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104TH CONGRESS, 1st Session | HOUSE OF REPRESENTATIVES | REPORT 104–101

MAKING EMERGENCY SUPPLEMENTAL APPROPRIATIONS AND RESCISSIONS TO PRESERVE AND ENHANCE THE MILITARY READINESS OF THE DEPARTMENT OF DEFENSE FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 1995, AND FOR OTHER PURPOSES

APRIL 5, 1995.—Ordered to be printed

Mr. LIVINGSTON, from the committee of conference, submitted the following

CONFERENCE REPORT

[To accompany H.R. 889]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 889) "making emergency supplemental appropriations and rescissions to preserve and enhance the military readiness of the Department of Defense for the fiscal year ending September 30, 1995, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4, 6, 7, 8, 10, 20, 22, and 25.

That the House recede from its disagreement to the amendments of the Senate numbered 16 and 23, and agree to the same.

Amendment numbered 1:

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to provide emergency supplemental appropriations for the Department of Defense to preserve and enhance military readiness for the fiscal year ending September 30, 1995, and for other purposes, namely:

89–730

TITLE I

CHAPTER I

EMERGENCY SUPPLEMENTAL APPROPRIATIONS

DEPARTMENT OF DEFENSE—MILITARY

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for "Military Personnel, Army," $260,700,000: Provided, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

MILITARY PERSONNEL, NAVY

For an additional amount for "Military Personnel, Navy," $183,100,000: Provided, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for "Military Personnel, Marine Corps," $25,200,000: Provided, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for "Military Personnel, Air Force," $207,100,000: Provided, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

RESERVE PERSONNEL, ARMY

For an additional amount for "Reserve Personnel, Army," $6,500,000: That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

RESERVE PERSONNEL, NAVY

For an additional amount for "Reserve Personnel, Navy," $9,600,000: Provided, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

RESERVE PERSONNEL, MARINE CORPS

For an additional amount for "Reserve Personnel, Marine Corps," $1,300,000: Provided, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

RESERVE PERSONNEL, AIR FORCE

For an additional amount for "Reserve Personnel, Air Force," $2,800,000: Provided, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for "National Guard Personnel, Army," $11,000,000: That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for "National Guard Personnel, Air Force," $5,000,000: Provided, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for "Operation and Maintenance, Army," $936,600,000: Provided, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, NAVY

For an additional amount for "Operation and Maintenance, Navy," $423,700,000: Provided, That such amount is designated by Congress as an emergency requirement pursuant to section 215(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for "Operation and Maintenance, Marine Corps," $33,500,000: Provided, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for "Operation and Maintenance, Air Force," $852,500,000: Provided, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for "Operation and Maintenance, Defense-Wide," $46,200,000: Provided, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for "Operation and Maintenance, Navy Reserve," $15,400,000: Provided, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

PROCUREMENT

OTHER PROCUREMENT, ARMY

For an additional amount for "Other Procurement, Army," $8,300,000, to remain available until September 30, 1997: Provided, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for "Defense Health Program," $13,200,000: Provided, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

CHAPTER II

RESCINDING CERTAIN BUDGET AUTHORITY

DEPARTMENT OF DEFENSE—MILITARY

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, NAVY

(RESCISSION)

Of the funds made available under this heading in Public Law 103–335, $2,000,000 are rescinded.

OPERATION AND MAINTENANCE, AIR FORCE

(RESCISSION)

Of the funds made available under this heading in Public Law 103–335, $2,000,000 are rescinded.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

(RESCISSION)

Of the funds made available under this heading in Public Law 103–335, $68,800,000 are rescinded.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

(RESCISSION)

Of the funds made available under this heading in Public Law 103–335, $15,400,000 are rescinded.

OPERATION AND MAINTENANCE, ARMY RESERVE

(RESCISSION)

Of the funds made available under this heading in Public Law 103–335, $6,200,000 are rescinded.

ENVIRONMENTAL RESTORATION, DEFENSE

(RESCISSION)

Of the funds made available under this heading in Public Law 103–335, $300,000,000 are rescinded.

FORMER SOVIET UNION THREAT REDUCTION

(RESCISSION)

Of the funds made available under this heading in Public Law 103–335, $20,000,000 are rescinded.

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

(RESCISSION)

Of the funds made available under this heading in Public Law 103–335, $34,411,000 are rescinded.

PROCUREMENT OF AMMUNITION, ARMY

(RESCISSIONS)

Of the funds made available under this heading in Public Law 102–396, $85,000,000 are rescinded.

Of the funds made available under this heading in Public Law 103–335, $55,900,000 are rescinded.

OTHER PROCUREMENT, ARMY

(RESCISSION)

Of the funds made available under this heading in Public Law 103–335, $32,100,000 are rescinded.

AIRCRAFT PROCUREMENT, AIR FORCE

(RESCISSIONS AND TRANSFER)

Of the funds made available under this heading in Public Law 102–396, $100,000,000 are rescinded.

Of the funds made available under this heading in Public Law 103–335, $27,500,000 are rescinded.

Of the funds made available under this heading in Public Law 103–335, $23,500,000 are hereby transferred and made available for obligation to Operation and Maintenance, Air Force.

MISSILE PROCUREMENT, AIR FORCE

(RESCISSIONS)

Of the funds made available under this heading in Public Law 102–396, $33,000,000 are rescinded.

Of the funds made available under this heading in Public Law 103–139, $99,000,000 are rescinded.

Of the funds made available under this heading in Public Law 103–335, $89,500,000 are rescinded.

OTHER PROCUREMENT, AIR FORCE

(RESCISSION)

Of the funds made available under this heading in Public Law 103–335, $6,100,000 are rescinded.

PROCUREMENT, DEFENSE-WIDE

(RESCISSION)

Of the funds made available under this heading in Public Law 103–335, $32,000,000 are rescinded.

NATIONAL GUARD AND RESERVE EQUIPMENT

(RESCISSION)

Of the funds made available under this heading in Public Law 103–335, $30,000,000 are rescinded.

DEFENSE PRODUCTION ACT PURCHASES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–139, $100,000,000 are rescinded.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

(RESCISSIONS)

Of the funds made available under this heading in Public Law 103–139, $5,000,000 are rescinded.

Of the funds made available under this heading in Public Law 103–335, $43,000,000 are rescinded.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

(RESCISSION)

Of the funds made available under this heading in Public Law 103–335, $68,800,000 are rescinded.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

(RESCISSIONS)

Of the funds made available under this heading in Public Law 103–139, $49,600,000 are rescinded.

Of the funds made available under this heading in Public Law 103–335, $191,200,000 are rescinded.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

(RESCISSIONS)

Of the funds made available under this heading in Public Law 103–139, $77,000,000 are rescinded.

Of the funds made available under this heading in Public Law 103–335, $436,445,000 are rescinded.

RELATED AGENCIES

NATIONAL SECURITY EDUCATION TRUST FUND

(RESCISSION)

Of the funds made available under this heading in Public Law 102–172, $75,000,000 are rescinded.

CHAPTER III

GENERAL PROVISIONS

SEC. 101. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 102. Notwithstanding sections 607 and 630 of the Foreign Assistance Act of 1961 (22 U.S.C. 2357, 2390) and sections 2608 and 2350j of title 10, United States Code, all funds received by the United States as reimbursement for expenses for which funds are provided in this Act shall be deposited in the Treasury as miscellaneous receipts.

SEC. 103. During the current fiscal year, appropriations available to the Department of Defense for the pay of civilian personnel

may be used, without regard to the time limitations specified in section 5523(a) of title 5, United States Code, for payments under the provisions of section 5523 of title 5, United States Code, in the case of employees, or an employee's dependents or immediate family, evacuated from Guantanamo Bay, Cuba, pursuant to the August 26, 1994 order of the Secretary of Defense. This section shall take effect as of March 5, 1995, and shall apply with respect to any payment made on or after that date.

(INCLUDING TRANSFER OF FUNDS)

SEC. 104. In addition to amounts appropriated or otherwise made available by this Act, $28,297,000 is hereby appropriated to the Department of Defense and shall be available only for transfer to the United States Coast Guard to cover the incremental operating costs associated with Operations Able Manner, Able Vigil, Restore Democracy, and Support Democracy: Provided, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

SEC. 105. (a) Section 8106A of the Department of Defense Appropriations Act, 1995 (Public Law 103–335), is amended by striking out the last proviso and inserting in lieu thereof the following: ": Provided further, That if, after September 30, 1994, a member of the Armed Forces (other than the Coast Guard) is approved for release from active duty or full-time National Guard duty and that person subsequently becomes employed in a position of civilian employment in the Department of Defense within 180 days after the release from active duty or full-time National Guard duty, then that person is prohibited from receiving payments under a Special Separation Benefits program (under section 1174a of title 10, United States Code) or a Voluntary Separation Incentive program (under section 1175 of title 10, United States Code) by reason of the release from active duty or full-time National Guard duty, and the person shall reimburse the United States the total amount, if any, paid such person under the program before the employment begins".

(b) Appropriations available to the Department of Defense for fiscal year 1995 may be obligated for making payments under sections 1174a and 1175 of title 10, United States Code.

