HOUSE OF REPRESENTATIVES—*Monday, September 26, 1994*

The House met at 10:30 a.m. and was called to order by the Speaker pro tempore [Mr. POMEROY].

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
September 26, 1994.

I hereby designate the Honorable EARL POMEROY to act as Speaker pro tempore on this day.

THOMAS S. FOLEY,
Speaker of the House of Representatives.

MORNING BUSINESS

The SPEAKER pro tempore. Pursuant to the order of the House of February 11, 1994, and June 10, 1994, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each member except the majority and minority leader limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from Florida [Mr. GOSS] for 5 minutes.

SITUATION IN HAITI

Mr. GOSS. Mr. Speaker, here we are on the 8th day of the occupation of a friendly neighboring country to our south, Haiti, and the word of policymakers in Washington in the Clinton administration seems to be improvisation. Improvise.

The Washington Post describes how little communication there has actually been to our troops on what the exact rules of engagement should be, what should they do while they are standing there in the middle of all that violence and potential violence.

They have got their instructions written on small cards, they have been distributed by the commanders down there, and our troops have these little cards to consult if something happens about what they should do. The problem is that these cards have been changed three times so far.

First we went in there telling our soldiers, don't shoot anyone. Now we have gone along to say if you have to referee a situation and things are getting out of hand and you have to use force, then you can use that, you can use your weapon, but that is your judgment.

Now we are going on to say that we must inject ourselves into the Haitian justice system by prosecuting the thugs who inflict violence.

What is happening is we are asking our soldiers, who are not trained, to be the prosecutor, the judge, and the jury of these many, many incidents of violence that are going on in Haiti. Inevitably there are going to be more conflicts, more shooting situations, and more damage. We are in fact just sliding further and further into the quagmire.

The presence of our 15,000-plus troops is supposed to create order and allow for peace and rebuilding in Haiti, but so far we have seen the bitter resentment among Haitians extremes, and that is what is prevalent in our country today, has not abated at all.

We have got extremists on one side, extremists on the other, who want to do bodily harm to each other, and, in the middle, we have our U.S. troops with somewhat fuzzy understanding of just how they are supposed to react to every kind of situation that comes along.

We even have reports from Haiti over this weekend of a spirit of "vengeance," and I use that word in quotes, a spirit of vengeance sweeping across the island. Despite what the leaders on both sides are saying, now it seems that there is a new spirit of getting even.

A firefight this weekend involving U.S. troops on Saturday night left 10 Haitians dead and 1 American wounded, fortunately no fatalities on our side. But following the shooting, the Haitian supporters of President Aristide, who are very much emboldened by all of this activity and the shooting of the hated military and police, they went and they looted and ransacked the police stations in the central military headquarters in Cap-Haitien.

This does not bode well for what will happen every time we have to exert pressure. I suspect we are going to see a lot more of this getting even.

So when are we going to get our troops out of there? Madeline Albright, our ambassador to the United Nations, said yesterday in New York it will be at least 4 to 6 months before the United Nations can take over our mission in Haiti. Secretary of Defense Perry has said U.S. Troops will be in Haiti until early 1995 to ensure fair parliamentary elections, and then presumably presidential at the end of 1995.

How do you restore democracy in a country that has never really known democracy? The last time the United States occupied Haiti, from 1915 to 1934, 19 years, we finally pulled out in frustration that we could not effect lasting change in a Haitian society because we did not understand it. A Federal commission studying the failed policy, which was called the Forbes Commission, concluded as follows:

> The failure of the occupation to understand the social problems of Haiti, its brusque attempt to plant democracy there by drill and harrow, its determination to set up a middle class, however wise and necessary it may seem to Americans, all these explain why, in part, the high hopes of our good works in this land have not been realized.

That was after 19 years of effort to stabilize Haiti and bring democracy there earlier this century.

Then, as now, American policymakers failed to understand that the fundamental deep-seated problems in Haiti cannot be solved by external solutions.

By this time, the American people and their representatives in Congress understand, and we will continue our call for immediate withdrawal of our troops. Troops are not the answer to the problem in Haiti. We need to go forward, make sure that the embargo is pulled off immediately, to make sure that our troops are withdrawn, now, taken out of harm's way, that we reduce the polarization in the country, that we promote the moderate elements that are there working in the Parliament, and we begin our time of humanitarian aid and investment with others in nationbuilding in a democratic nation that still has its future to realize.

TIME TO CALL TO ACCOUNT WRITERS OF BASELESS NEWS EDITORIALS

The SPEAKER pro tempore. Under the Speaker's announced policy of February 11, 1994, and June 10, 1994, the gentleman from West Virginia [Mr. WISE] is recognized during morning business for 5 minutes.

Mr. WISE. Mr. Speaker, today, the Washington Post began another editorial attacking a major West Virginia project and West Virginia's senior Senator, and I think it is time to start calling to account those who want to make these kind of accusations, these type of statements, and they are not backed up by facts or solid judgment.

The gist of the Washington Post editorial is that because the Senate included in its part of the transportation

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appropriation bill dealing with discretionary highway projects a certain amount of money, I believe $90 million for Corridor H in West Virginia, most of which, yes, runs through my district, that this is somehow infringing possible House Members.

Let us look at the reality of the situation. When the transportation appropriation bill left the House, there was $299 million of highway projects in it, about 108 projects I believe for House Members. The Senate had added to its bill $352 million. When the conferees got together, they had $299 million of House projects, and $352 million of Senate projects, roughly $600 million. They compromised and took the higher Senate number, $352 million, and then divided up and said all right the Senate will take 52 percent of the projects, and the House will take 48 percent.

Now, some might say that sounds unfair, because should not the House get at least as much? But if you look at other parts of the bill, and yes, it is a much bigger bill than this one section, if you look at other parts of the bill, for instance, the House received 58 percent of all mass transit projects.

□ 1040

Incidentally, we do not do a lot of mass transit in West Virginia, whereas the Senate received 42 percent. And so there are different shares throughout the bill. So then the Senate allocated for its portion, $90 million toward Corridor H, and the House Members, the House conferees allocated their share. Someway this is unfair. I ask Members to look at what the alternative is.

Do they want the Senate making decisions on House projects first of all? That is question No. 1. It was House conferees that allocated the share that they agreed to in the conference.

The second is that even if we took all $90 million out of the Senate's portion, that does not guarantee one extra nickel for a House Member. Because what happens then, I presume, is that the Senate then allocates its share somewhere else.

Yes, I have had Members come up to me and say, did I get nicked, did my project suffer because of this. The answer is that in every conference they divide up the application. Here the House Members, the House conferees worked out the House allocation, and the Senate worked out its allocation. So I would submit that not one extra nickel is going to a House Member, even if something should happen to that $90 million.

I do resent greatly the Post somehow claiming that this is a change and that the $90 million is more than could even be obligated in 1 year for the West Virginia project. The fact of the matter is, we do not build too many projects around here by simply appropriating what we obligate in 1 year: Houston Transit System, a recent example; a highway project in Dallas, another recent example.

If you simply appropriated each year what could be obligated each year for a massive project, you would have a number of projects coming in at one time for massive amounts of funding, this spreads it out and permits us to take care of one project one time and another project another time.

I also point out, I wish the Post would get this straight, we in West Virginia think that, yes, we are entitled to our fair share, and we want everyone else to have theirs. We have stood up and voted for $9 billion, not million, billion for the Washington, DC, suburban Maryland, and Virginia metro system, the subway system. It is a nice subway system. I like tunnels. We have lots of tunnels in West Virginia. They are called coal mines. Not one train runs through them. Our transit system is much lower cost and it is called highways, but they are vitally important to us as a transit system is important to an urban area.

I might point out there has been a lot of discussion about this. The gentleman from Virginia [Mr. WOLF] has been named several times in these editorials, taking 1 minutes on the floor. I just point out that the metro serves his constituents, $9 billion, Dulles Airport in northern Virginia in that district and, lo and behold, a CIA center for $300 million popped up unannounced on the front pages of the Washington Post. Where did that come from? We know about $300 million projects and where they are located in West Virginia. When the Post was looking around they said, oh, my, this is a surprise to all of us. So these things work out.

I would urge my colleagues to look at the conference report, such as the appropriations report, remembering that there may be one section in here, we are talking about a massive bill, and that other States get their allocations in different ways throughout that bill.

I urge my colleagues to consider this carefully as this matter comes to the floor.

CONTRACT WITH AMERICA

The SPEAKER pro tempore. (Mr. POMEROY). Under the Speaker's announced policy of February 11, 1994, and June 10, 1994, the gentlewoman from Colorado [Mrs. SCHROEDER] is recognized during morning business for 5 minutes.

Mrs. SCHROEDER. Mr. Speaker, I wanted to talk a bit more about the contract that we are going to see made tomorrow on the House steps by the Republican leadership and many people who are running for office and also those who are in it.

When we get more details about this contract, for them to make that contract, we are going to have to break contracts that I think are fairly sacrosanct.

One of the things we did these last 2 years has been very important, and that is for the first time we got an earned income credit that was high enough so it really made it profitable to work, much better to work than be on welfare. That is the kind of handout we want for people.

Yet if Members read this contract, it talks about, they are not going to give any credits that are refundable, that are refundable. Therefore, the earned income credit will disappear.

In my district in Colorado, over 30 percent of the young working families qualify for this earned income credit. They have been able to use it to make down payments on homes, to get caught up on bills, to do all sorts of things. It gave them a little breathing space for the very first time, so it will be the shortest-lived handout in a long time or hand-up, because it is going to be taken away if this were to pass.

Also, when we look at the numbers, the numbers really do not quite figure. If we add up the numbers, we are not going to have a balanced budget. We do not know how it is going to be paid for. So we start looking for what else is in the budget that would give us the numbers to pay for it.

Well, there is only two major areas: Medicare and Social Security. So to make this contract, they are going to have to break a contract with the seniors that are out there. So first we break a contract with the working poor, and then we break a contract with America's seniors who are out there.

Again, the beneficiaries of this are going to be the very wealthy people, because it almost does away totally with income tax on capital gains.

Now, there is not a lot of people working at minimum wage who have capital gains, and we know that one has to be in a fairly high income bracket to be able to put money away and be doing capital gains. So that is one other area where we see the rewards are going to the people who have already been rewarded, being rewarded very, very well.

I think one of the things that has concerned me the most in the last 5 years is to watch this continuing breaking of our society into a two-class society, with the rich getting richer and the poor getting poorer. I think that is a lot of what is causing the anxiety that we all sense out there among the voters, that the middle class is all becoming panicked that they are going to fall down, not climb up, that it is getting harder and harder to be rich because they keep finding ways to make their money go further, and they are going to have a lock on most of the capital. So everybody in the middle class wants to stay in the middle class and does now want to descend into the

lower income strata. Yet they have all known a lot of people who have, and that anxiety builds anxiety about change, builds anxiety about every other such thing that is out there.

If we see this contract enacted, it will only exacerbate and accelerate that division between two classes in our society.

Prior to my coming here, there was a gentleman on the floor talking about building a middle class in Haiti. That is right. We have to build a middle class in Haiti. But in so doing, let us not destroy the middle class in the United States. It has been very clear, this has been a citizen government. This is a government by, for, and of the people. It has been a government that has tried to bring community. Yes, we all came here with ancestors that came from boats, from different places, but we got here. We were on the same boat.

The idea is, how do we say to people, work pays. You work, you get ahead.

We started to find a way in many of these different areas, and this contract would take them all away.

I think people should have a real sober second thought about signing that contract, about where that contract would really lead us. What is the vision that that contract will project for the next generation. Is that the division that we want for our young people. I do not think so.

RECESS

The SPEAKER pro tempore. There being no further requests for morning business, pursuant to clause 12, rule I, the Chair declares the House in recess until 12 noon.

Accordingly (at 10 o'clock and 48 minutes p.m.) the House stood in recess until 12 noon.

□ 1200

AFTER RECESS

The recess being expired, the House was called to order by the Speaker pro tempore [Mr. MONTGOMERY] at 12 noon.

PRAYER

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

With all Your gifts, O God, that You have so bountifully given, we treasure the gifts of thanksgiving and gratitude and appreciation. No matter what our place in life or responsibility, we stand together on the same ground with similar hopes and fears, with similar ambitions and apprehensions, and yet above all our feelings and ambitions is our eternal spirit of gratitude for the gift of creation, thanksgiving for the opportunities of life and appreciation for Your abiding spirit. May our recognition of these gifts ever enable us to take pride in our calling and make us faithful in Your service. In Your name, we pray. Amen.

THE JOURNAL

The SPEAKER pro tempore (Mr. MONTGOMERY). The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Nebraska [Mr. BARRETT] come forward and lead the House in the Pledge of Allegiance.

Mr. BARRETT of Nebraska led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed without amendment a concurrent resolution of the House of the following titles:

H. Con. Res. 291. Concurrent resolution directing the Secretary of the Senate to make corrections in the enrollment of S. 1587.

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 1555. An act to clarify the treatment of the Centennial Bridge, Rock Island, Illinois, under title 23, United States Code, and for other purposes;

S. 1887. An act to amend title 23, United States Code, to provide for the designation of the National Highway System, and for other purposes; and

S.J. Res. 221. Joint resolution to express the sense of the Congress in commemoration of the 75th anniversary of Grand Canyon National Park.

ON SAMMY THE BULL GRAVANO

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, Sammy the Bull Gravano is a mobster, and he is a mobster that killed 20 people. But Sammy the Bull turned faint for the Federal Government. That is just street language. He helped convict about 30 people. The Government said because he was so good they might consider the 4 years he spent in prison as enough penalty for helping them convict these 30 people.

My colleagues, Sammy the Bull Gravano is a mobster that killed 20 people. He deserves the death penalty and we do not even know if he is telling the truth about these other people who may not even be as bad as he is. But in America, what is the message we send here, folks? In America you can murder; you can loan shark; you can pimp; you can push drugs. But if you cut a deal with Uncle Sam, you could go scot-fee. Unbelievable.

Members, Sammy the Bull Gravano should be put to death. After the Kennedy assassination, I am one Member that is not so sure who the real mob is anymore. It may be the Government.

DEMOCRAT DESPERATION

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, Democrat desperation has led them from exasperation to exaggeration. The Democrat leadership has started an orchestrated attack on Republicans' contract with America, which will be unveiled tomorrow.

Our contract is a real response to America's demand for change. In it we lay out our vision for smaller, smarter, less expensive government.

The Democrats' mindset does not allow them to even comprehend change, much less believe that "change" can mean "less government."

So they are charging us with their sins by claiming our plan will cost too much.

Our plan's can be paid for more than twice over with either of the last two budgets House Republicans have proposed.

Many parts of the contract, such as welfare reform and the balanced budget amendment, cut spending. Furthermore, the contract will give back far more than it takes from America's taxpayers.

The problem is not with what the contract does or with what America wants done—these are in sync. The problem is with the Democrats who cannot, will not, and have not done what is in the contract.

ENTITLEMENT COMMISSION: SERIOUS BUSINESS

(Mr. GOSS asked and was given permission to address the House for 1 minute and to revise extend his remarks.)

Mr. GOSS. Mr. Speaker, when President Clinton was doing desperate deals to win passage of his 1993 budget, he accidentally stumbled onto something good. In seeking the vote of one reluctant Member of the other body, the President promised a commission to study our Nation's ballooning entitlement programs. White House spin-doctor advisors no doubt viewed that promise as a gimmick unlikely to lead to anything but a short-term political

win. They were wrong. The entitlement commission is fully engaged in a serious, substantive review of all entitlement programs that will lead to concrete proposals for reform by the end of this year. It is well staffed and well constructed of hard-working members. We have to acknowledge that government cannot forever be all things to all people—yes, we should honor our commitments but we have got to stop making promises we cannot afford to keep. The entitlement commission is serious business—I urge my colleagues to read findings and get involved, and to join in this crucial debate.

Sooner or later, we are going to have to face up to the fact that we are spending much more than we have.

HIGHWAY ROBBERY

(Mr. WOLF asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WOLF. Mr. Speaker, today, I want to discuss the 1995 Transportation appropriations bill that went to conference late last week. The highway demonstration projects account of the bill is particularly troubling.

Before the bill went to conference, Chairmen CARR and LAUTENBERG agreed to share the highway funding between the Chambers at a 52–48 percent split. The House's share of the $352 million was about $170 million which Chairman CARR and the subcommittee handled fairly. The Senate's share, on the other hand, about $183 million, was highway robbery.

Of the $183 million in the Senate, one State, West Virginia, got $95 million, or 53 percent, for two projects—$90 million for the controversial Corridor H and another $5 million for Route 52 improvements. To put it in terms that everyone can easily understand, West Virginia got more Senate money for highway demonstration projects than the rest of the country combined—1.8 million people got $95 million while the rest of the country, about 254 million, splits $88 million. And let me just say for the record, the people of West Virginia are good people, but this is unfair, unjust, and inequitable. This is just plain wrong. It is exactly why the American people are fed up with Congress. When the power of a few is stronger than the power of the people, something has got to change.

What makes matters worse is, in addition to the $90 million in this bill, Corridor H got $75 million in the energy and water spending bill earlier this year bringing the total for this road project to $165 million. I checked with the Federal Highway Administration and they told me West Virginia can only obligate $82 million for this project in fiscal year 1995. West Virginia has gotten twice as much money as it can spend, while the rest of the country does not have enough. This money could be going to needed projects to help congested areas like Los Angeles and Miami, where moms and dads are sitting in traffic while they could be at home spending time with their kids. California and Florida both got $0 in Senate funding.

To put it in perspective, if you add up the Senate funding for the 20 most populated States, they get a total of $39 million, California gets nothing, Florida gets nothing, Illinois gets nothing, New York gets only $1 million and on and on and on. Each of you has been provided with a chart which clearly shows these figures. And West Virginia gets $95 million? How can this be?

In 1988, Senator ROBERT BYRD of West Virginia announced that he was going to trade in his post of Senate majority leader to take the chairmanship of the Senate Appropriations Committee with the intent of bringing to West Virginia $1 billion by 1995. At a 1990 dedication ceremony in Beckley, WV, Senator BYRD commented on his pledge, "I'm trying to get the money as fast as the State can keep up with it." By 1990, 4 years ahead of schedule, Senator BYRD's goal of $1 billion for West Virginia had been reached.

Just look at the last five transportation spending bills.

In the fiscal year 1991 Transportation appropriations bill, Senator BYRD hijacked $137 million, or 30 percent, of the $459 million for highway projects for West Virginia.

In the fiscal year 1992 Transportation appropriations bill, Senator BYRD took $162 million, almost 30 percent, of the $589 million available. Of the $162 million, $148 million was for the Corridor G project which received an additional $58 million in the Energy and Water appropriations bill. The next closest State in highway receipts was Michigan with $46 million. West Virginia got $162 million. Twenty-three States, including California and Texas, got nothing.

In fiscal year 1993, West Virginia got $104 million for two projects, Corridor L at $24 million, which was second only to Corridor G at $80 million. These two projects in West Virginia amounted to one third of all highway demonstration project dollars.

In fiscal year 1994, Corridor L got another $54 million which amounted to 43 percent of the country's highway dollars.

And in fiscal year 1995, you know the story, West Virginia, for two projects, got 52 percent of the Senate's money or 27 percent of the nation's highway money for demonstration projects.

Another part of the story is, the figures I have just gone over are basically transportation bills only. They do not take into account the relocations of parts of several governmental agencies like the FBI, the Bureau of Public Debt, the Fish and Wildlife Service, the Coast Guard, and so on.

The message here is, and the Washington Post, Orlando Sentinel, Houston Chronicle, and others have recognized it, there is a pattern of greed and abuse of power here and until it changes, the attitude toward this body with the American people will not improve.

Again, thank you for your time. I'll take questions.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12, rule I, the Chair declares the House in recess until 4:30 p.m. today.

Accordingly, at 12 o'clock and 8 minutes p.m., the House stood in recess until 4:30 p.m.

□ 1630

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore [Mr. MONTGOMERY] at 4 o'clock and 30 minutes p.m.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2182) "An act to authorize appropriations for fiscal year 1995 for military activities of the Department of Defense, for military construction, and for defense programs on the Department of Energy to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes."

CONFERENCE REPORT ON H.R. 4650, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1995

Mr. HEFNER submitted the following conference report and statement on the bill (H.R. 4650) making appropriations for the Department of Defense for the fiscal year ending September 30, 1995, and for other purposes:

CONFERENCE REPORT (H. REPT. 103–747)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4650) making appropriations for 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 25, 47, 56, 69, 71, 75, 88, 95, 98, 102, 103, 106, 109, 117, 130, 132, 133, 139, 140, 142, 148, 149, 164, and 215.

That the House recede from its disagreement to the amendments of the Senate numbered 12, 15, 20, 22, 23, 27, 29, 31, 33, 35, 39, 40,

41, 45, 51, 53, 55, 59, 61, 63, 64, 65, 66, 67, 74, 78, 83, 85, 87, 90, 92, 99, 119, 120, 121, 122, 123, 124, 126, 128, 136, 137, 146, 150, 151, 153, 154, 156, 166, 170, 171, 173, 180, 181, 182, 184, 185, 186, 187, 191, 196, 197, 203, 205, 206, and 209, 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: *$20,609,770,000*; 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 sum proposed by said amendment insert: *$17,569,137,000*; 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 the sum proposed by said amendment insert: *$5,774,871,000*; and the Senate agree to the same.

Amendment numbered 4:

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$17,181,479,000*; 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 sum proposed by said amendment insert: *$2,161,620,000*; and the Senate agree to the same.

Amendment numbered 6:

That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$1,401,809,000*; and the Senate agree to the same.

Amendment numbered 7:

That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$348,748,000*; and the Senate agree to the same.

Amendment numbered 8:

That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$768,834,000*; 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 sum proposed by said amendment insert: *$3,339,505,000*; and the Senate agree to the same.

Amendment numbered 10:

That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$1,233,429,000*; 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 sum proposed by said amendment insert: *$17,507,088,000*; 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:

In lieu of the matter stricken and inserted by said amendment insert: *: Provided, That of the funds appropriated in this paragraph, not less than $388,599,000 shall be made available only for conventional ammunition care and maintenance: Provided further, That of the funds appropriated in this paragraph, $5,800,000 shall be made available only for the removal of equipment and the repair and restoration of structures at the National Center for Toxicological Research, Jefferson, Arkansas: Provided further, That of the funds appropriated under this heading, not less than $5,000,000 shall be made available only for payment to the DoD 50th Anniversary of World War II Commemoration Appropriati on: Provided further, That of the funds appropriated under this heading, $9,500,000 shall be made available only to purchase an easement for use by the Army's Schofield Barracks Military Reservation for the purpose of waste water disposal: Provided further, That notwithstanding Army Regulation 200-1, the Secretary of the Army may obligate not to exceed $2,000,000 through the Army Corps of Engineers to contribute to a multi-party remediation effort at the Alaska Roundhouse site at Cordova, Alaska: Provided further, That such funds may only be obligated to match contributions made by other private, State or Municipal authorities to the remediation effort*; 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 proposed by said amendment insert: *$21,054,470,000*; and the Senate agree to the same.

Amendment numbered 16:

That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment, as follows:

Delete the matter stricken and delete the matter inserted by said amendment.

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:

After the word "Provided" named in said amendment delete the word "further" and in lieu of the sum named in said amendment insert: *$45,874,000*; 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 inserted by said amendment insert: *: Provided further, That of the funds appropriated under this heading, $46,300,000* shall be made available only for naval shipyard modernization projects to remain available for obligation until September 30, 1996; 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:

In lieu of the sum proposed by said amendment insert: *$1,988,215,000*; 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:

In lieu of the sum proposed by said amendment insert: *$18,763,427,000*; 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 inserted by said amendment insert: *: Provided, That the Secretary of the Air Force may acquire all right, title and interest of any party in and to two parcels of real property, including improvements thereon, consisting of approximately 27 acres, located near King Salmon Air Force Station: Provided further, That this authority may be exercised only for the purpose of conducting a response action in accordance with the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601-9675) and the Air Force Installation Restoration Program*; and the Senate agree to the same.

Amendment numbered 26:

That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment insert: *$10,500,104,000*; and the Senate agree to the same.

Amendment numbered 28:

That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$1,243,209,000*; and the Senate agree to the same.

Amendment numbered 30:

That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$831,219,000*; and the Senate agree to the same.

Amendment numbered 32:

That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$81,862,000*; and the Senate agree to the same.

Amendment numbered 34:

That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$1,471,505,000*; and the Senate agree to the same.

Amendment numbered 36:

That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$2,440,288,000*; and the Senate agree to the same.

Amendment numbered 37:

That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment, amended to read as follows: *: Provided, That of the funds appropriated in this paragraph, $10,000,000 shall be made available only for a National Guard Outreach Program in the Los Angeles School District*; and the Senate agree to the same.

Amendment numbered 38:

That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$2,772,928,000*; and the Senate agree to the same.

Amendment numbered 42:

That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$1,780,200,000*; and the Senate agree to the same.

Amendment numbered 43:

That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment, as follows:

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

SUMMER OLYMPICS

For logistical support and personnel services (other than pay and non-travel-related allowances of members of the Armed Forces of the United States, except for members of the reserve components thereof called or ordered to active duty to provide support for the 1996 Games of the XXVI Olympiad and the X Paralympiad to be held in Atlanta, Georgia) provided by any component of the Department of Defense to the 1996 Games of the XXVI Olympiad and the X Paralympiad; $14,400,000: Provided, That funds appropriated under this heading shall remain available for obligation until September 30, 1997.

1995 SPECIAL OLYMPICS WORLD GAMES

For logistical support and personnel services (other than pay and non-travel-related allowances of members of the Armed Forces of the United States, except for members of the reserve components thereof called or ordered to active duty to provide support for the 1995 Special Olympics World Games to be held in New Haven, Connecticut) provided by any component of the Department of Defense to the 1995 Special Olympics World Games; $3,000,000.

And the Senate agree to the same.

Amendment numbered 44:

That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$65,000,000*; and the Senate agree to the same.

Amendment numbered 46:

That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment, as follows:

In lieu of the matter inserted by said amendment insert:

FORMER SOVIET UNION THREAT REDUCTION

For assistance to the republics of the former Soviet Union, including assistance provided by contract or by grants, for facilitating the elimination and the safe and secure transportation and storage of nuclear, chemical and other weapons; for providing incentives for demilitarization; for establishing programs to prevent the proliferation of weapons, weapons components, and weapons-related technology and expertise; for programs relating to the training and support of defense and military personnel for demilitarization and protection of weapons, weapons components and weapons technology and expertise; for supporting the demilitarization of military technologies and production infrastructure; $400,000,000 to remain available until expended: Provided, That of the funds appropriated under this heading, $10,000,000 shall be made available only for the continuing study, assessment, and identification of nuclear waste disposal by the former Soviet Union in the Arctic and North Pacific regions.

And the Senate agree to the same.

Amendment numbered 48:

That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$1,063,164,000*; and the Senate agree to the same.

Amendment numbered 49:

That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment, as follows:

In lieu of the matter inserted by said amendment insert: *: Provided, That the Secretary of the Army will report to the House and Senate Committees on Appropriations on the concept, organization, requirements, and mission need documents for the High Capacity Air Ambulance, utilizing low cost fixed wing aircraft, no later than April 15, 1995*; and the Senate agree to the same.

Amendment numbered 50:

That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$813,795,000*; and the Senate agree to the same.

Amendment numbered 52:

That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$1,151,914,000*; and the Senate agree to the same.

Amendment numbered 54:

That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$1,181,221,000*; and the Senate agree to the same.

Amendment numbered 57:

That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$2,673,148,000*; and the Senate agree to the same.

Amendment numbered 58:

That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$4,627,645,000*; and the Senate agree to the same.

Amendment numbered 60:

That the House recede from its disagreement to the amendment of the Senate numbered 60, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$2,159,080,000*; and the Senate agree to the same.

Amendment numbered 62:

That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment insert: *$417,779,000*; and the Senate agree to the same.

Amendment numbered 68:

That the House recede from its disagreement to the amendment of the Senate numbered 68, and agree to the same with an amendment, as follows:

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

Nuclear submarine main steam condenser industrial base, $1,000,000; ; and the Senate agree to the same.

Amendment numbered 70:

That the House recede from its disagreement to the amendment of the Senate numbered 70, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$377,521,000* ; and the Senate agree to the same.

Amendment numbered 72:

That the House recede from its disagreement to the amendment of the Senate numbered 72, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$5,412,464,000*; and the Senate agree to the same.

Amendment numbered 73:

That the House recede from its disagreement to the amendment of the Senate numbered 73, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$3,329,171,000*; and the Senate agree to the same.

Amendment numbered 76:

That the House recede from its disagreement to the amendment of the Senate numbered 76, and agree to the same with an amendment, as follows:

In lieu of the sum named in said amendment insert: *$23,900,000*; and the Senate agree to the same.

Amendment numbered 77:

That the House recede from its disagreement to the amendment of the Senate numbered 77, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$422,410,000*; and the Senate agree to the same.

Amendment numbered 79:

That the House recede from its disagreement to the amendment of the Senate numbered 79, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$6,379,962,000* ; and the Senate agree to the same.

Amendment numbered 80:

That the House recede from its disagreement to the amendment of the Senate numbered 80, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment, amended to read as follows: *Provided, That the Department of the Air Force shall initiate procurement of non-developmental airlift aircraft no later than September 30, 1995*; and the Senate agree to the same.

Amendment numbered 81:

That the House recede from its disagreement to the amendment of the Senate numbered 81, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$3,650,262,000*; and the Senate agree to the same.

Amendment numbered 82:

That the House recede from its disagreement to the amendment of the Senate numbered 82, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$288,401,000*; and the Senate agree to the same.

Amendment numbered 84:

That the House recede from its disagreement to the amendment of the Senate numbered 84, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$6,965,201,000*; and the Senate agree to the same.

Amendment numbered 86:

That the House recede from its disagreement to the amendment of the Senate numbered 86, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$2,088,230,000*; and the Senate agree to the same.

Amendment numbered 89:

That the House recede from its disagreement to the amendment of the Senate numbered 89, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$800,000,000*; and the Senate agree to the same.

Amendment numbered 91:

That the House recede from its disagreement to the amendment of the Senate numbered 91, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$5,521,413,000*; and the Senate agree to the same.

Amendment numbered 93:

That the House recede from its disagreement to the amendment of the Senate numbered 93, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$8,796,168,000*; and the Senate agree to the same.

Amendment numbered 94:

That the House recede from its disagreement to the amendment of the Senate numbered 94, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment, amended to read as follows: *: Provided, That for continued research and development programs at the National Center for Physical Acoustics, centering on the ocean acoustics as it applies to advanced antisubmarine warfare acoustics issues with focus on ocean bottom acoustics, seismic coupling, sea-surface and bottom scattering, oceanic ambient noise, acoustically active surfaces, machinery noise, propagation physics, solid state acoustics, electrorheological fluids, transducer development, ultrasonic sensors, and other such projects as may be agreed upon, $1,000,000 shall be made available, as a grant, to the Mississippi Resource Development Corporation, of which not to exceed $250,000 of such sum may be used to provide special equipment as may be required for particular projects: Provided further, That none of the funds appropriated in this paragraph may be obligated or expended to develop or purchase equipment for an Aegis destroyer variant (commonly known as "Flight IIA") whose initial operating capability is budgeted to be achieved prior to the initial operating capability of the Ship Self-Defense program, nor to develop sensor, processor, or display capabilities which duplicate in any way those being developed in the Ship Self-Defense program: Provided further, That funds appropriated in this paragraph for development of the LPD-17 ship may not be obligated unless the baseline design of the ship includes cooperative engagement capability and sufficient own-ship self-defense capability against advanced sea-skimming antiship cruise missiles in the baseline design to achieve an estimated probability of survival from attack by such missiles at a level no less than any other Navy ship*; and the Senate agree to the same.

Amendment numbered 96:

That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$12,202,572,000*; and the Senate agree to the same.

Amendment numbered 97:

That the House recede from its disagreement to the amendment of the Senate numbered 97, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment insert: *: Provided, That not less than $12,000,000 of the funds appropriated in this paragraph shall be made available only for the Joint Seismic Program and Global Seismic Network administered by the Incorporated Research Institutions for Seismology: Provided further, That not less than $20,000,000 of the funds appropriated in this paragraph shall be made available only for the National Center for Manufacturing Sciences: Provided further, That not less than $13,000,000* of the funds appropriated in this paragraph shall be made available only to continue the establishment and operation of an image information processing center supporting the Air Force Maui Space Surveillance Site; and the Senate agree to the same.

Amendment numbered 100:

That the House recede from its disagreement to the amendment of the Senate numbered 100, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$9,099,387,000*; and the Senate agree to the same.

Amendment numbered 101:

That the House recede from its disagreement to the amendment of the Senate numbered 101, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment insert: *: Provided, That not less than $75,000,000 of the funds appropriated in this paragraph shall be made available only for the Sea-Based Wide Area Defense (Navy Upper-Tier) program: Provided further, That $50,000,000 shall be made available only to cover the costs (as defined in section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5))) of loan guarantees issued pursuant to subsection (b) (3) of such section: Provided further, That of the funds appropriated in this paragraph, $15,000,000* shall be transferred to the Department of Energy to address environmental restoration and management needs through the Center for Bioenvironmental Research: Provided further, That not less than $20,000,000 of the funds appropriated in this paragraph shall be made available only for an Experimental Program to Stimulate Competitive Research (EPSCOR) in the Department of Defense which shall include all States eligible as of the date of enactment of this Act for the National Science Foundation Experimental Program to Stimulate Competitive Research; and the Senate agree to the same.

Amendment numbered 104:

That the House recede from its disagreement to the amendment of the Senate numbered 104, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$238,003,000*; and the Senate agree to the same.

Amendment numbered 105:

That the House recede from its disagreement to the amendment of the Senate numbered 105, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$945,238,000*; and the Senate agree to the same.

Amendment numbered 107:

That the House recede from its disagreement to the amendment of the Senate numbered 107, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$724,400,000*; and the Senate agree to the same.

Amendment numbered 108:

That the House recede from its disagreement to the amendment of the Senate numbered 108, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment insert: *. Provided, That $25,000,000 shall be transferred to the Secretary of Transportation for title XI loan guarantees: Provided further, That none of the funds provided in this paragraph shall be used to award a new contract that provides for the acquisition of any of the following major components unless such components are manufactured in the United States: auxiliary equipment, including pumps, for all ship-board services; propulsion system components (that is; engines, reduction gears, and propellers); shipboard cranes; and spreaders for shipboard cranes: Provided further, That the exercise of an option in a contract awarded through the obligation of previously appropriated funds shall not be considered to be the award of a new contract: Provided further, That the Secretary of the military department responsible for such procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate, that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to aquire capability for national security purposes: Provided further, That not to exceed $43,000,000 may be used for the purchase or construction of vessels for the Ready Reserve Force component of the National Defense Reserve Fleet, as established by section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744): Provided further, That $110,000,000* may be used for the acquisition and conversion of one maritime prepositioning ship for use by the Marine Corps MPS Enhancement Program, and notwithstanding any other provision of law, that such conversion shall be performed in a United States shipyard; and the Senate agree to the same.

Amendment numbered 110:

That the House recede from its disagreement to the amendment of the Senate numbered 110, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$9,930,759,000*; and the Senate agree to the same.

Amendment numbered 111:

That the House recede from its disagreement to the amendment of the Senate numbered 111, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$9,601,170,000*; and the Senate agree to the same.

Amendment numbered 112:

That the House recede from its disagreement to the amendment of the Senate numbered 112, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$329,589,000*; and the Senate agree to the same.

Amendment numbered 113:

That the House recede from its disagreement to the amendment of the Senate numbered 113, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment insert: *: Provided further, That of the funds appropriated under this heading, $5,000,000 shall be made available only for nursing research: Provided further, That of the funds appropriated under this heading, $14,500,000 shall be made available for obtaining emergency communications services for members of the Armed Forces and their families from the American National Red Cross as authorized by law: Provided further, That until the end of September 30, 1995, the Secretary of the Air Force shall, through contract or otherwise, continue to provide health care in the base hospital at Plattsburgh Air Force Base, New York, to persons entitled to health care in facilities of the uniformed services: Provided further, That of the funds appropriated under this heading, not more than $3,400,000 shall be made available to permit private sector or non-federal physicians, who have used and will use the antibacterial treatment method based upon the excretion of dead and decaying spherical bacteria, to work in conjunction with the Walter Reed Army Medical Center on a treatment protocol and related studies for Desert Storm Syndrome-affected veterans*; and the Senate agree to the same.

Amendment numbered 114:

That the House recede from its disagreement to the amendment of the Senate numbered 114, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$575,449,000*; and the Senate agree to the same.

Amendment numbered 115:

That the House recede from its disagreement to the amendment of the Senate numbered 115, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$355,784,000*; and the Senate agree to the same.

Amendment numbered 116:

That the House recede from its disagreement to the amendment of the Senate numbered 116, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$198,965,000*; and the Senate agree to the same.

Amendment numbered 118:

That the House recede from its disagreement to the amendment of the Senate numbered 118, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment insert: *$721,266,000, of which $10,000,000 is hereby transferred to the "Military Construction, Navy" appropriation for construction of a Relocatable Over-the-Horizon Radar in Puerto Rico: Provided, That section 9136 of Public Law 102–396 is amended by adding the words "purchasing or" before the word "leasing" and by changing the designation "T–47" to "OT–47B"*; and the Senate agree to the same.

Amendment numbered 125:

That the House recede from its disagreement to the amendment of the Senate numbered 125, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *$92,684,000*; and the Senate agree to the same.

Amendment numbered 127:

That the House recede from its disagreement to the amendment of the Senate numbered 127, and agree to the same with an amendment, as follows:

In lieu of the matter inserted by said amendment insert:

Funds appropriated in title III of this Act may be used for multiyear procurement contracts as follows:

MK19-3 grenade machine guns;

M16A2 rifles;

M249 Squad Automatic Weapons;

M4 carbine rifles.

And the Senate agree to the same.

Amendment numbered 129:

That the House recede from its disagreement to the amendment of the Senate numbered 129, and agree to the same with an amendment, as follows:

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

Amend the matter retained by said amendment as follows:

In lieu of the section number named in said retained matter insert: *8013A*; and the Senate agree to the same.

Amendment numbered 131:

That the House recede from its disagreement to the amendment of the Senate numbered 131, and agree to the same with an amendment, as follows:

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

In lieu of the matter restored by said amendment insert:

SEC. 8021. All new Department of Defense procurements shall separately identify software costs in the work breakdown structure defined by MIL-STD-881 in those instances where software is considered to be a major category of cost.

And further

Amend the matter retained by said amendment as follows:

In lieu of section number "8021" named in said retained matter insert: *8021A*; and the Senate agree to the same.

Amendment numbered 134:

That the House recede from its disagreement to the amendment of the Senate numbered 134, and agree to the same with an amendment, as follows:

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

Amend the matter restored by said amendment as follows:

In lieu of the sum named in said restored matter insert: *$203,736,000*; and further

Amend the matter retained by said amendment as follows:

In lieu of section number "8025" named in said retained matter insert: *8025A*; and the Senate agree to the same.

Amendment numbered 135:

That the House recede from its disagreement to the amendment of the Senate numbered 135, and agree to the same with an amendment, as follows:

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

Amend the matter retained by said amendment as follows:

In lieu of the section number named in said retained matter insert: *8026A*.

After the words "not apply to handguns" named in said retained matter insert: *and ammunition*; and the Senate agree to the same.

Amendment numbered 138:

That the House recede from its disagreement to the amendment of the Senate numbered 138, and agree to the same with an amendment, as follows:

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

Amend the matter retained by said amendment as follows:

In lieu of the section number named in said retained matter insert: *8041A*; and the Senate agree to the same.

Amendment numbered 141:

That the House recede from its disagreement to the amendment of the Senate numbered 141, and agree to the same with an amendment, as follows:

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

Amend the matter retained by said amendment as follows:

In lieu of the section number named in said retained matter insert: *8050A*; and the Senate agree to the same.

Amendment numbered 143:

That the House recede from its disagreement to the amendment of the Senate numbered 143, and agree to the same with an amendment, as follows:

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

SEC. 8054. (a) Funds appropriated in this Act to finance activities of Department of Defense (DoD) Federally Funded Research and Development Centers (FFRDCs) may not be obligated or expended for a FFRDC if a member of its Board of Directors or Trustees simultaneously serves on the Board of Directors or Trustees of a profit-making company under contract to the Department of Defense unless the FFRDC has a DoD approved conflict of interest policy for its members.

(b) None of the funds appropriated in this Act are available to establish a new FFRDC, either as a new entity, or as a separate entity administered by an organization managing another FFRDC, or as a nonprofit membership corporation consisting of a consortium of other FFRDCs and other nonprofit entities.

(c) The Secretary of Defense may not obligate more than one-half of the funds available for each defense FFRDC, and more than one-half of the total amount available for defense FFRDCs, until the congressional defense committees receive the annual funding ceilings for fiscal year 1995 for each defense FFRDC and each subcomponent of a defense FFRDC identified as a separate sub-entity due to the significantly unique nature of its functions.

(d) Limitation on Compensation. No employee or executive officer of a defense FFRDC may be compensated at a rate exceeding Executive Schedule Level I by that FFRDC: Provided, That the restriction contained in this subsection shall not take effect until July 1, 1995.

(e) Limitation on Compensation. No member of a Board of Directors, Trustees, Overseers, Advisory Group, Special Issues Panel, Visiting Committee, or any similar entity of a defense FFRDC may be compensated for his or her services as a member of such entity except under the same conditions, and to the same extent, as members of the Defense Science Board: Provided, That a member of any such entity shall be allowed travel expenses and per diem as authorized under the Federal Joint Travel Regulations, when engaged in the performance of membership duties: Provided further, That the restriction contained in this subsection shall not take effect until July 1, 1995.

(f) Notwithstanding any other provision of law, none of the funds available to the Department of Defense from any source during fiscal year 1995 may be used by a defense FFRDC, through a fee or other payment mechanism, for

charitable contributions, for construction of new buildings, for payment of cost sharing for projects funded by government grants, or for absorption of contract overruns.

(g) 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 FFRDCs: Provided, That the total amount appropriated in title IV of this Act is hereby reduced by $100,000,000 to reflect the funding ceiling contained in this subsection.

(h) The total amount appropriated to or for the use of the Department of Defense in title IV of this Act is reduced by an additional $251,534,000 to reflect savings from the decreased use of non-FFRDC consulting services by the Department of Defense.

(i) The total amount appropriated to or for the use of the Department of Defense in title IV of this Act is reduced by an additional $19,055,000 to reflect savings from the decreased use of major non-profit federally-funded research institutions and university-affiliated research centers by the Department of Defense.

And the Senate agree to the same.

Amendment numbered 144:

That the House recede from its disagreement to the amendment of the Senate numbered 144, and agree to the same with an amendment, as follows:

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

Amend the matter retained by said amendment as follows:

In lieu of the section number named in said retained matter insert: *8055A*; and the Senate agree to the same.

Amendment numbered 145:

That the House recede from its disagreement to the amendment of the Senate numbered 145, and agree to the same with an amendment, as follows:

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

Amend the matter retained by said amendment as follows:

In lieu of the section number named in said retained matter insert: *8058A*, and further

On page 77, line 12, of the House engrossed bill, H.R. 4650, strike out "$2,000,000" and insert in lieu thereof: *$1,000,000*; and the Senate agree to the same.

Amendment numbered 147:

That the House recede from its disagreement to the amendment of the Senate numbered 147, and agree to the same with an amendment, as follows:

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

Amend the matter retained by said amendment as follows:

In lieu of the section number named in said retained matter insert: *8064A*; and the Senate agree to the same.

Amendment numbered 152:

That the House recede from its disagreement to the amendment of the Senate numbered 152, and agree to the same with an amendment, as follows:

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

Amend the matter retained by said amendment as follows:

In lieu of the section number named in said retained matter insert: *8075A*; and the Senate agree to the same.

Amendment numbered 155:

That the House recede from its disagreement to the amendment of the Senate numbered 155, and agree to the same with an amendment, as follows:

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

In lieu of the matter retained by said amendment insert:

SEC. 8081A. In addition to amounts appropriated or otherwise made available by this Act, $67,000,000 is hereby appropriated and shall be made available only for liquidating deficiencies in the amounts specified in the appropriations "National Guard Personnel, Army, 1993", $55,000,000; and "Reserve Personnel, Army, 1993", $12,000,000.

And the Senate agree to the same.

Amendment numbered 157:

That the House recede from its disagreement to the amendment of the Senate numbered 157, and agree to the same with an amendment, as follows:

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

SEC. 8090. Notwithstanding any other provision of law, funds appropriated in this Act for the High Performance Computing Modernization Program shall be made available only for the upgrade, purchase, or modernization of supercomputing capability and capacity at Department of Defense (DoD) science and technology sites under the cognizance of the Director of Defense Research and Engineering and DoD test and evaluation facilities under the Director of Test and Evaluation, OUSD (A&T): Provided, That the contracts, contract modifications, contract options, or other agreements are awarded as the result of full and open competition based upon the requirements of the user.

And the Senate agree to the same.

Amendment numbered 158:

That the House recede from its disagreement to the amendment of the Senate numbered 158, and agree to the same with an amendment, as follows:

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

Amend the matter restored by said amendment as follows:

In lieu of the number "75" named in said restored matter in two instances insert: *50* , and further

Amend the matter retained by said amendment as follows:

In lieu of the section number named in said retained matter insert: *8093A*; and the Senate agree to the same.

Amendment numbered 159:

That the House recede from its disagreement to the amendment of the Senate numbered 159, and agree to the same with an amendment, as follows:

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

Amend the matter retained by said amendment as follows:

In lieu of the section number named in said retained matter insert: *8094A*; and the Senate agree to the same.

Amendment numbered 160:

That the House recede from its disagreement to the amendment of the Senate numbered 160, and agree to the same with an amendment, as follows:

In lieu of the sum named in said amendment insert: *$75,000,000*; and the Senate agree to the same.

Amendment numbered 161:

That the House recede from its disagreement to the amendment of the Senate numbered 161, and agree to the same with an amendment, as follows:

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

Amend the matter retained by said amendment as follows:

In lieu of the section number named in said retained matter insert: *8097A*; and the Senate agree to the same.

Amendment numbered 162:

That the House recede from its disagreement to the amendment of the Senate numbered 162, and agree to the same with an amendment, as follows:

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

(TRANSFER OF FUNDS)

Sec. 8099. Upon enactment of this Act, the Secretary of Defense shall make the following transfers of funds: Provided, That the amounts transferred shall be available for the same purposes as the appropriations to which transferred, and for the same time period as the appropriation from which transferred: Provided further, That the amounts shall be transferred between the following appropriations in the amounts specified:

From:

Under the heading, "Shipbuilding and Conversion, Navy, 1986/1990":

CG–47 cruiser program, $6,000,000;

LSD–41 landing ship dock program, $1,700,000;

T–AGOS ocean surveillance ship program, $5,000,000;

For craft, outfitting, post delivery, and cost growth, $2,438,000;

To:

Under the heading, "Shipbuilding and Conversion, Navy, 1986/1990":

SSN–688 attack submarine program, $11,719,000;

MSH coastal mine hunter program, $3,419,000;

From:

Under the heading, "Shipbuilding and Conversion, Navy, 1987/1991":

Trident ballistic missile submarine program, $650,000;

DDG–51 destroyer program, $633,000;

CG–47 cruiser program, $283,000;

T–AO fleet oiler program, $2,800,000;

AO conversion program, $400,000;

For craft, outfitting, and post delivery, $5,900,000;

Weapons Procurement, Navy, 1993/1995, $18,069,000;

National Guard and Reserve Equipment, 1994/1996, $5,145,000;

To:

Under the heading, "Shipbuilding and Conversion, Navy, 1987/1991":

SSN–688 attack submarine program, $18,496,000;

AOE fast combat support ship program, $15,384,000;

From:

Under the heading, "Shipbuilding and Conversion, Navy, 1988/1992":

CG–47 cruiser program, $15,351,000;

LSD–41 cargo variant ship program, $4,773,000;

LHD–1 amphibious assault ship program, $7,028,000;

AO conversion program, $1,900,000;

Aircraft Procurement, Navy, 1993/1995, $100,642,000;

To:

Under the heading, "Shipbuilding and Conversion, Navy, 1988/1992":

TRIDENT ballistic missile submarine program, $6,035,000;

SSN–688 attack submarine program, $19,659,000;

CVN nuclear aircraft carrier program, $104,000,000;

From:

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

LHD–41 amphibious assault ship program, $3,400,000;
T–AO fleet oiler program, $3,488,000;
T–AGOS surveillance ship program, $3,197,000;
AO conversion program, $1,300,000;
Weapons Procurement, Navy, 1993/1995, $178,000;
Other Procurement, Navy, 1993/1995, $22,400,000;
Research, Development, Test and Evaluation, Navy, 1994/1995, $41,700,000;
To:
Under the heading, "Shipbuilding and Conversion, Navy, 1989/1993":
SSN–688 attack submarine program, $18,939,000;
SSN–21 attack submarine program, $37,123,000;
MHC coastal mine hunter program, $1,700,000;
AOE combat support ship program, $17,901,000;
From:
Under the heading, "Shipbuilding and Conversion, Navy, 1990/1994":
TRIDENT ballistic submarine program, $2,400,000;
Aircraft carrier service life extension program, $346,000;
MCM mine countermeasures program, $657,000;
Oceanographic ship program, $3,964,000;
LCAC landing craft air cushion program, $1,188,000;
Aircraft Procurement, Navy, 1993/1995, $6,000,000;
Weapons Procurement, Navy, 1993/1995, $6,753,000;
Other Procurement, Navy, 1994/1996, $1,297,000;
To:
Under the heading, "Shipbuilding and Conversion, Navy, 1990/1994":
SSN–688 attack submarine program, $9,046,000;
MHC coastal mine hunter program, $3,575,000;
AOE combat support ship program, $9,984,000;
From:
Under the heading, "Shipbuilding and Conversion, Navy, 1991/1995":
TRIDENT ballistic missile submarine program, $39,500,000;
DDG–51 destroyer program, $8,200,000;
LSD–41 dock landing ship cargo variant ship program, $22,427,000;
Aircraft Procurement, Navy, 1994/1996, $17,000,000;
Other Procurement, Navy, 1994/1996, $666,000;
Procurement, Marine Corps, 1993/1995, $6,600,000;
To:
Under the heading, "Shipbuilding and Conversion, Navy, 1991/1995":
SSN–21 attack submarine program, $48,240,000;
LHD–1 amphibious assault ship program, $43,600,000;
MHC coastal mine hunter program, $2,553,000;
From:
Aircraft Procurement, Navy, 1993/1995, $42,000,000;
Other Procurement, Navy, 1994/1996, $29,261,000;
National Guard and Reserve Equipment, 1994/1996, $5,183,000;
To:
Under the heading, "Shipbuilding and Conversion, Navy, 1992/1996":
DDG–51 destroyer program, $64,958,000;
MHC coastal mine hunter program, $11,486,000;
From:
Weapons Procurement, Navy, 1993/1995, $30,000,000;
Other Procurement, Navy, 1994/1996, $38,438,000;
To:
Under the heading, "Shipbuilding and Conversion, Navy, 1993/1997":
DDG–51 destroyer program, $26,894,000;
LSD–41 cargo variant ship program, $5,663,000;
MHC coastal mine hunter program, $7,615,000;
AOE combat support ship program, $28,266,000;
From:
Weapons Procurement, Navy, 1994/1996, $14,000,000;
Other Procurement, Navy, 1994/1996, $763,000;
National Guard and Reserve Equipment, 1994/1996, $4,672,000;
To:
Under the heading, "Shipbuilding and Conversion, Navy, 1994/1998":
LHD–1 amphibious assault ship program, $15,131,000;
Oceanographic ship program, $4,304,000.

And the Senate agree to the same.

Amendment numbered 163:

That the House recede from its disagreement to the amendment of the Senate numbered 163, and agree to the same with an amendment, as follows:

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

SEC. 8101. Not later than May 1, 1995, the Secretary of Defense shall submit to the Committees on Appropriations of the House and Senate an independent cost effectiveness study of Air Force bomber programs: Provided, That of the total amounts available to the Department of Defense for financing the activities of defense federally funded research and development centers during fiscal year 1995, $4,500,000 shall be made available within 30 days after the enactment of this Act for the purposes of the aforementioned study.

And the Senate agree to the same.

Amendment numbered 165:

That the House recede from its disagreement to the amendment of the Senate numbered 165, and agree to the same with an amendment, as follows:

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

In lieu of the matter restored by said amendment insert:

(INCLUDING TRANSFER OF FUNDS)

SEC. 8104. Balances of the funds appropriated in Public Laws 102–172, 102–396, and 103–139, under the headings "World University Games", "Summer Olympics", and "World Cup USA 1994" in title II of those Acts shall be merged with the appropriation heading entitled "Summer Olympics" appearing under title II of this Act and shall be available only for purposes described under that heading.

And further

Amend the matter retained by said amendment as follows:

In lieu of the section number named in said retained matter insert: *8104A*; and the Senate agree to the same.

Amendment numbered 167:

That the House recede from its disagreement to the amendment of the Senate numbered 167, and agree to the same with an amendment, as follows:

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

In lieu of the matter restored by said amendment insert:

SEC. 8106. (a) None of the funds made available by this Act may be obligated for design, development, acquisition, or operation of more than 47 Titan IV expendable launch vehicles, or for satellite mission-model planning for a Titan IV requirement beyond 47 vehicles.

(b) Of the funds provided in the Department of Defense Appropriations Act, 1994 (Public Law 103–139), the Secretary of Defense shall transfer a total of $60,000,000 to the National Aeronautics and Space Administration (NASA): Provided, That of that amount, $25,000,000 shall be transferred from Procurement, Defense-Wide, 1994/1996, and shall only be used for LANDSAT 7: Provided further, That of that amount, $35,000,000 shall be transferred from Research, Development, Test and Evaluation, Defense-Wide, 1994/1995, and shall only be used for Single-Stage-to-Orbit research and development at Phillips Laboratory, Albuquerque, New Mexico and, pursuant to the President's call for a supporting role for DOD in this technology, the funds shall be used in activities to support NASA-led construction of an Advanced Technology Demonstrator X-vehicle and to finish the original flight test program of the DC–X1 test vehicle.

(c) $30,000,000 made available in this Act for Research, Development, Test and Evaluation, Air Force and $10,000,000 made available in the Department of Defense Appropriations Act, 1994 (Public Law 103–139) for Research, Development, Test and Evaluation, Defense-Wide, 1994/1995, may only be obligated for development of a new family of medium-lift and heavy-lift expendable launch vehicles evolved from existing technologies: Provided, That the $30,000,000 in fiscal year 1995 funds shall not be available for obligation until the Secretary of Defense submits a detailed plan describing the proposed development program for the new family of expendable launch vehicles.

And further

Amend the matter retained by said amendment as follows:

In lieu of section number "8106" named in said retained matter insert: *8106A*.

After the words "(10 U.S.C. Sec. 1175) payments if rehired" named in said retained matter insert: *in a civilian position*; and the Senate agree to the same.

Amendment numbered 168:

That the House recede from its disagreement to the amendment of the Senate numbered 168, and agree to the same with an amendment, as follows:

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

Sec. 8107. Notwithstanding any other provision of law, of the funds appropriated to the Department of the Navy for Operation and Maintenance, not less than $4,500,000 shall be obligated and expended only for operation and maintenance, automatic data processing equipment, transition assistance or in-house central design development and activities for the Naval Reserve Force Information Systems Office, the Naval Reserve Personnel Center, the Enlisted Personnel Management Center, and the collocated Naval Computer and Telecommunications Station: Provided, That notwithstanding any other provision of law, of the funds appropriated to the Department of Defense for Procurement and Operation and Maintenance, Defense-Wide not less than $18,000,000 shall be obligated and expended only for automatic data processing equipment or software, in-house central design development and activities, and transition assistance for the Naval Reserve Force Information Systems Office, the Naval Reserve Personnel Center, the Enlisted Personnel Management Center and the collocated Naval Computer and Telecommunications Station, of which $8,000,000 shall be available in procurement funds and $5,000,000 shall be available in operation and maintenance funds only for the establishment of a Continuity of Operations (COOP) center that shall be collocated with the Naval Reserve Force Information Systems Office, the Enlisted Personnel Management Center, and the collocated Naval Computer and Telecommunications Station for the contingency

preservation of computer data for the Department of Defense Data and Megacenter consolidation initiative: Provided further, That the Secretary of the Navy shall establish the Naval Reserve Force Information Systems Office and the Enlisted Personnel Management Center, supported by the collocated Naval Computer and Telecommunications Station, as the central design activities for development, integration, coding, documentation, and system management for the software development and maintenance of the Naval active and reserve single Source Data Collection System: Provided further, That the Bureau of Naval Personnel shall remain as the Program Manager for definition of functional requirements and priorities: Provided further, That the last provision of Section 8023 of Public Law 103-139, is hereby repealed.

