed by a health
25 professional who is not a Federal employee after a review,

1 pursuant to rules prescribed by the Secretary, which takes
2 into account the appropriate level of care for the patient,
3 the intensity of services required by the patient, and the
4 availability of that care.

5 SEC. 8032. All new Department of Defense procure-
6 ments shall separately identify software costs in the work
7 breakdown structure defined by MIL-STD-881 in those
8 instances where software is considered to be a major cat-
9 egory of cost.

10 SEC. 8033. During the current fiscal year and there-
11 after, of the funds appropriated, reimbursable expenses in-
12 curred by the Department of Defense on behalf of the So-
13 viet Union or its successor entities in monitoring United
14 States implementation of the Treaty Between the United
15 States of America and the Union of Soviet Socialist Re-
16 publics on the Elimination of Their Intermediate-Range
17 or Shorter-Range Missiles (“INF Treaty”), concluded De-
18 cember 8, 1987, may be treated as orders received and
19 obligation authority for the applicable appropriation, ac-
20 count, or fund increased accordingly. Likewise, any reim-
21 bursements received for such costs may be credited to the
22 same appropriation, account, or fund to which the ex-
23 penses were charged: *Provided*, That reimbursements
24 which are not received within one hundred and eighty days
25 after submission of an appropriate request for payment

1 shall be subject to interest at the current rate established
2 pursuant to section 2(b)(1)(B) of the Export-Import Bank
3 Act of 1945 (59 Stat. 526). Interest shall begin to accrue
4 on the one hundred and eighty-first day following submis-
5 sion of an appropriate request for payment: *Provided fur-*
6 *ther*, That funds appropriated in this Act may be used to
7 reimburse United States military personnel for reasonable
8 costs of subsistence, at rates to be determined by the Sec-
9 retary of Defense, incurred while accompanying Soviet In-
10 spection Team members or inspection team members of
11 the successor entities of the Soviet Union engaged in ac-
12 tivities related to the INF Treaty: *Provided further*, That
13 this provision includes only the in-country period (referred
14 to in the INF Treaty) and is effective whether such duty
15 is performed at, near, or away from an individual's perma-
16 nent duty station.

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

23 ~~SEC. 8035. None of the funds available in this Act~~
24 ~~to the Department of Defense or Navy shall be obligated~~
25 ~~or expended for (or to implement) automatic data process-~~

1 ing, data processing center, central design activity, DMRD
2 918, defense information infrastructure, military or civil-
3 ian personnel and finance and accounting function consoli-
4 dation plans, consolidations, and disestablishment or re-
5 alignment plans that impact, in terms of reductions in
6 force or transfers in military and civilian personnel, end
7 strength, billets, functions, or missions, the Enlisted Per-
8 sonnel Management Center, the Naval Computer and
9 Telecommunications Station and Defense Accounting Of-
10 fice, New Orleans, and the Naval Reserve Personnel Cen-
11 ter and related missions, functions, and commands until
12 sixty legislative days after the Secretary of Defense sub-
13 mits to the House and Senate Committees on Appropria-
14 tions a report, including complete review comments and
15 a certification, by both the Secretary of Defense and the
16 Comptroller General, justifying and certifying that such
17 plans and actions: (1) do not consolidate, plan to consoli-
18 date, disestablish or realign Department of Defense or
19 Service data processing functions or centers, central de-
20 sign activities, finance and accounting or military and ci-
21 vilian personnel functions and activities, or claim savings
22 from such function and activity consolidations and dis-
23 establishment, realignment, or consolidation plans, that
24 are in more than one defense management report plan or
25 decision or any other Department of Defense or Service

1 consolidation, disestablishment, or realignment plan; (2)
2 utilize criteria primarily weighted to evaluate, measure,
3 and compare how data processing centers, central design
4 activities, financing and accounting and military and civil-
5 ian personnel functions and activities are ranked in terms
6 of operational readiness, customer satisfaction, and the
7 most cost effective and least expensive from a business
8 performance, and regional operations cost standpoint; (3)
9 will provide equal or better service for DOD customers;
10 (4) will not adversely impact the quality of life and bene-
11 fits of the individual service person, dependents, and civil-
12 ian personnel; and (5) will not adversely impact the mis-
13 sion and readiness of the Navy and Naval Reserves: *Pro-*
14 *vided*; That none of the provisions in this section shall,
15 in any way, affect the implementation of the Defense Base
16 Closure and Realignment Commission recommendations.

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

21 SEC. 8036. Notwithstanding any other provision of
22 law, during the current fiscal year, the Secretary of De-
23 fense may, by Executive Agreement, establish with host
24 nation governments in NATO member states a separate
25 account into which such residual value amounts negotiated

1 in the return of United States military installations in
2 NATO member states may be deposited, in the currency
3 of the host nation, in lieu of direct monetary transfers to
4 the United States Treasury: *Provided*, That such credits
5 may be utilized only for the construction of facilities to
6 support United States military forces in that host nation,
7 or such real property maintenance and base operating
8 costs that are currently executed through monetary trans-
9 fers to such host nations: *Provided further*, That the De-
10 partment of Defense's budget submission for fiscal year
11 1995 shall identify such sums anticipated in residual value
12 settlements, and identify such construction, real property
13 maintenance or base operating costs that shall be funded
14 by the host nation through such credits: *Provided further*,
15 That all military construction projects to be executed from
16 such accounts must be previously approved in a prior Act
17 of Congress: *Provided further*, That each such Executive
18 Agreement with a NATO member host nation shall be re-
19 ported to the Committees on Appropriations and Armed
20 Services of the House of Representatives and the Senate
21 thirty days prior to the conclusion and endorsement of any
22 such agreement established under this provision.

23 SEC. 8037. All obligations incurred in anticipation of
24 the appropriations and authority provided in this Act are

1 hereby ratified and confirmed if otherwise in accordance
2 with the provisions of this Act.

3 SEC. 8038. None of the funds available to the De-
4 partment of Defense in this Act shall be used to demili-
5 tarize or dispose of more than 310,784 unserviceable M1
6 Garand rifles and M1 Carbines.

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

12 SEC. 8040. None of the funds appropriated by this
13 Act may be used by the Department of Defense to assign
14 a supervisor's title or grade when the number of people
15 he or she supervises is considered as a basis for this deter-
16 mination: *Provided*, That savings that result from this
17 provision are represented as such in future budget
18 proposals.

19 SEC. 8041. Of the funds appropriated by this Act,
20 no more than \$18,500,000 shall be available for the men-
21 tal health care demonstration project at Fort Bragg,
22 North Carolina: *Provided*, That adjustments may be made
23 for normal and reasonable price and program growth.

24 SEC. 8042. None of the funds appropriated by this
25 Act may be used to pay health care providers under the

1 Civilian Health and Medical Program of the Uniformed
2 Services (CHAMPUS) for services determined under the
3 CHAMPUS Peer Review Organization (PRO) Program to
4 be not medically or psychologically necessary. The Sec-
5 retary of Defense may by regulation adopt any quality and
6 utilization review requirements and procedures in effect
7 for the Peer Review Organization Program under title
8 XVIII of the Social Security Act (Medicare) that the Sec-
9 retary determines necessary, and may adapt the Medicare
10 requirements and procedures to the circumstances of the
11 CHAMPUS PRO Program as the Secretary determines
12 appropriate.

13 SEC. 8043. None of the funds appropriated by this
14 Act shall be available for payments under the Department
15 of Defense contract with the Louisiana State University
16 Medical Center involving the use of cats for Brain Missile
17 Wound Research, and the Department of Defense shall
18 not make payments under such contract from funds obli-
19 gated prior to the date of the enactment of this Act, except
20 as necessary for costs incurred by the contractor prior to
21 the enactment of this Act, and until thirty legislative days
22 after the final General Accounting Office report on the
23 aforesaid contract is submitted for review to the Commit-
24 tees on Appropriations of the House of Representatives

1 and the Senate: *Provided*, That funds necessary for the
2 care of animals covered by this contract are allowed.

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

15 SEC. 8045. The Secretary of Defense shall include
16 in any base closure and realignment plan submitted to
17 Congress after the date of enactment of this Act, a com-
18 plete review for the five-year period beginning on Octo-
19 ber 1, 1993, which shall include expected force structure
20 and levels for such period, expected installation require-
21 ments for such period, a budget plan for such period, the
22 cost savings expected to be realized through realignments
23 and closures of military installations during such period,
24 an economics model to identify the critical local economic
25 sectors affected by proposed closures and realignments of

1 military installations and an assessment of the economic
2 impact in each area in which a military installation is to
3 be realigned or closed.

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

17 *SEC. 8046. Notwithstanding any other provision of*
18 *law, each contract awarded by the Department of Defense*
19 *in fiscal year 1994 for construction or service performed*
20 *in whole or in part in a State which is not contiguous with*
21 *another State and has an unemployment rate in excess of*
22 *the national average rate of unemployment as determined*
23 *by the Secretary of Labor shall include a provision requir-*
24 *ing the contractor to employ, for the purpose of performing*
25 *that portion of the contract in such State that is not contig-*

1 *uous with another State, individuals who are residents of*
2 *such State and who, in the case of any craft or trade, pos-*
3 *sess or would be able to acquire promptly the necessary*
4 *skills: Provided, That the Secretary of Defense may waive*
5 *the requirements of this section in the interest of national*
6 *security.*

7 SEC. 8047. During the current fiscal year, funds ap-
8 propriated or otherwise available for any Federal agency,
9 the Congress, the judicial branch, or the District of Co-
10 lumbia may be used for the pay, allowances, and benefits
11 of an employee as defined by section 2105 of title 5 or
12 an individual employed by the government of the District
13 of Columbia, permanent or temporary indefinite, who—

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

18 (2) performs, for the purpose of providing mili-
19 tary aid to enforce the law or providing assistance
20 to civil authorities in the protection or saving of life
21 or property or prevention of injury—

22 (A) Federal service under section 331,
23 332, 333, 3500, or 8500 of title 10, or other
24 provision of law, as applicable, or

1 (B) full-time military service for his State,
2 the District of Columbia, the Commonwealth of
3 Puerto Rico, or a territory of the United States;
4 and

5 (3) requests and is granted—

6 (A) leave under the authority of this sec-
7 tion; or

8 (B) annual leave, which may be granted
9 without regard to the provisions of sections
10 5519 and 6323(b) of title 5, if such employee
11 is otherwise entitled to such annual leave:

12 *Provided*, That any employee who requests leave under
13 subsection (3)(A) for service described in subsection (2)
14 of this section is entitled to such leave, subject to the pro-
15 visions of this section and of the last sentence of section
16 6323(b) of title 5, and such leave shall be considered leave
17 under section 6323(b) of title 5.