(c) The amendment made by subsection (a) shall be effective as of September 30, 1994.

SEC. 106. (a) Subsection 8054(g) of the Department of Defense Appropriations Act, 1995 (Public Law 103–335), is amended to read as follows: "Notwithstanding any other provision of law, of the amounts available to the Department of Defense during fiscal year 1995, not more than $1,252,650,000 may be obligated for financing activities of defense FFRDCs: Provided, That, in addition to any other reductions required by this section, the total amounts appropriated in titles II, III, and IV of this Act are hereby reduced by $250,000,000 to reflect the funding ceiling contained in this subsection and to reflect further reductions in amounts available to the Department of Defense to finance activities carried out by defense FFRDCs and other entities providing consulting services, studies and analyses, systems engineering and technical assistance, and technical, engineering and management support.".

(b) Subsection 8054(h) of the Department of Defense Appropriations Act, 1995 (Public Law 103–335), is amended to read as follows: "The total amounts appropriated to or for the use of the Department of Defense in titles II, III, and IV of this Act are reduced by an additional $251,534,000 to reflect savings from the decreased use of non-FFRDC consulting services by the Department of Defense.".

(c) Not later than 60 days after enactment of this Act, the Under Secretary of Defense (Comptroller) shall report to the Committees on Appropriations of the Senate and the House of Representatives as to the total, separate amounts of appropriations provided, by title and by appropriations account, in titles II, III, and IV of the Department of Defense Appropriations Act, 1995 (Public Law 103–335), as amended.

SEC. 107. Within sixty days of the enactment of this Act, the President shall submit to Congress a report which shall include the following:

(a) A detailed description of the estimated cumulative incremental cost of all United States activities subsequent to September 30, 1993, in and around Haiti, including but not limited to—

(1) the cost of all deployments of United States Armed Forces and Coast Guard personnel, training, exercises, mobilization, and preparation activities, including the preparation of police and military units of the other nations of the multinational force involved in enforcement of sanctions, limits on migration, establishment and maintenance of migrant facilities at Guantanamo Bay and elsewhere, and all other activities relating to operations in and around Haiti; and

(2) the costs of all other activities relating to United States policy toward Haiti, including humanitarian and development assistance, reconstruction, balance of payments and economic support, assistance provided to reduce or eliminate all arrearages owed to International Financial Institutions, all rescheduling or forgiveness of United States bilateral and multilateral debt, aid and other financial assistance, all in-kind contributions, and all other costs to the United States Government.

(b) A detailed accounting of the source of funds obligated or expended to meet the costs described in paragraph (a), including—

(1) in the case of funds expended from the Department of Defense budget, a breakdown by military service or defense agency, line item and program; and

(2) in the case of funds expended from the budgets of departments and agencies other than the Department of Defense, by department or agency and program.

SEC. 108. None of the funds appropriated to the Department of Defense for the Technology Reinvestment Program under Public Law 130–335 shall be obligated for any new projects for which a selection has not been made until the Under Secretary of Defense for Acquisition and Technology certifies to the Congress that military officers and civilian employees of the military departments con-

stitute a majority of the membership on each review panel at every proposal evaluation step for the Technology Reinvestment Program: Provided, That the Under Secretary of Defense for Acquisition and Technology shall submit to the Congress a report describing each new Technology Reinvestment Program project or award and the military needs which the project addresses.

SEC. 109. None of the funds appropriated or otherwise made available by this Act may be obligated or expended for assistance to or programs in the Democratic People's Republic of Korea, or for implementation of the October 21, 1994, Agreed Framework between the United States and the Democratic People's Republic of Korea, unless specifically appropriated for that purpose.

And the Senate agree to the same.

Amendment numbered 2:

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows:

In lieu of the matter inserted by said amendment, insert:

SEC. 110. During the current fiscal year, none of the funds available to the Department of Defense for emergency and extraordinary expenses may be obligated or expended in an amount of $1,000,000 or more for any single transaction without prior notification to the Committees on Appropriations of the Senate and House of Representatives, the Senate Armed Services Committee, and the House National Security Committee.

And the Senate agree to the same.

Amendment numbered 3:

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows:

In lieu of "Sec. 112" named in said amendment, insert: *Sec. 111*; and the Senate agree to the same.

Amendment numbered 5:

That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows:

In lieu of the matter inserted by said amendment, insert:

DEPARTMENT OF DEFENSE—MILITARY CONSTRUCTION

SEC. 112. None of the funds made available to the Department of Defense for any fiscal year for military construction or family housing may be obligated to initiate construction projects upon enactment of this Act for any project on an installation that—

(1) was included in the closure and realignment recommendations submitted by the Secretary of Defense to the Base Closure and Realignment Commission on February 28, 1995, unless removed by the Base Closure and Realignment Commission, or

(2) is included in the closure and realignment recommendation as submitted to Congress in 1995 in accordance with the Defense Base Closure and Realignment Act of 1990, as amended (P.L. 101–510):

Provided, That the prohibition on obligation of funds for projects located on an installation cited for realignment are only to

be in effect if the function or activity with which the project is associated will be transferred from the installation as a result of the realignment: Provided further, That this provision will remain in effect unless the Congress enacts a Joint Resolution of Disapproval in accordance with the Defense Base Closure and Realignment Act of 1990, as amended (P.L. 101–510).

(RESCISSIONS)

SEC. 113. Of the funds appropriated under Public Law 103–307, the following funds are hereby rescinded from the following accounts in the specified amounts:

Military Construction, Army, $3,500,000;

Military Construction, Navy, $3,500,000;

Military Construction, Air Force, $3,500,000;

North Atlantic Treaty Organization Infrastructure, $33,000,000;

Base Realignment and Closure Account, Part III, $32,000,000.

Of the funds appropriated under Public Law 102–136, the following funds are hereby rescinded from the following account in the specified amount:

Military Construction, Naval Reserve, $25,100,000.

And the Senate agree to the same.

Amendment numbered 9:

That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows:

In lieu of the matter inserted by said amendment, insert:

SEC. 114. The Secretary of Defense shall not allocate a rescission to any military installation that the Secretary recommends for closure or realignment in 1995 under section 2903(c) of the Defense Base Closure and Realignment Act of 1990 (subtitle A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) in an amount in excess of the proportionate share for each installation for the current fiscal year of the funds rescinded from "Environmental Restoration, Defense" by this Act.

SEC. 115. Funds in the amount of $76,900,000 received during fiscal years 1994 and 1995 by the Department of the Air Force pursuant to the "Memorandum of Agreement between the National Aeronautics and Space Administration and the United States Air Force on Titan IV/Centaur Launch Support for the Cassini Mission," signed September 8, 1994, and September 23, 1994, and Attachments A, B, and C to that Memorandum, shall be merged with appropriations available for research, development, test and evaluation and procurement for fiscal years 1994 and 1995, and shall be available for the same time period as the appropriation with which merged, and shall be available for obligation only for those Titan IV vehicles and Titan IV-related activities under contract as of the date of enactment of this Act.

SEC. 116. Section 8025 of the Department of Defense Appropriations Act, 1995 (Public Law 103–335), is amended by striking out the amount "$203,736,000" and inserting in lieu thereof "$170,036,000".

SEC. 117. In addition to the rescissions made elsewhere in this Act, on September 15, 1995, $100,000,000 shall be rescinded from

appropriations under title III of the Department of Defense Appropriations Act, 1993 (Public Law 102–396).

And the Senate agree to the same.

Amendment numbered 11:

That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

CHAPTER IV

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES

DEPARTMENT OF TRANSPORTATION

FEDERAL RAILROAD ADMINISTRATION

GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

For an additional amount to enable the Secretary of Transportation to make a grant to the National Railroad Passenger Corporation, $21,500,000 is hereby appropriated which shall be available until expended for capital improvements associated with safety-related emergency repairs at the existing Pennsylvania Station in New York City: Provided, That none of the funds herein appropriated shall be used for the redevelopment of the James A. Farley Post Office Building in New York City as a train station and commercial center: Provided further, That the $21,500,000 shall be considered part of the Federal cost share for the redevelopment of the James A. Farley Post Office Building, if authorized.

TITLE II

And the Senate agree to the same.

Amendment Numbered 12:

That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and the matter inserted by said amendment, insert:

DEPARTMENT OF JUSTICE

IMMIGRATION AND NATURALIZATION SERVICE

IMMIGRATION EMERGENCY FUND

(RESCISSION)

Of the amounts made available under this heading in Public Law 103–317, $45,000,000 are rescinded.

DEPARTMENT OF COMMERCE

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

INDUSTRIAL TECHNOLOGY SERVICES

(RESCISSION)

Of the amounts made available under this heading in Public Law 103–317 for the Advanced Technology Program, $90,000,000 are rescinded.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

INFORMATION INFRASTRUCTURE GRANTS

(RESCISSION)

Of the amounts made available under this heading in Public Law 103–317, $15,000,000 are rescinded.

RELATED AGENCIES

SMALL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–317 for tree-planting grants pursuant to section 24 of the Small Business Act, as amended, $15,000,000 are rescinded.