(TRANSFER OF FUNDS)

Sec. 8107A. In addition to amounts appropriated or otherwise made available in this Act, $8,000,000 shall be made available for pay and allowances for the Office of the Assistant Secretary of Defense for Reserve Affairs to be available only for support of Civil-Military Cooperation program operations, for transfer to appropriations available to the Department of Defense for military personnel of the reserve components serving under the provisions of title 10 and title 32, United States Code: Provided, That the funds made available by this paragraph shall be available for obligation for the same time period and for the same purpose as the appropriation to which transferred: Provided further, That the transfer authority provided in this paragraph is in addition to any transfer authority contained elsewhere in this Act.

And the Senate agree to the same.

Amendment numbered 169:

That the House recede from its disagreement to the amendment of the Senate numbered 169, and agree to the same with an amendment, as follows:

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

In lieu of the matter restored by said amendment insert:

SEC. 8108. No funds available to the Department of Defense in this Act may be used to establish additional field operating agencies of any element of the Department during fiscal year 1995, except for field operating agencies funded within the National Foreign Intelligence Program.

And further

Amend the matter retained by said amendment as follows:

In lieu of the section number named in said retained matter insert: *8108A*; and the Senate agree to the same.

Amendment numbered 172:

That the House recede from its disagreement to the amendment of the Senate numbered 172, and agree to the same with an amendment, as follows:

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

SEC. 8111. Funds made available to the Department of the Navy for the EA-6B program in this Act and prior Department of Defense Appropriations Acts may be used to procure any lower cost alternative to the ADVCAP upgrade program considered by the Department of the Navy to be appropriate and cost effective.

And the Senate agree to the same.

Amendment numbered 174:

That the House recede from its disagreement to the amendment of the Senate numbered 174, and agree to the same with an amendment, as follows:

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

Amend the matter restored by said amendment as follows:

Delete the words "January 1" named in said restored matter and insert in lieu thereof: *April 1*

In lieu of the sum "$30,000,000" named in said restored matter insert: *$20,000,000*

And further

In lieu of the matter retained by said amendment insert:

SEC. 8114A. (a) FISCAL YEAR 1995 COST-OF-LIVING ADJUSTMENT FOR MILITARY RETIREES.—(1) The fiscal year 1995 increase in military retired pay shall (notwithstanding subparagraph (B) of section 1401a(b)(2) of title 10, United States Code) first be payable as part of such retired pay for the month of March 1995.

(2) For the purposes of subsection (a):

(A) The term "fiscal year 1995 increase in military retired pay" means the increase in retired pay that, pursuant to paragraph (1) of section 1401a(b) of title 10, United States Code, becomes effective on December 1, 1994.

(B) The term "retired pay" includes retainer pay.

(b) FUTURE COST-OF-LIVING ADJUSTMENTS FOR MILITARY RETIREES.—

(1) Subject to paragraph (2), subparagraph (B) of section 1401a(b)(2) of title 10, United States Code, is amended—

(A) in the heading, by striking out "THROUGH 1998" and inserting in lieu thereof "THROUGH 1996"; and

(B) in clause (ii)—

(i) by striking out "THROUGH 1998" and inserting in lieu thereof "AND 1996";

(ii) by striking out "of 1994, 1995, 1996, or 1997" and inserting in lieu thereof "of 1994 or 1995"; and

(iii) by striking out "September" and inserting in lieu thereof "March".

(2) Paragraph (1) shall be effective only if—

(A) the President, in the budget of the President for fiscal year 1996, proposes legislation which if enacted would be qualifying offsetting legislation; and

(B) there is enacted during the first session of the 104th Congress qualifying offsetting legislation.

(3) If the conditions in paragraph (2) are met, then the amendments by paragraph (1) shall take effect on January 1, 1996.

(4) For purposes of this subsection:

(A) The term "qualifying offsetting legislation" means legislation (other than an appropriations Act) that includes provisions that—

(i) offset fully the increased outlays for each of fiscal years 1996, 1997, and 1998 to be made from the Department of Defense Military Retirement Fund by reason of the amendment made by paragraph (1);

(ii) expressly state that they are enacted for the purpose of the offset described in clause (i); and

(iii) are included in full on the PayGo scorecard.

(B) The term "PayGo scorecard" means the estimates that are made with respect to fiscal years through fiscal year 1998 by the Director of the Congressional Budget Office and the Director of the Office of Management and Budget under section 252(d) of the Balanced Budget and Emergency Deficit Control Act of 1985.

And the Senate agree to the same.

Amendment numbered 175:

That the House recede from its disagreement to the amendment of the Senate numbered 175, and agree to the same with an amendment, as follows:

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

Amend the matter retained by said amendment as follows:

In lieu of the section number named in said retained matter insert: *8115A*; and the Senate agree to the same.

Amendment numbered 176:

That the House recede from its disagreement to the amendment of the Senate numbered 176, and agree to the same with an amendment, as follows:

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

SEC. 8116. Such additional sums as may be necessary for fiscal year 1995 pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

And the Senate agree to the same.

Amendment numbered 177:

That the House recede from its disagreement to the amendment of the Senate numbered 177, and agree to the same with an amendment, as follows:

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

SEC. 8117. After April 15, 1995, none of the funds provided in this Act may be obligated for payment on new contracts on which allowable costs charged to the government include payments for individual compensation at a rate in excess of $250,000 per year.

And the Senate agree to the same.

Amendment numbered 178:

That the House recede from its disagreement to the amendment of the Senate numbered 178, and agree to the same with an amendment, as follows:

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

SEC. 8118. None of the funds available in this Act may be used to reduce the authorized positions for military (civilian) technicians of the Army National Guard, the Air National Guard, Army Reserve and Air Force Reserve for the purpose of applying any administratively imposed civilian personnel ceiling, freeze, or reduction on military (civilian) technicians, unless such reductions are a direct result of a reduction in military force structure: Provided, That the Department of Defense shall prepare and submit to the Congressional defense committees a report on reductions of civilian technicians which may be required to align civilian technician positions with force structure changes in the Reserve component.

And the Senate agree to the same.

Amendment numbered 179:

That the House recede from its disagreement to the amendment of the Senate numbered 179, and agree to the same with an amendment, as follows:

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

SEC. 8119. During the current fiscal year and hereafter, the Department of State and the Department of Defense are authorized to provide interagency courier service on a non-reimbursable basis.

And the Senate agree to the same.

Amendment numbered 183:

That the House recede from its disagreement to the amendment of the Senate numbered 183, and agree to the same with an amendment, as follows:

In lieu of the matter inserted by said amendment insert:

SEC. 8123. During the current fiscal year, funds appropriated in this Act are available to compensate members of the National Guard for duty performed pursuant to a plan submitted by a Governor of a State and approved by the Secretary of Defense under section 112 of title 32, United States Code: Provided, That during the performance of such duty, the members of the National Guard shall be under state command and control: Provided further, That such duty shall be treated as full-time National Guard

duty for purposes of sections 3686 (2) and 8686 (2) of title 10, United States Code.

And the Senate agree to the same.

Amendment numbered 188:

That the House recede from its disagreement to the amendment of the Senate numbered 188, and agree to the same with an amendment, as follows:

In lieu of the matter inserted by said amendment insert:

SEC. 8128. The Secretary of Defense shall report to the congressional defense committees the existing standards for the provision of concurrent retirement and disability benefits to members of the Armed Forces with not less than twenty years of service: Provided, That this evaluation will address the number of individuals retired from the Armed Forces under conditions of total disability; the cost of extending concurrent benefits to these individuals; the comparability of the policy to Office of Personnel Management guidelines for civilian federal employees; the comparability of this policy to prevailing private sector standards; the number of individuals potentially eligible for concurrent benefits who now receive other forms of federal assistance and the cost of that assistance: Provided further, That the Secretary shall submit this report not later than March 15, 1995.

And the Senate agree to the same.

Amendment numbered 189:

That the House recede from its disagreement to the amendment of the Senate numbered 189, and agree to the same with an amendment, as follows:

Delete all the matter in said amendment appearing after "or rank in grade of the member." down to and including "preceding calendar quarter." and insert in lieu thereof:

(c) REPORTS.—Not later than April 15 and October 15 of each calendar year while the off-site agreement is in effect, the Secretary of the Army shall submit to the congressional defense committees a semi-annual report on the number of members of the Armed Forces who were reassigned under subsection (b)(1) during the preceding six months.

And the Senate agree to the same.

Amendment numbered 190:

That the House recede from its disagreement to the amendment of the Senate numbered 190, and agree to the same with an amendment, as follows:

In lieu of the matter inserted by said amendment insert:

SEC. 8130. Funds appropriated in this Act for operation and maintenance of the Military Departments, Unified and Specified Commands and Defense Agencies shall be available for reimbursement of pay, allowances and other expenses which would otherwise be incurred against appropriations for the National Guard and Reserve when members of the National Guard and Reserve provide intelligence support to Unified Commands, Defense Agencies and Joint Intelligence Activities, including the activities and programs included within the General Defense Intelligence Program and the Consolidated Cryptologic Program: Provided, That nothing in this section authorizes deviation from established Reserve and National Guard personnel and training procedures.

And the Senate agree to the same.

Amendment numbered 192:

That the House recede from its disagreement to the amendment of the Senate numbered 192, and agree to the same with an amendment, as follows:

In lieu of the matter inserted by said amendment insert:

SEC. 8132. The Secretary of Defense, from within funds provided in this Act, may obligate not to exceed $75,000 to fulfill Department of Defense obligations under the Educational Loan Repayment Programs for state-sponsored student loan programs not covered under Title IV, Part B or E of the Higher Education Act of 1965 (Title 20 U.S.C. 1071–1087).

And the Senate agree to the same.

Amendment numbered 193:

That the House recede from its disagreement to the amendment of the Senate numbered 193, and agree to the same with an amendment, as follows:

In lieu of the matter inserted by said amendment insert:

SEC. 8133. Notwithstanding any other provision of law, the Secretary of the Navy shall obligate, within sixty days of this Act becoming law, not less than $39,750,000 from the funds appropriated in this Act or previous Acts under the heading "Aircraft Procurement, Navy", solely to procure, integrate, and install, on an urgent basis, AN/USH–42 mission recorders modified for use in S–3B aircraft.

And the Senate agree to the same.

Amendment numbered 194:

That the House recede from its disagreement to the amendment of the Senate numbered 194, and agree to the same with an amendment, as follows:

In lieu of the matter inserted by said amendment insert:

SEC. 8134. Subparagraph (B) of section 7306(d)(1) of title 10, United States Code, shall not apply with respect to the transfer by the Secretary of the Navy under section 7306(a) of such title of the aircraft carrier U.S.S. Saratoga (CV–60) to the U.S.S. Saratoga Museum Foundation, Inc., a foundation organized under the laws of the State of Florida.

And the Senate agree to the same.

Amendment numbered 195:

That the House recede from its disagreement to the amendment of the Senate numbered 195, and agree to the same with an amendment, as follows:

In lieu of the matter inserted by said amendment insert:

RESTRICTION ON FUNDING UNITED STATES MILITARY PERSONNEL IN SOMALIA

SEC. 8135. None of the funds appropriated by this Act may be used for the continuous presence in Somalia of United States military personnel, except for the protection of United States personnel, after September 30, 1994.

And the Senate agree to the same.

Amendment numbered 198:

That the House recede from its disagreement to the amendment of the Senate numbered 198, and agree to the same with an amendment, as follows:

Delete the word "Congress" named in said amendment in four instances and insert in lieu thereof: *Senate*; and the Senate agree to the same.

Amendment numbered 199:

That the House recede from its disagreement to the amendment of the Senate numbered 199, and agree to the same with an amendment, as follows:

In lieu of the matter inserted by said amendment insert:

SEC. 8139. Notwithstanding any other provision of law, the Secretary of a military department may enter into a contract for use of commercial or proprietary credit card services for augmenting or replacing any in-house account receivable system in use by a nonappropriated fund instrumentality under the jurisdiction of that Secretary if the Secretary determines that such contract is in the best interest of that department: Provided, That any Department of Defense initiative to contract for credit card services shall require full and open competitive procedures and be based on the program concepts determined by the military department(s) morale, welfare and recreation (MWR) and service division(s) affected by such initiative.

And the Senate agree to the same.

Amendment numbered 200:

That the House recede from its disagreement to the amendment of the Senate numbered 200, and agree to the same with an amendment, as follows:

In lieu of the matter inserted by said amendment insert:

SEC. 8140. It is the sense of the Congress that the Secretary of Defense should name the new research facility under construction to house the Walter Reed Army Institute of Research, in honor of Senator Daniel K. Inouye.

And the Senate agree to the same.

Amendment numbered 201:

That the House recede from its disagreement to the amendment of the Senate numbered 201, and agree to the same with an amendment, as follows:

Delete the word "availability" named in said amendment and insert in lieu thereof: *available*; and the Senate agree to the same.

Amendment numbered 202:

That the House recede from its disagreement to the amendment of the Senate numbered 202, and agree to the same with an amendment, as follows:

Delete the word "Senate" named in said amendment and insert in lieu thereof: *Congress*; and the Senate agree to the same.

Amendment numbered 204:

That the House recede from its disagreement to the amendment of the Senate numbered 204, and agree to the same with an amendment, as follows:

In lieu of the matter inserted by said amendment insert:

SEC. 8144. All refunds or other amounts collected in the administration of the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) shall be credited to current year appropriations.

And the Senate agree to the same.

Amendment numbered 207:

That the House recede from its disagreement to the amendment of the Senate numbered 207, and agree to the same with an amendment, as follows:

In lieu of the matter inserted by said amendment insert:

SEC. 8147. Of the funds appropriated by title VIII of Public Law 102–396 (106 Stat. 1899) for defense reinvestment for economic growth, the unobligated balance of the funds made available by such title for military service members occupational conversion and training shall remain available for obligation until September 30, 1995.

And the Senate agree to the same.

Amendment numbered 208:

That the House recede from its disagreement to the amendment of the Senate numbered 208, and agree to the same with an amendment, as follows:

In lieu of the matter inserted by said amendment insert:

SEC. 8148. Under the heading "Humanitarian Assistance" in title II of this Act, on line one, strike "For transportation for" and insert in lieu thereof "For": Provided, That the proviso contained under this heading in the Department of Defense Appropriations Act for 1994 (Public Law 103-139) is hereby repealed.

And the Senate agree to the same.

Amendment numbered 210:

That the House recede from its disagreement to the amendment of the Senate numbered 210, and agree to the same with an amendment, as follows:

In lieu of the matter inserted by said amendment insert:

SEC. 8150. In addition to amounts appropriated elsewhere in this Act to the Department of Defense, $14,200,000 is authorized and appropriated only for the Utility Reconfiguration Project at the Philadelphia Naval Complex.

And the Senate agree to the same.

Amendment numbered 211:

That the House recede from its disagreement to the amendment of the Senate numbered 211, and agree to the same with an amendment, as follows:

In lieu of the matter inserted by said amendment insert:

SEC. 8151. Notwithstanding section 303(a) (5) and (6) of the Defense Production Act, or any other provision of law, the Department of Defense will negotiate and award an appropriate contract to the sole domestic producer of nuclear steam generator tubing for aircraft carriers, in an amount not to exceed $17,500,000 from funds provided in Public Law 103-139 for Defense Production Act Purchases.

And the Senate agree to the same.

Amendment numbered 212:

That the House recede from its disagreement to the amendment of the Senate numbered 212, and agree to the same with an amendment, as follows:

In lieu of the sum "$78,265,000" named in said amendment insert: *$93,265,000*; and the Senate agree to the same.

Amendment numbered 213:

That the House recede from its disagreement to the amendment of the Senate numbered 213, and agree to the same with an amendment, as follows:

In lieu of the matter inserted by said amendment insert:

SEC. 8153. No funds appropriated by this Act may be obligated or expended during fiscal year 1995 for retiring, or preparing to retire, any B-52H, B-1B, or F-111 bomber aircraft.

SEC. 8154. (a) None of the funds available to the Department of Defense for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

(b) None of the funds available to the Central Intelligence Agency for any fiscal year for drug interdiction and counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

SEC. 8155. Amendments to Public Law 103-317 (including rescission).

(a) Of the funds appropriated under the heading, "Contributions to International Organizations" in Public Law 103-317, $4,561,000 are rescinded. In addition, under this heading in said Public Law, delete ", of which not to exceed $4,000,000 is available to pay arrearages, the payment of which" and substitute ": Provided, That any payment of arrearages made from these funds".

(b) Under the heading, "Payment to the Asia Foundation" in Public Law 103-317, delete "$10,000,000" and substitute "$15,000,000".

(c) Under the heading "Securities and Exchange Commission", "Salaries and Expenses", in Public Law 103-317, insert the following:

"For an additional amount for 'Salaries and Expenses', $192,000,000: Provided, That such amount is available only upon enactment of legislation that continues for fiscal year 1995 the rate of fees collected under section 6(b) of the Securities Act of 1933 (15 U.S.C. 77f(b)), as provided by Public Law 103-121 (107 Stat. 1168), at 1/29th of one percent and that deposits the difference in such fees (between 1/50th of one percent and 1/29th of one percent) as an offsetting collection to this appropriation: Provided further, That the total amount appropriated for fiscal year 1995 under this heading shall be reduced as such fees are deposited to this appropriation so as to result in a final total fiscal year 1995 appropriation from the General Fund estimated at not more than $74,856,000: Provided further, That any such fees collected in excess of $192,000,000 in fiscal year 1995 shall remain available until expended, but shall not be available for obligation until October 1, 1995.".

SEC. 8156. Of the amounts provided in title III of this Act, $304,900,000 are permanently canceled: Provided, That the Secretary of Defense shall allocate the amount of budgetary resources canceled by this section in an equal percentage to each program, project and activity funded in title III of this Act.

(RESCISSION)

SEC. 8157. Of the funds provided in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following account in the specified amount:

"Aircraft Procurement, Navy, 1993/1995", $200,000,000.

(TRANSFER OF FUNDS)

SEC. 8158. Of the funds provided in Title II of this Act under the heading "Operation and Maintenance, Defense-Wide", $500,000,000 shall be transferred to the following accounts in the specified amounts:

"Operation and Maintenance, Army", $140,000,000;

"Operation and Maintenance, Navy", $140,000,000;

"Operation and Maintenance, Marine Corps", $80,000,000;

"Operation and Maintenance, Air Force", $140,000,000.

And the Senate agree to the same.

Amendment numbered 214:

That the House recede from its disagreement to the amendment of the Senate numbered 214, and agree to the same with an amendment, as follows:

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

Titles I through VIII of this Act may be cited as the "Department of Defense Appropriations Act, 1995".

TITLE IX—FISCAL YEAR 1994 SUPPLEMENTAL APPROPRIATION

The following sum is appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 1994, namely:

DEPARTMENT OF DEFENSE

MANAGEMENT FUNDS

EMERGENCY RESPONSE FUND

For the "Emergency Response Fund", $299,300,000: Provided, That these funds may be used to reimburse other appropriations of the Department of Defense available during fiscal year 1994 for costs incurred before the date of the enactment of this Act for emergency relief for Rwanda and for emergency migrant processing and safe haven costs in or around Cuba and may be used to reimburse other appropriations available to the Department of Defense for costs incurred for the same purposes: Provided further, That the entire amount under this heading 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: Provided further, That any change in the United States mission in Rwanda from one of strict refugee relief to security, peace-enforcing, or nation-building or any other substantive role shall not be implemented without the further approval of the Congress: Provided further, That no funds provided in this Act are available for United States military participation to continue Operation Support Hope in or around Rwanda after October 7, 1994, except for any action that is necessary to protect the lives of United States citizens.

And the Senate agree to the same.

JOHN P. MURTHA,
NORMAN D. DICKS,
CHARLES WILSON,
W.G. (BILL) HEFNER,
MARTIN OLAV SABO,
JULIAN C. DIXON,
PETER J. VISCLOSKY,
GEORGE (BUDDY) DARDEN,
DAVID R. OBEY,
JOSEPH M. MCDADE,
C.W. BILL YOUNG,
BOB LIVINGSTON,
JERRY LEWIS,
JOE SKEEN,
Managers on the Part of the House.

DANIEL K. INOUYE,
FRITZ HOLLINGS,
J. BENNETT JOHNSTON,
ROBERT BYRD,
PATRICK J. LEAHY,
JIM SASSER,
DENNIS DECONCINI,
DALE BUMPERS,
FRANK R. LAUTENBERG,
TOM HARKIN,
TED STEVENS,
ALFONSE D'AMATO,
THAD COCHRAN,
ARLEN SPECTER,
PETE V. DOMENICI,
DON NICKLES,
PHIL GRAMM,
CHRISTOPHER S. BOND,
MARK O. HATFIELD,
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. 4650), making appropriations for 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 effect of the action agreed upon by the managers and recommended in the accompanying conference report.

The conference agreement on the Department of Defense Appropriations Act, 1995, incorporates some of the provisions of both the House and Senate versions of the bill. The language and allocations set forth in House Report 103-562 and Senate Report 103-321 should be complied with unless specifically addressed in the accompanying bill and statement of the managers to the contrary.

TITLE I—MILITARY PERSONNEL

The conferees agree to the following amounts and end strength totals for the Military Personnel accounts as follows:

[In thousands of dollars]

	Budget	House	Senate	Conference
Active personnel:				
Army	20,601,170	20,737,470	20,629,770	20,609,770
Navy	17,580,983	17,692,537	17,638,483	17,569,137
Marine Corps	5,778,571	5,816,671	5,806,471	5,774,871
Air Force	17,218,579	17,311,379	17,031,179	17,181,479

[In thousands of dollars]

	Budget	House	Senate	Conference
Reserve personnel:				
Army	2,174,520	2,183,620	2,178,620	2,161,620
Navy	1,392,409	1,398,609	1,418,723	1,401,809
Marine Corps	353,948	354,048	351,098	348,748
Air Force	781,383	782,434	774,834	768,834
National Guard personnel:				
Army	3,360,505	3,378,705	3,371,605	3,339,505
Air Force	1,233,239	1,238,029	1,244,729	1,233,429
Total, Military Personnel	70,475,397	70,893,502	70,445,512	70,389,202

ACTIVE END STRENGTH

[Fiscal year 1995]

	Budget	Conference	Conference verses budget
Army	510,000	510,000	---
Navy	441,641	441,641	---
Marine Corps	174,000	174,000	---
Air Force	400,051	400,051	---
Total	1,525,692	1,525,692	---

PAY RAISE ABSORPTION

The fiscal year 1995 budget request provided a 1.6 percent pay raise for military personnel. The conferees agreed to an increase of 2.6 percent as authorized and have provided an additional $185,900,000 in the military personnel accounts. The conferees intend that the Department absorb the remaining cost within the funds made available in this Act.

MEDAL FOR AMERICAN SERVICEMEMBERS

On April 14, 1994, two U.S. F-15C fighter plane pilots enforcing the United Nations-mandated "no fly" zone in northern Iraq accidently shot down two U.S. UH-60 Black Hawk helicopters which were carrying fourteen American members of the Armed Forces, one American civilian, and eleven foreigners. These individuals were engaged in a United Nations peacekeeping mission in northern Iraq's "no fly" zone, and all of them were killed. The conferees believe that the fourteen members of the Armed Forces should be awarded posthumously the Purple Heart or other medal of distinction for their distinguished service to their country. The conferees direct the Secretaries of the Army and the Air Force to review this matter, and report back to the Committees no later than March 31, 1995.

MILITARY PERSONNEL, ARMY

Amendment No. 1: Appropriates $20,609,770,000 instead of $20,737,470,000 as proposed by the House and $20,629,770,000 as proposed by the Senate. Deletes Senate language concerning visas for officials of Taiwan and limitation on the use of funds for the Sandinista popular Army and security forces of Nicaragua.

The conference agreement on items addressed by either the House or the Senate is as follows:

[In thousands of dollars]

	House	Senate	Conference
Pay Increase	136,300	136,300	54,500
Officer Work-years	0	−43,200	0
Officer Average Rank	0	−31,600	−31,600
Retired Pay Accrual/Social Security Contributions	0	−32,200	−13,600
Disability Severance Pay	0	−3,500	−3,500
Nurse Anesthetist Pay	0	2,800	2,800
Total, Military Personnel, Army	+136,300	+28,600	+8,600

VISAS FOR OFFICIALS OF TAIWAN

The Senate recedes from its language concerning the provision of visas for officials of Taiwan. The conferees agree that appropriate officials of Taiwan should be permitted entry to the United States for the conduct of official business. Amendment of the Taiwan Relations Act falls outside the jurisdiction of the Appropriations Committees. The conferees defer action on this matter to the House Foreign Affairs and Senate Foreign Relations Committees.

MILITARY PERSONNEL, NAVY

Amendment No. 2: Appropriates $17,569,137,000 instead of $17,692,537,000 as proposed by the House and $17,638,483,000 as proposed by the Senate.

The conference agreement on items addressed by either the House or the Senate is as follows:

[In thousands of dollars]

	House	Senate	Conference
Pay Increase	113,700	113,700	45,500
Aviation Continuation Pay	−1,000	0	0
Responsibility Pay	−1,146	0	−1,146
Officer Average Rank	0	−38,200	−38,200
Retired Pay Accrual/Social Security Contributions	0	−16,400	−16,400
Disability Severance Pay	0	−1,600	−1,600
Total, Military Personnel, Navy	+111,554	+57,500	−11,846

MILITARY PERSONNEL, MARINE CORPS

Amendment No. 3: Appropriates $5,774,871,000 instead of $5,816,671,000 as proposed by the House and $5,806,471,000 as proposed by the Senate.

The conference agreement on items addressed by either the House or the Senate is as follows:

[In thousands of dollars]

	House	Senate	Conference
Pay Increase	38,700	38,700	15,500
Aviation Continuation Pay	−600	0	0
Officer Work-years	0	−3,900	0
Retired Pay Accrual/Social Security Contributions	0	−1,700	0
Disability Severance Pay	0	−1,200	−1,200
Unemployment Compensation	0	14,000	0
Special Separation Bonus	0	−18,000	−18,000
Total, Military Personnel, Marine Corps	+38,100	+27,900	−3,700

UNEMPLOYMENT COMPENSATION

Prior to fiscal year 1984, the Department of Labor budgeted and paid the individual states for the Federal Government's share of applicable unemployment compensation for ex-servicemembers. Beginning in fiscal year 1984, the Department of Defense was required to budget for the costs of regular and extended unemployment benefits. P.L. 102-164 changed benefits, starting in FY 1992, from thirteen weeks after a four week waiting period, to twenty-six weeks with a one week waiting period.

The conferees are concerned that the Marine Corps budgeted for only thirteen weeks of unemployment compensation while the other Services budgeted for twenty-six weeks, consistent with existing legislation. If unemployment compensation costs accrue as expected, the conferees are amenable to considering a reprogramming request from the Department of Defense during fiscal year 1995 to meet the unbudgeted portion of the Marine Corps requirement. The Department is directed to ensure that the full twenty-six week unemployment compensation requirement is budgeted by each Service in future fiscal year military personnel budget submissions.

MILITARY PERSONNEL, AIR FORCE

Amendment No. 4: Appropriates $17,181,479,000 instead of $17,311,379,000 as proposed by the House and $17,031,179,000 as proposed by the Senate.

The conference agreement on items addressed by either the House or the Senate is as follows:

[In thousands of dollars]

	House	Senate	Conference
Pay Increase	117,300	117,300	46,900
Aviation Continuation Pay	−9,600	0	0
Aviation Career Incentive Pay	−500	0	−500
B-52 Cost Savings	−14,400	0	−14,400
Officer Work-years	0	−43,600	0
Retired Pay Accrual/Social Security Contributions	0	−18,800	0
Disability Severance Pay	0	−100	−100
Enlisted Basic Allowance for Quarters	0	−20,800	−20,800
Incentivized Losses	0	−223,200	−50,000
Nurse Anesthetist Pay	0	2,300	2,300
Flight Duty Pay	0	−500	−500
Total, Military Personnel, Air Force	+92,700	−187,400	−37,100

NATIONAL GUARD AND RESERVE FORCES

The conferees agree to provide $9,253,945,000 in Reserve personnel appropriations, $8,841,011,000 in Operation and maintenance appropriations, and $800,000,000 in the National Guard and Reserve Equipment appropriation. These funds support a Selected Reserve strength of 979,254 as shown below.

RESERVE STRENGTHS

[Fiscal year 1995]

	Budget	Conference	Conference versus budget
Selected Reserve:			
Army Reserve	242,000	242,000	0
Navy Reserve	100,710	100,902	+192
Marine Corps Reserve	42,000	42,000	0
Air Force Reserve	78,706	78,771	+65
Army National Guard	400,000	400,000	0
Air National Guard	115,581	115,581	0
Total	978,997	979,254	+257
AGR/TARS:			
Army Reserve	11,940	11,940	0
Navy Reserve	17,510	17,794	+284
Marine Corps Reserve	2,285	2,285	0
Air Force Reserve	648	648	0
Army National Guard	23,650	23,650	0
Air National Guard	9,098	9,098	0
Total	65,131	65,415	+284
Technicians:			
Army Reserve	7,004	7,004	0
Air Force Reserve	10,295	10,423	+128
Army National Guard	27,394	27,394	0
Air National Guard	24,210	24,210	0
Total	68,903	69,031	+128

MILITARY TECHNICIANS

The conferees have included a new provision (Section 8118) which prohibits funds to

be used to reduce military (civilian) technicians of the Reserve components for the purpose of applying any administratively imposed civilian personnel ceiling, freeze or reduction on military (civilian) technicians, unless such reductions are a direct result of a reduction in military force structure.

The conferees are concerned that the phased reductions planned for civilian technicians will have a significant impact on the full-time support program of the Reserve components and on the readiness of Reserve units. The conferees direct that the report requested in this Section be submitted to the Congressional defense committees no later than March 15, 1995.

RESERVE PERSONNEL, ARMY

Amendment No. 5: Appropriates $2,161,620,000 instead of $2,183,620,000 as proposed by the House and $2,178,620,000 as proposed by the Senate.

The conference agreement on items addressed by either the House or the Senate is as follows:

[In thousands of dollars]

	House	Senate	Conference
Pay Increase	12,900	12,900	5,100
Personnel Understrength	−3,800	−8,800	−18,000
Total, Reserve Personnel, Army	+9,100	+4,100	−12,900

RESERVE PERSONNEL, NAVY

Amendment No. 6: Appropriates $1,401,809,000 instead of $1,398,609,000 as proposed by the House and $1,418,723,000 as proposed by the Senate.

The conference agreement on items addressed by either the House or the Senate is as follows:

[In thousands of dollars]

	House	Senate	Conference
Pay Increase	8,400	8,400	3,400
Personnel Understrength	−2,200	−1,500	−4,000
LST ships	0	19,414	10,000
Total, Reserve Personnel, Navy	+6,200	+26,314	+9,400

TRANSFER OF LSTS

The conferees agree that a robust lift capability must be maintained and believe that one way of assuring this capability is to transfer two excess LSTs to the Naval Reserve for homeporting at Pearl Harbor. These LSTs will provide a cost effective means of transporting Army and Marine troops and equipment from the island of Oahu to the island of Hawaii, as required, for training purposes. The conferees emphasize that these ships and their crews are to be considered a part of the Navy's lift capability and that the crews of these ships are to be trained accordingly. Funding and personnel needed to accomplish this mission have been provided within the appropriate accounts. Reporting requirements contained in Senate Report 103–321 are to be adhered to.

RESERVE PERSONNEL, MARINE CORPS

Amendment No. 7: Appropriates $348,748,000 instead of $354,048,000 as proposed by the House, and $351,098,000 as proposed by the Senate.

The conference agreement on items addressed by either the House or the Senate is as follows:

[In thousands of dollars]

	House	Senate	Conference
Pay Increase	2,100	2,100	800
Personnel Understrength	−2,000	−4,950	−6,000
Total, Reserve Personnel, Marine Corps	+100	−2,850	−5,200

RESERVE PERSONNEL, AIR FORCE

Amendment No. 8: Appropriates $768,834,000 instead of $782,434,000 as proposed by the House and $774,834,000 as proposed by the Senate.

The conference agreement on items addressed by either the House or the Senate is as follows:

[In thousands of dollars]

	House	Senate	Conference
Pay Increase	4,600	4,600	1,800
Personnel Understrength	−4,200	−11,800	−15,000
WC–130 Weather Reconn	651	651	651
Total, Reserve Personnel, Air Force	+1,051	−6,549	−12,549

NATIONAL GUARD PERSONNEL, ARMY

Amendment No. 9: Appropriates $3,339,505,000 instead of $3,378,705,000 as proposed by the House and $3,371,605,000 as proposed by the Senate.

The conference agreement on items addressed by either the House or the Senate is as follows:

[In thousands of dollars]

	House	Senate	Conference
Pay Increase	22,600	22,600	9,000
Personnel Understrength	−4,400	−11,500	−30,000
Total, National Guard Personnel, Army	+18,200	+11,100	−21,000

THEATER AVIATION

The conferees agree with the Army in fielding the Theater Aviation Company to satisfy the remaining tactical fixed wing requirements. In completing this requirement, the Army is directed to adhere to the specific language on procurement adopted in the 1994 Act. Additionally, the Army is directed to reconsider the allocation of the Theater Aviation Company from COMPO 4 to the Army National Guard.

NATIONAL GUARD PERSONNEL, AIR FORCE

Amendment No. 10: Appropriates $1,233,429,000 instead of $1,238,029,000 as proposed by the House and $1,244,729,000 as proposed by the Senate.

The conference agreement on items addressed by either the House or the Senate is as follows:

[In thousands of dollars]

	House	Senate	Conference
Pay Increase	8,400	8,400	3,400
Personnel Understrength	−3,700	−8,800	−10,000
C–130 Units	0	5,600	3,600
Transfer of Defense Mission	0	6,200	3,100
Total, National Guard Personnel, Air Force	+4,700	+11,400	+100

TITLE II—OPERATION AND MAINTENANCE

A summary of the conference agreement is as follows:

[In thousands of dollars]

		Budget	House	Senate	Conference
23700	RECAPITULATION				
23750	O&M, ARMY	17,766,814	17,836,504	17,475,806	17,507,088
23850	TRANSFER—STOCKPILE	(50,000)	(50,000)	(50,000)	(50,000)
23900	O&M, NAVY	21,176,570	21,316,555	21,275,770	21,054,470
24000	TRANSFER—STOCKPILE	(50,000)	(50,000)	(50,000)	(50,000)
23050	O&M, MARINE CORPS	1,918,395	2,097,395	1,968,965	1,988,215
24150	O&M, AIR FORCE	19,026,623	18,913,050	18,786,243	18,763,427
24250	TRANSFER—STOCKPILE	(50,000)	(50,000)	(50,000)	(50,000)
24300	O&M, DEFENSEWIDE	10,208,413	8,945,266	9,986,654	10,500,104
24310	TRANSFER—STOCKPILE			(100,000)	
24350	O&M, ARMY RESERVE	1,253,709	1,240,109	1,253,709	1,243,209
24400	O&M, NAVY RESERVE	827,819	834,119	827,819	831,219
24450	O&M, MARINE CORPS RESERVE	81,462	83,542	80,562	81,862
24500	O&M, AIR FORCE RESERVE	1,478,990	1,486,805	1,455,872	1,471,505
24550	O&M, ARMY NATIONAL GUARD	2,447,148	2,498,868	2,424,135	2,440,288
24600	O&M, AIR NATIONAL GUARD	2,780,178	2,797,978	2,780,178	2,772,928
24650	NATL BOARD FOR THE PROMOTION OF RIFLE PRACTICE, ARMY	2,544	2,544	2,544	2,544
24700	COURT OF MILITARY APPEALS, DEFENSE	6,126	6,126	6,126	6,126
24725	ENVIRONMENTAL RESTORATION, DEFENSE	2,180,200	1,880,200	2,034,075	1,780,200
24750	SUMMER OLYMPICS			10,000	14,400
24850	SPECIAL OLYMPICS			3,000	3,000
24900	SUPPORT FOR INTERNATL SPORTING COMPETITION, DEFENSE		7,900		
25000	HUMANITARIAN ASSISTANCE	71,900	60,000	71,900	65,000
25100	FORMER SOVIET UNION THREAT REDUCTION	400,000		400,000	400,000
25200	INTERNATIONAL PEACEKEEPING	300,000			
25255	REAL PROPERTY MAINTENANCE, DEFENSE			500,000	
25300	GRANT TOTAL, O&M	81,926,891	80,006,961	81,361,358	80,925,585
25350	TRANSFER	(150,000)	(150,000)	(250,000)	(150,000)
25400	TOTAL FUNDS AVAILABLE, O&M	82,076,891	80,156,961	81,611,358	81,075,585

JUSTIFICATION MATERIALS AND REPROGRAMMING PROCEDURES

The conferees agree that proposed transfers of funds between 0–1 budget activity funding categories in excess of $20,000,000 are subject to normal reprogramming procedures. Moreover, due to continuing concerns about military force readiness, the conferees also agree that the Department shall notify the Congressional defense committees prior to transfers in excess of $20,000,000 from the following subactivity group categories:

O&M, Army

Operating forces: Combat units; Tactical support; Force related training/special activities; Depot maintenance.

O&M, Navy

Operating forces: Mission and other flight operations; Aircraft depot maintenance; mission and other ship operations; ship depot maintenance.

O&M, Marine Corps

Operating forces: Operational forces.

O&M, Air Force

Operating forces: Primary combat forces; Primary combat weapons; Air operations training. Mobilization: Airlift operations.

In order to improve Congressional oversight and understanding of the Department's operation and maintenance program execution, the Department of Defense and military services are directed to adopt the following guidelines as they prepare the FY 1996 operation and maintenance budget justification materials:

For each subactivity group category, the justification materials must show dollar amounts for the most recent actual, the current year estimates, and the budget request estimate.

The current year estimates should be arrayed in columns which reflect the budget request, the appropriation amount, and a current execution estimate.

The current year appropriation amount for each subactivity group *must be the same figure as reflected in the 0–1 tables included in this Conference Report and Statement of Managers.*

A description of the difference between the current year appropriation and the current execution estimate must be supplied as part of the traditional reconciliation of increases and decreases.

Finally, the conferees agree that the current execution estimate reflected in the justification materials (at the budget activity group level) shall serve as the base for reprogramming except in those special cases noted above.

The conferees direct the Department to submit a Mid-Year Operation and Maintenance Execution Review, not later than April 1, 1995, to the Committees on Appropriations and Armed Services of the House and Senate.

DEPOT MAINTENANCE

Both the House and Senate reports raised serious concerns regarding the DoD's policy on the public/private share of depot maintenance and competition for depot maintenance workloads. The reports directed by the House on these issues are to be provided to the Committees on Appropriations by February 15, 1995.

The conferees agree that public/private competition for depot maintenance workloads shall be reinstituted. Regarding public/private competition, the conferees believe interservicing common commodity workloads to "Centers of Excellence," as conceptually proposed by the Department, will result in greater long-term savings and efficiencies than periodic public/private competitions and should be given precedence in the immediate future. The conferees are concerned the military services are failing to submit interservicing candidates to the Office of the Secretary of Defense (OSD) for consideration, and fully expect the Department to propose specific depot interservicing proposals in conjunction with next year's budget submission and base closure and realignment recommendations.

Further, the conferees agree that a robust depot maintenance program should be considered fundamental to preserving military readiness. Thus, the conferees direct the military services to allocate funding for depot maintenance programs requested in its annual budget submissions at levels equal to or greater than 80 percent of the annual requirements for airframes and aircraft engines, combat vehicles, ships, and ground communications and electronic equipment.

Finally, the conferees agree with the concerns cited in the House report regarding the role of DoD depot maintenance activities in providing non-defense services to entities outside the Department of Defense. The conferees direct the Department to specifically exclude from consideration during the base closure and realignment decision process any facility's actual or potential provision of non-defense services (including revenues and workload resulting from non-defense activity), and to follow the reporting requirements in the House report.

FAMILY ADVOCACY AND CHILD DEVELOPMENT

A summary of the conference agreement with respect to the Department's child development and family advocacy programs is provided in the table below:

[In millions of dollars]

	Army	Navy	Marine Corps	Air Force	Defense wide	Total
Child development	5.0	5.0	2.5	5.0		17.5
Family support		8.6	4.7			13.3
At-risk youth programs					8.0	8.0
New parent support					20.0	20.0
Family advocacy/program					26.0	26.0
Total	5.0	13.6	7.2	5.0	54.0	84.8

The conferees direct the Secretary of Defense to provide a report—not later than December 15, 1994—to the congressional defense committees detailing the allocation and proposed use of all funds provided by these recommendations. Moreover, the conferees direct that at least $15,000,000 of these additional funds be allocated to forces and installations located in the Pacific region.

FAMILY ADVOCACY PROGRAM JUSTIFICATION

The conferees direct the Department of Defense and the military services to revamp their 0–1 justification breakout so that programs associated with child development and family advocacy and support are grouped into a single subactivity category.

OUTSOURCING CHILD CARE

The Department of Defense (DoD) is urged to investigate child care alternatives that provide appropriate services at lower costs. The conferees have been made aware of innovative private sector child care proposals that would obviate or reduce the need for construction of on-base Child Development Centers at some locations. The Pacific theater proposals that have been brought to our attention would yield significant savings in operating cost as well as cost avoidance in the military construction appropriation, while providing child care that meets or exceeds military standards. DoD is encouraged to solicit proposals and conduct one or more demonstration projects to test the viability of outsourcing child care at locations where this approach is practical.

RECRUITING AND ADVERTISING

The conferees agree to provide an increase totalling $88,700,000 for Department of Defense and military service recruiting and advertising programs. In a related matter, research has determined that national advertising is a cost-effective method to attract young people into the military. However, there has been no research to investigate the relative cost-effectiveness of local versus national advertising. Accordingly, the conferees direct the Department of Defense to conduct a study to determine the comparative effectiveness of national versus local advertising. A report documenting the study results should be forwarded to the House and Senate Committees on Appropriations and Armed Services by May 1, 1995.

CIVILIAN PERSONNEL

The conference agreement reflects several adjustments affecting the Department's civilian personnel programs. Funds have been added to various operation and maintenance, research and development, and other accounts to partially cover the civilian personnel pay raise and locality pay increases. Also, funding has been provided to cover the anticipated civilian separation costs engendered by passage of the Federal Workforce Restructuring Act. These increases are more than offset by reductions made to reflect lower-than-planned civilian personnel levels at the start of fiscal year 1995.

WAR COLLEGES

In the fiscal year 1994 Appropriations Conference report (H. Report 103–339), the conferees requested that the Department provide a study on consolidation of command and staff colleges, war colleges, and their administration. A report was provided as requested; however, it appears that the selection of study panel members with duties and responsibilities that would be directly affected by the study's conclusions resulted in a report with little objectivity and recommendations determined in advance of analysis. In particular, the recommendation supporting the retention of all war colleges is based on a specious argument that the war colleges must train greater numbers of future leaders in these times of relative peace to prepare for future threats. This rationale is inconsistent with testimony from Department witnesses who claim that there are theaters in conflict all over the globe involving U.S. forces and that today's threats are

more diverse and challenging than in the past. Additionally, the conferees are disturbed that the services are not applying this rationale to the training of the senior non-commissioned officer (NCO) corps. Professional development training for senior NCOs has been reduced in recent years.

The conferees are not convinced that student loads at the war colleges need to increase. Unfortunately, classes that will be in attendance during fiscal year 1995 have already begun and a student load reduction at this time would be disruptive. The timing of a reduction in the student population should precede permanent change of station moves and the beginning of the academic year. Thus, the conferees agree to make no reductions to the Department's war college appropriation requests for fiscal year 1995. However, the conferees direct the Department to reduce fiscal year 1996 war college student loads consistent with the force structure reductions so that the number of graduates each year will be the same percentage of the total force as before the drawdown. The conferees will revisit this issue if the Department fails to comply with this direction.

Finally, the conferees are convinced that the joint education program and broad-based curriculum of the National Defense University should serve as a model for all Department of Defense graduate military educational institutions. Likewise, the Naval War College's efforts to vertically integrate the Navy's graduate education infrastructure are viewed by the conferees as having important lessons for the other military services. The conferees intend to continue to work with each of the services and the Office of the Secretary of Defense to chart a course of DoD graduate military education that meets both the changing military and fiscal imperatives facing our forces.

REVOLVING FUND REBATES

The conferees agree to funding reductions approved by the Senate based on changes in Military Sealift Command price rates and expected supply operation productivity enhancements. In doing so, the conferees expect the Department to "rebate" savings from the appropriate Department of Defense revolving fund to exactly offset the related reductions made to the various operation and maintenance accounts. These rebates should be made no later than March 1, 1995.

MAINTENANCE OF MILITARY TURBINE (JET) ENGINES

The Department of Defense can earn substantial savings by expanding competition for depot maintenance of equipment common to the military and industry, specifically commercially developed airline turbine (jet) engines. The conferees note that two engines in particular offer substantial opportunities for savings: 1) the military F108 which is the CFM56-2 airline engine, and 2) the military TF33 engine, which is the JT3D airline engine.

Commercial jet engines operated by the military, as well as other commercial "variants", provide significant opportunities for private maintenance. Expanding such support meets the letter and spirit of Vice President Gore's "National Performance Review" for reinventing government to increase efficiency and save money. Thus, the conferees direct the Department to submit a report to the Committees on Appropriations of the House and Senate detailing a proposal for expanding competition for commercial jet engines no later than January 15, 1995. The conferees intend to work with the Department to clearly establish the scope and direction of this proposal.

SUPPORT TO NON-GOVERNMENTAL ORGANIZATIONS

The conferees share the concerns of the House on the issue of the Department of Defense's participation in conventions, conferences, seminars and symposia sponsored by non-governmental organizations, especially national military associations and professional and technical organizations. The conferees are concerned that at a time when training funds are limited and basic proficiency training for junior military personnel is being rationed, too much of the Department's discretionary training and educational resources may be used by senior military and civilian personnel to attend conventions of questionable content in terms of professional development.

The conferees understand that commanders currently monitor the expenditures related to support of and participation in conventions, conferences, seminars and symposia. Therefore, creating and maintaining a tracking system is unnecessary at this time. Instead, the conferees believe the Secretary of Defense should take a fresh look at the process by which the Department determines the value of such activities to the Department.

The conferees direct the Secretary to establish an independent panel to: (1) review current certification procedures for events sponsored by non-governmental organizations; (2) survey as comprehensively as possible the professional development content of such conventions, conferences, seminars and symposia during the past year; and (3) outline a process for monitoring the professional development content of such conventions, conferences, seminars and symposia. The conferees believe the Department should consider an evaluative scale to measure the professional development content of such events. The Secretary should provide the results of this survey not later than June 1, 1995.

The conferees wish to emphasize that non-governmental associations perform a valuable function. For example, the Department needs to have the means to discuss resource priorities and program objectives with private citizens and companies without giving one company an unfair advantage. Nonetheless, the conferees believe closer attention is needed on the true professional content of these events.

STU-III PROGRAM

The conferees provide $3,000,000 to DOD for the procurement of STU-III's. The additional funds are appropriated to the following operation and maintenance accounts: Army, $1,000,000; Navy, $1,000,000; and Air Force, $1,000,000. DOD is currently reallocating funds for STE, a follow-on program to the STU-III program. Currently the STE program does not have an executable budget. Therefore, the conferees direct that the Secretary of Defense report no later than thirty days after enactment of this bill, the total dollars in the fiscal year 1995 request for STE development. Furthermore, the conferees direct that no funds budgeted in fiscal year 1995 for STE development may be executed without prior approval from the Appropriations Committees. The conferees direct the Secretary of Defense to submit by February 15, 1995 a subsequent report which includes the following: 1) a technical definition of the proposed STE system and 2) a five year plan outlining research and development milestones and 3) a five year procurement schedule. Funds appropriated for STE may not be spent for any other purpose but secure communications; however, the conferees will consider a request to reprogram fiscal year 1995 funds for STE development. Furthermore, the conferees direct that DOD breakout all STE funding in their fiscal year 1996 budget request.

OPERATION AND MAINTENANCE, ARMY

Amendment No. 11: Appropriates $17,507,088,000 instead of $17,836,504,000 as proposed by the House and $17,475,806,000 as proposed by the Senate.

Amendment No. 12: Deletes House language making $150,000,000 for real property maintenance available for obligation until September 30, 1996.

Amendment No. 13: Restores House language making $388,599,000 available only for conventional ammunition care and maintenance; amends House language making $5,800,000 available only for removal of equipment and the repair and restoration of structures at the National Center for Toxicological Research in Jefferson, Arkansas; deletes House language prohibiting obligation of $473,763,000 until authorized; inserts Senate language making available not less than $5,000,000 only for payment to the DOD 50th Anniversary of World War II Commemoration Appropriation; inserts language making $9,500,000 available only to purchase an easement for use by the Army at Schofield Barracks Military Reservation; and inserts language allowing the Army to obligate not to exceed $2,000,000, if matched by contributions from other parties, for a remediation effort at Cordova, Alaska.

The conference agreement is as follows:

[In thousands of dollars]

		Budget	House	Senate	Conference
100	OPERATION AND MAINTENANCE, ARMY				
150	BUDGET ACTIVITY 1: OPERATING FORCES				
200	LAND FORCES				
250	COMBAT UNITS	1,783,474	1,934,174	1,793,474	1,890,024
300	TACTICAL SUPPORT	1,178,297	1,178,297	1,178,297	1,178,297
350	THEATER DEFENSE FORCES	208,141	208,141	208,141	208,141
400	FORCE RELATED TRAINING/SPECIAL ACTIVITIES	1,186,444	1,186,444	1,186,444	1,186,444
450	FORCE COMMUNICATIONS	61,496	61,496	61,496	61,496
500	DEPOT MAINTENANCE	1,037,338	1,337,338	1,133,638	1,168,638
550	JCS EXERCISES	66,412	66,412	66,412	66,412
600	BASE SUPPORT	3,197,534	3,307,534	3,228,984	3,127,984
675	LAND OPERATIONS SUPPORT				
700	COMBAT DEVELOPMENTS	222,405	222,405	222,405	222,405
750	UNIFIED COMMANDS	74,246	65,000	74,246	74,246

[In thousands of dollars]

		Budget	House	Senate	Conference
825	TOTAL, BUDGET ACTIVITY 1: OPERATING FORCES	9,015,787	9,567,241	9,153,537	9,184,087
850	BUDGET ACTIVITY 2: MOBILIZATION				
900	MOBILITY OPERATIONS				
950	POMCUS	142,299	142,299	142,299	142,299
1000	STRATEGIC MOBILIZATION	284,647	284,647	284,647	284,647
1050	WAR RESERVE ACTIVITIES	54,718	54,718	54,718	54,718
1100	INDUSTRIAL PREPAREDNESS	89,728	89,728	89,728	89,728
1175	TOTAL, BUDGET ACTIVITY 2: MOBILIZATION	571,392	571,392	571,392	571,392
1200	BUDGET ACTIVITY 3: TRAINING AND RECRUITING				
1250	ACCESSION TRAINING				
1300	OFFICER ACQUISITION	51,184	51,184	51,184	51,184
1350	RECRUIT TRAINING	12,173	12,173	12,173	12,173
1400	ONE STATION UNIT TRAINING	16,733	16,733	16,733	16,733
1450	RESERVE OFFICER TRAINING CORPS (ROTC)	108,642	108,642	108,642	108,642
1500	BASE SUPPORT (ACADEMY ONLY)	115,300	113,000	114,900	112,600
1550	BASIC SKILL/ADVANCE TRAINING				
1600	SPECIALIZED SKILL TRAINING	244,356	249,356	244,356	249,356
1610	FRIENDLY FIRE/SAFETY TRAINING	.....	.....	.....	.....
1650	FLIGHT TRAINING	258,167	258,167	258,167	258,167
1660	TOSS	.....	.....	.....	.....
1700	PROFESSIONAL DEVELOPMENT EDUCATION	87,296	81,000	76,696	87,296
1750	TRAINING SUPPORT	390,778	399,578	382,668	384,178
1800	BASE SUPPORT (OTHER TRAINING)	1,062,203	1,113,203	998,203	1,029,203
1875	RECRUITING/OTHER TRAINING				
1900	RECRUITING AND ADVERTISING	159,959	159,959	206,059	192,959
1950	EXAMINING	66,133	66,133	66,133	66,133
2000	OFF-DUTY AND VOLUNTARY EDUCATION	110,633	110,633	110,633	110,633
2050	CIVILIAN EDUCATION AND TRAINING	92,000	89,000	88,200	88,200
2100	JUNIOR ROTC	65,387	65,387	65,387	65,387
2150	BASE SUPPORT (RECRUITING LEASES)	155,075	155,075	154,675	154,675
2225	TOTAL, BUDGET ACTIVITY 3: TRAINING AND RECRUITING	2,996,019	3,049,223	2,954,809	2,987,519
2250	BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES				
2300	SECURITY PROGRAMS				
2350	SECURITY PROGRAMS	400,696	386,696	400,696	400,696
2360	CLASSIFIED	.....	.....	.....	.....
2400	LOGISTICS OPERATIONS				
2450	SERVICEWIDE TRANSPORTATION	544,832	544,832	559,472	559,472
2500	CENTRAL SUPPLY ACTIVITIES	478,524	478,524	478,524	478,524
2550	LOGISTIC SUPPORT ACTIVITIES	342,751	353,251	342,751	352,451
2600	AMMUNITION MANAGEMENT	388,599	388,599	388,599	388,599
2650	SERVICEWIDE SUPPORT				
2700	ADMINISTRATION	316,751	301,101	310,551	327,835
2750	SERVICEWIDE COMMUNICATIONS	805,494	805,494	726,294	773,644
2800	MANPOWER MANAGEMENT	81,413	74,200	81,413	81,413
2850	OTHER PERSONNEL SUPPORT	174,934	174,934	174,934	174,934
2900	OTHER SERVICE SUPPORT	541,957	541,957	522,569	536,457
2950	ARMY CLAIMS ACTIVITIES	177,564	177,564	177,564	177,564
3000	REAL ESTATE MANAGEMENT	98,209	98,209	98,709	98,709
3100	BASE SUPPORT	600,280	600,280	530,380	529,980
3190	SUPPORT OF OTHER NATIONS				
3200	INTERNATIONAL MILITARY HEADQUARTERS	265,525	235,640	250,925	250,925
3250	MISC SUPPORT OF OTHER NATIONS	20,267	20,267	20,267	20,267
3310	TOTAL, BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACT	5,237,796	5,181,548	5,063,648	5,151,470
3330	CLASSIFIED PROGRAMS UNDISTRIBUTED	.....	−5,377	−7,100	−8,100
3460	RENTAL PAYMENTS	−4,180	−4,180	−4,180	−4,180
3470	TRANSFERS TO DEFENSE CONVERSION & REINVESTMENT ACCOUNT	.....	−101,400	.....	.....
3480	CIVILIAN PERS PAY RAISE & LOCALITY PAY	.....	114,000	.....	21,400
3605	CIVILIAN PERSONNEL UNDERSTRENGTH	.....	−196,200	−290,400	−236,300
3607	CIVILIAN SEPARATION INCENTIVES	.....	.....	84,100	17,800
3620	CONTRACTOR & CONSULTING SERVICES	.....	−156,000	.....	−78,000
3625	INFORMATION TECHNOLOGY	.....	−133,743	.....	−50,000
3685	GENERAL REDUCTION, NATIONAL DEFENSE STOCKPILE FUND	−50,000	−50,000	−50,000	−50,000
3690	TOTAL, OPERATION AND MAINTENANCE, ARMY	17,766,814	17,836,504	17,475,806	17,507,088
3700	(BY TRANSFER—NATIONAL DEFENSE STOCKPILE FUND)	(50,000)	(50,000)	(50,000)	(50,000)
3750	TOTAL FUNDS AVAILABLE	(17,816,814)	(17,886,504)	(17,525,806)	(17,557,088)

ADJUSTMENTS TO BUDGET ACTIVITIES

Adjustments to the budget activities are as follows:

[In thousands of dollars]

Budget Activity 1—Operating Forces:

250 War reserve spares	45,350
Supplemental Fuel Tank	1,000
Helicopter Training, Israel	9,000
Attack Aviation Bn (EUSA)	9,200
Patriot Bn (EUSA)	42,000
500 C-E maint Backlog	35,000
Aircraft Maintenance Backlog	85,500
Vehicle Maintenance Backlog	10,800
600 National Training Center/ George AFB Airhead	2,000
Hamilton AFB Cleanup	1,000
Travel	(12,000)
European Drawdown/ USAREUR baseops	47,000
Supply operations	(25,000)
Joint Agency Task Force	750
Army conservation	5,700
Schofield Barracks easement	9,500
Wild horses roundup, White Sands Missile Range	1,500
RPM general reduction	(100,000)

Budget Activity 3—Training and Recruiting:

1500 Base Support	(2,300)
Travel	(400)
1600 Specialized Skills Training	5,000
1750 TNET	10,000
Schoolhouse training	(16,600)
1800 Ft Bliss Ordnance Cleanup	1,000
Travel	(4,000)
Supply operations	(25,000)
Base operations (non-combat)	(5,000)
1900 Recruiting and advertising	33,000
2050 Civilian Education and Training	(3,800)
2150 Travel	(400)

Budget Acitivity 4—Admin & Servicewide Activities

2450 MSC rate change	(16,300)
RetroEur	40,000
MTMC pricing	(9,060)
2550 Aberdeen PG Asbestos removal	2,000
Equipment at Nat'l Ctr for Toxicological Research	5,800
OSCAR Project, Letterkenny Army Depot	1,900
2700 Pentagon, MACOM Hq & admin overhead	(6,200)
Memorial Day & July 4th Concerts	950
Eau Claire (Presto Ind) Cleanup	2,334
Army Environmental Institute	4,000
Presidio of SF infrastructure improvements	10,000
2750 Base communications infrastructure	(16,350)
Administrative workyears	(16,500)
SBIS	1,000
2900 Child development	5,000

Life Science Equipment Laboratory	500
Administrative workyears	(11,000)
3000 Real estate planning	500
3100 Travel	(2,300)
Arms control	(6,000)
Administrative workyears	(12,300)
Supply operations	(14,700)
Base operations (noncombat)	(35,000)
3200 International Mil Hq	(14,600)
3300 Classified Prog	(8,100)
Other Adjustments:	
3480 Civ Pers pay raise & Locality Pay	21,400
3605 Civilian Personnel Understrength	(236,300)
3607 Workforce Restruct Act	17,800
3620 Contractor and consulting services	(78,000)
3625 Information Technology (General reduction)	(50,000)
Total Adjustments	(259,726)

CORDOVA ROUNDHOUSE CLEANUP

Of the funds provided for Base Support (0-1 line 600), the conferees provide $2,000,000 and statutory authority for the Secretary of the Army to contribute up to $2,000,000 to efforts to clean up the Army Round House oil pit at Cordova, Alaska. This site was utilized by the Army during World War II, and subsequently by other commercial ventures. Local authorities are seeking to arrange a multiparty solution to this contamination hazard, where private sector entities with responsibility will contribute to the cleanup effort, without engaging in litigation. The Secretary may only obligate these funds to the extent the private sector parties contribute to this effort.

