Sections 237, 243, 731, and 1152, titles XII and XIII, section 1511, titles XVI, XVII, XXIX, and XXXIII of the National Defense Authorization Act for Fiscal Year 1994

[Public Law 103–160, approved Nov. 30, 1993]

[As Amended Through P.L. 118–31, Enacted December 22, 2023]

[Currency: This publication is a compilation of the text of Public Law 103–160. It was last amended by the public law listed in the As Amended Through note above and below at the bottom of each page of the pdf version and reflects current law through the date of the enactment of the public law listed at https://www.govinfo.gov/app/collection/comps/]

[Note: While this publication does not represent an official version of any Federal statute, substantial efforts have been made to ensure the accuracy of its contents. The official version of Federal law is found in the United States Statutes at Large and in the United States Code. The legal effect to be given to the Statutes at Large and the United States Code is established by statute (1 U.S.C. 112, 204).]

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

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Subtitle C—Missile Defense Programs

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SEC. 237. THEATER AND LIMITED DEFENSE SYSTEM TESTING.

(a) TESTING OF THEATER MISSILE DEFENSE INTERCEPTORS.—(1) The Secretary of Defense may not approve a theater missile defense interceptor program proceeding beyond the low-rate initial production acquisition stage until the Secretary certifies to the congressional defense committees that such program has successfully completed initial operational test and evaluation.

(2) In order to be certified under paragraph (1) as having been successfully completed, the initial operational test and evaluation conducted with respect to an interceptors program must have included flight tests—

(A) that were conducted with multiple interceptors and multiple targets in the presence of realistic countermeasures; and

(B) the results of which demonstrate the achievement by the interceptors of the baseline performance thresholds.

(3) For purposes of this subsection, the baseline performance thresholds with respect to a program are the weapons systems performance thresholds specified in the baseline description for the system established (pursuant to section 2435(a)(1) of title 10, United States Code) before the program entered the engineering and manufacturing development stage.

(4) The number of flight tests described in paragraph (2) that are required in order to make the certification under paragraph (1) shall be a number determined by the Secretary of Defense to be sufficient for the purposes of this section.

(5) The Secretary may augment live-fire testing to demonstrate weapons system performance goals for purposes of the certification under paragraph (1) through the use of modeling and simulation that is validated by ground and flight testing.

(b) ADVANCE REVIEW AND APPROVAL OF PROPOSED DEVELOPMENTAL TESTS OF LIMITED DEFENSE SYSTEM PROGRAM PROJECTS.—A developmental test may not be conducted under the Limited Defense System program element of the Ballistic Missile Defense Program until the Secretary of Defense reviews and approves (or approves with changes) the test plan for such developmental test.

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

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

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

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

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SEC. 243. [10 U.S.C. 2431 note] TRANSFER OF FOLLOW-ON TECHNOLOGY PROGRAMS.

(a) MANAGEMENT RESPONSIBILITY.—Except as provided in subsection (b), the Secretary of Defense shall provide that management and budget responsibility for research and development of any program, project, or activity to develop far-term follow-on technology relating to ballistic missile defense shall be provided through the Defense Advanced Research Projects Agency or the appropriate military department.

(b) WAIVER AUTHORITY.—The Secretary may waive the provisions of subsection (a) in the case of a particular program, project, or activity if the Secretary certifies to the congressional defense committees that it is in the national security interest of the United States to provide management and budget responsibility for that program, project, or activity through the Missile Defense Agency.

(c) REPORT REQUIRED.—As a part of the report required by section 231(e), the Secretary shall submit to the congressional defense committees a report identifying—

(1) each program, project, and activity with respect to which the Secretary has transferred management and budget responsibility from the Missile Defense Agency in accordance with subsection (a);

(2) the agency or military department to which each such transfer was made; and

(3) the date on which each such transfer was made.

(d) DEFINITION.—For the purposes of this section, the term "far-term follow-on technology" means a technology that is not incorporated into a ballistic missile defense architecture and is not likely to be incorporated within 15 years into a weapon system for ballistic missile defense.

(e) CONFORMING AMENDMENT.—[Omitted-Amendment]

TITLE VII—HEALTH CARE PROVISIONS

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SEC. 731. [10 U.S.C. 1073 note] USE OF HEALTH MAINTENANCE ORGANIZATION MODEL AS OPTION FOR MILITARY HEALTH CARE.

(a) USE OF MODEL.—The Secretary of Defense shall prescribe and implement a health benefit option (and accompanying cost-sharing requirements) for covered beneficiaries eligible for health care under chapter 55 of title 10, United States Code, that is modelled on health maintenance organization plans offered in the private sector and other similar Government health insurance programs. The Secretary shall include, to the maximum extent practicable, the health benefit option required under this subsection as one of the options available to covered beneficiaries in all managed health care initiatives undertaken by the Secretary after December 31, 1994.

(b) ELEMENTS OF OPTION.—The Secretary shall offer covered beneficiaries who enroll in the health benefit option required under subsection (a) reduced out-of-pocket costs and a benefit structure that is as uniform as possible throughout the United States. The Secretary shall allow enrollees to seek health care outside of the option, except that the Secretary may prescribe higher out-of-pocket costs than are provided under section 1079 or 1086 of title 10, United States Code, for enrollees who obtain health care outside of the option.

(c) GOVERNMENT COSTS.—The health benefit option required under subsection (a) shall be administered so that the costs incurred by the Secretary under the TRICARE program are no greater than the costs that would otherwise be incurred to provide health care to the members of the uniformed services and covered beneficiaries who participate in the TRICARE program.

(d) DEFINITIONS.—For purposes of this section:

(1) The term "covered beneficiary" means a beneficiary under chapter 55 of title 10, United States Code, other than a beneficiary under section 1074(a) of such title.

(2) The term "TRICARE program" means the managed health care program that is established by the Secretary of Defense under the authority of chapter 55 of title 10, United States Code, principally section 1097 of such title, and includes the competitive selection of contractors to financially underwrite the delivery of health care services under the Civilian Health and Medical Program of the Uniformed Services.

(e) REGULATIONS.—Not later than December 31, 1994, the Secretary shall prescribe final regulations to implement the health benefit option required by subsection (a).

(f) MODIFICATION OF EXISTING CONTRACTS.—In the case of managed health care contracts in effect or in final stages of acquisi-

tion as of December 31, 1994, the Secretary may modify such contracts to incorporate the health benefit option required under subsection (a).

SEC. 1152. [50 U.S.C. 435 note] REPORTS RELATING TO CERTAIN SPECIAL ACCESS PROGRAMS AND SIMILAR PROGRAMS.[1]

(a) IN GENERAL.—(1) Not later than February 1 of each year, the head of each covered department or agency shall submit to the congressional oversight committees a report on each special access program carried out in the department or agency.

(2) Each such report shall set forth—

(A) the total amount requested by the department or agency for special access programs within the budget submitted under section 1105 of title 31, United States Code, for the fiscal year following the fiscal year in which the report is submitted; and

(B) for each program in such budget that is a special access program—

(i) a brief description of the program;

(ii) in the case of a procurement program, a brief discussion of the major milestones established for the program;

(iii) the actual cost of the program for each fiscal year during which the program has been conducted before the fiscal year during which that budget is submitted; and

(iv) the estimated total cost of the program and the estimated cost of the program for (I) the current fiscal year, (II) the fiscal year for which the budget is submitted, and (III) each of the four succeeding fiscal years during which the program is expected to be conducted.

(b) NEWLY DESIGNATED PROGRAMS.—(1) Not later than February 1 of each year, the head of each covered department or agency shall submit to the congressional oversight committees a report that, with respect to each new special access program of that department or agency, provides—

(A) notice of the designation of the program as a special access program; and

(B) justification for such designation.

(2) A report under paragraph (1) with respect to a program shall include—

(A) the current estimate of the total program cost for the program; and

(B) an identification, as applicable, of existing programs or technologies that are similar to the technology, or that have a mission similar to the technology, or that have a mission similar to the mission, of the program that is the subject of the notice.

(3) In this subsection, the term "new special access program" means a special access program that has not previously been covered in a notice and justification under this subsection.

[1] Section 103 of P.L. 115-390, in the matter preceding paragraph (1), provides "The National Defense Authorization Act for Fiscal Year 1994 (50 U.S.C. 3348) is amended—". Such amendment did not specify the section of the Act in which to carry out the amendments; however the U.S.Cod citation provided in the language corresponds with section 1152 and therefore was carried out to such section according to the probable intent of Congress.

(c) REVISION IN CLASSIFICATION OF PROGRAMS.—(1) Whenever a change in the classification of a special access program of a covered department or agency is planned to be made or whenever classified information concerning a special access program of a covered department or agency is to be declassified and made public, the head of the department or agency shall submit to the congressional oversight committees a report containing a description of the proposed change or the information to be declassified, the reasons for the proposed change or declassification, and notice of any public announcement planned to be made with respect to the proposed change or declassification.

(2) Except as provided in paragraph (3), a report referred to in paragraph (1) shall be submitted not less than 14 days before the date on which the proposed change, declassification, or public announcement is to occur.