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

(RESCISSION)

Of the funds made available under this heading in Public Law 103–317 for payment to the Legal Services Corporation to carry out the purposes of the Legal Services Corporation Act of 1974, as amended, $15,000,000 are rescinded.

And the Senate agree to the same.

Amendment numbered 13:

That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment, as follows:

Retain the matter inserted by said amendment, amended as follows:

Insert the following heading at the beginning of said amendment:

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES, ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MISSISSIPPI, MISSOURI, AND TENNESSEE

And on line 17, page 17 of the House of Representatives engrossed bill, H.R. 889, delete "$100,000,000" and insert in lieu thereof *$200,000,000*; and the Senate agree to the same.

Amendment numbered 14:

That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment, as follows:

In lieu of the sum named in said amendment insert: *$60,000,000*; and the Senate agree to the same.

Amendment numbered 15:

That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

DEVELOPMENT ASSISTANCE FUND

(RESCISSION)

Of the funds made available under this heading in Public Law 103–306 and prior appropriations Acts, $12,500,000 are rescinded.

ASSISTANCE FOR THE NEW INDEPENDENT STATES OF THE FORMER SOVIET UNION

(RESCISSION)

Of the funds made available under this heading in Public Law 103–87 and Public Law 103–306, $7,500,000 are rescinded.

Of the funds made available under this heading in Public Law 103–87 for support of an officer resettlement program in Russia as described in section 560(a)(5), $15,000,000 shall be allocated to other economic assistance and for related programs for the New Independent States of the Former Soviet Union notwithstanding the allocations provided in section 560 of said Act: Provided, That such funds shall not be available for assistance to Russia.

And the Senate agree to the same.

Amendment numbered 17:

That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

SCHOOL IMPROVEMENT PROGRAMS

(RESCISSION)

Of the funds made available under this heading in Public Law 103–333 for new education infrastructure improvement grants, $65,000,000 are rescinded.

STUDENT FINANCIAL ASSISTANCE

(RESCISSION)

Of the funds made available under this heading in Public Law 103–112, $35,000,000 made available for title IV, part A, subpart 1 of the Higher Education Act are rescinded.

And the Senate agree to the same.

Amendment numbered 18:

That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert:

FEDERAL AVIATION ADMINISTRATION

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

(RESCISSION)

Of the available balances under this heading that remain unobligated for the "advanced automation system", $35,000,000 are rescinded.

FEDERAL HIGHWAY ADMINISTRATION

MISCELLANEOUS HIGHWAY DEMONSTRATION PROJECTS

(HIGHWAY TRUST FUND)

(RESCISSION)

Of the available appropriated balances provided in Public Law 93–87; Public Law 98–8; Public Law 98–473; and Public Law 100–71, $12,004,450 are rescinded.

And the Senate agree to the same.

Amendment numbered 19:

That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment, amended as follows:

In lieu of the sum named in said amendment insert: *$6,563,000*; and the Senate agree to the same.

Amendment numbered 21:

That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment to read as follows:

INDEPENDENT AGENCIES

ENVIRONMENTAL PROTECTION AGENCY

ADMINISTRATIVE PROVISION

The Congress finds that the 1990 amendments to the Clean Air Act (Public Law 101–549) superseded prior requirements of the Clean Air Act regarding the demonstration of attainment of national ambient air quality standards for the South Coast, Ventura, and Sacramento areas of California and thus eliminated the obligation of the Administrator of the Environmental Protection Agency to promulgate a Federal implementation plan under section 110(e) of the Clean Air Act for those areas. Upon the enactment of this Act, any Federal implementation plan that has been promulgated by the Administrator of the Environmental Protection Agency under the Clean Air Act for the South Coast, Ventura, or Sacramento areas of California pursuant to a court order or settlement shall be rescinded and shall have no further force and effect.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

NATIONAL AERONAUTICAL FACILITIES

Public Law 103–327 is amended in the paragraph under this heading by striking "March 31, 1997" and all that follows, and inserting in lieu thereof. "September 30, 1997: Provided, That not to exceed $35,000,000 shall be available for obligation prior to October 1, 1996.".

And the Senate agree to the same.

Amendment numbered 24:

That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment insert:

TITLE IV—MEXICAN DEBT DISCLOSURE ACT OF 1995

SEC. 401. SHORT TITLE.

This title may be cited as the "Mexican Debt Disclosure Act of 1995".

SEC. 402. FINDINGS.

The Congress finds that—

(1) Mexico is an important neighbor and trading partner of the United States;

(2) on January 31, 1995, the President approved a program of assistance to Mexico, in the form of swap facilities and securities guarantees in the amount of $20,000,000,000, using the exchange stabilization fund;

(3) the program of assistance involves the participation of the Board of Governors of the Federal Reserve System, the

International Monetary Fund, the Bank for International Settlements, the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Bank of Canada, and several Latin American countries;

(4) the involvement of the exchange stabilization fund and the Board of Governors of the Federal Reserve System means that United States taxpayer funds will be used in the assistance effort to Mexico;

(5) assistance provided by the International Monetary Fund, the International Bank for Reconstruction and Development, and the Inter-American Development Bank may require additional United States contributions of taxpayer funds to those entities;

(6) the immediate use of taxpayer funds and the potential requirement for additional future United States contributions of taxpayer funds necessitates congressional oversight of the disbursement of funds; and

(7) the efficacy of the assistance to Mexico is contingent on the pursuit of sound economic policy by the Government of Mexico.

SEC. 403. PRESIDENTIAL REPORTS.

(a) REPORTING REQUIREMENT.—Not later than June 30, 1995, and every 6 months thereafter, the President shall transmit to the appropriate congressional committees a report concerning all guarantees issued to, and short-term and long-term currency swaps with, the Government of Mexico by the United States Government, including the Board of Governors of the Federal Reserve System.

(b) CONTENTS OF REPORTS.—Each report described in subsection (a) shall contain a description of the following actions taken, or economic situations existing, during the preceding 6-month period or, in the case of the initial report, during the period beginning on the date of enactment of this Act:

(1) Changes in wage, price, and credit controls in the Mexican economy.

(2) Changes in taxation policy of the Government of Mexico.

(3) Specific actions taken by the Government of Mexico to further privatize the economy of Mexico.

(4) Actions taken by the Government of Mexico in the development of regulatory policy that significantly affected the performance of the Mexican economy.

(5) Consultations concerning the program approved by the President, including advice on economic, monetary, and fiscal policy, held between the Government of Mexico and the Secretary of the Treasury (including any designee of the Secretary) and the conclusions resulting from any periodic reviews undertaken by the International Monetary Fund pursuant to the Fund's loan agreements with Mexico.

(6) All outstanding loans, credits, and guarantees provided to the Government of Mexico, by the United States Government, including the Board of Governors of the Federal Reserve System, set forth by category of financing.

(7) The progress the Government of Mexico has made in stabilizing the peso and establishing an independent central bank or currency board.

(c) SUMMARY OF TREASURY DEPARTMENT REPORTS.—In addition to the information required to be included under subsection (b), each report required under this section shall contain a summary of the information contained in all reports submitted under section 404 during the period covered by the report required under this section.

SEC. 404. REPORTS BY THE SECRETARY OF THE TREASURY.

(a) REPORTING REQUIREMENT.—Beginning on the last day of the first month which begins after the date of enactment of this Act, and on the last day of every month thereafter, the Secretary of the Treasury shall submit to the appropriate congressional committees a report concerning all guarantees issued to, and short-term and long-term currency swaps with, the Government of Mexico by the United States Government, including the Board of Governors of the Federal Reserve System.

(b) CONTENTS OF REPORTS.—Each report described in subsection (a) shall include a description of the following actions taken, or economic situations existing, during the month in which the report is required to be submitted:

(1) The current condition of the Mexican economy.

(2) The reserve positions of the central bank of Mexico and data relating to the functioning of Mexico monetary policy.

(3) The amount of any funds disbursed from the exchange stabilization fund pursuant to the program of assistance to the Government of Mexico approved by the President on January 31, 1995.

(4) The amount of any funds disbursed by the Board of Governors of the Federal Reserve System pursuant to the program of assistance referred to in paragraph (3).

(5) Financial tranactions, both inside and outside of Mexico, made during the reporting period involving funds disbursed to Mexico from the exchange stabilization fund or proceeds of Mexican Government securities guaranteed by the exchange stabilization fund.

(6) All oustanding guarantees issued to, and short-term and medium-term currency swaps with, the Government of Mexico by the Secretary of the Treasury, set forth by category of financing.

(7) All outstanding currency swaps with the central bank of Mexico by the Board of Governors of the Federal Reserve System and the rationale for, and any expected costs of, such transactions.

(8) The amount of payments made by customers of Mexican petroleum companies that have been deposited in the account at the Federal Reserve Bank of New York established to ensure repayment of any payment by the United States Government, including the Board of Governors of the Federal Reserve System, in connection with any guarantee issued to, or any swap with, the Government of Mexico.

(9) Any setoff by the Federal Reserve Bank of New York against funds in the account described in paragraph (8).

(10) To the extent such information is available, once there has been a setoff by the Federal Reserve Bank of New York, any

interruption in deliveries of petroleum products to existing customers whose payments were setoff.