18 SEC. 8048. None of the funds appropriated by this
19 Act shall be available to perform any cost study pursuant
20 to the provisions of OMB Circular A-76 if the study being
21 performed exceeds a period of twenty-four months after
22 initiation of such study with respect to a single function
23 activity or forty-eight months after initiation of such study
24 for a multi-function activity.

1 SEC. 8049. Funds appropriated by this Act for the
2 American Forces Information Service shall not be used for
3 any national or international political or psychological ac-
4 tivities.

5 SEC. 8050. Notwithstanding any other provision of
6 law or regulation, the Secretary of Defense may adjust
7 wage rates for civilian employees hired for certain health
8 care occupations as authorized for the Secretary of Veter-
9 ans Affairs by section 7455 of title 38, United States
10 Code.

11 SEC. 8051. During the current fiscal year, none of
12 the funds appropriated in this Act may be used to reduce
13 the military or civilian medical and medical support per-
14 sonnel end strength as of September 30, 1993, as defined
15 by section 711(c) of Public Law 101-510: *Provided*, That
16 none of the funds appropriated in this Act may be used
17 to reduce the military or civilian medical and medical sup-
18 port personnel end strength at a base undergoing a partial
19 closure or realignment, where more than one joint com-
20 mand is located, below the September 30, 1991 level.

21 SEC. 8052. Of the funds made available in this Act,
22 not less than ~~\$11,679,000~~ *\$10,596,000* shall be available
23 for the Civil Air Patrol, of which ~~\$4,642,000~~ *\$4,471,000*
24 shall be available for Operation and Maintenance.

1 SEC. 8053. None of the funds appropriated or made
2 available in this Act shall be used to reduce or disestablish
3 the operation of the 815th Weather Squadron of the Air
4 Force Reserve, if such action would reduce the WC-130
5 Weather Reconnaissance mission below the levels funded
6 in this Act.

7 SEC. 8054. During the current fiscal year, with-
8 drawal credits may be made by the Defense Business Op-
9 erations Fund to the credit of current applicable appro-
10 priations of an activity of the Department of Defense in
11 connection with the acquisition by that activity of supplies
12 that are repairable components which are repairable at a
13 repair depot and that are capitalized into the Defense
14 Business Operations Fund as the result of management
15 changes concerning depot level repairable assets charged
16 to an activity of the Department of Defense which is a
17 customer of the Defense Business Operations Fund that
18 became effective on April 1, 1992.

19 SEC. 8055. (a) Of the funds for the procurement of
20 supplies or services appropriated by this Act, qualified
21 nonprofit agencies for the blind or other severely handi-
22 capped shall be afforded the maximum practicable oppor-
23 tunity to participate as subcontractors and suppliers in the
24 performance of contracts let by the Department of De-
25 fense.

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

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

16 ~~SEC. 8056. During the current fiscal year and there-~~
17 ~~after, there is established, under the direction and control~~
18 ~~of the Attorney General, the National Drug Intelligence~~
19 ~~Center, whose mission it shall be to coordinate and con-~~
20 ~~solidate drug intelligence from all national security and~~
21 ~~law enforcement agencies, and produce information re-~~
22 ~~garding the structure, membership, finances, communica-~~
23 ~~tions, and activities of drug trafficking organizations: *Pro-*~~
24 ~~*vided,* That funding for the operation of the National~~
25 ~~Drug Intelligence Center, including personnel costs associ-~~

1 ated therewith, shall be provided from the funds appro-
2 priated to the Department of Defense.

3 *SEC. 8056. Notwithstanding any other provision of*
4 *law, in addition to the funds made available elsewhere in*
5 *this Act to the Department of the Navy, \$60,000,000 to re-*
6 *main available until expended, shall be made available only*
7 *for obligations incurred in the conveyance, clean-up, and*
8 *restoration of Kaho'olawe Island.*

9 SEC. 8057. During the current fiscal year and there-
10 after, the Navy may provide notice to exercise options
11 under the LEASAT program for the next fiscal year, in
12 accordance with the terms of the Aide Memoire, dated
13 January 5, 1981, as amended by the Aide Memoire dated
14 April 30, 1986, and as implemented in the LEASAT con-
15 tract.

16 SEC. 8058. During the current fiscal year, net re-
17 ceipts pursuant to collections from third party payers pur-
18 suant to section 1095 of title 10, United States Code, shall
19 be made available to the local facility of the uniformed
20 services responsible for the collections and shall be over
21 and above the facility's direct budget amount.

22 ~~SEC. 8059. None of the funds in this Act shall be~~
23 ~~obligated for the procurement of Multibeam Sonar Map-~~
24 ~~ping Systems, and supporting software, not engineered~~
25 ~~and manufactured in the United States: *Provided, That*~~

1 the Secretary of the military department responsible for
2 such procurement may waive this restriction on a case-
3 by-case basis by certifying in writing to the Committees
4 on Appropriations of the House of Representatives and the
5 Senate that adequate domestic supplies are not available
6 to meet Department of Defense requirements on a timely
7 basis and that such an acquisition must be made in order
8 to acquire capability for national security purposes.

9 *SEC. 8059. Of the funds made available by this Act*
10 *in title III, Procurement, \$8,000,000, drawn pro rata from*
11 *each appropriations account in title III, shall be available*
12 *for incentive payments authorized by section 504 of the In-*
13 *dian Financing Act of 1974, 25 U.S.C. 1544. These pay-*
14 *ments shall be available only to contractors which have sub-*
15 *mitted subcontracting plans pursuant to 15 U.S.C.*
16 *637(d)(4)(B), and according to regulations which shall be*
17 *promulgated by the Secretary of Defense within 90 days*
18 *of the passage of this Act.*

19 SEC. 8060. During the current fiscal year and there-
20 after, notwithstanding any other provision of law, the De-
21 partment of Defense is hereby authorized to develop and
22 procure the LANDSAT 7 vehicle.

23 SEC. 8061. None of the funds appropriated in this
24 Act may be used to fill the commander's position at any
25 military medical facility with a health care professional

1 unless the prospective candidate can demonstrate profes-
2 sional administrative skills.

3 SEC. 8062. Of the funds appropriated by this Act for
4 the Defense Health Program, notwithstanding any other
5 provision of law, the amount payable for services provided
6 under this section shall not be less than the amount cal-
7 culated under the coordination of benefits reimbursement
8 formula utilized when CHAMPUS is a secondary payor
9 to medical insurance programs other than Medicare, and
10 ~~such appropriations as necessary, \$20,000,000,~~ shall be
11 available (notwithstanding the last sentence of section
12 1086(c) of title 10, United States Code) to continue Civil-
13 ian Health and Medical Program of the Uniformed Serv-
14 ices (CHAMPUS) benefits, until age 65, under such sec-
15 tion for a former member of a uniformed service who is
16 entitled to retired or retainer pay or equivalent pay, or
17 a dependent of such a member, or any other beneficiary
18 described by section 1086(c) of title 10, United States
19 Code, who becomes eligible for hospital insurance benefits
20 under part A of title XVIII of the Social Security Act (42
21 U.S.C. 1395 et seq.) solely on the grounds of physical dis-
22 ability, or end stage renal disease: *Provided*, That expenses
23 under this section shall only be covered to the extent that
24 such expenses are not covered under parts A and B of
25 title XVIII of the Social Security Act and are otherwise

1 covered under CHAMPUS: *Provided further*, That no re-
2 imbursement shall be made for services provided prior to
3 October 1, 1991.

4 SEC. 8063. During the current fiscal year, the Sec-
5 retary of Defense may accept burdensharing contributions
6 in the form of money from Japan, the Republic of Korea,
7 and the State of Kuwait for the costs of local national
8 employees, supplies, and services of the Department of De-
9 fense to be credited to applicable Department of Defense
10 operation and maintenance appropriations available for
11 the salaries and benefits of national employees of Japan,
12 the Republic of Korea, and the State of Kuwait, supplies,
13 and services to be merged with and to be available for the
14 same purposes and time period as those appropriations to
15 which credited: *Provided*, That not later than 30 days
16 after the end of each quarter of the fiscal year, the Sec-
17 retary of Defense shall submit to the Congress a report
18 of contributions accepted by the Secretary under this pro-
19 vision during the preceding quarter.

20 SEC. 8064. (a) Funds appropriated in this Act to fi-
21 nance activities of Department of Defense (DOD) Feder-
22 ally Funded Research and Development Centers
23 (FFRDCs) may not be obligated or expended for an
24 FFRDC if a member of its Board of Directors or Trustees
25 simultaneously serves on the Board of Directors or Trust-

1 ees of a profit-making company under contract to the De-
2 partment of Defense unless the FFRDC has a DOD ap-
3 proved conflict of interest policy for its members.

4 (b) None of the funds appropriated in this Act are
5 available to establish a new FFRDC, either as a new en-
6 tity, or as a separate entity administered by an organiza-
7 tion managing another FFRDC, or as a nonprofit mem-
8 bership corporation consisting of a consortium of other
9 FFRDCs and other nonprofit entities.

10 (c) *Notwithstanding any other provision of law, of the*
11 *amounts available to the Department of Defense during fis-*
12 *cal year 1994, not more than \$1,352,650,000 may be obli-*
13 *gated for financing activities of federally funded research*
14 *and development centers.*

15 (d) *The total amount appropriated for research, devel-*
16 *opment, test and evaluation by this Act is hereby reduced*
17 *by \$200,000,000 to reflect the obligation limitation con-*
18 *tained in subsection (c).*

19 ~~SEC. 8065. None of the funds appropriated or made~~
20 ~~available in this Act shall be used to procure carbon, alloy~~
21 ~~or armor steel plate for use in any Government-owned fa-~~
22 ~~cility or property under the control of the Department of~~
23 ~~Defense which were not melted and rolled in the United~~
24 ~~States or Canada: *Provided*, That these procurement re-~~
25 ~~strictions shall apply to any and all Federal Supply Class~~

1 9515, American Society of Testing and Materials (ASTM)
2 or American Iron and Steel Institute (AISI) specifications
3 of carbon, alloy or armor steel plate: *Provided further,*
4 That the Secretary of the military department responsible
5 for the procurement may waive this restriction on a case-
6 by-case basis by certifying in writing to the Committees
7 on Appropriations of the House of Representatives and the
8 Senate that adequate domestic supplies are not available
9 to meet Department of Defense requirements on a timely
10 basis and that such an acquisition must be made in order
11 to acquire capability for national security purposes: *Pro-*
12 *vided further,* That these restrictions shall not apply to
13 contracts which are in being as of the date of enactment
14 of this Act.