(3) If the head of the department or agency determines that because of exceptional circumstances the requirement of paragraph (2) cannot be met with respect to a proposed change, declassification, or public announcement concerning a special access program of the department or agency, the head of the department or agency may submit the report required by paragraph (1) regarding the proposed change, declassification, or public announcement at any time before the proposed change, declassification, or public announcement is made and shall include in the report an explanation of the exceptional circumstances.

(d) REVISION OF CRITERIA FOR DESIGNATING PROGRAMS.—Whenever there is a modification or termination of the policy and criteria used for designating a program of a covered department or agency as a special access program, the head of the department or agency shall promptly notify the congressional oversight committees of such modification or termination. Any such notification shall contain the reasons for the modification or termination and, in the case of a modification, the provisions of the policy as modified.

(e) WAIVER OF REPORTING REQUIREMENT.—(1) The head of a covered department or agency may waive any requirement under subsection (a), (b), or (c) that certain information be included in a report under that subsection if the head of the department or agency determines that inclusion of that information in the report would adversely affect the national security. Any such waiver shall be made on a case-by-case basis.

(2) If the head of a department or agency exercises the authority provided under paragraph (1), the head of the department or agency shall provide the information described in that subsection with respect to the special access program concerned, and the justification for the waiver, to the congressional oversight committees.

(f) INITIATION OF PROGRAMS.—A special access program may not be initiated by a covered department or agency until—

(1) the congressional oversight committees are notified of the program; and

(2) a period of 30 days elapses after such notification is received.

(g) DEFINITIONS.—For purposes of this section:

(1) CONGRESSIONAL OVERSIGHT COMMITTEES.—The term "congressional oversight committees" means—

(A) congressional leadership and authorizing and appropriations congressional committees with jurisdiction or shared jurisdiction over a department or agency;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(C) the Committee on Oversight and Government Reform of the House of Representatives.

(2) COVERED DEPARTMENT OR AGENCY.—(A) Except as provided in subparagraph (B), the term "covered department or agency" means any department or agency of the Federal Government that carries out a special access program.

(B) Such term does not include—

(i) the Department of Defense (which is required to submit reports on special access programs under section 119 of title 10, United States Code);

(ii) the National Nuclear Security Administration (which is required to submit reports on special access programs under section 3236 of the National Nuclear Security Administration Act); or

(iii) an agency in the Intelligence Community (as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a)).

(3) SPECIAL ACCESS PROGRAM.—The term "special access program" means any program that, under the authority of Executive Order 12356 (or any successor Executive order), is established by the head of a department or agency whom the President has designated in the Federal Register as an original "secret" or "top secret" classification authority that imposes "need-to-know" controls or access controls beyond those controls normally required (by regulations applicable to such department or agency) for access to information classified as "confidential", "secret", or "top secret".

TITLE XII—COOPERATIVE THREAT REDUCTION WITH STATES OF FORMER SOVIET UNION

SEC. 1201. SHORT TITLE.

This title may be cited as the "Cooperative Threat Reduction Act of 1993".

SEC. 1202. [22 U.S.C. 5951] FINDINGS ON COOPERATIVE THREAT REDUCTION.

The Congress finds that it is in the national security interest of the United States for the United States to do the following:

(1) Facilitate, on a priority basis, the transportation, storage, safeguarding, and elimination of nuclear and other weapons of the independent states of the former Soviet Union, including—

(A) the safe and secure storage of fissile materials derived from the elimination of nuclear weapons;

(B) the dismantlement of (i) intercontinental ballistic missiles and launchers for such missiles, (ii) submarine-launched ballistic missiles and launchers for such missiles, and (iii) heavy bombers; and

(C) the elimination of chemical, biological and other weapons capabilities.

(2) Facilitate, on a priority basis, the prevention of proliferation of weapons (and components of weapons) of mass destruction and destabilizing conventional weapons of the independent states of the former Soviet Union and the establishment of verifiable safeguards against the proliferation of such weapons and components.

(3) Facilitate, on a priority basis, the prevention of diversion of weapons-related scientific expertise of the independent states of the former Soviet Union to terrorist groups or third world countries.

(4) Support (A) the demilitarization of the defense-related industry and equipment of the independent states of the former Soviet Union, and (B) the conversion of such industry and equipment to civilian purposes and uses.

(5) Expand military-to-military and defense contacts between the United States and the independent states of the former Soviet Union.

[Sections 1203 and 1204 repealed by section 1351(3) of division A of Public Law 113–291.]

SEC. 1205. [22 U.S.C. 5954] FUNDING FOR FISCAL YEAR 1994.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds authorized to be appropriated under section 301(21) shall be available for cooperative threat reduction with states of the former Soviet Union under this title.

(b) LIMITATIONS.—(1) Not more than $15,000,000 of the funds referred to in subsection (a) may be made available for programs authorized in subsection (b)(6) of section 1203.

(2) Not more than $20,000,000 of such funds may be made available for programs authorized in subsection (b)(7) of section 1203.

(3) Not more than $40,000,000 of such funds may be made available for grants to the Demilitarization Enterprise Fund designated pursuant to section 1204 and for related administrative expenses.

(c) AUTHORIZATION OF EXTENSION OF AVAILABILITY OF PRIOR YEAR FUNDS.—To the extent provided in appropriations Acts, the authority to transfer funds of the Department of Defense provided in section 9110(a) of the Department of Defense Appropriations Act, 1993 (Public Law 102–396; 106 Stat. 1928), and in section 108 of Public Law 102–229 (105 Stat. 1708) shall continue to be in effect during fiscal year 1994.

[Sections 1206 repealed by section 1351(3) of division A of Public Law 113–291.]

SEC. 1207. [22 U.S.C. 5956] SEMIANNUAL REPORT.

[Repealed]

[Sections 1208 repealed by section 1351(3) of division A of Public Law 113–291.]

SEC. 1209. [22 U.S.C. 5958] AUTHORIZATION FOR ADDITIONAL FISCAL YEAR 1993 ASSISTANCE TO THE INDEPENDENT STATES OF THE FORMER SOVIET UNION.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is hereby authorized to be appropriated for fiscal year 1993 for "Operation and Maintenance, Defense Agencies" the additional sum of $979,000,000, to be available for the purposes of providing assistance to the independent states of the former Soviet Union.

(b) AUTHORIZATION OF TRANSFER OF FUNDS.—The Secretary of Defense may, to the extent provided in appropriations Acts, transfer from the account "Operation and Maintenance, Defense Agencies" for fiscal year 1993 a sum not to exceed the amount appropriated pursuant to the authorization in subsection (a) to—

(1) other accounts of the Department of Defense for the purpose of providing assistance to the independent states of the former Soviet Union; or

(2) appropriations available to the Department of State and other agencies of the United States Government for the purpose of providing assistance to the independent states of the former Soviet Union for programs that the President determines will increase the national security of the United States.

(c) ADMINISTRATIVE PROVISIONS.—(1) Amounts transferred under subsection (b) shall be available subject to the same terms and conditions as the appropriations to which transferred.

(2) The authority to make transfers pursuant to this section is in addition to any other transfer authority of the Department of Defense.

(d) COORDINATION OF PROGRAMS.—The President shall coordinate the programs described in subsection (b) with those authorized in the other provisions of this title and in the provisions of the Freedom for Russia and Emerging Eurasian Democracies and Open Markets Support Act of 1992 (Public Law 102–511) so as to optimize the contribution such programs make to the national interests of the United States.

TITLE XIII—DEFENSE CONVERSION, REINVESTMENT, AND TRANSITION ASSISTANCE

SEC. 1301. SHORT TITLE.

This title may be cited as the "Defense Conversion, Reinvestment, and Transition Assistance Amendments of 1993".

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Subtitle C—Personnel Adjustment, Education, and Training Programs

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SEC. 1333. [10 U.S.C. 2701 note] GRANTS TO INSTITUTIONS OF HIGHER EDUCATION TO PROVIDE EDUCATION AND TRAINING IN ENVIRONMENTAL RESTORATION TO DISLOCATED DEFENSE WORKERS AND YOUNG ADULTS.

(a) GRANT PROGRAM AUTHORIZED.—(1) The Secretary of Defense may establish a program to provide demonstration grants to institutions of higher education to assist such institutions in providing education and training in environmental restoration and

hazardous waste management to eligible dislocated defense workers and young adults described in subsection (d). The Secretary shall award the grants pursuant to a merit-based selection process.

(2) A grant provided under this subsection may cover a period of not more than three fiscal years, except that the payments under the grant for the second and third fiscal year shall be subject to the approval of the Secretary and to the availability of appropriations to carry out this section in that fiscal year.

(b) APPLICATION.—To be eligible for a grant under subsection (a), an institution of higher education shall submit an application to the Secretary at such time, in such form, and containing such information as the Secretary may require. The application shall include the following:

(1) An assurance by the institution of higher education that it will use the grant to supplement and not supplant non-Federal funds that would otherwise be available for the education and training activities funded by the grant.

(2) A proposal by the institution of higher education to provide expertise, training, and education in hazardous materials and waste management and other environmental fields applicable to defense manufacturing sites and Department of Defense and Department of Energy defense facilities.