(11) The interest rates and fees charged to compensate the Secretary of the Treasury for the risk of providing financing.

SEC. 405. TERMINATION OF REPORTING REQUIREMENTS.

The requirements of sections 403 and 404 shall terminate on the date that the Government of Mexico has paid all obligations with respect to swap facilities and guarantees of securities made available under the program approved by the President on January 31, 1995.

SEC. 406. PRESIDENTIAL CERTIFICATION REGARDING SWAP OF CURRENCIES TO MEXICO THROUGH EXCHANGE STABILIZATION FUND OR FEDERAL RESERVE.

(a) IN GENERAL.—Notwithstanding any other provision of law, no loan, credit, guarantee, or arrangement for a swap of currencies to Mexico through the exchange stabilization fund or by the Board of Governors of the Federal Reserve System may be extended or (if already extended) further utilized, unless and until the President submits to the appropriate congressional committees a certification that—

(1) there is no projected cost (as defined in the Credit Reform Act of 1990) to the United States from the proposed loan, credit, guarantee, or currency swap;

(2) all loans, credits, guarantees, and currency swaps are adequately backed to ensure that all United States funds are repaid;

(3) the Government of Mexico is making progress in ensuring an independent central bank or an independent currency control mechanism;

(4) Mexico has in effect a significant economic reform effort; and

(5) the President has provided the documents described in paragraphs (1) through (28) of House Resolution 80, adopted March 1, 1995.

(b) TREATMENT OF CLASSIFIED OR PRIVILEGED MATERIAL.—For purposes of the certification required by subsection (a)(5), the President shall specify, in the case of any document that is classified or subject to applicable privileges, that, while such document may not have been produced to the House of Representatives, in lieu thereof it has been produced to specified Members of Congress or their designees by mutual agreement among the President, the Speaker of the House, and the chairmen and ranking members of the Committee on Banking and Financial Services, the Committee on International Relations, and the Permanent Select Committee on Intelligence of the House.

SEC. 407. DEFINITIONS.

For purposes of this title, the following definitions shall apply:

(1) APPROPRIATE CONGRESSIONAL COMMITTEE.—The term "appropriate congressional committees" means the Committees on International Relations and Banking and Financial Services of the House of Representatives, the Committees on Foreign Relations and Banking, Housing and Urban Affairs of the Senate,

and the Committees on Appropriations of the House of Representatives and the Senate.

(2) EXCHANGE STABILIZATION FUND.—The term "exchange stabilization fund" means the stabilization fund referred to in section 5302(a)(1) of title 31, United States Code.

And the Senate agree to the same.

That the Senate recede from its amendment to the title of the bill.

For consideration of Senate amendments numbered 3, 5, 6, 7, and 10 thru 25, and the Senate amendment to the title of the bill:

BOB LIVINGSTON,
JOHN MYERS,
BILL YOUNG,
RALPH REGULA,
JERRY LEWIS,
JOHN EDWARD PORTER,
HAROLD ROGERS,
FRANK R. WOLF,
BARBARA F. VUCANOVICH,
SONNY CALLAHAN,
CHARLES WILSON,
ALAN MOLLOHAN,

For consideration of Senate amendments numbered 1, 2, 4, 8, and 9:

BILL YOUNG,
JOE MCDADE,
BOB LIVINGSTON,
JERRY LEWIS,
JOE SKEEN,
DAVE HOBSON,
HENRY BONILLA,
GEORGE R. NETHERCUTT, Jr.,
MARK NEUMANN,
JOHN P. MURTHA,
NORMAN DICKS,
CHARLES WILSON,
W.G. BILL HEFNER,

Except Ament. No. 1 re: ELF:

MARTIN OLAV SABO,

Managers on the Part of the House.

MARK O. HATFIELD,
TED STEVENS,
THAD COCHRAN,
ARLEN SPECTER,
PETE V. DOMENICI,
PHIL GRAMM,
KIT BOND,
SLADE GORTON,
MITCH MCCONNELL,
CONRAD BURNS,
ROBERT BYRD,
DANIEL K. INOUYE,

ERNEST F. HOLLINGS,
J. BENNETT JOHNSTON,
PATRICK J. LEAHY,
FRANK R. LAUTENBERG,
BARBARA A. MIKULSKI,
HARRY REID,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 889) making emergency supplemental appropriations and rescissions to preserve and enhance the military readiness of the Department of Defense for the fiscal year ending September 30, 1995, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effects of the action agreed upon by the managers and recommended in the accompanying conference report.

Report language included by the House in the report accompanying H.R. 889 (H. Rept. 104–29) and the report accompanying H.R. 845 (H. Rept. 104–30) which is not changed by the report of the Senate (S. Rept. 104–12), and Senate report language which is not changed by the conference are approved by the committee of conference. The statement of the managers while repeating some report language for emphasis, is not intended to negate the language referred to above unless expressly provided herein.

Amendment No. 1: Inserts an enacting clause, inserts language making emergency supplemental appropriations for the Department of Defense, inserts language rescinding certain budget authority from the Department of Defense and inserts general provisions relating to the Department of Defense. The Senate amendment deleted the enacting clause and all the House language providing emergency supplemental appropriations and directing certain rescissions relating to the Department of Defense and inserted new language providing supplemental appropriations and providing additional rescissions and language provisions relating to the Department. The details of the conference agreement follow:

TITLE I

CHAPTER I

EMERGENCY SUPPLEMENTAL APPROPRIATIONS

DEPARTMENT OF DEFENSE—MILITARY

The conference agreement includes a total of $3,069,997,000 for unfunded military personnel, operation and maintenance, and procurement costs associated with contingency operations and other readiness requirements instead of $3,208,400,000 as proposed by the House and $1,963,697,000 as proposed by the Senate. The conferees also have agreed to a general provision proposed by the House which will provide $360,000,000 in offsets to this amount from burdensharing contributions.

After the House and Senate acted on the fiscal year 1995 Supplemental budget request, the Department of Defense identified several significant revisions to the cost of contingency operations. These revisions, outlined in the table below, include a reduction to Operation VIGILANT WARRIOR that concluded on December 22, 1994, and increases for support of Cuban refugees, as well as flying hour costs associated with several of these operations. The conferees agree to incorporate these revisions in the total appropriations provided to the Department.

In addition to providing funds to cover contingency operations costs, the conference agreement also includes funds to pay for other readiness enhancements in the Military Personnel and Operation and Maintenance accounts. Funds are added to completely pay for the fiscal year 1995 military pay raise, and cover increased overseas station allowance costs accruing from the recent decline in the value of the dollar. Funds also are included to finance shortfalls in Navy flying hour costs.

A summary of the conference agreement is as follows:

SUMMARY OF CONFERENCE AGREEMENT

	Army	Navy	Marine Corps	Air Force	Defense-Wide		Defense Health Program	Army Reserve	Navy Reserve	Marine Corps Reserve	Air Force Reserve	Army Guard	Air Guard	Total
					DIA	SOCOM								
Military personnel:														
Budget request	69.3	49.5	10.4	71.7	.....	.....	.....	.....	4.6	.....	.....	.....	.....	205.5
Adjustments to request:														
Vigilant Warrior	2.8	1.5	.....	−3.5	.....	.....	.....	.....	.....	.....	.....	.....	.....	0.8
Cuba refugee support	3.6	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	3.6
Other readiness enhancements:														
Military pay raise	75.5	68.2	3.0	70.4	.....	.....	.....	6.5	5.0	1.3	2.8	11.0	5.0	248.7
Overseas station allowance	109.5	63.9	11.8	68.5	.....	.....	.....	.....	.....	.....	.....	.....	.....	253.7
Subtotal, military personnel	260.7	183.1	25.2	207.1	.....	.....	.....	6.5	9.6	1.3	2.8	11.0	5.0	712.3
Operation and maintenance:														
Budget request	958.6	347.6	38.0	888.7	3.6	39.6	14.0	.....	6.4	.....	.....	.....	.....	2,296.5
Adjustments to request:														
Vigilant Warrior	−29.8	−0.9	−4.5	−36.2	.....	.....	−0.8	.....	.....	.....	.....	.....	.....	−72.2
Cuba refugee support	7.8	38.6	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	46.4
Contingency flying hours	.....	19.7	.....	.....	.....	3.0	.....	.....	.....	.....	.....	.....	.....	22.7
Cuba real property	.....	−22.3	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	−22.3
Other readiness enhancements:														
Navy flying hours	.....	41.0	.....	.....	.....	.....	.....	.....	9.0	.....	.....	.....	.....	50.0
Subtotal, operation and maintenance	936.6	423.7	33.5	852.5	3.6	42.6	13.2	.....	15.4	.....	.....	.....	.....	2,321.1
Procurement:														
Other procurement	8.3	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	8.3
Total	1,205.6	606.8	58.7	1,059.6	3.6	42.6	13.2	6.5	25.0	1.3	2.8	11.0	5.0	3,041.7
Burdensharing (Sec. 102)	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	−360.0
Grand total	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	2,681.7

CONTINGENCY AND NON-TRADITIONAL MISSIONS

The conferees express their deep concern over the process by which U.S. military forces are being deployed on major, large scale contingency operations. The conferees note that the Administration neither sought nor received advance approval of or funding for military operations from the Congress in support of peacekeeping and humanitarian missions. The missions involving Somalia, Rwanda, Haiti, and refugee relief in the Caribbean all mark significant departures from previous emergency deployments of American forces dealing with valid threats to the national security. The conferees strongly believe that military deployments in support of peacekeeping or humanitarian objectives both merit and require advance approval by the Congress.