15 SEC. 8066. Notwithstanding any other provision of
16 law, no more than 15 percent of the funds available to
17 the Department of Defense for sealift may be used to ac-
18 quire, directly or indirectly, through charter or purchase,
19 ships constructed in foreign shipyards: *Provided,* That
20 ships acquired as provided above shall be necessary to sat-
21 isfy the shortfalls identified in the Mobility Requirements
22 Study: *Provided further,* That any work required to con-
23 vert foreign built ships acquired as provided above to Unit-
24 ed States Coast Guard and American Bureau of Shipping
25 standards, or conversion to a more useful military configu-

1 ration, must be accomplished in United States domestic
2 shipyards: *Provided further*, That none of the funds shall
3 be used to purchase the following major components:
4 bridge or machinery control systems, or interior commu-
5 nications equipment, auxiliary equipment, including
6 pumps for all shipboard services, propulsion system com-
7 ponents (that is, engines, reduction gears, and propellers),
8 shipboard cranes, and spreaders for shipboard cranes for
9 sealift ships unless the systems or equipment, and their
10 components, are manufactured in the United States: *Pro-*
11 *vided further*, That the Secretary of the military depart-
12 ment responsible for such procurement may waive this re-
13 striction on a case-by-case basis by certifying in writing
14 to the Committees on Appropriations of the House of Rep-
15 resentatives and the Senate that adequate domestic sup-
16 plies are not available to meet Department of Defense re-
17 quirements on a timely basis and that such an acquisition
18 must be made in order to acquire capability for national
19 security purposes.

20 *SEC. 8065. None of the funds available to the Depart-*
21 *ment of Defense during the current fiscal year may be obli-*
22 *gated or expended to develop for aircraft or helicopter weap-*
23 *ons systems an airborne instrumentation system for flight*
24 *test data acquisition, or to develop or implement modifica-*
25 *tions to an existing airborne instrumentation system, other*

1 *than the Common Airborne Instrumentation System under*
2 *development in the Central Test and Evaluation Investment*
3 *Development program element funded in the “Developmental*
4 *Test and Evaluation, Defense” appropriations account.*

5 *SEC. 8066. None of the unobligated balances available*
6 *in the National Defense Stockpile Transaction Fund during*
7 *the current fiscal year may be obligated or expended to fi-*
8 *nance any grant or contract to conduct research, develop-*
9 *ment, test and evaluation activities for the development or*
10 *production of advanced materials, unless amounts for such*
11 *purposes are specifically appropriated in a subsequent ap-*
12 *propriations Act.*

13 **SEC. 8067.** For the purposes of this Act, the term
14 “congressional defense committees” means the Commit-
15 tees on Armed Services, the Committees on Appropria-
16 tions, and the subcommittees on Defense of the Committee
17 on Appropriations, of the Senate and the House of Rep-
18 resentatives.

19 **SEC. 8068.** Notwithstanding any other provision of
20 law, during the current fiscal year, the Secretary of De-
21 fense may acquire the modification, depot maintenance
22 and repair of aircraft, vehicles and vessels as well as the
23 production of components and other Defense-related arti-
24 cles, through competition between Department of Defense
25 depot maintenance activities and private firms: *Provided,*

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

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

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

24 (b) The Secretary of Defense shall submit to Con-
25 gress a report on the amount of Department of Defense

1 purchases from foreign entities in fiscal year 1994. Such
2 report shall separately indicate the dollar value of items
3 for which the Buy American Act was waived pursuant to
4 any agreement described in subsection (a)(2), the Trade
5 Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any
6 international agreement to which the United States is a
7 party.

8 (c) For purposes of this section, the term “Buy
9 American Act” means title III of the Act entitled “An
10 Act making appropriations for the Treasury and Post
11 Office Departments for the fiscal year ending June 30,
12 1934, and for other purposes”, approved March 3,
13 1933 (41 U.S.C. 10a et seq.).

14 ~~SEC. 8070. (a) Of the funds made available in this~~
15 ~~Act in title II, Operation and Maintenance, Army,~~
16 ~~\$5,000,000 shall be available only to execute the cleanup~~
17 ~~of uncontrolled hazardous waste contamination affecting~~
18 ~~the Sale Parcel at Hamilton Air Force Base, in Novato,~~
19 ~~in the State of California.~~

20 (b) ~~Notwithstanding any other provision of law, in the~~
21 ~~event that the purchaser of the Sale Parcel exercises its~~
22 ~~option to withdraw from all or a portion of the sale, as~~
23 ~~provided in the Agreement and Modification, dated Sep-~~
24 ~~tember 25, 1990, between the Department of Defense, the~~
25 ~~General Services Administration, and the purchaser, as~~

1 amended, the purchaser's deposit of \$4,500,000 shall be
2 returned by the General Services Administration and
3 funds eligible for reimbursement under the Agreement and
4 Modification, as amended, shall come from the funds made
5 available to the Department of Defense by this Act.

6 (c) Notwithstanding any other provision of law, in the
7 event that the purchaser purchases only a portion of the
8 Sale Parcel and exercises its option to withdraw from the
9 sale as to the rest of the Sale Parcel, the portion of the
10 Sale Parcel that is not purchased (other than Landfill 26
11 and an appropriate buffer area around it), together with
12 any of the land referred to in section 9099(e) of Public
13 Law 102-396 that is not purchased by the purchaser,
14 shall be sold to the City of Novato, in the State of Califor-
15 nia, for the sum of One Dollar as a public benefit transfer
16 for school, classroom or other educational use, for use as
17 a public park or recreation area or for further conveyance
18 as provided herein, subject to the following restrictions:
19 (1) if the City sells any portion of such land to any third
20 party within ten years after the transfer to the City, which
21 sale may be made without the foregoing use restrictions,
22 any proceeds received by the City in connection with such
23 sale, minus the demonstrated reasonable costs of conduct-
24 ing the sale and of any improvements made by the City
25 to the land following its acquisition of the land (but only

1 to the extent such improvements increase the value of the
2 portion sold), shall be immediately turned over to the
3 Army in reimbursement of the withdrawal payment made
4 by the Army to the contract purchaser and the costs of
5 cleaning up the Landfill and (2) until one year following
6 completion of the cleanup of contaminated soil in the land-
7 fill and completion of the groundwater treatment facilities,
8 the sale must be at a per-acre price for the portion sold
9 that is at least equal to the per-acre contract price paid
10 by the purchaser for the portion of the Sale Parcel pur-
11 chased under the Agreement and Modification, as amend-
12 ed, and thereafter must be at a price at least equal to
13 the fair market value of the portion sold. The foregoing
14 restrictions shall not apply to a transfer to another public
15 or quasi-public agency for public uses of the kind de-
16 scribed above. The deed to the City shall contain a clause
17 providing that, if any of the proceeds referred to in clause
18 (1) are not delivered to the Army within 30 days after
19 sale, or any portion of the land not sold as provided herein
20 is used for other than educational, park or recreational
21 uses, title to the applicable portion of such land shall re-
22 vert to the United States Government at the election of
23 the General Services Administration. The Army shall
24 agree to deliver into the applicable closing escrow an ac-
25 knowledgement of receipt of any proceeds described in

1 clause (1) above and a release of the reverter right as to
2 the affected land, effective upon such receipt.

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

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

20 **SEC. 8071.** Notwithstanding any other provision of
21 law, the Secretary of Defense may, when he considers it
22 in the best interest of the United States, cancel any part
23 of an indebtedness, up to \$2,500, that is or was owed to
24 the United States by a member or former member of a
25 uniformed service if such indebtedness, as determined by

1 the Secretary, was incurred in connection with Operation
2 Desert Shield/Storm: *Provided*, That the amount of an in-
3 debtedness previously paid by a member or former mem-
4 ber and cancelled under this section shall be refunded to
5 the member.

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

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

17 (INCLUDING TRANSFER OF FUNDS)

18 SEC. 8074. Amounts deposited during fiscal years
19 1993 and 1994 to the special account established under
20 40 U.S.C. 485(h)(2) and to the special account established
21 under 10 U.S.C. 2667(d)(1) are appropriated and shall
22 be available until transferred by the Secretary of Defense
23 to current applicable appropriations or funds of the De-
24 partment of Defense under the terms and conditions speci-
25 fied by 40 U.S.C. 485(h)(2) (A) and (B) and 10 U.S.C.
26 2667(d)(1)(B), to be merged with and to be available for

1 the same time period and the same purposes as the appro-
2 priation to which transferred.

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

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

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

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

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

23 *(b) the potential future uses of the nine chemical*
24 *disposal facilities other than for the destruction of*
25 *stockpile chemical munitions and as limited by sec-*

1 *tion 1412(c)(2), Public Law 99-145: Provided, That*
2 *this prohibition does not apply to future use studies*
3 *for the CAMDS facility at Tooele, Utah.*

4 SEC. 8076. During the current fiscal year, none of
5 the funds available to the Department of Defense may be
6 used to procure or acquire (1) defensive handguns or de-
7 fensive handgun ammunition unless such handguns or
8 handgun ammunition are the M9 9mm Department of De-
9 fense standard handgun or ammunition for such hand-
10 guns, or (2) offensive handguns and ammunition except
11 for the Special Operations Forces.

12 SEC. 8077. During the current fiscal year, appropria-
13 tions available to the Department of Defense may be used
14 to reimburse a member of a reserve component of the
15 Armed Forces who is not otherwise entitled to travel and
16 transportation allowances and who occupies transient gov-
17 ernment housing while performing active duty for training
18 or inactive duty training: *Provided, That such members*
19 *may be provided lodging in kind if transient government*
20 *quarters are unavailable as if the member was entitled to*
21 *such allowances under subsection (a) of section 404 of title*
22 *37, United States Code: Provided further, That if lodging*
23 *in kind is provided, any authorized service charge or cost*
24 *of such lodging may be paid directly from funds appro-*

1 priated for operation and maintenance of the reserve com-
2 ponent of the member concerned.