(c) USE OF GRANT FUNDS.—(1) An institution of higher education receiving a grant under subsection (a) shall use the grant to establish a consortium consisting of the institution and one or more of each of the entities described in paragraph (2) for the purpose of establishing and conducting a program to provide education and training in environmental restoration and waste management to eligible individuals described in subsection (d). To the extent practicable, the Secretary shall authorize the consortium to use a military installation closed or selected to be closed under a base closure law in providing on-site basic skills training to participants in the program.

(2) The entities referred to in paragraph (1) are the following:

(A) Appropriate State and local agencies.

(B) Local workforce investment boards established under section 117 of the Workforce Investment Act of 1998.

(C) Community-based organizations (as defined in section 4(5) of such Act (29 U.S.C. 1503(5)).

(D) Businesses.

(E) Organized labor.

(F) Other appropriate educational institutions.

(d) ELIGIBLE INDIVIDUALS.—A program established or conducted using funds provided under subsection (a) may provide education and training in environmental restoration and waste management to—

(1) individuals who have been terminated or laid off from employment (or have received notice of termination or lay off) as a consequence of reductions in expenditures by the United States for defense, the cancellation, termination, or completion of a defense contract, or the closure or realignment of a military installation under a base closure law, as determined in accordance with regulations prescribed by the Secretary; or

(2) individuals who have attained the age of 16 but not the age of 25.

(e) ELEMENTS OF EDUCATION AND TRAINING PROGRAM.—In establishing or conducting an education and training program using funds provided under subsection (a), the institution of higher education shall meet the following requirements:

(1) The institution of higher education shall establish and provide a work-based learning system consisting of education and training in environmental restoration—

(A) which may include basic educational courses, on-site basic skills training, and mentor assistance to individuals described in subsection (d) who are participating in the program; and

(B) which may lead to the awarding of a certificate or degree at the institution of higher education.

(2) The institution of higher education shall undertake outreach and recruitment efforts to encourage participation by eligible individuals in the education and training program.

(3) The institution of higher education shall select participants for the education and training program from among eligible individuals described in paragraph (1) or (2) of subsection (d).

(4) To the extent practicable, in the selection of young adults described in subsection (d)(2) to participate in the education and training program, the institution of higher education shall give priority to those young adults who—

(A) have not attended and are otherwise unlikely to be able to attend an institution of higher education; or

(B) have, or are members of families who have, received a total family income that, in relation to family size, is not in excess of the higher of—

(i) the official poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Omnibus Budget Reconciliation Act of 1981 (42 U.S.C. 9902(2))); or

(ii) 70 percent of the lower living standard income level.

(5) To the extent practicable, the institution of higher education shall select instructors for the education and training program from institutions of higher education, appropriate community programs, and industry and labor.

(6) To the extent practicable, the institution of higher education shall consult with appropriate Federal, State, and local agencies carrying out environmental restoration programs for the purpose of achieving coordination between such programs and the education and training program conducted by the consortium.

(f) SELECTION OF GRANT RECIPIENTS.—To the extent practicable, the Secretary shall provide grants to institutions of higher education under subsection (a) in a manner which will equitably distribute such grants among the various regions of the United States.

(g) LIMITATION ON AMOUNT OF GRANT TO A SINGLE RECIPIENT.—The amount of a grant under subsection (a) that may be made to a single institution of higher education in a fiscal year may not exceed ⅓ of the amount made available to provide grants under such subsection for that fiscal year.

(h) REPORTING REQUIREMENTS.—(1) The Secretary may provide a grant to an institution of higher education under subsection (a) only if the institution agrees to submit to the Secretary, in each fiscal year in which the Secretary makes payments under the grant to the institution, a report containing—

(A) a description and evaluation of the education and training program established by the consortium formed by the institution under subsection (c); and

(B) such other information as the Secretary may reasonably require.

(2) Not later than 18 months after the date of the enactment of this Act, the Secretary shall submit to the President and Congress an interim report containing—

(A) a compilation of the information contained in the reports received by the Secretary from each institution of higher education under paragraph (1); and

(B) an evaluation of the effectiveness of the demonstration grant program authorized by this section.

(3) Not later than January 1, 1997, the Secretary shall submit to the President and Congress a final report containing—

(A) a compilation of the information described in the interim report; and

(B) a final evaluation of the effectiveness of the demonstration grant program authorized by this section, including a recommendation as to the feasibility of continuing the program.

(i) DEFINITIONS.—For purposes of this section:

(1) BASE CLOSURE LAW.—The term "base closure law" has the meaning given such term in section 101(a)(17) of title 10, United States Code.

(2) ENVIRONMENTAL RESTORATION.—The term "environmental restoration" means actions taken consistent with a permanent remedy to prevent or minimize the release of hazardous substances into the environment so that such substances do not migrate to cause substantial danger to present or future public health or welfare or the environment.

(3) INSTITUTION OF HIGHER EDUCATION.—The term "institution of higher education" has the meaning given such term in section 101 of the Higher Education Act of 1965.

(4) SECRETARY.—The term "Secretary" means the Secretary of Defense.

(j) CONFORMING REPEAL.—[Omitted—Amendment]

SEC. 1334. [10 U.S.C. 2701 note] ENVIRONMENTAL EDUCATION OPPORTUNITIES PROGRAM.

(a) AUTHORITY.—The Secretary of Defense, in consultation with the Secretary of Energy and the Administrator of the Environmental Protection Agency, may establish a scholarship program in order to enable eligible individuals described in subsection (d) to undertake the educational training or activities relating to environmental engineering, environmental sciences, or environmental

project management in fields related to hazardous waste management and cleanup described in subsection (b) at the institutions of higher education described in subsection (c).

(b) EDUCATIONAL TRAINING OR ACTIVITIES.—(1) The program established under subsection (a) shall be limited to educational training or activities related to—

(A) site remediation;

(B) site characterization;

(C) hazardous waste management;

(D) hazardous waste reduction;

(E) recycling;

(F) process and materials engineering;

(G) training for positions related to environmental engineering, environmental sciences, or environmental project management (including training for management positions); and

(H) environmental engineering with respect to the construction of facilities to address the items described in subparagraphs (A) through (G).

(2) The program established under subsection (a) shall be limited to educational training or activities designed to enable individuals to achieve specialization in the following fields:

(A) Earth sciences.

(B) Chemistry.

(C) Chemical Engineering.

(D) Environmental engineering.

(E) Statistics.

(F) Toxicology.

(G) Industrial hygiene.

(H) Health physics.

(I) Environmental project management.

(c) ELIGIBLE INSTITUTIONS OF HIGHER EDUCATION.—Scholarship funds awarded under this section shall be used by individuals awarded scholarships to enable such individuals to attend institutions of higher education associated with hazardous substance research centers to enable such individuals to undertake a program of educational training or activities described in subsection (b) that leads to an undergraduate degree, a graduate degree, or a degree or certificate that is supplemental to an academic degree.

(d) ELIGIBLE INDIVIDUALS.—Individuals eligible for scholarships under the program established under subsection (a) are the following:

(1) Any member of the Armed Forces who—

(A) was on active duty or full-time National Guard duty on September 30, 1990;

(B) during the 5-year period beginning on that date—

(i) is involuntarily separated (as defined in section 1141 of title 10, United States Code) from active duty or full-time National Guard duty; or

(ii) is separated from active duty or full-time National Guard duty pursuant to a special separation benefits program under section 1174a of title 10, United States Code, or the voluntary separation incentive program under section 1175 of that title; and

(C) is not entitled to retired or retainer pay incident to that separation.

(2) Any civilian employee of the Department of Energy or the Department of Defense (other than an employee referred to in paragraph (3)) who—

(A) is terminated or laid off from such employment during the five-year period beginning on September 30, 1990, as a result of reductions in defense-related spending (as determined by the appropriate Secretary); and

(B) is not entitled to retired or retainer pay incident to that termination or lay off.

(3) Any civilian employee of the Department of Defense whose employment at a military installation approved for closure or realignment under a base closure law is terminated as a result of such closure or realignment.

(e) AWARD OF SCHOLARSHIP.—(1)(A) The Secretary of Defense shall award scholarships under this section to such eligible individuals as the Secretary determines appropriate pursuant to regulations or policies promulgated by the Secretary.

(B) In awarding a scholarship under this section, the Secretary shall—

(i) take into consideration the extent to which the qualifications and experience of the individual applying for the scholarship prepared such individual for the educational training or activities to be undertaken; and

(ii) award a scholarship only to an eligible individual who has been accepted for enrollment in the institution of higher education described in subsection (c) and providing the educational training or activities for which the scholarship assistance is sought.

(2) The Secretary of Defense shall determine the amount of the scholarships awarded under this section, except that the amount of scholarship assistance awarded to any individual under this section may not exceed—

(A) $10,000 in any 12-month period; and

(B) a total of $20,000.

(f) APPLICATION; PERIOD FOR SUBMISSION.—(1) Each individual desiring a scholarship under this section shall submit an application to the Secretary of Defense in such manner and containing or accompanied by such information as the Secretary may reasonably require.

(2) A member of the Armed Forces described in subsection (d)(1) who desires to apply for a scholarship under this section shall submit an application under this subsection not later than 180 days after the date of the separation of the member. In the case of members described in subsection (d)(1) who were separated before the date of the enactment of this Act, the Secretary shall accept applications from these members submitted during the 180-day period beginning on the date of the enactment of this Act.