This issue is of special concern to the conferees because of the effect these operations have had on the defense budgeting and planning process. There is no question but that the recent spate of "contingency" deployments, none of which was approved in advance by Congress nor budgeted for, have wreaked havoc upon the ability of the Department of Defense to maintain military readiness. These operations have led to substantial and repeated diversions of funds intended for training, equipment and property maintenance. From the Secretary of Defense to commanders in the field, there is universal acknowledgment that this practice has led to degradations in readiness.

A related issue involves the rapid increase in Defense Department participation in activities which under both law and tradition are the responsibility of other Federal departments. The principal example of this trend is the use of DoD funds, personnel, and facilities to deal with the issue of Cuban and Haitian refugees. The cost of these operations has been almost entirely borne by the Department of Defense, even though other Federal entities have long had primary responsibility for dealing with refugee and immigration issues and have, in the past, reimbursed the Department of Defense for such support in accordance with the Economy Act. At present, DoD is being forced to bear $1 million per day in costs for these operations, out of funds intended to be used for military operations, training, and readiness. The conferees believe DoD should not be forced to bear the cost of operations whch are not its responsibility, especially when it results in a substantial diversion of funds provided by the Congress expressly for military activities.

These problems underline the need for the Executive Branch to seek congressional approval for unanticipated nontraditional military operations in advance. The conferees intend to address these issues in connection with the fiscal year 1996 appropriations process, in order to avoid the recurrence of situations such as those which created the need for the appropriations contained in this measure. The conferees strongly urge the Administration to provide detailed and timely proposals to assist in resolving these issues.

OTHER PROCUREMENT, ARMY

The budget request included $28,600,000 for a wide variety of equipment in the "Other Procurement, Army" account. The con-

ferees recommend a total of $8,300,000 for the highest priority programs within the request.

CHAPTER II

RESCINDING CERTAIN BUDGET AUTHORITY

DEPARTMENT OF DEFENSE—MILITARY

The conferees agree to rescind $2,009,956,000 from fiscal year 1993, 1994, and 1995 appropriations and make other reductions of $250,000,000 in funds available to the Department of Defense. The conference agreement on items in conference is as follows:

Rescissions Recommended in the Bill

[In thousands of dollars]

Item	*Conference Agreement*
Operation and maintenance, Navy: Classified programs	(2,000)
Operation and maintenance, Air Force: Classified programs	(2,000)
Operation and maintenance, Defense-Wide:	
Other conversion initiatives	(18,800)
DFAS pricing rebate	(50,000)
Operation and maintenance, Army National Guard: Reserve component automation system	(15,400)
Operation and maintenance, Army Reserve: Reserve component automation system	(6,200)
Environmental restoration, Defense	(300,000)
Former Soviet Union threat reduction	(20,000)
Aircraft procurement, Army, 1995/1997: AH–64 Apache	(34,411)
Procurement of ammunition, Army, 1993/1995 armament and retooling manufacturing support initiative	(85,000)
Procurement of ammunition, Army, 1995/1997:	
Provision of industrial facilities	(5,550)
Layaway of industrial facilities	(46,000)
Conventional ammo demilitarization	(4,350)
Other procurement, Army, 1995/1997:	
Reserve component automation system	(12,100)
SINCGARS contract savings	(20,000)
Aircraft procurement, Air Force, 1993/1995: C–17 aircraft	(100,000)
Aircraft procurement, Air Force, 1995/1997: SR–71	(27,500)
Missile procurement, Air Force, 1993/1995: Advanced cruise missile	(33,000)
Missile procurement, Air Force, 1994/1996:	
Triservice standoff attack missile	(86,200)
Minuteman II/III missile	(12,800)
Missile procurement, Air Force, 1995/1997:	
AMRAAM missile contract savings	(39,500)
Classified programs	(50,000)
Other procurement, Air Force, 1995/1997: Classified programs	(6,100)
Procurement, Defense-wide, 1995/1997: Defense Airborne Reconnaissance Program, UAV (Hunter)	(32,000)
National Guard and Reserve equipment, 1995/1997: Miscellaneous equipment	(30,000)
Defense Production Act: Defense Production Act purchases	(100,000)
Research, development, test, and evaluation, Army, 1994/1995: Triservice standoff attack missile	(5,000)
Research, development, test, and evaluation, Army, 1995/1996: Program reductions, science and technology	(43,000)
Research, development, test, and evaluation, Navy, 1995/1996:	
Triservice standoff attack missile	(29,800)
Program reductions, science and technology	(39,000)
Research, development, test, and evaluation, Air Force, 1994/1995: Triservice standoff attack missile	(49,600)
Research, development, test, and evaluation, Air Force, 1995/1996: Triservice standoff attack missile	(111,200)

Item	*Conference Agreement*
Program reductions, science and technology	(40,000)
Tactical support satellite	(15,000)
Hypersonic Flight Technology Program	(25,000)
Research, development, test, and evaluation, Defense-wide, 1994/1995: Technology reinvestment program/dual use partnership	(77,000)
Research, Development, test, and evaluation, Defense-wide, 1995/1996:	
Technology reinvestment program/Defense reinvestment (ARPA)	(223,000)
Other conversion initiatives/Defense reinvestment (OSD)	(16,600)
NATO research and development	(5,000)
Program reductions, science and technology	(103,000)
Experimental evaluation of major innovative technology:	
Program reduction	(20,000)
Tactical support satellite	(53,845)
Manufacturing technology (ARPA)	(15,000)
National education trust fund (non-add)	(−75,000)
Subtotal rescissions	(2,009,956)
Sec. 106—Federally funded research and development centers—Consulting services	(150,000)
Sec. 117—Expiring fiscal year 1993 balances—Title III	(100,000)
Total fiscal year 1993/1994/1995 rescissions	(2,259,956)

RESERVE COMPONENT AUTOMATION SYSTEM

The Senate proposed to rescind $46,900,000 in the Other Procurement, Army appropriation for the Reserve Component Automation System. In February 1995 the Army conducted a special review of the program which resulted in a proposal to significantly change the system's architecture and caused a temporary delay. The Army informed the conferees that given these events, $33,700,000 is no longer needed to execute the program during fiscal year 1995. The conferees agree to rescind $12,100,000 in Other Procurement, Army; $15,400,000 in Operation and Maintenance, Army National Guard; and $6,200,000 in Operation and Maintenance, Army Reserve. This action should not be construed as either agreement or disagreement with the Army's proposed restructure of the program. The conferees have amended section 8025 of the Department of Defense Appropriations Act for fiscal year 1995 to reflect this reduction.

SINCGARS

The conferees recommend a rescission of $20,000,000 for the SINCGARS radio in the "Other Procurement, Army" account. These funds are available as a result of savings because of a lower than projected per unit cost in a recent contract award.

ARMAMENT RETOOLING AND MANUFACTURING SUPPORT INITIATIVE

The conferees agree to rescind $85,000,000 for the Armament Retooling and Manufacturing Support Initiative. The budget submission requested that the expiring fiscal year 1993 funds be made available to fix a funding shortfall for tank ammunition in fiscal year 1996. The conferees do not believe that fiscal year 1996 shortfalls should be funded with excess funds from previous fiscal years. Although the conferees support the multi-year tank ammunition contract, the budget proposal does not comply with standard acquisition and budget procedures. The conferees' decision to rescind the

funds does not prejudge any decision regarding programs that have funding shortfalls in fiscal year 1996. The conferees would consider a reprogramming request to continue the manufacture of the 120mm armor piercing tank ammunition if it is necessary to maintain production in fiscal year 1995. The conferees understand that closing the existing production line would greatly increase costs for this needed ammunition.

APACHE HELICOPTER

The conferees agree to rescind $34,411,000 for Apache-A production. Of the available funds, $5,611,000 is only for Apache engineering support and $37,589,000 is only for long lead procurement for the Longbow Apache program.

NATIONAL SECURITY EDUCATION TRUST FUND

The conferees agree to rescind $75,000,000 of the amount appropriated for the National Security Education Trust Fund in Public Law 102–172. The intent of the conferees is to reduce the corpus of the Fund by 50 percent.

CLASSIFIED PROGRAMS

The Senate proposed classified rescissions totalling $60,100,000. The House proposed no such rescission. The conferees agree to a reduction of $60,100,000 as discussion in the Classified Report which accompanies this Statement of the Managers.

FORMER SOVIET UNION THREAT REDUCTION

The House rescinded a total of $80,000,000 originally appropriated for housing, conversion projects, and the Defense Enterprise Fund. The Senate proposed no such reduction. The conferees agree to a reduction of $20,000,000.