3 SEC. 8078. For fiscal year 1994, the total amount
4 appropriated to fund the Uniformed Services Treatment
5 Facilities program, operated pursuant to section 911 of
6 Public Law 97-99 (42 U.S.C. 248c), is limited to
7 \$291,000,000, of which not more than \$265,000,000 may
8 be provided by the funds appropriated by this Act.

9 SEC. 8079. None of the funds available in this Act
10 may be used to support in any manner, including travel
11 or other related expenses, the "Tailhook Association":
12 *Provided*, That investigations by the Secretary of the Navy
13 or consultation with the Tailhook Association are not pro-
14 hibited by this provision.

15 SEC. 8080. During the current fiscal year and there-
16 after, from funds available to the Department of Defense,
17 the Director of the Air National Guard shall operate a
18 Command, Control, Communications and Intelligence
19 planning office manned by three full-time Air Guard offi-
20 cers in the rank of O-6, O-5, and O-4: *Provided*, That
21 these officers shall be in addition to the strengths author-
22 ized in section 524 of title 10, United States Code.

23 SEC. 8081. None of the funds appropriated in this
24 Act or made available to the Department of Defense and
25 deposited into the Pentagon Reservation Maintenance Re-

1 volving Fund may be used for the purpose of constructing
2 a Pentagon Maintenance ~~Facility~~, *Facility* or a Logistics
3 Support Extension, ~~or any other building not an integral~~
4 ~~part of the present Pentagon building~~.

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

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

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

21 SEC. 8084. The \$15,000,000 made available in sec-
22 tion 9088 of the Department of Defense Appropriations
23 Act, 1993 (Public Law 102-396) for payment of claims
24 to United States military and civilian personnel for dam-
25 ages incurred as a result of the volcanic eruption of Mount

1 Pinatubo in the Philippines, shall remain available for ob-
2 ligation until September 30, 1994, notwithstanding sec-
3 tion 9003 of that Act: *Provided further, That \$5,000,000*
4 *of the funds made available by this section shall be available*
5 *until September 30, 1995 for expenses associated with the*
6 *construction and modification of facilities to support the*
7 *relocation of military training programs from installations*
8 *in the Philippines to sites in the United States.*

9 (TRANSFER OF FUNDS)

10 SEC. 8085. In addition to any other transfer author-
11 ity contained in this Act, \$100,000,000 appropriated in
12 this Act under the heading “Operation and Maintenance,
13 Defense-Wide” may be transferred to appropriations con-
14 tained in this Act which are available for the payment of
15 civilian voluntary separation incentives, to be merged with
16 and to be available for the same purposes and for the same
17 time period as the appropriations to which transferred.

18 SEC. 8086. During the current fiscal year, amounts
19 contained in the Department of Defense Overseas Military
20 Facility Investment Recovery Account established by sec-
21 tion 2921(c)(1) of the National Defense Authorization Act
22 of 1991, (Public Law 101-510; 10 U.S.C. 2687 note)
23 shall be available until expended for the payments speci-
24 fied by section 2921(c)(2) of that Act.

25 SEC. 8087. During the current fiscal year, annual
26 payments granted under the provisions of section 4416 of

1 the National Defense Authorization Act for fiscal year
2 1993 (Public Law 102-428; 106 Stat. 2714) shall be
3 made from appropriations in this Act which are available
4 for the pay of reserve component personnel.

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

10 *SEC. 8088. None of the funds available to the Depart-*
11 *ment of Defense for establishing a Naval East Coast Elec-*
12 *tronics Engineering Center may be obligated or expended*
13 *for the establishment of such Headquarters at any location*
14 *other than Charleston, South Carolina: Provided, That no*
15 *such funds may be obligated or expended for the establish-*
16 *ment or operation of subordinate detachments at St.*
17 *Inigoes, Maryland, and Portsmouth, Virginia, with man-*
18 *ning levels or broader functions than that specifically stated*
19 *in the 1993 Report to the President of the Defense Base*
20 *Closure and Realignment Commission.*

21 ~~SEC. 8089.~~ (a) ~~IN GENERAL.~~—Subject to subsection
22 (b), the Secretary of the Army may release, discharge,
23 waive, and quitclaim all right, title, and interest which the
24 United States may have by virtue of the quitclaim deed
25 dated June 18, 1956, in and to approximately 6.89 acres

1 of real property, with improvements thereon, in Harris
2 County, Texas.

3 (b) ~~CONDITION.~~—The Secretary may carry out sub-
4 section (a) only after obtaining satisfactory assurances
5 that the State of Texas shall obtain, in exchange for the
6 real property referred to in subsection (a), a tract of real
7 property—

8 (1) which is at least equal in value to the real
9 property referred to in subsection (a), and

10 (2) which shall be, on the date on which the
11 State obtains it, subject to the same restrictions and
12 covenants with respect to the Federal Government
13 as are applicable on the date of the enactment of
14 this Act to the real property referred to in sub-
15 section (a).

16 (c) ~~LEGAL DESCRIPTION OF REAL PROPERTY.~~—The
17 exact acreage and legal description of the real property
18 referred to in subsection (a) shall be based upon surveys
19 that are satisfactory to the Secretary.

20 *SEC. 8089. (a) Notwithstanding any other provision*
21 *of law, funds appropriated under this Act for the Depart-*
22 *ment of Defense shall be made available for the Overseas*
23 *Workload Program: Provided, That a firm of any member*
24 *nation of the North Atlantic Treaty Organization (NATO)*
25 *or of any major non-NATO ally or countries in the Euro-*

1 *pean Theater, shall be eligible to bid on any contract for*
2 *the maintenance, repair, or overhaul of equipment of the*
3 *Department of Defense to be awarded under competitive*
4 *procedures as part of the program of the Department of De-*
5 *fense known as the Overseas Workload Program.*

6 *(b) A contract awarded during fiscal year 1994, or*
7 *thereafter, to a firm described in subsection (a) may be per-*
8 *formed in the theater in which the equipment is normally*
9 *located or in the country in which the firm is located.*

10 *(c) For purposes only of this section, Israel shall be*
11 *considered in the European Theater in every respect, with*
12 *its firms fully eligible for nonrestrictive, nondiscriminatory*
13 *contract competition under the Overseas Workload Pro-*
14 *gram.*

15 *(d) No funds appropriated for the Overseas Workload*
16 *Program for fiscal year 1994 or thereafter shall be used for*
17 *contracts awarded in fiscal year 1994 or thereafter which*
18 *have not been opened for competition in a manner consist-*
19 *ent with this provision.*

20 **SEC. 8090. None of the funds appropriated by this**
21 **Act shall be used to procure aircraft fuel cells unless the**
22 **fuel cells are produced or manufactured in the United**
23 **States by a domestic-owned and domestic-operated entity:**
24 *Provided, That the Secretary of the military department*
25 *responsible for the procurement may waive this restriction*

1 on a case-by-case basis by certifying in writing to the
2 Committees on Appropriations of the House of Represent-
3 atives and the Senate that adequate domestic supplies are
4 not available to meet Department of Defense requirements
5 on a timely basis and that such an acquisition must be
6 made in order to acquire capability for national security
7 purposes.

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

12 ~~SEC. 8091. (a) Notwithstanding any other provision~~
13 ~~of law, not less than \$750,000 of the funds appropriated~~
14 ~~under the heading "Operation and Maintenance, Army"~~
15 ~~in title II of this Act shall be made available until ex-~~
16 ~~pende~~d to conduct a demonstration program involving the
17 Army Senior Reserve Officers' Training Corps battalion
18 at Indiana University Northwest and Army Junior Re-
19 serve Officers' Training Corps units near the University.
20 The purpose of the program shall be to encourage minor-
21 ity students in secondary educational institutions to con-
22 tinue their education.

23 ~~(b) Under the program, Senior Reserve Officers'~~
24 ~~Corps cadets may serve as mentors and tutors for students~~
25 ~~in Junior Reserve Officers' Corps units. Cadets and stu-~~

1 dents may participate in combined activities, including
2 summer camps, field training, and other traditional mili-
3 tary activities.

4 (c) Senior Reserve Officers' Corps cadets who serve
5 as mentors and tutors may be paid a stipend.

6 (d) After a cadet has satisfactorily served in the pro-
7 gram, under criteria established by the Secretary of the
8 Army and for a period of time determined by the Sec-
9 retary, the cadet may be provided financial assistance tui-
10 tion, books, laboratory fees, and similar educational ex-
11 penses if the cadet continues to serve satisfactorily in the
12 program.

13 *SEC. 8091. (a) Any college, university, or other institu-*
14 *tion which has been determined by the Defense Contract*
15 *Audit Agency to have overbilled the Federal Government for*
16 *indirect costs which are unreasonable, unallowable, or*
17 *unallocable under Office of Management and Budget Circu-*
18 *lars A-21 and A-133 may not receive from the Department*
19 *of Defense, during fiscal year 1994, any grant or contract,*
20 *or combination of grants or contracts, which totals the*
21 *amount overbilled to the Department of Defense.*

22 (b) *The restriction in subsection (a) shall not apply*
23 *if, within six months after an official determination of*
24 *overbilling—*

1 (1) *the institution in question either repays in*
2 *full to the United States Treasury the amount*
3 *overbilled to the Federal Government, plus interest, or*

4 (2) *the Under Secretary of Defense for Acquisi-*
5 *tion certifies in writing to Congress that the institu-*
6 *tion is no longer liable for such restitution, or that*
7 *the dispute has become the subject of formal judicial*
8 *review.*

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

14 SEC. 8092. During the current fiscal year, appropria-
15 tions which are available to the Department of Defense
16 for operation and maintenance may be used to purchase
17 items having an investment item unit cost of not more
18 than ~~\$50,000~~ \$25,000.

19 SEC. 8093. None of the funds appropriated by this
20 Act shall be available for direct ~~or indirect~~ support of the
21 joint Department of Defense/Department of Energy Safe-
22 guard C contingent nuclear testing program.