CONSERVATION PROGRAMS

The conferees have provided an increase of $5,700,000 in the "Operation and Maintenance, Army" account only to proceed with the proposed ecosystem management program in the State of Hawaii as defined by the Senate.

WASTE WATER TREATMENT

The conferees agree with the Senate's concerns regarding waste water disposal at military installations in the State of Hawaii. To this end, the conferees have provided an increase of $9,500,000 in the "Operation and Maintenance, Army" account to purchase a seven year easement from the Waialua Sugar Company on the Island of Oahu for the discharge of waste water produced by military activities. The conferees have included bill language to implement this recommendation. The conferees further agree to provide an increase of $750,000, as recommended by the Senate, to continue the analysis and planning efforts of the joint agency waste water task force which has been established by the Army.

ARMY HIGH PERFORMANCE COMPUTING RESEARCH CENTER

The conferees direct that the Army High Performance Computing Research Center shall not be moved from its current location unless analyses, which consider the costs of relocating the Center, indicate it is cost effective to do so.

MILITARY ENTRANCE PROCESSING COMMAND

The conferees are concerned that examining costs per accession are increasing beyond expected rates. The Army is directed to review examining costs and take appropriate action—should it be warranted—to keep examining costs per accession at the prior year level plus inflation only. The conferees estimate that $3,400,000 could be made available to meet other efforts, such as automation upgrades required at the Military Entrance Processing Stations (MEPS) and recommend that any savings identified be reapplied to this effort. Application of these funds to automation will yield future savings by improving the efficiency of the current records management system.

OPERATION AND MAINTENANCE, NAVY

Amendment No. 14: Appropriates $21,054,470,000 instead of $21,316,555,000 as proposed by the House and $21,275,770,000 as proposed by the Senate.

Amendment No. 15: Deletes House language making $200,000,000 for real property maintenance available for obligation until September 30, 1996.

Amendment No. 16: Deletes House language prohibiting obligation of $1,206,359,000 until authorized and deletes Senate language making not less than $2,436,700,000 available for depot maintenance, repair and overhaul of Navy ships prior to September 30, 1995.

Amendment No. 17: Inserts Senate language making $45,874,000 available only for the Pacific Missile Range Facility, Hawaii.

Amendment No. 18: Deletes Senate language making available $1,000,000 for environmental activities at the Derecktor Shipyard and inserts language making $46,300,000 for shipyard modernization available for obligation until September 30, 1996.

The conference agreement is as follows:

[In thousands of dollars]

		Budget	House	Senate	Conference
3800	OPERATION AND MAINTENANCE, NAVY.				
3850	BUDGET ACTIVITY 1: OPERATING FORCES.				
3900	AIR OPERATIONS.				
3950	MISSION AND OTHER FLIGHT OPERATIONS	1,922,587	1,993,987	1,922,587	1,922,587
4000	FLEET AIR TRAINING	737,877	737,877	737,877	737,877
4050	INTERMEDIATE MAINTENANCE	67,154	67,154	67,154	67,154
4100	AIR OPERATIONS AND SAFETY SUPPORT	82,359	82,359	82,359	82,359
4150	AIRCRAFT DEPOT MAINTENANCE	659,511	709,511	683,111	683,111
4200	AIRCRAFT DEPOT OPERATIONS SUPPORT	34,001	34,001	34,001	34,001
4250	BASE SUPPORT	1,129,192	1,235,192	1,102,192	1,009,692
4325	SHIP OPERATIONS				
4350	MISSION AND OTHER SHIP OPERATIONS	1,891,202	1,891,202	1,891,202	1,891,202
4360	INVENTORIES				
4400	SHIP OPERATIONAL SUPPORT AND TRAININNG	501,771	550,771	501,771	524,771
4450	INTERMEDIATE MAINTENANCE	425,116	425,116	425,116	425,116
4500	SHIP DEPOT MAINTENANCE	2,337,433	2,387,433	2,415,433	2,365,433
4550	SHIP DEPOT OPERATIONS SUPPORT	867,204	867,204	867,204	867,204
4600	BASE SUPPORT	1,009,960	1,109,960	1,077,060	1,041,260
4675	COMBAT OPERATIONS/SUPPORT				
4700	COMBAT COMMUNICATIONS	213,237	213,237	213,237	213,237
4750	ELECTRONIC WARFARE	8,625	8,625	8,625	8,625
4800	SPACE SYSTEMS AND SURVEILLANCE	116,807	116,807	116,807	116,807
4850	WARFARE TACTICS	134,275	134,275	134,275	134,275
4900	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	188,699	188,699	188,699	188,699
4950	COMBAT SUPPORT FORCES	280,874	283,374	280,874	280,874
5000	EQUIPMENT MAINTENANCE	168,179	168,179	168,179	168,179
5050	DEPOT OPERATIONS SUPPORT	1,262	1,262	1,262	1,262
5100	BASE SUPPORT	461,296	461,296	461,296	461,296
5175	WEAPONS SUPPORT				
5200	CRUISE MISSILE	130,964	130,964	130,964	130,964
5250	FLEET BALLISTIC MISSILE	780,849	780,849	780,849	780,849
5300	IN-SERVICE WEAPONS SYSTEMS SUPPORT	30,546	30,546	30,546	30,546
5350	WEAPONS MAINTENANCE	475,942	475,942	475,942	475,942
5400	BASE SUPPORT	92,322	92,322	92,322	92,322
5475	TOTAL, BUDGET ACTIVITY 1: OPERATING FORCES	14,749,244	15,178,144	14,890,944	14,735,644
5500	BUDGET ACTIVITY 2: MOBILIZATION.				
5550	READY RESERVE AND PREPOSITIONING FORCES.				
5600	SHIP PREPOSITIONING AND SURGE	455,123	455,123	455,123	455,123
5650	ACTIVATIONS/INACTIVATIONS				
5700	AIRCRAFT ACTIVATIONS/INACTIVATIONS	12,921	42,521	12,921	12,921
5750	SHIP ACTIVATIONS/INACTIVATIONS	811,129	811,129	811,129	811,129
5800	MOBILIZATION PREPAREDNESS.				
5850	FLEET HOSPITAL PROGRAM	16,473	16,473	16,473	16,473
5900	INDUSTRIAL READINESS	58,785	58,785	58,785	58,785
5950	COAST GUARD SUPPORT	18,308	18,308	18,308	18,308
6000	TOTAL, BUDGET ACTIVITY 2: MOBILIZATION	1,372,739	1,402,339	1,372,739	1,372,739
6050	BUDGET ACTIVITY 3: TRAINING AND RECRUITING				
6100	ACCESSION TRAINING				

[In thousands of dollars]

		Budget	House	Senate	Conference
6150	OFFICER ACQUISITION	58,637	58,637	58,637	58,637
6200	RECRUIT TRAINING	4,436	4,436	4,436	4,436
6250	RESERVE OFFICERS TRAINING CORPS (ROTC)	51,323	51,323	51,323	51,323
6300	BASE SUPPORT	129,170	129,170	129,170	129,170
6350	BASIC SKILLS AND ADVANCED TRAINING				
6400	SPECIALIZED SKILL TRAINING	216,554	221,554	216,554	221,554
6450	FLIGHT TRAINING	325,683	325,683	320,683	320,683
6500	PROFESSIONAL DEVELOPMENT EDUCATION	54,442	54,442	54,442	54,442
6550	TRAINING SUPPORT	137,174	137,174	134,074	137,174
6600	BASE SUPPORT	454,375	454,375	446,775	446,775
6675	RECRUITING, AND OTHER TRAINING AND EDUCATION				
6700	RECRUITING AND ADVERTISING	89,849	89,849	129,049	120,849
6750	OFF-DUTY AND VOLUNTARY EDUCATION	61,798	61,798	61,798	61,798
6800	CIVILIAN EDUCATION AND TRAINING	24,362	24,362	24,362	24,362
6850	JUNIOR ROTC	21,171	21,171	21,171	21,171
6900	BASE SUPPORT	1,496	1,496	1,496	1,496
6950	TOTAL, BUDGET ACTIVITY 3: TRAINING AND RECRUITING	1,630,470	1,635,470	1,653,970	1,653,870
7000	BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES				
7050	SERVICEWIDE SUPPORT				
7100	ADMINISTRATION	382,299	357,299	346,199	361,499
7150	EXTERNAL RELATIONS	18,241	18,241	18,241	18,241
7200	CIVILIAN MANPOWER AND PERSON MANAGEMENT	55,571	52,000	55,571	55,571
7250	MILITARY MANPOWER AND PERSON MANAGEMENT	143,406	132,000	143,406	143,406
7300	OTHER PERSONNEL SUPPORT	386,950	386,950	415,550	400,550
7350	SERVICEWIDE COMMUNICATIONS	216,189	216,189	191,589	203,889
7400	BASE SUPPORT	291,873	291,873	289,173	289,173
7475	LOGISTICS OPERATIONS AND TECHNICAL SUPPORT				
7500	SERVICEWIDE TRANSPORTATION	142,315	142,315	137,015	137,015
7550	PLANNING, ENGINEERING AND DESIGN	243,258	243,258	243,258	243,258
7600	ACQUISITION AND PROGRAM MANAGEMENT	393,047	393,047	363,047	393,047
7650	AIR SYSTEMS SUPPORT	375,095	338,000	375,095	344,095
7700	HULL, MECHANICAL AND ELECTRICAL SUPPORT	54,079	54,079	54,079	54,079
7750	COMBAT/WEAPONS SYSTEMS	37,879	37,879	37,879	37,879
7800	SPACE AND ELECTRONIC WARFARE SYSTEMS	73,660	73,660	73,660	73,660
7850	BASE SUPPORT	131,959	131,959	128,959	128,959
7950	SECURITY PROGRAMS	508,727	496,727	508,727	508,727
7975	SECURITY PROGRAMS				
8000	BASE SUPPORT	12,805	12,805	12,805	12,805
8050	SUPPORT OF OTHER NATIONS				
8100	INTERNATIONAL HEADQUARTERS AND AGENCIES	7,433	7,433	7,433	7,433
8150	TOTAL, BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACT	3,474,786	3,385,714	3,401,686	3,413,286
8180	CLASSIFIED PROGRAMS UNDISTRIBUTED		−5,000	−4,700	−3,200
8260	RENTAL PAYMENTS	−669	−669	−669	−669
8270	TRANSFERS TO DEFENSE CONVERSION & REINVESTMENT ACCOUNT		−154,300		
8280	CIVILIAN PERS PAY RAISE & LOCALITY PAY		142,600		10,800
8390	FOREIGN CURRENCY				
8405	CONTRACTOR & CONSULTING SERVICES		−84,000		−42,000
8417	CIVILIAN SEPARATION INCENTIVES			11,800	9,500
8420	INFORMATION TECHNOLOGY		−133,743		−45,500
8485	GENERAL REDUCTION, NATIONAL DEFENSE STOCKPILE FUND	−50,000	−50,000	−50,000	−50,000
8490	TOTAL, OPERATION AND MAINTENANCE, NAVY	21,176,570	21,316,555	21,275,770	21,054,470
8500	(BY TRANSFER—NATIONAL DEFENSE STOCKPILE FUND)	(50,000)	(50,000)	(50,000)	(50,000)
8550	TOTAL FUNDS AVAILABLE	(21,226,570)	(21,366,555)	(21,325,770)	(21,104,470)

ADJUSTMENTS TO BUDGET ACTIVITIES

Adjustments to the budget activities are as follows:

[In thousands of dollars]

Budget Activity 1—Operating Forces:	
4150 Aircraft depot maintenance backlog	23,600
4250 New Orleans NAS & NSA RPM backlog	6,000
Travel	(2,000)
Supply operations	(25,000)
RPM general reduction	(100,000)
NPGS Joint Warfare Analysis	1,500
4400 Ships supplies & equipage	23,000
4500 Ship maintenance backlog	50,000
SSNB maintenance delay	(23,000)
CONSTELLATION & INTREPID Survey	1,000
4600 Travel	(2,000)
Supply operations	(20,000)
Charleston Naval Complex	6,000
Shipyard modernization	46,300
Environmental activities, Derecktor Shipyard	1,000
Budget Activity 3—Training and Recruiting:	
6400 Friendly Fire/Safety Tng	5,000
6450 Schoolhouse training	(5,000)
6600 Travel	(2,000)
Supply operations	(5,600)
6700 Recruiting and advertising	31,000
Budget Activity 4—Admin & Servicewide Activities:	
7100 Pentagon, Maj Comds & admin overhead	(12,500)
Workyear pricing	(8,300)
7300 Child development	5,000
Family support centers	8,600
7350 Base communications infrastructure	(12,300)
7400 Travel	(600)
Nimitz Center	3,000
Alcohol rehabilitation	1,000
Environmental technologies	(6,100)
7500 MSC rate change	(5,300)
7650 Logistics & technical spt	(31,000)
7850 Arms control	(3,000)
8180 Classified Programs	(3,200)
Other Adjustments:	
8280 Civ Pers pay raise & Locality Pay	10,800
8405 Contractor and consulting services	(42,000)
8417 Workforce Restruct Act	9,500
8420 Section 8107	4,500
Information Technology (general reduction)	(50,000)
Total adjustments	(122,100)

PACIFIC MISSILE RANGE FACILITY

The conferees agree with the Senate initiative to improve the capabilities of the Navy's Pacific Missile Range Facility and have provided an additional $21,500,000 in the "Other Procurement, Navy" appropriations account and an additional $6,200,000 in the "Operation and Maintenance, Navy" appropriations account for these purposes. The additional funds provided in the "Operation and Maintenance, Navy" account—for a $5,400,000 communications project and for an $800,000 range resources effort—must be used for the same purposes for which the Senate originally recommended their inclusion in the "Other Procurement, Navy" account.

NAVAL ACADEMY

The conferees agree to provide the full amount requested for the Naval Academy's Bancroft Hall renovation and the Shore Life Extension Program.

NIMITZ CENTER

As proposed by the Senate, the conferees direct the Department of the Navy, in cooperation with the Office of the Secretary of Defense, to establish a Chester W. Nimitz Center. This center is to be modelled after the Marshall Center program recently established in the European theater. The conference agreement provides $3,000,000 for this purpose.

JOINT WARFARE ANALYSIS

The conferees agree to provide $1,500,000 to support the establishment of a Joint Warfare Analysis program at the Naval Post Graduate School. These funds are intended to be in addition to the amount proposed for the

Naval Post Graduate School in the President's Fiscal Year 1995 budget request.

LCU TRANSPORTATION

The conferees direct that the Department of the Navy use up to $850,000, from within funds made available under this heading, to transport an LCU ship to American Samoa, per the conferees instruction in the Fiscal Year 1994 Defense Appropriations Act.

FLOATING DRYDOCK LEASE

The conferees note that the Navy continues to ignore Congressional directions included in prior Authorization and Appropriations bills to re-lease the floating drydock (AFDM-3) to a ship and repair firm in the area of Mobile, Alabama. The Navy approved the lease for a full term of its five-year option, the original lease terms expired in July and have been extended through a series of 3-month extensions since that time. The conferees direct the Secretary of the Navy to comply with previous Congressional direction and to report to the Committees on Appropriations and Armed Services of the House and Senate by December 1, 1994 on actions taken to re-lease the floating drydock.

DERECKTOR SHIPYARD

The conferees have provided an increase of $1,000,000 in the Operation and Maintenance, Navy account. The conferees direct that these funds shall only be available for environmental hazard response and remediation activities at facilities owned by the Department of the Navy at the Derecktor Shipyard, Newport, Rhode Island.

OPERATION AND MAINTENANCE, MARINE CORPS

Amendment No. 19: Appropriates $1,988,215,000 instead of $2,097,395,000 as proposed by the House and $1,968,965,000 as proposed by the Senate.

Amendment No. 20: Deletes House language making $60,000,000 for real property maintenance available for obligation until September 30, 1996 and deletes House language prohibiting obligation of $100,300,000 until authorized.

The conference agreement is as follows:

[In thousands of dollars]

		Budget	House	Senate	Conference
8600	OPERATION AND MAINTENANCE, MARINE CORPS				
8650	BUDGET ACTIVITY 1: OPERATING FORCES				
8700	EXPEDITIONARY FORCES				
8750	OPERATIONAL FORCES	296,897	322,797	320,897	324,897
8800	FIELD LOGISTICS	153,233	153,733	153,233	153,233
8850	DEPOT MAINTENANCE	114,749	171,749	128,049	168,749
8900	BASE SUPPORT	700,146	783,846	692,146	653,996
8975	USMC PREPOSITIONING				
9000	MARITIME PREPOSITIONING	70,866	70,866	70,866	70,866
9050	NORWAY PREPOSITIONING	7,868	7,868	7,868	7,868
9125	TOTAL, BUDGET ACTIVITY 1: OPERATING FORCES	1,343,759	1,510,859	1,373,059	1,379,609
9150	BUDGET ACTIVITY 3: TRAINING AND RECRUITING				
9200	ACCESSION TRAINING				
9250	RECRUIT TRAINING	6,265	6,265	6,265	6,265
9300	OFFICER ACQUISITION	258	258	258	258
9350	BASE SUPPORT	55,466	55,466	55,466	55,466
9425	BASIC SKILLS AND ADVANCED TRAINING				
9450	SPECIALIZED SKILLS TRAINING	19,486	43,486	19,486	33,486
9500	FLIGHT TRAINING	151	151	151	151
9550	PROFESSIONAL DEVELOPMENT EDUCATION	7,654	7,654	7,654	7,654
9600	TRAINING SUPPORT	53,022	53,022	53,022	53,022
9650	BASE SUPPORT	56,647	56,647	56,647	56,647
9725	RECRUITING AND OTHER TRAINING EDUCATION				
9750	RECRUITING AND ADVERTISING	54,608	54,608	65,308	61,208
9800	OFF-DUTY AND VOLUNTARY EDUCATION	11,080	11,080	11,080	11,080
9850	JUNIOR ROTC	7,491	7,491	7,491	7,491
9900	BASE SUPPORT	9,326	9,326	9,326	9,326
10010	TOTAL, BUDGET ACTIVITY 3: TRAINING AND RECRUITING	281,454	305,454	292,154	302,054
10025	BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES				
10050	SERVICEWIDE SUPPORT				
10100	LOGISTICS SUPPORT	101,705	101,705	101,705	101,705
10110	INVENTORIES				
10150	SPECIAL SUPPORT	121,415	134,415	135,115	128,615
10200	SERVICEWIDE TRANSPORTATION	35,447	35,447	34,147	34,147
10250	ADMINISTRATION	25,491	25,491	19,261	24,661
10300	BASE SUPPORT	9,124	9,124	9,124	9,124
10310	FAMILY SUPPORT PROGRAM				
10365	TOTAL, BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACT	293,182	306,182	299,352	298,252
10375	TRANSFERS TO DEFENSE CONVERSION & REINVESTMENT ACCOUNT		−32,000		
10400	CIVILIAN PERS PAY RAISE & LOCALITY PAY		6,900		3,900
10405	CLASSIFIED PROGRAM			4,400	4,400
10550	TOTAL, OPERATION AND MAINTENANCE, MARINE CORPS	1,918,395	2,097,395	1,968,965	1,988,215

ADJUSTMENTS TO BUDGET ACTIVITIES

Adjustments to the budget activities are as follows:

[In thousands of dollars]

Budget Activity 1—Operating Forces:	
8750 Unit Training	12,000
III MEF Training	4,000
Unit maintenance	12,000
8850 Depot maintenance backlog	57,000
Ammunition rework	(3,000)
8900 Cp Pendleton Underground Storage Tanks	8,000
Cp Pendleton Environ Compl	3,850
Supply operations	(7,000)
Environmental technology	(1,000)
RPM general reduction	(50,000)
Budget Activity 3—Training and Recruiting:	
9450 Skill Progression Training	9,000
Friendly Fire/Safety Training	5,000
9750 Recruiting and advertising	6,600
Budget Activity 4—Admin & Servicewide Activities:	
10150 Child development	2,500
Family support centers	4,700
10200 MSC rate change	(1,300)
10250 Civilian workyear adjustment	(830)
Other Adjustments:	
10400 Civ Pers pay raise & Locality Pay	
Workforce Restruct Act	2,000
10405 Classified programs	4,400
Total adjustments	69,820

OPERATION AND MAINTENANCE, AIR FORCE

Amendment No. 21: Appropriates $18,763,427,000 instead of $18,913,050,000 as proposed by the House and $18,786,243,000 as proposed by the Senate.

Amendment No. 22: Deletes House language making $84,000,000 for real property maintenance available for obligation until September 30, 1996.

Amendment No. 23: Deletes House language prohibiting obligation of $179,592,000 until authorized.

Amendment No. 24: Deletes Senate language providing $8,000,000 for the upgrading of CAMS/REMIS and inserts language allowing the Secretary of the Air Force to acquire real property near King Salmon Air Force Station.

The conference agreement is as follows:

[In thousands of dollars]

		Budget	House	Senate	Conference
10700	OPERATION AND MAINTENANCE, AIR FORCE				
10750	BUDGET ACTIVITY 1: OPERATING FORCES				
10800	AIR OPERATIONS				
10850	PRIMARY COMBAT FORCES	2,697,173	2,926,873	2,816,433	2,868,073
10900	PRIMARY COMBAT WEAPONS	542,628	542,628	507,728	542,628
10950	COMBAT ENHANCEMENT FORCES	404,060	404,060	404,060	404,060
11000	AIR OPERATIONS TRAINING	567,551	567,551	564,321	583,551
11010	DEPOT MAINTENANCE	.....	.....	.....	.....
11050	COMBAT COMMUNICATIONS	844,372	844,372	844,372	844,372
11100	BASE SUPPORT	2,136,096	2,202,296	2,055,396	1,963,280
11150	COMBAT RELATED OPERATIONS	.....	.....	.....	.....
11200	GLOBAL C31 AND EARLY WARNING	799,634	757,134	798,634	757,134
11250	NAVIGATION/WEATHER SUPPORT	138,501	138,501	138,501	138,501
11300	OTHER COMBAT OPS SUPPORT PROGRAMS	222,618	222,618	222,618	222,618
11350	JCS EXERCISES	29,265	29,265	41,265	41,265
11400	MANAGEMENT/OPERATIONAL HEADQUARTERS	106,417	106,417	106,417	106,417
11450	TACTICAL INTEL AND OTHER SPECIAL ACTIVITIES	180,564	180,564	180,564	180,564
11500	SPACE OPERATIONS				
11550	LAUNCH FACILITIES	275,346	275,346	275,346	275,346
11600	LAUNCH VEHICLES	111,203	79,203	111,203	111,203
11650	SPACE CONTROL SYSTEMS	397,026	252,307	397,026	397,026
11700	SATELLITE SYSTEMS	37,146	37,146	37,146	37,146
11750	OTHER SPACE OPERATIONS	85,740	85,740	85,740	85,740
11800	BASE SUPPORT	348,385	348,385	346,385	346,385
11850	TOTAL, BUDGET ACTIVITY 1: OPERATING FORCES	9,922,725	10,000,406	9,933,155	9,905,309
11900	BUDGET ACTIVITY 2: MOBILIZATION				
11950	MOBILITY OPERATIONS				
12000	AIRLIFT OPERATIONS	1,182,631	1,242,631	1,182,631	1,182,631
12050	AIRLIFT OPERATIONS C31	15,783	15,783	15,783	15,783
12100	MOBILIZATION PREPAREDNESS	175,871	175,871	175,871	175,871
12150	PAYMENTS TO TRANSPORTATION BUSINESS AREA	1,364,200	1,364,200	1,364,200	1,364,200
12200	BASE SUPPORT	569,236	569,236	564,236	564,236
12250	TOTAL, BUDGET ACTIVITY 2: MOBILIZATION	3,307,721	3,367,721	3,302,721	3,302,721
12300	BUDGET ACTIVITY 3: TRAINING AND RECRUITING				
12350	ACCESSION TRAINING				
12400	OFFICER ACQUISITION	46,561	46,561	46,561	46,561
12450	RECRUIT TRAINING	4,398	4,398	4,398	4,398
12500	RESERVE OFFICER TRAINING CORPS (ROTC)	37,529	37,529	37,529	37,529
12550	BASE SUPPORT (ACADEMIES ONLY)	90,478	82,000	90,478	90,478
12600	BASIC SKILLS AND ADVANCED TRAINING				
12650	SPECIALIZED SKILL TRAINING	200,365	200,365	191,565	191,565
12700	FLIGHT TRAINING	333,228	333,228	333,228	333,228
12750	PROFESSIONAL DEVELOPMENT EDUCATION	80,042	77,000	79,042	80,042
12800	TRAINING SUPPORT	68,293	68,293	68,293	68,293
12850	BASE SUPPORT (OTHER TRAINING)	529,177	549,177	489,247	489,247
12900	RECRUITING, AND OTHER TRAINING AND EDUCATION				
12950	RECRUITING AND ADVERTISING	41,885	41,885	45,885	42,985
13000	EXAMINING	3,435	3,435	3,435	3,435
13060	OFF DUTY AND VOLUNTARY EDUCATION	78,086	78,086	63,086	63,086
13100	CIVILIAN EDUCATION AND TRAINING	77,856	77,856	74,906	74,906
13150	JUNIOR ROTC	20,908	20,908	20,908	20,908
13200	TOTAL, BUDGET ACTIVITY 3: TRAINING AND RECRUITING	1,612,241	1,620,721	1,548,561	1,546,661
13250	BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES				
13300	LOGISTICS OPERATIONS				
13350	LOGISTICS OPERATIONS	884,155	884,155	884,155	896,355
13360	INVENTORIES	.....	.....	.....	.....
13400	TECHNICAL SUPPORT ACTIVITIES	349,512	349,512	349,512	349,512
13450	SERVICEWIDE TRANSPORTATION	245,084	216,000	238,484	238,484
13500	BASE SUPPORT	741,932	741,932	725,732	725,732
13510	MWR/STARS & STRIPES	.....	.....	.....	.....
13550	SERVICEWIDE ACTIVITIES				
13600	ADMINISTRATION	112,608	87,608	112,608	100,108
13650	SERVICEWIDE COMMUNICATIONS	357,116	357,116	339,516	349,516
13700	PERSONNEL PROGRAMS	75,366	75,366	75,366	75,366
13750	RESCUE AND RECOVERY SERVICES	32,446	32,446	32,446	32,446
13800	SUBSISTENCE-IN-KIND	53,717	53,717	53,717	53,717
13850	ARMS CONTROL	32,620	32,620	28,620	28,620
13900	OTHER SERVICEWIDE ACTIVITIES	684,814	644,907	682,914	689,814
13950	OTHER PERSONNEL SUPPORT	38,160	38,160	38,160	38,160
14000	CIVIL AIR PATROL CORPORATION	4,481	8,281	8,281	8,281
14050	BASE SUPPORT	159,432	159,432	159,432	159,432
14100	SECURITY PROGRAMS				
14150	SECURITY PROGRAMS	454,840	441,300	454,840	454,840
14200	SUPPORT TO OTHER NATIONS				
14250	INTERNATIONAL SUPPORT	7,071	7,071	7,071	7,071
14300	TOTAL, BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACT	4,234,354	4,129,623	4,190,854	4,207,454
14330	CLASSIFIED PROGRAMS UNDISTRIBUTED	.....	−17,803	−42,300	12,300
14350	RENTAL PAYMENTS	−418	−418	−418	−418
14360	TRANSFERS TO DEFENSE CONVERSION & REINVESTMENT ACCOUNT	.....	−3,000	.....	.....
14370	CIVILIAN PERS PAY RAISE & LOCALITY PAY	.....	81,400	.....	13,600
14465	CIVILIAN PERSONNEL UNDERSTRENGTH	.....	−166,600	−170,530	−113,700
14470	CONTRACTOR & CONSULTING SERVICES	.....	−39,000	.....	−19,500
14477	CIVILIAN SEPARATION INCENTIVES	.....	.....	74,200	9,000
14480	INFORMATION TECHNOLOGY	.....	−10,000	.....	−50,000
14545	GENERAL REDUCTION, NATIONAL DEFENSE STOCKPILE FUND	−50,000	−50,000	−50,000	−50,000
14640	TOTAL, OPERATION AND MAINTENANCE, AIR FORCE	19,026,623	18,913,050	18,786,243	18,763,427
14650	(BY TRANSFER—NATIONAL DEFENSE STOCKPILE FUND)	(50,000)	(50,000)	(50,000)	(50,000)
14700	TOTAL FUNDS AVAILABLE	(19,076,623)	(18,963,050)	(18,836,243)	(18,813,427)

ADJUSTMENTS TO BUDGET ACTIVITIES

Adjustments to the budget activities are as follows:

[In thousands of dollars]

Budget Activity 1—Operating Forces:

10850 Increase B–52 acft to 74	60,100
Depot level reparables	129,000
B–1 conventional upgrades	(18,200)
11000 AWACS training	16,000
11100 Upgrade storage tanks, Scott AFB	734

European drawdown/USAFE BOS	5,000
Travel	(5,000)
Supply operations	(10,000)
F-16 DT&E/ICS/PGSE transfer	(70,700)
MacDill airfield operations	5,500
Elec Svcs Upgrade, McClellan AFB	1,650
RPM general reduction	(100,000)
11200 Cheyenne Mtn transfer to R&D	(41,500)
11350 Joint exercises	9,000
COPE THUNDER exercise	3,000
11800 Travel	(1,000)
Supply operations	(1,000)
Budget Activity 2—Mobilization:	
12200 Travel	(2,000)
Supply operations	(3,000)
Budget Activity 3—Training and Recruiting:	
12650 Schoolhouse training	(8,800)
12850 Travel	(3,000)
Supply operations	(1,000)
Non-combat base operations	(35,930)
12950 Recruiting and advertising	1,100
13050 Voluntary education	(15,000)
13100 Civilian education	(2,950)
Budget Activity 4—Admin & Servicewide Activities:	
13350 2.5 ton truck transfer to Procurement	(10,800)
CAMS/REMIS	8,000
TICARRS	15,000
13450 Servicewide Transportation	(1,300)
MSC rate change	(6,300)
13500 Travel	(2,200)
Supply operations	(3,300)
Air National Guard transfer	(6,200)
Regional centers transfer	(4,500)
13600 Pentagon, MAJCOM Hq, Admin overhead	(12,500)
13650 Base communications infrastructure	(7,600)
13850 Arms control	(4,000)
13900 Child development	5,000
14000 Civil Air Patrol	3,800
14330 Classified Programs	12,300
Other Adjustments:	
14370 Civ Pers pay raise & Locality Pay	13,600
14465 Civilian Personnel Understrength	(113,700)
14470 Contractor and consulting services	(19,500)
14477 Workforce Restructure Act	9,000
14480 Information technology (general reduction)	(50,000)
Total adjustments	(263,196)

B-26 AIRCRAFT

The Secretary of the Air Force is directed to transfer all rights, title, and interest of the Air Force to one of the World War II, Korean, or Vietnam era B-26 type aircraft at the United States Air Force Museum, Wright-Patterson Air Force Base, to the Louisiana National Guard, unless the Air Force Museum or Secretary of the Air Force can execute the direct exchange of a B-26 from the Chilean National Aviation Museum to the Louisiana National Guard by January 15, 1995. The Air Force Museum is directed to ensure that the Chilean B-26 provided to the Louisiana National Guard is in display condition. The conferees direct the Air Force to provide a status report on the progress of this exchange to the Committees on Appropriations within 35 days of the enactment of this Act.

MACDILL AFB AIRFIELD OPERATIONS

Based on a recent decision by the Office of the Secretary of Defense that the Air Force budget shall fund the operations of the MacDill AFB airfield to support CENTOM and USSOCOM, the conferees agree to provide an additional $5.5 million for airfield operations at MacDill AFB.

CONTRACTOR OPERATED PARTS STORES (COPARS)

The conferees direct the General Accounting Office (GAO) to conduct a cost comparison study of the COPARS program and alternative programs the Air Force is considering to replace COPARS. The GAO shall report its findings to the Committees on Appropriations and Armed Services of the House and Senate no later than May 1, 1995. The conferees intend to work with the GAO to determine the scope of this study.

IDAHO TRAINING RANGE

The conferees direct that no funds appropriated in this Act be obligated for acquiring equipment for or operating the Air Force's proposed Idaho training range until the Secretary of Defense provides the Congressional defense committees with a long-term land-use plan for the proposed expansion and explains why existing facilities are unable to be used in lieu of the new acquisitions. Also, the conferees direct that the Secretaries of Defense and Interior jointly provide an explanation of how the Engle Act applies to this land transfer and what has been done to resolve the issue of aboriginal rights to the land in question.

AIR FORCE PLANT #3

The conferees support section 2307 of the National Defense Authorization Act for Fiscal Year 1995. This section makes up to $10,000,000 available to proceed with the modification of Air Force Plant #3, Tulsa, Oklahoma. The conferees direct the Department of the Air Force to proceed with this authorized modification with the conditions set forth in the authorization act.

ENVIRONMENTAL REMEDIATION AT KING SALMON AFS

The conferees include new bill language providing the Secretary of the Air Force authority to acquire additional property adjacent to King Salmon Air Force Station only for the purpose of completing an on-going environmental response action in accordance with C.E.R.C.L.A. and the Air Force Installation Restoration Program.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

Amendment No. 25: Deletes Senate language "(including transfer of funds)".

Amendment No. 26: Appropriates $10,500,104,000 instead of $8,945,266,000 as proposed by the House and $9,986,654,000 as proposed by the Senate and deletes Senate language transferring $100,000,000 from the National Defense Stockpile Transaction Fund.

Amendment No. 27: Inserts Senate language making available $20,000,000 for repair and maintenance of federally owned education facilities located on military installations.

The conference agreement is as follows:

[In thousands of dollars]

		Budget	House	Senate	Conference
14750	OPERATION AND MAINTENANCE, DEFENSEWIDE AGENCIES				
14800	BUDGET ACTIVITY 1: OPERATING FORCES				
14850	JOINT CHIEFS OF STAFF	400,752	361,552	389,452	369,452
14900	SPECIAL OPERATIONS COMMAND	996,943	1,006,743	985,143	996,943
14850	TOTAL, BUDGET ACTIVITY 1: OPERATING FORCES	1,397,695	1,368,295	1,374,595	1,386,395
15000	BUDGET ACTIVITY2: MOBILIZATION				
15050	DEFENSE LOGISTICS AGENCY	67,800	67,800	67,800	67,800
15150	WASHINGTON HEADQUARTERS SERVICES	46,311	46,311	46,311	46,311
15175	TOTAL, BUDGET ACTIVITY 2: MOBILIZATION	114,111	114,111	114,111	114,111
15200	BUDGET ACTIVITY 3: TRAINING AND RECRUITING				
15250	DEFENSE ACQUISITION UNIVERSITY	111,624	94,024	111,624	94,024
15300	DEFENSE BUSINESS MANAGEMENT UNIVERSITY	3,947	3,947	3,947	3,947
15350	TOTAL, BUDGET ACTIVITY 3: TRAINING AND RECRUITING	115,624	97,971	115,571	97,971
15400	BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES				
15450	AMERICAN FORCES INFORMATION SERVICE	83,183	74,183	83,183	83,183
15550	CORPORATE INFORMATION MANAGEMENT	130,318	130,318	86,818	130,318
15600	CLASSIFIED AND INTELLIGENCE	3,176,380	3,087,043	3,028,980	3,015,281
15620	DEFENSE CIVILIAN PERSONNEL MANAGEMENT SERVICE	36,479	29,479	36,479	36,479
15650	DEFENSE CONTRACT AUDIT AGENCY	337,910	237,910	337,910	337,910
15750	DEFENSE INVESTIGATIVE SERVICE	196,169	190,169	196,169	190,169
15800	DEFENSE LOGISTICS AGENCY	1,233,209	815,709	1,187,809	1,183,609
15850	DEFENSE LEGAL SERVICES AGENCY	7,142	7,142	7,142	7,142
15900	DEFENSE MAPPING AGENCY	698,357	694,357	698,357	696,357
16000	DEFENSE NUCLEAR AGENCY	88,693	88,693	88,693	88,693
16020	DEFENSE POW/MIA OFFICE	13,581	14,581	13,681	14,581
16050	FEDERAL ENERGY MANAGEMENT PROGRAM	171,223	171,223	171,223	171,223
16100	DEPARTMENT OF DEFENSE DEPENDENTS EDUCATION	1,189,102	1,189,102	1,249,102	1,243,102
16150	DEFENSE SUPPORT ACTIVITIES	63,109	17,009	63,109	17,009
16160	DOCUMENT STORAGE	.....	.....	.....	.....
16200	DEFENSE TECHNOLOGY SECURITY ADMINISTRATION	10,386	10,386	10,386	10,386
16250	JOINT CHIEFS OF STAFF	105,058	105,058	105,058	105,058
16300	OFFICE OF ECONOMIC ADJUSTMENT	39,127	.....	39,127	39,127
16350	OFFICE OF THE SECRETARY OF DEFENSE	376,243	433,943	520,494	1,050,043
16400	ON SITE INSPECTION AGENCY	99,947	99,947	92,947	92,947

[In thousands of dollars]

		Budget	House	Senate	Conference
16450	WASHINGTON HEADQUARTERS SERVICES	540,122	503,263	509,812	487,612
16475	TOTAL, BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACT	8,595,738	7,899,515	8,526,379	9,000,229
16490	TRANSFERS TO DEFENSE CONVERSION & REINVESTMENT ACCOUNT		−368,800		
16495	CIVILIAN PERS PAY RAISE & LOCALITY PAY		54,600		20,200
16505	RENTAL PAYMENTS	−14,702	−14,702	−14,702	−14,702
16560	CIVILIAN PERSONNEL UNDERSTRENGTH		−73,500	−36,700	−28,600
16570	CONTRACTOR & CONSULTING SERVICES		−71,000		−35,500
16580	INFORMATION TECHNOLOGY		−76,224		−40,000
16590	PROJECT PEACE		15,000		
16605	CIVILIAN SEPARATION INCENTIVES			7,400	
16740	TRANSFER FROM NATIONAL DEFENSE STOCKPILE FUND			−100,000	
16745	TOTAL, OPERATION & MAINTENANCE, DEFENSE-WIDE	10,208,413	8,945,265	9,986,654	10,500,104
16747	(BY TRANSFER—NATIONAL DEFENSE STOCKPILE FUNDO			(100,000)	
16748	TOTAL FUNDS AVAILABLE	(10,208,413)	(8,945,266)	(10,086,654)	(10,500,104)

ADJUSTMENTS TO BUDGET ACTIVITIES

Adjustments to the budget activities are as follows:

[In thousands of dollars]

Budget Activity 1—Operating Forces:	
14850 Mil-to-Mil Program	(46,300)
Partnership for Peace	30,000
NORTHERN EDGE Exercise	5,000
14900 OPTEMPO	4,200
Schoolhouse training	(4,200)
Budget Activity 3—Training & Recruiting:	
15250 Students, Courses & Demo Proj	(17,600)
Budget Activity 4—Admin & Servicewide Activities:	
15600 Classified & Intel Prog	(161,099)
15750 Defense Investigative Service	(6,000)
15800 PTAP	12,000
Acquisition Tng & Field Offices	(15,000)
Commercial Catalog System	1,000
Def Contract Management Comd	(36,500)
Travel	(2,200)
MSC rate change	(8,900)
15900 Travel	(2,000)
16020 Def POW/MIA Office	1,000
16100 Family advocacy programs	54,000
16150 Def Mpwr Data Ctr Transfer to OSD	(39,500
DITRA Transfer to OSD	(4,000)
Management Systems Support Office	(2,600)
16350 DMDC Transfer	39,500
DITRA transfer	4,000
Force restructuring studies & analyses	(6,500)
JRAP/JMRP	17,000
Nat Gas Study & Infrastructure Plng	2,200
Strategic mobility enhancements	50,000
Defense Conversion "Other Initiatives"	(39,000)
PACOM Environmental compliance	20,000
Military school maintenance	20,000
Travel	(4,000)
Security locks	20,000
Anchorage fuel center	500
Real property maintenance backlog	500,000
Medical supplies transport	5,000
LEGACY	40,000
Land Management Training Center	2,500
Washington Square, Phila, renovation	2,600
16400 Arms control	(7,000)
16450 Admin & Central Svcs	(6,700)
Counterproliferation Initiatives	(30,310)
Travel	(2,000)
JEDMICS	(13,500)
Other Adjustments:	
16495 Civ Pers pay raise & locality pay	9,800
Worforce Restruct Act	10,400
16560 Civilian personnel understrength	(28,600)
16670 Contractor & consulting services	(35,500)
16580 Information Technology (general reduction)	(50,000)
Section 8107	10,000
Total Adjustments	291,691

REAL PROPERTY MAINTENANCE

The conferees agree to provide $500,000,000 to reduce the military services' real property maintenance backlog. These funds are to be allocated in the following manner, as prescribed in Title VIII, Section 8158:

Army	$140,000,000
Navy	140,000,000
Marine Corps	80,000,000
Air Force	140,000,000

The conferees intend for these funds to be used first to offset repair backlogs engendered by general reductions to the Services' operation and maintenance accounts. Once this is done, the conferees direct the Department to make reducing the backlog of maintenance and repair of enlisted servicemembers' barracks its top priority. It is the conferees' intent that these funds shall be used for repair and maintenance projects of the same type and under the same dollar limitations as found in all other accounts in title II of this Act.

Of the funds provided for the Army, $1.4 million shall be used for the Ft. Bragg Water Quality Compliance project.

Of the funds provided for the Air Force, $2.2 million shall be used to repair dormitories and runways at Cannon AFB.

AUDITORS AND CONTRACT ADMINISTRATION PERSONNEL

The conferees agree that reductions proposed by the House to reduce the number of auditors and contract administration personnel assigned to the Defense Contract Audit Agency and Defense Contract Management Command would have adversely affected the operations of these two agencies. Thus, the conferees agree to reduce the Defense Contract Management Command's budget request by $36,500,000, as recommended by the Senate. However, the conferees are convinced that additional savings can be achieved, in light of the decline in government procurement and implementation of DOD acquisition reforms, by consolidating field offices and reducing and frequent of visits to defense plants.

The conferees agree with the House proposal that the Department conduct a comprehensive manpower survey of auditing and contract administration functions. Additionally, the conferees direct the Defense Logistics Agency to establish a task force to review Federal Acquisition Regulation requirements levied on DCAA and DCMC and that the DCAA reduce its incurred cost audit backlog to one year by 1997.

FEDERAL ENERGY MANAGEMENT PROGRAM

The conferees direct that within funds provided for the Federal Energy Management Program, $2,500,000 be reserved for energy improvements involving two wheel super high efficiency desiccant dehumidification and cooling systems.

LEGACY

The conferees have provided $50,000,000 to continue the Legacy program, an increase of $40,000,000 to the budget request. The conferees direct the Department of Defense to submit a report providing an allocation of the fiscal year 1995 funds by project, a short description of each effort, and the projected total cost of each effort.

The conferees further agree with the Senate view that research and development efforts should be funded within the research, development, test and evaluation accounts. The conferees direct that no Legacy funds may be obligated for technology projects.

The conferees further restate the direction, previously approved by Congress, that a resident coordinator for the Pacific Environmental Leadership Effort (PELE), funded within the Legacy program, should be selected and based in the Pacific region.

LAND MANAGEMENT

The conferees direct that $2,500,000 of the funds available for environmental compliance activities within the "Operation and Maintenance, Defensewide" account shall be made available only to establish a land management training center as recommended by the Senate.

DEFENSE MAPPING AGENCY

The conferees direct that of the funds available $1,000,000 is only for surveying, data base compilation and maintenance to support the digitization and improvement of navigational charts for the Lower Mississippi River (Gulf of Mexico to mile 223) to ensure strategic access.

MEDICAL SUPPLIES TRANSPORTATION

The conferees agree to provide $5,000,000 in the Operation and Maintenance, Defensewide account to sustain the Department's efforts to return excess military medical supplies and equipment from Europe to the United States for use by native Americans, local governments, and other deserving groups.

PROJECT PEACE

The conferees direct the Department to provide an assessment to the congressional

defense committees by February 1, 1995 on the cost-effectiveness of scrapping and recycling Soviet naval vessels and other equipment at U.S. shipyards and facilities.

OPERATION AND MAINTENANCE, ARMY RESERVE

Amendment No. 28: Appropriates $1,243,209,000 instead of $1,240,109,000 as proposed by the House and $1,253,709,000 as proposed by the Senate.

Amendment No. 29: Inserts Senate language directing the Undersecretary of Defense for policy to transmit the Rand Corporation Study on The United States Role in Possible Middle East Peace Settlements to the congressional defense, intelligence and foreign affairs committees.

The conference agreement is as follows:

[In thousands of dollars]

		Budget	House	Senate	Conference
16750	OPERATION AND MAINTENANCE, ARMY RESERVE				
16800	BUDGET ACTIVITY 1: OPERATING FORCES				
16850	MISSION OPERATIONS				
16900	BASE SUPPORT	306,084	308.084	303,784	305,084
16950	DEPOT MAINTENANCE	91,026	91,026	91,026	91,026
17000	RECRUITING AND RETENTION	33,200	33,200	33,200	33,200
17050	TRAINING OPERATIONS	706,475	706,475	708,775	707,675
17100	TOTAL, BUDGET ACTIVITY 1: OPERATING FORCES	1,136,785	1,138,785	1,136,785	1,136,985
17150	BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES				
17200	ADMINISTRATION AND SERVICEWIDE ACTIVITIES				
17250	INFORMATION MANAGEMENT	25,338	15,338	25,338	25,338
17300	PUBLIC AFFAIRS	416	416	416	416
17350	PERSONNEL ADMINISTRATION	58,106	58,106	58,106	58,106
17400	STAFF MANAGEMENT	33,099	33,099	33,099	33,099
17450	TOTAL, BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACT	116,959	106,959	116,959	116,959
17500	RENTAL PAYMENTS	−35	−35	−35	−35
17550	CIVILIAN PERS PAY RAISE & LOCALITY PAY		4,700		2,100
17570	CIVILIAN PERSONNEL UNDERSTRENGTH		−10,300		−12,800
17650	TOTAL, OPERATION AND MAINTENANCE, ARMY RESERVE	1,253,709	1,240,109	1,253,709	1,243,209

ADJUSTMENTS TO BUDGET ACTIVITIES

Adjustments to the budget activities are as follows:

[In thousands of dollars]

Budget Activity 1: Operating Forces:	
16900 Reserve Ctrs Repairs	1,000
RPM for Res Ctrs, Cambria & Indiana Cos, PA	300
Reserve understrength	(2,300)
17050 Professtional military training	1,200
Other Adjustments:	
17550 Civ Pers pay raise & Locality Pay	1,000
Workforce Restruct Act	1,100
17570 Civ Pers understrength	(12,800)
Total adjustments	(10,500)

OPERATION AND MAINTENANCE, NAVY RESERVE

Amendment No. 30: Appropriates $831,219,000 instead of $834,119,000 as proposed by the House and $827,819,000 as proposed by the Senate.

Amendment No. 31: Deletes House language prohibiting obligation of $6,300,000 until authorized.

The conference agreement is as follows:

[In thousands of dollars]

		Budget	House	Senate	Conference
17700	OPERATION AND MAINTENANCE, NAVY RESERVE				
17750	BUDGET ACTIVITY 1: OPERATING FORCES				
17800	RESERVE AIR OPERATIONS				
17850	MISSION AND OTHER FLIGHT OPERATIONS	275,287	275,287	275,287	275,287
17900	FLEET AIR TRAINING	—	—	—	—
17950	INTERMEDIATE MAINTENANCE	20,298	20,298	20,298	20,298
18000	AIR OPERATION AND SAFETY SUPPORT	1,681	1,681	1,681	1,681
18050	AIRCRAFT DEPOT MAINTENANCE	90,542	90,542	90,542	90,542
18100	AIRCRAFT DEPOT OPS SUPPORT	521	521	521	521
18150	BASE SUPPORT	134,281	135,281	134,281	133,281
18225	RESERVE SHIP OPERATIONS				
18250	MISSION AND OTHER SHIP OPERATIONS	45,948	45,948	50,948	52,948
18260	SHIP OPERATIONAL SUPPORT AND TRAINING	658	658	658	658
18300	INTERMEDIATE MAINTENANCE	18,675	18,675	18,675	18,675
18350	SHIP DEPOT MAINTENANCE	52,712	52,712	52,712	52,712
18360	SHIP DEPOT OPERATIONS SUPPORT	1,570	1,570	1,570	1,570
18425	RESERVE COMBAT OPERATIONS SUPPORT				
18450	COMBAT COMMUNICATIONS	648	648	648	648
18500	COMBAT SUPPORT FORCES	27,274	27,274	27,274	27,274
18550	BASE SUPPORT	57,836	58,836	57,836	56,836
18600	RESERVE WEAPONS SUPPORT				
18650	WEAPONS MAINTENANCE	10,572	10,572	10,572	10,572
18700	TOTAL, BUDGET ACTIVITY 1: OPERATING FORCES	738,503	740,503	743,503	743,503
18750	BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES				
18800	ADMINISTRATION AND SERVICEWIDE ACTIVITIES				
18850	ADMINISTRATION	8,014	8,014	7,014	7,014
18900	CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT	2,995	2,995	2,995	2,995
18950	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	30,493	33,493	28,493	30,493
19000	OTHER PERSONNEL SUPPORT	2,725	2,725	2,725	2,725
19050	SERVICEWIDE COMMUNICATIONS	18,379	18,379	18,379	18,379
19100	BASE SUPPORT	23,748	23,748	21,748	22,748
19150	COMBAT/WEAPONS SYSTEMS	2,962	2,962	2,962	2,962
19200	TOTAL, BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACT	89,316	92,316	84,316	87,316
19250	CIVILIAN PERS PAY RAISE & LOCALITY PAY	—	1,300	—	400
19350	TOTAL, OPERATION AND MAINTENANCE, NAVY RESERVE	827,819	834,119	827,819	831,219

ADJUSTMENTS TO BUDGET ACTIVITIES

Adjustments to the budget activities are as follows:

[In thousands of dollars]

Budget Activity 1: Operating Forces:	
18150 Administrative expenses	(1,000)
18250 Navy LSTS	7,000
18550 Administrative expenses	(1,000)
Budget Activity 4: Admin & Servicewide Activities	
18850 Administrative expenses	(1,000)

Other Adjustments:

19100 Administrative expenses ..	(1,000)
19250 Civ Pers pay raise & Locality Pay	300
Workforce Restructure Act	100
Total adjustments	3,400

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

Amendment No. 32: Appropriates $81,862,000 instead of $83,542,000 as proposed by the House and $80,562,000 as proposed by the Senate.

Amendment No. 33: Deletes House language prohibiting obligation of $2,080,000 until authorized.

The conference agreement is as follows:

[In thousands of dollars]

		Budget	House	Senate	Conference
19400	OPERATION AND MAINTENANCE, MARINE CORPS RESERVE				
19450	BUDGET ACTIVITY 1: OPERATING FORCES				
19500	MISSION FORCES				
19550	TRAINING	12,301	12,301	12,301	12,301
19610	OPERATING FORCES	21,401	21,401	21,401	21,401
19650	BASE SUPPORT	18,275	20,275	17,375	18,375
19700	DEPOT MAINTENANCE	2,812	2,812	2,812	2,812
19775	TOTAL, BUDGET ACTIVITY 1: OPERATING FORCES	54,789	56,789	53,889	54,889
19800	BUDGET ACTIVITY 4: ADMIN. & SERVICEWIDE ACTIVITIES				
19850	AMMINISTRATION AND SERVICEWIDE ACTIVITIES				
19900	RECRUITING AND ADVERTISING	7,388	7,388	7,388	7,388
19950	SPECIAL SUPPORT	6,462	6,462	6,462	6,462
20000	SERVICEWIDE TRANSPORTATION	4,936	4,936	4,936	4,936
20050	ADMINISTRATION	5,493	5,493	5,493	5,493
20100	BASE SUPPORT	2,394	2,394	2,394	2,394
20150	TOTAL, BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACT	26,673	26,673	26,673	26,673
20200	CIVILIAN PERS PAY RAISE & LOCALITY PAY	.....	80	.....	300
20300	TOTAL, OPERATION AND MAINT, MARINE CORPS RESERVE	81,462	83,542	80,562	81,862

ADJUSTMENTS TO BUDGET ACTIVITIES

Adjustments to the budget activities are as follows:

[In thousands of dollars]

Budget Activity 1: Operating Forces:

19650 Reserve Ctrs Repairs	1,000
Reserve understrength	(900)

Other Adjustments:

20200 Civ Pers pay raise & Locality Pay	100
Workforce Restruct Act	200
Total adjustments	400

MARINE CORPS RESERVE AVIATION

The conferees agree with the Senate's concerns that Marine expeditionary forces may not have enough dedicated airborne power. In addition to the reporting requirement expressed in the Senate report, the conferees direct that the deactivation of the two Marine Reserve jet squadrons be delayed until the formal review and the requested report is received by the Committees on Appropriations and Armed Services of the House and Senate.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

Amendment No. 34: Appropriates $1,471,505,000 instead of $1,486,805,000 as proposed by the House and $1,455,872,000 as proposed by the Senate.

Amendment No. 35: Deletes House language prohibiting obligation of $5,473,000 until authorized.

The conference agreement is as follows:

[In thousands of dollars]

		Budget	House	Senate	Conference
20350	OPERATION AND MAINTENANCE, AIR FORCE RESERVE				
20400	BUDGET ACTIVITY 1: OPERATING FORCES				
20450	AIR OPERATIONS				
20500	AIRCRAFT OPERATIONS	1,081,423	1,093,438	1,081,423	1,093,438
20550	MISSION SUPPORT OPERATIONS	40,666	40,666	43,008	40,666
20600	BASE SUPPORT	294,464	295,464	284,664	284,664
20725	TOTAL, BUDGET ACTIVITY 1: OPERATING FORCES	1,416,553	1,429,568	1,409,095	1,418,768
20750	BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES				
20800	ADMINISTRATION AND SERVICEWIDE ACTIVITIES				
20850	ADMINISTRATION	26,085	26,085	26,085	26,085
20900	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	22,070	22,070	22,070	22,070
20950	RECRUITING AND ADVERTISING	7,844	7,844	7,844	7,844
21000	OTHER PERSONNEL SUPPORT	5,762	5,762	5,762	5,762
21050	AUDIOVISUAL	676	676	676	676
21125	TOTAL, BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACT	62,437	62,437	62,437	62,437
21150	CIVILIAN PERS PAY RAISE & LOCALITY PAY	.....	8,800	.....	3,300
21160	CIVILIAN PERSONNEL UNDERSTRENGTH	.....	−14,000	−15,660	−13,000
21250	TOTAL, OPERATION AND MAINTENANCE, AIR FORCE RESERVE	1,478,990	1,486,805	1,455,872	1,471,505

ADJUSTMENTS TO BUDGET ACTIVITIES

Adjustments to the budget activities are as follows:

[In thousands of dollars]

Budget Activity 1—Operating Forces:

20500 C–130s Operational support, Ohio	10,000
WC–130 Weather Recon	2,015
20600 Reserve understrength	(9,400)
Travel	(400)

Other Adjustments:

21150 Civ Pers pay raise & Locality Pay	1,900
Workforce Restruct Act	1,400
21160 Civ Pers Understrength	(13,000)
Total adjustments	(7,485)

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

Amendment No. 36: Appropriates $2,440,288,000 instead of $2,498,868,000 as proposed by the House and $2,442,135,000 as proposed by the Senate.

Amendment No. 37: Restores House language earmarking $10,000,000 for a National Guard Outreach Program in the Los Angeles School District and deletes House language prohibiting obligation of $50,253,000 until authorized.