(3) A civilian employee described in paragraph (2) or (3) of subsection (d) who desires to apply for a scholarship under this section, but who receives no prior notice of such termination or lay off, may submit an application under this subsection at any time after such termination or lay off. A civilian employee described in para-

graph (1) or (2) of subsection (d) who receives a notice of termination or lay off shall submit an application not later than 180 days before the effective date of the termination or lay off. In the case of employees described in such paragraphs who were terminated or laid off before the date of the enactment of this Act, the Secretary shall accept applications from these employees submitted during the 180-day period beginning on the date of the enactment of this Act.

(g) REPAYMENT.—(1) Any individual receiving scholarship assistance from the Secretary of Defense under this section shall enter into an agreement with the Secretary under which the individual agrees to pay to the United States the total amount of the scholarship assistance provided to the individual by the Secretary under this section, plus interest at the rate prescribed in paragraph (4), if the individual does not complete the educational training or activities for which such assistance is provided.

(2) If an individual fails to pay to the United States the total amount required pursuant to paragraph (1), including the interest, at the rate prescribed in paragraph (4), the unpaid amount shall be recoverable by the United States from the individual or such individual's estate by—

(A) in the case of an individual who is an employee of the United States, set off against accrued pay, compensation, amount of retirement credit, or other amount due the employee from the United States; and

(B) such other method as is provided by law for the recovery of amounts owing to the United States.

(3) The Secretary of Defense may waive in whole or in part a required repayment under this subsection if the Secretary determines that the recovery would be against equity and good conscience or would be contrary to the best interests of the United States.

(4) The total amount of scholarship assistance provided to an individual under this section, for purposes of repayment under this subsection, shall bear interest at the applicable rate of interest under section 427A(c) of the Higher Education Act of 1965 (20 U.S.C. 1077a(c)).

(h) COORDINATION OF BENEFITS.—Any scholarship assistance provided to an individual under this section shall be taken into account in determining the eligibility of the individual for Federal student financial assistance provided under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.).

(i) REPORT TO CONGRESS.—Not later than January 1, 1995, the Secretary of Defense, in consultation with the Secretary of Energy and the Administrator of the Environmental Protection Agency, shall submit to the Congress a report describing the activities undertaken under the program authorized by subsection (a) and containing recommendations for future activities under the program.

(j) FUNDING.—(1) To carry out the scholarship program authorized by subsection (a), the Secretary of Defense may use the unobligated balance of funds made available pursuant to section 4451(k) of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 10 U.S.C. 2701 note) for fiscal year 1993 for

environmental scholarship and fellowship programs for the Department of Defense.

(2) The cost of carrying out the program authorized by subsection (a) may not exceed $8,000,000 in any fiscal year.

(k) DEFINITIONS.—For purposes of this section:

(1) The term "base closure law" means the following:

(A) Title II of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526; 10 U.S.C. 2687 note).

(B) The Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note).

(2) The term "hazardous substance research centers" means the hazardous substance research centers described in section 311(d) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9660(d)). Such term includes the Great Plains and Rocky Mountain Hazardous Substance Research Center, the Northeast Hazardous Substance Research Center, the Great Lakes and Mid-Atlantic Hazardous Substance Research Center, the South and Southwest Hazardous Substance Research Center, and the Western Region Hazardous Substance Research Center.

(3) The term "institution of higher education" has the same meaning given such term in section 101 of the Higher Education Act of 1965.

SEC. 1335. [10 U.S.C. 2701 note] TRAINING AND EMPLOYMENT OF DEPARTMENT OF DEFENSE EMPLOYEES TO CARRY OUT ENVIRONMENTAL RESTORATION AT MILITARY INSTALLATIONS TO BE CLOSED.

(a) TRAINING PROGRAM.—The Secretary of Defense may establish a program to provide such training to eligible civilian employees of the Department of Defense as the Secretary considers to be necessary to qualify such employees to carry out environmental assessment, remediation, and restoration activities (including asbestos abatement) at military installations closed or to be closed.

(b) EMPLOYMENT OF GRADUATES.—In the case of eligible civilian employees of the Department of Defense who successfully complete the training program established pursuant to subsection (a), the Secretary may—

(1) employ such employees to carry out environmental assessment, remediation, and restoration activities at military installations referred to in subsection (a); or

(2) require, as a condition of a contract for the private performance of such activities at such an installation, the contractor to be engaged in carrying out such activities to employ such employees.

(c) ELIGIBLE EMPLOYEES.—Eligibility for selection to participate in the training program under subsection (a) shall be limited to those civilian employees of the Department of Defense whose employment would be terminated by reason of the closure of a military installation if not for the selection of the employees to participate in the training program.

(d) PRIORITY IN TRAINING AND EMPLOYMENT.—The Secretary shall give priority in providing training and employment under this

section to eligible civilian employees employed at a military installation the closure of which will directly result in the termination of the employment of at least 1,000 civilian employees of the Department of Defense.

(e) EFFECT ON OTHER ENVIRONMENTAL REQUIREMENTS.—Nothing in this section shall be construed to revise or modify any requirement established under Federal or State law relating to environmental assessment, remediation, or restoration activities at military installations closed or to be closed.

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SEC. 1337. [10 U.S.C. 1143 note] DEMONSTRATION PROGRAM FOR THE TRAINING OF RECENTLY DISCHARGED VETERANS FOR EMPLOYMENT IN CONSTRUCTION AND IN HAZARDOUS WASTE REMEDIATION.

(a) ESTABLISHMENT.—The Secretary of Defense may establish a demonstration program to promote the training and employment of veterans in the construction and hazardous waste remediation industries. Using funds made available to carry out this section the Secretary shall make grants under the demonstration program to organizations that meet the eligibility criteria specified in subsection (b).

(b) GRANT ELIGIBILITY CRITERIA.—An organization is eligible to receive a grant from the Secretary under subsection (a) if it—

(1) demonstrates, to the satisfaction of the Secretary, an ability to recruit and counsel veterans for participation in the demonstration program under this section;

(2) has entered into an agreement with a joint labor-management training fund established consistent with section 8(f) of the National Labor Relations Act (29 U.S.C. 158(f)) to implement and operate a training and employment program for veterans;

(3) agrees under the agreement referred to in paragraph (2) to use grant funds to carry out a program that will provide eligible veterans with training for employment in the construction and hazardous waste remediation industries;

(4) provides such training for an eligible veteran for not more than 18 months;

(5) demonstrates actual experience in providing training for veterans under an agreement referred to in paragraph (2);

(6) agrees to make, along with all subgrantees, a substantial in-kind contribution (as determined by the Secretary of Defense) from non-Federal sources to the demonstration program under this section; and

(7) gives its assurances, to the satisfaction of the Secretary, that full time, permanent jobs will be available for individuals successfully completing the training program, with a special emphasis on jobs with employers in construction and hazardous waste remediation on Department of Defense facilities.

(c) ELIGIBLE VETERANS.—An individual is an eligible veteran for the purposes of this section if the individual—

(1)(A) served in the active military, naval, or air service for a period of at least two years;

(B) was discharged or released from active duty because of a service-connected disability; or

(C) is entitled to compensation (or who but for the receipt of military retired pay would be entitled to compensation) under the laws administered by the Secretary of Veterans Affairs for a disability rated at 30 percent or more; and

(2) was discharged or released on or after August 2, 1990, under conditions other than dishonorable.

(d) PREFERENCE.—In carrying out the demonstration program under this section, the Secretary shall ensure that a preference is given to eligible veterans who had a primary or secondary occupational specialty in the Armed Forces that (as determined under regulations prescribed by the Secretary and in effect before the date of such separation) is not readily transferable to the civilian work force.

(e) HAZARDOUS WASTE OPERATIONS TRAINING GOAL.—It is the sense of Congress that at least 20 percent of the total number of veterans completing training under the demonstration program under this section should complete the training required—

(1) for certification under section 126 of the Superfund Amendments and Reauthorization Act of 1986 (29 U.S.C. 655 note); and

(2) under any other Federal law which requires certification for employees engaged in hazardous waste remediation operations.

(f) USE OF FUNDS.—Funds made available to carry out this section may only be used for tuition and stipends to cover the living and travel expenses of participants, except that the Secretary may provide that not more than a total of four percent of all the funds made available under this section may be used for administrative expenses of grantees and subgrantees.

(g) LIMITATION ON TUITION CHARGED.—The amount of tuition charged eligible veterans participating in a training program funded under the demonstration program may not exceed the amount of tuition charged to nonveterans participating in programs substantially similar to that training program.

(h) LIMITATION ON EXPENDITURES PER PARTICIPANT.—Of the funds made available to carry out this section—

(1) not more than $1,000 may be expended with respect to each veteran participating in the construction phase of the demonstration program; and

(2) not more than an additional $1,000 may be expended with respect to each veteran participating in the hazardous waste remediation phase of the demonstration program, except that the Secretary may authorize an additional $300 for the training of a veteran participating in such phase if the Secretary determines that such additional amount is necessary because of the type of training needed for the particular kind of hazardous waste remediation involved.

(i) REPORTS.—(1) Not later than November 1, 1994, the Secretary shall submit to Congress an interim report describing the manner in which the demonstration program under this section is being carried out, including a detailed description of the number of grants made, the number of veterans involved, the kinds of train-

ing received, and any job placements that have occurred or that are anticipated.