23 SEC. 8094. ~~In connection with procurements of petro-~~
24 ~~leum products made by the Department of Defense with~~
25 ~~appropriated funds, the Secretary shall consider all quali-~~

1 fied bids from any eligible country under the Caribbean
2 Basin Economic Recovery Act which is hereby deemed a
3 designated country pursuant to 19 U.S.C. 2511(b).

4 *SEC. 8094. Of the funds appropriated to the Depart-*
5 *ment of Defense for Operation and Maintenance, Defense-*
6 *Wide, not less than \$8,000,000 shall be made available until*
7 *expended to the Administration for Native Americans with-*
8 *in 90 days of enactment of this Act only for the mitigation*
9 *of environmental impacts, including the gathering of infor-*
10 *mation, documenting of environmental damage, and devel-*
11 *oping a system for prioritization of mitigation, on Indian*
12 *lands resulting from Department of Defense activities.*

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

19 ~~SEC. 8096. None of the funds appropriated in this~~
20 ~~Act may be used to pay the salaries of more than two~~
21 ~~Senior Executive Service positions within the Office of the~~
22 ~~Assistant Secretary of the Army for Civil Works: *Provided,*~~
23 ~~That the individuals in these positions may not be com-~~
24 ~~pensated at a rate higher than level three of the Senior~~
25 ~~Executive Service.~~

1 *SEC. 8096. None of the funds available to the Depart-*
2 *ment of Defense shall be used for the training or utilization*
3 *of psychologists in the prescription of drugs, except pursu-*
4 *ant to the findings and recommendations of the Army Sur-*
5 *geon General's Blue Ribbon Panel as specified in its Feb-*
6 *ruary and August 1990 meeting minutes.*

7 ~~SEC. 8097. (a) During the current fiscal year, none~~
8 ~~of the appropriations or funds available to the Defense~~
9 ~~Business Operations Fund shall be used for the purchase~~
10 ~~of an investment item for the purpose of acquiring a new~~
11 ~~inventory item for sale or anticipated sale during the cur-~~
12 ~~rent fiscal year or a subsequent fiscal year to customers~~
13 ~~of the Defense Business Operations Fund if such an item~~
14 ~~would not have been chargeable to the Defense Business~~
15 ~~Operations Fund during fiscal year 1993 and if the pur-~~
16 ~~chase of such an investment item would be chargeable dur-~~
17 ~~ing the current fiscal year to appropriations made to the~~
18 ~~Department of Defense for procurement.~~

19 (b) The fiscal year 1995 budget request for the De-
20 partment of Defense as well as all justification material
21 and other documentation supporting the fiscal year 1995
22 Department of Defense budget shall be prepared and sub-
23 mitted to the Congress on the basis that any equipment
24 which was classified as an end item and funded in a pro-
25 curement appropriation contained in this Act shall be

1 budgeted for in a proposed fiscal year 1995 procurement
2 appropriation and not in the supply management business
3 area or any other area or category of the Defense Business
4 Operations Fund.

5 *SEC. 8097. During the current fiscal year, obligations*
6 *against the stock funds of the Department of Defense may*
7 *not be incurred in excess of 70 percent of sales from such*
8 *stock funds during the current fiscal year: Provided, That*
9 *in determining the amount of obligations against, and sales*
10 *from the stock funds, obligations and sales for fuel, subsist-*
11 *ence, commissary items, retail operations, the cost of oper-*
12 *ations, and repair of spare parts shall be excluded: Provided*
13 *further, That upon a determination by the Secretary of De-*
14 *fense that such action is critical to the national security*
15 *of the United States, the Secretary may waive the provi-*
16 *sions of this section: Provided further, That if the provisions*
17 *of this section are waived, the Secretary shall immediately*
18 *notify the Congress of the waiver and the reasons for such*
19 *a waiver.*

20 ~~SEC. 8098. (a) The prohibition in section 133(a)(2)~~
21 ~~of the National Defense Authorization Act for fiscal years~~
22 ~~1990 and 1991 (Public Law 101-189; 103 Stat. 1383)~~
23 ~~does not apply to the obligation of funds in amounts not~~
24 ~~to exceed \$216,000,000 for the procurement of not more~~

1 than 36 OH-58D Scout aircraft from funds appropriated
2 in title III of this Act.

3 (b) The prohibition in section 132(a)(2) of the Na-
4 tional Defense Authorization Act for 1990 and 1991 (Pub-
5 lic Law 101-189; 103 Stat. 1383) does not apply to the
6 obligation of funds in amounts not to exceed
7 \$368,430,000 for the procurement of not more than 24
8 AH-64 aircraft from funds appropriated in title III of this
9 Act.

10 *SEC. 8098. None of the funds provided in this Act shall*
11 *be available for use by a Military Department to modify*
12 *an aircraft, weapon, ship or other item of equipment, that*
13 *the Military Department concerned plans to retire or other-*
14 *wise dispose of within five years after completion of the*
15 *modification: Provided, That this prohibition shall not*
16 *apply to safety modifications: Provided further, That this*
17 *prohibition may be waived by the Secretary of a Military*
18 *Department if the Secretary determines it is in the best na-*
19 *tional security interest of the country to provide such waiv-*
20 *er and so notifies the congressional defense committees in*
21 *writing.*

22 **SEC. 8099. (a) FINDINGS.—**The Congress finds
23 that—

24 (1) the United States Government has not
25 made adequate efforts to seek the payment of com-

1 pensation by the government of Peru for the death
2 and injuries to United States military personnel re-
3 sulting from the attack by aircraft of the military
4 forces of Peru on April 24, 1992, against a United
5 States Air Force C-130 aircraft operating off the
6 coast of Peru; and

7 (2) in failing to make such efforts adequately,
8 the United States Government has failed in its obli-
9 gation to support the servicemen and their families
10 involved in the incident and generally to support
11 members of the Armed Forces carrying out missions
12 on behalf of the United States.

13 (b) SEMIANNUAL REPORT.—The Secretary of De-
14 fense shall submit a report to Congress on December 1
15 and June 1 of each year on the efforts made by the Gov-
16 ernment of the United States during the preceding six-
17 month period to seek the payment of fair and equitable
18 compensation by the Government of Peru (1) to the survi-
19 vors of Master Sergeant Joseph Beard, Jr., United States
20 Air Force, who was killed in the attack described in sub-
21 section (a), and (2) to the other crew members who were
22 wounded in the attack and survived.

23 (c) TERMINATION OF REPORT REQUIREMENT.—The
24 requirement in subsection (b) shall terminate upon certifi-
25 cation by the Secretary of Defense to Congress that the

1 Government of Peru has paid fair and equitable com-
2 pensation as described in subsection (b).

3 *SEC. 8099. None of the funds appropriated by this Act*
4 *shall be used for the support of any nonappropriated funds*
5 *activity of the Department of Defense that procures malt*
6 *beverages, wine and cigarettes with nonappropriated funds*
7 *for resale (including such alcoholic beverages sold by the*
8 *drink) on a military installation located in the United*
9 *States unless such malt beverages, wine and cigarettes are*
10 *procured within that State, or in the case of the District*
11 *of Columbia, within the District of Columbia, in which the*
12 *military installation is located: Provided, That in a case*
13 *in which the military installation is located in more than*
14 *one State, purchases may be made in any State in which*
15 *the installation is located: Provided further, That such local*
16 *procurement requirements for malt beverages, wine and*
17 *cigarettes shall apply to all alcoholic beverages and ciga-*
18 *rettes only for military installations in States which are*
19 *not contiguous with another State: Provided further, That*
20 *alcoholic beverages other than wine and malt beverages, and*
21 *cigarettes, in contiguous States and the District of Colum-*
22 *bia shall be procured from the most competitive source,*
23 *price and other factors considered.*

24 *SEC. 8100. Notwithstanding any other provision of*
25 *law or regulation, the Department of Defense is directed*

1 to use available off the shelf, nondevelopmental items in
2 filling small craft and small boat requirements when at
3 all possible.

4 SEC. 8101. No part of the funds in this Act shall
5 be available to prepare or present a request to the Com-
6 mittees on Appropriations for reprogramming of funds,
7 unless for higher priority items, based on unforeseen mili-
8 tary requirements, than those for which originally appro-
9 priated and in no case where the item for which
10 reprogramming is requested has been denied by the Con-
11 gress.

12 ~~SEC. 8102. None of the funds appropriated by this~~
13 ~~Act shall be available for payment of the compensation~~
14 ~~of personnel assigned to or serving in the National For-~~
15 ~~ign Intelligence Program in excess of 96 percent of such~~
16 ~~personnel actually assigned to or serving in the National~~
17 ~~Foreign Intelligence Program on September 30, 1992:~~
18 ~~*Provided, That in making any reduction in the number*~~
19 ~~of such personnel that may be required pursuant to this~~
20 ~~section, the percentage of reductions to Senior Intelligence~~
21 ~~Service positions shall be equal to or exceed the percentage~~
22 ~~of reductions to non-Senior Intelligence Service positions:~~
23 ~~*Provided further, That in making any reduction in the*~~
24 ~~number of such personnel that may be required pursuant~~
25 ~~to this section, the percentage of reductions to positions~~

1 in the National Capital Region shall be equal to or exceed
2 the percentage of reductions to positions outside of the
3 ~~National Capital Region.~~

4 *SEC. 8102. (a) Of the amounts available to the Depart-*
5 *ment of Defense for fiscal year 1994, not less than*
6 *\$10,000,000 shall be available for National Defense Science*
7 *and Engineering Graduate Fellowships to be awarded on*
8 *a competitive basis by the Secretary of Defense to United*
9 *States citizens or nationals pursuing advanced degrees in*
10 *fields of primary concern and interest to the Department.*

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

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

23 SEC. 8103. None of the funds provided by this Act
24 may be used to pay the salaries of any person or persons
25 who authorize the transfer of obligated and deobligated

1 appropriations into the Reserve for Contingencies of the
2 Central Intelligence Agency.

3 SEC. 8104. During the current fiscal year ~~and there-~~
4 ~~after~~, funds appropriated for construction projects of the
5 Central Intelligence Agency, which are transferred to an-
6 other Agency for execution, shall remain available until ex-
7 pended.