The conference agreement is as follows:

[In thousands of dollars]

		Budget	House	Senate	Conference
21300	OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD				
21350	BUDGET ACTIVITY 1: OPERATING FORCES				
21400	MISSION OPERATIONS				
21450	TRAINING OPERATIONS	1,799,704	1,832,804	1,805,171	1,789,654
21500	RECRUITING AND RETENTION	19,316	19,316	19,316	19,316
21550	MEDICAL SUPPORT	23,070	23,070	28,070	28,070
21600	DEPOT MAINTENANCE	113,557	113,557	113,557	113,557
21650	BASE SUPPORT	298,661	302,681	290,161	292,931
21725	TOTAL, BUDGET ACTIVITY 1: OPERATING FORCES	2,254,308	2,291,428	2,256,275	2,243,528
21750	BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES				
21800	ADMINISTRATION AND SERVICEWIDE ACTIVITIES				
21850	INFORMATION MANAGEMENT	62,182	66,682	58,382	66,682
21900	PUBLIC AFFAIRS	1,717	1,717	1,717	1,717
21950	PERSONNEL ADMINISTRATION	84,197	84,197	84,197	84,197
22000	STAFF MANAGEMENT	44,744	41,644	41,564	38,464
22050	TOTAL, BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACT	192,840	194,240	185,860	191,060
22100	CIVILIAN PERS PAY RAISE & LOCALITY PAY		13,200		5,700
22200	TOTAL, OPERATION AND MAINT, ARMY NATIONAL GUARD	2,447,148	2,498,868	2,442,135	2,440,288

ADJUSTMENTS TO BUDGET ACTIVITIES

Adjustments to the budget activities are as follows:

[In thousands of dollars]

Budget Activity 1—Operating Forces:	
21450 LA School District Youth Prog	10,000
Organizational Clothing & Equip	12,550
Civilian personnel underexecution	(32,600)
21550 Guard care	5,000
21650 Calumet, MI, Armory repairs	120
Armories Repairs: Valparaiso, Gary & Hammond, IN	400
28th Div Training Range	1,500
Administrative expenses	(1,450)
Aviation training and facilities	1,900
California armories repairs	1,200
National Guard understrength	(1,900)
Travel	(7,500)
Budget Activity 4—Admin & Servicewide Activities:	
21850 Information Technology	(3,000)
Distance learning	7,500
22000 National Guard Bureau	(3,100)
Staff management	(3,180)
Other Adjustments:	
22100 Civ Pers pay raise & Locality Pay	2,900
Workforce Restructure Act	2,800
Total adjustments	(6,860)

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

Amendment No. 38: Appropriates $2,772,928,000 instead of $2,797,978,000 as proposed by the House and $2,780,178,000 as proposed by the Senate.

Amendment No. 39: Earmarks $9,200,000 as proposed by the Senate instead of $1,500,000 as proposed by the House for C–130 operational aircraft of the 159th Air National Guard Fighter Group.

Amendment No. 40: Inserts Senate language to include the 146th Airlift Wing and the South Carolina Air National Guard 169th Fighter Group unit.

Amendment No. 41: Deletes House language prohibiting obligation of $17,800,000 until authorized.

The conference agreement is as follows:

[In thousands of dollars]

		Budget	House	Senate	Conference
22250	OPERATION AND MAINTENANCE, AIR NATIONAL GUARD				
22300	BUDGET ACTIVITY 1: OPERATING FORCES				
22350	AIR OPERATIONS				
22400	AIRCRAFT OPERATIONS	2,072,651	2,074,151	2,102,751	2,102,751
22450	MISSION SUPPORT OPERATIONS	352,283	352,283	352,283	352,283
22500	BASE SUPPORT	324,292	326,292	302,242	302,242
22550	DEPOT MAINTENANCE	22,781	22,781	22,781	22,781
22625	TOTAL, BUDGET ACTIVITY 1: OPERATING FORCES	2,772,007	2,775,507	2,780,057	2,780,057
22650	BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES				
22700	SERVICEWIDE ACTIVITIES				
22750	ADMINISTRATION	3,338	3,338	3,338	3,338
22800	RECRUITING AND ADVERTISING	4,833	4,833	4,833	4,833
22875	TOTAL, BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACT	8,171	8,171	8,171	8,171
22885	CIVILIAN PERS PAY RAISE & LOCALITY PAY		14,300		5,500
22887	CIVILIAN PERSONNEL UNDERSTRENGTH			−8,050	−20,800
23000	TOTAL, OPERATION AND MAINT, AIR NATIONAL GUARD	2,780,178	2,797,978	2,780,178	2,772,928

ADJUSTMENTS TO BUDGET ACTIVITIES

Adjustments to the budget activities are as follows:

[In thousands of dollars]

Budget Activity 1—Operating Forces:	
22400 C–130H Operational Spt, 159th FWG	1,500
176th Airlift Squadron	5,000
C–130s Operational support	23,600
22500 Administrative expenses	(16,950)
Guard understrength	(4,600)
Travel	(500)
Other Adjustments:	
22885 Civ Pers Pay Raise & Locality Pay	3,300
Workforce Restructure Act	2,200
22887 Civilian personnel underexecution	(20,800)
Total adjustments	(7,250)

CONTRACTED FLIGHT TRAINING SERVICE (CFTS)

The conferees are aware of the savings associated with Contracted Flight Training Service (CFTS) for the Air Force and the Air National Guard. Accordingly, the Air Force and the Air National Guard are directed to include funding for the CFTS in the fiscal year 1996 budget request. In addition, the conferees discourage the Department from any attempts to reprogram fiscal year 1995 funds from CFTS.

C–130 OPERATIONS/EAST COAST TANKER TASK FORCE

The conferees agree to provide $21,600,000 to continue certain Air Guard C–130 aircraft operations. These funds will be used to sustain current aircraft operations in Louisiana and South Carolina ($1,500,000 for each unit); support an increase in aircraft assigned to Air Guard units located at Nashville, TN ($4,300,000), Martinsburg, WV ($5,000,000), and Louisville, Kentucky ($4,300,000); and maintain C–130 operating levels of the 146th Airlift Wing in California ($5,000,000).

The conferees also provide $2,000,000 to begin ramp-up activities connected with the transfer of the East Coast Tanker Task Force mission from the Air Force to the Air National Guard in fiscal year 1996. The conferees authorize 50 additional military technicians for fiscal year 1995 in support of activities associated with the Air National Guard assuming this mission.

ENVIRONMENTAL RESTORATION, DEFENSE

Amendment No. 42: Appropriates $1,780,200,000 instead of $1,880,200,000 as proposed by the House and $2,034,075,000 as proposed by the Senate.

SUPPORT FOR INTERNATIONAL SPORTING COMPETITIONS, DEFENSE

Amendment No. 43: Deletes House language making funds available for Support

for International Sporting Competitions, Defense, and inserts and amends Senate language appropriating $14,400,000 for the Summer Olympics and $3,000,000 for the Special Olympics.

In addition, the conferees agree to House report language directing the Department to include in the fiscal year 1996 budget request an exhibit showing obligations and expenditures for these games. The conferees also agree to insert Section 8104 which extends the availability of prior year funds.

HUMANITARIAN ASSISTANCE

Amendment No. 44: Appropriates $65,000,000 instead of $60,000,000 as proposed by the House and $71,900,000 as proposed by the Senate.

Amendment No. 45: Earmarks $10,000,000 as proposed by the Senate instead of $12,000,000 as proposed by the House for clearing of landmines for humanitarian purposes.

FORMER SOVIET UNION THREAT REDUCTION

Amendment No. 46: Appropriates $400,000,000 for Former Soviet Union Threat Reduction as proposed by the Senate and amends Senate language concerning demilitarization and protection of weapons, components, technology, and production infrastructure.

REAL PROPERTY MAINTENANCE, DEFENSE

Amendment No. 47: Deletes Senate language making $500,000,000 available for obligation until September 30, 1996.

INFORMATION TECHNOLOGY RESOURCES

[In thousands of dollars]

Appropriations and programs	House bill	Senate bill	Conference agreement
O&M, Army:			
SBIS	−23,899	0	+1,000
Standard Theater C2 System	−14,399	0	0
MEPCOM Integrated Resource System	−5,675	0	0
Personnel Enterprise System	−4,966	0	0
General Reduction	−89,804	−30,000	−50,000
Keyboard Proficiency	+5,000	0	0
Total, Army O&M	−133,743	−30,000	−49,000
O&M, Navy:			
EMPRS	−11,229	0	0
Excessive Budget Growth	−36,000	0	0
General Reduction	−91,514	−30,000	−50,000
Keyboard Proficiency	+5,000	0	0
Section 8107	0	0	+4,500
Total, Navy O&M	−133,743	−30,000	−45,500
O&M, Air Force:			
LAN Management	−33,529	0	0
CAMS/REMIS	+5,000	+5,000	+8,000
TICARRS	+15,000	+15,000	+15,000
ARMS	−1,471	0	0
Keyboard Proficiency	+5,000	0	0
General Reduction	0	−30,000	−50,000
Total, Air Force O&M	−10,000	−10,000	−27,000
O&M, Defense-Wide:			
General Reduction	−50,000	−30,000	−50,000
DISA use of SBIS contract	−1,9424	0	0
Transfer AIPO to RDT&E	−10,800	0	−10,800
JEDMICS	−13,500	−13,500	−13,500
Section 8107	0	0	+10,000
Total, Defense-wide O&M	−76,224	−43,500	−64,300
O&M, Army Reserve:			
PERMS	−3,000	0	0
General Reduction, not RCAS	−7,000	0	0
Total, O&M Army Reserve	−10,000	0	0
O&M, Army National Guard:			
RCAS	−3,000	0	−3,000
Distance Learning	+7,500	+6,214	+7,500
Total, O&M Army National Guard	+4,500	+6,214	+4,500
O&M, Navy Reserve:			
Naval Reserve Information Technology Modernization	+3,000	0	0

INFORMATION TECHNOLOGY RESOURCES—Continued

[In thousands of dollars]

Appropriations and programs	House bill	Senate bill	Conference agreement
Total, DOD O&M	−356,210	−107,286	−181,300
Other Procurement, Army:			
Information Systems	−11,000	+6,200	+500
Local Area Network	0	0	+5,700
STAMIS Tactical computers	−21,850	0	0
ADPE	−56,032	−12,000	−38,054
SBIS	(−35,254)	0	(−35,254)
General Reduction	(−15,000)	0	0
Strategic Logistics System	(−2,800)	0	(−2,800)
ADPE, ARMS	(−2,978)	0	0
RCAS	+66,900	0	+46,900
Total, Army other procurement	−21,892	−5,800	+15,046
Other Procurement, Navy:			
EMPRS	−31,800	0	0
Other Procurement, Air Force:			
ADPE	−4,189	+4,500	+4,500
AFC2S	−4,200	−4,189	−4,189
Base Level Data Automation	0	−3,000	−3,000
Total, Air Force other procurement	−8,389	−2,689	−2,689
Procurement, Defense Agencies:			
Major Equipment, OSD/WHS	+21,500	−13,500	+14,500
JEDMICS	(−13,500)	(−13,500)	(−13,500)
Naval Reserve Information Technology Modernization	(+10,000)	(0)	(0)
Automatic Document Conversion System	(+30,000)	(0)	(+20,000)
AIS Equipment	(−5,000)	(0)	(0)
Section 8107	(0)	(0)	(+8,000)
High Performance Computer Modernization	+130,000	0	+90,000
Total, Defense Agencies procurement	+151,500	−13,500	+104,500
Total, DOD IT procurement	+89,329	−21,989	+116,847
Grand total, all appropriations	−266,881	−129,275	−64,443

O&M INFORMATION TECHNOLOGY REDUCTIONS

The conferees agree to $50,000,000 in general reductions in each of the services and Defense-Wide accounts. These reductions shall be allocated at the discretion of each of the services' and Defense-Wide designated resource manager only within automatic data processing accounts, and shall not be allocated to any congressional interest item.

DISTANCE LEARNING

The conferees provide $7,500,000 for the initiation of a distance learning regional training network demonstration project. The conferees direct that this funding is provided only for a distance learning regional training demonstration project for Pennsylvania, West Virginia, Virginia, Maryland, and the District of Columbia. The Chief, National Guard Bureau will be the executive agent for executing this project, in coordination with the Chief of Army Reserve, and the Defense Information Systems Agency (DISA). The Executive Agent is required to report on the status of the project to the Congress by April 1, 1995. No reprogramming of these funds shall be done without prior approval of the Congress. The conferees are also aware of the Advanced Technology Regional Battle Training Center initiative for the Reserve Components and encourage the Army to include this program in its fiscal year 1996 budget submittal.

SUSTAINING BASE INFORMATION SYSTEM

The conferees do not agree to the O&M funding reduction recommended by the House, but do agree to deny funds for SBIS procurement in fiscal year 1995. The conferees do not agree to bill language proposed by the House requiring completion of a comprehensive functional description for the system. The conferees instead direct that the Assistant Secretary of Defense for Command, Control, Communications, and Intelligence submit a report to the Congressional defense committees by April 1, 1995 which certifies that the Army has a detailed definition of the total program, the associated life cycle cost, a system of metrics in place to ensure that SBIS program cost objectives are attained, and a current return-on-investment analysis for the life cycle of the program.

AUTOMATED DOCUMENT CONVERSION

The conferees agree to the House proposal on automated document conversions and have provided $20,000,000. The conferees agree that DoD should submit a master plan as proposed by the House, to be submitted by April 1, 1995. The conferees also understand that there are many sites which have the need to convert logistics, acquisition, education and training, and personnel documents. The conferees encourage DoD to share the results of the ADCS-JEDMICS integration project with other DoD communities which have a need for automated document conversion. The conferees do not intend that DoD withhold obligation of the $20,000,000 provided in this Act until the master plan is submitted. The conferees direct that the Defense Department establish standards for future automated document conversion systems and processes.

HIGH PERFORMANCE COMPUTING MODERNIZATION

The conferees agree to provide $163,048,000 for high performance computing modernization, of which $73,048,000 is in the RDT&E, Defensewide appropriation and $90,000,000 is in the Procurement, Defensewide appropriation. The conferees support expansion of the Department's High Performance Computing Modernization Plan. The conferees recommend a general provision requiring only a modest program expansion during fiscal year 1995. The conferees also applaud completion of the Updated High Performance Computing Modernization Plan, but wish to express concern over an important issue. The plan measures system performance using theoretical peak speed. The Department is directed to also include actual, deliverable, and sustained performance in evaluating competing systems.

DEFENSE-WIDE AND NAVAL INFORMATION TECHNOLOGY MODERNIZATION

The conferees have provided $22,500,000 in additional funds in the Navy Operation and Maintenance and Defense-Wide procurement accounts for information technology modernization and other improvements, and for Naval and DoD activities as described in section 8107. The conferees adopted House language regarding the development and maintenance of the Naval active and reserve single Source Data Collection system except that the Naval Bureau of Personnel shall remain the Program Manager for definition of functional requirement and priorities. To meet an important Department requirement and request, the conferees have provided additional funding for the establishment of a continuity of operations (COOP) center to avert the disruption of operations and provide for the preservation of computer data for the DoD data center consolidation and megacenter initiative. The conferees direct DoD to establish this center in fiscal year 1995. Of the funds appropriated under section 8107 for these activities, the conferees have provided $8,000,000 in Defense-Wide procurement and $5,000,000 in Defense-Wide operation and maintenance funds for the establishment of the COOP center. The remaining

$5,000,000 in Defense-Wide operation and maintenance funding under section 8107 shall be used for DoD requirements for central design activity software and development for DoD finance and accounting activities as well as occupational conversion, training, and transition assistance for DoD and Naval activities at the Naval Support Activity and F. Edward Herbert Complex, New Orleans. These funds should also be used to initiate a prototype for using National Finance Center cross servicing functions for some financial management and personnel services at DoD as recommended by Military Department Comptrollers early this year. The $4,500,000 in Navy operation and maintenance funds shall also be used at the Naval and DoD facilities and activities just described above and as directed in section 8107 except that $2,000,000 fs only for single Source Data Collection system activities. The conferees concur with the House report direction, pages 59–60, regarding CIRIMS and certain reserve personnel, training and financial management systems remaining under the operational control of Naval Reserve activities. The conferees expect this direction to be followed.

The conferees have not included language restricting certain DoD information technology, central design activity, data processing, and personnel function consolidation or realignment plans pending cost justification and mission impact reports from DoD. The conferees believe some serious efforts are being made to weigh future information technology, personnel or DoD function consolidations in terms of operational readiness, customer satisfaction, and which plans are the most cost effective from a business standpoint. The conferees will carefully monitor this situation in the event that such issues need to be addressed next year.

TITLE III—PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

Amendment No. 48: Appropriates $1,063,164,000 for Aircraft Procurement, Army, instead of $1,264,198,000 as proposed by the House and $1,062,581,000 as proposed by the Senate.

The conference agreement on items in conference is as follows:

[In thousands of dollars]

	Budget	House	Senate	Qty	Conference
AIRCRAFT PROCUREMENT, ARMY					
ARL (TIARA)	39,200	39,200	39,200		
GUARDRAIL COMMON SENSOR (TIARA)	4,991	4,991	4,991		
C–XX AIRCRAFT		4,000	23,000	2	11,000
AH–64 ATTACK HELICOPTER (APACHE)	5,611	5,611	77,611	6	77,611
UH–60 BLACKHAWK (MYP) (AP–CY)	140,200	140,200	140,200		70,000
GUARDRAIL MODS (TIARA)	26,938	26,938	26,938		
LONGBOW	117,588	117,588	45,588		80,000
KIOWA WARRIOR	111,767	110,467	98,767		98,767
AHIP		225,000		17	120,000
SPARES AND REPAIR PARTS	47,242	47,242	47,242		47,242
AIRCRAFT SURVIVABILITY EQUIPMENT	29,583	29,000	44,583		44,583

ARMY AVIATION

The Senate report expressed concern with the lack of effective Army management of its aviation investment programs, noting the apparent absence of Army leadership support for these programs and an unwillingness to invest sufficient resources to provide for efficient transition between production of ongoing and follow-on programs. Noting that the Army was apparently unable to resolve this problem, the Senate directed the Army to recompete the Comanche and Apache Longbow programs to lower long term costs, and allow Army funding to match its plans. The House did not address the issue.

The conferees share the concerns of the Senate regarding the unwillingness of the Army to provide sufficient investment funding to support what the Army stipulates are its highest priorities. This concern is underscored by the Army's plans to cancel the UH–60 program and to underfund the FY 1996 requirement for Comanche. However, the conferees have reserved judgment on the Senate's approach. The Army believes it can bridge the self-imposed production gaps within the funding it has available. The conferees have agreed to let the Army demonstrate this capability. Therefore, the Senate recedes from its direction to mandate a recompetition.

The conferees remain concerned with the long term viability of the helicopter industrial base, given the reduced number of production programs. the conferees urge the Army to work with the private sector to determine how to preserve needed industrial capability, while reducing the overhead cost of duplicative organizations and infrastructure. The consolidation of the tactical fixed-wing aircraft and space launch industrial bases may serve as a useful model for the changes that are inevitable in the rotary wing sector.

SPARES AND REPAIR PARTS

The conference agreement includes $47,242,000 for spares and repair parts as proposed by the House instead of $47,742,000 as proposed by the Senate. The conferees agree that within the funds provided, $500,000 shall be used for procurement and fielding of one CH–47 maintenance tool and equipment set for the Army National Guard.

Amendment No. 49: Inserts and amends Senate proviso, requiring the Secretary of the Army to report on the concept, organization, requirements, and mission need documents for the High Capacity Air Ambulance, utilizing low cost fixed wing aircraft no later than April 15, 1995.

MISSILE PROCUREMENT, ARMY

Amendment No. 50: Appropriates $813,795,000 for Missile Procurement, Army instead of $728,095,000 as proposed by the House and $707,895,000 as proposed by the Senate.

The conference agreement on items in conference is as follows:

[In thousands of dollars]

	Budget	House	Senate	Qty	Conference
MISSILE PROCUREMENT, ARMY:					
STINGER SYSTEM SUMMARY		5,000			
TOW 2 SYSTEM SUMMARY	27,808	37,508	27,808	1,000	37,508
MLRS ROCKET		24,400			26,100
MLRS LAUNCHER	60,123	60,123	44,023		144,123
SADARM			30,000		
STINGER MODS			5,000	5,000	

MLRS ROCKETS

The conference agreement includes $26,100,000 for the MLRS rocket program. The conferees agree that this amount includes $16,100,000 for production facilities for the self-destruct fuze for the rocket bomblets. The remainder of the funds, together with available prior year appropriations, supports production at 500 rockets per month until the extended range version of the rocket enters production. The conferees direct the Army to provide prior notification to the Committees on Appropriations and Armed Services if the production rate is expected to exceed 500 per month during this bridge period.

Amendment No. 51: Deletes House language making a portion of the appropriation available for obligation only after enactment of authorizing legislation.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

Amendment No. 52: Appropriates $1,151,914,000 for Procurement of Weapons and Tracked Combat Vehicles, Army instead of $1,001,873,000 as proposed by the House and $1,129,514,000 as proposed by the Senate.

The conference agreement on items in conference is as follows:

[In thousands of dollars]

	Budget	House	Senate	Qty	Conference
PROCUREMENT OF W&TCV, ARMY:					
BFVS SERIES (MOD)	72,512	65,012	80,112		82,812
HOWITZER, MED SP FT 155MM M109A6 (MO	237,603	237,603	217,603		227,603
IMPROVED RECOVERY VEHICLE (M88 MOD)	17,141	42,500	17,141	15	37,141
TANK ENGINE INDUSTRIAL BASE		15,000	35,000		35,000
ABRAMS UPGRADE PROGRAM (MCR)			108,000	24	108,000
SPARES AND REPAIR PARTS		5,100			5,100
MACHINE GUN, 5.56MM (SAW)	1,816	28,616	24,016		22,616
GRENADE LAUNCHER, AUTO, 40MM, MK19–3	12,302	13,302	38,902	1,500	33,902
MORTAR, 120MM	6,248	7,248	15,948	274	13,948
5.56 CARBINE M4	4,865	7,865	13,165	15,892	11,165
M–16A2 RIFLE		13,000	13,000		10,000
PERSONAL DEFENSE WEAPON, 9MM		9,500	9,500		7,500

BRADLEY FIGHTING VEHICLE MODIFICATIONS

The conference agreement includes $82,812,000 for Bradley Fighting Vehicle modifications. Included in this amount is $7,500,000 for armor tiles, as proposed by the Senate, and $13,100,000 for procurement of three battalion sets of interchangeable spares kits for Bradley A0 vehicles to give them the capability to fire and guide the TOW 2 family of missiles, as proposed by the House. The remainder of the funds represent a reduction of $10,300,000 below the budget and are to be used for fully funded procurement of modification kits.

TANK ENGINE INDUSTRIAL BASE

The conference agreement includes $35,000,000 for the tank engine industrial base program as proposed by the Senate instead of $15,000,000 as proposed by the House. The conferees agree that $6,000,000 of this amount shall be used for plant downsizing. In addition, $9,000,000 shall be used for system technical support and engine durability upgrade efforts. Finally, $20,000,000, combined with $12,500,000 of unobligated funds from the fiscal year 1994 program (a total of $32,500,000) shall be used for engine overhaul/upgrade/service life extension/spare parts in a program to be jointly developed by the Army and the contractor. Prior to obligation of these overhaul/upgrade/service life extension/spare parts funds, the Army shall report to the Committees on Appropriations of the House and Senate on the specific details of the program that has been developed and show future costs by category for the entire tank engine industrial base effort.

The conferees agree that none of the funds appropriated for this effort may be used for procurement of new engines.

ABRAMS TANK UPGRADE PROGRAMS

Both the House and the Senate supported the budget request for the Abrams tank upgrade program. This included $122,156,000 for 34 upgrades and $52,973,000 for advance procurement for fiscal year 1996. The fiscal year 1996 procurement will begin Phase II of the upgrade program which is intended to support the upgrade of 792 tanks at a rate of 120 per year. In addition, the conference agreement supports an increase of $108,000,000 for the conversion of an additional 24 tanks in fiscal year 1995, to be offset by a transfer of the same number of M1A1 tanks to the Marine Corps reserve at no cost to the Army. The conferees agree with Senate direction that the army shall report prior to obligation if these additional funds are insufficient to support upgrade of 24 tanks.

The House report encouraged the Army to consider multiyear procurement for the Phase II tank upgrade program and the authorization conference action authorizes such an approach. The conferees note, however, that section 8010 of this Act does not provide the necessary authorization to use funds in this Act to initiate multiyear procurement for the M1 tank upgrade program in fiscal year 1995. Neither House nor Senate appropriations bill supported such authorization this year.

The conferees agree that multiyear procurement for Phase II continues to be worthy of consideration. However, the Army's reported "defunding" of the upgrade program in fiscal year 1996 and the Congressional correction of this action by providing an additional $108 million in fiscal year 1995 refute the contention that this is now a stable program. Furthermore, no production upgrade tanks have yet been delivered; the six prototypes have just recently begun tests. Program maturity may therefore also be lacking. These are considerations that should be addressed if the Department elects to propose multiyear procurement in the 1996 budget. In addition, the Department must demonstrate that a multiyear proposal meets all the requirements of law, including substantial cost savings and other requirements in the recently enacted Federal Acquisition Streamlining Act. The conferees expect a multiyear proposal to be supported with the standard multiyear procurement budget justification material. In addition, the conferees expect that such a proposal/program be funded and structured like other multiyear programs. In this regard, the multiyear procurement of the M1A1 tank should not be taken as an example.

The conferees note that, while a multiyear contract my not be executed without additional legislation and funding, a long lead contract for a single year procurement with an option to convert later to a multiyear contract, is a possibility that can be considered.

Amendment No. 53: Deletes House language making a portion of the appropriation available for obligation only after enactment of authorizing legislation.

PROCUREMENT OF AMMUNITION, ARMY

Amendment No. 54: Appropriates $1,181,221,000 for Procurement of Ammunition, Army instead of $1,274,644,000 as proposed by the House and $877,761,000 as proposed by the Senate.

The conference agreement on items in conference is as follows:

[In thousands of dollars]

	Budget	House	Senate	Qty	Conference
PROCUREMENT OF AMMUNITION, ARMY:					
CTG, 5.56MM, ALL TYPES	73,605	84,105	83,105		82,105
CTG, 7.62MM, ALL TYPES	12,108	27,108	12,108		25,108
CTG, 25MM, ALL TYPES	21,935	46,935	46,935		44,935
CTG, 30MM, ALL TYPES	16,577	20,277	16,577		20,277
CTG, 40MM, ALL TYPES	13,441	38,441	17,741		33,141
CTG MORTAR 60MM 1/10 PRAC M840	305	5,805	3,305	20	3,305
CTG MORTAR 60MM ILLUM M721	6,276	10,676	6,276	14	10,676
CTG, MORTAR, 120MM, HE		30,000		50	30,000
CTG, MORTAR, 81MM, 1/10 TNG		6,400			3,900
CTG 120MM HEAT—MP–T M830A1	34,596	44,596	52,774	13	44,596
CTG ARTY 105MM HERA M913		25,000	21,400	7	21,400
PROJ. ARTY 155MM M795		69,000		120	54,000
PROJ. 155MM SADARM		30,000			25,000
BUNKER DEFEATING MUNITION (BDM)	7,761	7,761			7,761
DEMOLITION MUNITIONS, ALL TYPES	23,356	93,356	23,356		40,000
GRENADES, ALL TYPES	4,167	15,167	4,167		5,000
GENERAL REDUCTION—PRIOR YEAR SAVINGS			−48,000		
PROVISION OF INDUSTRIAL FACILITIES	44,429	60,000	44,429		60,000
LAYAWAY OF INDUSTRIAL FACILITIES	26,774	86,172	26,774		86,172
CONVENTIONAL AMMO DEMILITARIZATION	95,469	110,000	102,969		110,000
ARTY MPTS FLEX MANUF					10,000

CONVENTIONAL AMMUNITION WORKING CAPITAL FUND

Both the House and the Senate criticized the operation of the Conventional Ammunition Working Capital Fund, the Fund through which most conventional ammunition is procured for the Department of Defense. The House report directed that the Fund be closed and that ammunition be procured using procedures which had been in place before the Fund was created in 1982. The Senate report allowed the Fund to operate for one more year while making certain reforms and required the submission a plan/proposal by March 15, 1995.

The conferees agree with the Senate approach to the future of the Fund. However, the conferees direct that the following changes be made in addition to those directed by the Senate:

The restructured Fund must have an independent inventory capability, compatible with but divorced from, the Commodity

Command Standard System (CCSS). This inventory file is needed to maintain visibility of CAWCF inventory at all locations, including at work-in-progress. A delivery tracking capability is also desired.

The system must be capable of handling both standard price and non-standard price orders and be capable of generating an accurate balance sheet and income and expense statement.

The system must provide customers with timely and accurate status of their orders.

ARTILLERY METAL PARTS INDUSTRIAL BASE

The conferees are concerned about the industrial base for production of artillery metal parts and the ability of this base to respond to requirements, both now and in the future. They are therefore requesting the General Accounting Office to conduct a thorough inventory of all artillery projectiles, to include not only the quantity but also the condition and suitability for training and combat. The GAO investigation shall also include a report on future plans for the procurement of advanced artillery projectiles, to include type and quantities that may be required, and plans to produce the metal parts required for these items.

M795 ARTILLERY PROJECTILE

The conference agreement includes $54,000,000 for initial procurement of the M795 projectile. The conferees agree with House direction that the Army provide a cost breakout, procurement/production strategy, and funding profile for this item prior to obligating the funds. The conferees also agree that the projectile metal parts be competitively procured from the existing government-owned production base.

ARTILLERY METAL PARTS FLEXIBLE MANUFACTURING

The conference agreement includes $10,000,000 for the continued development of flexible manufacturing capabilities at Army ammunition facilities. Of this amount, $5,000,000 is to be used at the Louisiana Army Ammunition Plant and $5,000,000 at the Scranton Army Ammunition Plant.

In addition, the conferees direct that the $25,000,000 provided in the fiscal year 1994 Defense Appropriations Act for a M483 to M864 projectile conversion program shall be used for prove-out of the flexible manufacturing capabilities at the Louisiana and Scranton Army Ammunition Plants.

Amendment No. 55: Deletes House language making a portion of the appropriation available for obligation only after enactment of authorizing legislation.

Amendment No. 56: Deletes Senate proviso earmarking certain funds for the William Langer Plant.

OTHER PROCUREMENT, ARMY

Amendment No. 57: Appropriates $2,673,148,000 for Other Procurement, Army, instead of $2,348,806,000 as proposed by the House and $2,646,048,000 as proposed by the Senate.

The conference agreement on items in conference is as follows:

[In thousands of dollars]

	Budget	House	Senate	Quantity	Conference
OTHER PROCUREMENT, ARMY:					
TACTICAL TRAILERS/DOLLY SETS	25,301	25,301	35,301		35,301
FAMILY OF MEDIUM TACTICAL VEH (MYP)	382,739	364,639	372,839	3,535	372,839
DEFENSE SATELLITE COMMUNCIATIONS SYSTEM	104,536		104,536		104,536
MOD OF IN-SVC EQUIP (TAC SAT)	5,375	6,375	5,375		6,375
SINCGARS FAMILY	367,382	301,782	367,382		367,382
EAC COMMUNICATIONS	12,067	12,067	49,867		49,867
INFORMATION SYSTEMS	22,000	11,000	28,200		22,500
LOCAL AREA NETWORK (LAN)	16,954	16,954	16,954		22,654
ALL SOURCE ANALYSIS SYS (ASAS) (TIARA)	28,247	18,247	23,547		23,547
COMMANDERS TACTICAL TERM (CTT) (TIARA)	8,228	8,228	8,228	24	11,728
DIGITAL TOPOGRAPHIC SPT SYS (DTSS) (TIARA)	12,835		12,835		7,835
NIGHT VISION DEVICES	78,362	77,362	80,612		80,612
INTEGRATED MET SYS SENSORS (IMETS)	7,004	5,000	7,004		7,004
ADV FIELD ARTILLERY TACT DATA SYS (AFATDS)	32,610	9,810	8,200		8,200
FIRE SUPPORT ADA CONVERSION	13,212	11,612	10,912	142	11,612
STAMIS TACTICAL COMPUTERS (STACOMP)	21,850		21,850		21,850
STANDARD INTEGRATED CMD POST SYSTEM	25,085	3,600	25,085		9,600
AUTOMATED DATA PROCESSING EQUIP	122,419	66,387	110,419		84,365
RESERVE COMPONENT AUTOMATION SYS (RCAS)	101,546	168,446	101,546		148,446
INTEGRATED FAMILY OF TEST EQUIP (IFTE)	58,216	58,216	62,716		62,716
PRODUCTION BASE SUPPORT (C–E)	849	12,849	849		12,849
IMPROVED CHEMICAL AGENT MONITOR	2,778	2,778	1,179		1,179
AUTO CHEMICAL AGENT ALARM (ACADA), XM22	13,046	13,046	5,494	250	5,494
CHEM/BIO PROTECTIVE SHELTER	9,539	7,539		51	7,039
REFRIGERATION EQUIPMENT	4,788	1,900	1,888		1,888
COMBAT SUPPORT MEDICAL	16,574	16,574	19,348		19,348
CAUSEWAY SYSTEMS	14,309		1,000		1,000
COMBAT TRAINING CENTERS SUPPORT	20,138	20,138	21,238		21,238
TRAINING DEVICES, NONSYSTEM	99,339	71,739	85,939		85,939
SIMNET/CLOSE COMBAT TACTICAL TRAINER	32,038		32,038		32,038
OPA INITIAL SPARES	75,650	71,500	68,450		68,450
NATURAL GAS UTILIZATION		5,000			2,500
BATTLEFIELD COMBAT IDENTIFICATION		5,500			

INFORMATION SYSTEMS

The conferees agree to provide $22,500,000 for the Information Systems program, an addition of $500,000 to the budget request. The additional funding provided is available only for switch expansion to the existing system at Schofield Barracks. The conferees direct the Army to start the Schofield Barracks upgrade project in fiscal year 1995.

LOCAL AREA NETWORK (LAN)

The conferees agree to provide $22,654,000 for the Local Area Network program, an increase of $5,700,000 over the budget request. The conferees direct that the additional funding be used only to improve and upgrade the telephone cable network and backbone LAN at Schofield Barracks starting in fiscal year 1995.

ADVANCED FIELD ARTILLERY TACTICAL DATA SYSTEM (AFATDS)

The conferees agree to provide $8,200,000 for the Advanced Field Artillery Tactical Data System, a reduction of $24,410,000 from the budget request. The Army agreed to the reduction and requested the conferees consider reallocating the $24,410,000 to other specified programs to meet shortfalls; however, due to budgetary constraints the Army's request could not be met. The conferees recommend that the Army submit a formal reprogramming request in fiscal year 1995.

AUTOMATIC DATA PROCESSING EQUIPMENT

The conference agreement on the Automatic Data Processing Equipment program appears in the Information Technology Systems section of this report.

RESERVE COMPONENT AUTOMATION SYSTEM

The conference agreement on the Reserve Component Automation System program appears in the Information Systems Technology section of this report.

INTEGRATED FAMILY OF TEST EQUIPMENT

The conferees agree to provide $62,716,000, an increase of $4,500,000 to the request. The Conferees direct that the $4,500,000 for procurement of DSESTS–TOW, as directed by the Senate report, as well as the $5,000,000 provided in fiscal year 1994 in the Bradley fighting vehicle appropriation for DSESTS–TOW, are subject to the requirements stated in the statement of managers accompanying the fiscal year 1994 Defense Appropriations Act. The conferees are disturbed the Army has failed to initiate the DSESTS–TOW operational test directed in last year's conference report, and expect this test to be completed and the results published not later than July 1, 1995. The conferees further expect any request for an extension will be denied. The conferees agree the Army is to maintain its existing policy regarding automatic test equipment and the use of waiver authority, when necessary, in making procurements. The Army is directed to finalize the development of its future "Fix Forward" strategy and decide whether DSESTS, IFTE, or some combination of the two is the most cost-effective way to meet this policy's goals.

PRODUCTION BASE SUPPORT (C–E)

The conferees agree to provide $12,849,000 for Production Base Support (C–E), an increase of $12,000,000 to the budget request. The additional funds are only for the procurement of industrial process and information systems equipment for the Industrial Operations Facility at the Tobyhanna Army Depot.

COMBAT SUPPORT MEDICAL

The conference agreement provides $19,348,000 for the Combat Support Medical program, an increase of $2,744,000 over the budget request. Of the amount appropriated,

$6,750,000 is available only for the procurement of Field Medical Oxygen Generating and Distribution System (FMOGDS), provided that the Army certifies to the Congressional Defense Committees that FMOGDS has successfully passed production testing and has received milestone III approval. If the FMOGDS fails to receive milestone III approval due to test failure, the conferees recommend that the available funds be used to competitively procure the Liquid Oxygen Production, Storage and Distribution System (LOPSDS). The conferees also agree with the House recommendation that the Army competitively procure additional LOPSDS equipment within the Combat Support Medical program's fiscal year 1995 allocation for items less than $2 million. Also, $2,500,000 of the amount allocated is available only for the procurement of man portable medical ventilators. Congress considers the FMOGDS, LOPSDS, and portable medical ventilator as items of special interest, and the Army shall annotate the DD Form 1414 accordingly.

TRAINING DEVICES, NONSYSTEM

The conferees recommend $85,939,000 for the Training Devices, Nonsystem program, a reduction of $13,400,000 from the budget request. The reduction is made without prejudice and is not earmarked for any specific subprogram.

SIMNET/CLOSE COMBAT TACTICAL TRAINER

The conferees agree to provide the budget request of $32,038,000 for the Close Combat Tactical Trainer (CCTT). The conferees are advised that fiscal year 1995 funds are required to accelerate the CCTT Quickstart program in advance of the CCTT system level initial operational test and evaluation. The conferees direct that the fiscal year 1995 funds appropriated for this program are available only for the procurement of CCTT Quickstart, and are not available for reprogramming.

WATER PURIFICATION EQUIPMENT

In order to meet the Army's water purification equipment requirements, the conferees recommend that consideration be given to procuring a new high tech Reverse Osmosis Water Purification Unit (ROWPU) prototype which incorporates the newest concepts and technologies available to the water purification industry.

IMPROVED MOVING TARGET SIMULATOR

The fiscal year 1994 Defense Appropriations bill provided $5,000,000 to procure an Improved Moving Target Simulator for the North Dakota National Guard.

The conferees reaffirm their clear intent that these funds be spent as directed. Further, the Army is directed to report to the Congressional defense committees within 90 days regarding the status of the IMTS procurement.

AIRCRAFT PROCUREMENT, NAVY

Amendment No. 58: Appropriates $4,627,645,000 for Aircraft Procurement, Navy instead of $4,820,442,000 as proposed by the House and $4,531,789,000 as proposed by the Senate.

The conference agreement on items in conference is as follows:

[In thousands of dollars]

	Budget	House	Senate	Quantity	Conference
Aircraft Procurement, Navy:					
AV-8B (V/STOL) Harrier	130,216	130,216	110,216	4	123,216
F/A-18C/D (Fighter) Hornet (MYP)	1,032,368	933,968	875,776	24	933,968
AH-1W (Helicopter) Sea Cobra	141,721	216,721	141,721	18	141,721
SH-60B (ASW Helicopter) Seahawk		214,000			
E-2C (Early warning) Hawkeye	285,759	256,159	228,759	4	242,759
T-45TS (Trainer) Goshawk	214,220	214,220	206,000	12	206,000
HH-60H (Helicopter)	39,895	34,895	39,895		34,895
F-14 Series	158,326	27,503	158,326		133,326
H-1 Series	95,874	105,874	95,874		105,874
S-3 Series	40,891	40,891	40,891		50,891
E-6 Series	90,482	81,482	90,482		90,482
Common ECM Equipment	12,664	20,664			20,664

CH-53E SUPER STALLION

The Senate approved the Department's request of $41,084,000 in the Aircraft Procurement, Navy account and provided the Marine Corps the flexibility to procure two additional helicopters in lieu of using the requested amount to close the line as proposed. The House approved the requested amount. The conferees agree with the direction contained in Senate report 103-321.

E-2C HAWKEYE

The conferees agree to provide $242,759,000 for acquisition of four aircraft in fiscal year 1995. The amount provided reflects agreement with cost containment measures proposed by the Navy subsequent to submission of the budget.

The conferees note that the Navy's financial plan for acquisition assumed approval of advance procurement with the 1994 omnibus reprogramming. The defense committees of the Congress, in the reprogramming, approved the requested increase in E-2C advance procurement and an offsetting decrease in the E-2C full funding line, but the Department of Defense did not apply these resources to satisfy the requested increase. The conferees understand the Navy has identified additional sources to cover the advance procurement shortfall and the conferees encourage the Navy to submit a reprogramming in time to protect the acquisition schedule.

F-14 SERIES MODIFICATIONS

The conferees agree to provide $133,326,000 for F-14 modifications, a reduction of $25,000,000 from the budget request. The reduction reflects a change in the Navy's schedule for accomplishment of the planned A/B upgrade. The conferees agree with the direction contained in Senate report 103-321.

S-3 SERIES MODIFICATIONS

The conferees agree to provide $50,891,000 for S-3 series modifications. The amount provided is $10,000,000 above the budget request. The increased funding is to be used for procurement and installation of AN/USH-42 mission recorders.

Amendment No. 59: Deletes House language making a portion of the appropriation available for obligation only after enactment of authorizing legislation.

WEAPONS PROCUREMENT, NAVY

Amendment No. 60: Appropriates $2,159,080,000 for Weapons Procurement, Navy, instead of $1,969,336,000 as proposed by the House and $1,858,200,000 as proposed by the Senate.

The conference agreement on items in conference is as follows:

[In thousands of dollars]

	Budget	House	Senate	Quantity	Conference
WEAPONS PROCUREMENT, NAVY:					
TRIDENT II	641,318	641,318	384,818	18	616,318
STANDARD MISSILE	258,072	249,072	258,072	202	249,072
DRONES AND DECOYS		2,000	10,000		10,000
SPARROW MODS	26,797	26,797	12,897		12,897
WEAPONS INDUSTRIAL FACILITIES	22,855		51,355		51,355
FLEET SATELLITE COMM (MYP)	125,480		125,480		125,480
VERTICAL LAUNCHED ASROC (VLA)		32,000		40	22,000
MK-46 TORPEDO MODS	2,571	2,571			2,571
SPARES AND REPAIR PARTS	53,809				53,809

TRIDENT II D-5 MISSILE

The conferees agree to provide $616,318,000 for the Trident II missile program in fiscal year 1995, a reduction of $25,000,000 from the budget request. The conferees direct the Department of the Navy to submit to the Committees on Appropriations and Armed Services a Cost and Operational Effectiveness Analysis (COEA) for possible D-5 missile backfit into four Trident I submarines. The COEA should address at a minimum:

(1) the cost to accomplish the backfit (missiles, missile guidance, submarine navigation system, submarine fire control system, DASO launches, etc.) versus the cost of maintaining C-4 missiles in the inventory;

(2) the expected service life of the Trident submarine fleet and the service life of the C-4 and D-5 missiles and;

(3) the operational effectiveness in terms of targeting and survivability of a mixed C-4/D-5 fleet of submarines versus a fleet carrying only D-5 missiles.

The conferees further direct that the completed COEA shall be transmitted to the appropriate congressional committees not later than July 1, 1995.

Amendment No. 61: Deletes a House provision making a portion of the appropriation subject to authorization and inserts Senate language permitting appropriations to be available to liquidate deficiencies in prior appropriations acts.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

Amendment No. 62: Appropriates $417,779,000 for Procurement of Ammunition, Navy and Marine Corps instead of $493,810,000 as proposed by the House and $432,815,000 as proposed by the Senate. The conference agreement also deletes the earmarking for Navy and the Marine Corps as proposed by the Senate.

The conference agreement on items in conference is as follows:

[In thousands of dollars]

	Budget	House	Senate	Quantity	Conference
PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS:					
PRACTICE BOMBS	2,827	12,827	2,827		12,827
AIR EXPENDABLE COUNTERMEASURES	12,088	14,088	12,088		14,088
5 INCH/54 GUN AMMUNITION	52,965	68,965	52,965		68,965
SPARES AND REPAIR PARTS		53,809	53,809		
81MM ILLUMINATION (M853)	3,227	24,227	3,227		14,000
155MM CHG. PROP. RED BAG	11,995	11,995			

5 INCH/54 GUN AMMUNITION

The conferees agree to provide $68,695,000 for 5 inch/54 gun ammunition. The conferees note the Navy's fiscal year 1995 budget submission failed to correct a flawed requirements process. For the past two years the Navy itself has conceded this process has resulted in budget requests which shortchange minimum fleet training requirements by 25 percent. This situation is intolerable. In order to sustain fleet readiness, the conferees have decided to correct the fiscal year 1995 shortfall with an increase of $16,000,000 over the request, offset by reductions to other Navy programs. The conferees direct the Navy to correct this problem with the fiscal year 1996 budget and further direct the Secretary of the Navy to certify to the Committees on Appropriations by February 15, 1995, that the requirements and budgeting process for 5 inch/54 ammunition has been corrected to realistically represent those procurements needed to meet fleet commanders' training and war reserve requirements. The conferees will not accept any methodology which continues to force commanders to cut training solely because of the Department of the Navy's failure to make common sense adjustments to the requirements and budgeting process.

MARINE CORPS .50 CALIBER AMMUNITION

The conferees agree that the $5,000,000 over the budget provided by both the House and the Senate for procurement of .50 caliber ammunition for the Marine Corps shall be used for procurement of sabot-light armor penetrator (SLAP) ammunition.

Amendment No. 63: Deletes House language making a portion of the appropriation available for obligation only after enactment of authorizing legislation.

SHIPBUILDING AND CONVERSION, NAVY

Amendment No. 64: Appropriates $2,284,925,000 for the carrier replacement program as proposed by the Senate instead of $2,446,958,000 as proposed by the House.

Amendment No. 65: Appropriates $38,328,000 for CVN refueling as proposed by the Senate.

Amendment No. 66: Appropriates $2,660,690,000 for the DDG–51 destroyer program as proposed by the Senate instead of $2,607,690,000 as proposed by the House.

Amendment No. 67: Inserts Senate language relating to obligation and availability of funds for the LHD–7 amphibious assault ship and directing the Secretary of the Navy to extend the existing contract option.

Amendment No. 68: Appropriates $1,000,000 for nuclear submarine main steam condenser industrial base as proposed by the House and deletes House earmark of $8,200,000 for the cost growth in prior years' programs.

Amendment No. 69: Restores House language to include conversions along with craft, outfitting, post delivery, and first destination transportation.

Amendment No. 70: Appropriates $377,521,000 for craft, outfitting, post delivery, conversions, and first destination transportation instead of $357,521,000 as proposed by the Senate.

Amendment No. 71: Appropriates no funding for escalation instead of $146,000,000 as proposed by the Senate.

Amendment No. 72: Appropriates a total of $5,412,464,000 instead of $5,471,369,000 as proposed by the House and $5,528,974,000 as proposed by the Senate.

The conference agreement on items in conference is as follows:

[In thousands of dollars]

	Budget	House	Senate	Quantity	Conference
SHIPBUILDING & CONVERSION NAVY:					
CARRIER REPLACEMENT PROGRAM	2,446,958	2,446,958	2,284,925	1	2,284,925
CVN REFUELING OVERHAULS	38,328		38,328		38,328
DDG–51	2,697,690	2,607,690	2,660,690	3	2,660,690
AE(C)	30,553	30,553		1	30,553
SERVICE CRAFT		5,600			5,600
OUTFITTING	178,154	138,154	178,154		158,154
POST DELIVERY	166,937	156,437	166,937		156,437
AFS (C)	22,837	22,837		1	22,837
NUCLEAR SUBMARINE MAIN STEAM CONDENSERS		1,000			1,000
PRIOR YEARS' PROGRAMS		8,200			
ESCALATION			146,000		

NEW ATTACK SUBMARINE

Both the House and Senate expressed concern with the Navy's current plan for the New Attack Submarine (NAS). The House reduced funding for the program by $200 million and mandated that the follow-ship procurement costs not exceed $1.2 billion. The Senate noted that force structure requirements do not necessitate proceeding with the NAS for nearly 10 years, and that the costs of the NAS make it more expensive than continuing to produce a limited number of Seawolf submarines during that period. The conferees agree to provide full funding for NAS, but maintain strong reservations with the current program.

Over the next five years, the Navy wants to spend nearly $7.1 billion for continued development and to initiate production of the NAS. The conferees do not believe the Navy's budget will sustain this level of investment. As evidence, the conferees cite apparent decisions by the Defense Department to slip the production of the second NAS from the year 2000 to 2001 to reduce near term funding requirements. The conferees believe this and other likely funding reductions will increase costs above the Navy's current prediction.

The conferees note that the first NAS will cost $3.4 billion to procure, nearly $1 billion more than the price of the Seawolf, a program the Navy canceled because it was too expensive. While the Navy argues that it expects to reduce subsequent NAS costs to $1.54 billion per ship based on buying two submarines per year, the conferees are aware of no cost saving techniques or innovative manufacturing processes which can be expected to reduce follow-on submarine costs from $3.4 billion to $1.54 billion. On the contrary, the conferees point out that NAS will be called upon to sustain the full cost of the submarine industrial base, which should lead to still higher costs unless proactive steps are taken by the Navy to reduce costs.

The conferees continue to believe that the Navy should seek ways to reduce costs below the $1.54 billion plan with a goal of producing a $1.2 billion submarine. The conferees are not convinced that the Congress will support the purchase of $1.5 billion attack submarines should that price be achieved. In order to remain informed of all developments related to the cost and schedule of the NAS, the House and Senate Committees on Appropriations expect quarterly reports from the Navy on the program addressing planned cost and schedule, and detailed explanations of any deviation from the plan.

The costs of the nuclear reactor represent 35% of the production costs. The conferees believe the Navy should seriously consider designing a more cost effective reactor and making other non-mission changes to lower the overall cost of the submarine. The NAS

has been designed around the nuclear reactor, the conferees believe mission requirements ought to govern design, not the reactor plant.

In its FY 1996 budget, the Navy will be seeking nearly $1.2 billion for the NAS program. The conferees do not anticipate providing this amount unless the Navy has demonstrated a commitment to reduce costs and can cite concrete evidence of its ability to produce the NAS program in a streamlined, efficient and cost effective manner. The Navy can expect the Committees on Appropriations to propose alternatives in conjunction with the FY 1996 budget if the Navy ignores this guidance.

MK–45 GUN INDUSTRIAL BASE

The conferees understand the Navy is debating the merits of procuring new MK–45 guns for DDG–51 destroyers, versus refurbishing guns from ships being retired. It is not yet clear that refurbishment will be cost effective in the long run, considering the likely requirement to restart the production line in the future. The conferees direct the Navy to ensure that the naval gun industrial base is maintained cost effectively as it decides between new procurement and refurbishment.

SERVICE CRAFT

The conferees agree to provide $5,600,000 for procurement of at least two double-hulled fuel barges (YON's) in fiscal year 1995.

The conferees note the recent decision by the Assistant Secretary of the Navy for Research, Development and Acquisition to proceed to acquire living barges consistent with commercial specifications and standards, thereby significantly reducing costs compared to purchasing craft under excessive military specifications. The conferees commend this initiative, and restate the position maintained previously that the Navy should first evaluate available commercial living barges, and determine their suitability to meet the Navy's requirement prior to the obligation of any funds for the construction of new living barges.

SHIP COST ADJUSTMENT

The conferees have included a general provision (section 8099) which transfers $535,690,000 in prior year funds to cover cost increases in various ship programs. The following table lists the adjustments by appropriations.

	Amount
Appropriations to which transfer is made:	
Shipbuilding and Conversion, Navy 1986/1990	$15,138,000
Shipbuilding and Conversion, Navy 1987/1991	33,880,000
Shipbuilding and Conversion, Navy 1988/1992	129,694,000
Shipbuilding and Conversion, Navy 1989/1993	75,663,000
Shipbuilding and Conversion, Navy 1990/1994	22,605,000
Shipbuilding and Conversion, Navy 1991/1995	94,393,000
Shipbuilding and Conversion, Navy 1992/1996	76,444,000
Shipbuilding and Conversion, Navy 1993/1997	68,438,000
Shipbuilding and Conversion, Navy 1994/1998	19,435,000
Total	535,690,000
Appropriations from which transfer is made:	
Shipbuilding and Conversion, Navy 1986/1990	15,138,000
Shipbuilding and Conversion, Navy 1987/1991	10,666,000
Shipbuilding and Conversion, Navy 1988/1992	29,052,000
Shipbuilding and Conversion, Navy 1989/1993	11,385,000
Shipbuilding and Conversion, Navy 1990/1994	8,555,000
Shipbuilding and Conversion, Navy 1991/1995	70,127,000
Aircraft Procurement, Navy 1993/1995	148,642,000
Aircraft Procurement, Navy 1994/1996	17,000,000
Weapons Procurement, Navy 1993/1995	55,000,000
Weapons Procurement, Navy 1994/1996	14,000,000
Other Procurement, Navy 1993/1995	22,400,000
Other Procurement, Navy 1994/1996	70,425,000
Research, Development, Test and Evaluation, Navy 1994/1995	41,700,000
Procurement, Marine Corps 1993/1995	6,600,000
National Guard and Reserve Equipment 1994/1996 Air National Guard	15,000,000
Total	535,690,000

OTHER PROCUREMENT, NAVY

Amendment No. 73: Appropriates $3,329,171,000 for Other Procurement, Navy, instead of $3,271,088,000 as proposed by the House and $3,309,698,000 as proposed by the Senate.

The conference agreement on items in conference is as follows:

[In thousands of dollars]

	Budget	House	Senate	Quantity	Conference
OTHER PROCUREMENT, NAVY:					
ALLISON 501K GAS TURBINE	8,188	7,000	8,188		7,000
OTHER GENERATORS	9,013	8,013	9,013		8,013
SUBMARINE PUMP RETROFIT KITS		1,000			1,000
SUBMARINE PROPELLERS	2,422	2,422	1,902		1,902
OTHER PROPELLERS AND SHAFTS	2,480	4,480	2,480		2,480
OTHER NAVIGATION EQUIPMENT	22,852	19,852	22,852		21,352
UNDERWAY REPLENISHMENT EQUIPMENT	22,465	20,000	22,465		20,000
POLLUTION CONTROL EQUIPMENT	65,867	63,867	62,867		62,867
REACTOR COMPONENTS	194,673	180,000	194,673		180,000
STANDARD BOATS	5,623	9,623	5,623		9,623
NUCLEAR ALTERATIONS	156,804	130,000	156,804		146,804
AN/SPS–48	630	9,630	630		9,630
RADAR SUPPORT	8,446	12,946	8,446		12,946
SURFACE SONAR WINDOWS AND DOME	3,217	10,117	3,217		10,117
SUBMARINE ACOUSTIC WARFARE SYSTEM	10,684	10,684	10,684		22,684
SSTD	31,889	30,889	31,889		31,889
C–3 COUNTERMEASURES	26,317	41,317	26,317		41,317
LINK 16 HARDWARE	41,911	41,911	37,911		41,911
SATCOM SHIP TERMINALS	126,363	106,363	126,363		116,363
WEAPONS RANGE SUPPORT EQUIPMENT	41,606	41,606	69,306		63,106
EXPEDITIONARY AIRFIELDS	5,561	4,561	5,561		4,561
AVIATION LIFE SUPPORT	7,873	7,873	7,873		10,873
DARP	4,001	4,001	4,001		
TARTAR SUPPORT EQUIPMENT	36,267	36,267	38,667		38,667
SURFACE TOMAHAWK SUPPORT EQUIPMENT	63,970	60,670	63,970		60,670
LASER ARTICULATING ROBOTIC SYSTEM, PHILADELPHIA NAVAL SHIPYARD		9,500			6,900
NATURAL GAS UTILIZATION EQUIPMENT		8,000			8,000
INTELLIGENCE SUPPORT EQUIPMENT	33,284	33,284	34,484		34,484
COMPUTER ACQUISITION PROGRAM	41,807	10,007	41,807		41,807
SPARES AND REPAIR PARTS	314,571	314,571	291,071		291,071
INSTALLATION OF MODIFICATIONS			−10,000		−20,000
JOINT TRAINING ANALYSIS & SIMULATION CENTER					10,500

OTHER NAVIGATION EQUIPMENT

The conferees agree to provide $21,352,000 for Other Navigation Equipment, a reduction of $1,500,000. The reduction is without prejudice and is not directed at any subprogram within the Other Navigation Equipment program.

REACTOR COMPONENTS

The conferees agree to provide $180,000,000 for the Reactor Component program. The reduction of $14,673,000 is made without prejudice.

NUCLEAR ALTERATIONS

The conferees agree to provide $146,804,000, for the Nuclear Alterations program, a decrease of $10,000,000 from the budget request. This adjustment is made without prejudice.

AN/SPS–48

The conferees agree to provide $9,630,000 for the AN/SPS–48 radar program. The additional funding of $9,000,000 is available only for non-recurring costs associated with the AN/SPS–48E radar Pulse Doppler Upgrade (PDU) program. The conferees have been concerned over the need to improve ship self defense, and have been advised that the PDU program will significantly enhance ship self defense in littoral waters. The conferees are concerned by the Navy's delay of this program, which has prolonged an operational deficiency. The conferees direct that all

Other Procurement, Navy funds intended for PDU, including fiscal years 1993 and 1994 funding, be released immediately for accelerated implementation of the PDU program. This program is a Congressional interest item.