C–17

The conferees agree to rescind $100,000,000 in fiscal year 1993 Air Force aircraft procurement funds from the C–17 program for engineering change orders. The recommendation is made without prejudice as the Air Force has informed the conferees that the funds could not be obligated before they expired at the end of the fiscal year. The conferees have also been informed by the Air Force that the C–17 program office intends to use fiscal year 1994 and fiscal year 1995 funds to implement the low cost engine nacelle modification when the requirements are fully defined.

SR–71

Of the $100,000,000 appropriated for the SR–71 activation in fiscal year 1995, the conferees agree to rescind $27,500,000, and transfer $23,500,000 from Aircraft Procurement, Air Force (APAF) 95/97 to Operation and Maintenance, Air Force (OMAF) 95 as follows:

[In thousands of dollars]

	Fiscal Year 1995 appropriation	Rescission	Transfer	Net
APAF	$65,000	$ − 27,500	$ − 23,500	$14,000
OMAF	35,000	0	+23,500	58,500
Total	100,000	− 27,500	0	72,500

GUARD AND RESERVE MISCELLANEOUS EQUIPMENT

The conferees agree to a rescission of $30,000,000 for Guard and Reserve miscellaneous equipment as proposed by the House. The conferees agree that the $30,000,000 rescission is to be allocated proportionally to the amount appropriated to each of the Reserve Components for procurement of miscellaneous equipment in fiscal year 1995.

HYPERSONIC FLIGHT TECHNOLOGY

The conferees recommend a rescission of $25,000,000 from the $45,000,000 appropriated in the Hypersonic Flight Technology program funded in the Air Force fiscal year 1995 Research, Development, Test and Evaluation appropriation. The conferees endorse the Air Force's new budget plan which requires $10,000,000 to close out the Hypersonics Systems Technology (HySTP) program and $10,000,000 to initiate a new technology program focused on warfighter needs.

TACTICAL SUPPORT SATELLITE

The Senate proposed rescissions totaling $68,845,000 and termination of the Tactical Support Satellite. The House proposed no such action. The conferees agree with the Senate recommendation.

RDT&E GENERAL REDUCTIONS

The conferees direct that general reductions to Science and Technology, Experimental Evaluation of Major Innovative Technologies, and Manufacturing Technology (ARPA) programs be applied in a manner such that no disproportionate reduction be made to any individual project within these program elements.

DEFENSE FINANCE AND ACCOUNTING SERVICE

The conferees agree to rescind $50,000,000 from the Operation and Maintenance, Defense-wide account, and direct the Defense Finance and Accounting Service (DFAS) to rebate prices charged to Defense Agencies and the Office of the Secretary of Defense for accounting services provided in fiscal year 1995 in order to reduce expected operating gains by a like amount.

BALLISTIC MISSILE DEFENSE

The conferees have restored funds for the National Test Facility to avoid any negative impact on critical theater missile defense (TMD) programs during the remainder of fiscal year 1995. However, the conferees note the importance and capabilities of the Bal-

listic Missile Defense Organization's (BMDO) Advanced Research Center (ARC) supercomputing facility.

The United States Army Space and Strategic Defense Command (USASSDC) ARC in Alabama has proven to be a cost-effective solution in the development, integration and testing of the Army's missile defense programs. The ARC, in the opinion of the conferees, has demonstrated that these cost effective procedures in accomplishing the test and integration function for the Army's missile defense programs can also be applied to accomplish the integration and testing of BMDO systems.

The mature simulation environment of the ARC has existing, state-of-the-art component test beds within the facility which are supporting space and theater missile defense programs. Test beds included in the ARC are the Extended Air Defense Test Bed (EADTB), Ground Based Radar Test Facility (GBRTF), Missile Defense Data Center (MDDC), Integrated System Test Capability (ISTC), TMD System Exerciser (TMD–SE), and others which support space and missile defense tests and integration. The ARC has secure communication links to the other modern DoD test facilities through defense and commercial networks that are required to conduct system simulations and evaluations of BMDO systems.

The conferees will work to ensure that the funds required in fiscal year 1996 are available to make necessary upgrades and facilitate the integration and testing of BMDO component systems.

CHAPTER III

GENERAL PROVISIONS

DEPARTMENT OF DEFENSE—MILITARY

COAST GUARD

The conferees have included a general provision which appropriates $28,297,000 to the Department of Defense for transfer to the Coast Guard to cover incremental operating expenses associated with contingency operations.

FEDERALLY FUNDED RESEARCH AND DEVELOPMENT CENTERS AND RELATED ACTIVITIES

The conferees have modified the Senate proposal to revise Section 8054(g) of the Department of Defense Appropriations Act, 1995, to further reduce funding for defense federally funded research and development centers (FFRDC's) and other entities providing similar services.

The conferees have modified the Senate language to allocate the reductions in the revised Section 8054(g) among the operation and maintenance, procurement, and research, development, test and evaluation appropriations titles of the underlying Act.

The conferees also have added a subsection which modifies Section 8054(h) of the underlying Act to allocate the reduction in that subsection among the three titles.

The conferees direct that none of the FFRDC's or the funds allocated to the consultants and for-profit activities be required to ab-

sorb a disproportionate share of the decreases recommended in Subsections 8054(g) and (h) of the Act, as amended.

The conferees further approved a reporting requirement to provide the Committees on Appropriations with the most current information about the allocation of these reductions.

Amendment No. 2: Inserts and amends Senate language which limits the use of funds that can be used for emergency and extraordinary expenses unless prior notification is submitted to the Committees on Appropriations of the House and Senate, the House National Security Committee and the Senate Armed Services Committee.

Amendment No. 3: Inserts a new section number and retains a provision proposed by the Senate. This provision prohibits the expenditure of funds under this or any other Act to enter into an agreement between the United States and Russia under section 123 of the Atomic Energy Act of 1954, until the President certifies to Congress that Russia has satisfied certain conditions regarding an agreement not to sell nuclear reactor components to Iran. The House bill contained no provision on this matter.

Amendment No. 4: Deletes Senate language which expressed the sense of the Senate that a member of the Armed Forces sentenced by a court martial to confinement and a punitive discharge or dismissal should not receive pay and allowances.

Amendment No. 5: Deletes language proposed by the Senate, and not addressed in the House bill, which contained conditional fiscal year 1995 rescissions for certain military construction projects relating to 1995 Base Closures and Realignments, and inserts new language which prohibits the obligation of funds for any new military construction or family housing project at an installation proposed for closure or realignment, and also inserts new language rescinding a total of $100,600,000.

Projects related to realignments are defined as projects which are affected by the function or activity being realigned. The prohibition on obligation of funds is in effect unless the Congress enacts a Joint Resolution of Disapproval in accordance with the Defense Base Closure and Realignment Act of 1990, as amended (P.L. 101–510).

The conferees note that while they support the intent of the Senate amendment, in anticipation of savings due to the 1995 Base Closure and Realignments, general reductions totaling $136.7 million were enacted in the Military Construction Appropriations Act, 1995. The conferees are committed to rescinding any additional savings at the appropriate time during consideration of the fiscal year 1996 budget request.

With regard to the recommended rescissions, the conferees agree to rescind $75,500,000 from five appropriation accounts as contained in Public Law 103–307, the Military Construction Appropriations Act for Fiscal Year 1995. The appropriation accounts and recommended rescission amounts for each account are listed below:

Military Construction, Army	$3,500,000
Military Construction, Navy	3,500,000
Military Construction, Air Force	3,500,000
North Atlantic Treaty Organization Infrastructure	33,000,000

Base Realignment and Closure Account, Part III	32,000,000
Total	75,500,000

In addition, the conferees agree to rescind $25,100,000 from funds appropriated for Military Construction, Naval Reserve in Public Law 102–136, the Military Construction Appropriations Act for Fiscal Year 1992.

The conference agreement includes a general reduction of $3,500,000 for each of the Service accounts for military construction. These amounts are to be applied to the combination of project savings from favorable bids, reduced overhead costs, and other cost reduction initiatives.

With regard to the North Atlantic Treaty Organization Infrastructure account, the recommended rescission amount reflects savings associated with deobligations due to canceled projects, low bids, and reduction of project scope, as well as NATO reimbursement for projects previously funded with U.S. appropriated funds that are now NATO eligible.

With regard to the Base Realignment and Closure Account, Part III, the recommended rescission amount is based on estimated savings as a result of the Secretary of Defense recommendations to the Base Closure Commission for 1995 closures and realignments, which reflect changes to the 1993 closure and realignment decisions.

With regard to the rescission of funds appropriated for Military construction, Naval Reserve for fiscal year 1992, the recommended rescission amount is based on the cancellation of a project to provide C–130 support facilities, which is no longer required.

Amendment No. 6: Deletes a provision added by the Senate expressing the sense of the Senate relating to South Korea's nontariff barriers to United States beef and pork. The House bill contained no provision on this matter.

Amendment No. 7: Deletes a provision added by the Senate expressing the sense of the Senate relating to the indefinite extension of the Non-Proliferation Treaty. The House bill contained no provision on this matter.

Amendment No. 8: Deletes Senate language which expressed the sense of the Senate concerning the importance of the National Test Facility.

Amendment No. 9: Inserts and amends Senate language which provides that the rescission from the Environmental Restoration, Defense account shall not be allocated in excess of a proportionate share to installations that are recommended for closure or realignment in 1995.