(2) Not later than December 31, 1995, the Secretary shall submit to Congress a final report containing a description of the results of the demonstration program with a detailed description of the number of grants made, the number of veterans involved, the number of veterans who completed the program, the number of veterans who were placed in jobs, the number of veterans who failed to complete the program along with the reasons for such failure, and any recommendations the Secretary considers to be appropriate.

(j) DEFINITIONS.—For purposes of this section, the terms "veteran", "service-connected", "active duty", and "active military, naval, or air service" have the meanings given such terms in paragraphs (2), (16), (21), and (24), respectively, of section 101 of title 38, United States Code.

(k) TERMINATION.—Not later than October 1, 1994, the Secretary shall obligate, in accordance with the provisions of this section, the funds made available to carry out the demonstration program under this section.

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Subtitle D—National Shipbuilding Initiative

SEC. 1351. [10 U.S.C. 2501 note] SHORT TITLE.

This subtitle may be cited as the "National Shipbuilding and Shipyard Conversion Act of 1993".

SEC. 1352. [10 U.S.C. 2501 note] NATIONAL SHIPBUILDING INITIATIVE.

(a) ESTABLISHMENT OF PROGRAM.—There shall be a National Shipbuilding Initiative program, to be carried out to support the industrial base for national security objectives by assisting in the reestablishment of the United States shipbuilding industry as a self-sufficient, internationally competitive industry.

(b) ADMINISTERING DEPARTMENTS.—The program shall be carried out—

(1) by the Secretary of Defense, with respect to programs under the jurisdiction of the Secretary of Defense; and

(2) by the Secretary of Transportation, with respect to programs under the jurisdiction of the Secretary of Transportation.

(c) PROGRAM ELEMENTS.—The National Shipbuilding Initiative shall consist of the following program elements:

(1) FINANCIAL INCENTIVES PROGRAM.—A financial incentives program to provide loan guarantees to initiate commercial ship construction for domestic and export sales, encourage shipyard modernization, and support increased productivity.

(2) TECHNOLOGY DEVELOPMENT PROGRAM.—A technology development program, to be carried out within the Department of Defense by the Defense Advanced Research Projects Agency, to improve the technology base for advanced shipbuilding technologies and related dual-use technologies through activities including a development program for innovative commercial ship design and production processes and technologies.

(3) NAVY'S AFFORDABILITY THROUGH COMMONALITY PROGRAM.—Enhanced support by the Secretary of Defense for the shipbuilding program of the Department of the Navy known as the Affordability Through Commonality (ATC) program, to include enhanced support (A) for the development of common modules for military and commercial ships, and (B) to foster civil-military integration into the next generation of Naval surface combatants.

(4) NAVY'S MANUFACTURING TECHNOLOGY AND TECHNOLOGY BASE PROGRAMS.—Enhanced support by the Secretary of Defense for, and strengthened funding for, that portion of the Manufacturing Technology program of the Navy, and that portion of the Technology Base program of the Navy, that are in the areas of shipbuilding technologies and ship repair technologies.

SEC. 1353. [10 U.S.C. 2501 note] DEPARTMENT OF DEFENSE PROGRAM MANAGEMENT THROUGH DEFENSE ADVANCED RESEARCH PROJECTS AGENCY.

The Secretary of Defense shall designate the Defense Advanced Research Projects Agency of the Department of Defense as the lead agency of the Department of Defense for activities of the Department of Defense which are part of the National Shipbuilding Initiative program. Those activities shall be carried out as part of defense conversion activities of the Department of Defense.

SEC. 1354. [10 U.S.C. 2501 note] DEFENSE ADVANCED RESEARCH PROJECTS AGENCY FUNCTIONS AND MINIMUM FINANCIAL COMMITMENT OF NON-FEDERAL GOVERNMENT PARTICIPANTS.

(a) ARPA FUNCTIONS.—The Secretary of Defense, acting through the Director of the Defense Advanced Research Projects Agency, shall carry out the following functions with respect to the National Shipbuilding Initiative program:

(1) Consultation with the Maritime Administration, the Office of Economic Adjustment, the National Economic Council, the National Shipbuilding Research Project, the Coast Guard, the National Oceanic and Atmospheric Administration, appropriate naval commands and activities, and other appropriate Federal agencies on—

(A) development and transfer to the private sector of dual-use shipbuilding technologies, ship repair technologies, and shipbuilding management technologies;

(B) assessments of potential markets for maritime products; and

(C) recommendation of industrial entities, partnerships, joint ventures, or consortia for short- and long-term manufacturing technology investment strategies.

(2) Funding and program management activities to develop innovative design and production processes and the technologies required to implement those processes.

(3) Facilitation of industry and Government technology development and technology transfer activities (including education and training, market assessments, simulations, hardware models and prototypes, and national and regional industrial base studies).

(4) Integration of promising technology advances made in the Technology Reinvestment Program of the Defense Advanced Research Projects Agency into the National Shipbuilding Initiative to effect full defense conversion potential.

(b) FINANCIAL COMMITMENT OF NON-FEDERAL GOVERNMENT PARTICIPANTS.—

(1) MAXIMUM DEPARTMENT OF DEFENSE SHARE.—The Secretary of Defense shall ensure that the amount of funds provided by the Secretary to a non-Federal government participant does not exceed 50 percent of the total cost of technology development and technology transfer activities.

(2) REGULATIONS.—The Secretary may prescribe regulations to provide for consideration of in-kind contributions by non-Federal Government participants in a partnership for the purpose of calculating the share of the partnership costs that has been or is being undertaken by such participants. In prescribing the regulations, the Secretary may determine that a participant that is a small business concern may use funds received under the Small Business Innovation Research Program or the Small Business Technology Transfer Program to help pay the costs of partnership activities. Any such funds so used may be included in calculating the amount of the financial commitment undertaken by the non-Federal Government participants unless the Secretary determines that the small business concern has not made a significant equity contribution in the program from non-Federal sources.

Subtitle E—Other Matters

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SEC. 1373. [29 U.S.C. 1662d–1 note] REGIONAL RETRAINING SERVICES CLEARINGHOUSES.

(a) ESTABLISHMENT REQUIRED.—The Secretary of Labor, in consultation with the Secretary of Defense, may carry out a demonstration project to establish one or more regional retraining services clearinghouses to serve eligible persons described in subsection (b).

(b) PERSONS ELIGIBLE FOR CLEARINGHOUSE SERVICES.—The following persons shall be eligible to receive services through the clearinghouses:

(1) Members of the Armed Forces who are discharged or released from active duty.

(2) Civilian employees of the Department of Defense who are terminated from such employment as a result of reductions in defense spending or the closure or realignment of a military installation, as determined by the Secretary of Defense.

(3) Employees of defense contractors who are terminated or laid off (or receive a notice of termination or lay off) as a result of the completion or termination of a defense contract or program or reductions in defense spending, as determined by the Secretary of Defense.

(c) INFORMATIONAL ACTIVITIES OF CLEARINGHOUSES.—The clearinghouses shall—

(1) collect educational materials that have been prepared for the purpose of providing information regarding available retraining programs, in particular those programs dealing with critical skills needed in advanced manufacturing and skill areas in which shortages of skilled employees exist;

(2) establish and maintain a data base for the purpose of storing and categorizing such materials based on the different needs of eligible persons; and

(3) furnish such materials, upon request, to educational institutions and other interested persons.

(d) FUNDING.—From the unobligated balance of funds made available pursuant to section 4465(c) of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 29 U.S.C. 1662d–1 note) to carry out section 325A of the Job Training Partnership Act (29 U.S.C. 1662d–1), not more than $10,000,000 shall be available to the Secretary of Labor to carry out this section during fiscal year 1994. Funds made available under section 1302 for defense conversion, reinvestment, and transition assistance programs shall not be used to carry out this section.

TITLE XV—INTERNATIONAL PEACEKEEPING AND HUMANITARIAN ACTIVITIES

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Subtitle B—Policies Regarding Specific Countries

SEC. 1511. [50 U.S.C. 1701 note] SANCTIONS AGAINST SERBIA AND MONTENEGRO.

(a) CODIFICATION OF EXECUTIVE BRANCH SANCTIONS.—The sanctions imposed on Serbia and Montenegro, as in effect on the date of the enactment of this Act, that were imposed by or pursuant to the following directives of the executive branch shall (except as provided under subsections (d) and (e)) remain in effect until changed by law:

(1) Executive Order 12808 of May 30, 1992, as continued in effect on May 25, 1993.

(2) Executive Order 12810 of June 5, 1992.

(3) Executive Order 12831 of January 15, 1993.

(4) Executive Order 12846 of April 25, 1993.

(5) Department of State Public Notice 1427, effective July 11, 1991.

(6) Proclamation 6389 of December 5, 1991 (56 Fed. Register 64467).

(7) Department of Transportation Order 92–5–38 of May 20, 1992.

(8) Federal Aviation Administration action of June 19, 1992 (14 C.F.R. Part 91).

(b) PROHIBITION ON ASSISTANCE.—No funds appropriated or otherwise made available by law may be obligated or expended on

behalf of the government of Serbia or the government of Montenegro.