SUBMARINE ACOUSTIC WARFARE

The conferees agree to provide $22,684,000 for the Submarine Acoustic Warfare program. The increase of $12,000,000 is only for procurement of the Acoustic Device Countermeasure Mark 4.

SURFACE SHIP TORPEDO DEFENSE (SSTD)

The conferees agree to provide $31,889,000 for the Surface Ship Torpedo Defense (SSTD) system, the amount of the fiscal year 1995 budget request. Of the funds provided, the conferees direct that none of the $10,500,000 identified for AN/SLR-24 procurement in fiscal year 1995 may be obligated until the Assistant Secretary of Navy (RD&A) certifies to the Congressional Defense Committees that the phase II SSTD system has successfully passed operational test and evaluation.

SONOBUOY PROCUREMENT

The April, 1994 Sonobuoy Inventory Analysis Report submitted to the Committees on Appropriations by the Navy provided timely information on revised sonobuoy requirements which guided the Committees during their consideration of sonobuoy funding for fiscal years 1994 and 1995. In this connection, the conferees agree with the House reallocation of fiscal year 1994 sonobuoy funding, and urge the Secretary of the Navy to reflect in the budget request for fiscal years 1996 and 1997 the sonobuoy funding requirements for those years identified in the Report. Sonobuoy acquisition remains a matter of special interest to the conferees.

WEAPONS RANGE SUPPORT EQUIPMENT

The conferees agree to provide $63,106,000 for the Weapons Range Support Equipment program as discussed in the Operations and Maintenance, Navy section of this report.

AVIATION LIFE SUPPORT

The conferees agree to provide $10,873,000 for the Aviation Life Support program, an increase of $3,000,000 to the budget request. The additional funds are available only for manual reverse osmosis disalinators, including $2,500,000 for the Navy and $500,000 for the Marine Corps.

LASER ARTICULATING ROBOTIC SYSTEM, PHILADELPHIA NAVAL SHIPYARD

The conferees provide $6,900,000 for the acquisition of the Laser Articulating Robotic System for use in the Philadelphia Naval Shipyard. The propeller shop, as well as the foundry which supports the shop will continue to operate at the Navy Yard after its scheduled closure. The two existing LARS Systems are to be modified to the latest production configuration within these funds.

DARP

The conference agreement on the DARP program appears in the Defense-Wide Procurement section of this report.

JOINT TRAINING, ANALYSIS, AND SIMULATION CENTER

The conferees agree to provide $10,500,000 for the procurement of command, control, communications, and computer equipment for a Joint Training, Analysis and Simulation Center for the United States Atlantic Command.

Amendment No. 74: Deletes a House provision making a portion of the appropriations subject to authorization.

Amendment No. 75: Deletes language proposed by the Senate to establish a Joint Training, Analysis and Simulation Center.

Amendment No. 76: Inserts and amends Senate language providing funds for the Pacific Missile Range Facility, Hawaii.

PROCUREMENT, MARINE CORPS

Amendment No. 77: Appropriates $422,410,000 for Procurement, Marine Corps instead of $452,178,000 as proposed by the House and $403,410,000 as proposed by the Senate.

The conference agreement on items in conference is as follows:

[In thousands of dollars]

	Budget	House	Senate	Quantity	Conference
PROCUREMENT, MARINE CORPS:					
LAV THERMAL SIGHTS		3,000			3,000
SINGLE CHAN GRD 7 AIR RADIO	49,030	57,030	49,030		57,030
DARP	28,768	28,768			
NIGHT VISION EQUIPMENT	29,647	37,647	39,647		39,647
MARINE ENHANCEMENT PROGRAM		3,000			
INDOOR SIMULATED MARKSMANSHIP TRAINER		8,000			8,000

Amendment No. 78: Deletes House language making a portion of the appropriation available for obligation only after enactment of authorizing legislation.

AIRCRAFT PROCUREMENT, AIR FORCE

Amendment No. 79: Appropriates $6,379,962,000 for Aircraft Procurement Air Force instead of $6,182,199,000 as proposed by the House and $6,571,524,000 as proposed by the Senate.

The conference agreement on items in conference is as follows:

[In thousands of dollars]

	Budget	House	Senate	Quantity	Conference
AIRCRAFT PROCUREMENT, AIR FORCE:					
B-1B (MYP)	154,254	144,254	119,000	—	139,254
B-2A (MYP)	384,384	384,384	384,384	—	339,384
BOMBER INDUSTRIAL BASE	—	—	150,000	—	125,000
F-16 C/D (MYP)	100,549	100,549	—	—	75,549
C-17 (MYP)	2,472,914	1,007,314	2,472,914	6	2,168,614
C-130H	49,975	49,975	31,575	—	31,575
NON DEVELOPMENT AIRLIFT AIRCRAFT	103,707	103,707	—	—	—
JPATS	123,265	108,265	78,265	3	93,265
TANKER, TRANSPORT, TRAINER SYSTEM	155,163	145,163	155,163	32	155,163
E-8B	445,339	445,339	440,539	2	440,539
E-8B (AP-CY)	118,900	118,900	218,800	—	218,800
B-1B	45,583	30,583	45,583	—	40,583
B-52	25,800	32,800	25,800	—	32,800
F-15	201,100	186,100	201,100	—	186,100
F-16	157,227	157,227	98,227	—	110,727
C-141	14,506	14,506	10,471	—	14,506
C-130	77,041	77,041	73,541	—	77,041
C-135	103,440	77,640	71,740	—	77,640
E-4	35,230	25,230	35,230	—	35,230
DARP MODS	3,665	3,665	3,665	—	68,665
DEPLOYABLE HYDRAULIC TEST AND REPAIR FACILITY	—	2,000	—	—	2,000
WAR CONSUMABLES	26,587	18,587	205,587	—	18,587
OTHER PRODUCTION CHARGES	259,467	259,467	239,437	—	239,437
DARP SUPPORT EQUIPMENT	196,886	196,886	17,886	—	196,886

ENHANCED BOMBER CAPABILITY FUND/BOMBER INDUSTRIAL BASE

The conferees remain very concerned about the current long range bomber force structure, and the means by which to improve its overall size, composition, and capability. As such, the conferees provide $125,000,000 to help sustain the bomber industrial base.

Given the demonstrated requirement for U.S. bombers in the rapidly changing national security environment, the conferees are worried that the last remaining U.S. bomber production capability, the B-2 industrial base, is being dismantled before adequate analysis has been completed to determine the proper long range, heavy bomber force structure. Independent studies have concluded that the 20 B-2 aircraft now on order are simply not enough to provide a militarily significant and cost effective long range conventional bomber force. The conferees regard the initiative to protect the option to produce additional B-2 bombers for one more year as critically important to U.S. national security.

Accordingly, the appropriation of these funds is intended to demonstrate to the Department the importance the conferees attach to the preservation of our only remaining bomber production capability. Upon the enactment of this Act, the Secretary of Defense shall utilize this $125,000,000 to ensure

the B–2 production base remains a viable option for at least one more year.

The Commission on Roles and Missions, as established by the Congress last year, is one vehicle for providing the Congress with a considered opinion on the proper B–2 stealth bomber inventory that the Air Force should maintain. Therefore, the conferees direct the Commission to specifically address this issue in its report, not only in the context of the preservation of the industrial base, but for the critical capability the B–2 provides to our national security. The Commission is directed to report its findings to the Congressional defense committees. If warranted by the findings of the Commission, the Secretary of Defense shall also develop an acquisition plan for sustained low rate production of additional B–2 bombers as a force modernization option and submit it to the defense committees.

The conferees note that the Congress has previously established a cost cap of $44.4 billion on the original 20 B–2 bomber program. It is the judgment of the conferees that, because the expenditure of the $125,000,000 is for studies, analysis and other efforts to preserve the B–2 industrial base and to improve the size and composition of our long range, heavy bomber force required to meet two MRCs, these funds are unrelated to the orderly conclusion of the ongoing 20 B–2 aircraft program. Therefore, the funds provided herein for this purpose will not be counted against the statutory cost cap.

The 1995 National Defense Authorization Act provides funds for these purposes in the Enhanced Bomber Capability Fund. The conferees believe that the terms Enhanced Bomber Capability Fund and Bomber Industrial Base are interchangeable and should be viewed by the Defense Department as the same program.

C–17

The conferees agree to provide $2,168,614,000 for the C–17 program, a reduction of $304,300,000 to the budget request and the same amount as the authorization total. The conferees agree to the deletion of House language requiring the Air Force to qualify a second source producer for the C–17 engine. The conferees are cautiously optimistic that the present producer of the engine will take the necessary actions to reduce the engine's unit cost. If such unit cost reduction does not occur the conferees reserve the right to revisit the issue of developing a second source for the C–17 engine. The conferees direct that no funds provided herein may be obligated to support the contract award of the C–17 engine in fiscal year 1995 until a report has been submitted to the congressional defense committees detailing the specific actions to be taken to reduce the unit cost of the engine.

F–15 MODIFICATIONS

The conferees concur with the recommendation of the House to reduce funding for F–15 modifications by $15,000,000 because of low obligations. The conferees note that the Air Force had obligated less than one-third of the fiscal year 1994 funds provided for global positioning system (GPS) modifications through July and was unable to provide a monthly obligation plan for GPS delineating when the remaining funds would be obligated.

F–16 MODIFICATIONS

The conferees recommend $110,727,000 for F–16 modifications. The agreement reduces funds for the ALE–47 and digital engine control modifications, as recommended by the Senate. The conferees agree to restore $12,500,000 of the $30,000,000 reduced by the Senate for the Advanced Radar Warning Receiver. Information provided to the conferees indicates that a portion of the Advanced RWR funds are required to continue the program from June of 1995 until the beginning of fiscal year 1996.

C–135

The conferees agree to provide $77,640,000 for modifications to C–135 aircraft, $25,800,000 below the budget request and the same level as recommended by the House. The reduction is made without prejudice to any specific C–135 modification. It is the conferees' belief that top priority should be given to the upgrade of the KC–135 radar system and the conferees urge the Air Force to proceed with this program utilizing funds provided herein.

Amendment No. 80: Restores and amends House language requiring the Air Force to initiate procurement of non-developmental airlift alternative aircraft in fiscal year 1995; deletes House language requiring the Air Force to qualify a second source producer of the C–17 engine and deletes a House provision making a portion of the appropriation subject to authorization.

MISSILE PROCUREMENT, AIR FORCE

Amendment No. 81: Appropriates $3,650,262,000 for Missile Procurement, Air Force, instead of $2,758,285,000 as proposed by the House and $3,620,055,000 as proposed by the Senate.

[In thousands of dollars]

	Budget	House	Senate	Quantity	Conference
MISSILE PROCUREMENT, AIR FORCE:					
HAVE NAP		8,600	26,000	36	26,000
GAMS			40,000		25,000
AMRAAM	309,462	299,462	277,855	413	289,462
AGM–130 POWERED GBU–15	71,756	69,256	71,756	102	69,256
TARGET DRONES	29,043	17,043	29,043	48	23,043
NONE	5,731	5,731	5,731		8,931
CALCM		29,400			29,400
SPARES AND REPAIR PARTS	68,332	68,332	65,149		65,149
SPACEBORNE EQUIP (COMSEC)	2,092		2,092		2,092
GLOBAL POSITIONING (MYP)	134,831		134,831	5	134,831
GLOBAL POSITIONING (MYP) (AP–CY)	55,352		55,352		55,352
SPACE SHUTTLE OPERATIONS	103,518		103,518		103,518
SPACE BOOSTERS	381,817		381,817		381,817
MEDIUM LAUNCH VEHICLE	120,480		107,480	3	107,480
MEDIUM LAUNCH VEHICLE (AP–CY)	28,564		28,564		28,564
DEF METEOROLOGICAL SAT PROG	29,159		29,159		29,159
DEFENSE SUPPORT PROGRAM (MYP)	363,959		363,959		363,959
DEFENSE SATELLITE COMM SYSTEM	20,185		20,185		20,185
IONDS (MYP)	35,649		35,649	5	35,649
IONDS (MYP) (AP–CY)	9,954		9,954		9,954
SPECIAL PROGRAMS	1,619,032	1,960,532	1,532,032		1,541,532

PROCUREMENT OF AMMUNITION, AIR FORCE

Amendment No. 82: Appropriates $288,401,000 for Procurement of Ammunition, Air Force instead of $278,681,000 as proposed by the House and $283,173,000 as proposed by the Senate.

The conference agreement on items in conference is as follows:

[In thousands of dollars]

	Budget	House	Senate	Quantity	Conference
PROCUREMENT OF AMMUNITION, AIR FORCE:					
20MM TRAINING	18,295	39,295	38,295	3,307	39,295
30 MM TRAINING	23,672	15,500	11,272	1,700	15,500
FLARE, IR MJU–7B	16,260	6,540	16,260	766,563	16,260

20MM AMMUNITION

The conference agreement includes $39,295,000 for 20mm ammunition, as proposed by the House. The increase of $21,000,000 above the budget is for the procurement of PGU–28B combat ammunition.

Amendment No. 83: Deletes House language making a portion of the appropriation available for obligation only after enactment of authorizing legislation.

OTHER PROCUREMENT, AIR FORCE

Amendment No. 84: Appropriates $6,965,201,000 for Other Procurement, Air Force, instead of $6,886,613,000 as proposed by the House and $6,897,696,000 as proposed by the Senate.

The conference agreement on items in conference is as follows:

[In thousands of dollars]

	Budget	House	Senate	Quantity	Conference
OTHER PROCUREMENT, AIR FORCE:					
2.5 TON SLEP	---	10,800	---	200	10,800
60K A/C LOADER	29,329	29,329	15,500	27	29,329
GENERAL REDUCTION, MMII	---	−20,900	---	--	---
AIR TRAFFIC CTRL/LAND SYS (ATCALS)	2,423	1,000	2,423	--	1,000
THEATER AIR CONTROL SYS IMPROVEMENT	78,774	71,174	64,634	--	71,174
ASOS	---	5,000	---	--	5,000
DEFENSE SUPPORT PROGRAM	15,102	---	24,094	--	24,094
SPACETRACK	918	918	---	--	---
DEFENSE METEOROLOGICAL SAT PROG	16,081	---	16,081	--	15,000
AUTOMATIC DATA PROCESSING EQUIP	39,121	34,932	43,621	--	43,621
WMMCCS/GLOBAL COMMAND & CONTROL SYSTEM	12,623	8,423	8,434	--	8,434
MOBILITY COMMAND AND CONTROL	16,276	16,276	16,276	--	8,118
COMBAT TRAINING RANGES	16,989	16,989	11,689	--	11,689
BASE LEVEL DATA AUTO PROGRAM	34,093	34,093	31,093	--	31,093
AIR FORCE SATELLITE CONTROL NETWORK	25,810	---	25,810	--	25,810
THEATER BATTLE MGT C2 SYS	45,547	32,400	45,547	--	32,400
AUTOMATED TELECOMMUNICATIONS PRG	29,558	12,000	29,558	--	29,558
ANTI JAM VOICE	390	---	390	--	---
COMM ELECT MODS	18,850	18,100	18,850	--	18,100
NEWARK AFB CALIBRATION PACKAGE	1,601	1,601	---	--	1,601
ITEMS LESS THAN $2,000,000	11,667	10,667	11,667	--	11,667
CHEMICAL/BIOLOGICAL DEF PROG	7,736	7,000	7,736	--	7,000
ITEMS LESS THAN $2,000,000	4,304	3,304	4,304	--	4,304
NATURAL GAS UTILIZATION EQUIPMENT	---	5,000	---	--	2,500
PALLET AIR CARGO	3,618	3,618	---	4,000	3,618
MOBILITY EQUIPMENT	12,807	8,507	12,807	--	12,807
WARTIME HOST NATION SUPPORT	1,447	1,447	---	--	---
SPARES AND REPAIR PARTS	61,026	61,026	34,824	--	36,026
ITEMS LESS THAN $2,000,000	18,244	12,144	15,908	--	15,908
INTELLIGENCE PRODUCTION ACTIVITY	58,050	56,265	53,550	--	54,550
DARP	65,306	65,306	28,006	--	65,306
SELECTED ACTIVITIES	5,620,346	5,550,446	5,545,146	--	5,554,946

THEATER AIR CONTROL SYSTEMS IMPROVEMENT (TACSI)

The conferees agree to provide $71,174,000 for the Theater Air Control Systems Improvement program. The reduction of $7,600,000 is without prejudice and is not earmarked against any specific subprogram within the TACSI program.

MOBILITY COMMAND AND CONTROL

The conferees agree to provide $8,118,000 for the Mobility Command and Control program, a reduction of $8,158,000 from the budget request. The conferees are advised that the reduction can be made because requirements will be satisfied through the defense business operating fund.

Amendment No. 85: Deletes a House provision making a portion of the appropriation subject to authorization.

PROCUREMENT, DEFENSE-WIDE

Amendment No. 86: Appropriates $2,088,230,000 for Procurement, Defense-Wide instead of $3,020,616,000 as proposed by the House and $1,894,916,000 as proposed by the Senate.

The conference agreement on items in conference is as follows:

[In thousands of dollars]

	Budget	House	Senate	Quantity	Conference
PROCUREMENT, DEFENSE-WIDE:					
MAJOR EQUIPMENT, OSD/WHS	77,780	104,280	64,280		92,280
DARP	250,660	250,660	236,960		335,058
SUPERCOMPUTERS		130,000			90,000
ITEMS LESS THAN $2 MILLION	74,010	24,010	74,010		74,010
AUTOMATED INFORMATION SYSTEM EQUIPMENT	15,402	10,402	15,402		15,402
OTHER CAPITAL EQUIPMENT	28,531	23,531	28,531		28,531
ITEMS LESS THAN $2 MILLION	4,000	2,000	4,000		4,000
JOINT BIOLOGICAL DEFENSE PROGRAM			3,000		20,416
NAVY TMD	14,496		14,496		14,496
C–130 MODIFICATIONS	65,661	58,361	65,661		58,361
MH–47/MH–60 MODIFICATIONS	10,666	5,966	10,666		10,666
PC, CYCLONE CLASS	12,380	18,180	12,380		34,280
CLASSIFIED PROGRAMS	379,561	374,596	488,761		443,961
MENTOR-PROTEGE PROGRAM			40,000		30,000
DEFENSE SATELLITE COMMUNICATIONS SYSTEMS (ARMY)		104,536			
FLEET SATELLITE COMM (MYP)		125,480			
SPACEBORN EQUIP (COMSEC)		2,092			
GLOBAL POSITIONING (MYP)		134,831			
GLOBAL POSITIONING (MYP) (AP–CY)		55,352			
SPACE SHUTTLE OPERATIONS		103,518			
SPACE BOOSTERS		29,000			
MEDIUM LAUNCH VEHICLE		120,480			
MEDIUM LAUNCH VEHICLE (AP–CY)		28,564			
DEF METEOROLOGICAL SAT PROG		29,159			
DEFENSE SUPPORT PROGRAM (MYP)		363,959			
DEFENSE SATELLITE COMM SYSTEM		20,185			
IONDS (MYP)		30,649			
IONDS (MYP) (AP–CY)		9,954			
DEFENSE SUPPORT PROGRAM		24,102			
DEFENSE METEOROLOGICAL SAT PROG		15,000			
NATURAL GAS VEHICLES		10,000			10,000
ELECTRIC VEHICLES AND NATURAL GAS CONVERSION			25,000		
ELECTRIC VEHICLES					15,000

SPECIAL OPERATIONS COMMAND

The adjustments to SOCOM's budget request are shown on the table above. Additional funds provided under Patrol Craft, Cyclone Class include $7,900,000 for the MK 96 weapon system and $14,000,000 for settlement of claims.

The conferees agree to the House restrictions regarding the MC–130H Combat Talon II modification and the MH–47/MH–60 modification programs.

DEFENSE AIRBORNE RECONNAISSANCE PROGRAM

The conferees agree to the following specific program adjustments:

[In thousands of dollars]

	Budget	HAC	SAC	Conference
DARP	250,660	250,660	236,950	335,058
Air Reconnaissance Low	0	0	0	39,200
Guardrail Common Sensor	0	0	0	4,991
Guardrail/Mods	0	0	0	26,938
DARP Navy	0	0	0	4,001
DARP-USMC	0	0	0	28,768
Joint Tactical UAV	0	0	0	−14,500
Joint Tactical UAV—Spares	0	0	0	−5,000

The conferees direct that of the funds provided, $8,400,000 is only for the Common Automatic Recovery System.

NATURAL GAS VEHICLES

The conferees direct that not less than $500,000 of the funds provided for natural gas vehicles in the Procurement, Defense-wide appropriation is available only to test and evaluate a natural gas dispensing system with quick coupling components with multiple, back-to-back, no freeze short duration characteristics, including special sealing and safety design capabilities.

Amendment No. 87: Deletes House language making a portion of the appropriation available for obligation only after enactment of authorizing legislation.

Amendment No. 88: Deletes Senate bill language for the Pioneer Unmanned Aerial Vehicle System.

DEFENSE PRODUCTION ACT PURCHASES

The conferees agree with House report language concerning a Defense Production Act project, with some changes. Specifically, the conferees agree that the capability to manufacture radiation resistant electronics (RRE) is essential to national security. The Department could stabilize costs and reliable supply sources by encouraging commercialization of the domestic RRE industry. Accordingly, the conferees recommend that $7,000,000 from funds appropriated in fiscal year 1994 be provided to competitively establish domestic RRE capacity consistent with critical defense needs, including a qualified manufacturing line with a demonstrated capability to produce 256K SOI static RAMs (with growth to 1M SOI RAMs), 300K gate arrays, and nonvolatile memory.

The conference agreement includes a general provision to ensure the viability of the domestic production base for nuclear steam generator tubing for aircraft carriers. The conferees expect that in return for this funding the Department of Defense will obtain a commitment from the producer to remain a source of supply of Navy nuclear reactor tubing at a reasonable price through the year 2005.

NATIONAL GUARD AND RESERVE EQUIPMENT

Amendment No. 89: Appropriates $800,000,000 for National Guard and Reserve Equipment instead of $796,200,000 as proposed by the House and $952,000,000 as proposed by the Senate.

The conference agreement on items in conference is as follows:

[In thousands of dollars]

	Budget	House	Senate	Quantity	Conference
NATIONAL GUARD & RESERVE EQUIPMENT					
RESERVE EQUIPMENT					
ARMY RESERVE					
MISCELLANEOUS EQUIPMENT		129,000	90,000		90,000
ENGR. EQPT		15,000			
AUTOMATIC BUILDING MACHINES		2,500			
M915/M916/HEAVY DUMP TRUCKS		7,500			
5 TON FLATBED TRAILERS		4,300			
NAVY RESERVE					
MISCELLANEOUS EQUIPMENT			80,000		45,000
C-130 AIRCRAFT		67,800			
P-3 UPGRADES		42,000			
MIUW VAN UPGRADE		10,000			
MARINE CORPS RESERVE					
MISCELLANEOUS EQUIPMENT		40,000	52,000		25,000
AIR FORCE RESERVE					
MISCELLANEOUS EQUIPMENT			75,000		25,000
SMALL ARMS SIMULATOR		5,000			
C-130H AIRCRAFT		67,800			
KC-135 REENGINING		24,000			
NATIONAL GUARD EQUIPMENT					
ARMY NATIONAL GUARD					
MISCELLANEOUS EQUIPMENT			125,000		70,000
UH-60Q HELICOPTER UPGRADE KITS		25,000			
NIGHT VISION DEVICES & DRIVERS NIGHT VIEWER		17,000			
M109A5		12,000			
FAASV		42,000			
ACE		40,000			
EXTERNAL AUX FUEL TANKS		2,000			
HUEY SLEP		3,000			
M915/M916/HEAVY DUMP TRUCKS		7,500			
AIR NATIONAL GUARD					
MISCELLANEOUS EQUIPMENT			55,000		40,000
NATIONAL GUARD AIRCRAFT					
C-130H AIRCRAFT		203,400			
KC-135 REENGINING		24,000			
KC135 RADAR MODS		5,000			
NATIONAL GUARD AND RESERVE AIRCRAFT			475,000		505,000

MISCELLANEOUS EQUIPMENT

The conferees agree that this program shall be executed by the heads of the guard and reserve components with priority consideration for miscellaneous equipment appropriations given to the following items:

Engineering equipment including hydraulic elevators, automatic building machines, M915/916 heavy dump trucks, 5 ton flatbed trailers, Army Reserve logistics support vessel, P-3 Update III modifications, MIUW van upgrades, SQQ-T1 trainer, C-9 Naval Reserve aircraft, Marine Corps Reserve AH-1W helicopters, small arms simulators, KC-135 reengining, UH-60Q helicopter upgrades, night vision devices and drivers' night viewers, M109A5 howitzer upgrades, CH-47 FADEC, Army National Guard external auxiliary fuel tanks, Huey SLEP, Modular airborne fire fighting systems, high mobility multipurpose wheeled vehicles, M9 armored combat earthmovers, field artillery ammunition support vehicles, new generation radar for the RC-135 fleet, and AN/AQS-14 airborne MCM trainers.

NATIONAL GUARD AND RESERVE AIRCRAFT

The conferees agree to provide $505,000,000 for the acquisition of aircraft to support Reserve and National Guard missions.

Amendment No. 90: Deletes House language making a portion of the appropriation available for obligation only after enactment of authorizing legislation.

TITLE IV—RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

Amendment No. 91: Appropriates $5,521,413,000 instead of $5,456,498,000 as proposed by the House and $5,304,329,000 as proposed by the Senate.

The conference agreement on items addressed by either the House or the Senate is as follows:

[In thousands of dollars]

	Budget	House	Senate	Conference
RESEARCH, DEVELOPMENT, TEST & EVAL.—ARMY				
DEFENSE RESEARCH SCIENCES	195,346	205,996	181,501	206,171
ELECTROMECHANICS AND HYPERVELOCITY PHYSICS	5,050	8,700	5,050	8,700
MATERIALS TECHNOLOGY	11,083	21,083	15,083	25,083
ELECTRONIC SURVIVABILITY AND FUZING TECHNOLOGY	26,036	29,036	26,036	27,536
LASER WEAPONS TECHNOLOGY		4,000		4,000
MODELING AND SIMULATION	51,517	32,517	54,517	54,517
COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY	28,330	34,330	28,330	34,330
CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECHNOLOGY	29,657	42,157	18,957	31,857
JOINT SERVICE SMALL ARMS PROGRAM	5,325	5,326	5,826	5,826
WEAPONS AND MUNITIONS TECHNOLOGY	28,163	38,163	28,163	36,163
ELECTRONICS AND ELECTRONIC DEVICES	21,222	23,222	21,222	24,222
ENVIRONMENTAL QUALITY TECHNOLOGY	25,887	40,887	31,287	46,954
LOGISTICS TECHNOLOGY	31,825	35,325	31,825	34,325
MEDICAL TECHNOLOGY	87,529	89,029	95,279	95,279
PROJECTS PLOWSHARES			5,000	5,000
LOGISTICS ADVANCED TECHNOLOGY	14,386	15,386	14,386	15,386
MEDICAL ADVANCED TECHNOLOGY	41,028	258,208	143,028	258,028
AVIATION ADVANCED TECHNOLOGY	51,350	54,350	49,913	52,913
WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY	25,562	32,562	25,562	32,562
COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOGY	59,414	62,414	59,414	62,414
TRACTOR ROSE	3,240	6,440	3,240	6,440
ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS) RESEARCH	3,185	23,185	33,410	33,410
MISSILE AND ROCKET ADVANCED TECHNOLOGY	94,602	62,824	98,502	78,502
LANDMINE WARFARE AND BARRIER ADVANCED TECHNOLOGY	11,950	21,950	11,950	21,950
JOINT SERVICE SMALL ARMS PROGRAM	5,746	5,746	7,246	7,246
ADVANCED TACTICAL COMPUTER SCIENCE AND TECHNOLOGY	34,995	39,995	34,995	34,995
ARTILLERY PROPELLANT DEVELOPMENT	8,137	9,137	25,937	25,937
ENGINEER MOBILITY EQUIPMENT ADVANCED DEVELOPMENT	11,339	11,339	15,929	15,929
ADVANCED TANK ARMAMENT SYSTEM (ATAS)	10,075		10,075	5,000
DISTRIBUTIVE INTERACTIVE SIMULATION—ADV DEV	11,787	6,000	11,787	8,500
TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV	15,008	10,008	15,008	15,008
AVIATION—ADV DEV	9,367	15,867	11,367	16,867
WEAPONS AND MUNITIONS—ADV DEV	663	1,263	663	1,263
LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV	5,581	6,881	11,581	14,881
NBC DEFENSE SYSTEM-ADV DEV	13,778	22,078	13,778	15,278
COMANCHE	525,182	525,182	525,182	495,182
EW DEVELOPMENT	89,122	93,122	89,122	93,122
TRI-SERVICE STANDOFF ATTACK MISSILE	82,458		19,671	19,671
ALL SOURCE ANALYSIS SYSTEM	42,891	35,891	42,891	42,891
JAVELIN	31,337	31,337	34,737	34,737
ARMORED SYSTEMS MODERNIZATION (ASM)–ENG. DEV	51,097	51,097	63,097	63,097
ENGINEER MOBILITY EQUIPMENT DEVELOPMENT	16,856	12,271	16,865	12,271
AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—ENG DEVELOPMENT	26,494	28,494	26,494	28,494
AUTOMATIC TEST EQUIPMENT DEVELOPMENT	7,201	15,701	7,201	15,701
DISTRIBUTIVE INTERACTIVE SIMULATION—ENG	8,041	4,000	8,041	6,500
TRACTOR BAT	109,011	109,011	119,111	119,111
WEAPONS AND MUNITIONS—ENG DEVELOPMENT	9,130	18,930	6,530	17,130
LOGISTICS AND ENGINEER EQUIPMENT—ENG DEVELOPMENT	21,171	22,271	21,171	22,271
NBC DEFENSE SYSTEM-ENG DEVELOPMENT	13,474	48,274	13,474	29,774
LONGBOW—ENG DIV	191,303	191,303	191,303	171,303
NON-COOPERATIVE TARGET RECOGNITION—ENG DEVELOPMENT	13,666	13,666	13,666	18,666
MAJOR T&E INVESTMENT	55,536	55,536	50,536	50,536
LOS ALAMOS MESON PHYSICS FACILITY			20,000	20,000
ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS	41,895	41,895	33,895	31,895
DOD HIGH ENERGY LASER TEST FACILITY		24,808	20,000	24,808
PROGRAMWIDE ACTIVITIES	103,262	102,044	103,262	93,262
MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY	7,038	7,038	7,038	14,538
ENVIRONMENTAL COMPLIANCE	49,907	51,907	49,907	51,574
MAINTENANCE AND REPAIR (RPM)—RDT&E	91,970	91,970	81,970	81,970
MANAGEMENT HEADQUARTERS (RESEARCH AND DEVELOPMENT)	11,679	11,679	23,679	23,679
MLRS PRODUCT IMPROVEMENT PROGRAM	55,699	58,699	55,699	58,699
COMBAT VEHICLE IMPROVEMENT PROGRAMS	111,279	131,779	111,279	111,279
AIRCRAFT MODIFICATION/PRODUCT IMPROVEMENT PROGRAMS	9,564	9,564	5,040	5,140
AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	3,035	3,035	3,035	7,535
DIGITIZATION	75,857	115,857	75,857	83,857
MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM	24,610	29,610	29,610	37,610
OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS	74,380	78,380	64,280	68,280
JOINT BIOLOGICAL DEFENSE PROGRAM	52,895	52,895		
SATCOM GROUND ENVIRONMENT	95,191		95,191	68,191
AIRBORNE RECONNAISSANCE LOW	11,429	11,429	11,429	
END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES		45,000	29,420	35,820
FEDERAL WORKFORCE RESTRUCTURING ACT			2,500	2,500
CLASSIFIED PROGRAMS	20,858	29,358	20,858	37,858
GENERAL REDUCTION, UNIVERSITY RESEARCH		−68,000		−13,752
CIVILIAN PERS PAY RAISE & LOCALITY PAY		17,400		9,600
CIVILIAN PERSONNEL UNDERSTRENGTH		−35,000	−48,400	−39,700

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

Army	*Conference Agreement*
Defense Research Sciences	206,171
Medical-Nutrition	+250
Environmental technology	+10,000
Trauma care	+150
Medical-Serum cholesterol	+425
University Reduction	0
Materials Technology	25,083
Ductile iron	+10,000
Hardened materials	+4,000
Electronic Survivability and Fuzing Technology	27,536
Passive microwave camera	+1,500
Chemical, Smoke and Equipment Defeating Tech	31,857
General increase	+2,200
Joint Service Small Arms Program	5,826
Weapons and Munitions Technology	36,163
Longhorn AAP-advanced materials	+4,000
Longhorn AAP-black powder substitute	4,000
Environmental Technologies	0
Electronics and Electronic Devices	24,222
Battery technology	+3,000
Environmental Quality Technology	46,954
Naval Surface Warfare Center, Crane Division	+167
Jefferson Proving Ground—Unexploded Ordnance	+5,000
Joint Agriculture/DOD Project	+4,500
Facility Environmental Management and Monitoring System (FEMMS)	+5,000
Hawaii Small Business Development Center	+5,400
Saltsburg Remediation Technology	+1,000
Logistics Technology	34,325
Cold Pasteurization/Sterilization Techniques	+2,000
Air Beam tents	+500
Project Plowshares	5,000
Aviation Advanced Technology	52,913
Starstreak air to air missile	+3,000
National Rotocraft Technology Center	−1,437
Rotocraft Pilot's Associate	(20,996)
Weapons and Munitions Advanced Technology	32,562
MX-982 155mm ER Projectile	+6,000
ER Fluid Recoil	+1,000
Cannon Caliber Electromagnetic Gun	(4,500)

Army	Conference Agreement
Missile and Rocket Advanced Technology	78,502
NLOS Demonstration	−20,000
EFOG-M	0
MPIM	0
Accelerate SRAW/MPIM	+3,900
Landmine Warfare and Barrier Advanced Technology	21,950
Demining OOTW	+10,000
Joint Service Small Arms Program	7,246
Artillery Propellant Development	25,937
52 Caliber XM297; bolt-in, bolt-out for Paladin and XM230 for the 39 caliber cannon	+17,800
Aviation—Adv Dev	16,867
Advanced Boresight Equipment	+2,000
Aircrew integrated ensemble	+3,900
Integrated common helmet	+1,600
Aviation life support equipment	(4,628)
Logistics and Engineer Equipment—Adv Dev	14,881
Laser vibration sensing system	+4,000
Heavy tactical bridge	+1,300
Medium assault bridge	+4,000
NBC Defense System—Adv Dev	15,278
General increase	+1,500
EW Development	93,122
AD/EXJAM	+4,000
All Source Analysis System	45,891
Single source processor	(3,000)
Armored system modernization (ASM)-ENG DEV	63,097
AGS vehicles and IOT&E Spares	12,000
Air Defense Command, Control and Intelligence	28,494
NDI, passive sensor	+2,000
Automatic Test Equipment Development	15,701
Integrated family of test equipment	+8,500
Weapons and Munitions—Eng Dev	17,130
Mortar systems	(3,317)
120mm mortar ammunition	+8,000
Bunker defeat munition	0
NBC Defense System—Eng Dev	19,774
General increase	+6,300
Non-Cooperative Target Recognition—Eng Dev	18,666
Battlefield combat identification system	+5,000
LAMPF/LANSCE	20,000
DOD High Energy Laser Test Facility	24,808
Munitions Standardization, Effectiveness and Safety	14,538
Plasma furnace technology	+7,500
Environmental Compliance	51,574
Low emission natural gas boiler	+1,667
Aircraft Engine Component Improvement Program	7,535
Full authority digital electronic control [Note: Utilizes and upgrades the existing T53 series engine hydomechanical unit.]	+4,500
Digitization	83,857
Missile/Air Defense Product Improvement Program	37,610
Complementary missile w/ Avenger system	+8,000
Accelerate Stinger Block II	+5,000
Other Missile Product Improvement Program	68,280
BAT reduction	−10,100
Hellfire training round	+4,000
End Item Industrial Preparedness Activities	35,820
Advanced Non-Metallic Rechargeable Battery	+3,000
Center for Optics Manufacturing	(4,900)
Instrumented Factory for Gears	(8,500)
Classified	37,858
X-ROD	+17,000

WEAPONS AND MUNITIONS TECHNOLOGY

The conferees agree to provide $36,163,000, of which $8,000,000 is only for two programs at the Longhorn Army Ammunition Plant. The conferees also encourage the Department of the Army to utilize the capabilities of the Armament Research, Development and Engineering Center (ARDEC), Picatinny Arsenal in the development of life-cycle environmental technologies for use in the production of Army weapon systems.

ELECTRONICS AND ELECTRONIC DEVICES

The conferees agree to provide $24,222,000, of which $1,000,000 shall only be for the development of a low cost reusable alkaline battery for the SINCGARS family of radios, $500,000 only for the development of a high rate "AA" lithium carbon monofluouride battery, $1,000,000 only for the development of a "AA" zinc air battery, and $500,000 only for a no lead added zinc carbon cell.

LANDMINE WARFARE AND BARRIER ADVANCED TECHNOLOGY

The conferees agree to provide $21,950,000, of which $10,000,000 is provided to detect and neutralize landmines. The purpose of these funds is to develop new and improved technologies specifically for use in demining in operations other than war (OOTW) and humanitarian situations. The conferees note that the Office of the Assistant Secretary of Defense (Special Operations and Low Intensity Conflict) is overseeing the management of funds for demining in humanitarian situations, and the conferees therefore intend that SOLIC will also oversee the use of these additional research and development funds.

CLASSIFIED PROGRAMS

The conferees agree to provide $37,858,000, of which $17,000,000 is only for the continued development of the 120mm rocket-boosted kinetic energy tank round, also known as the X-rod. The Conferees direct that the additional funds provided within this program element shall be equally divided between the two X-rod development contractors.

ARTILLERY PROPELLANT DEVELOPMENT

The conferees continue to support the development of the XM46 liquid propellant as the preferred alternative for the Advanced Field Artillery System (AFAS). In addition, the conferees agree to provide $25,937,000, of which $17,800,000 is to continue to strongly support the development of the XM-297 cannon, the XM-194 bolt-in/bolt-out gun mount for the M109 series cannon, and for the type classification of the XM-230 unicharge propellant for the 39-caliber cannon.

LOGISTICS AND ENGINEER EQUIPMENT—ADVANCED DEVELOPMENT

The conferees have provided $14,881,000, an increase of $9,300,000 above the budget request. Of the additional funds provided, $4,000,000 shall be obligated only for the evaluation of candidate Medium Assault Bridges, $4,000,000 only for the continuation of the two phased program for structural integrity research using advanced lasers, and $1,300,000 only for the Army's program to improve its tactical bridging capabilities.

COMANCHE/LONGBOW

The conferees agree to recede from the direction in the Senate report that $20,000,000 each in the Comanche and Longbow program elements be made available to support a consolidation of the helicopter production base.

AUTOMATIC TEST EQUIPMENT DEVELOPMENT

The conferees agree to provide $15,701,000, an increase of $8,500,000 to the budget request for Projects DL59 and D537 as proposed by the House. The conferees agree that these additional funds are to be used only for the development of base shop test facility (BSTF) test program sets for Army aviation and missile systems. However, funds may be used for armored system BSTF development only if the Army's analysis of armored systems electronics repair requirements determines this workload should be transitioned from DSESTS to IFTE in the near term. The Army is directed to provide the Committees on Appropriations its planned allocation of these funds not later than March 15, 1995.

SENSE AND DESTROY ARMAMENT MISSILE—ENGINEERING DEVELOPMENT

The conferees agree to provide $42,000,000 for this program element. The conferees interpose no objection to the Army's fiscal year 1995 reprogramming request for the SADARM research and development program, FY 94-8 PA (Rev.).

LOS ALAMOS MESON PHYSICS FACILITY (LAMPF) AND LOS ALAMOS NEUTRON SCATTERING CENTER (LANSCE)

The conferees agree to provide $20,000,000 only to upgrade the accelerator at the LAMPF/LANSCE facility. The conferees direct that none of these funds may be obligated until the Secretary of the Army certifies to the Congressional defense committees that the Energy Department budget request for fiscal year 1996 contains sufficient funding for LAMPF/LANSCE operations. This certification must be submitted no later than April 1, 1995.

HIGH ENERGY LASER SYSTEM TEST FACILITY (HELSTF)

The conferees agree to provide $24,808,000 for this program element. The conferees agree with the Senate report language with respect to HELSTF with two exceptions. The conferees agree that the restrictions imposed by the Senate shall not apply to the Joint U.S.-Israel Lethality Test (Nautilus) project. The conferees agree that this project within the scope of the usual lethality testing activities conducted at HELSTF. However, they also agree that any follow-on tactical laser development program arising from the Nautilus project would be subject to the Senate's requirements. The conferees further agree that any certification regarding a tactical high energy laser program should identify, to the extent practicable, the direct financial contributions of any foreign nation participating in such an activity.

MUNITIONS STANDARDIZATION, EFFECTIVENESS, AND SAFETY

The conferees agree to provide $14,538,000, of which $7,500,000 is only to continue development of the plasma furnace technology for the U.S. Army Construction Engineer Research Laboratory (CERL).

AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM

The Conferees agree to provide $7,535,000, of which $4,500,000 is provided only for the development of a full authority digital electronic control (FADEC) which utilizes and upgrades the existing T53 series engine hydromechanical unit.

MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM

The Conferees agree to provide $37,610,000, of which $8,000,000 is provided only for the continued operational testing and evaluation of the ground to air Starstreak missile system and $5,000,000 only for the acceleration

of the development of the Stinger Block II retrofit program.

SATCOM GROUND ENVIRONMENT

The conferees agree to delete a total of $27,000,000 from Satcom Ground Environment to reflect schedule delays and technical problems in SMART-T and SCAMP Milstar terminals.

LOW ALTITUDE FLIGHT SENSOR FOR THE ARMY

Frequent instances of military helicopters striking power lines and other flight hazards highlight the need to enhance the Army's capabilities to address these hazards. The conferees direct the Army to report to the Committee on Appropriations, no later than May 1, 1995, on its plans and activities to develop a viable program to provide helicopters with obstacle avoidance capabilities.

Amendment No. 92: Deletes language proposed by the House which restricts the obligation or expenditure of funds until authorized by law.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

Amendment No. 93: Appropriates $8,796,168,000 for Research, Development, Test and Evaluation, Navy instead of $8,598,958,000 as proposed by the House and $8,790,331,000 as proposed by the Senate.

The conference agreement on items in conference is as follows:

[In thousands of dollars]

	Budget	House	Senate	Conference
RESEARCH DEVELOPMENT TEST & EVAL NAVY:				
DEFENSE RESEARCH SCIENCES	407,971	420,971	400,422	420,971
SURFACE/AEROSPACE SURVEILLANCE AND WEAPONS TECHNOLOGY	75,088	80,088	75,088	78,122
AIRCRAFT TECHNOLOGY	24,691	25,145	24,691	30,145
READINESS, TRAINING, AND ENVIRONMENTAL QUALITY TECHNOLOGY	42,753	50,753	50,453	52,453
MATERIALS, ELECTRONICS AND COMPUTER TECHNOLOGY	80,867	98,617	78,784	96,534
UNDERSEA SURVEILLANCE WEAPON TECHNOLOGY	92,765	92,765	92,765	93,765
SUBMARINE TECHNOLOGY	19,557	19,557	14,557	14,557
OCEANOGRAPHIC AND ATMOSPHERIC TECHNOLOGY	44,965	56,065	44,965	56,065
AIR SYSTEMS AND WEAPONS ADVANCED TECHNOLOGY	30,293	33,572	7,881	27,381
PRECISION STRIKE AND AIR DEFENSE	32,961	40,061	32,961	40,061
SEA CONTROL AND LITTORAL WARFARE TECHNOLOGY DEMONSTRAT	82,134	62,134	74,533	74,533
MEDICAL DEVELOPMENT	17,820	59,520	17,820	59,520
ENVIRONMENTAL QUALITY AND LOGISTICS ADVANCED TECHNOLOGY	21,024	23,024	21,024	23,024
UNDERSEA WARFARE ADVANCED TECHNOLOGY	47,330	49,830	47,330	49,830
ADVANCED TECHNOLOGY TRANSITION	79,863	87,363	66,633	75,210
C3 ADVANCED TECHNOLOGY	26,556	21,456	26,556	21,456
AVIATION SURVIVABILITY	9,992	16,192	9,992	16,192
TACTICAL AIRBORNE RECONNAISSANCE	59,372	59,372	39,772	47,272
SURFACE AND SHALLOW WATER MINE COUNTERMEASURES	51,879	51,879	42,254	44,254
ADVANCED SUBMARINE COMBAT SYSTEMS DEVELOPMENT	20,564	24,564	20,564	23,864
SURFACE SHIP TORPEDO DEFENSE	30,247	30,247	20,947	20,947
CARRIER SYSTEMS DEVELOPMENT	15,878	15,878	15,378	15,378
ADVANCED SUBMARINE SYSTEM DEVELOPMENT	86,005	186,005	86,005	86,005
ADVANCED NUCLEAR POWER SYSTEMS	141,586	141,586	141,586	126,586
ADVANCED SURFACE MACHINERY SYSTEMS	72,355	79,755	80,755	80,755
MARINE CORPS ASSAULT VEHICLES	26,399	35,499	26,399	35,499
MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM	11,416	23,916	26,416	23,916
ENVIRONMENTAL PROTECTION	51,101	51,101	49,811	49,811
NAVY ENERGY PROGRAM	4,468	4,468	9,168	9,168
RETRACT ELM	39,472	39,472	33,094	39,472
SHIP SELF DEFENSE	192,269	229,469	203,469	229,469
GUN WEAPON SYSTEM TECHNOLOGY	24,849	30,849	13,349	19,349
JOINT ADVANCED STRIKE TECHNOLOGY PROGRAM	100,037	100,037	140,037	100,037
ASW AND OTHER HELO DEVELOPMENT	86,547	97,547	77,153	90,947
AV-8B AIRCRAFT—ENG DEV	10,203	11,203	10,203	11,203
V-22A	496,930	496,930	496,930	466,930
AIR CREW SYSTEMS DEVELOPMENT	12,157	15,157	12,157	15,157
EW DEVELOPMENT	79,980	79,980	104,980	104,980
TRI-SERVICE STANDOFF ATTACK MISSILE	66,662	.....	116,662	66,662
STANDARD MISSILE IMPROVEMENTS	11,811	11,811	17,811	17,811
NEW DESIGN SSN	266,155	203,477	266,155	236,155
SHIP CONTRACT DESIGN/LIVE FIRE T&E	160,092	22,770	160,092	160,092
NAVY TACTICAL COMPUTER RESOURCES	15,774	18,774	15,774	18,774
LIGHTWEIGHT TORPEDO DEVELOPMENT	10,284	13,284	10,284	11,284
JOINT DIRECT ATTACK MUNITION	25,173	26,673	25,173	26,673
JOINT STANDOFF WEAPON SYSTEMS	111,127	111,127	126,127	116,127
SHIP SELF DEFENSE	181,501	224,501	199,501	228,501
INTELLIGENCE ENGINEERING	4,033	.....	4,033	4,033
TARGET SYSTEMS DEVELOPMENT	28,042	28,042	14,208	27,392
STUDIES AND ANALYSIS SUPPORT—NAVY	6,058	4,041	6,058	6,058
TECHNICAL INFORMATION SERVICES	1,776	4,776	1,776	4,776
STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	52,361	37,361	29,223	29,223
F/A-18 SQUADRONS	1,411,875	1,423,875	1,411,875	1,343,875
E-2 SQUADRONS	58,760	58,760	53,760	53,760
INTEGRATED SURVEILLANCE SYSTEM	28,805	43,605	28,805	42,905
CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT	46,779	49,779	71,779	60,779
F-14 UPGRADE	171,689	171,689	31,027	41,700
MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS	13,051	13,051	23,051	23,051
MARINE CORPS COMBAT SERVICES SUPPORT	6,173	2,628	6,173	2,628
ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	27,913	27,913	27,913	16,213
SATELLITE COMMUNICATIONS	47,115	.....	47,115	47,115
DEFENSE METEOROLOGICAL SATELLITE PROGRAM (DMSP)	14,639	.....	13,960	13,960
INDUSTRIAL PREPAREDNESS	20,164	112,164	45,584	87,818
FEDERAL WORKFORCE RESTRUCTURING ACT	.....	.....	200	200
CLASSIFIED PROGRAMS	567,056	542,056	566,556	567,056
STRATEGIC SEALIFT TECHNOLOGY DEV PROGRAMS	.....	.....	19,200	19,200
GENERAL REDUCTION, UNIVERSITY RESEARCH	.....	−310,000	.....	−62,245
CIVILIAN PERS PAY RAISE & LOCALITY PAY	.....	1,200	.....	200

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

The conferees agree to the following specific program adjustments:

[In thousands of dollars]

Research, Development, Test, and Evaluation, Navy	*Conference agreement*
Defense Research Sciences	420,971
Molecular design	10,000
Magnetohydrodynamics	3,000
University Research	0
Surface/Aerospace Surveillance and Weapons Technology	78,122
Multi-Spectral Shipboard Surveillance	3,034
Surface Ship Technology	22,684
Air Circuit Breaker Standardization	2,800
Aircraft Technology	30,145
Canard Rotor/Wing	454
Vectored Thrust Combat Agility Demo	5,000
Readiness, Training, and Environmental Quality Technology	52,435
Air Life Support Prototype	2,000
Marine Environmental Res	5,000
Crash Resistant Troop Seat	2,700
Materials, Electronics and Computer Technology	96,534
Distributed Manf. Demo	2,000
High Thermal Conductivity	15,000
Optics Center	750
Hybrid Signal Processing	−2,083
Undersea Surveillance Weapon Technology	93,765
Batteries	1,000

Research, Development, Test, and Evaluation, Navy	Conference agreement
Mine Countermeasures, Mining, and Special Warfare	37,710
RAMICS	3,000
Power Blade Technology	(600)
Submarine Technology	14,557
Preplanned Product Improvement	−5,000
Oceanographic and Atmospheric Technology	56,065
National Oceanographic Tech	10,100
National Center for Acoustics	1,000
Air Systems and Weapons Technology	27,381
ASTOVL	−8,721
Navy Avionics Research	7,000
Advanced Avionics	3,000
AARGM	4,500
Strapdown Seeker	−6,000
Short-Range Missiles	−2,691
Moving Spherical Convergent Flap Nozzle	
Precision Strike and Air Defense	40,061
Airship-UHF Radar Demonstration	7,100
Sea Control and Littoral Warfare Technology Demonstration	74,533
General Reduction	
Lightweight Variable Depth Sonar	−7,601
Medical Development	59,520
Center for Breast Cancer	5,000
Bone Marrow Registry	34,000
Mammogram Technology	2,000
Naval Biodynamics Lab	700
Environmental Quality and Logistics Advanced Tech	23,024
Imaging Technologies	2,000
Undersea Warfare Advanced Technology	49,830
Low-Low Frequency Active	2,500
Advanced Technology Trans	75,210
Enhanced Communications	1,667
Freeze Dried Blood	2,500
Long Endurance UUV	−4,500
Shallow-Water Torpedo	0
Intell. Damage Adaptive Flight Control	−4,320
Anti Submarine Warfare Receiver	(3,300)
C3 Advanced Technology	21,456
General Reduction	−5,100
Aviation Survivability	16,192
Aviation Survivability	5,500
Naval Biodynamics Lab	700
Tectical Airborne Reconn	47,272
EO-LOROPS	−12,100
Surface and Shallow Water Mine Countermeasures	44,254
SAM-II	−1,886
Unmanned Underwater Vehicles	−4,950
NMRS	−789
Advanced Submarine Combat Systems Development	23,864
Fiber Optic Sensors	3,300
Surface Ship Torpedo Defense	20,947
Anti-Torpedo Torpedo	−9,300
Carrier Systems Development	15,378
EMALS	1,500
New Start Project Denial	−2,000
Non-Acoustic Anti-Submarine Warfare	0
Transfer to Def. Agencies	−4,756
Advanced Submarine System Development	86,005
NAS Program Restructure	
Advanced Nuclear Power Systems	126,586
Advanced Surface Machinery System	80,755
Intercooled Recuperator	7,400
Water Intake Grates	1,000
Marine Corps Assault Vehicles	35,499
General Increase	5,000
Rotary Engine Technology	4,100
Marine Corps Ground Combat/Support System	23,916
Predator/SRAW	6,000
Lightweight 155mm Howitzer	6,500
Environmental Protection	49,811
Ordnance Reclamation	−1,290
Plasma Electric Waste Converter	(1,800)
Navy Energy Program	9,168
Fuel Specifications	4,700
Retract Elm	39,472
Classified	
Ship Self Defense	229,469
Self-Defense Test Ship	11,200
Gun Weapon System Technology	19,349
Electric Gun Technology	6,000
Program Delay	−8,500
Missile Demonstration	−3,000
Joint Advanced Strike Technology Program	100,037
General Increase	
ASW and other Helo Devel	90,947
Airborne Low Frequency Sonar	8,400
Bol Chaff	1,000
CH/MH-53 Mid-Life Upgrade	0
AH-1W Integrated Weapon Sys	−5,000
AV-8B Aircraft—Eng. Dev	11,203
Bol Chaff	1,000
V-22A	466,930
General Reduction	−30,000
Air Crew Systems Development	15,157
Navy Combat Edge	1,300
Crew Helmet Vision Sys	1,700
EW Development	104,980
ADVCAP Replacement	25,000
Tri-Service Standoff Attack Missile	66,662
Program Termination	
Program Restructure	
Standard Missile Improvements	17,811
Terrier Missile Target Mod. Dev	6,000
New Design SSN	236,155
NAS Program Restructure	
General Reduction	−30,000
Ship Contract Design/Live Fire T&E	160,092
NAS Program Restructure	
Navy Tactical Computer Resources	18,774
AN/UYS-16	3,000
Lightweight Torpedo Devel	11,284
Alternative Fuel Boiler	1,000
Joint Direct Attack Munition	26,673
FMU-143 Fuse Improvement	1,500
Joint Standoff Weapon Syst	116,127
BLU-108 Integration	
Ejector Racks	5,000
Ship Self Defense	228,501
Advanced Display System	25,000
Land Based Test Site	10,000
Sea Sparrow Integration	4,000
NULKA	8,000
Intelligence Engineering	4,033
General Reduction	
Target Systems Development	27,392
QF-4N/QF-4S Target Drones	−650
Studies and Analysis Support—Navy	6,058
Naval Warfare Studies	
Technical Information Serv	4,776
Advanced Tech. Info. Support	3,000
Strategic Sub & Weapons System Support	29,223
Reentry Vehicle Ind. Base	−15,000
Trident Ownership	−6,038
Propellant Program	−2,100
F/A-18 Squadrons	1,343,875
Bol Chaff	2,000
USH-42 Recorder	
General Reduction (F/A-18 E/F)	−70,000
E-2 Squadrons	53,760
General Reduction	−5,000
Integrated Surveillance Sys	42,905
Fiber Optics	6,100
Passive Automation	8,000
Consolidated Training Systems Development	60,779
OUTBOARD	3,000
PMRF Shallow Water Range	11,000
F-14 Upgrade	41,700
Block I Strike Upgrade	−171,689
PDU	29,500
DFCS	1,700
OPEVAL	4,500
JDAM Preparations	6,000
Marine Corps Ground Combat/Supporting Arms Systems	23,051
LAV Air Defense	10,000
Marine Corps Combat Services Support	2,628
Medium Tact. Veh. Repl	−1,545
Breacher Vehicle	−2,000
Advanced Medium Range Air-to Air Missile	16,213
AMRAAM Propulsion	−11,700
Satellite Communications	47,115
Program Restructure	
Defense Meteorological Satellite Program (DMSP)	13,960
Program Restructure	
Navy Unique DMSP	−679
Industrial Preparedness	87,818
Fiber Optic Acoustic Sensors	(1,600)
Cast Ductile Iron	(6,000)
Center of Excellence—Ship Hull	(1,000)
Center of Excellence—Composites Manufacturing	(25,500)
Joining Center	(4,000)
Gulf Coast Maritime Tech Center	(5,400)
EMPF	(12,000)
Manufacturing Producibility Center, Kentucky	(334)
Center of Excellence, Metalworking Technology	(20,164)
Center for Best Manufacturing Practices	(4,000)
Federal Workforce Restructuring Act	200
Classified Programs	567,056
Strategic Sealift Technology Development Programs	19,200
General Reduction, University Research	−62,245
Civilian Personnel Pay Raise and Locality Pay	200

PACIFIC MISSILE RANGE FACILITY

The conferees agree with the Senate direction and guidance with respect to the Navy's Pacific Missile Range Facility and its inclusion in the Defense Department's Major Range and Test Facility Base on its role in testing the Navy's ballistic missile defense systems.

ADVANCED MARINE BIOLOGICAL SYSTEM

The conferees are aware that the Navy has employed marine mammals in various operational and research programs for more than twenty-five years and that some of these animals are no longer required for the Navy's program.