Inserts a new provision which makes necessary technical adjustments in order to make available to the Air Force up to $76,900,000 in funds received from NASA as reimbursement for TITAN IV-related costs in support of the NASA Cassini mission.

Insert a new provision which amends the Department of Defense Appropriations Act, 1995 to reduce the funds available for the Reserve Component Automation System.

Inserts a new provision which rescinds $100,000,000 from unobligated procurement balances that expire at the end of fiscal year 1995.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

DEBT RESTRUCTURING

DEBT RELIEF FOR JORDAN

Amendment No. 10: Deletes language proposed by the Senate that would have provided $275,000,000 for debt relief for Jordan, of which not more than $50,000,000 could be obligated prior to October 1, 1995.

The conferees agree not to include supplemental funding for restructuring Jordanian debt to the U.S. Government, but it is the full intention to propose an appropriation of $275,000,000 for this purpose in H.R. 1158 under consideration in the Senate at the time of the conference. The conferees confirm that they support fully the President's commitment to King Hussein to restructure Jordan's debt in support of the October 1994 peace agreement between Jordan and Israel. Should appropriation of these funds fail to be enacted as part of H.R. 1158, the conferees recommend that funding for this purpose be included in the regular fiscal year 1996 Foreign Operations, Export Financing, and Related Programs Appropriations Act.

PALESTINIAN-ISRAELI COOPERATION PROJECT

In reports by both the House and Senate Appropriations Committees which accompanied the FY 1994 and FY 1995 Foreign Operations bills, strong support was expressed for funding of the educational, cultural, and humanitarian activities financed through the Palestinian-Israeli Cooperation Project. The Agency for International Development continues to ignore this expression of support.

Once again the conferees urge that AID commit funds to this project.

CHAPTER IV

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES

DEPARTMENT OF TRANSPORTATION

FEDERAL RAILROAD ADMINISTRATION

GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

Amendment No. 11: Appropriates $21,500,000 for capital grants to the National Railroad Passenger Corporation (Amtrak) and conforms heading. The House and Senate bills contained no similar appropriation. The agreement also inserts a title designation, as proposed by the Senate.

The conferees agree to provide $21,500,000 for capital grants to the National Railroad Passenger Corporation (Amtrak) to address emergency safety-related needs at the existing Pennsylvania Station in New York City. These funds are to be available imme-

diately for obligation. This issue is further addressed under amendment number 20.

TITLE II

CHAPTER I

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES

Amendment No. 12: Rescinds $180,000,000 from five accounts, instead of $177,000,000 from two accounts as proposed by the House, and the same amount from eight accounts as proposed by the Senate, distributed as follows:

DEPARTMENT OF JUSTICE

IMMIGRATION AND NATURALIZATION SERVICE

IMMIGRATION EMERGENCY FUND

Rescinds $45,000,000 from the Immigration Emergency Fund, instead of $70,000,000 as proposed by the House and $10,000,000 as proposed by the Senate.

DEPARTMENT OF COMMERCE

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

INDUSTRIAL TECHNOLOGY SERVICES

Rescinds $90,000,000 from the Advanced Technology Program at the National Institute of Standards and Technology, instead of $107,000,000 as proposed by the House and $32,000,000 as proposed by the Senate.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH AND FACILITIES

Deletes a rescission of $2,500,000 from the Operations, Research and Facilities account of the National Oceanic and Atmospheric Administration proposed by the Senate. The House bill contained no provision on this matter.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

INFORMATION INFRASTRUCTURE GRANTS

Rescinds $15,000,000 from National Telecommunications and Information Administration Information Infrastructure Grants, instead of $34,000,000 as proposed by the Senate. The House bill contained no provision on this matter.

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

Deletes a rescission of $40,000,000 from Economic Development Administration Economic Development Assistance Programs

as proposed by the Senate. The House bill contained no provision on this matter.

RELATED AGENCIES

SMALL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

Rescinds $15,000,000 for tree-planting grants from Small Business Administration Salaries and Expenses, as proposed by the Senate. The House bill contained no provision on this matter.

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

Rescinds $15,000,000 from the Legal Services Corporation, as proposed by the Senate. The House bill contained no provision on this matter.

The conferees agree that, to the maximum extent possible, these funds should be taken from programs that do not provide direct legal services to individuals.

DEPARTMENT OF STATE AND RELATED AGENCIES

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

ACQUISITION AND MAINTENANCE OF BUILDINGS ABROAD

Deletes a rescission of $28,500,000 from the State Department Foreign Buildings account as proposed by the Senate. The House bill contained no provision on this matter.

CHAPTER II

ENERGY AND WATER DEVELOPMENT

DEPARTMENT OF ENERGY

ATOMIC ENERGY DEFENSE ACTIVITIES

DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT

The conferees recommend a rescission of $200,000,000 from funds appropriated for fiscal year 1995 and unobligated balances carried forward into fiscal year 1995. To the extent possible, these reductions should be taken against low priority, noncritical work and not direct cleanup activities, or activities which do not support the safe and cost-effective operation and management of Department of Energy waste management facilities.

This recommendation includes the $100,000,000 which was originally proposed in H.R. 889 by both the House and the Senate, and $100,000,000 of the $113,000,000 rescission for defense environmental restoration and waste management which has been proposed by the Senate during consideration of H.R. 1158.

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES, ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MISSISSIPPI, MISSOURI, AND TENNESSEE

Amendment No. 13: The conference agreement includes language proposed by the Senate authorizing the U.S. Army Corps of Engineers to initiate and complete remedial measures to prevent slope instability at Hickman Bluff, Kentucky, utilizing $3,000,000 appropriated in the Fiscal Year 1995 Energy and Water Development Appropriations Act for that purpose. The Senate language has been amended to include appropriate headings.

CHAPTER III

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS

MULTILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL FINANCIAL INSTITUTIONS

CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION

Amendment No. 14: Rescinds $60,000,000 from the U.S. contribution to the International Development Association instead of $70,000,000 as proposed by the Senate. The House bill did not address this matter.

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

AGENCY FOR INTERNATIONAL DEVELOPMENT

Amendment No. 15: Rescinds $7,500,000 from funds made available in fiscal year 1994 and fiscal year 1995 for assistance to the New Independent States of the Former Soviet Union. In addition, the conference agreement reallocates $15,000,000 from the funds provided for Russian officer housing in Public Law 103–87 for aid to the New Independent States with the exception of Russia. The House had proposed a rescission of $110,000,000 from funds provided for Russian officer housing. The Senate amendment struck the House language and proposed certain other rescissions described below.

The conference agreement also rescinds $12,500,000 from "Development assistance fund" from appropriations provided in Public Law 103–306 and prior appropriations acts. The Senate had proposed a rescission of $13,000,000 from this account, as well as $9,000,000 from fiscal year 1994 and 1995 appropriations for "Assistance for Eastern Europe and the Baltic States", and $18,000,000 from fiscal year 1994 and 1995 appropriations for "As-

sistance for the New Independent States of the Former Soviet Union" of which not less than $12,000,000 would have come from funds allocated for Russia. The House bill did not contain provisions on these matters.

CHAPTER IV

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES

DEPARTMENT OF THE INTERIOR

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

Amendment No. 16: Includes a rescission of $1,500,000 as proposed by the Senate of funding available to the Fish and Wildlife Service for activities involving the listing of endangered species and the designation of critical habitat. The provision also prohibits the Fish and Wildlife Service from using other funds to make final listings or critical habitat designations. The House bill contained no similar provision.

The conferees note that this provision has been adopted only to provide a brief "time out" from the Endangered Species Act listings and critical habitat designations. The managers will review the issue without prejudice. The Endangered Species Act expired in 1992, and its reauthorization is long overdue. The conferees fully expect the appropriate committees to continue their efforts to develop and pass a reauthorization bill.

CHAPTER V

DEPARTMENT OF EDUCATION

SCHOOL IMPROVEMENT PROGRAMS

STUDENT FINANCIAL ASSISTANCE

Amendment No. 17: The conference agreement rescinds $65,000,000 from the Education Infrastructure program as requested by the President. The House recommended a $100,000,000 rescission; the Senate included no rescission for this program.

The agreement also rescinds $35,000,000 from unobligated funds appropriated in FY 1994 for the Pell Grant program. The Senate bill included a rescission of $100,000,000 for this purpose; the House bill included no rescission for this account.

CHAPTER VI

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES

DEPARTMENT OF TRANSPORTATION

FEDERAL AVIATION ADMINISTRATION

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

FEDERAL HIGHWAY ADMINISTRATION

MISCELLANEOUS HIGHWAY DEMONSTRATION PROJECTS

(HIGHWAY TRUST FUND)

Amendment No. 18: Rescinds $35,000,000 from facilities and equipment of the Federal Aviation Administration, and rescinds $12,004,450 of appropriated balances available for miscellaneous highway demonstration projects provided in Public Laws 93–87, 98–8, 98–473, and 100–71 as proposed by the Senate. The House bill contained no such provisions, but included a similar provision rescinding $35,000,000 from facilities and equipment of the Federal Aviation Administration in H.R. 1158. The conference agreement rescinds $35,000,000 of funds provided for the advanced automation system of the Federal Aviation Administration.