(c) INTERNATIONAL FINANCIAL INSTITUTIONS.—The Secretary of the Treasury shall instruct the United States executive director of each international financial institution to use the voice and vote of the United States to oppose any assistance from that institution to the government of Serbia or the government of Montenegro, except for basic human needs.

(d) EXCEPTION.—Notwithstanding any other provision of law, the President is authorized and encouraged to exempt from sanctions imposed against Serbia and Montenegro that are described in subsection (a) those United States-supported programs, projects, or activities that involve reform of the electoral process, the development of democratic institutions or democratic political parties, or humanitarian assistance (including refugee care and human rights observation).

(e) WAIVER AUTHORITY.—(1) The President may waive or modify the application, in whole or in part, of any sanction described in subsection (a), the prohibition in subsection (b), or the requirement in subsection (c).

(2) Such a waiver or modification may only be effective upon certification by the President to Congress that the President has determined that the waiver or modification is necessary (A) to meet emergency humanitarian needs, or (B) to achieve a negotiated settlement of the conflict in Bosnia-Herzegovina that is acceptable to the parties.

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TITLE XVI—ARMS CONTROL MATTERS

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

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SEC. 1603. [22 U.S.C. 2751 note] STUDIES RELATING TO UNITED STATES COUNTERPROLIFERATION POLICY.

(a) AUTHORIZATION TO CONDUCT STUDIES.—The Secretary of Defense may conduct studies and analysis programs in support of the counterproliferation policy of the United States.

(b) COUNTERPROLIFERATION STUDIES.—Studies and analysis programs under this section may include programs intended to explore defense policy issues that might be involved in efforts to prevent and counter the proliferation of weapons of mass destruction and their delivery systems. Such efforts include—

(1) enhancing United States military capabilities to deter and respond to terrorism, theft, and proliferation involving weapons of mass destruction;

(2) cooperating in international programs to enhance military capabilities to deter and respond to terrorism, theft, and proliferation involving weapons of mass destruction; and

(3) otherwise contributing to Department of Defense capabilities to deter, identify, monitor, and respond to such terrorism, theft, and proliferation involving weapons of mass destruction.

(c) DESIGNATION OF COORDINATOR.—The Under Secretary of Defense for Policy, subject to the supervision and control of the Secretary of Defense, shall coordinate the policy studies and analysis of the Department of Defense on countering proliferation of weapons of mass destruction and their delivery systems.

SEC. 1605. [22 U.S.C. 2751 note] JOINT COMMITTEE FOR REVIEW OF COUNTERPROLIFERATION PROGRAMS OF THE UNITED STATES.

(a) ESTABLISHMENT.—(1) There is hereby established a Counterproliferation Program Review Committee composed of the following members:

(A) The Secretary of Defense.

(B) The Secretary of Energy.

(C) The Director of National Intelligence.

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

(E) The Secretary of State.[2]

(F) The Secretary of Homeland Security.[2]

(2) The Secretary of Defense shall chair the committee. The Secretary of Energy shall serve as the Vice Chairman of the committee.

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

(4) The Secretary of Defense may delegate to the Under Secretary of Defense for Acquisition, Technology, and Logistics the performance of the duties of the Chairman of the committee. The Secretary of Energy may delegate to the Under Secretary of Energy responsible for national security programs of the Department of Energy the performance of the duties of the Vice Chairman of the committee.

(5) The Assistant Secretary of Defense for Nuclear, Chemical, and Biological Defense Programs shall serve as executive secretary to the committee, except that during any period during which that position is vacant the Assistant Secretary of Defense for Strategy and Threat Reduction shall serve as the executive secretary.

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

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

(A) highly effective technologies and capabilities for the detection, monitoring, collection, processing, analysis, and dissemination of information in support of United States counterproliferation policy and efforts, including efforts to stem the proliferation of weapons of mass destruction and to negate paramilitary and terrorist threats involving weapons of mass destruction; and

(B) disabling technologies in support of such policy.

[2] Margin so in law.

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

(3) To establish priorities for programs and funding.

(4) To encourage and facilitate interagency and interdepartmental funding of programs in order to ensure necessary levels of funding to develop, operate, and field highly-capable systems.

(5) To ensure that Department of Energy programs are integrated with the operational needs of other departments and agencies of the Government.

(6) To ensure that Department of Energy national security programs include technology demonstrations and prototype development of equipment.

(c) DUTIES.—The committee shall—

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

(A) intelligence;

(B) battlefield surveillance;

(C) passive defenses;

(D) active defenses; and

(E) counterforce capabilities;

(2) prescribe requirements and priorities for the development and deployment of highly effective capabilities and technologies;

(3) identify deficiencies in existing capabilities and technologies;

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

(5) assess each fiscal year the effectiveness of the committee actions during the preceding fiscal year, including, particularly, the status of recommendations made during such preceding fiscal year that were reflected in the budget submitted to Congress pursuant to section 1105(a) of title 31, United States Code, for the fiscal year following the fiscal year in which the assessment is made.

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

(e) RECOMMENDATIONS.—The committee shall submit to the President and the heads of all appropriate departments and agencies of the Government such programmatic recommendations regarding existing, planned, or new programs as the committee considers appropriate to encourage funding for capabilities and technologies at the level necessary to support United States counterproliferation policy.

(f) TERMINATION OF COMMITTEE.—The committee shall cease to exist at the end of September 30, 2013.

SEC. 1606. REPORT ON NONPROLIFERATION AND COUNTERPROLIFERATION ACTIVITIES AND PROGRAMS.

(a) REPORT REQUIRED.—Not later than May 1, 1994, the Secretary of Defense shall submit to Congress a report on the findings of the committee on nonproliferation activities established by section 1605.

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

(1) A complete list, by program, of the existing, planned, and proposed capabilities and technologies reviewed by the committee, including all directed energy and laser programs reviewed pursuant to section 1605(c)(2).

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

(3) A comprehensive discussion of the near-term, mid-term, and long-term programmatic options formulated by the committee for meeting requirements prescribed by the committee and eliminating deficiencies identified by the committee, including the annual funding requirements and completion dates established for each such option.

(4) An explanation of the recommendations made pursuant to section 1605(e) and a full discussion of the actions taken on such recommendations, including the actions taken to implement the recommendations.

(5) A discussion of the existing and planned capabilities of the Department of Defense—

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

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

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

(6) A description of—

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

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

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

SEC. 1607. DEFINITIONS.

For purposes of this subtitle:

(1) The term "appropriate congressional committees" means—

(A) the Committee on Armed Services, the Committee on Appropriations, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

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

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

TITLE XVII—CHEMICAL AND BIOLOGICAL WEAPONS DEFENSE

SEC. 1701. [50 U.S.C. 1522] CONDUCT OF THE CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM.

(a) GENERAL.—The Secretary of Defense shall carry out the chemical and biological defense program of the United States in accordance with the provisions of this section.

(b) MANAGEMENT AND OVERSIGHT.—In carrying out his responsibilities under this section, the Secretary of Defense shall do the following:

(1) Assign responsibility for overall coordination and integration of the chemical and biological warfare defense program and the chemical and biological medical defense program to a single office within the Office of the Secretary of Defense.

(2) Take those actions necessary to ensure close and continuous coordination between (A) the chemical and biological warfare defense program, and (B) the chemical and biological medical defense program.

(3) Exercise oversight over the chemical and biological defense program through the Defense Acquisition Board process.

(c) COORDINATION OF THE PROGRAM.—(1) The Secretary of Defense shall designate the Army as executive agent for the Department of Defense to coordinate and integrate research, development, test, and evaluation, and acquisition, requirements of the military departments for chemical and biological warfare defense programs of the Department of Defense.

(2) The Director of the Defense Advanced Research Projects Agency may conduct a program of basic and applied research and advanced technology development on chemical and biological warfare defense technologies and systems. In conducting such program, the Director shall seek to avoid unnecessary duplication of the activities under the program with chemical and biological warfare defense activities of the military departments and defense agencies and shall coordinate the activities under the program with those of the military departments and defense agencies.

(d) FUNDING.—(1) The budget for the Department of Defense for each fiscal year after fiscal year 1994 shall reflect a coordinated and integrated chemical and biological defense program for the Department of Defense.

(2) Funding requests for the program (other than for activities under the program conducted by the Defense Advanced Research Projects Agency under subsection (c)(2)) shall be set forth in the

budget of the Department of Defense for each fiscal year as a separate account, with a single program element for each of the categories of research, development, test, and evaluation, acquisition, and military construction. Amounts for military construction projects may be set forth in the annual military construction budget. Funds for military construction for the program in the military construction budget shall be set forth separately from other funds for military construction projects. Funding requests for the program may be included in the budget accounts of the military departments.

(3) The program conducted by the Defense Advanced Research Projects Agency under subsection (c)(2) shall be set forth as a separate program element in the budget of that agency.

(4) All funding requirements for the chemical and biological defense program shall be reviewed by the Secretary of the Army as executive agent pursuant to subsection (c).

(e) MANAGEMENT REVIEW AND REPORT.—(1) The Secretary of Defense shall conduct a review of the management structure of the Department of Defense chemical and biological warfare defense program, including—

(A) research, development, test, and evaluation;
(B) procurement;
(C) doctrine development;
(D) policy;
(E) training;
(F) development of requirements;
(G) readiness; and
(H) risk assessment.