8 SEC. 8105. During the current fiscal year ~~and there-~~
9 ~~after~~, monetary limitations on the purchase price of a pas-
10 senger motor vehicle shall not apply to vehicles purchased
11 for intelligence activities conducted pursuant to Executive
12 Order 12333 or successor orders.

13 SEC. 8106. None of the funds appropriated by this
14 Act for programs of the Central Intelligence Agency shall
15 remain available for obligation beyond the current fiscal
16 year, except for funds appropriated for the Reserve for
17 Contingencies, which shall remain available until Septem-
18 ber 30, 1995.

19 (TRANSFER OF FUNDS)

20 SEC. 8107. During the current fiscal year ~~and there-~~
21 ~~after~~, no funds may be made available through transfer,
22 reprogramming, or other means between the Central Intel-
23 ligence Agency and the Department of Defense for any
24 intelligence or special activity different from that pre-
25 viously justified to the Congress unless the Director of
26 Central Intelligence or the Secretary of Defense has noti-

1 fied the House and Senate Appropriations Committees of
2 the intent to make such funds available for such activity.

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

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

20 SEC. 8110. After March 1, 1994, none of the funds
21 appropriated by this Act shall be available for any Na-
22 tional Foreign Intelligence Program: *Provided*, That this
23 provision shall not apply for any National Foreign Intel-
24 ligence Program for which budget exhibits were submitted
25 to the House Committee on Appropriations which justifies

1 in detail all funds requested for “base”, “ongoing”, and
2 “new” programs for fiscal year 1995.

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

8 (INCLUDING TRANSFER OF FUNDS)

9 SEC. 8112. In addition to amounts appropriated or
10 otherwise made available by this Act, \$21,700,000 is here-
11 by appropriated to the Department of Defense and shall
12 be available only for transfer to the United States Coast
13 Guard for a 2.2 percent pay increase for uniformed mem-
14 bers.

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

21 SEC. 8114. Notwithstanding any other provision of
22 law, and in accordance with section 2905 of the Defense
23 Base Closure and Realignment Act of 1990, Public Law
24 101-510, the Department of Defense shall proceed with
25 implementation of the 1993 Defense Base Closure and Re-
26 alignment Commission recommendation concerning the

1 consolidation of tactical missile maintenance at
2 Letterkenny Army Depot.

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

7 ~~SEC. 8116.~~ In addition to amounts appropriated else-
8 where in this Act, \$200,000 shall be available only for set-
9 tlement of claims and interest thereon, associated with
10 contract numbered N62474-86-C-0253 for construction
11 of a multipurpose range complex at the Marine Corps Air
12 Ground Combat Center in Twentynine Palms, California:
13 *Provided,* That such settlement shall be made pursuant
14 to the recommendation of August 19, 1993, of the Comp-
15 troller General of the United States (case B-230871.3).

16 ~~SEC. 8117.~~ Not withstanding any other provision of
17 law, none of the funds appropriated for fiscal year 1993
18 and fiscal year 1994 for the DDG-51 destroyer program
19 shall be obligated or expended for procurement of the ring
20 laser gyroscope inertial navigation system under a sole
21 source contract.

22 ~~SEC. 8118.~~ The Secretary of the Navy shall carry out
23 the establishment of the Mine Warfare Center of Excel-
24 lence at the naval station at Ingleside, Texas (including
25 the establishment of all subordinate units and the reloca-

1 tion of Navy mine warfare forces), in accordance with the
2 schedule of the Navy for the establishment of such center
3 and without regard to any alteration in that schedule that
4 would otherwise be required pursuant to any other provi-
5 sion of law enacted during the first session of the 103d
6 Congress that applies specifically to the construction and
7 operation of that center or to the relocation of Navy mine
8 warfare forces to Ingleside, Texas.

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

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

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

22 (d) Any payment required to be made by the Depart-
23 ment of Defense to a business concern that, but for this
24 subsection, would be required to be made during Septem-
25 ber, 1994 may be made during the period beginning on

1 October 1, 1994, and ending on the date that is 30 days
2 after the date on which the payment would otherwise be
3 required to be made. In determining the amount of any
4 interest penalty under section 3902 of title 31, United
5 States Code, for failure to make any such payment, any
6 period for which the Secretary of Defense, under the pre-
7 ceding sentence, deferred the required payment date shall
8 not be taken into account.

9 (c)(1) The Secretary of Defense shall, on each of the
10 dates specified in paragraph (2), submit to the Commit-
11 tees on Appropriations and the Committees on Armed
12 Services of the Senate and House of Representatives a re-
13 port on the implementation of this section. Each such re-
14 port shall include—

15 (A) an analysis of cumulative obligations and
16 cumulative expenditures from accounts subject to
17 the limitation in subsection (a) during the period be-
18 ginning on October 1, 1993, and ending on the last
19 day of the month preceding the month in which the
20 report is to be submitted, including a comparison of
21 such obligations and expenditures with the relevant
22 estimates of outlays made by the Office of Manage-
23 ment and Budget and the Congressional Budget Of-
24 fice; and

1 (B) a description of the specific actions taken
2 by the Secretary to ensure that the Department of
3 Defense meets the requirements of subsection (a).

4 (2) The reports required by paragraph (1) shall be
5 submitted not later than the following dates in 1994:
6 January 15, April 15, July 15, September 15, and October
7 15.

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

13 *SEC. 8110. None of the funds made available by this*
14 *Act shall be available for any Military Department of the*
15 *United States to conduct bombing training, gunnery train-*
16 *ing, or similar munitions delivery training on the parcel*
17 *of land known as Kaho'olawe Island, Hawaii.*

18 *SEC. 8111. The Secretary of Defense is authorized to*
19 *provide optional summer school programs in addition to*
20 *the programs otherwise authorized by the Defense Depend-*
21 *ents Education Act of 1978 (Public Law 95-561), and to*
22 *charge a fee for participation in such optional education*
23 *programs. Optional summer school program fees shall be*
24 *made available for use by the Secretary to defray the costs*
25 *of summer school operations.*

1 *SEC. 8112. Unobligated balances of the funds appro-*
2 *priated in Public Law 102-172 and Public Law 102-396*
3 *under the headings “World University Games”, “Summer*
4 *Olympics” and “World Cup USA 1994” in title II of those*
5 *Acts shall, notwithstanding any other section of those Acts,*
6 *remain available for obligation until September 30, 1995.*

7 *SEC. 8113. Notwithstanding any other provision of*
8 *law, reimbursements received from the North Atlantic Trea-*
9 *ty Organization for the E-3 Airborne Warning and Control*
10 *System (AWACS) Radar System Improvement Program*
11 *(RSIP) attributable to development work for fiscal years*
12 *1987 through 1992 shall be available to the Air Force until*
13 *September 30, 1994, for meeting that service’s financial*
14 *commitments for the AWACS RSIP.*

15 *SEC. 8114. (a) None of the funds appropriated or oth-*
16 *erwise made available in this Act may be used to transport*
17 *or provide for the transportation of chemical munitions to*
18 *the Johnston Atoll for the purpose of storing or demilitariz-*
19 *ing such munitions.*

20 *(b) The prohibition in subsection (a) shall not apply*
21 *to any obsolete World War II chemical munition of the*
22 *United States found in the World War II Pacific Theater*
23 *of Operations.*

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

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

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

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

24 *SEC. 8117. The Secretary of Defense is authorized to*
25 *use, for foreign military sales otherwise authorized under*

1 *Chapter 39, title 22 United States Code or for transfer to*
2 *United States Army, Army National Guard, or Army Re-*
3 *serves, articles and services procured for the implementation*
4 *of the Italian air defense agreements: Provided, That the*
5 *term "Italian air defense agreements" has the meaning*
6 *given such term in Section 1050 of Public Law 102-190,*
7 *(105 Stat. 1469): Provided further, That section 1050 of*
8 *Public Law 102-190 (105 Stat. 1469) is repealed.*

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

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

21 (TRANSFER OF FUNDS)

22 **SEC. 8120.** Upon enactment of this Act, the Sec-
23 retary of Defense shall make the following transfers of
24 funds: *Provided, That the amounts transferred shall be*
25 *available for the same purposes as the appropriations to*
26 *which transferred, and for the same time period as the*

1 appropriation from which transferred: *Provided further,*
2 That the amounts shall be transferred between the follow-
3 ing appropriations in the amounts specified:

4 From:

5 Under the heading, “~~Shipbuilding and~~
6 ~~Conversion, Navy, 1990/1994~~”:

7 AOE combat support ship program,
8 \$3,459,000;

9 *Under the heading, “Research, Development,*
10 *Test and Evaluation, Navy, 1993/1994”,*
11 *\$3,459,000;*

12 To:

13 Under the heading, “Shipbuilding and
14 Conversion, Navy, 1986/1990”:

15 MHC coastal mine hunter program,
16 \$3,459,000;

17 From:

18 Under the heading, “~~Shipbuilding and~~
19 ~~Conversion, Navy, 1990/1994~~”:

20 AOE combat support ship program,
21 \$46,000;

22 Oceanographic ship program,
23 \$538,000;

1 For craft, outfitting, post delivery,
2 and ship special support equipment,
3 \$994,000;

4 Under the heading, “Shipbuilding and
5 Conversion, Navy, 1991/1995”:

6 For craft, outfitting, and post deliv-
7 ery, \$3,806,000;

8 Under the heading, “Aircraft Procurement,
9 Navy, 1992/1994”, \$28,710,000;

10 Under the heading, “Shipbuilding and
11 Conversion, Navy, 1992/1996”:

12 DDG-51 destroyer program,
13 \$41,800,000;

14 For craft, outfitting, and post deliv-
15 ery, \$1,560,000;

16 Under the heading, “Weapons Procure-
17 ment, Navy, 1992/1994”, \$36,000,000;

18 *Under the heading, “Aircraft Procurement,
19 Navy, 1993/1995”, \$3,400,000;*

20 *Under the heading, “National Guard and
21 Reserve Equipment, 1993/1995”, \$21,208,000;*

22 *Under the heading, “Research, Development,
23 Test and Evaluation, Navy, 1993/1994”,
24 \$88,846,000;*