As directed by the Congress in fiscal year 1993, the Navy provided a long range plan for its marine mammals and budgeted for long term care and maintenance. The Joint Explanatory Statement of the Committee of Conference on the Department of Defense Appropriations Act, 1994, gave the Navy flexibility to transfer animals no longer required for Navy operations to alternative protective captive environments as an alternative to returning dolphins into the wild. It

was the intent of the conferees that this language did not preclude the Navy from retaining marine mammals which were not suitable release candidates or could not be transferred to alternative protective captive environments.

The conferees are aware of the animal protection community's interest in requiring that all dolphins identified as "suitable release candidates" be rehabilitated and released.

The conferees are informed that there are no scientifically established or accepted protocols for such releases. Moreover, documented success of previous attempts to reintroduce captive marine mammals to the wild is sparse.

Accordingly, the conferees believe that any attempts at releasing Navy marine mammals to the wild should be pursued cautiously and on an experimental basis until scientifically sound protocols have been developed an reintroductions have proven successful. The conferees recognize that the Department of Defense does not have the authority to allow the return of once-captive Navy marine mammals into the wild. This authority rests with the Department of Commerce, through the National Marine Fisheries Service. Accordingly, the conferees direct the Navy to cooperate with the Secretary of Commerce and the Marine Mammal Commission in developing rigorous scientific protocols for experimental releases. Given the potential for "takes" under the Marine Mammal Protection Act or the Endangered Species Act, the conferees direct that in no case shall any release be attempted unless authorized by a scientific research permit issued by the Secretary of Commerce under the appropriate statutory authority.

The conferees are aware that the Navy will transfer a number of its dolphins to a private facility in Florida subject to approval by the National Marine Fisheries Service and Animal and Plant Health Inspection Service. The conferees are aware that the facility intends to work toward the reintroduction of these dolphins to the wild if the National Marine Fisheries Service approves a scientific research permit. The conferees are pleased to learn that the efforts to work toward the reintroduction of these dolphins will be financed through private funds and that no federal funds are required for this activity. Therefore, the conferees do not recommend any federal funding for this effort.

The conferees direct the Navy to continue to notify the Congressional defense committees in advance of any proposed transfers of marine mammals no longer required by the Navy. The conferees further direct the Navy to report to the committees every six months on the progress of its efforts relating to marine mammals no longer required by the Navy.

MULTI-PURPOSE AMMUNITION LICENSING AGREEMENT

Multi-purpose (MP) ammunition technology has demonstrated increased range and lethality for small and medium caliber ammunition. Through an international licensing agreement with the Government of Norway, DAAK10-80-C-0814, the United States Government has had access to this technology for the past fourteen years. This licensing agreement is due to expire in June, 1995. The enhanced capabilities of MP technology have only recently been realized and subsequently qualified by the Navy and the Air Force for use in our front line fighter aircraft. Additionally, the Marine Corps may be interested in qualifying MP ammunition for ground requirements.

The conferees recognize that while the Army, as single item manager of all ammunition, does not have a current requirement for MP technology, it is in the best interests of the United States Government to have continued access to MP technology advancements. Therefore, the conferees direct the Department of Defense (DOD) to negotiate an appropriate agreement for the necessary support for DOD MP requirements beyond the term of the present licensing agreement, and to designate the Navy as executive agent for MP technology programs.

SURFACE TARGET GUN

The Congress in fiscal year 1994 appropriated $2,500,000 within Ship Self Defense for the Navy to conduct a prompt test and evaluation of an off-the-shelf 25mm or 30mm stabilized gun mount with an associated fire control system. To date, the Navy has not obligated any funds for this effort. In addition, as a part of the Navy's early effort on the Advanced Minor Caliber Gun System program, the Navy bought a 30mm cannon chain gun with its associated GAU-8 ammunition. This chain gun and ammunition have not been tested. The conferees direct the Navy to use the $2,500,000 that was previously appropriated to test these stabilized gun assets on an available off-the-shelf stabilized gun mount of U.S. origin having remote local day/night fire control which is capable of accepting either the 25mm or 30mm gun. The testing and evaluation must be completed by the end of fiscal year 1995. The Navy is expected to include in its fiscal year 1996 budget submission adequate funds for a planned program as requirements demand.

RADIO COMMUNICATIONS SYSTEMS FOR LPD-17 CLASS SHIPS

The LPD-17 class ship has the mission to transport expeditionary Marine brigades. To ensure an effective, reliable, secure, quick and cost effective external communications system for this class of ships, the Navy has determined that the external Radio Communications Systems (RCS) program will use a land-based test facility and a turnkey approach.

The Navy facility at St. Inigoes, Maryland has been responsible for the procurement, integration, testing, and installation of 41 AEGIS RCS's, all on time and within budget. St. Inigoes also initiated the quality control enhancing, cost saving RCS turnkey approach. With its extensive RCS test-beds and engineering/integration team, St. Inigoes clearly has the capability to meet the Navy RCS requirements well into the 21st century. To ensure state-of-the-art RCS's at the lowest cost, the conferees direct the Navy to use St. Inigoes for the RCS engineering, production, integration, testing, and training for the LPD-17 class and future combat ships.

ENVIRONMENTAL PROTECTION

The conferees are aware of efforts being made by the Battery Metrics Lab in Portland, Oregon to expand the life of batteries and lessen the environmental impact of long term use of batteries and the challenges posed by disposal. The conferees encourage the Navy to work with this Lab in exploring new innovations to address battery life and disposal.

GENERIC LOGISTICS

The fiscal year 1994 conference report on Department of Defense appropriations included $2,000,000 in P.E. 0603712N. The conferees reiterate that this funding is intended to enhance the Advanced Schematic Capture Automation Navy program by implementing a modular architecture and developing technologies which will increase functionality and reliability of the system and its production.

UNDERSEA SURVEILLANCE WEAPON TECHNOLOGY

The conferees agree to provide $500,000 only for the continued development of a safe rechargeable battery for the SEAL Delivery Vehicle and $500,000 only for the development of a low rate "AA" lithium carbon monofloride battery for Navy applications.

SEA CONTROL AND LITTORAL WARFARE TECHNOLOGY DEMONSTRATION

The conferees agree to deny funds to begin the lightweight variable depth sonar technology demonstration project. The conferees suggest that any future request for funding, if submitted, be accompanied by a more convincing demonstration about how this project relates to other ongoing programs to improve surface ship anti-submarine warfare in shallow water environments.

C3 ADVANCED TECHNOLOGY

The conferees agree that the funding reduction approved for this program element is made without prejudice.

SURFACE AND SHALLOW WATER MINE COUNTERMEASURES

The conferees have provided $2,000,000 only to complete the ongoing Phase One of the Swedish-American Minesweeper (SAM II) project and to terminate the project, as requested by the Navy. No other use of the funds is permissible.

COMMERCIAL GAS TURBINE GENERATOR STUDY

The conferees direct the Navy to conduct an analysis of potential cost savings from application of commercial gas turbine generator technology for Navy ship service power generation. This analysis should focus on U.S.-developed equipment that offers emissions reduction and significantly higher efficiencies over a full operating range compared with gas turbines designed to military specifications. The Navy shall conduct appropriate technical evaluations, and the Secretary of the Navy shall report the results of the study to the Congressional defense committees by March 31, 1995.

GUN WEAPON SYSTEM TECHNOLOGY

The conferees agree to provide $30,849,000 in Gun Weapon System Technology for the Navy's ship fire support improvement program, of which not less than $6,000,000 is only for the MK45 high performance upgrade program. In addition, the conferees agree that the Navy should include the electrothermal-chemical gun technology program in the integrated plan to be submitted to the congressional defense committees by March 1, 1995. The conferees also agree with the Senate directions and guidance for this program element.

ASW AND OTHER HELICOPTER DEVELOPMENT

The conferees have provided $30,501,000 only to continue development of the Airborne Low Frequency Sonar (ALFS). This amount includes an increase of $8,400,000 to the budget request to accelerate development of shallow water performance enhancements for the ALFS system.

V-22

The conferees agree to provide $466,930,000 for the continued development of the V-22 and reaffirm their strong support for this unique aircraft. Now that the V-22 program has successfully completed reviews by the Joint Requirements Oversight Council and the Defense Acquisition Board, the conferees expect the Department of Defense to provide sufficient long lead procurement funds in the

fiscal year 1996 budget request to commence low rate initial production of the V-22 in fiscal year 1997. These long lead procurement funds are required to satisfy the Marine Corps' urgent need for a V-22 initial operational capability in fiscal year 2001.

EA-6B

The conferees agree with the Senate position to provide $25,000,000 in research, development, test and evaluation funds in the Electronic Warfare Development program element for development of a follow-on program to the Advanced Capability (ADVCAP) program terminated by the Defense Department. The conferees direct that the development plan required by the Senate for this follow-on program be submitted not later than December 31, 1994, along with the results of the ongoing Joint Tactical Air Electronic Warfare requirements study.

The conferees have approved bill language which permits the use of prior year, appropriated funds to begin non-developmental engineering changes and to procure a lower-cost follow-on system and associated aircraft upgrades.

The conferees direct the Navy to give high priority consideration to incorporating already developed systems, or systems already under development, into any follow-up system to the ADVCAP.

The conferees remain concerned about delays in defining and beginning a follow-on program to the ADVCAP for meeting tactical jamming requirements. The Navy and the Office of the Secretary of Defense are urged to complete these actions without further delay. The conferees also urge that, if it is necessary to reallocate funds between appropriations accounts to execute a follow-on program, the Defense Department expeditiously submit such a reprogramming request.

NEW ATTACK SUBMARINE COMBAT SYSTEM

The conferees agree with the Senate directions and report language regarding development of the combat system for the new attack submarine, with the further clarification that the competition urged for a combat system integrator refers to a competition for a prime contractor which will assume overall responsibility for the system and its integration. The funding restriction and reporting requirements mandated for the Assistant Secretary of the Navy with respect to the revised competition strategy also are based on a competition for a prime contractor with full combat system integration responsibilities.

SHIP SELF-DEFENSE

The conferees agree with the House-recommend bill language with respect to incorporating own ship self-defense capability—including cooperative engagement capability—on the new LPD-17 amphibious ship. In approving this requirement, the conferees do not believe that the Navy will find it necessary to install on the ship the SPY-1 radar system and associated Standard missile launch capabilities to provide the required self-defense.

The conferees' goal is approving this statutory provision is to address the requirement for the LPD-17 to defend against sea skimming cruise missiles in the final phases of flight, not to address the need for area defenses against theater ballistic missiles and other air threats.

The conferees direct the Navy to report to the Committees on Appropriations no later than May 5, 1995, on its plans and activities related to developing infrared search and track systems for ship self-defense.

The conferees also agree to provide additional funding of $25,000,000 to be made available to the Naval Sea Systems Command, for use by the AN/UYQ-70 Advanced Display System (ADS) program office only for adaptation of the Ads for shipboard deployment in support of cooperative engagement capability, future AEGIS baselines, advanced combat director system block I, and ship self-dense system Mk 2, as well for the demonstration of emerging COTS/NDI technology for future deployment.

TARGET SYSTEMS DEVELOPMENT

The conferees agree to provide $27,392,000 for this program element. The conferees note that the Navy continued to develop the QF-4S full-scale aerial target contrary to Congressional direction. As a result, the conferees have approved only 50% of the budget request for this activity in fiscal year 1995. In addition, the conferees direct that the Navy and the Air Force provide a report to the Committee on Appropriations, by February 1, 1995, on the development plans and project costs for both the joint DOD full-scale aerial target and the next generation target control system. The conferees further direct the Navy to provide the committees with a signed memorandum of agreement with the Air Force that defined the Navy's complete transition to the joint program.

CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT

The conferees agree with the Senate direction and recommendation to add funds to establish a shallow water range capability off the Navy's Pacific Missile Range Facility (PMRF), Barking Sands, Kauai, or at another appropriate location in the Hawaiian Island chain. The conferees have added $11,000,000, based on a revised Navy estimate of the amount which can be effectively and efficiently executed during fiscal year 1995 for the first year of this project. The conferees have been informed that the preliminary total cost for the project is about $28,500,000. The conferees also agree with the Senate's direction with respect to compliance with all the appropriate State and Federal environmental protection regulations and statutes.

F-14 UPGRADE

The conferees have included $6,000,000 for efforts related to providing the F-14 interceptor with the capabilities to carry and launch the Joint Direct Attack Munition. The conferees direct that not more than $2,500,000 may be obligated until the Navy reports to the Committees on Appropriations on the programmatic objectives, schedule, technical risks, and annual programmatic objectives, schedule, technical risks, and annual and total costs of the project. Until the report is submitted, the unrestricted funds may be used, if needed, to develop the information required by the conferees.

MARINE CORPS COMBAT/SUPPORTING ARMS SYSTEMS

The conferees have agreed to provide an additional $10,000,000 above the budget request for the continued development and testing of LAV-AD.

Amendment No. 94: Restores House language stricken by the Senate which provides $1,000,000 as a grant for the National Center for Physical Acoustics, provides for limitations on the Aegis destroyer variant and development of the LPD-17 ship class. Deletes House language which provided for limitation on E-2C-aircraft language upgrades.

Amendment No. 95: Deletes Senate language appropriating $5,000,000, for the Vectored Thrust Combat Agility Demonstrator.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

Amendment No. 96: Appropriates $12,202,572,000 instead of $10,728,533,000 as proposed by the House and $12,011,000 as proposed by the Senate.

The conference agreement on items addressed by either the House or Senate is as follows:

[In thousands of dollars]

	Budget	House	Senate	Conference
RESEARCH DEVELOPMENT TEST & EVAL AF:				
DEFENSE RESEARCH SCIENCES	235,805	247,805	201,000	247,805
AEROSPACE FLIGHT DYNAMICS	64,046	60,000	60,946	60,946
HUMAN SYSTEMS TECHNOLOGY	52,518	49,000	48,302	48,302
AEROSPACE PROPULSION	77,506	80,506	73,406	74,406
AEROSPACE AVIONICS	74,673	67,000	66,977	67,957
PERSONNEL, TRAINING AND SIMULATION	29,848	29,848	33,748	33,748
CIVIL ENGINEERING AND ENVIRONMENTAL QUALITY	7,045	6,500	7,045	6,500
HYPERSONIC FLIGHT TECHNOLOGY	45,000	45,000	10,000	45,000
ADVANCED WEAPONS	125,202	140,202	148,202	159,502
COMMAND CONTROL AND COMMUNICATIONS	95,444	85,444	95,444	95,444
LOGISTICS SYSTEMS TECHNOLOGY	18,200	15,000	18,200	15,000
ADVANCED MATERIALS FOR WEAPON SYSTEMS	19,900	21,400	19,900	20,400
AEROSPACE PROPULSION SUBSYSTEMS INTEGRATION	29,941	21,941	29,941	29,941
ADVANCED AVIONICS FOR AEROSPACE VEHICLES	34,500	37,500	23,298	28,500
AEROSPACE VEHICLE TECHNOLOGY	14,339	13,500	6,718	6,718
AEROSPACE STRUCTURES	12,300	12,300	300	12,300
AEROSPACE PROPULSION AND POWER TECHNOLOGY	40,662	30,662	32,421	37,345
PERSONNEL, TRAINING AND SIMULATION TECHNOLOGY	9,241	9,000	9,241	9,000
CREW SYSTEMS AND PERSONNEL PROTECTION TECHNOLOGY	16,600	17,700	16,600	17,700
GLOBAL SURVEILLANCE	14,500	14,500	2,000	2,000
ADVANCED FIGHTER TECHNOLOGY INTEGRATION	18,100	18,100	4,000	9,100
LINCOLN LABORATORY	15,000	15,000	.....	15,000
ADVANCED AVIONICS INTEGRATION	24,500	25,500	8,684	17,205
EW TECHNOLOGY	27,700	24,000	18,299	18,299
SPACE AND MISSILE ROCKET PROPULSION	11,800	14,300	8,630	16,800
ADVANCED SPACECRAFT TECHNOLOGY	24,200	.....	19,400	19,400

[In thousands of dollars]

	Budget	House	Senate	Conference
SPACE SYSTEMS ENVIRONMENTAL INTERACTIONS TECHNOLOGY	4,200		4,200	4,200
SPACE SUBSYSTEMS TECHNOLOGY		8,000		8,000
CONVENTIONAL WEAPONS TECHNOLOGY	35,100	35,100	17,464	31,250
ADVANCED RADIATION TECHNOLOGY (EXCIMER LASER IMAGING)	59,500	79,500	86,500	96,500
C3 ADVANCED DEVELOPMENT	9,925	10,925	9,925	10,925
STRATEGIC MISSILE MODERNIZATION	36,018	36,018		
AIRBORNE LASER TECHNOLOGY	20,000	20,000		20,000
SPACE TEST PROGRAM	62,084		67,998	67,998
ADVANCED MILSATCOM	22,095		22,095	22,095
DEFENSE METEOROLOGICAL SATELLITE PROGRAM BLOCK 6	7,601		7,601	7,601
SATELLITE SYSTEMS SURVIVABILITY	8,531		2,131	2,131
JOINT ADVANCED STRIKE TECHNOLOGY PROGRAM	101,354	101,354	101,354	86,354
ICBM—DEM/VAL			43,206	43,206
NUCLEAR WEAPONS SUPPORT	5,637	3,637	5,637	5,637
C–17 PROGRAM	221,454	105,154	210,154	190,154
SPECIALIZED UNDERGRADUATE PILOT TRAINING	41,633	20,000	37,433	37,433
F–22 EMD	2,461,149	2,443,439	2,399,849	2,351,000
B–2 ADVANCED TECHNOLOGY BOMBER	408,543	408,543	408,543	388,543
NIGHT/PRECISION ATTACK	21,672	4,672	21,672	21,672
AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	97,399	95,399	97,399	95,399
EW DEVELOPMENT	88,774	88,774	118,275	119,275
MILSTAR LDR/MDR SAT COMM	607,248		607,248	607,248
ARMAMENT/ORDNANCE DEVELOPMENT	10,853	18,853	10,853	18,853
SUBMUNITIONS	26,680	12,680	28,680	28,680
AIR BASE OPERABILITY	9,580	5,606	9,580	5,606
JOINT DIRECT ATTACK MUNITION	84,995	84,995	84,995	67,583
SYSTEMS SURVIVABILITY (NUCLEAR EFFECTS)	2,786		2,786	
JOINT STANDOFF WEAPONS SYSTEMS	48,966	48,966	80,966	55,966
RANGE IMPROVEMENT	18,301	18,301	5,101	14,101
COMPUTER RESOURCE TECHNOLOGY TRANSITION (CRITT)	6,621	21,121	15,121	21,121
JOINT SURVEILLANCE/TARGET ATTACK RADAR SYSTEM (JSTART)	190,408	190,408	191,908	175,408
UHF SATELLITE COMMUNICATIONS	20,879		20,879	20,879
C–130J		5,000		5,000
ICBM—EMD			148,048	138,048
THREAT SIMULATOR DEVELOPMENT	40,075	45,075	45,664	41,075
MAJOR T&E INVESTMENT	53,544	53,544	52,530	52,530
NAVIGATION/RADAR/SLED TEST SUPPORT	26,023	30,023	29,123	30,023
TEST AND EVALUATION SUPPORT	373,376	373,376	370,300	370,300
DEVELOPMENT PLANNING	9,959	7,500		7,500
MINUTEMAN SQUADRONS	151,675	151,675		
DISTANT EARLY WARNING (DEW) RADAR STATIONS	2,068	2,068	−1,932	2,068
F–111 SQUADRONS	11,019	11,019	1,504	4,671
F–16 SQUADRONS	93,157	56,057	138,657	138,657
F–15E SQUADRONS	116,562	116,562	108,562	108,562
MANNED DESTRUCTIVE SUPPRESSION	38,422	38,422	37,422	37,422
TRI-SERVICE STANDOFF ATTACK MISSILE	81,063		218,600	135,600
ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	70,715	70,715	59,015	70,715
AF TENCAP	21,183	13,402	21,183	21,183
THEATER BATTLE MANAGEMENT (TBM) C41	33,957	33,957	25,957	29,957
ADVANCED PROGRAM EVALUATION	105,077	105,077	109,507	114,416
USAF WARGAMING AND SIMULATION	19,110	14,110	19,110	14,110
MISSION PLANNING SYSTEMS	14,483	9,483	14,483	14,483
THEATER MISSILE DEFENSES	79,302	27,302	17,002	27,302
DEFENSE SATELLITE COMMUNICATIONS SYSTEM	30,876		30,876	14,876
MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (ME)	40,795	35,795	34,195	34,195
INFORMATION SYSTEMS SECURITY PROGRAM	10,293	11,793	10,293	11,793
SATELLITE CONTROL NETWORK	101,146	15,000	101,146	83,000
AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (ATC)	7,566	7,566		7,566
MEDIUM LAUNCH VEHICLES	21,042		21,042	21,042
NATIONAL AIRSPACE SYSTEM (NAS) PLAN	30,980	20,980	30,980	30,980
UPPER STAGE SPACE VEHICLES	3,663		3,663	3,663
TITAN SPACE LAUNCH VEHICLES	161,096		153,396	153,396
ARMS CONTROL IMPLEMENTATION	6,456	6,456	3,456	3,456
DEFENSE METEOROLOGICAL SATELLITE PROGRAM (DMSP)	21,135		21,135	21,135
NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE AND CONTROL S)	51,125		36,425	36,425
NCMC—TW/AA SYSTEM	100,520	133,200	100,520	133,020
SPACETRACK	34,396	37,396	53,196	54,896
DEFENSE SUPPORT PROGRAM	76,351		67,359	67,359
NUDET DETECTION SYSTEM	10,140		10,140	10,140
KC–135S	5,160	5,160	17,160	23,260
INDUSTRIAL PREPAREDNESS		96,000	48,260	84,317
INTERNATIONAL ACTIVITIES	3,436	3,436	1,910	1,910
FEDERAL WORKFORCE RESTRUCTURING ACT			900	900
CLASSIFIED PROGRAMS	2,822,472	2,930,972	2,809,512	2,646,512
ALARM DEM/VAL PROTOTYPE			22,500	
SPECIAL ACTIVITIES			−115,900	
FOREST GREEN			−500	
GENERAL REDUCTION, UNIVERSITY RESEARCH		−92,000		−18,456
CIVILIAN PERS PAY RAISE & LOCALITY PAY		7,700		4,300
CIVILIAN PERSONNEL UNDERSTRENGTH		−15,400	−5,972	−9,100
EVOLVED ELV FAMILY				30,000
REUSABLE LAUNCH VEHICLE TECHNOLOGY				30,000
SPACE-BASED INFRA-RED ARCHITECTURE				221,000

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

	Conference Agreement
Air Force:	
Aerospace Propulsion	74,406
Coal based jet fuel	+1,000
SCRAMJET propulsion	−4,100
Aerospace Avionics	67,957
Budget execution	0
Laser based jamming	−1,287
Laser power source	−650
Advanced processor	−3,642
Inertial sensor	0
Low cost radar	−592
Laser radar	−545
Advanced Weapons	159,202
Thermionics	+10,000
Integrated HP rocket	+5,000
Maui supercomputer	+13,000
HAARP	+5,000
AEOS spectograph	(1,300)
Advanced Materials for Weapons Systems	20,400
NCIC	+500
Advanced Avionics for Aerospace Vehicles	28,500
AARGM	+1,500
Target attack/recognition	−7,500
Aerospace Propulsion/Power	37,345
Transfer to JAST	0
Aerospace Power Technology (to JAST)	−3,317
VFDR propulsion	0
Advanced Fighter Technology Integration	9,100
Common mobility aircraft cockpit	−5,000
WVR VISTA upgrade	0
Innovative aero controls (to JAST)	−4,000
Advanced Avionics Integration	17,205
Passive non-coop ID (background acoustics)	+334
Avionics integration technology	0

	Conference Agreement
Modular avionics subsystems	−7,629
Space/Missile Rocket Propulsion	16,800
Edwards AFB tech demo	+2,500
Cryogenic propulsion	0
Environmentally acceptable propellants	+2,500
Conventional Weapons Technology	31,250
Advanced Munitions Control	−500
Counterproliferation Ordnance	−250
LOCASS/LORISK	0
Velocity Augmented Munition [Note: The conferees deny funds for the velocity augmented munitions and counterproliferation ordnance projects and suggest that these efforts be considered for funding in the counterproliferation initiative recommended in the Defense-wide RDT&E appropriations account.]	−3,100
Advanced Radiation Technology	96,500
Excimer laser	+20,000
Field laser radar demonstration	+17,000
F-22	2,351,000
Award fees	−17,800
ECO allowance	−61,300
General Reduction	−31,049
Aircraft Engine CIP	95,399
B-2	−1,000
F-111	−1,000
C-130 propeller	(0)
EW Development	119,275
EF-111 SIP	+6,400
MAWS	+3,440
OBEWS	+20,661
JSOW	55,966
SFW integration	0
SMART ejection racks	+5,000
1760 protocols	+2,000
Computer Resource Technology Transition	21,121
CARDS	+6,000
IMIS-CAMS/REMIS/TICARRS	+8,500
JSTARS	175,408
NATO JSTARS	0
General reduction [Note: The conferees direct that no funds available to the Defense Department from any source during fiscal year 1995 may be obligated for NATO JSTARS development activities without prior consultation with, and notification to, the Committees on Appropriations.]	−15,000
Threat Simulator Development	41,075
REDCAP Upgrade	+5,000
AFEWES	−4,000
HAVE NOTE	(912)
ROME AMF	(2,000)
Spaced-Base Infrared Architecture	221,000
Heritage Sensor	+111,000
Brilliant Eyes	+120,000
Cobra Brass	+5,000
General Reduction	−15,000
F-111 Squadrons	4,671
Stores Management	−9,765
Safety Modifications	3,417
Digital Flight Control System	(2,500)
Back Injury Reduction Program	(50)
TBM C41	29,957
CTAPS	−2,000
C2IPS	−2,000
Theater Missile Defense	27,302
BPI	−52,000
Transfer from ARPA	0
High Gear	0
TACCSF	(5,500)
Information Systems Security Prgm	11,793
Relational Database Mgt. Sys	+1,500
Spacetrack	54,896
HAVE STARE	+3,000
AEOS development	+12,100
AEOS instrumentation	+5,200
Transfer to NASA	+200
KC-135	23,260
Multipoint development	15,100
Transfer from APAF/Receptacles	+3,000
Industrial Preparedness	84,317
NCMS	(20,000)
Computer Assisted Technology Transfer—Oklahoma City ALC	(7,600)
Repair Technology	(1,000)
Ductile Iron	(2,000)
Blade Tip Repair	(2,500)
Spare Parts/Procurement	(1,500)
PDES STEP for composites (PAS-C)	(2,200)

AIR FORCE STRIKE AIRPOWER REQUIREMENTS

The conferees agree with the Senate's direction that the Institute for Defense Analysis conduct a comprehensive review of Air Force strike airpower requirements, plans, and alternatives. The conferees further direct that the focus of the required study include: (1) The impact of the eventual retirement of F-111 aircraft on the Air Force's ability to conduct interdiction missions; (2) the outlook for the interdiction force, assuming an eventual F-111 retirement and the expected attrition of F-15E and F-117 aircraft, and the ability of that force to meet planned requirements; (3) the ability of existing aircraft (F-117, F-15E, F-16) to perform the mission currently being performed by the F-111—that is, the delivery of precision-guided munitions in the long-range interdiction role; (4) the costs and operational effectiveness of continuing to operate the F-111 aircraft for the long-range interdiction role through the end of their expected service life; and (5) the possible need for additional aircraft to fulfill the interdiction role.

HIGH GEAR

The conferees do not agree with the Senate's direction regarding High Gear projects. However, the conferees direct that the Air Force comply strictly with all congressional directions and guidance, including reprogramming procedures, with respect to new starts and funding reallocations.

SOFTWARE DESIGN FOR RELIABILITY AND REUSE (SDRR)

The conferees are concerned with the delay in release of funds appropriated in fiscal year 1994 for the Air Force's ongoing Software Design for Reliability and Reuse program initiated in fiscal year 1993 through funds provided in the service's Computer Resources and Management Technology program element. The conferees direct the Air Force to release the fiscal year 1994 funds to continue this program under contract F19628-93-C-0069 as originally intended. The conferees expect this release to occur not later than November 1, 1994.

AEROSPACE FLIGHT DYNAMICS

The conferees agree to provide $60,946,000 for Aerospace Flight Dynamics as recommended by the Senate. An increase of $1,500,000 has been provided for a joint Air Force/Advanced Research Projects Agency project to develop approaches for improving the Air Force's ability to accurately drop sensors and cargo from aircraft. The conferees direct that the $1,500,000 increase shall be transferred to the appropriate program office at Eglin Air Force Base within 30 days of enactment of this Act.

HYPERSONIC FLIGHT TECHNOLOGY

The conferees agree to provide $45,000,000 for the new Air Force hypersonic flight technology program. The conferees direct that $35,000,000 of these funds may not be obligated until the Secretary of the Air Force certifies that the proposed Hypersonic Systems Technology (HySTP) program is fully funded in the Future Years Defense Program (FYDP) for fiscal years 1996-2001. Furthermore, the conferees agree with the Senate direction to provide a plan outlining the Air Force's objectives for FY 1995 and future years hypersonic funds, certifying that future budgets will sustain the defined program, and providing a detailed breakdown of the annual and total cost of the FY 1995 activities.

AEROSPACE PROPULSION AND POWER TECHNOLOGY

The conferees agree to provide $37,345,000 for Aerospace Propulsion and Power Technology. Within that amount, the conferees agree to allocate $4,914,000 for the variable flow ducted rocket (VFDR) propulsion project. However, the conferees direct that none of the funds may be obligated until 30 days after the results of the ongoing cost-and-operational effectiveness analysis (COEA) for the advanced medium-range air-to-air missile (AMRAAM) pre-planned product improvement (P3I) program Phase 3 have been reported to the Committees on Appropriations.

The conferees further direct that the funds also may not be obligated until the Secretary of the Air Force certifies that continuation of the VFDR project is required for successful achievement of the objectives of the AMRAAM P3I Phase 3. Any certification, if submitted, should include the results of the COEA. The conferees also direct that the COEA consider updated information about threats validated by the intelligence community.

C3 ADVANCED DEVELOPMENT

The conferees agree to provide $10,925,000 for C3 Advanced Development, an increase of $1,000,000 only for a decision support technology demonstration to be conducted by the Rome Laboratory. The conferees have also allocated $6,000,000 within the ARPA High Performance Computing (HPC) project to provide the total funds necessary for this activity.

JOINT ADVANCED STRIKE TECHNOLOGY (JAST)

The conferees agree to provide $186,391,000, of which $86,354,000 is in the Air Force appropriation and $100,037,000 is in the Navy appropriation. Within the total program amount, $38,735,000 is only for the ASTOVL program, and within that amount $10,000,000 is only for the direct lift project.

ICBM MODERNIZATION (DEMONSTRATION/VALIDATION)

The conferees agree that the expenditure of the funds approved for the Reentry System Launch Program (RSLP) project shall be limited to suborbital purposes. It is the conferees' expectation that these funds shall be utilized in a manner consistent with the National Space Transportation Policy (PDO/NSTC-4) of August 5, 1994.

C–17

The conferees agree to provide $190,154,000 for C–17, a reduction of $31,300,000 to the budget request. The conferees direct that no research and development funds may be obligated to expand the C–17 flight test program beyond the number of presently programmed flight test months unless the prior approval of the Appropriations Committees is obtained by the Department of the Air Force.

F–22 EMD

The conferees agree to provide $2,351,000,000 for the F–22. The conferees do not agree to the Senate recommendation to restrict obligation of funds until a report on the Test and Evaluation Master Plan is submitted to Congress. However, the conferees direct that the report mandated by the Senate be submitted by March 1, 1995.

The conferees believe that the Air Force should undertake an evaluation of new, cost-effective techniques and systems to improve RCS testing technologies, utilizing ultra wide band holographic radar imaging unit systems. The conferees direct that the Air Force submit a report on this evaluation to the Committees on Appropriations by March 1, 1995.

ELECTRONIC WARFARE DEVELOPMENT

The conferees agree with the Senate recommendations with respect to fiscal year 1994 and fiscal year 1995 funds for the EF–111 System Improvement Program (SIP). In addition to the Senate recommendations, the conferees have provided the following additional funds to the fiscal year 1995 budget request for the EF–111 SIP project: +$700,000 to begin acquisition of a system integration test station (SITS) trouble-shooting capability and +$300,000 for installation, integration, and test of a radio frequency (RF) scenario generator. The conferees further direct that $500,000 of fiscal year 1994 funds be used to acquire the RF scenario generator for the EF–111 SIP.

The conferees also strongly support the Senate's recommendations with respect to the on-board electronic warfare simulator (OBEWS) project.

ARMAMENT/ORDNANCE DEVELOPMENT

The conferees direct that none of the funds provided for the conventional air-launched cruise missile (CALCM) anti-armor variant may be obligated until the Air Force reports to the Committees on Appropriations on the programmatic objectives, schedule, technical risks, annual and total costs of the project, and whether a validated military requirement exists for the weapon.

KC–135'S

The conferees strongly support the Senate's recommendations with respect to the multi-point refueling project and the refueling receptacles project. The conferees have added $6,100,000 more to the multi-point activity to fully fund the revised budget estimate. As with the multi-point project, the conferees direct the Air Force that funds provided for the receptacles project also are available for no other purpose, and the service is directed not to reprogram any of these funds away from the receptacles activity. The conferees further direct that the Defense Department include full funding for development, procurement, and deployment of the receptacles capability in the fiscal years 1996–2001 Future Years Defense Program. Due to the high priority which they place on both the multi-point and receptacles projects, the conferees also relieve the Secretary of the Air Force from the obligation to comply with the certification requirement included in the Joint Explanatory Statement of the Committee of Conference on the Department of Defense Appropriations Act, 1994. The conferees direct the Air Force to execute both programs without any delay.

The conferees also are aware of alternative proposals for meeting the multi-point requirements. The conferees understand that these alternatives, if operationally and technically suitable and able to meet schedule and military requirements, may be considered, should the Air Force hold a full and open competition for the project.

RANGE IMPROVEMENT

The conferees agree to provide $14,101,000 for Range Improvement, specifically only for the Nellis Air Combat Training System (NACTS). Within this amount, the conferees direct that the computer upgrades receive first priority. The conferees direct that funds provided for activities other than the computer upgrades may not be obligated until the Air Force submits an implementation plan to the Congressional defense committees. The plan should identify all procurement and development activities, provide the associated costs of each activity, clearly identify all NACTS components and efforts that will not be compatible with the Joint Tactical Combat Training System (JTCTS), and provide the rationale in each case for developing incompatible systems which will become obsolete when the joint program, JTCTS, is fielded.

DEVELOPMENT PLANNING

The conferees direct that none of the funds provided may be used for the proposed Counterair, Future Electronic Warfare, and Space Control studies. The conferees note that a study on Cheyenne Mountain architecture is a more urgent requirement than any of these. The conferees further agree that the Air Force should not—without prior consultation with, and notification to, the Committees on Appropriations—reprogram any funds into this program element, reallocate funds between studies, or begin any new study.

F–15 MANNED DESTRUCTIVE SUPPRESSION OF ENEMY AIR DEFENSES (MDSEAD)

The Conferees recommend, $37,422,000 only to continue the development of systems for follow-on MDSEAD. The Air Force's SEAD Cost and Operational Effectiveness Analysis and the F–15 SEAD Demonstration/Validation and HARM Integration programs all provide substantial objective data for the Congress and the Defense Department to consider in planning and budgeting for future SEAD programs. The Conferees direct the Air Force to execute the MDSEAD Demonstration/Validation program that was planned in the fiscal year 1995 budget request.

TRI-SERVICE STANDOFF ATTACK MISSILE (TSSAM)

The conferees recognize the unique, potential war-fighting capabilities of TSSAM as the Defense Department's most sophisticated stealthy, conventional standoff weapon. Accordingly, the conferees approve the budget request for the Navy's continued participation in the program. Funds also are provided for Army costs to terminate its efforts in the program.

The conferees also agree to provide $135,600,000 for the Air Force's TSSAM activities. That amount does not include $43,000,000 sought for a possible request for equitable adjustment (REA) from the contractor which the Air Force does not think is owed and does not know when or whether such a request will be submitted. Another $40,000,000 proposed by the Air Force for a cost reduction initiative is not provided since the results of a new, special TSSAM affordability review now underway are not available and need to first be communicated to the Congressional defense committees. The affordability review is intended to identify major costs savings for the program.

The conferees strongly support the objective of achieving significant cost reductions in the TSSAM program, and understand the requirement for the payment of any valid, fully adjudicated request for equitable adjustment. Therefore, the conferees direct that the $86,184,000 in excess, fiscal year 1994 TSSAM procurement funds be retained only as possible reprogramming sources for these TSSAM program purposes. The Defense Department is encouraged to submit any such reprogramming requests expeditiously after the Air Force receives the results of the affordability review and after agreement is reached on any validated, adjudicated REA.

The conferees direct that the results of the special affordability review be submitted not later than February 1, 1995, along with any recommendations by the Under Secretary of Defense (Acquisition and Technology) as to which specific cost reduction actions will be implemented.

AIRBORNE WARNING AND CONTROL SYSTEM (AWACS)

The conferees agree with the Senate's recommendations with respect to upgrades for the U.S. and NATO AWACS aircraft. However, the conferees agree that these restrictions do not apply to non-major, low cost activities, such as reliability and maintainability efforts and man-machine interface (MMI) improvements. The restrictions do apply to the initiation of any major development project, including the beginning of contractor risk reduction studies for such purposes.

The conferees also do not agree to the restriction on obligations proposed by the House for cooperative engagement. The conferees direct the Chief of the Joint Chiefs and Staff to submit a report to the Congressional Defense Committees by February 1, 1995 on the Defense Department's plan to incorporate cooperative engagement capability on the AWACS fleet.

SPACETRACK

The conferees agree with the Senate direction requiring a review led by the National Aeronautics and Space Administration of the Advanced Electro-Optical System (AEOS) telescope. The conferees have provided an increase of $200,000 in this program element only to fund this review and direct that these funds shall be transferred to NASA within thirty days of enactment of this Act.

SPACE PROGRAMS

The conferees agree: (a) to fully fund the STEP–3 satellite attack warning and assessment flight experiment in the Space Test Program; (b) to delete $16,000,000 from the Defense Satellite Communications System due to termination by DOD of the beam forming network modifications; (c) that the prior approval of the Committees on Appropriations must be obtained before obligating any funds for enhancements or modernization of the Air Force Satellite Control Network, that $60,000,000 be withheld from obligation pending receipt of that approval, and that none of the reduction to the AFSCN shall be assessed against any activities or upgrades associated with SCN installations in the state of Hawaii; (d) not to close one Titan IV launch pad on the east coast in fiscal year 1995 as proposed by the House; (e)

that $100,000,000 provided for the space-based infra-red Heritage Sensor satellite program not be obligated until the Space Acquisition Executive presents a detailed plan addressing requirements, cost, schedule, and technical risks, and consults with and notifies the Committees on Appropriations; (f) that the $30,000,000 provided for reusable space launch vehicle technology should be included in program element 0603401F; and (g) that the funds provided for the Have Gaze project may only be used for continuing the basic technology efforts and may not be used for initiating or conducting any flight test program.

SPACE-BASED INFRARED ARCHITECTURE

The conferees also direct the Department of Defense to conduct an independent assessment of areas evaluated under the Space-Based Infrared Review panel. The review should provide a detailed assessment of the Heritage sensors ability to meet the current and objective tactical warning and attack assessment (TW/AA) operational requirements; the Heritage sensor modifications required and the associated technical risk; the cost of the associated heritage sensor modification efforts; the estimated cost of an early warning satellite based on the Heritage sensor; and the merits, alternate approaches, and schedule impacts of conducting a demonstration or prototyping effort for the modified Heritage sensor. The conferees believe that this review should be conducted by a party without excessive linkages to the Air Force; the Intelligence community; the Alert, Locate and Report Missiles (ALARM) program; or the Brilliant Eyes program. The conferees direct all elements of the DOD to cooperate fully and provide all information necessary to conduct this review. The conferees further direct that this review be completed by February 15, 1995.

HAVE YAK

Have Yak addresses a serious deficiency in countering the proliferating cruise missile threat. The conferees urge the Air Force, under the USAF Theater Air Defense program, to move forward to complete the design, build, acceptance testing, and demonstration of the Have Yak systems.

Amendment No. 97: Restores language proposed by the House and stricken by the Senate which provides funds for seismic research; restores language proposed by the House and stricken by the Senate which provides funds for the National Center for Manufacturing Sciences; and inserts language proposed by the Senate on the Air Force Maui Space Surveillance Site.

Amendment No. 98: Deletes language proposed by the Senate providing funds for the F–111 program.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

Amendment No. 99: Inserts a header "(Including Transfer of Funds)" proposed by the Senate.

Amendment No. 100: Appropriates $9,099,387,000 instead of $9,419,955,000 as proposed by the House and $8,922,649,000 as proposed by the Senate.

The conference agreement on items addressed by either the House or the Senate is as follows:

[In thousands of dollars]

	Budget	House	Senate	Conference
Research Development Test & Eval Defwide:				
In-House Laboratory Independent Research			2,368	2,368
Defense Research Sciences	87,706	87,706	90,706	90,706
University Research Initiatives	232,492	234,992	227,492	253,326
Focused Research Initiatives	20,000	12,000		6,000
Computing Systems and Communications Technology	419,608	425,608	383,558	400,912
Tactical Technology	111,343	126,343	101,243	128,343
Integrated Command and Control Technology	67,950	92,950	67,950	82,950
Materials and Electronics Technology	224,828	241,828	242,853	260,853
Defense Nuclear Agency	231,978	230,978	221,978	225,978
National Missile Defense			400,000	400,000
PAC-3 Risk Reduction				74,000
Navy Upper Tier				75,000
Corps Sam				15,000
Boost Phase Intercept				40,000
Follow on Technology			297,737	225,037
Follow on TMD Systems			436,814	381,931
Ballistic Missile Defense Technology	769,993	444,283		
Theater Missile Defenses	479,131	581,381		
Management and Support			197,996	197,996
Ter Missile Defense (DEM/VAL)	(1,071,283)	976,050		
Ground Based Radar	173,200		193,200	173,200
Patriot	69,240		378,440	286,440
Thaad	495,690		465,690	470,000
Navy Lower Tier			149,056	140,000
Hawk System BM/C3	26,800		26,800	26,800
BM/C3I	33,500		13,122	21,231
Ballistic Missile Defense Technology	106,460	73,460		
Theater Missile Defenses	217,755	217,755		
Research and Support Activities	215,233	198,833		
Counterterror Technical Support	6,321	6,321	6,321	8,321
Joint DOD-DOE Munitions Technology Development	14,415	24,415	19,496	24,415
Experimental Evaluation of Major Innovative Technology	609,331	649,817	493,164	683,971
Advanced Submarine Technology	25,261	38,761	25,261	37,428
Small Business Defense Conversion Guaranteed Loans			27,400	
Counter Proliferation			80,000	60,000
Defense Reinvestment	106,600			73,700
Defense Reinvestment	625,000		625,000	550,000
Manufacturing Technology	97,057		21,900	
Verification Technology Demonstration	41,063	41,063	41,063	36,063
Strategic Environmental Research Program	111,907	96,907	111,907	61,907
Biological Defense—Advanced Development				52,895
Computer Aided Logistics Support	13,090	15,590	13,090	15,590
Cooperative DOD/VA Medical Research		30,000	20,000	50,000
Manufacturing Technology	346,129	411,229	333,154	382,629
Advanced Simulation	20,937	20,937	30,937	30,937
Maritime Technology Office		12,000		12,000
Electric Vehicles		10,000	15,000	15,000
Advanced Concepts Technology Demonstration	50,000		19,000	32,100
High Performance Computing Modernization Program	183,048	53,048	183,048	73,048
Consolidated DOD Software Initiative		27,500		27,500
Joint Wargaming Simulation Management Office	68,117	28,117	55,003	55,003
Physical Security Equipment	21,409	24,888	19,809	24,888
NATO Research and Development	60,240	20,240	35,290	35,290
Innovative Environmental Security Technology Systems P	15,000	15,000	35,000	44,500
Joint Tactical Information Distribution System (JTIDS)	84,409	11,100	84,409	84,409
Technical Studies, Support and Analysis	40,501	30,501	24,647	24,647
Foreign Material Acquisition and Exploitation	49,900	49,900	199,900	104,900
Defense Support Activities	15,234	17,734	12,234	14,734
Commercial Communications		10,000		10,000
Industrial Preparedness		25,000		19,650
WWMCCS/Global Command and Control System	6,766	6,766		
DMA Mapping, Charting, and Geodesy (MC&G) Production S	67,008	57,008	58,565	57,008
Defense Airborne Reconnaissance Program	528,290	609,290	544,980	663,609
C3I Intelligence Programs	22,515	22,515	6,515	16,515
Special Operations Technology Development	7,560	5,560	6,160	5,560
Special Operations Advanced Technology Development	15,549	13,549	15,549	13,549
Special Operations Tactical Systems Development	167,356	164,766	153,286	153,484
Cryptologic Activities			13,700	
General Defense Intell Program			2,000	
Classified Programs	1,139,099	1,059,287	1,139,099	1,154,099
Satcom Ground Environment		95,191		
Satellite Communications		47,115		

[In thousands of dollars]

	Budget	House	Senate	Conference
Defense Meteorological Satellite Program (DMSP)		14,639		
Advanced Spacecraft Technology		64,200		
Space Systems Environmental Interactions Technology		4,200		
Space Test Program		62,084		
Advanced Milsatcom		35,000		
Defense Meteorological Satellite Program Block 6		7,601		
Satellite Systems Survivability		8,531		
Brilliant Eyes		120,000		
Advanced Space Based TW/AA (DEM/VAL)		330,000		
Milstar LDR/MDR Satellite Communications		607,248		
UHF Satellite Communications		20,879		
Defense Satellite Communications System		30,876		
Medium Launch Vehicles		21,042		
Upper Stage Space Vehicles		3,663		
Titan Space Launch Vehicles		4,000		
Defense Meteorological Satellite Program (DMSP)		21,135		
Navstar Global Positioning System (Space and Control S)		51,125		
Defense Support Program		47,351		
Nudet Detection System		10,140		
Space Launch Initiative		140,000		
Disaster Planning and Preparedness			5,000	
General Reduction, University Research		430,000		86,492
Civilian Pers Pay Raise & Locality Pay		1,100		500
Civilian Personnel Understrength		700	1,800	2,600
Travel				50,000
Director of Test & Eval Defense:				
Central Test and Evaluation Investment Development (CT&EID)	115,318	115,318	88,176	101,826

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS

[In thousands of dollars]

	Conference agreement
Defense-wide:	
University research initiatives	253,326
Adaptive optics	+834
EPSCOR	+20,000
University reduction	0
Computing systems and communications technology	400,912
Intelligent metacomputing	+6,000
Simulation based training	−3,900
Maui HPCC	+7,000
Rome Lab	(6,000)
RTAP	0
Counter proliferation	−25,400
ASSET	+1,750
MADE	−7,000
Hybrid signal processing	(2,083)
Test ban verification	−3,000
Existing ARPA Nuclear Non-Proliferation Technology Initiatives	+5,854
Tactical technology	128,343
Simulation based design	+10,000
CEROS	+7,000
Demining	−10,000
Law Enforcement Technology	+10,000
Integrated command and control technology	82,950
General increase	+15,000
High definition camera	(4,000)
Dry etching equipment	(3,500)
TFEL/AMEL	(15,000)
Materials and electronics technology	260,853
Aluminum beryllium alloys	+2,000
Infrared materials producibility	+14,000
Metal matrix	+17,000
Process synthesis	−11,100
Microballoon	+4,125
CVD diamond materials	+5,000
Hi-temp superconducting materials	+5,000
Defense nuclear agency	225,978
General reduction	−10,000
Arms control	0
ETC gun	−4,000
LP, HP microwave	+2,000
Bioenvironmental hazards	+3,000
NTS tech transfer	+3,000
Joint DoD-DOE munitions technology development	24,415
Neutron generators	+10,000
Lethality enhancement studies	0
Experimental evaluation of major innovative technology	683,971
ASTOVL to JAST	−20,014
UVA reprogramming request	0
Carbonate fuel cells	+5,000
MSAG generic antennae	+6,000
Tactical support satellite	+55,000
IFSAR	+7,000
Phosphoric acid fuel bus prototype	+12,000
Mobile offshore basing and Quay causeway development	+15,000
Ocean reconfigurable craft, advanced (ORCA)	+2,000
Low emission boiler demonstration project Note: funded in another line	0
System for Effective Control of Urban Environmental Security (SECURES)	+2,000
Deep ocean relocation	+1,667
Integrated process/product design	−600
Mountain Top	+6,000
GPS guidance	−3,750
Common grid	−3,000
Battle management	−4,000
Instrumented real systems	−6,000
Synthetic forces	0
Synthetic environments	0
C2 info	−8,500
Low cost radar	−10,000
IUGS	−4,800
Warbreaker CMT	−8,000
MUSTRS	0
Classified	0
Virtual brigade	+19,000
Classified	−20,463
LMT	+4,000
Casting emissions	+12,000
Military IDs/digital imaging	+1,000
Law enforcement	+20,000
Thermovoltaics (TPV)	+2,000
Speakeasy multifunction radio [Note: The conferees direct the Army and the Navy to fully fund their speakeasy activities at the respective budget request amounts]	(7,000)
General Reduction	−1,500
Advanced submarine technology	37,428
Automated welding	+667
Active structural control	+7,500
Drug reduction research	+3,000
Submarine surface tomography	+1,000
Manufacturing technology	382,629
Lithography	+50,000
Coronary angiography	(2,200)
UAV reprogramming	0
MEMS	5,000
MAFET	0
Institute for Advanced Flexible Manufacturing Systems	+4,000
Reconfigurable factory	−12,300
IF fiber optic gyro	−1,700
MCM fabrication	+1,500
Consolidated DoD software initiative	27,500
ADA 9x	+5,000
Software reuse	+7,500
Transfer from O&M	+10,800
General increase	+4,200
Innovative Environmental Security Technology Systems	44,500
Demonstration programs	−4,500
Climate change fuel cell	+18,000
Bioremediation	+4,000
Terra-vit	+3,500
Natural gas liquifier	+3,500
Plasma energy waste disposal system	+5,000
Defense support activities	14,734
Budget execution	−3,000
Expert system/logistics info	+2,500
Industrial preparedness (DLA)	+19,650
Generalized emulation of microcircuits	(5,000)
Military sewn products	(10,000)
Combat ration CRAMTD)	(1,400)
Center for tooling/precision pilot	(1,250)
Defense airborne reconnaissance program	663,609
Air Reconnaissance Low Transfer	+11,429
COBRA BALL	+13,600
TIER II [Note: Procures 5 aircraft and one groundstation.]	+20,000
Remotely operated sensor system	+3,000
Electro-optical framing sensor	+8,000
Multispectral imagery	+10,000
ATARS datalink transfer [Note: The DARO is directed to develop a datalink capability for the USMC's manned tactical airborne reconnaissance program.]	+9,700
Joint Tactical UAV Transfer	+14,500
Joint Tactical UAV Test and Engineering Support	−3,410
Commonality and interoperability	−3,500
TIER III [Note: Transfer from ARPA]	+37,000
MTI	+15,000
Special operations technology development	5,560
Counter proliferation	−1,400
General reduction	−600
Special operations tactical systems development	153,484
Quite knight	+7,000
JASORS Adv. radio	−4,700
Special warfare combo craft	−3,800
Gunships Avionics Trainer	−2,500
Studies	−828
SWPS	−7,900
Avionics Architectures	−1,144
Ballistic missile defense:	2,526,635
Patriot	286,440
Patriot PAC–3	69,240
ERINT	0
Patriot	217,200
ERINT/patriot risk reduction	74,000
THAAD	470,000
Navy lower tier	140,000
Navy upper tier	75,000
Boost phase intercept program	40,000
GBR–T	173,200
Corps SAM	15,000
HAWK upgrades	26,800
Battle Mgt and C41 for TMD	21,231
Battle Mgt and C41 for TMD	20,676
C4I & Concepts Ops Anal	555
National missile defense	400,000
Passive sensors	24,500
Radar	0
Signal processing	7,100
Discrimination	29,382
Sensor studies and experiments	45,130
Interceptor component technology	8,210
KKV technology	120,000
Computer engineering tech	2,500
Communications engineering tech	500
Survivability	0
Materials and structure	5,000
Ground-Based Radar	8,000
BM/C3 technology	24,438
Engineering/integration support	18,977
Operations interface	1,530
Test & Evaluation support	93,697
Operational support	11,036
Brilliant eyes	0
Undistributed reduction to NMD	0
Follow-on TMD	381,931
Discrimination	58,119
Sensor studies and experiments	22,471
Interceptor component technology	0
Sea based wide area (Navy upper tier)	0
Surviability	3,000
Lethality & target hardening	15,761
ARROW/ACES	47,400
Corps SAM	0
Engineering/integration support	22,628
Architecture & studies	39,031
Operations interface	666
Test & evaluation support	163,855
Kauai test facility	4,000
Operational support	0
Arrow deployability [Note: The conferees provide a total of $15,000,000 only for the Arrow Deployability Program.]	5,000
Follow-on Technologies	225,037
Adv sensor tech	10,000
Boost phase intercept—KE	0

	Conference agreement
Chemical laser technology	30,000
Combined BPI program	0
ATP/FC Demo	12,500
Power & power conditioning	10,000
Materials and structure	2,000
Innovative science & technology (IS&T)	41,510
SBIR	39,896
Undist reduction—IS&T, SBIR	0
Environment, siting & facilities	5,606
Architecture & studies	8,000
Intelligence threat development	8,050
Countermeasures integration	18,303
System threat	6,890
Test & evaluation support	9,400
Operational support	16,020
Technology transfer	2,862
Russian-American observational satellites (RAMOS)	1,000
U.S.-Israel Boost Phase Intercept	3,000
Management and support	197,996
Operational support	163,146
Test & evaluation support	34,850

HISTORICALLY BLACK COLLEGES AND UNIVERSITIES AND MINORITY INSTITUTIONS

The conferees agree to provide $25,000,000, an increase of $10,000,000 to the budget request. The conferees direct that these funds be made available to historically black colleges and universities and minority institutions, including minority women's institutions specializing in science, math, and engineering, and tribal colleges.

UNIVERSITY RESEARCH

The conferees agree to provide a total reduction of $200,000,000, rather than $900,000,000 as proposed by the House. This reduction is distributed as follows: $13,752,000 is in the Army appropriation, $62,245,000 is in the Navy appropriation, $18,456,000 is in the Air Force appropriation, $86,492,000 is in the Defense-Wide appropriation, and $19,055,000 associated with university laboratories is in section 8054 of the bill.

The conferees are concerned about overhead charged by universities to Defense research contracts, particularly the amount that DOD must pay annually to universities for overhead (about $500,000,000) and the variability of overhead rates applied to each institution's research projects. The conferees direct the Secretary of Defense to submit a report to the Congressional defense committees by February 1, 1995 which outlines the actions the Defense Department plans to take to address these concerns.

COMPUTING SYSTEMS AND COMMUNICATIONS TECHNOLOGY

The conferees agree to provide $400,912,000 for Computing Systems and Communications Technology. The conferees direct that up to $3,000,000 within the High Performance Computing program be allocated to the computing architecture, data management, automation and visualization efforts previously budgeted under the Comprehensive Test Ban Verification Readiness program. The conferees also urge DOD to fund the proposal by the National High Performance Distributed Computing Consortium to an existing major shared resource center of this program in order to develop a network of smaller computers that can perform as a single large supercomputer. Such a project will accelerate the investigation and usage of clustered, distributed high performance computing systems as collocated, cost-effective, useful supplements to the large scale HPC systems being funded under this program.

HIGH DEFINITION DISPLAY SYSTEMS

The conferees agree to the House language on dry etching equipment using reactive ion etch technology in a cluster tool manufacturing format.

BALLISTIC MISSILE DEFENSE

The conferees agree to provide a total of $2,800,025,000 for the Ballistic Missile Defense Program which includes $2,526,635,000 for research, development, test and evaluation programs. This amount does not include funds for the Brilliant Eyes program, which is funded in the "RDT&E, Air Force" account. The conferees agree to provide funds for ballistic missile defense programs in fiscal year 1995, as reflected in the preceding table which made funding allocations for RDT&E, Defense-Wide

The conferees have agreed to provide $74,000,000 for PAC–3 risk reduction/mitigation efforts, of which $8,500,000 is only for enhanced Army participation in the Navy Mountain Top Demonstrations. The conferees further agree that the funding for risk reduction/mitigation efforts will not be used for further launches of the integrated multi-mode missile or the seeker; however, this will not preclude multi-mode component testing which is directly transferable to the PAC–3 missile selected, ERINT, on board aircraft. Finally, the conferees agree that the funds provided for the Mountain Top Demonstrations are not to be used for testing of either the multi-mode missile or seeker.

The conferees agree to provide $75,000,000 for the Sea-Based Wide Area Defense program (Navy-Upper Tier), and direct that none of the funds may be spent on activities that prejudge the outcome of the ongoing cost and operational effectiveness analysis of Navy ballistic missile defense programs.