(2) Not later than May 1, 1994, the Secretary shall submit to Congress a report that describes the details of measures being taken to improve joint coordination and oversight of the program and ensure a coherent and effective approach to its management.

SEC. 1702. [50 U.S.C. 1522 note] CONSOLIDATION OF CHEMICAL AND BIOLOGICAL DEFENSE TRAINING ACTIVITIES.

The Secretary of Defense shall consolidate all chemical and biological warfare defense training activities of the Department of Defense at the United States Army Chemical School.

SEC. 1703. [50 U.S.C. 1523] ANNUAL REPORT ON CHEMICAL AND BIOLOGICAL WARFARE DEFENSE.

(a) REPORT REQUIRED.—The Secretary of Defense shall include in the annual report of the Secretary under section 113(c) of title 10, United States Code, a report on chemical and biological warfare defense. The report shall assess—

(1) the overall readiness of the Armed Forces to fight in a chemical-biological warfare environment and shall describe steps taken and planned to be taken to improve such readiness; and

(2) requirements for the chemical and biological warfare defense program, including requirements for training, detection, and protective equipment, for medical prophylaxis, and for treatment of casualties resulting from use of chemical or biological weapons.

(b) MATTERS TO BE INCLUDED.—The report shall include information on the following:

(1) The quantities, characteristics, and capabilities of fielded chemical and biological defense equipment to meet wartime and peacetime requirements for support of the Armed Forces, including individual protective items.

(2) The status of research and development programs, and acquisition programs, for required improvements in chemical and biological defense equipment and medical treatment, including an assessment of the ability of the Department of Defense and the industrial base to meet those requirements.

(3) Measures taken to ensure the integration of requirements for chemical and biological defense equipment and material among the Armed Forces.

(4) The status of nuclear, biological, and chemical (NBC) warfare defense training and readiness among the Armed Forces and measures being taken to include realistic nuclear, biological, and chemical warfare simulations in war games, battle simulations, and training exercises.

(5) Measures taken to improve overall management and coordination of the chemical and biological defense program.

(6) Problems encountered in the chemical and biological warfare defense program during the past year and recommended solutions to those problems for which additional resources or actions by the Congress are required.

(7) A description of the chemical warfare defense preparations that have been and are being undertaken by the Department of Defense to address needs which may arise under article X of the Chemical Weapons Convention.

(8) A summary of other preparations undertaken by the Department of Defense and the On-Site Inspection Agency to prepare for and to assist in the implementation of the convention, including activities such as training for inspectors, preparation of defense installations for inspections under the convention using the Defense Treaty Inspection Readiness Program, provision of chemical weapons detection equipment, and assistance in the safe transportation, storage, and destruction of chemical weapons in other signatory nations to the convention.

(9) A description of any program involving the testing of biological or chemical agents on human subjects that was carried out by the Department of Defense during the period covered by the report, together with—

(A) a detailed justification for the testing;

(B) a detailed explanation of the purposes of the testing;

(C) a description of each chemical or biological agent tested; and

(D) the Secretary's certification that informed consent to the testing was obtained from each human subject in advance of the testing on that subject.

(10) A description of the coordination and integration of the program of the Defense Advanced Research Projects Agency (DARPA) on basic and applied research and advanced technology development on chemical and biological warfare defense

technologies and systems under section 1701(c)(2) with the overall program of the Department of Defense on chemical and biological warfare defense, including—

(A) an assessment of the degree to which the DARPA program is coordinated and integrated with, and supports the objectives and requirements of, the overall program of the Department of Defense; and

(B) the means by which the Department determines the level of such coordination and support.

SEC. 1704. [50 U.S.C. 1522 note] SENSE OF CONGRESS CONCERNING FEDERAL EMERGENCY PLANNING FOR RESPONSE TO TERRORIST THREATS.

It is the sense of Congress that the President should strengthen Federal interagency emergency planning by the Federal Emergency Management Agency and other appropriate Federal, State, and local agencies for development of a capability for early detection and warning of and response to—

(1) potential terrorist use of chemical or biological agents or weapons; and

(2) emergencies or natural disasters involving industrial chemicals or the widespread outbreak of disease.

SEC. 1705. [50 U.S.C. 1524] AGREEMENTS TO PROVIDE SUPPORT TO VACCINATION PROGRAMS OF DEPARTMENT OF HEALTH AND HUMAN SERVICES.

(a) AGREEMENTS AUTHORIZED.—The Secretary of Defense may enter into agreements with the Secretary of Health and Human Services to provide support for vaccination programs of the Secretary of Health and Human Services in the United States through use of the excess peacetime biological weapons defense capability of the Department of Defense.

(b) REPORT.—Not later than February 1, 1994, the Secretary of Defense shall submit to the congressional defense committees a report on the feasibility of providing Department of Defense support for vaccination programs under subsection (a) and shall identify resource requirements that are not within the Department's capability.

TITLE XXIX—DEFENSE BASE CLOSURE AND REALIGNMENT

Subtitle A—Base Closure Community Assistance

SEC. 2901. [10 U.S.C. 2687 note] FINDINGS.

Congress makes the following findings:

(1) The closure and realignment of military installations within the United States is a necessary consequence of the end of the Cold War and of changed United States national security requirements.

(2) A military installation is a significant source of employment for many communities, and the closure or realignment of an installation may cause economic hardship for such communities.

(3) It is in the interest of the United States that the Federal Government facilitate the economic recovery of commu-

nities that experience adverse economic circumstances as a result of the closure or realignment of a military installation.

(4) It is in the interest of the United States that the Federal Government assist communities that experience adverse economic circumstances as a result of the closure of military installations by working with such communities to identify and implement means of reutilizing or redeveloping such installations in a beneficial manner or of otherwise revitalizing such communities and the economies of such communities.

(5) The Federal Government may best identify and implement such means by requiring that the head of each department or agency of the Federal Government having jurisdiction over a matter arising out of the closure of a military installation under a base closure law, or the reutilization and redevelopment of such an installation, designate for each installation to be closed an individual in such department or agency who shall provide information and assistance to the transition coordinator for the installation designated under section 2915 on the assistance, programs, or other activities of such department or agency with respect to the closure or reutilization and redevelopment of the installation.

(6) The Federal Government may also provide such assistance by accelerating environmental restoration at military installations to be closed, and by closing such installations, in a manner that best ensures the beneficial reutilization and redevelopment of such installations by such communities.

(7) The Federal Government may best contribute to such reutilization and redevelopment by making available real and personal property at military installations to be closed to communities affected by such closures on a timely basis, and, if appropriate, at less than fair market value.

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SEC. 2903. AUTHORITY TO TRANSFER PROPERTY AT CLOSED INSTALLATIONS TO AFFECTED COMMUNITIES AND STATES.

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(c) CONSIDERATION OF ECONOMIC NEEDS.—In order to maximize the local and regional benefit from the reutilization and redevelopment of military installations that are closed, or approved for closure, pursuant to the operation of a base closure law, the Secretary of Defense shall consider locally and regionally delineated economic development needs and priorities into the process by which the Secretary disposes of real property and personal property as part of the closure of a military installation under a base closure law. In determining such needs and priorities, the Secretary shall take into account the redevelopment plan developed for the military installation involved. The Secretary shall ensure that the needs of the homeless in the communities affected by the closure of such installations are taken into consideration in the redevelopment plan with respect to such installations.

(d) COOPERATION.—The Secretary of Defense shall cooperate with the State in which a military installation referred to in subsection (c) is located, with the redevelopment authority with respect to the installation, and with local governments and other in-

terested persons in communities located near the installation in implementing the entire process of disposal of the real property and personal property at the installation.

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SEC. 2910. IDENTIFICATION OF UNCONTAMINATED PROPERTY AT INSTALLATIONS TO BE CLOSED.

The identification by the Secretary of Defense required under section 120(h)(4)(A) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)(4)(A)), and the concurrence required under section 120(h)(4)(B) of such Act, shall be made not later than the earlier of—

(1) the date that is 9 months after the date of the submittal, if any, to the transition coordinator for the installation concerned of a specific use proposed for all or a portion of the real property of the installation; or

(2) the date specified in section 120(h)(4)(C)(iii) of such Act.

SEC. 2911. [10 U.S.C. 2687 note] COMPLIANCE WITH CERTAIN ENVIRONMENTAL REQUIREMENTS RELATING TO CLOSURE OF INSTALLATIONS.

Not later than 12 months after the date of the submittal to the Secretary of Defense of a redevelopment plan for an installation approved for closure under a base closure law, the Secretary of Defense shall, to the extent practicable, complete any environmental impact analyses required with respect to the installation, and with respect to the redevelopment plan, if any, for the installation, pursuant to the base closure law under which the installation is closed, and pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

SEC. 2912. [10 U.S.C. 2687 note] PREFERENCE FOR LOCAL AND SMALL BUSINESSES.

(a) PREFERENCE REQUIRED.—In entering into contracts with private entities as part of the closure or realignment of a military installation under a base closure law, the Secretary of Defense shall give preference, to the greatest extent practicable, to qualified businesses located in the vicinity of the installation and to small business concerns and small disadvantaged business concerns. Contracts for which this preference shall be given shall include contracts to carry out activities for the environmental restoration and mitigation at military installations to be closed or realigned.