25 To:

1 Under the heading, “Shipbuilding and Conver-
2 sion, Navy, 1988/1992”:

3 SSN-688 attack submarine program,
4 \$26,596,000;

5 CVN nuclear aircraft carrier program,
6 \$83,600,000;

7 LHD-1 amphibious assault ship pro-
8 gram, \$3,258,000;

9 From:

10 Under the heading, “Aircraft Procurement,
11 Navy, 1992/1994”, ~~\$28,890,000~~ *\$57,600,000*;

12 Under the heading, “Aircraft Procurement,
13 Navy, 1993/1995”, \$3,400,000;

14 Under the heading, “Shipbuilding and
15 Conversion, Navy, 1993/1997”;

16 Refueling overhauls, \$909,000;

17 DDG-51 destroyer programs,
18 \$14,400,000;

19 MHC coastal mine hunter program,
20 \$9,343,000;

21 For craft, outfitting and post delivery,
22 \$27,250,000;

23 Under the heading, “Weapons Procure-
24 ment, Navy, 1993/1995”, \$76,164,000;

1 *Under the heading, "Weapons Procurement,*
2 *Navy, 1992/1994", \$36,000,000;*

3 *Under the heading, "Other Procurement,*
4 *Navy, 1993/1995", \$66,756,000;*

5 To:

6 Under the heading, "Shipbuilding and
7 Conversion, Navy 1989/1993":

8 TRIDENT ballistic missile submarine
9 program, \$11,655,000;

10 SSN-688 attack submarine program,
11 \$26,972,000;

12 SSN-21 attack submarine program,
13 \$40,800,000;

14 DDG-51 destroyer program,
15 \$71,500,000;

16 MHC coastal mine hunter program,
17 \$9,429,000;

18 From:

19 Under the heading, "~~Other Procurement,~~
20 Navy, 1993/1995", ~~\$68,361,000;~~

21 Under the heading, "~~Research, Develop-~~
22 ment, Test and Evaluation, Navy, 1993/1995",
23 ~~\$45,000,000;~~

24 Under the heading, "*Shipbuilding and Con-*
25 *version, Navy, 1990/1994*":

1 *AOE combat support ship program,*

2 *\$3,505,000;*

3 *Oceanographic ship program,*

4 *\$538,000;*

5 *Craft, outfitting, post delivery, and*

6 *ship special support equipment, \$994,000;*

7 *Under the heading, "Weapons Procurement,*

8 *Navy, 1993/1995", \$49,868,000;*

9 **To:**

10 Under the heading, "Shipbuilding and

11 Conversion, Navy 1990/1994":

12 TRIDENT ballistic missile submarine

13 program, \$7,241,000;

14 DDG-51 destroyer program,

15 \$40,100,000;

16 MCM mine countermeasures program,

17 \$7,564,000;

18 ~~T-AGOS surveillance ship program~~

19 ~~\$58,456,000;~~

20 **From:**

21 *Under the heading, "Shipbuilding and Con-*

22 *version, Navy, 1991/1995":*

23 *For craft, outfitting, and post delivery,*

24 *\$45,865,000;*

1 Under the heading, “Shipbuilding and Con-
2 version, Navy, 1992/1996”:

3 DDG-51 destroyer program,
4 \$41,800,000;

5 For craft, outfitting, post delivery, and
6 DBOF transfer, \$6,260,000;

7 Under the heading, “Shipbuilding and Con-
8 version, Navy, 1993/1997”:

9 DDG-51 destroyer program,
10 \$14,400,000;

11 MHC coastal mine hunter program,
12 \$9,343,000;

13 For craft, outfitting, post delivery, and
14 first destination transportation, and infla-
15 tion adjustments, \$45,177,000;

16 Under the heading, “Weapons Procure-
17 ment, Navy, 1993/1995”, ~~\$24,015,000~~
18 \$100,382,000;

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

21 To:

22 Under the heading, “Shipbuilding and
23 Conversion, Navy, 1991/1995”:

24 SSN-21 attack submarine program,
25 ~~\$70,654,000~~ \$237,971,000;

1 DDG-51 destroyer program,
2 \$31,300,000;

3 Under the heading, “Shipbuilding and
4 Conversion, Navy, 1993/1997”:

5 LSD cargo variant ship program,
6 \$24,500,000.

7 SEC. 8121. None of the funds in this Act are avail-
8 able for any board, committee, or panel which develops,
9 sets, defines, or recommends National Foreign Intelligence
10 Program requirements: *Provided*, That this provision shall
11 not apply to any such board, committee, or panel for which
12 a majority of the members are not career intelligence or
13 cryptologic professionals.

14 SEC. 8122. The Departments of Defense and Air
15 Force are directed to obligate, no later than thirty days
16 after enactment of this Act, the \$55,500,000 appropriated
17 for research and development in Public Law 102-396 only
18 for the continuance of the Space Nuclear Thermal Propul-
19 sion Program.

20 *SEC. 8121. Notwithstanding any other provision of*
21 *law, funds appropriated in this Act for the upgrade, pur-*
22 *chase, or modernization of supercomputing capability and*
23 *capacity under the High Performance Computing Mod-*
24 *ernization program shall only be available for contracts,*
25 *contract modifications, or contract options which are*

1 *awarded without regard to the architecture or design of the*
2 *supercomputer system.*

3 *SEC. 8122. Amounts collected for the use of the facili-*
4 *ties of the National Science Center for Communications and*
5 *Electronics during the current fiscal year pursuant to sec-*
6 *tion 1459(g) of the Department of Defense Authorization*
7 *Act, 1986 and deposited to the special account established*
8 *under subsection 1459(g)(2) of that Act are appropriated*
9 *and shall be available until expended for the operation and*
10 *maintenance of the Center as provided for in subsection*
11 *1459(g)(2).*

12 **SEC. 8123.** The Secretary of Defense and the Direc-
13 tor of Central Intelligence shall deliver, in conjunction
14 with the fiscal year 1995 budget request, a report provid-
15 ing the following information about all research and devel-
16 opment projects involving the implementation, monitoring,
17 or verification of current and projected international arms
18 control agreements: (a) annual and total budgets, goals,
19 schedules, and priorities; (b) relationships among related
20 projects being funded by the Department of Defense, the
21 National Foreign Intelligence Program, and other depart-
22 ments and agencies of the Federal Government; and (c)
23 comments by the Arms Control and Disarmament Agency
24 about the relevance of each project to the arms control
25 priorities of the United States.

1 ~~SEC. 8124.~~ Notwithstanding any other provision of
2 law, none of the funds appropriated in this or any other
3 Act shall be used for the purchase of a totally enclosed
4 lifeboat survival system, which consists of the lifeboat and
5 associated davits and winches, if less than 75 percent of
6 the entire system's components are manufactured in the
7 United States, and if less than 75 percent of the labor
8 in the manufacture and assembly of the entire system is
9 performed in the United States.

10 ~~SEC. 8125.~~ None of the funds appropriated by this
11 Act may be used (1) to transfer to the United Nations
12 a facility in the continental United States for use as a
13 United Nations peacekeeping facility, or (2) for the ren-
14 novation of such a facility in preparation for such a trans-
15 fer.

16 *SEC. 8124.* During the current fiscal year, funds re-
17 ceived from the sale of tanks and infantry fighting vehicles
18 under section 21 of the Arms Export Control Act (22 U.S.C.
19 2761) shall be available for the upgrading of tanks, infantry
20 fighting vehicles or armored personnel carriers in the man-
21 ner and to the extent specified by subsections 21(j)(1) and
22 (2) of that Act (22 U.S.C. 2761(j)(1) and (2)).

23 *SEC. 8125.* Amounts appropriated in this Act which
24 are available for the Small Business Innovation Research
25 Program and the Small Business Technology Transfer Pilot

1 *Program portions of the extramural research and develop-*
2 *ment budget of the Department of Defense shall be the*
3 *amounts specifically identified for those programs in the*
4 *supporting documentation accompanying the Budget sub-*
5 *mitted for the Department of Defense, notwithstanding sec-*
6 *tions 9(f)(1) and (n)(1) of the Small Business Act (15*
7 *U.S.C. 638(f)(1) and (n)(1)).*

8 **COMPLIANCE WITH BUY AMERICAN ACT**

9 **SEC. 8126.** No funds appropriated pursuant to this
10 Act may be expended by an entity unless the entity agrees
11 that in expending the assistance the entity will comply
12 with sections 2 through 4 of the Act of March 3, 1933
13 (41 U.S.C. 10a–10c, popularly known as the “Buy Amer-
14 ican Act”).

15 **SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE**

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

23 **(b) NOTICE TO RECIPIENTS OF ASSISTANCE.**—In
24 providing financial assistance under this Act, the Sec-
25 retary of Defense shall provide to each recipient of the

1 assistance a notice describing the statement made in sub-
2 section (a) by the Congress.

3 PROHIBITION OF CONTRACTS

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

15 RECIPROCITY

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

23 (b) EXCEPTION.—(1) The Secretary may waive the
24 rule stated under subsection (a) if the products or services
25 required are not reasonably available from companies or-

1 ganized under the laws of the United States. Any such
2 waiver shall be reported to the Congress.