The conferees have provided an increase of $3,000,000 only to pursue activities under a joint United States-Israel Boost Phase Intercept program. The conferees agree that these funds may be used once the Secretary of Defense provides the following certifications to the congressional defense committees: (a) the United States and Israel have entered into a contractual effort; and (b) the projects will have specific, direct benefits for the United States.

The conferees direct that prior to any agreement being signed or initialed in the Standing Consultative Commission regarding modifications to the 1972 Anti-Ballistic Missile Treaty that impose restrictions on the development or testing of Department of Defense theater missile defense systems, the Secretary of Defense shall notify and provide a report on such restrictions to the Committees on Armed Forces and the Committees on Appropriations of the Senate and House of Representatives.

EXPERIMENTAL EVALUATION OF MAJOR INNOVATIVE TECHNOLOGIES

The conferees agree to provide $683,971,000 and have restored funds for the Dragnet, Clipping Service, and Monitor projects. The conferees are encouraged by the Advanced Research Projects Agency's (ARPA) plans to use existing radar systems in these development efforts. The conferees direct ARPA to continue to work in conjunction with the services on these programs.

The conferees have provided $3,750,000 for the Global Positioning System (GPS) Guidance Package (GGP). The conferees direct that no funds may be spent on GGP Phase II efforts until the controlled field demonstration of the Phase I GGP as an integrated Fire Support Team (FIST) Mission Equipment (FME) subsystem is completed.

The conferees agree to provide $12,000,000 only to continue the casting emissions project, which is a joint project including The Advanced Manufacturing Technology Center at McClellan Air Force Base, the Far West Federal Technology Centers, and the U.S. auto industry. Within this amount, $10,000,000 is only for the development of emissions measurement devices.

The conferees agree to provide an additional $7,000,000 only to continue the development, application, and testing of IFSAR technology by continuing the GEOSAR program, which is an airborne, radar based foliage penetration/terrain mapping system with an emphasis on both defense and civil applications.

The conferees agree to provide an additional $12,000,000 only for continuation of an ARPA/Defense Sciences Office phosphoric acid fuel cell transit bus research and development program.

The conferees agree to provide, $2,000,000 only to continue development and demonstration of competing thermophotovoltaic electric power generator technologies. The conferees urge NASA and ARPA to work cooperatively to minimize developmental costs and to evaluate the full range of potential applications.

The conferees agree to provide $6,000,000 only for multi-function self-aligned gate technology and agree to the House language except that the testing should be done on a medium altitude/endurance UAV. The conferees direct that ARPA allot both the fiscal year 1994 and 1995 funds for the MSAG project to the Medium Altitude Endurance UAV office no later than November 1, 1994.

The conferees agree to provide $1,000,000 only to implement a digital imaging identification system using a closed loop color correction system with a computerized data base.

COUNTERPROLIFERATION

The conferees agree to provide $60,000,000 for a new Department of Defense counterproliferation initiative. The conferees agree with the Senate and direct that these funds shall only be obligated for projects specifically approved by the Joint Committee for the Review of Counterproliferation Programs. The counterproliferation programs proposed by the Advanced Research Projects Agency, the Air Force, and the Special Operations Command should receive full consideration for funding within this appropriation. Finally, the conferees direct that the Department of Defense provide the congressional defense committees with a plan outlining the use of these monies prior to obligation of any funds.

ADVANCED SUBMARINE TECHNOLOGY

The conferees agree to provide $37,428,000 for Advanced Submarine Technology. The conferees direct ARPA to execute the transfer process necessary to bring the United States the technology for actively controlling machinery rafts which has been demonstrated in the ARPA Project "M". The conferees also agree to provide $9,600,000 only for continuation of the active structural control projects applying active vibration control technology to high speed precision machining and milling operations and to reduction and isolation of vibration in gas turbine engines.

ELECTRIC VEHICLES

The conferees are aware of the National Cooperative Transportation Alliance initiative in Knox County, Tennessee, which seeks to bring together the ongoing research and

technology development deployment efforts of Oak Ridge National Laboratory, the Tennessee Department of Transportation, the University of Tennessee, Oak Ridge Centers for Manufacturing Technologies, industry and others to further transportation research. The Alliance will emphasize 6 areas of research which are of substantial concern to the Department of Defense, Energy, and Transportation: vehicle and fuel technologies, defense logistics systems, intermodal and international issues, transportation systems and planning, transportation infrastructure, and HAZMAT transportation. The Alliance will capture the benefit of past federal, state, and commercial transportation investments, including existing expertise. The conferees direct the Advanced Research Projects Agency to cooperate with the Oak Ridge National Laboratory, the University of Tennessee, and other members of the Alliance on development of this initiative, and urge ARPA to consider the program for funding under the vehicle technology development program, and other dual use initiatives such as the Technology Reinvestment Program.

MANUFACTURING TECHNOLOGY

The conferees agree to provide $382,629,000. The conferees are aware of a recently announced Cooperative Research and Development Agreement between the Department of Energy's Office of Technology Transfer, Lawrence Livermore National Laboratory, Los Alamos National Laboratory, and ICON Industrial Controls Corporation to develop and test a software based open-architecture machine tool controller. This technology, which enables new approaches to flexible, agile manufacturing and promises increased quality and decreased costs, may be even more crucial to U.S. defense production than to commercial manufacturing. The conferees believe that the Secretary of Defense should develop a plan to leverage this initiative by maximizing its applicability to the specific needs of defense contractors and ensuring thorough evaluation of the technology.

Concerning advanced lithography, the conferees also urge ARPA to allocate the funds necessary to fully fund the Microlithographic Mask Development program provided that the program meets or exceeds technical milestones. In addition to following the funding allocations cited in the House report, the conferees urge ARPA to allocate a portion of these funds to ion beam research.

The conferees agree with the House language concerning the CALS shared resource center (CSRC) program, except for the following: (1) the CSRC operated by Concurrent Technologies Corporation shall be the National CSRC and (2) the Orange, Texas Regional CSRC shall be reestablished and operated only by an educational or other nonprofit institution located in Orange, Texas, with the National CSRC serving as the integrator for this Regional CSRC. In order to realize the full benefit of the CSRC program, the conferees direct ARPA to implement this program in accordance with the terms and conditions stipulated in the fiscal year 1994 Department of Defense Appropriations Act and accompanying conference and committee reports.

ADVANCED CONCEPT TECHNOLOGY DEMONSTRATIONS (ACTD'S)

The conferees agree to provide $32,100,000 for ACTD's during fiscal year 1995. These ACTD's include those initially recommended by the Senate and the countermine ACTD. The conferees agree not to impose a prohibition against the initiation of any other ACTD's during fiscal year 1995, but direct that no new ACTD may begin without prior consultation with, and notification to, the Committees on Appropriations. The conferees direct that any notification contain a full description of the programmatic objectives, schedule, technical risks, and annual and total costs of the proposed ACTD.

INNOVATIVE ENVIRONMENTAL SECURITY TECHNOLOGY SYSTEMS

The conferees agree to provide $18,000,000 only to the Office of the Assistant Secretary for Economic Security in consultation with the Office of Environmental Security for a competitive, cost-shared, near-term Climate Change Fuel Cell Program, and direct that procurement, program management, contract administration responsibility and these funds be delegated to the Department of Energy, Morgantown Energy Technology Center, in coordination with the National Defense Center for Environmental Excellence (NDCEE). The conferees direct the DoD to field one of the 200 kW phosphoric acid fuel cells funded for procurement in fiscal year 1994 at NDCEE to facilitate its role in providing manufacturing technology, environmental, and testing expertise in support of this program.

To achieve a workable cost-shared program that ensures significant private sector participation, the conferees direct that the Federal contribution be $1,000 per kW, that the Federal share of the program not exceed one third of total program costs, which includes unit cost, installation, and precommercial operation; that eligible power plants must be manufactured in the United States; and that priority consideration be given to power plants planned for DoD installations.

The conferees understand that DoD users in the field are ready to receive, install, and operate the energy efficient and environmentally benign 200 kW phosphoric acid fuel cells funded in fiscal years 1993 and 1994. Moreover, utilities have expressed strong interest in providing private sector support to initiate this program. The conferees are therefore distressed that administrative delays have denied the benefits of this equipment to users in the field, and have not permitted the vast majority of program funds to even reach the stage of obligation.

The conferees intend that the 200 kW phosphoric acid fuel cell procurement programs funded in fiscal years 1993 and 1994 be implemented expeditiously. The conferees, therefore, direct the Secretary of Defense to submit to the Committees on Appropriations by December 15, 1994 a milestone plan providing for contract award for the fuel cells funded in those years no later than April 1, 1995.

MANAGEMENT HEADQUARTERS

The ARPA management headquarters program was not in conference. However, the conferees are aware that ARPA may require additional funds to administer its growing workload. The conferees direct that ARPA may reprogram up to an additional $1,600,000 into the management headquarters program element from excess funds in the EEMIT program without prior Congressional approval.

SPECIAL OPERATIONS TACTICAL SYSTEMS DEVELOPMENT

The budget request for this program element included $9,598,000 for development of the stabilized weapons platform system (SWPS). The conferees have transferred $7,900,000 of these funds to the "Procurement, Defensewide" account, as requested by the Special Operations Command (SOCOM). SOCOM intends to spend the remaining $1,698,000 to pursue development of a Special Operations Forces version of the Enhanced Fiber Optic Guided Missile (EFOG-M). The conferees direct that these funds may not be obligated until SOCOM provides a plan to the Congressional defense committees outlining the efforts to be completed, specifying the cost of each effort and the total program cost, and certifying that the fiscal years 1996-2001 Future Years Defense Plan (FYDP) contains the funds necessary to proceed with this development effort.

COMMUNICATIONS PROGRAMS

The conferees agree: (a) to provide $10,000,000 to the Defense Information Systems Agency for the Commercial Satellite Communications Initiative to continue to build the network and management infrastructure necessary to shift additional users onto the network, to provide cost efficient surge capability, to support new user requirements for the Air National Guard, and for the development of communications reachback support for Korean surge capability; (b) that, because there appears to be no comprehensive plan for tactical military communications, the Assistant Secretary of Defense (C3I) is directed to provide no later than March 31, 1995 to the Committees on Appropriations a detailed architecture for tactical military communications that includes commonality, interoperability, reduced production costs, and streamlined logistics support; and (c) to request the Assistant Secretary of Defense (C3I) to review the NASA TDRSS communications system, determine its technical and economic suitability for supporting DOD tactical and strategic communications, and report the results of this review to the Committees on Appropriations no later than March 1, 1995.

DEFENSE AIRBORNE RECONNAISSANCE PROGRAM

The conferees direct that the Defense Airborne Reconnaissance Office (DARO) must obtain written approval from the appropriate committees prior to transferring funds equal to or greater than $2,000,000. This requirement also applies to all program and project terminations. Furthermore, the DARO must notify the Appropriations Committees prior to transferring funds greater than $1,000,000.

The conferees provide $31,000,000 to develop a shipboard capability for the Joint Tactical Unmanned Aerial Vehicle Program. The conferees direct the DARO to conduct a study considering the TIER I and TIER II systems as possible candidates to satisfy projected tactical and endurance maritime reconnaissance requirements and report to the appropriate committees by April 1995.

The conferees recognize the necessity for U.S. Forces in Korea to have daily Indications and Warning (I&W) coverage. Currently, I&W is provide by OV-1 aircraft. If the OV-1 is retired, U.S. Forces Korea must have an interim I&W capability until the Joint Surveillance Target Attack Radar System (JSTARS) can be deployed. The conferees understand that the interim Moving Target Indicator (MTI) system will have significantly less capability than JSTARS. The conferees direct the Secretary of Defense and the Chairman of the Joint Chiefs of Staff to evaluate a potential interim solution for I&W in Korea and report to the appropriate committees no later than November 30, 1994. The report must include (1) platform and sensor capabilities; (2) sensor and ground station integration costs; (3) integration schedule; and (4) outyear costs. The conferees direct that deploying two JSTARS aircraft must be studied as a potential option. The report must also include the cost,

schedule and impact a JSTARS operation would have on the current JSTARS program. Furthermore, the conferees direct funds provided for an interim MTI solution may not be used to procure aircraft.

The conferees agree that manned airborne reconnaissance will continue to have an important role in future contingencies. Therefore, the conferees direct the DARO to submit no later than December 1994, a milestone and cost schedule for RC-135 and U-2 reengining programs. The conferees understand that funds budgeted by the Air Force for RC-135 and U-2 reengining have been decreased by the DARO in support of advanced development programs. The conferees will consider a reprogramming request if the DARO determines it is cost effective to begin the RC-135 or accelerate the U-2 reengining programs in fiscal year 1995.

The conferees direct the DARO to reevaluate the SOUTHCOM requirement for the Air Reconnaissance Low Aircraft (ARL). The DARO is to report its finding to the appropriate committees no later than February 1995. The report should include (1) SOUTHCOM's requirements; (2) existing assets to satisfy those requirements; (3) operational concept for ARL; and (4) ARL acquisition and implementation plan.

RAPIDLY DEPLOYABLE HOSPITAL MODULE

The conferees recognize the potential military benefits of employing a rapidly deployable hospital module to meet the combat casualty care and day-to-day medical needs of military forces deployed in locations which are remote or lack adequate medical facilities. The conferees are aware of a proposed module which contains all the systems and support necessary to provide hospital-type treatment capabilities including: (1) an airlock to maintain a sterile environment; (2) a liquid oxygen system; (3) compatibility with emerging telemedicine concepts currently being developed under the Tripler Army Medical Center's Akamai program; and (4) compatibility with field medical technological advances, including smart battlefield stretchers and wrist-watch medical alert indicators. The conferees direct ARPR to fully evaluate the utility of these modules and to define a plan for developing a prototype system which will permit full evaluation of this concept.

GEOPHYSICAL TECHNOLOGY

The conferees are aware that ARPA has taken an interest in the Geophysical Technology Transfer Initiative, a program currently involved in a proposed United States-Russia commercial project called the Commercial Electromagnetic Silencing Program. The program seeks to transfer military technology to peaceful use in the protection of shipping against sea-based explosive mines. The conferees encourage ARPA to continue assessing the desirability of participating in the CESP program, including potential reprogramming of funds to support the project. The conferees direct ARPA to provide a report on this initiative to the Appropriations Committee by June 1, 1995.

TRAVEL

The conferees agree to provide a $50,000,000 general reduction to travel financed in the RDT&E appropriations. While the reduction has been included only in the Defense-wide appropriation, it is the conferees' intent that the reduction be allocated on a fair-share basis through the reprogramming process once the exact allocation is determined by the Comptroller of the Defense Department.

Amendment No. 101: Restores and amends language proposed by the House providing funds for the Sea-Based Wide Area Defense program; deletes House language concerning authorization of funds; deletes House language regarding the Tier II Plus and Tier III Minus Vehicles; inserts and amends language proposed by the Senate regarding small business loan guarantees; inserts language transferring funds to the Department of Energy for the Center for Bioenvironmental Research; and inserts language providing funds for the Experimental Program to Stimulate Competitive Research.

Amendment No. 102: Deletes language proposed by the Senate on the integrated product and process development program.

Amendment No. 103: Deletes language proposed by the Senate providing funds for the international cooperative projects.

DEVELOPMENTAL TEST AND EVALUATION, DEFENSE

Amendment No. 104: Appropriates $238,003,000 instead of $251,495,000 proposed by the House and $224,353,000 proposed by the Senate.

The conference agreement on items addressed by either the House or the Senate is as follows:

[In thousands of dollars]

	Budget	House	Senate	Conference
Director of Test & Eval Defense				
Central Test and Evaluation Investment Development (CT)	115,318	115,318	88,176	101,826

CENTRAL TEST AND EVALUATION INVESTMENT PROGRAM

The conferees agree to provide $101,826,000 for the Central Test and Evaluation Investment Program, of which $13,650,000 is only to proceed with the Joint Air Force/Navy Installed System Test Facility Projects. These projects are required to test the advanced avionics systems of the F-22, F-18, and other weapon systems. The conferees direct that $5,300,000 be allocated without delay to the Air Force and that $8,350,000 be allocated to the Navy. These funds may only be used for the Joint Air Force/Navy ISTF projects. The conferees direct that not more than 50 percent of the CTEIP fiscal year 1995 funding may be obligated until the Joint ISTF funds are allocated to the Services as directed. The conferees also agree that $13,650,000 be designated as a Congressional interest item. The conferees further direct that the Congressional defense committees be provided a report on the content, schedule, and cost of these projects not later than January 1, 1995.

The conferees agree to provide $3,483,000 only to fund the development of a real-time data link between the Air Combat Environment Test and Evaluation Facility and the Real-time Electromagnetic Digitally Controlled Analyzer and Processor. By this action, the conferees do not intend to affect any other Defense Department long term plans to develop a common architecture to link all its ranges.

C3I INTELLIGENCE PROGRAMS

The conferees have provided an increase of $5,000,000 only for disaster planning and preparedness activities as approved by the Senate. The conferees are aware of a proposal to develop a prototype center in the State of Hawaii to permit evaluation and refinement of the concept of regional disaster centers. The conferees direct that a portion of the funds shall only be available for this regional prototype center as part of this effort to define a national strategy to improve disaster planning. The conferees agree to provide an additional $5,000,000 only for the National Drug Intelligence Center as discussed in the classified report accompanying the statement of the managers. The conferees agree to a $16,000,000 reduction as proposed by the Senate.

TITLE V—REVOLVING FUNDS

DEFENSE BUSINESS OPERATIONS FUND

Amendment No. 105: Appropriates $945,238,000 instead of $1,090,438,000 as proposed by the House and $789,400,000 as proposed by the Senate.

DEFENSE BUSINESS OPERATIONS FUND

The conferees agree to provide a total of $945,238,000 for the Defense Business Operations Fund (DBOF). This figure results from the following adjustments to the DBOF fiscal year 1995 budget request approved by the conferees:

A reduction of $126,000,000 is approved, accounting for a change in the number of civilian personnel expected to remain on the DBOF payroll in fiscal year 1995 compared to the budget request;

A reduction of $200,000,000 to the budget request is approved, reflecting direction in the National Defense Authorization Act for Fiscal Year 1995 to reduce capital purchases by the DBOF;

An increase of $42,100,000 is approved to partially cover the additional costs of a civilian pay raise/locality pay adjustment higher than what was assumed in the president's request;

An increase of $30,000,000 is provided to cover the anticipated costs of the civilian separation payment plan approved with passage of the Federal Workforce Restructuring Act;

A $30,000,000 increase is approved to sustain Commissary operations at current levels.

The conferees direct that funds be transferred from DBOF cash balances to the Defense Commissary Agency (DeCA) so that DeCA operations are not adversely affected by the adjustments described above.

DBOF CAPITAL EQUIPMENT

The Army is directed to proceed with the acquisition and installation of depot maintenance plan equipment for Tobyhanna Army Depot as identified in the fiscal year 1995 budget submission.

NATIONAL DEFENSE SEALIFT FUND

Amendment No. 106: Restores the House center heading.

Amendment No. 107: Appropriates $724,400,000 for the National Defense Sealift Fund instead of $858,600,000 as proposed by the House and $828,600,000 as proposed by the Senate.

Amendment No. 108: Restores language proposed by the House and stricken by the Senate which provides for the transfer of Title XI loan guarantee funds and restricts use of sealift funds for acquisition for certain equipment for sealift ships. Deletes a House provision making a portion of the appropriation subject to authorizing legislation. Retains Senate language making a portion of

the appropriation available for acquisition of Ready Reserve Force ships. Adds a provision which provides $110,000,000 and restricts to United States shipyards the conversion of one Marine Corps prepositioning ship acquired through this appropriation.

Amendment No. 109: Deletes language proposed by the Senate requesting loan guarantee recommendations from the Secretary of Defense.

NATIONAL DEFENSE SEALIFT FUND

The conferees agree to provide $724,400,000 for the National Defense Sealift Fund. This amount includes $546,400,000 for the construction of two sealift ships, $25,000,000 for shipbuilding loan guarantees, $43,000,000 for ready reserve fleet acquisitions and $110,000,000 to acquire and convert one ship for the Marine Corps maritime prepositioning ship enhancement program. The conferees have agreed to language which stipulates that the MPS ship must be converted in a U.S. shipyard. Funding responsibility for research and development sealift programs has been transferred to Title IV of this Act as proposed by the Senate.

TITLE VI—OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

Amendment No. 110: Appropriates $9,930,759,000 instead of $9,895,159,000 as proposed by the House and $9,808,239,000 as proposed by the Senate.

Amendment No. 111: Earmarks $9,601,170,000 for operation and maintenance instead of $9,577,770,000 as proposed by the House and $9,499,350,000 as proposed by the Senate.

Amendment No. 112: Earmarks $329,589,000 for procurement instead of $317,389,000 as proposed by the House and $308,889,000 as proposed by the Senate.

The conference agreement on items in conference is as follows:

[In thousands of dollars]

	Conference
Operation and Maintenance:	
All Other Programs	9,607,170
Neck and Head Injury	7,000
Gulf War Syndrome	2,200
Civilian Pay Increase	300
Civilian Understrength	−67,600
CAMIS	6,000
Uncompensated care	2,000
Zinc Cadmium Sulfide	1,000
Nurse Practitioner Prog	2,000
Renal Institute of the Pacific	2,000
Pacific Island Referral Proj	2,500
Disaster Mgmt Training Prog	1,000
American Red Cross	14,500
Pediatric Emergency Med	(350)
Military Nursing Research	5,000
Brown Tree Snakes	1,000
Hospital Maintenance	5,000
Plattsburgh AFB Hospital	3,000
Overseas Dental Program	7,000
USUHS	610
HPSP Scholarships	−510
Subtotal	9,601,170
Procurement:	
All Other Programs	308,889
CAMIS	4,000
William Beaumont ADP	3,200
Dewitt Army Comm. Hospital	2,500
PACMEDNET	11,000
Subtotal	329,589
Total—Defense Health Program	9,930,759

RENAL INSTITUTE OF THE PACIFIC

The conferees agree to provide $2,000,000 to fund the design for a state-of-the-art dialysis facility which will improve the ability of the Renal Institute of the Pacific to provide renal dialysis services to military health system beneficiaries. The conferees are aware of the services that the Renal Institute of the Pacific has provided to military beneficiaries and their families, and believes that this facility is necessary to preserve the quality of and access to state-of-the-art renal dialysis services in an environment that is designed to reduce costs to the military health system.

PLATTSBURGH AFB HOSPITAL

The conferees have provided $3,000,000 to ensure the continuation of medical care at Plattsburgh AFB until September 30, 1995. The conferees agree that this action is in no way intended to contravene the direction of the Base Realignment and Closure Commission recommendations with regard to the Plattsburgh AFB Hospital.

POINT-OF-CARE BLOOD TESTING

The conferees agree to require the Department of Defense to conduct a study of the feasibility and cost effectiveness of using point-of-care blood testing in military medical facilities and direct that this report shall be submitted to the Congressional Defense Committees no later than February 15, 1995.

POSITRON EMISSION TOMOGRAPHY

The conferees direct that the Assistant Secretary of Defense (Health Affairs) conduct a test of Positron Emission Tomography (PETSCAN) technology at three Department of Defense medical centers. The conferees note that PETSCAN diagnosis has already been approved for CHAMPUS reimbursement for Department of Defense medical beneficiaries.

The conferees expect the Assistant Secretary to provide his test plan to the House and Senate Committees on Appropriations not later than December 15, 1994. A full report of the results of employing PETSCAN technology as a diagnostic tool at these medical centers shall be provided to the Congress, the Secretary of Health and Human Services, the Health Care Finance Agency and the Food and Drug Administration, to permit full review of the potential benefits of this system by relevant federal authorities.

ZINC CADMIUM SULFIDE

The conferees agree with the House position adding $1,000,000 for a study by the National Academy of Sciences of the potential adverse health effects of Army spraying of zinc cadmium sulfide in Minneapolis, St. Louis, and other cities in 1953. The National Academy of Sciences is urged to cooperate with relevant agencies in the states where spraying took place and to allow a representative of the affected individuals to participate in preparation of the study to the fullest extent possible.

MENTAL HEALTH

The conferees are pleased with the success of the Tidewater, Virginia Demonstration CHAMPUS contract for mental health services to Department of Defense beneficiaries. The conferees, therefore, continue with its directive of fiscal year 1994 for the Department to apply this model to two other high-cost, high-utilization, high-population areas.

The conferees, however, note the importance of ensuring that all mental health programs under CHAMPUS, including the residential treatment center (RTC) initiative, allow each of the core mental health disciplines to continue to function to the fullest extent of their state licensing authority.

CHAMPUS REFORM INITIATIVE

The Department has recently demonstrated a willingness to give the California-Hawaii and Washington-Oregon CHAMPUS reform initiative procurements to high priority and to adhere to the applicable procurement schedules to the extent practicable. The conferees urge the Department to continue to act in this manner so that CHAMPUS contracts can be awarded expeditiously but without any sacrifice in procedures designed to provide full protection for competition in contracting.

CHAMPUS REFORM INITIATIVE—NEW ORLEANS

The conferees concur in the language in House Report 103-562, pages 268-269, except that this direction does not pertain to beneficiaries in the Carswell and Bergstrom Air Force Base areas which are part of the CHAMPUS Region VI solicitation.

PEDIATRIC EMERGENCY MEDICAL SERVICES

From within available funds, the conferees agree to provide $350,000 to the Civilian External Peer Review Program (CEPRP) budget to expand the study on Pediatric Emergency Medical Services from the pilot test phase to systemwide evaluation. The results should be integrated with the TRICARE regional plans and the Department's continuous clinical quality improvement efforts.

RESERVE OFFICER TRAINING CORPS SCHOLARSHIP PROGRAMS FOR NURSES

The conferees applaud the military services for their very effective use of the Reserve Officer Training Corps (ROTC) Scholarship Programs to acquire Nurse Corps Officers. These cost-effective programs are assuming greater importance as the American Nurses Association (ANA)—predicted nursing shortage (1999) looms ever nearer. The services' sound commitment to augmenting the national inventory of health care personnel is both noteworthy and appreciated.

DESERT STORM SYNDROME

The conferees have recommended an additional $3,400,000 and bill language directing the Walter Reed Army Medical Center to work with private sector physicians on a treatment protocol and related studies for Desert Storm affected veterans, that only use the anti-bacterial treatment method based upon the excretion of dead and decaying spherical bacteria, that has already been found to be a successful treatment for some Desert Storm veterans. The conferees intend and direct that the obligation of funds for this treatment protocol and related studies be made through the Walter Reed Medical Center only as directed in House Report 103-339, page 112, except that funds are provided through the Defense Health program. This treatment method has been successful in treating at least 10 veterans or dependents with the Desert Storm syndrome. The conferees direct this action so that the treatment described in this report can be statistically validated in the hope that it may provide relief for Desert Storm veterans.

MEDICAL INFORMATION INFRASTRUCTURE AND COMPOSITE HEALTH CARE SYSTEM

The conferees remain committed to completion of the planned deployment and operation of the Department's Composite Health Care System. In addition, the conferees believe the Department should begin regional networking of facilities and development of a computer-based patient records system. Therefore, the conferees direct the Department to undertake demonstration projects to test the value of these initiatives.

Accordingly, the conference agreement provides not less than $187,129,000 for the Composite Health Care system and the two demonstration projects. Further, the demonstration projects shall be subject to full and open competition.

PACMEDNET

The conferees agree to provide $11,000,000 to initiate a two-year automation and telecommunication project in the Pacific Region to be known as PACMEDNET. Of the amount provided, $8,000,000 shall be used to develop a computer-based patient record enhancement to the Composite Health Care System. The remaining funds ($3,000,000) shall be used for telecommunications enhancements and upgrades to support a regionalization testbed.

The conferees direct that, prior to the obligation of these funds, the Assistant Secretary of Defense for Health Affairs must certify in writing to the congressional defense committees that implementing this program will in no way duplicate other Defense Health Program automation efforts, such as the AKAMAI or Seahawk projects. In any case, the conferees direct that the Assistant Secretary of Defense for Health Affairs report to the congressional defense committees on plans to implement the PACMEDNET program no later than January 15, 1995.

MILITARY HEALTH CARE ADVISORY COUNCIL, COMMITTEE, OR FORUM

Because health care issues are so vitally important to the Department of Defense and the nation as a whole, the conferees believe that there must be more coordination and cooperation between the military health care system and its private sector counterpart. Increasing costs and technological changes in the health care environment make it imperative for these medical care systems to increase efficiency and effectiveness. And, as the Department's managed care support program evolves, new and creative means must be established to identify and implement advancements in health care delivery systems.

Recognizing this, the conferees agree with the Senate proposal to establish a military health care advisory council or forum. This body should serve as a unique mechanism for transmitting ideas, identifying problems, and/or developing regularized and productive communications between the military health services system, the private sector, and other interested third parties.

At a minimum, this body should incorporate the following principles:

A representation scheme which guarantees both equal opportunity for all interested parties and a diverse mix of participants.

An advisory function only—one that has no part to play in the technical procurement structure—so as to minimize both the perception and the reality of influencing the contractor selection process.

The conferees are willing to provide the Department of Defense with considerable discretion as it goes about meeting the intent of the Congress with respect to this matter. But, in no case, will the conferees accept unreasonable delay or stonewalling by the Department in the implementation of this program. Thus, the conferees look forward to working with the Department of Defense and, in particular, the Assistant Secretary of Defense for Health Affairs to determine the exact details of this advisory body over the coming months.

CLEFT LIP AND PALATE SURGERY

The conferees endorse the U.S. government program which provides cleft lip and palate surgery for children in Honduras. The conferees agree that necessary travel expenses incurred by military doctors should be paid from within the program funds as in the past.

MEDICAL RESEARCH

The conferees recommend a number of adjustments to medical research and development. The table below highlights those medical program elements to which there has been an adjustment.

Research, development, test and evaluation

[In thousands of dollars]

P.E. title, and program	*Conf.*
Army:	
0601102A—Def. Res. Sciences:	
Trauma Care	150
Nutrition	250
Serum Cholesterol	425
0602787A—Medical Technology:	
Nutrition	750
Tissue Rep.	5,000
Dengue Fever	1,000
Epidermolysis Bullosa	1,000
0603002A—Medical Adv. Tech.:	
Breast Cancer	150,000
Prostate Cancer	4,250
Women's Health	40,000
Ovarian Cancer	7,500
Cell Regulation	2,000
Mammography	2,000
Spinal/Brain Res.	0
Lyme Disease	500
Coastal Cancer Control Program	5,000
Osteoporosis	5,000
Nutrition	750
0603105A—AIDS: AIDS Research	33,410
0605898A—Management Headquarters (Research and Development): Akamai	12,000
Navy:	
0603216N—Aviation Surv: Naval Biodynamics Lab.	700
0603706N—Medical Dev:	
Naval Biodynamics Lab.	700
Bone Marrow	34,000
Mammography Dev.	2,000
Breast Cancer Center	5,000
Defense-wide:	
50603706D—Cooperative DOD/VA Cooperative Research:	
General Research	20,000
Spinal/Brain Res.	15,000
Prostate Cancer	10,000
Gulf War Syndrome	5,000
Total	363,385

MEDICAL ADVANCED TECHNOLOGY

The conferees have provided $150,000,000 to continue the Army's breast cancer research program. The conferees have allocated $20,000,000 for mammography efforts as approved by the House. The conferees are aware of a new application of military technology, relying on optical correlators, which can enable automated mammography screening. The conferees urge the Army to consider such applications of military technology within this program.

A portion of the increase, $15,000,000, is provided for institutions with dedicated breast cancer centers as described in House Report 103–254 which accompanied the Department of Defense Appropriations Act, 1994. The remaining funds shall be used to continue ongoing and initiate new breast cancer research under a solicitation developed by the Department of the Army in conjunction with a Breast Cancer Research Program Integration Panel similar to the fiscal year (FY) 1993 panel process. The conferees urge the Army and the panels to solicit research proposals in the Institute of Medicine (IOM) strategy that were not well represented in the FY 1993 DOD program.

COASTAL CANCER CONTROL PROGRAM

The conferees provide $5,000,000 to the Charleston Naval Hospital only to support the development and implementation of a Coastal Cancer Control Program in conjunction with a State-owned comprehensive cancer center serving coastal South Carolina. The conferees recognize that upon the closure of the Myrtle Beach Air Force Base and the Charleston Naval facilities, access to critical preventive health care services for military dependents along coastal South Carolina has become more difficult. The Coastal Cancer Control program will address this reduced access to care and resulting increased cancer mortality by providing mobile screening, education, preventive intervention, and follow-up care to military dependents and other medically underserved citizens of coastal South Carolina.

OSTEOPOROSIS RESEARCH

The conferees agree to provide $5,000,000 for research into osteoporosis and related bone diseases. This work should be done in close coordination with the National Institute for Arthritis and Musculoskeletal and Skin Diseases, the lead institute for bone disease research.

TEAM COORDINATION IN EMERGENCY MEDICINE

The conferees support The Army research transferring lessons learned from aviation crew coordination training to emergency medicine. This research will reduce patient risk and increase efficiency through improved hospital emergency care. The conferees direct that funds be made available within the Medical Advanced Technology program [PE 603002A] for the demonstration of this program at Madigan Army Medical Center by the Army Research Lab in coordination with Rhode Island Hospital. The conferees encourage the Department of Defense to consider deploying this program at all of its military treatment facilities.

BRAIN AND SPINE RESEARCH

The conferees agree to provide $15,000,000 in Cooperative DOD/VA Medical Research funding only for the continuation of the DOD Military Medical Personnel Collaborative Spinal Cord Injury, Paralysis, Neuroscience Research, Education and Training program initiated in 1992.

TRANSURETHRAL HYPERTHERMIA

The conferees are aware of the promising preliminary results of work being done to develop prostate treatments which do not require surgery. However, it is necessary to conduct randomized trials to more clearly understand the benefits of non-surgical procedures such as transurethral hyperthermia. Therefore, the conferees direct the Department to use a portion of this funding to finance a well defined scientific study comparing the surgical treatment for benign prostatic hyperplasia with hyperthermia. The

multi-year trial shall be conducted at a university medical center with a National Medical Technology Test Bed affiliated with a veterans hospital in California.

GULF WAR SYNDROME

The conferees have provided $5,000,000 within the Cooperative DoD/VA Medical Research program element for competitively-awarded independent research on Gulf War Syndrome.

Amendment No. 113: Deletes a House provision making a portion of the appropriation subject to authorizing legislation. Adds Senate language providing for nursing research and communications services for members of the Armed Forces from the American Red Cross. Amends Senate language regarding the Plattsburgh AFB Hospital.

CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE

Amendment No. 114: Appropriates a total of $575,449,000 for Chemical Agents and Munitions Destruction, Defense instead of $562,949,000 as proposed by the House and $590,149,000 as proposed by the Senate.

OPERATION AND MAINTENANCE

Amendment No. 115: Earmarks $355,784,000 for operation and maintenance instead of $345,784,000 as proposed by the House and $363,584,000 as proposed by the Senate. The conference agreement includes the following specific increases above the budget:

Outreach	$2,000,000
Risk Analysis	3,000,000
Surveillance	4,500,000
JACADS Storm Recovery	10,000,000

The conference agreement also incorporates the three specific reductions, totalling $19,300,000, included in the House bill.

PROCUREMENT

Amendment No. 116: Earmarks $198,965,000 for procurement instead of $196,465,000 as proposed by the House and $215,265,000 as proposed by the Senate. The conference agreement includes the following increases and decreases from the budget:

Activated Carbon Filters:	
Equipment Modification Design	+$9,200,000
Tooele facility	+18,200,000
Anniston facility	+15,000,000
Umatilla facility	+20,800,000
Equipment, Pueblo facility	−24,700,000
Equipment, Pine Bluff facility	−32,300,000
Equipment, Umatilla facility	−15,700,000

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

Amendment No. 117: Earmarks $20,700,000 for research, development, test and evaluation as proposed by the House instead of $11,300,000 as proposed by the Senate.

Both the House and the Senate provided funds for the Army to evaluate alternatives to incineration. The conferees want to emphasize that the Army is not constrained to use those funds to pursue only those technologies contained in its recommendations submitted to Congress. It is the intent of the conferees that these funds be used to pursue the most promising approaches and, as new information becomes available, the Army should take full advantage of it to redirect its efforts as appropriate.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES

Amendment No. 118: Appropriates $721,266,000 instead of $713,053,000 as proposed by the House and $700,100,000 as proposed by the Senate and inserts and amends Senate language which transfers $10,000,000 to the Military Construction, Navy appropriation account and amends Public Law 102-396, Section 9136 to clarify the authority of the Defense Department to acquire counterdrug radar tracker aircraft.

The conference agreement on items in conference is as follows:

[In thousands of dollars]

	Fiscal year 1995 President budget	HAC	SAC	Conference
Military Personnel:				
Army Reserve	5,850	5,850	5,850	5,850
Army National Guard	103,100	103,100	103,100	103,100
Navy Reserve	2,716	2,716	2,716	2,716
Marine Corps Reserve	2,088	2,088	2,088	2,088
Air Force	5,700	5,700	5,700	5,700
Air Force Reserve	6,160	6,160	6,160	6,160
Air National Guard	25,805	25,805	25,805	25,805
SOC	135	135	135	135
Subtotal, Military Personnel	151,554	151,554	151,554	151,554
Operation and Maintenance				
Army	88,268	88,268	89,268	88,268
Navy	94,174	94,174	94,374	94,174
Marine Corps	5,655	5,655	6,155	5,655
Air Force	123,607	123,607	123,807	123,607
Defense Agencies	106,327	106,327	94,327	106,327
Army Reserve	4,298	4,298	4,298	4,298
Navy Reserve	1,095	1,095	1,095	1,095
Marine Corps Reserve	1,576	1,576	1,576	1,576
Air Force Reserve	1,160	1,160	1,160	1,160
Army National Guard	22,273	22,273	32,673	22,273
Air National Guard	7,302	7,302	11,302	7,302
SOC	10,395	10,395	10,395	10,395
Classified Adjustment		(15,493)	0	(21,000)
Community Outreach Program		3,000	0	3,000
Section 1004 Contingency Support		27,000	0	10,000
Defense Mapping Agency		2,000	0	2,000
CMS		(1,500)	0	(1,500)
ROTH—R		(5,000)	0	(5,000)
Air Force Tracker Aircraft		(2,000)	0	(2,000)
Criminal Justice Substance Abuse Training Center		1,000	0	1,000
Gulf States Initiative		3,000	3,000	3,000
Multi-jurisdictional Task Force Training Program		1,246	0	600
Military Drug Rehabilitation Facility		3,500	0	3,500
State Plans, Army National Guard	0	0	7,000	4,500
State Plans, Air National Guard	0	0	4,000	2,500
Police Research Institute	0	0	0	1,000
Southwestern Oregon Narcotics Task Force	0	0	0	1,000
Other SAC Adjustments	0	0	(14,000)	0
Subtotal, O&M	466,130	482,883	449,430	468,730
Procurement:				
Procurement, Army	3,992	3,992	3,992	3,992
Procurement, Navy	10,393	10,393	10,393	10,393
Procurement, MC	800	800	800	800
Procurement, AF	60	60	60	60
Procurement, Def Ags	13,932	13,932	11,932	13,932
National Guard/Reserve	8,720	8,720	9,320	8,720
Procurement, SOC	1,351	1,351	1,351	1,351
Air Force Reserve	850	850	850	850
Classified Adjustment		(5,000)	0	0
Gulf States Initiative		600	600	600
Multi-jurisdictional Task Force Training Program	0	0	0	646
Lake County Task Force Drug Interdiction Equipment	0	0	0	220
Other SAC Adjustments	0	0	(600)	0
Subtotal, Procurement	40,098	35,698	38,698	41,564
Research, Development, Test and Evaluation:				
Defense Agencies	46,418	46,418	46,418	46,418

[In thousands of dollars]

	Fiscal year 1995 President budget	HAC	SAC	Conference
Classified Adjustment		3,000	0	0
Counter-drug R&D		(3,000)	4,000	2,000
P-3/UAV Demonstration	0	0	0	1,000
Subtotal, RDT&E	46,418	46,418	50,418	49,418
Military Construction, Navy	10,000	0	10,000	10,000
Total, Drug Interdiction	714,200	713,053	700,100	721,266

TRANSIT ZONE INTERDICTION ACTIVITIES

The conferees recognize the importance of transit zone interdiction activities and the role such activities play in denying drug traffickers an open avenue directly into our country. While the conferees recognizes the many requirements within the counter-drug effort, it is the conferees' expectation that the Department of Defense will use the monies provided for transit zone interdiction activities expressly for this purpose.

NATIONAL GUARD PARTICIPATION IN COUNTERDRUG ACTIVITIES

The conferees have been advised that there is some concern within the Department of Defense regarding the participation of the National Guard in counterdrug activities while in title 32 U.S.C. status rather than in state active duty status and the possibility of a violation of the Antideficiency Act (31 U.S.C. 1341(a)) has been suggested. The intent of Congress in providing funds for the counterdrug effort under section 112 of title 32 U.S.C. has been that the National Guard may utilize those funds while conducting such operations in either a title 32 U.S.C. status or state active duty status (both of which are considered non-federal military service), but not in a title 10 federal active duty status and not as a substitute for annual training under section 502 of title 32 U.S.C. The conferees are convinced that the current provisions of section 112 of title 32 U.S.C. provide sufficient guidance to continue such operations as have been approved within the Department of Defense for the past six years and that no violation of the Antideficiency Act has occurred.

The conferees have included a provision, Section 8123 to ensure that there is no confusion in continuing the program in fiscal year 1995. If the Department believes that current provisions in law are inadequate, a legislative proposal to further clarify section 112 of title 32 U.S.C. should be submitted with the fiscal year 1996 defense budget submission.

MULTI-JURISDICTIONAL TASK FORCE TRAINING

The conferees agree to provide an additional $1,246,000 for this program as described in House Report 103-562 and agree that $646,000 of the funds provided shall be available for acquisition of equipment to include distance learning modules.

AIR FORCE RESERVE HC-130 AIRCRAFT

The conferees urge the Air Force Reserve to continue their procurement of commercially available, off-the-shelf navigation thermal imaging systems and related support equipment for use on the Reserve's HC-130N and HC-130P aircraft. It is the intention of the conferees that within the funds made available that procurement of these systems occur. Furthermore, the conferees expect that the Department will request additional funds for this program in the fiscal year 1996 budget submission.

SOUTHWESTERN OREGON NARCOTICS TASK FORCE

In order to combat increasing drug production on federal lands, the conferees direct that $1,000,000 in available funding for counterdrug activities be designated for the Southwestern Oregon Narcotics Task Force.

P-3 AEW DRUG INTERDICTION

The conferees concur that the P-3 is an effective tool for use in the drug interdiction effort and support the goal of providing suitable assets for use in the war on drugs by all parts of the law enforcement community. The conferees direct the Navy to transfer to the Customs Service two currently retired and previously identified heavyweight P-3 B "Bravo" aircraft and 2 APS 138 radars, including rotodomes and pedestals as they become available upon the retirement of Navy E-2C aircraft. It shall be the responsibility of the Customs Service to take control of and modify the aircraft by September 30, 1997. If the Customs Service has not taken control of the aircraft, or has chosen not to modify one or both of the aircraft by that date, the aircraft will be returned to the Navy for proper disposal.

The conferees further direct that $1,000,000 be made available only for a demonstration program which evaluates the potential benefits of unmanned air vehicles (UAVs) operating in support of P-3 AEW aircraft. It is the conferees' intent that the test should utilize an endurance class off-the-shelf UAV system capable of extended duration deployments. Test and evaluation results should be reported to the appropriations committees by May 1, 1996.

NATIONAL DRUG INTELLIGENCE CENTER (NDIC)

The conferees agree to restore the $12,000,000 reduction by the Senate, but also agree that by September 30, 1995, the NDIC Washington Office shall not exceed 10 end strength positions. Additional guidance is provided in the accompanying classified statement of the managers.

OFFICE OF THE INSPECTOR GENERAL

Amendment No. 119: Appropriates $140,872,000 as proposed by the Senate instead of $142,098,000 as proposed by the House.

Amendment No. 120: Earmarks $139,872,000 as proposed by the Senate instead of $141,098,000 as proposed by the House for operation and maintenance.

DEFENSE CRIMINAL INVESTIGATIVE FUNCTIONS

The conferees agree that none of the additional funds made available to the Office of the Inspector General shall be used for the Office of Investigations.

DEFENSE CONVERSION AND REINVESTMENT

Amendment No. 121: Deletes House Language establishing a "Defense Conversion and Reinvestment" transfer account.

The conferees strongly support the objectives of the Defense Conversion, Reinvestment, and Transition Act of 1992. To help accomplish the goals of that legislation the conferees have included at least $3,297,000,000 in the fiscal year 1995 Defense Appropriations Act as follows:

Defense conversion and reinvestment

[In millions of dollars]

Title I:	
Temporary Early Retirement	391.2
Guard and Reserve Transition Initiatives	139.5
Subtotal, Title I	530.7
Title II:	
Separation Pay and Civilian Health Benefits	301.7
Transition Assistance/Relocation Assistance	72.4
National Guard Youth Opportunity Pilot Program	71.4
Office of Economic Adjustment	39.1
Troops to Teachers	65.0
Troops to Cops	15.0
Junior ROTC Expansion	59.8
Other Conversion Initiatives	55.8
Subtotal, Title II	680.2
Title IV:	
Technology Reinvestment Program (TRP)	550.0
Other Defense Reinvestment	73.7
Electronics and Materials Initiatives	260.9
Manufacturing Technology Initiatives	382.6
Computing Systems and Communication Technology	400.9
SEMATECH	90.0
Basic Research	87.7
Advanced Simulation	79.3
SBIR Refocused to Dual Use	161.0
Subtotal, Title IV	2,086.1
Grand Total, Defense Conversion	3,297.0

DEFENSE TECHNOLOGY REINVESTMENT PROGRAMS

The conferees have provided for the following projects as specified:

Defense Reinvestment (PE 6357OE)	550.0
Defense Reinvestment Program (PE 6357OD)	
Loan Guarantees	50.0
Law Enforcement Technology	7.5
Other Reinvestment Initiatives	16.2
Tactical Technology (PE 0602702E)	
Law Enforcement Technology	10.0
EEMIT (PE0603226E)	
Law Enforcement Technology	20.0
Total, Technology Reinvestment Programs	653.7

TECHNOLOGY REINVESTMENT PROGRAM (TRP)

The conferees have provided $550,000,000 for the Advanced Research Projects Agency to continue this program, more commonly known as the Technology Reinvestment Program (TRF). The recommended amount reflects a reduction of $75,000,000 based on fiscal constraints. The conferees agree to consider a reprogramming during the course of fiscal year 1995. The conferees direct that the Department of Defense shall allocate all of

these funds among the projects established by the relevant statutes.

The conferees have included a general provision which provides a greater role for the services in the TRP program. Under this provision, the appropriated funds may not be obligated until the Secretary of Defense ensures that the assistant secretaries for research, development, and acquisition of each of the military services are full members of the Defense Technology Conversion Council (DTCC). Furthermore, ARPA is required to hold a competition and to choose TRP projects in focus areas selected by the acquisition executives of the Army, Navy and Air Force. The conferees are convinced that these steps will ensure that TRP funds address defense needs while moving the military services toward greater reliance on dual use technologies.

JOB CREATION/RETENTION

The conferees strongly encourage the Department to make job creation and retention a selection criterion as a condition of the TRP award process; to make unions explicitly and directly eligible to apply for funds; and also to include union representatives among the list of eligible applicants for TRP grants in the next round of proposals.

OTHER CONVERSION INITIATIVES

The conferees suggest that the Defense Department consider funding the following conversion projects during the course of fiscal year 1995:

1. American Legion/International Labor Union Veteran's Training	$1,400,000
2. Georgia Tech Center for International Defense Conversion	400,000
3. Berkshire County Regional Employment Board	100,000
4. Non-Proliferation Institute at the Monterey Institute of International Studies	4,000,000
5. San Diego State University Conversion Center	10,000,000
6. Vietnam Veteran's Leadership Program	280,000
7. San Gabriel Valley Community Development Corporation (ADVANCE)	1,250,000
8. Center for Commercial Deployment of Transportation Technologies	1,667,000
9. Hunters Point Civilian Job Training in Environmental Remediation	500,000
10. Southeast Regional College Network Florida	3,000,000
11. Teacher Training for Children with Learning Disabilities	334,000
12. Southwest Virginia Advanced Mfg. Technology System	364,000
13. Domestic Fuel Cell Manufacturing	200,000
14. Georgia Tech Plasma Arc Remediation	4,000,000
15. Great Lakes Environmental Manufacturing Technology Center	8,000,000
16. California Goldstrike Program (Regional Technology Alliance)	3,500,000
17. Free Electron Laser User Facility	9,000,000
18. Ft. Ord/California State University System	14,000,000
19. Torque Converter Project, Michigan State University	500,000
20. Naval Air Development Center Defense Technology Transfer Program	1,500,000
21. Southeastern, PA Regional Employment and Training Center	2,000,000
22. University of California Defense Cleanup Technology Project at Ft. Ord	1,000,000
23. Magnetic Levitation Transportation Technology	2,000,000
24. California Information Infrastructure	
25. California Environmental Sensor Deployment Project	
26. Methanol Plantship Technology	3,000,000
Total	71,955,000

DOMESTIC FUEL CELL MANUFACTURING

The conferees are encouraged by efforts to develop Collapsible Intermodal Containers (CICs) that will be used for the transport of waste by-products from the Coal Fired Utilities (Flyash) and the bio-solids from Water Treatment Plants to serve as nutrients to replenish strip mined lands.

PHILADELPHIA NAVAL SHIPYARD CONVERSION

The conferees urge the Department to obligate prior year appropriations for conversion of the Philadelphia Naval Shipyard. The Defense Department should provide a plan for program execution to the appropriations committees no later than March 15, 1995.

KOREAN ENHANCED READINESS ACCOUNT

Amendment No. 122: Deletes the House language which appropriated $250,000,000 for the enhanced readiness of United States Forces for Korea.

The conferees agree not to establish a separate Korean Readiness Enhancement account. However, the conferees have increased funding to improve the readiness of troops deployed to Korea. These increases include $51,200,000 in the Operation and Maintenance Army account, to support the Patriot Battalion recently deployed to South Korea and the Attack Aviation Battalion which also was recently deployed. Additionally the conferees have included $15,000,000 to provide a Moving Target Indicator (MTI) capability for U.S. and South Korean forces. More details on these initiatives appear in other sections of this report.

TITLE VII—RELATED AGENCIES

Amendment No. 123: Deletes House language "NATIONAL FOREIGN INTELLIGENCE PROGRAM" and inserts Senate language "RELATED AGENCIES."

Amendment No. 124: Appropriates $8,500,000 from the National Security Trust Fund as proposed by the Senate.

Amendment No. 125: Appropriates $92,684,000 for the Community Management Account, instead of $83,084,000 as proposed by the House and $105,084,000 as proposed by the Senate.

KAHO'OLAWE ISLAND CONVEYANCE, REMEDIATION, AND ENVIRONMENTAL RESTORATION TRUST FUND

Amendment No. 126: Inserts Senate language which earmarks $50,000,000 for payment to the Kaho'olawe Island Conveyance, Remediation, and Environmental Restoration Trust Fund.

TITLE VIII—GENERAL PROVISIONS

Amendment No. 127: Inserts and amends Senate language which allows funds to be used for specific multiyear procurement contracts.

Amendment No. 128: Deletes House language concerning Native American governments and disposition of property in base closures, and inserts Senate language on Native American corporations contracting.

Amendment No. 129: Restores House language on civilian personnel ceilings, and inserts Senate language which limits the number of civilian work-years that DoD may funds overseas.

Amendment No. 130: Deletes House language which would have made permanent the provision allowing the proceeds from the Fisher House Investment Trust Fund to be used to support the operation and maintenance of the Army's Fisher Houses.

Amendment No. 131: Restores and amends House language which provides that all new DoD procurements shall separately identify software costs in those instances where software is considered to be a major category of cost, and inserts Senate language on the Pilot Mentor-Protege program.

Amendment No. 131: Deletes Senate language prohibiting disestablishing the Navy's Craft of Opportunity Program.

Amendment No. 133: Restores House language to fund facilities at the U.S. Army Engineer's Waterways and Experiment Station.

Amendment No. 134: Restores and amends House language that provides funds for the Reserve Component Automation System, and inserts Senate language on Indian Financing Act incentive payments.

Amendment No. 135: Restores House language which prohibits the purchase of certain shipboard anchor and mooring chains outside the United States, and inserts and amends Senate language on 9mm handguns and ammunition.

Amendment No. 136: Deletes House language which required that operational control of the Naval Reserve Personnel Center be under the command and control of the Commander, Naval Reserve Command, and inserts Senate language directing the Department to replace old locks on safes or security containers.

SECURITY LOCKS

The conferees agree to include the general provision proposed by the Senate requiring that security locks purchased by the Department meet current GSA and Department of Defense standards. Purchase of such security locks should be accomplished only through full and open competitive procedures.

Amendment No. 137: Deletes House language prohibiting consolidation or relocation of several ADP installations, and inserts Senate language to provide for transportation of medical supplies to American Samoa and for Native Americans.

Amendment No. 138: Restores House language which limits funds for relocation of an organization, activity, or function within the National Capital Region, and inserts Senate language regarding local hire in noncontiguous States.

Amendment No. 139: Provides $24,565,000 as proposed by the House for Civil Air Patrol instead of $19,917,000 as proposed by the Senate.

Amendment No. 140: Provides $13,105,000 as proposed by the House for operation and maintenance funding for the Civil Air Patrol instead of $10,410,000 as proposed by the Senate.

Amendment No. 141: Restores House language which directs that certain T-AGS ships must utilize remanufactured SASS multibeam sonars, and inserts Senate language which restricts obligation of funds for the AN/ALR-67(V)3 Advanced Special Receiver until certain conditions are met.

Amendment No. 142: Restores House language which makes the provision permanent regarding eligibility requirements for CHAMPUS disabled care.

Amendment No. 143: Deletes House language and inserts and amends Senate language on Federally Funded Research and Development Centers (FFRDCs), RDT&E consultants, and non-profit research institutions. Inserts Senate language intended to eliminate possible conflicts of interest for members of FFRDC Boards of Directors or Trustees and to prevent the establishment of new FFRDCs; inserts and amends Senate language which restricts the use of FFRDC funds until the Congressional defense committees receive the FFRDC funding ceilings for fiscal year 1995; inserts Senate language which limits compensation for FFRDC employees, executive officers, board members and other advisory or governing panels; inserts and amends Senate language which would prohibit the use of fees or other federal funds paid to defense FFRDCs from being used for certain purposes; inserts and amends Senate language establishing a funding ceiling of $1,252,650,000 for defense FFRDCs for fiscal year 1995; inserts and amends Senate language reducing by $251,534,000 the amount of RDT&E funds to be made available for the non-FFRDC consultants; and inserts Senate language adopting the Senate-recommended funding reduction for major non-profit and university-affiliated research centers.

The conferees also direct the Secretary of Defense to conduct a special, comprehensive review of the fee-granting process for FFRDCs and of the use of fees by FFRDCs, with the objective of further limiting this use. The Secretary's review also should address the apparent contradiction between the claimed need for fees for some FFRDCs, and the lack of a fee requirement for other FFRDCs. The Secretary is directed to submit the results of his review not later than April 1, 1995, to the Congressional defense committees, along with any recommendations for changing the FFRDC fee structure.

Amendment No. 144: Restores House language prohibiting funds to procure carbon, alloy or armor steel plate which were not melted and rolled in the United States or Canada, and inserts Senate language which prevents use of unobligated balances in the Stockpile Transaction Fund to finance research and development efforts.

Amendment No. 145: Restores House language requiring the Secretary of Defense to rescind the service Secretary's authority to waive the Buy American Act when a foreign country has discriminated against certain types of products in the United States, and inserts Senate language which requires DoD activities to procure alcoholic beverages locally in noncontiguous states, and amends Section 8059 to provide $1,000,000 for the clean-up of a sale parcel at Hamilton Air Force Base.

Amendment No. 146: Deletes House language which would have made permanent the provision granting the authority which allows DoD to make voluntary separation incentives payable from the Voluntary Separation Incentive Fund.

Amendment No. 147: Restores House language directing the Department to provide that disposal of chrome and manganese ore from the Stockpile be limited to domestic sources, and inserts Senate language concerning actions addressed in the analysis of the impacts of Defense reductions to the Defense technology and industrial base. manganese

Amendment No. 148: Provides $329,000,000 as proposed by the House for Uniformed Services Treatment Facilities instead of $296,000,000 as proposed by the Senate.

Amendment No. 149: Provides that $300,000,000 as proposed by the House may be provided for Uniformed Services Treatment Facilities from funds appropriated in this Act instead of $270,000,000 as proposed by the Senate.

Amendment No. 150: Deletes House language which would have made permanent the provision granting the authority that provides that retired pay of Reserve personnel retiring under the temporary early retirement authority be paid from the military personnel accounts.

Amendment No. 151: Deletes House language prohibiting the relocation of the 116th Fighter Wing of the Air National Guard and inserts Senate language which sets a ceiling of $119,200,000 on U.S. funding for NATO Headquarters operations.