The conference agreement also deletes the Senate rescissions of $139,948,000 of unobligated contract authority from highway demonstration projects that received funding in Public Laws 97–424 and 100–17. The House bill contained no similar proposals.

FEDERAL RAILROAD ADMINISTRATION

LOCAL RAIL FREIGHT ASSISTANCE

Amendment No. 19: Rescinds $6,563,000 for the local rail freight assistance program, instead of $13,126,000 as proposed by the House. The Senate bill contained no similar provision.

PENNSYLVANIA STATION REDEVELOPMENT PROJECT

Amendment No. 20: Rescinds $40,000,000 for the Pennsylvania Station redevelopment project as proposed by the House. The Senate bill contained no similar provision.

The conferees agree that this action is taken without prejudice to the advancement of the project to redevelop the James A. Farley Post Office Building as a train station and commercial center in New York City. The project is unauthorized; however, the House and Senate Committees on Appropriations will consider any subsequent requests for funds once authorized. The conference agreement includes $21,500,000 for capital grants to the National Railroad Passenger Corporation (Amtrak) under amendment number 11 to address emergency safety-related needs at the existing Pennsylvania Station in New York City.

CHAPTER VII

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES

INDEPENDENT AGENCIES

Amendment No. 21: Adds language under the Environmental Protection Agency, Administrative Provision, regarding Federal and State Implementation Plans under section 110(e) of the Clean Air Act. Provides for no rescission of funding for National Aeronautical Facilities as proposed by the Senate instead of $400,000,000 as proposed by the House, and adds language extending the availability of funds previously appropriated for this purpose.

EPA ADMINISTRATIVE PROVISION

The conferees have included bill language which clarifies that any Federal implementation plan promulgated for three areas of California pursuant to section 110(e) of the Clean Air Act shall have no further force and effect, thus removing the cloud which exists as a result of having a promulgated but non-enforced Federal implementation plan in effect at the same time a State implementation plan is undergoing the approval process by the Environmental Protection Agency.

NATIONAL WIND TUNNEL COMPLEX

The conferees agree to no rescission of funds provided in the fiscal year 1995 appropriations Act for the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies (P.L. 103–327) for the National Wind Tunnel Complex. Language is included which extends the availability of $400,000,000 to September 30, 1997. However, no more than $35,000,000 may be obligated prior to October 1, 1996.

The conferees agree that NASA may use $35,000,000 to achieve completion of the Phase I study of wind tunnel needs and requirements. It is the understanding of the conferees that a portion of the study will identify site selection criteria and a short list of locations which would meet the requirements.

The conferees are concerned with the state of the nation's wind tunnel infrastructure and encouraged that industry and NASA are jointly interested in finding a solution to the lack of adequate facilities. All the same, the conferees realize that the solution must include significant industry financial participation. Therefore, any decision by the Congress to move beyond the Phase I study is contingent upon NASA executing a Memorandum of Agreement with both the Department of Defense and the U.S. aviation industry, both commercial and military, regarding cost shares for construction and utilization of the complex. The conferees agree that industry's share of the total cost should be both substantial and appropriate, and NASA is to report to the Appropriations Committees of the House and Senate what that level of contribution should be.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

ANNUAL CONTRIBUTIONS FOR ASSISTED HOUSING

Amendment No. 22: Deletes language proposed by the Senate to rescind $400,000,000 of 1995 and prior years funds earmarked for the development or acquisition costs of public housing.

Title III

MISCELLANEOUS

Amendment No. 23: Includes language authorizing the Secretary of Transportation to issue a certificate of documentation to the vessel, L.R. BEATTIE, as proposed by the Senate. The House bill contained no similar provision.

Title IV

MEXICAN DEBT DISCLOSURE ACT OF 1995

Amendment No. 24: Inserts new language, similar to the Senate amendment, entitled "Mexican Debt Disclosure Act of 1995". The conference agreement differs from the Senate amendment in several respects:

1. The agreement modifies section 403 to require the President to transmit a report to the appropriate committees of the Congress, not later than June 30, 1995, and every six months thereafter, regarding all guarantees issued to, and short-term and long-term currency swaps with, the Government of Mexico. Such reports are required to include details on changes in wage, price, and credit control in the Mexican economy; on changes in taxation policy of Mexico; on specific actions taken by Mexico to privatize the economy; on actions taken by Mexico to develop a regulatory policy that significantly affects the performance of the Mexican economy; on consultations between the United States and Mexico concerning the program approved by the President and conclusions resulting from periodic reviews undertaken by the International Monetary Fund; on all outstanding loans, credits, and guarantees provided to the Government of Mexico by United States agencies; and on the progress made by Mexico in stabilizing the peso and establishing an independent central bank or currency board.

2. The agreement includes a new section 404 that requires monthly reports from the Secretary of the Treasury concerning all guarantees issued to, and short-term and long-term currency swaps with, the Government of Mexico. Such reports are required to include details on the current condition of the Mexican economy; the reserve portions of the central bank of Mexico and data relating to Mexican monetary policy; the amount of funds disbursed from the exchange stabilization fund pursuant to the assistance pledged by the President to Mexico; the amount of any funds disbursed by the Board of Governors of the Federal Reserve System; guarantees issued to, and currency swaps engaged with, Mexico by either the Department of Treasury or the Federal Reserve System; and the

interest rates and fees charged to compensate the Secretary of Treasury for the risk of providing financing.

3. The agreement includes a new section 405 that terminates the reporting requirements of section 403 and 404 on the date the Mexican Government has paid all obligations incurred in connection with the program of assistance approved by the President on January 31, 1995.

4. The agreement includes a new section 406 that requires a certification by the President to the appropriate committees of the Congress prior to the extension or further utilization of any loan, credit, guarantee, or currency swap through the exchange stabilization fund or the Federal Reserve System, beyond those already in effect, that there is no projected cost (as defined in the Credit Reform Act of 1990) to the United States from the action; that such loans, credits, guarantees or currency swaps are adequately backed to ensure repayment; that the Mexican government is making progress in developing an independent bank or an independent currency control mechanism; that Mexico has in effect a significant economic reform effort; and that the President has provided the documents described in paragraphs (1) through (28) of House Resolution 80 as adopted on March 1, 1995. For the purposes of the final certification, any classified documents that may not have been produced to the House of Representatives would be produced to certain specified Members of Congress.

5. The agreement modifies the definition of "appropriate congressional committees" to include the Committees on Appropriations of the House and Senate, and includes a definition for the term "exchange stabilization fund" as stated in section 5302(a)(1) of title 31, United States Code.

The House bill contained no provision on this matter.

Amendment No. 25: Restores the citation of the House passed bill in lieu of the one proposed by the Senate.

The conference agreement restores the title of the House passed bill in lieu of the one proposed by the Senate.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 1995 recommended by the Committee of Conference, with comparisons to the fiscal year 1995 budget estimates, and the House and Senate bills for 1995 follows:

Budget estimates of new (obligational) authority, fiscal year 1995	2,365,696,629
House bill, fiscal year 1995	−13,940,000
Senate bill, fiscal year 1995	−1,272,684,450
Conference agreement, fiscal year 1995	−746,140,000
Conference agreement compared with:	
Budget estimates of new (obligational) authority, fiscal year 1995	−3,111,836,629
House bill, fiscal year 1995	−732,200,000
Senate bill, fiscal year 1995	+526,544,450

For consideration of Senate amendments numbered 3, 5, 6, 7, and 10 thru 25, and the Senate amendment to the title of the bill:

BOB LIVINGSTON,
JOHN MYERS,
BILL YOUNG,

RALPH REGULA,
JERRY LEWIS,
JOHN EDWARD PORTER,
HAROLD ROGERS,
FRANK R. WOLF,
BARBARA F. VUCANOVICH,
SONNY CALLAHAN,
CHARLES WILSON,
ALAN MOLLOHAN,

For consideration of Senate amendments numbered 1, 2, 4, 8, and 9:

BILL YOUNG,
JOE MCDADE,
BOB LIVINGSTON,
JERRY LEWIS,
JOE SKEEN,
DAVE HOBSON,
HENRY BONILLA,
GEORGE R. NETHERCUTT, Jr.,
MARK NEUMANN,
JOHN P. MURTHA,
NORMAN DICKS,
CHARLES WILSON,
W.G. BILL HEFNER,

Except Ament. No. 1 re: ELF:

MARTIN OLAV SABO,

Managers on the Part of the House.

MARK O. HATFIELD,
TED STEVENS,
THAD COCHRAN,
ARLEN SPECTER,
PETE V. DOMENICI,
PHIL GRAMM,
KIT BOND,
SLADE GORTON,
MITCH MCCONNELL,
CONRAD BURNS,
ROBERT BYRD,
DANIEL K. INOUYE,
ERNEST F. HOLLINGS,
J. BENNETT JOHNSTON,
PATRICK J. LEAHY,
FRANK R. LAUTENBERG,
BARBARA A. MIKULSKI,
HARRY REID,

Managers on the Part of the Senate.

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