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

7 *SEC. 8126. None of the funds appropriated by this or*
8 *any other Act with respect to any fiscal year for the Navy*
9 *may be used to carry out an electromagnetic pulse program*
10 *in the Chesapeake Bay area in connection with the Electro-*
11 *magnetic Pulse Radiation Environment Simulator for*
12 *Ships (EMPRESS II) program unless or until the Sec-*
13 *retary of Defense certifies to the Congress that conduct of*
14 *the EMPRESS II program is essential to the national secu-*
15 *rity of the United States and to achieving requisite military*
16 *capability for United States naval vessels, and that the eco-*
17 *nomics, environmental, and social costs to the United States*
18 *of conducting the EMPRESS II program in the Chesapeake*
19 *Bay area are far less than the economic, environmental,*
20 *and social costs caused by conducting the EMPRESS II*
21 *program elsewhere.*

22 *SEC. 8127. Military personnel who separate from a*
23 *military department under the Voluntary Separation Ini-*
24 *tiative (VSI) or the Special Separation Bonus (SSB), and*
25 *who are eligible for service continuation bonuses such as*

1 *the reenlistment bonus or aviation continuation pay during*
2 *the same year in which they separate, will receive separa-*
3 *tion payments reduced by an amount equal to the amount*
4 *of the continuation bonus received by the member in the*
5 *year in which the member separates: Provided, That any*
6 *future continuation bonus payments to which the member*
7 *would otherwise be entitled are rescinded: Provided further,*
8 *That civilian employees of the Department of Defense are*
9 *prohibited from receiving voluntary separation payments*
10 *if such employees are rehired by another agency of the Fed-*
11 *eral Government within one hundred and eighty days of*
12 *separating from the Department of Defense.*

13 *SEC. 8128. Under the heading "Research, Develop-*
14 *ment, Test and Evaluation, Army" in the Department of*
15 *Defense Appropriations Act, 1993 (Public Law 102-396),*
16 *delete the final proviso and insert in lieu thereof:*

17 *": Provided further, That of the funds appro-*
18 *priated in this paragraph, \$4,000,000 shall be used*
19 *only for a grant to the Assistive Technology Center at*
20 *the National Rehabilitation Hospital for laboratory*
21 *and other efforts associated with research and develop-*
22 *ment and other programs of major importance to the*
23 *Department of Defense".*

24 *SEC. 8129. None of the funds appropriated in this Act*
25 *may be used to pay for the costs of personnel, operations,*

1 *procurement of supplies or other items in support of the*
2 *Marshall Center.*

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

9 SEC. 8131. *The appropriations made under the head-*
10 *ings “Operation and Maintenance, Navy” and “Operation*
11 *and Maintenance, Air Force” under chapter III of title XI*
12 *of the Dire Emergency Supplemental Appropriations Act,*
13 *1992, including disaster assistance to meet the present*
14 *emergencies arising from the consequences of Hurricane An-*
15 *drew, Typhoon Omar, Hurricane Iniki and other natural*
16 *disasters, and additional assistance to distressed commu-*
17 *nities (Public Law 102–368) are each amended by inserting*
18 *“, the August 8, 1993 earthquake in Guam” immediately*
19 *after “Typhoon Omar” and by striking out “September 30,*
20 *1993” and inserting “September 30, 1994” in lieu thereof.*

21 SEC. 8132. *The appropriation, “Emergency Response*
22 *Fund, Defense” made under the heading “Emergency Re-*
23 *sponse Fund” by the Department of Defense Appropriations*
24 *Act, 1990 (Public Law 101–165) is amended by inserting*
25 *the following immediately after the third sentence: “In ad-*

1 *dition to the foregoing, upon a determination by the Sec-*
2 *retary of Defense that such action is necessary, the Fund*
3 *may be used, in addition to other funds available to the*
4 *Department of Defense for such purposes, for expenses of*
5 *the Department of Defense which are incurred in supplying*
6 *supplies or services furnished in response to natural or*
7 *manmade disasters.”.*

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

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

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

20 *(2) the purpose of the contract is to explore an*
21 *unsolicited proposal which offers significant scientific*
22 *or technological promise, represents the product of*
23 *original thinking, and was submitted in confidence*
24 *by one source, or*

1 (3) *the purpose of the contract is to take advan-*
2 *tage of unique and significant industrial accomplish-*
3 *ment by a specific concern, or to insure that a new*
4 *product or idea of a specific concern is given finan-*
5 *cial support:*

6 *Provided, That this limitation shall not apply to contracts*
7 *in an amount of less than \$25,000, contracts related to im-*
8 *provements of equipment that is in development or produc-*
9 *tion, or contracts as to which a civilian official of the De-*
10 *partment of Defense, who has been confirmed by the Senate,*
11 *determines that the award of such contract is in the interest*
12 *of the national defense.*

13 *SEC. 8135. Not later than January 1, 1994, the Sec-*
14 *retary of the Navy shall transfer, without reimbursement,*
15 *to the Secretary of State a tract of land consisting of ap-*
16 *proximately 10 acres, together with improvements thereon,*
17 *which comprise that portion of the Naval Base, Charleston,*
18 *South Carolina, bounded by Bainbridge Avenue, Holland*
19 *Street, and Dyess Avenue and known as buildings 646,*
20 *646A, 647, 643, 645, and 649, excluding building 644, and*
21 *all walkways and parking areas associated with such build-*
22 *ings: Provided, That the real property transferred pursuant*
23 *to this section shall be used by the Secretary of State in*
24 *support of diplomatic and consular operations: Provided*
25 *further, That the exact acreage and legal description of the*

1 *property to be transferred under this section shall be deter-*
2 *mined by a survey approved by the Secretary of the Navy.*

3 *SEC. 8136. Notwithstanding any other provision of*
4 *law, the Secretary of Defense shall pay a death gratuity*
5 *to each Servicemen's Group Life Insurance (SGLI) bene-*
6 *ficiary of each deceased member of the uniformed services*
7 *who died after October 28, 1992 and before December 1,*
8 *1992, and whose death was a death in the performance of*
9 *duty: Provided, That the amount of the death gratuity pay-*
10 *able to each beneficiary under this section shall be equal*
11 *to the SGLI paid or payable to such beneficiary under Sub-*
12 *chapter III of chapter 19 of title 38, United States Code,*
13 *by reason of the death of such member: Provided further,*
14 *That no death gratuity shall be paid under this section*
15 *where the deceased member of the uniformed services affirm-*
16 *atively elected, in writing, to decline to apply for increased*
17 *SGLI coverage under paragraph (e) of section 1922A of title*
18 *38, United States Code: Provided further, That in the case*
19 *of a deceased member of the uniformed services who, prior*
20 *to death, affirmatively elected, in writing, to apply for an*
21 *increase in SGLI coverage in an amount less than \$100,000*
22 *under paragraph (e) of section 1922A of title 38, U.S.C.,*
23 *the death gratuity paid under this section shall be equal*
24 *to the amount of the increase so elected: Provided further,*
25 *That a death gratuity shall be payable under this section*

1 to a SGLI beneficiary upon receipt of a written application
2 therefor by the Secretary of Defense not later than Septem-
3 ber 30, 1994: Provided further, That, in addition to
4 amounts appropriated elsewhere in this Act, \$5,300,000 is
5 appropriated and shall be available only for the settlement
6 of death gratuity claims under this section.

7 (TRANSFER OF FUNDS)

8 SEC. 8137. During the current fiscal year and there-
9 after, sales of stockpiled material in the National Defense
10 Stockpile Transaction Fund in the Defense Business Oper-
11 ations Fund may be made in amounts not to exceed
12 \$500,000,000 in each fiscal year: Provided, That receipts
13 from such sales as well as available fund balances may be
14 transferred to any appropriation available to the Depart-
15 ment of Defense to be merged with and to be available for
16 the same purposes and same time period as the appropria-
17 tion to which transferred, or may be deposited to the mis-
18 cellaneous receipts of the Treasury: Provided further, That
19 the Secretary of Defense may impose a moratorium on the
20 acquisition of new material for the National Defense Stock-
21 pile for the purpose of reducing existing excess material in
22 the Stockpile.

23 SEC. 8138. The Assistant Secretary of Defense for
24 Health Affairs shall, during the current fiscal year, initiate
25 a managed health care program for eligible beneficiaries in
26 the area of Homestead Air Force Base: Provided, That this

1 *program shall provide benefits and services substantially*
2 *identical to those established to serve beneficiary popu-*
3 *lations in areas where military medical facilities have been*
4 *terminated, to include retail pharmacy networks available*
5 *to Medicare-eligible beneficiaries: Provided further, That the*
6 *Assistant Secretary of Defense for Health Affairs shall*
7 *present a plan to implement this program to the House and*
8 *Senate Committees on Appropriations not later than Janu-*
9 *ary 15, 1994.*

10 *(RESCISSIONS)*

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

15 *“Aircraft Procurement, Army, 1993/1994”,*
16 *\$42,700,000;*

17 *“Wheeled and Tracked Combat Vehicles, Army,*
18 *1993/1995”, \$4,700,000;*

19 *“Procurement of Ammunition, Army, 1992/*
20 *1994”, \$30,181,000;*

21 *“Procurement of Ammunition, Army, 1993/*
22 *1995”, \$32,580,000;*

23 *“Weapons Procurement, Navy, 1992/1994”,*
24 *\$15,000,000;*

25 *“Weapons Procurement, Navy, 1993/1995”,*
26 *\$47,500,000;*

1 *“Other Procurement, Navy, 1993/1995”,*
2 *\$26,600,000;*

3 *“Procurement, Marine Corps, 1992/1994”,*
4 *\$10,285,000;*

5 *“Procurement, Marine Corps, 1993/1995”,*
6 *\$6,508,000;*

7 *“Missile Procurement, Air Force, 1993/1995”,*
8 *\$57,600,000;*

9 *“Other Procurement, Air Force, 1993/1995”,*
10 *\$63,206,000;*

11 *“Other Procurement, Air Force, 1992/1994”,*
12 *\$17,276,000;*

13 *“Research, Development, Test and Evaluation,*
14 *Navy, 1993/1994”, \$13,100,000.*

15 *SEC. 8140. In addition to amounts appropriated else-*
16 *where in this Act, \$25,000,000 is appropriated for the sub-*
17 *sidy of loan guarantees to carry out the program established*
18 *under section 1052 of S. 1298 as it passed the Senate on*
19 *September 14, 1993: Provided, That such section is enacted*
20 *into law.*

21 *SEC. 8141. The Under Secretary of Defense for Acqui-*
22 *sition shall develop a detailed plan and schedule to imple-*
23 *ment the transition of the Defense Nuclear Agency and the*
24 *integration of its militarily essential functions into the*
25 *military services and Advanced Research Projects Agency:*

1 *Provided, That none of the funds made available by this*
 2 *Act shall be available to implement changes in current DNA*
 3 *operations until 30 days after the plan and schedule have*
 4 *been approved by the Under Secretary of Defense for Acqui-*
 5 *sition and submitted to the Congressional defense commit-*
 6 *tees for review: Provided further, That the Under Secretary*
 7 *of Defense for Acquisition shall submit the aforementioned*
 8 *transition plan and schedule not later than February 1,*
 9 *1994.*

10 This Act may be cited as the “Department of Defense
 11 Appropriations Act, 1994”.

Passed the House of Representatives September 29,
 1993.

Attest: DONNALD K. ANDERSON,
Clerk.

HR 3116 RS—2

HR 3116 RS—3

HR 3116 RS—4

HR 3116 RS—5

HR 3116 RS—6

HR 3116 RS—7

HR 3116 RS—8

HR 3116 RS—9

HR 3116 RS—10

HR 3116 RS—11