(b) DEFINITIONS.—In this section:

(1) The term "small business concern" means a business concern meeting the requirements of section 3 of the Small Business Act (15 U.S.C. 632).

(2) The term "small disadvantaged business concern" means the business concerns referred to in section 8(d)(1) of such Act (15 U.S.C. 637(d)(1)).

(3) The term "base closure law" includes section 2687 of title 10, United States Code.

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SEC. 2914. CLARIFICATION OF UTILIZATION OF FUNDS FOR COMMUNITY ECONOMIC ADJUSTMENT ASSISTANCE.

(a) UTILIZATION OF FUNDS.—Subject to subsection (b), funds made available to the Economic Development Administration for economic adjustment assistance under section 4305 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat. 2700) may by utilized by the administration for administrative activities in support of the provision of such assistance.

(b) LIMITATION.—Not more than three percent of the funds referred to in subsection (a) may be utilized by the administration for the administrative activities referred to in such subsection.

SEC. 2915. [10 U.S.C. 2687 note] TRANSITION COORDINATORS FOR ASSISTANCE TO COMMUNITIES AFFECTED BY THE CLOSURE OF INSTALLATIONS.

(a) IN GENERAL.—The Secretary of Defense shall designate a transition coordinator for each military installation to be closed under a base closure law. The transition coordinator shall carry out the activities for such coordinator set forth in subsection (c).

(b) TIMING OF DESIGNATION.—A transition coordinator shall be designated for an installation under subsection (a) as follows:

(1) Not later than 15 days after the date of approval of closure of the installation.

(2) In the case of installations approved for closure under a base closure law before the date of the enactment of this Act, not later than 15 days after such date of enactment.

(c) RESPONSIBILITIES.—A transition coordinator designated with respect to an installation shall—

(1) encourage, after consultation with officials of Federal and State departments and agencies concerned, the development of strategies for the expeditious environmental cleanup and restoration of the installation by the Department of Defense;

(2) assist the Secretary of the military department concerned in designating real property at the installation that has the potential for rapid and beneficial reuse or redevelopment in accordance with the redevelopment plan for the installation;

(3) assist such Secretary in identifying strategies for accelerating completion of environmental cleanup and restoration of the real property designated under paragraph (2);

(4) assist such Secretary in developing plans for the closure of the installation that take into account the goals set forth in the redevelopment plan for the installation;

(5) assist such Secretary in developing plans for ensuring that, to the maximum extent practicable, the Department of Defense carries out any activities at the installation after the closure of the installation in a manner that takes into account, and supports, the redevelopment plan for the installation;

(6) assist the Secretary of Defense in making determinations with respect to the transferability of property at the installation under section 204(b)(5) of the Defense Authorization Amendments and Base Closure and Realignment Act (title II of Public Law 100–526; 10 U.S.C. 2687 note), as added by section 2904(a) of this Act, and under section 2905(b)(5) of the De-

fense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note), as added by section 2904(b) of this Act, as the case may be;

(7) assist the local redevelopment authority with respect to the installation in identifying real property or personal property at the installation that may have significant potential for reuse or redevelopment in accordance with the redevelopment plan for the installation;

(8) assist the Office of Economic Adjustment of the Department of Defense and other departments and agencies of the Federal Government in coordinating the provision of assistance under transition assistance and transition mitigation programs with community redevelopment activities with respect to the installation;

(9) assist the Secretary of the military department concerned in identifying property located at the installation that may be leased in a manner consistent with the redevelopment plan for the installation; and

(10) assist the Secretary of Defense in identifying real property or personal property at the installation that may be utilized to meet the needs of the homeless by consulting with the Secretary of Housing and Urban Development and the local lead agency of the homeless, if any, referred to in section 210(b) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11320(b)) for the State in which the installation is located.

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SEC. 2918. [10 U.S.C. 2687 note] DEFINITIONS.

(a) SUBTITLE A OF TITLE XXIX.—In this subtitle:

(1) The term "base closure law" means the following:

(A) The provisions of title II of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526; 10 U.S.C. 2687 note).

(B) The Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note).

(2) The term "date of approval", with respect to a closure or realignment of an installation, means the date on which the authority of Congress to disapprove a recommendation of closure or realignment, as the case may be, of such installation under the applicable base closure law expires.

(3) The term "redevelopment authority", in the case of an installation to be closed under a base closure law, means any entity (including an entity established by a State or local government) recognized by the Secretary of Defense as the entity responsible for developing the redevelopment plan with respect to the installation and for directing the implementation of such plan.

(4) The term "redevelopment plan", in the case of an installation to be closed under a base closure law, means a plan that—

(A) is agreed to by the redevelopment authority with respect to the installation; and

(B) provides for the reuse or redevelopment of the real property and personal property of the installation that is available for such reuse and redevelopment as a result of the closure of the installation.

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Subtitle B—Other Matters

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SEC. 2922. [10 U.S.C. 2687 note] LIMITATION ON EXPENDITURE OF FUNDS FROM THE DEFENSE BASE CLOSURE ACCOUNT 1990 FOR MILITARY CONSTRUCTION IN SUPPORT OF TRANSFERS OF FUNCTIONS.

(a) LIMITATION.—If the Secretary of Defense recommends to the Defense Base Closure and Realignment Commission pursuant to section 2903(c) of the 1990 base closure Act that an installation be closed or realigned, the Secretary identifies in documents submitted to the Commission one or more installations to which a function performed at the recommended installation would be transferred, and the recommended installation is closed or realigned pursuant to such Act, then, except as provided in subsection (b), funds in the Defense Base Closure Account 1990 may not be used for military construction in support of the transfer of that function to any installation other than an installation so identified in such documents.

(b) EXCEPTION.—The limitation in subsection (a) ceases to be applicable to military construction in support of the transfer of a function to an installation on the 60th day following the date on which the Secretary submits to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a notification of the proposed transfer that—

(1) identifies the installation to which the function is to be transferred; and

(2) includes the justification for the transfer to such installation.

(c) DEFINITIONS.—In this section:

(1) The term "1990 base closure Act" means the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note).

(2) The term "Defense Base Closure Account 1990" means the account established under section 2906 of the 1990 base closure Act.

TITLE XXXIII—NATIONAL DEFENSE STOCKPILE

Subtitle A—Authorizations of Disposals and Use of Funds

SEC. 3301. [50 U.S.C. 98d note] DISPOSAL OF OBSOLETE AND EXCESS MATERIALS CONTAINED IN THE NATIONAL DEFENSE STOCKPILE.

(a) DISPOSAL AUTHORIZED.—Subject to the conditions specified in subsection (b), the President may dispose of obsolete and excess materials currently contained in the National Defense Stockpile provided for in section 4 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98c) in order to modernize the stockpile.

The materials subject to disposal under this subsection and the quantity of each material authorized to be disposed of by the President are set forth in the following table:

Authorized Stockpile Disposals

Material for disposal	Quantity
Analgesics	53,525 pounds of anhydrous morphine alkaloid
Antimony	32,140 short tons
Diamond Dies, Small	25,473 pieces
Manganese, Electrolytic	14,172 short tons
Mica, Muscovite Block, Stained and Better	1,866,166 pounds
Mica, Muscovite Film, 1st & 2d quality	158,440 pounds
Mica, Muscovite Splittings	12,540,382 pounds
Quinidine	2,471,287 avoirdupois ounces
Quinidine, Non-Stockpile Grade	1,691 avoirdupois ounces
Quinine	2,770,091 avoirdupois ounces
Quinine, Non-Stockpile Grade	475,950 avoirdupois ounces
Rare Earths	504 short dry tons
Vanadium Pentoxide	718 short tons of contained vanadium

(b) CONDITIONS ON DISPOSAL.—The authority of the President under subsection (a) to dispose of materials stored in the National Defense Stockpile may not be used unless and until the Secretary of Defense certifies to Congress that the disposal of such materials will not adversely affect the capability of the stockpile to supply the strategic and critical materials necessary to meet the needs of the United States during a period of national emergency that requires a significant level of mobilization of the economy of the United States, including any reconstitution of the military and industrial capabilities necessary to meet the planning assumptions used by the Secretary of Defense under section 14(b) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h–5(b)).

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SEC. 3304. CONVERSION OF CHROMIUM ORE TO HIGH PURITY CHROMIUM METAL.

(a) UPGRADE PROGRAM AUTHORIZED.—Subject to subsection (b), the National Defense Stockpile Manager may carry out a program to upgrade to high purity chromium metal any stocks of chromium ore held in the National Defense Stockpile provided for in section 4 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98c) if the National Defense Stockpile Manager determines that additional quantities of high purity chromium metal are needed in the stockpile.

(b) INCLUSION IN ANNUAL MATERIALS PLAN.—Before entering into any contract in connection with the upgrade program author-

ized under subsection (a), the National Defense Stockpile Manager shall include a description of the upgrade program in the report containing the annual materials plan for the operation of the National Defense Stockpile required to be submitted to Congress under section 11(b) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h–2(b)) or in a revision of the report made in the manner provided by section 5(a)(2) of such Act (50 U.S.C. 98d(a)(2)).