Amendment No. 152: Restores House language which prohibits funds to procure aircraft fuel cells unless they are produced or manufactured in the United States and inserts Senate language which denies funds to establish or support organic depot maintenance activities in DoD for the B-2 bomber until a report is provided to Congress.

Amendment No. 153: Deletes House language which would have made permanent the provision granting the authority that provides that retired pay of active duty personnel retiring under the temporary early retirement authority be paid from the military personnel accounts.

Amendment No. 154: Amends House language regarding restrictions on modifications and changes the word "country" to "United States".

Amendment No. 155: Restores House language on intelligence personnel compensation and reductions, and insets and amends Senate language which appropriates $67,000,000 to prior year appropriations to liquidate outstanding bills of the Army Guard and Army Reserve.

Amendment No. 156: Deletes House language prohibiting funds for the movement of the Defense Mapping Agency Aerospace Center annex from St. Louis, Missouri, and inserts Senate language which establishes payment criteria for CHAMPUS Peer Review Organization.

Amendment No. 157: Deletes House language on high performance computing, and amends Senate language requiring competition for supercomputers.

Amendment No. 158: Restores and amends House language which places restrictions on funds for the purchase of a totally enclosed lifeboat survival system, and inserts Senate language which requires military medical commanders to have administrative experience.

Amendment No. 159: Restores House language concerning compliance with Buy American Act laws, and inserts Senate language which provides funds for the mitigation of environmental impacts resulting from military operations on or near Indian lands.

Amendment No. 160: Inserts and amends Senate language which restricts obligation of funds for the Defense reinvestment program until the assistant secretaries for research, development and acquisition of each of the military services are full members of the Defense Technology Conversion Council, and earmarks $75,000,000 for technology reinvestment program projects in focus areas selected by the acquisition executives of the military services.

Amendment No. 161: Restores House language which denies funds for the development of bi-static active capability unless the acoustic signal processor is hosted on the AN/UYS-2, and inserts Senate language which requires the submission of a master plan for major nonprofit non-FFRDC laboratories engaged in defense research and development.

Amendment No. 162: Deletes House language which required the Secretary of the Navy to purchase USH-42 mission recorders for S-3 aircraft, and inserts Senate language which reallocates prior year shipbuilding funds to cover unanticipated cost increases.

Amendment No. 163: Deletes House language which allowed Operation and Maintenance funds for increasing energy and water efficiency in Federal buildings to be transferred to other appropriations, and inserts and amends Senate language requiring a cost and operational effectiveness analysis for Air Force bomber programs.

BOMBER COST EFFECTIVENESS STUDY

The conferees recommend a general provision earmarking $4,500,000 for the independent study of Air Force Bomber programs. The conferees direct that this study shall be conducted by an independent entity, such as the Institute for Defense Analysis, to ensure a completely unbiased review. Furthermore, the conferees direct that the results of the study shall be provided to the Committees on Appropriations in unclassified and classified form without any delay upon the completion of the internal review process of the independent organization accomplishing the study. The study should cover the specific guidance as proposed by the Senate to include a consideration of the cost, affordability and time required to implement any changes in the bomber force.

Amendment No. 164: Restores House language concerning consultation with the Congress prior to the deployment of United States Armed Forces for international peace-keeping or peace-enforcement operations, and deletes Senate language concerning reimbursement for inspection costs of certain States which are parties to the Treaty on the Elimination of Intermediate-Range and Shorter-Range Missiles and the Treaty on the Reduction and Limitation of Strategic Offensive Arms.

ARMS CONTROL TREATY INSPECTION COSTS

The conferees agree not to include in the final Act the language proposed by the Senate regarding the use of fiscal year 1995 funds to reimburse certain states for costs allocated to those nations under the Treaty on the Elimination of Intermediate-Range and Shorter-Range Missiles (INF) and the Treaty on the Reduction and Limitation of Strategic Offensive Arms (START). In so doing, the conferees recognize the need, at this time, to preserve the inspection regimes contained in these treaties which the Executive Branch and the Congress resolve whether additional statutory authority is required on this matter.

The conferees direct that these payments may be made only for fiscal year 1995, and that no payment may be made without prior consultation with, and notification to, the appropriate Congressional committees, including the defense committees.

The conferees strongly disapprove of the Executive Branch's efforts, thus far, to obtain further statutory authority for these reimbursements, and of the lack of consultation with the appropriate Congressional committees before a policy on these reimbursements was adopted. The conferees will

be compelled to consider future funding limitations should such conditions reoccur.

The conferees also are aware of commitments made by the Secretary of Defense that the current Administration in the Executive Branch would not consider the reimbursement policy to be a precedent for any other area of INF or START treaty implementation. The conferees will assess the requirement for future funding limitations based on the Executive Branch's ability to keep these commitments.

Amendment No. 165: Restores and amends House language which extends the availability of prior year funds for sporting competitions, and inserts Senate language which requires the Secretary of Defense to ensure that travel to Hawaii or Alaska require no higher levels of approval or stricter controls than other domestic travel.

Amendment No. 166: Deletes House language which allowed acquisition of Ready Reserve Force ships using the National Defense Sealift fund, and inserts Senate language concerning relocation of the P-3 squadrons stations at Barbers Point, Hawaii.

Amendment No. 167: Restores and amends House language prohibiting the acquisition of more than 47 Titan IV heavy-lift expendable launch vehicles; transferring a total of $60,000,000 to NASA, including $25,000,000 to be used only for LANDSAT 7 and $35,000,000 to be used only at Phillips Laboratory, Albuquerque, New Mexico for an Advanced Technology Demonstrator X-vehicle and to finish the original flight test program of the DC-X1 test vehicle; providing a total of $40,000,000 to begin development of a new family of medium-lift and heavy-lift launch vehicles; and inserts and amends Senate language that places restrictions on military and civilian personnel who separate under an incentive program.

SPACE PROGRAMS

The conferees agree: (a) not to centralize space acquisition funding into two appropriations or to transfer to the National Reconnaissance Office funding for the fixed costs of the Titan IV program as proposed by the House; (b) that no later than March 31, 1995, the Secretary of Defense and Director of Central Intelligence shall combine all DOD and intelligence space acquisition responsibilities into one joint office under a single Space Acquisition Executive; (c) that only $10,000,000 in fiscal year 1994 Research, Development, Text and Evaluation, Defense-wide is available to be obligated for the new family of expendable launch vehicles until the new Space Acquisition Executive presents a detailed acquisition plan for the new family of launch vehicles, including annual and total costs, schedule, and technical risks; and (d) not to require the launch of Defense Support Program satellites on the space shuttle as proposed by the House.

Amendment No. 168: Restores and amends House language concerning Naval Reserve programs, and inserts and amends Senate language which provides funds to support the Civil-Military Cooperation program.

Amendment No. 169: Restores and amends House language which prohibits the establishment of new field operating agencies and inserts Senate language that requires war colleges resident classes to include not less than 20 percent of U.S. military students from other than the hosting military department.

The conferees agree to prohibit the establishment of new field operating agencies of the Department of Defense, except for field operating agencies funded within the National Foreign Intelligence Program. Additionally, the conferees expect the Department of Defense to make sizable reductions in its Headquarters and numerous Defense Support and Field Activities. The expected reductions are exclusive of Department plans for the Department of Defense Dependents Schools (DODDS). The conferees understand the Secretary of Defense intends to make reductions in these areas and direct a report on such initiative. The report should provide a roadmap that details future plans and goals of the reductions and certify that the roadmap is consistent with future Department budget plans. The study shall be submitted to the Congressional defense committees no later than June 30, 1995.

Amendment No. 170: Deletes House language which restricted DDG-51 and LHD-1 obligations pending obligation of sealift ship options, and inserts Senate language requiring the Secretary of the Air Force to compete maintenance workload on M61 Gatling Guns.

Amendment No. 171: Deletes House language which restricted procurement of ceramic products to those produced or manufactured in the United States and inserts Senate language that prohibits the sale of zinc from the national defense stockpile under certain conditions.

Amendment No. 172: Restores and amends House language which directs the Secretary of Navy to procure low cost alternatives to the EA-6B ADVCAP program and deletes Senate language concerning claims submitted by the Muckleshoot Indian tribe.

Amendment No. 173: Deletes House language prohibiting use of funds for the sustaining base information system, and inserts Senate language on closure and community reuse activities at Cameron Station military base in Virginia.

Amendment No. 174: Restores and amends House language prohibiting the use of funds for automated document conversion systems which are not part of a DoD master plan and provides $20,000,000 for the Automated Document Conversion system.

COST-OF-LIVING ADJUSTMENT FOR MILITARY RETIREES

The conference agreement also retains Senate language accelerating the 1995 cost-of-living adjustment for military retirees from October to April and adds a new provision to accelerate 1996-1998 military retiree COLA payments to conform to the civilian COLA schedule contingent on enactment of financing legislation. The House bill contains no similar provisions.

The conferees strongly endorse the concept of eliminating the current disparity between military and civilian retiree COLA payment dates. This disparity is the result of modifications made to payment schedules in the Omnibus Budget Reconciliation Act of 1993.

Under the rules of the Congressional Budget Act, correction of this disparity should be authorized in a manner that causes the increased cost to be borne through offsetting savings in other mandatory or entitlement programs. Instead, the 1995 Defense Authorization Act required the 1995 payment for military retirees to be accelerated only if paid for in the 1995 Defense Appropriations Act via reductions in other Department of Defense discretionary programs. This financing mechanism is unfortunate and unwise. It subverts the pay-as-you-go principle for mandatory and entitlement programs while hurting important defense readiness and modernization efforts.

The conferees have reluctantly agreed to fund the acceleration of the 1995 military COLA payment because the disparity between military and civilian retirees is fundamentally unfair, and other committees have refused to pay for it under the proper procedure.

However, the conferees fully expect that the continuing disparity that exists in 1996-1998 be paid for in the normal PAYGO process for mandatory and entitlement programs. The conference agreement, therefore, includes a provision which conforms the 1996-1998 military and civilian COLA payment dates contingent upon:

(1) the President, in his 1996 budget, proposing legislation to expressly pay for this provision under normal PAYGO rules; and

(2) enactment of authorizing legislation which expressly offsets this cost on the PAYGO scorecard.

ACTUARIAL GAINS

The conferees also wish to bring to the Secretary's attention the need to modernize the treatment of actuarial gains (or losses) realized in the Military Retirement Fund. The current treatment requires significant sums of discretionary funds appropriated for accrual retirement payments for the active force to be shifted to reduce required mandatory payments for other liabilities. These shifts could exceed $1 billion a year in the years ahead.

The conferees note the independent Department of Defense Retirement Board of Actuaries has recommended legislation to allocate future actuarial gains to DOD discretionary accounts when they are attributable to service performed since 1984. The conferees expect the Secretary to give this proposal priority consideration for inclusion in the FY 1996 request.

Amendment No. 175: Restores House language which restricts procurement of propellers and ship shafts to those produced in the United States, and inserts Senate language appropriating funds for the Coast Guard pay raise.

Amendment No. 176: Deletes House language concerning the SPS-48E radar program, deletes Senate language appropriating funds for the Impact Aid program, and inserts a new provision which allows the Department to absorb costs for the military personnel pay raise.

Amendment No. 177: Deletes House language which specifies contract award dates for CHAMPUS Reform Initiative, and inserts and amends Senate language limiting executive compensation.

EXECUTIVE COMPENSATION

The conferees agree to modify Senate language added on executive compensation. The agreement limits the rate of individual compensation that industry can charge the Defense Department on new contracts entered into after April 15, 1995. The Senate had proposed limiting the rate to the salary of Cabinet officials; the conferees agree to an annual rate of $250,000. The conferees note that this provision does not limit the amount that the private sector can pay employees, but only limits allowable cost reimbursements from the Defense Department for such payments to an annual rate of up to $250,000 per individual.

Amendment No. 178: Deletes House language which denies funds for enrollment of new students at the Uniformed Services University of the Health Sciences, and inserts a new provision which prohibits funds to be used to reduce military technician levels in the Reserve component.

Amendment No. 179: Deletes House language prohibiting use of funds to procure active matrix liquid crystal displays, and inserts a new provision which authorizes interagency courier services on a non-reimbursable basis.

Amendment No. 180: Deletes House language which reduced funds for research, development, test and evaluation for management support.

Amendment No. 181: Inserts Senate language which requires a study of the number of military personnel receiving food stamp benefits.

Amendment No. 182: Inserts Senate language which directs the Department to report all costs incurred by DoD, in implementing or supporting resolutions of the United Nations Security Council.

Amendment No. 183: Deletes Senate language which makes certain countries eligible for allied defense cooperation with NATO countries, and inserts a new provision which compensates members of the National Guard for participation in counterdrug activities.

Amendment No. 184: Inserts Senate language concerning the progress of reform in Bulgaria.

Amendment No. 185: Inserts Senate language that directs the Department to report on a master stationing plan for C–130 aircraft.

Amendment No. 186: Inserts Senate language that prohibits the deactivation of any Army ROTC unit until an evaluation has been completed by the Secretary of the Army.

Amendment No. 187: Inserts Senate language that requires a preference for the use of local and small businesses for environmental restoration of Kaho'olawe Island, Hawaii.

Amendment No. 188: Inserts and amends Senate language which requires the Department to report on concurrent receipt of disability compensation and retired pay by former military personnel.

Amendment No. 189: Inserts and amends Senate language which directs the Department to report on its efforts to retain and reassign Army National Guard and Army Reserve personnel.

Amendment No. 190: Deletes Senate language prohibiting the establishment of the Antler Military Operations Area, and inserts a new provision which reimburses Reserve components when providing support to Intelligence activities.

Amendment No. 191: Inserts Senate language which requires identification in the budget request for construction projects for intelligence facilities.

Amendment No. 192: Deletes Senate language that prohibits funds for construction of the headquarters buildings of the National Reconnaissance Office until a review of that project was completed, and inserts a new provision for repayment of guaranteed student loans promised to new recruits.

The conferees understand that some individuals recruited to the Armed Forces were informed that repayment of outstanding guaranteed student loans would be part of their incentive package. In a limited number of cases, certain State guaranteed loans were assumed to be eligible under this program, and were subsequently determined to fall outside the scope of the existing statute. Section 8132 permits the Secretary to expend up to $75,000 total to settle these loans.

Amendment No. 193: Inserts and amends Senate language that earmarks funds to procure mission recorders for use in S–3B aircraft.

Amendment No. 194: Deletes Senate language that directed the President to report on criteria required to gain admission to NATO, and inserts a new provision which transfers the U.S.S. Saratoga to the U.S.S. Saratoga Foundation, State of Florida.

REPORT ON NATO ADMISSION STANDARDS

The conferees direct the Secretary of Defense to submit a report to the congressional defense committees defining the specific military, economic and political criteria for admission to the North Atlantic Treaty Organization (NATO). This report shall address measures that would be necessary to ensure full military cooperation and interoperability of potential new entrants with NATO. The Secretary shall submit this report not later than December 15, 1994.

Amendment No. 195: Inserts and amends Senate language that prohibits funds to be used for the continuous military presence in Somalia after September 30, 1994.

Amendment No. 196: Inserts Senate language that requires Senate advice and consent on changes in the obligations under the CFE Treaty.

Amendment No. 197: Inserts Senate language that requires the Department to develop a plan for establishing and implementing a requirement to match disbursements to obligations before making the disbursements.

Amendment No. 198: Inserts and amends Senate language to express the Sense of the Senate on negotiation of limitations on nuclear weapons testing.

Amendment No. 199: Inserts and amends Senate language that authorizes the Department to contract for commercial or proprietary credit card services for use by nonappropriated fund instrumentalities.

Amendment No. 200: Deletes Senate language that prohibited funds for North Korea until the President certified to Congress that certain conditions about North Korea's nuclear weapons program were met, and inserts a new provision to express the sense of the Congress in naming the Walter Reed Army Institute of Research facility.

Amendment No. 201: Inserts and amends Senate language to provide for the payment of the Aviation Continuation Pay bonus to survivors of persons under certain conditions.

Amendment No. 202: Inserts and amends Senate language to express the sense of the Congress that the Department shall provide all documents relating to biological warfare tests involving the use of zinc cadmium sulfide.

Amendment No. 203: Inserts Senate language that prohibits funds for the relocation or reduction of the functions at Fort Chaffee, Arkansas as specified in the 1991 and 1993 Base Closure and Realignment Reports.

Amendment No. 204: Deletes Senate language which prohibited funds for the development of an advanced threat radar jammer for combat helicopters, and inserts a new provision allowing the Department to apply refunds to current year CHAMPUS requirements.

ADVANCED THREAT RADAR JAMMER

The conferees direct that none of the funds available to the Department of Defense during fiscal year 1995 may be used for negotiating or entering into any agreement with, nor for accepting funds from, a foreign government or an entity controlled by a foreign government for a joint program for the development of an advanced threat radar jammer for combat helicopters until 30 days after the Secretary of Defense, in consultation with the Secretary of State, the Secretary of the Army, and the Director of the Defense Security Assistance Agency, conducts a comprehensive review of the program and submits a report, not later than January 1, 1995, on the results of that review to the congressional defense committees.

This direction does not apply with respect to a major ally of the United States. The term "entity controlled by a foreign government" includes: (a) any domestic or foreign organization or corporation that is effectively owned or controlled by a foreign government; and (b) any individual acting on behalf of a foreign government, as determined by the Secretary of Defense. Such term does not include an organization or corporation that is owned, but is not controlled, either directly or indirectly, by a foreign government if the ownership of that organization or corporation by that foreign government was effective before October 23, 1992. The term "major ally of the United States" has the meaning given such term in section 2350a(i)(2) of title 10, United States Code.

The conferees further direct that the required report include the following:

(a) The legal basis for seeking for the program funds that are neither authorized to be appropriated nor appropriated;

(b) The consistency of the program with the Department of Defense policy that no foreign military sale of a defense system, and no commitment to foreign military sale of a defense system, be made before operational test and evaluation of the system is successfully completed and the Under Secretary of Defense for Acquisition and Technology has specifically approved the system for sale to a foreign government;

(c) The mission requirement for an advanced threat radar jammer for combat helicopters;

(d) An assessment of each threat for which an advanced threat radar jammer would be developed, particularly with regard to each threat to a foreign country with which the United States would jointly develop an advanced threat radar jammer;

(e) The potential for sensitive electronic warfare technology to be made available to potential adversaries of the United States as a result of United States participation in the program;

(f) The availability of other nondevelopmental items and less sophisticated technologies for countering the emerging radar detection threats to United States allies; and

(g) A capability assessment of similar technologies available from other foreign countries and the consequences of proliferation of such technology.

Amendment No. 205: Inserts Senate language to express the sense of the Senate on the redevelopment plan for Lowry Air Force Base.

Amendment No. 206: Inserts Senate language establishing criteria for the second low rate production of the Hunter Unmanned Aerial Vehicle.

Amendment No. 207: Inserts and amends Senate language which extends the availability of funds through fiscal year 1995 for the Service Members Occupational Conversion and Training Act program.

Amendment No. 208: Deletes Senate language concerning Japan fulfilling its commitments under the Host Nation Support Agreement, and inserts a new provision which corrects restrictions placed on funds appropriated under the Humanitarian Assistance appropriation, and repeals the fiscal year 1994 provision regarding winterization activities for the Kurdish relief program.

Amendment No. 209: Inserts Senate language that prohibits funds to be transferred from the Pentagon Reservation Maintenance Revolving Fund until certification by the Department.

Amendment No. 210: Deletes Senate language concerning efforts to end the conflict in Bosnia and Hercegovina, and inserts a new provision which provides $14,200,000 for the Philadelphia Naval Complex Utility Reconfiguration Project.

PHILADELPHIA NAVAL COMPLEX UTILITIES UPGRADE

The conferees note that, in fiscal year 1994, $16.3 million was made available for the Utilities Reconfiguration Project at the Philadelphia Naval Complex. However, execution of the Utilities Reconfiguration Project as currently defined does not provide a functioning utility system for all portions of the naval base. The conferees direct the Navy to design and implement the project so as to provide a functioning utility system for the entire base. The conferees agree to provide an additional $14.2 million so that the Philadelphia Naval Complex Utility Reconfiguration Project can be completed without cessation of utilities for any site in the Complex.

Amendment No. 211: Deletes Senate language which terminated the U.S. arms embargo of Bosnia and Hercegovina no later than November 15, 1994, and inserts a new provision that requires the Secretary of Defense to award the contract under the Defense Production Act Purchases program for nuclear steam generator tubing for aircraft carriers.

Amendment No. 212: Inserts and amends Senate language that provides funds for the Joint Primary Aircraft Training System program.

Amendment No. 213: Inserts Senate language that prohibits the use of funds to retire any B-52H, B-1B or F-111 bomber aircraft, inserts a new provision prohibiting the transfer of funds available to the Department of Defense and the Central Intelligence Agency for drug interdiction or counter-drug activities to any other department or agency of the United States except as specifically provided in an appropriations law, inserts a new provision to provide additional funds to the Asia Foundation, rescinds funds for the Department of State's Contributions to International Organization account and appropriates $192,000,000 for salaries and expenses for the Securities and Exchange Commission contingent upon the enactment of legislation regarding fee collections, inserts a new provision on procurement reform reductions, inserts a new provision rescinding funds from "Aircraft Procurement, Navy, 1993/1995" account, and inserts a new provision providing for the transfer of $500,000,000 from "Operation and Maintenance, Defense-wide" to other operation and maintenance accounts.

PUBLIC LAW 103-317

The conference agreement rescinds $4,561,000 of the $877,222,000 provided in Public Law 103-317 for the Department of State's Contributions to International Organizations account. The conference agreement rescinds funds provided primarily for the payment of arrearages in the Contributions to International Organizations account. The conference agreement also includes some technical language changes concerning the availability of the remaining funds for the payment of arrearages.

The conference agreement also amends Public Law 103-317 to provide an appropriation of $15,000,000 instead of $10,000,000 for the Asia Foundation. This increase is offset by the rescission for the Contributions to International Organizations account included in this conference agreement.

The conference agreement also amends Public Law 103-317 to provide an additional appropriation of $192,000,000 for the Securities and Exchange Commission, to be offset by the collection of a like amount of section 6(b) registration fees to be deposited to this appropriation. The conference agreement provides that both this appropriation and the offsetting fee collections are available only upon enactment of legislation that continues in fiscal year 1995 the fiscal year 1994 rate of fees collected under 6(b) of the Securities Act of 1933 (15 U.S.C. 77f(b)). The Committee on Ways and Means has reported legislation (H.R. 5060) which continues the section 6(b) fee at a rate of 1/29th of one percent for fiscal year 1995 and deposits as an offsetting collection to this appropriation any fee collections attributable to a rate in excess of 1/50th of one percent. The $192,000,000 included in the conference agreement, when added to the enacted appropriation of $74,856,000, investment adviser fees of $8,595,000 and anticipated prior year carryover amounts of $30,549,000, provide the SEC with total budget (obligational) authority of $306,000,000 for fiscal year 1995—its full budget request.

PROCUREMENT REFORM

The conferees agree to a general provision which reduces procurement funds by $304,900,000. The Administration proposed a budget amendment to reduce Defense Department funds by this amount in anticipation of savings resulting from procurement reform. Noting the enactment of procurement reform legislation, the conferees have agreed to reduce funds in Title III accordingly. The conferees direct that the reduction shall be made proportionately to each individual procurement program.

Amendment No. 214: Inserts and amends Senate language which appropriates $299,300,000 for Rwanda relief operations and for emergency migrant processing and safe haven costs in and around Cuba.

Amendment No. 215: Deletes Senate language which added a new Title X for the Megan Kanka Sexually Violent Predators Act.

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 1994 amount, the 1995 budget estimates, and the House and Senate bills for 1995 follow:

New budget (obligational) authority, fiscal year 1994	$240,079,645,000
Budget estimates of new (obligational) authority fiscal year 1995	244,449,979,000
House bill, fiscal year 1995	243,573,092,000
Senate bill, fiscal year 1995	243,628,029,000
Conference agreement, fiscal year 1995	243,628,127,000
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 1994	+3,548,482,000
Budget estimates of new (obligational) authority fiscal year 1995	−821,852,000
House bill, fiscal year 1995	+55,035,000
Senate bill, fiscal year 1995	+98,000

JOHN P. MURTHA,
NORMAN D. DICKS,
CHARLES WILSON,
W.G. (BILL) HEFNER,
MARTIN OLAV SABO,
JULIAN C. DIXON,
PETER J. VISCLOSKY,
GEORGE (BUDDY) DARDEN,
DAVID R. OBEY,
JOSEPH M. MCDADE,
C.W. BILL YOUNG,
BOB LIVINGSTON,
JERRY LEWIS,
JOE SKEEN,
Managers on the part of the House.

DANIEL K. INOUYE,
FRITZ HOLLINGS,
J. BENNETT JOHNSTON,
ROBERT BYRD,
PATRICK J. LEAHY,
JIM SASSER,
DENNIS DECONCINI,
DALE BUMPERS
FRANK R. LAUTENBERG,
TOM HARKIN,
TED STEVENS,
ALFONSE D'AMATO,
THAD COCHRAN,
ARLEN SPECTER,
PETE V. DOMENICI,
DON NICKLES,
PHIL GRAMM,
CHRISTOPHER S. BOND,
MARK O. HATFIELD,
Mangers on the part of the Senate.

PROVIDING FOR CONSIDERATION OF H.R. 4448, LOWELL NATIONAL HISTORICAL PARK

Mr. MOAKLEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 532 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 532

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4448) to amend the Act establishing Lowell National Historical Park, and for other purposes. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. Points of order against the committee amendment in the nature of a substitute for failure to comply with clause 5(a) of rule XXI are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous

question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Massachusetts [Mr. MOAKLEY] is recognized for 1 hour.

Mr. MOAKLEY. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Florida [Mr. GOSS], pending which I yield myself such time as I may consume.

Mr. Speaker, during consideration of this resolution, all time yielded is for purposes of debate only.

Mr. Speaker, House Resolution 532 is an open rule providing for the consideration of H.R. 4448, a bill to amend the act establishing the Lowell National Historic Park.

The rule provides 1 hour of general debate, equally divided and controlled by the chairman and ranking minority member of the Natural Resources Committee. The rule makes in order the Natural Resources Committee amendment in the nature of a substitute now printed in the bill as an original bill for the purpose of amendment. The substitute is considered as read and clause 5(a) of rule XXI is waived against the substitute. Finally, the rule provides one motion to recommit with or without instruction.

Mr. Speaker, recently a motion was offered to suspend the rules and pass the bill (H.R. 4448). Although supported by a large majority, the motion failed the requisite two-thirds vote. I believe there was general agreement to the concept of the bill although there was some controversy. The resolution recommended by the Rules Committee will adequately protect the right of any Member to address their concerns by amendment.

Mr. Speaker, I carried the rule for the bill that established the Lowell National Historical Park back in 1978. As a native of Massachusetts, I can say with great pride that today Lowell, MA, remains a dramatic illustration of 19th century industrial America thanks to the work that has gone forth to restore and preserve this heritage site since 1978. This effort to restore the historical core of the city is a prime example of what can be accomplished when Federal, State, and local governments work with the private sector to achieve a common goal. In fact, the Lowell National Historical Park has become a model of the partnership necessary for the development of other community-based parks.

Lowell, which was founded in 1822, was the first American city built expressly for mass production and shaped by the new social order that factory work imposed. Lowell's nationally significant resources include the 5.6-mile power canal system, several original mill complexes, 19th century commercial and municipal buildings, social, labor, and educational institutions, mill residences, and early transportation facilities.

The city's industrial mill buildings, canal system, and other historic buildings serve as an important educational tool. Historical Lowell embodies superb examples of the most advanced power generation, manufacturing, and transportation technologies available in America during the Industrial Revolution.

Mr. Speaker, H.R. 4448 will allow for the orderly termination of the Lowell National Historical Park Commission which was established by the 1978 act and for the completion of the restoration work at the park.

Even though much has been accomplished since the park was created, some work remains to be completed. H.R. 4448 will extend the Park Commission for 5 more years and authorize an additional $10.3 million so that the restoration work can be finished. The funding authorized in the bill will be used to complete the restoration of the canal system and to fund the Commission's historic preservation loan program.

We, in Congress, must make certain that all the work is completed before the Commission is terminated and its authorities and responsibilities are turned over to the National Park Service. Passage of H.R. 4448 will ensure that.

Mr. Speaker, I urge adoption of the rule and passage of the bill.

□ 1640

Mr. Speaker, I reserve the balance of my time.

Mr. GOSS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in considering this bill today we have exactly the opposite situation we were given last month when the subject of the Lowell National Historical Park came to the floor. As my colleagues may remember, on August 1, this House was asked to suspend the rules to pass this bill, H.R. 4448—a process that is tantamount to a completely closed rule, since bills under suspension are not allowed to be amended on the floor. At that time, so many Members raised concerns about this bill, its merits and its costs, that the legislation failed to receive enough votes to pass the suspension test. I am grateful that the Rules Committee, acting on a request from Chairman VENTO, acknowledged the concerns of this House and has returned H.R. 4448 to the floor under a completely open rule. What a difference a few weeks makes. Under today's rule, all Members will have the chance to raise concerns about this bill and to offer germane amendments if they have ideas for improving the legislation. As always, I must assert that—except in cases of highly complex or technical bills—the open rule process should be the normal order of business in this House. I know my colleagues on the other side of the aisle get tired of hearing this, but I must remind all Members that open rules are much less frequent in this Congress than years past, and when it comes to rally controversial or major legislation, we almost never see an open rule. As always, I hope that trend will turn around. Although I support this rule, I would like to alert my colleagues to one small wrinkle—and I emphasize small—involving the waiver of clause 5(a) of rule XXI, which prohibits appropriating in a legislative bill. I wish to clarify for my colleagues that staff has assured us that this waiver only protects the ability of the Park Commission to use lease revenues for operating expenses, if the necessary appropriation is not passed. We have been assured that the bulk of the money discussed in this bill—which CBO estimates could amount to about $15 million over 5 years—is only an authorization and must be subject to the annual appropriations process just like most other projects.

Mr. Speaker, I expect we will have a lively debate about the merits of this bill and whether this project deserves to be singled out for special authorization at this time and for this amount of money. I am grateful for the open rule but I must say I am puzzled about why we are using our limited floor time near the end of the session to discuss this bill, which has little prospect of being completed by the other body prior to adjournment of this Congress and whose passage is clearly not crucial this year. I wonder about the priorities of the leadership, which seems to have decided that the Lowell Park project is more deserving of House attention than congressional reform, lobby reform, campaign reform, responsible health care reform, and a whole host of other measures that are waiting in the wings. To me that suggests that we may have our priorities a bit out of line with those of the American people. Nevertheless, the docket says today we will do this bill, and so I again wish to thank the majority for this open rule.

Mr. Speaker, I include data on open versus restrictive rules for the RECORD, as follows:

OPEN VERSUS RESTRICTIVE RULES 95TH–103D CONG.

Congress (years)	Total rules granted [1]	Open rules		Restrictive rules	
		Number	Percent [2]	Number	Percent [3]
95th (1977–78)	211	179	85	32	15
96th (1979–80)	214	161	75	53	25
97th (1981–82)	120	90	75	30	25
98th (1983–84)	155	105	68	50	32
99th (1985–86)	115	65	57	50	43
100th (1987–88)	123	66	54	57	46
101st (1989–90)	104	47	45	57	55
102d (1991–92)	109	37	34	72	66

OPEN VERSUS RESTRICTIVE RULES 95TH–103D CONG.—Continued

Congress (years)	Total rules granted [1]	Open rules		Restrictive rules	
		Number	Percent [2]	Number	Percent [3]
103d (1993–94)	97	30	31	67	69

[1] Total rules counted are all order of business resolutions reported from the Rules Committee which provide for the initial consideration of legislation, except rules on appropriations bills which only waive points of order. Original jurisdiction measures reported as privileged are also not counted.

[2] Open rules are those which permit any Member to offer any germane amendment to a measure so long as it is otherwise in compliance with the rules of the House. The parenthetical percentages are open rules as a percent of total rules granted.

[3] Restrictive rules are those which limit the number of amendments which can be offered, and include so-called modified open and modified closed rules, as well as completely closed rule, and rules providing for consideration in the House as opposed to the Committee of the Whole. The parenthetical percentages are restrictive rules as a percent of total rules granted.

Sources: "Rules Committee Calendars & Surveys of Activities," 95th–102d Cong.; "Notices of Action Taken," Committee on Rules, 103d Cong., through Sept. 23, 1994.

OPEN VERSUS RESTRICTIVE RULES: 103D CONG.

Rule number date reported	Rule type	Bill number and subject	Amendments submitted	Amendments allowed	Disposition of rule and date
H. Res. 58, Feb. 2, 1993	MC	H.R. 1: Family and medical leave	30 (D–5; R–25)	3 (D–0; R–3)	PQ: 246–176. A: 259–164. (Feb. 3, 1993).
H. Res. 59, Feb. 3, 1993	MC	H.R. 2: National Voter Registration Act	19 (D–1; R–18)	1 (D–0; R–1)	PQ: 248–171. A: 249–170. (Feb. 4, 1993).
H. Res. 103, Feb. 23, 1993	C	H.R. 920: Unemployment compensation	7 (D–2; R–5)	0 (D–0; R–0)	PQ: 243–172. A: 237–178. (Feb. 24, 1993).
H. Res. 106, Mar. 2, 1993	MC	H.R. 20: Hatch Act amendments	9 (D–1; R–8)	3 (D–0; R–3)	PQ: 248–166. A: 249–163. (Mar. 3, 1993).
H. Res. 119, Mar. 9, 1993	MC	H.R. 4: NIH Revitalization Act of 1993	13 (d–4; R–9)	8 (D–3; R–5)	PQ: 247–170. A: 248–170. (Mar. 10, 1993).
H. Res. 132, Mar. 17, 1993	MC	H.R. 1335: Emergency supplemental Appropriations	37 (D–8; R–29)	1(not submitted) (D–1; R–0)	A: 240–185. (Mar. 18, 1993).
H. Res. 133, Mar. 17, 1993	MC	H. Con. Res. 64: Budget resolution	14 (D–2; R–12)	4 (1-D not submitted) (D–2; R–2)	PQ: 250–172. A: 251–172. (Mar. 18, 1993).
H. Res. 138, Mar. 23, 1993	MC	H.R. 670: Family planning amendments	20 (D–8; R–12)	9 (D–4; R–5)	PQ: 252–164. A: 247–169. (Mar. 24, 1993).
H. Res. 147, Mar. 31, 1993	C	H.R. 1430: Increase Public debt limit	6 (D–1; R–5)	0 (D–0; R–0)	PQ: 244–168. A: 242–170. (Apr. 1, 1993).
H. Res. 149 Apr. 1, 1993	MC	H.R. 1578: Expedited Rescission Act of 1993	8 (D–1; R–7)	3 (D–1; R–2)	A: 212–208. (Apr. 28, 1993).
H. Res. 164, May 4, 1993	O	H.R. 820: Nate Competitiveness Act	NA	NA	A: Voice Vote. (May 5, 1993).
H. Res. 171, May 18, 1993	O	H.R. 873: Gallatin Range Act of 1993	NA	NA	A: Voice Vote. (May 20, 1993).
H. Res. 172, May 18, 1993	O	H.R. 1159: Passenger Vessel Safety Act	NA	NA	A: 308–0 (May 24, 1993).
H. Res. 173 May 18, 1993	MC	S.J. Res. 45: United States forces in Somalia	6 (D–1; R–5)	6 (D–1; R–5)	A: Voice Vote (May 20, 1993)
H. Res. 183, May 25, 1993	O	H.R. 2244: 2d supplemental appropriations	NA	NA	A: 251–174. (May 26, 1993).
H. Res. 186, May 27, 1993	MC	H.R. 2264: Omnibus budget reconciliation	51 (D–19; R–32)	8 (D–7; R–1)	PQ: 252–178. A: 236–194 (May 27, 1993).
H. Res. 192, June 9, 1993	MC	H.R. 2348: Legislative branch appropriations	50 (D–6; R–44)	6 (D–3; R–3)	PQ: 240–177. A: 226–185. (June 10, 1993).
H. Res. 193, June 10, 1993	O	H.R. 2200: NASA authorization	NA	NA	A: Voice Vote. (June 14, 1993).
H. Res. 195, June 14, 1993	MC	H.R. 5: Striker replacement	7 (D–4; R–3)	2 (D–1; R–1)	A: 244–176.. (June 15, 1993).
H. Res. 197, June 15, 1993	MO	H.R. 2333: State Department. H.R. 2404: Foreign aid	53 (D–20; R–33)	27 (D–12; R–15)	A: 294–129. (June 16, 1993).
H. Res. 199, June 16, 1993	C	H.R. 1876: Ext. of "Fast Track"	NA	NA	A: Voice Vote. (June 22, 1993).
H. Res. 200, June 16, 1993	MC	H.R. 2295: Foreign operations appropriations	33 (D–11; R–22)	5 (D–1; R–4)	A: 263–160. (June 17, 1993).
H. Res. 201, June 17, 1993	O	H.R. 2403: Treasury-postal appropriations	NA	NA	A: Voice Vote. (June 17, 1993).
H. Res. 203, June 22, 1993	MO	H.R. 2445: Energy and Water appropriations	NA	NA	A: Voice Vote. (June 23, 1993).
H. Res. 206, June 23, 1993	O	H.R. 2150: Coast Guard authorization	NA	NA	A: 401–0. (July 30, 1993).
H. Res. 217, July 14, 1993	MO	H.R. 2010: National Service Trust Act	NA	NA	A: 261–164. (July 21, 1993).
H. Res. 220, July 21, 1993	MC	H.R. 2667: Disaster assistance supplemental	14 (D–8; R–6)	2 (D–2; R–0)	PQ: 245–178. F: 205–216. (July 22, 1993).
H. Res. 226, July 23, 1993	MC	H.R. 2667: Disaster assistance supplemental	15 (D–8; R–7)	2 (D–2; R–0)	A: 224–205. (July 27, 1993).
H. Res. 229, July 28, 1993	MO	H.R. 2330: Intelligence Authority Act, fiscal year 1994	NA	NA	A: Voice Vote. (Aug. 3, 1993).
H. Res. 230, July 28, 1993	O	H.R. 1964: Maritime Administration authority	NA	NA	A: Voice Vote. (July 29, 1993).
H. Res. 246, Aug. 6, 1993	MO	H.R. 2401: National Defense authority	149 (D–109; R–40)		A: 246–172. (Sept. 8, 1993).
H. Res. 248, Sept. 9, 1993	MO	H.R. 2401: National defense authorization			PQ: 237–169. A: 234–169. (Sept. 13, 1993).
H. Res. 250, Sept. 13, 1993	MC	H.R. 1340: RTC Completion Act	12 (D–3; R–9)	1 (D–1; R–0)	A: 213–191–1. (Sept. 14, 1993).
H. Res. 254, Sept. 22, 1993	MO	H.R. 2401: National Defense authorization		91 (D–67; R–24)	A: 241–182. (Sept. 28, 1993).
H. Res. 262, Sept. 28, 1993	O	H.R. 1845: National Biological Survey Act	NA	NA	A: 238–188 (10/06/93).
H. Res. 264, Sept. 28, 1993	MC	H.R. 2351: Arts, humanities, museums	7 (D–0; R–7)	3 (D–0; R–3)	PQ: 240–185. A: 225–195. (Oct. 14, 1993).
H. Res. 265, Sept. 29, 1993	MC	H.R. 3167: Unemployment compensation amendments	3 (D–1; R–2)	2 (D–1; R–1)	A: 239–150. (Oct. 15, 1993).
H. Res. 269, Oct. 6, 1993	MO	H.R. 2739: Aviation infrastructure investment	N/A	N/A	A: Voice Vote. (Oct. 7, 1993).
H. Res. 273, Oct. 12, 1993	MC	H.R. 3167: Unemployment compensation amendments	3 (D–1; R–2)	2 (D–1; R–1)	PQ: 235–187. F: 149–254. (Oct. 14, 1993).
H. Res. 274, Oct. 12, 1993	MC	H.R. 1804: Goals 2000 Educate America Act	15 (D–7; R–7; I–1)	10 (D–7; R–3)	A: Voice Vote. (Oct. 13, 1993).
H. Res. 282, Oct. 20, 1993	C	H.J. Res. 281: Continuing appropriations through Oct. 28, 1993	N/A	N/A	A: Voice Vote. (Oct. 21, 1993).
H. Res. 286, Oct. 27, 1993	O	H.R. 334: Lumbee Recognition Act	N/A	N/A	A: Voice Vote. (Oct. 28, 1993).
H. Res. 287, Oct. 27, 1993	C	H.J. Res. 283: Continuing appropriations resolution	1 (D–0; R–0)	0	A: 252–170. (Oct. 28, 1993).
H. Res. 289, Oct. 28, 1993	O	H.R. 2151: Maritime Security Act of 1993	N/A	N/A	A: Voice Vote. (Nov. 3, 1993).
H. Res. 293, Nov. 4, 1993	MC	H. Con. Res. 170: Troop withdrawal Somalia	N/A	N/A	A: 390–8. (Nov. 8, 1993).
H. Res. 299, Nov. 8, 1993	MO	H.R. 1036: Employee Retirement Act–1993	2 (D–1; R–1)	N/A	A: Voice Vote. (Nov. 9, 1993).
H. Res. 302, Nov. 9, 1993	MC	H.R. 1025: Brady handgun bill	17 (D–6; R–11)	4 (D–1; R–3)	A: 238–182. (Nov. 10, 1993).
H. Res. 303, Nov. 9, 1993	O	H.R. 322: Mineral exploration	N/A	N/A	A: Voice Vote. (Nov. 16, 1993).
H. Res. 304, Nov. 9, 1993	C	H.J. Res. 288: Further CR, FY 1994	N/A	N/A	
H. Res. 312, Nov. 17, 1993	MC	H.R. 3425: EPA Cabinet Status	27 (D–8; R–19)	9 (D–1; R–8)	F: 191–227. (Feb. 2, 1994).
H. Res. 313, Nov. 17, 1993	MC	H.R. 796: Freedom Access to Clinics	15 (D–9; R–6)	4 (D–1; R–3)	A: 233–192. (Nov. 18, 1993).
H. Res. 314, Nov. 17, 1993	MC	H.R. 3351: Alt Methods Young Offenders	21 (D–7; R–14)	6 (D–3; R–3)	A: 238–179. (Nov. 19, 1993).
H. Res. 316, Nov. 19, 1993	C	H.R. 51: D.C. statehood bill	1 (D–1; R–0)	N/A	A: 252–172. (Nov. 20, 1993).
H. Res. 319, Nov. 20, 1993	MC	H.R. 3: Campaign Finance Reform	35 (D–6; R–29)	1 (D–0; R–1)	A: 220–207. (Nov. 21, 1993).
H. Res. 320, Nov. 20, 1993	MC	H.R. 3400: Reinventing Government	34 (D–15; R–19)	3 (D–3; R–0)	A: 247–183. (Nov. 22, 1993).
H. Res. 336, Feb. 2, 1994	MC	H.R. 3759: Emergency Supplemental Appropriations	14 (D–8; R–5; I–1)	5 (D–3; R–2)	PQ: 244–168. A: 342–65. (Feb. 3, 1994).
H. Res. 352, Feb. 8, 1994	MC	H.R. 811: Independent Counsel Act	27 (D–8; R–19)	10 (D–4; R–6)	PQ: 249–174. A: 242–174. (Feb. 9, 1994).
H. Res. 357, Feb. 9, 1994	MC	H.R. 3345: Federal Workforce Restructuring	3 (D–2; R–1)	2 (D–2; R–0)	A: VV (Feb. 10, 1994).
H. Res. 366, Feb. 23, 1994	MO	H.R. 6: Improving America's Schools	NA	NA	A: VV (Feb. 24, 1994).
H. Res. 384, Mar. 9, 1994	MC	H. Con. Res. 218: Budget Resolution FY 1995–99	14 (D–5; R–9)	5 (D–3; R–2)	A: 245–171 (Mar. 10, 1994).
H. Res. 401, Apr. 12, 1994	MO	H.R. 4092: Violent Crime Control	180 (D–98; R–82)	68 (D–47; R–21)	A: 244–176 (Apr. 13, 1994).
H. Res. 410, Apr. 21, 1994	MO	H.R. 3221: Iraqi Claims Act	N/A	N/A	A: Voice Vote (Apr. 28, 1994).
H. Res. 414, Apr. 28, 1994	O	H.R. 3254: NSF Auth. Act	N/A	N/A	A: Voice Vote (May 3, 1994).
H. Res. 416, May 4, 1994	C	H.R. 4296: Assault Weapons Ban Act	7 (D–5; R–2)	0 (D–0; R–0)	A: 220–209 (May 5, 1994).
H. Res. 420, May 5, 1994	O	H.R. 2442: EDA Reauthorization	N/A	N/A	A: Voice Vote (May 10, 1994).
H. Res. 422, May 11, 1994	MO	H.R. 518: California Desert Protection	N/A	N/A	PQ: 245–172 A: 248–165 (May 17, 1994).
H. Res. 423, May 11, 1994	O	H.R. 2473: Montana Wilderness Act	N/A	N/A	A: Voice Vote (May 12, 1994).
H. Res. 428, May 17, 1994	MO	H.R. 2108: Black Lung Benefits Act	4 (D–1; R–3)	N/A	A: VV (May 19, 1994).
H. Res. 429, May 17, 1994	MO	H.R. 4301: Defense Auth., FY 1995	173 (D–115; R–58)		A: 369–49 (May 18, 1994).
H. Res. 431, May 20, 1994	MO	H.R. 4301: Defense Auth., FY 1995		100 (D–80; R–20)	A: Voice Vote (May 23, 1994).
H. Res. 440, May 24, 1994	MC	H.R. 4385: Natl Hiway System Designation	16 (D–10; R–6)	5 (D–5; R–0)	A: Voice Vote (May 25, 1994).
H. Res. 443, May 25, 1994	MC	H.R. 4426: For. Ops. Approps, FY 1995	39 (D–11; R–28)	8 (D–3; R–5)	PQ: 233–191 A: 244–181 (May 25, 1994).
H. Res. 444, May 25, 1994	MC	H.R. 4454: Leg Branch Approp, FY 1995	43 (D–10; R–33)	12 (D–8; R–4)	A: 249–177 (May 26, 1994).
H. Res. 447, June 8, 1994	O	H.R. 4539: Treasury/Postal Approps 1995	N/A	N/A	A: 236–177 (June 9, 1994).
H. Res. 467, June 28, 1994	MC	H.R. 4600: Expedited Rescissions Act	N/A	N/A	PQ: 240–185 A:Voice Vote (July 14, 1994).
H. Res. 468, June 28, 1994	MO	H.R. 4299: Intelligence Auth., FY 1995	N/A	N/A	A: Voice Vote (July 19, 1994).
H. Res. 474, July 12, 1994	MO	H.R. 3937: Export Admin. Act of 1994	N/A	N/A	A: Voice Vote (July 14, 1994).
H. Res. 475, July 12, 1994	O	H.R. 1188: Anti. Redlining in Ins	N/A	N/A	A: Voice Vote (July 20, 1994).
H. Res. 482, July 20, 1994	O	H.R. 3838: Housing & Comm. Dev. Act	N/A	N/A	A: Voice Vote (July 21, 1994).
H. Res. 483, July 20, 1994	O	H.R. 3870: Environ. Tech. Act of 1994	N/A	N/A	A: Voice Vote (July 26, 1994).
H. Res. 484, July 20, 1994	MC	H.R. 4604: Budget Control Act of 1994	3 (D–2; R–1)	3 (D–2; R–1)	PQ: 245–180 A: Voice Vote (July 21, 1994).
H. Res. 491, July 27, 1994	O	H.R. 2448: Radon Disclosure Act	N/A	N/A	A: Voice Vote (July 28, 1994).
H. Res. 492, July 27, 1994	O	S. 208: NPS Concession Policy	N/A	N/A	A: Voice Vote (July 28, 1994).
H. Res. 494, July 28, 1994	MC	H.R. 4801: SBA Reauth & Amdmts. Act	10 (D–5; R–5)	6 (D–4; R–2)	PQ: 215–169 A: 221–161 (July 29, 1994).
H. Res. 500, Aug. 1, 1994	MO	H.R. 4003: Maritime Admin. Reauth.	N/A	N/A	A: 336–77 (Aug. 2, 1994).
H. Res. 501, Aug. 1, 1994	O	S. 1357: Little Traverse Bay Bands	N/A	N/A	A: Voice Vote (Aug. 3, 1994).
H. Res. 502, Aug. 1, 1994	O	H.R. 1066: Pokagon Band of Potawatomi	N/A	N/A	A: Voice Vote (Aug. 3, 1994).
H. Res. 507, Aug. 4, 1994	O	H.R. 4217: Federal Crop Insurance	N/A	N/A	A: Voice Vote (Aug. 5, 1994).
H. Res. 509, Aug. 5, 1994	MC	H.J. Res. 373/H.R. 4590: MFN China Policy	N/A	N/A	A: Voice Vote (Aug. 9, 1994).

OPEN VERSUS RESTRICTIVE RULES: 103D CONG.—Continued

Rule number date reported	Rule type	Bill number and subject	Amendments submitted	Amendments allowed	Disposition of rule and date
H. Res. 513, Aug. 9, 1994	MC	H.R. 4906: Emergency Spending Control Act	N/A	N/A	A: Voice Vote (Aug. 17, 1994).
H. Res. 512, Aug. 9, 1994	MC	H.R. 4907: Full Budget Disclosure Act	N/A	N/A	A: 255–178 (Aug. 11, 1994).
H. Res. 514, Aug. 9, 1994	MC	H.R. 4822: Cong. Accountability	33 (D–16; R–17)	16 (D–10; R–6)	PQ: 247–185 A: Voice Vote (Aug. 10, 1994).
H. Res. 515, Aug. 10, 1994	O	H.R. 4908: Hydrogen Etc. Research Act	N/A	N/A	A: Voice Vote (Aug. 19, 1994).
H. Res. 516, Aug. 10, 1994	MC	H.R. 3433: Presidio Management	12 (D–2; R–10)	N/A	A: Voice Vote (Aug. 19, 1994).
H. Res. 532, Sept. 20, 1994	O	H.R. 4448: Lowell Natl. Park	N/A	N/A	
H. Res. 535, Sept. 20, 1994	O	H.R. 4422: Coast Guard Authorization	N/A	N/A	A: Voice Vote (Sept. 22, 1994).
H. Res. 536, Sept. 20, 1994	MC	H.R. 2866: Headwaters Forest Act	16 (D–5; R–11)	9 (D–3; R–6)	PQ: 245–175 A: 246–174 (Sept. 21, 1994).
H. Res. 542, Sept. 23, 1994	O	H.R. 4008: NOAA Auth. Act	N/A	N/A	
H. Res. 543, Sept. 23, 1994	O	H.R. 4926: Natl. Treatment in Banking	N/A	N/A	
H. Res. 544, Sept. 23, 1994	O	H.R. 3171: Ag. Dept. Reorganization	N/A	N/A	

Note.—Code: C-Closed; MC-Modified closed; MO-Modified open; O-Open; D-Democrat; R-Republican; PQ: Previous question; A-Adopted; F-Failed.

Mr. Speaker, I yield back the balance of my time.

Mr. MOAKLEY. Mr. Speaker, I have no further requests for time, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION AUTHORIZATION ACT OF 1994

Mr. MOAKLEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 542 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 542

Resolved, That at any time after the adoption of this resolution the Speaker, may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4008) to authorize appropriations for the National Oceanic and Atmospheric Administration for fiscal years 1994 and 1995, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour, with thirty minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Merchant Marine and Fisheries and thirty minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Science, Space, and Technology. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the committee amendments now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of H.R. 5046. That amendment in the nature of a substitute shall be considered by title rather than by section. Each title shall considered as read. All points of order against that amendment in the nature of a substitute are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. HASTINGS). The gentleman from Massachusetts [Mr. MOAKLEY] is recognized for 1 hour.

Mr. MOAKLEY. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Tennessee [Mr. QUILLEN], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 542 is an open rule providing for 1 hour of general debate with 30 minutes equally divided between the chairman and ranking minority member of the Merchant Marine and Fisheries Committee and 30 minutes equally divided between the chairman and ranking minority member of the Committee on Science, Space, and Technology.

Mr. Speaker, House Resolution 542 waives all points of order against the bill and the committee substitute, H.R. 5046, which this resolution makes in order as original text for the purposes of amendment.

Finally, Mr. Speaker, this resolution provides one motion to recommit with or without instructions.

Mr. Speaker, H.R. 5046 reflects the agreement reached between the two committees that have jurisdiction over NOAA, the Science, Space, and Technology Committee and the Merchant Marine and Fisheries Committee.

This bill authorizes $459 million for fiscal year 1995 and $469 million for fiscal year 1996 for the National Oceanic and Atmospheric Administration.

The programs administered by NOAA help improve the global environment, provide maps and charts of our oceans, and protect many of our most precious natural resources.

This legislation contains many provisions which impact the management of NOAA and improve upon its research and operational capabilities.

Mr. Speaker, our oceans and waterways represent one of the world's greatest natural resources. For centuries man has used the sea for food, for travel and for trade. As a result, protection and conservation of our oceans is one of the priorities of the global community.

Mr. Speaker, the dedicated men and women of the NOAA corps administer programs such as the National Undersea Research Program and the Saltonsall-Kennedy Grant Program which are designed to protect and conserve the world's oceans and their bountiful resources.

Mr. Speaker, H.R. 4008 also authorizes funding for a new initiative, the Global Learning and Observations to Benefit the Environment Program.

This program is designed to promote environmental awareness to the children of the world while providing environmental data for use in the scientific community.

Although Federal funds are authorized for funding this worthwhile project, the global program will rely heavily on funding from the private sector for its continued operation.

Mr. Speaker, this program is an excellent investment in the future. It is hoped that by establishing this program for the children of today, that they will grow to be adults who are environmentally aware and better educated and prepared to protect and conserve the world's natural resources.

Mr. Speaker, in closing I would like to commend the chairmen and ranking minority members of both the Merchant Marine and Fisheries Committee and the Science, Space, and Technology Committee.

Chairman STUDDS, Chairman BROWN, and Mr. FIELDS and Mr. WALKER have once again worked in a bipartisan fashion to bring to the House a compromise bill which should pass the House with little opposition.

I urge adoption of this resolution and adoption of the bill.

□ 1650

Mr. Speaker, I reserve the balance of my time.

Mr. QUILLEN. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, the gentleman from Massachusetts [Mr. MOAKLEY] has thoroughly explained the provisions of this rule, and while it may appear to be without controversy, I strongly object to the blanket waiver provided under the rule and I urge my colleagues to vote against it.

Mr. Speaker, when the chairman of the Merchant Marine and Fisheries

Committee, Mr. STUDDS, appeared before the Rules Committee last week, he was specifically asked what waivers, if any, the bill required. Mr. STUDDS responded that a waiver of rule XXI, clause 5(a), prohibiting appropriations in a legislative bill, was required for sections 401 and 408 of the bill and the substitute. An explanation of the need for those waivers was furnished to the members of the Rules Committee. They are minor and noncontroversial and I am not opposed to the granting of these waivers. However, I have just been informed that there is a possible Budget Act violations in this measure as well.

The committees of jurisdiction did an outstanding job in working together to bring forth this important bipartisan measure, and they did their job thoroughly by informing the Rules Committee of its waiver requirements. The Rules Committee, however, did not do its job thoroughly when it reported this rule. During consideration of this matter in the Rules Committee, a motion was made by Mr. SOLOMON to replace the blanket waiver with the specific waivers needed. This motion was defeated on a party-line vote.

Mr. Speaker, I strongly feel that the Rules Committee has an obligation to report out rules which specifically outline which waivers, if any, are being granted whenever this is feasible. This is one of those instances—the waivers should be printed in this rule and not be left up to the rule managers to outline them during floor debate.

Mr. Speaker, I again strongly urge my colleagues to vote down this rule and send a message to the Rules Committee that the House expects the committee to do its job thoroughly by providing full and open disclosure in the rules it reports.

Mr. Speaker, I include for the RECORD statistics on rollcall votes in the Committee on Rules as follows:

ROLL CALL VOTE IN THE RULES COMMITTEE ON H.R. 4008, NOAA AUTHORIZATION ACT, FRIDAY, SEPTEMBER 23, 1994

1. Solomon Motion on Blanket Waivers—A motion to replace the waivers of all points of order against the bill and substitute with specific waivers and to provide Rules Committee members with an explanation of each. Rejected: 3–4. Yeas: Solomon, Dreier, Goss. Nays: Moakley, Derrick, Frost, Slaughter. Not Voting: Beilenson, Bonior, Hall, Wheat, Gordon, Quillen.

2. Derrick Motion to Report Rule—A one-hour, open rule, waiving all points of order against the bill and substitute. Adopted: 4–3. Yeas: Moakley, Derrick, Frost, Slaughter. Nays: Solomon, Dreier, Goss. Not Voting: Beilenson, Bonior, Hall, Wheat, Gordon, Quillen.

OPEN VERSUS RESTRICTIVE RULES 95TH–103D CONG.

Congress (years)	Total rules granted [1]	Open rules		Restrictive rules	
		Number	Percent [2]	Number	Percent [3]
95th (1977–78)	211	179	85	32	15
96th (1979–80)	214	161	75	53	25
97th (1981–82)	120	90	75	30	25
98th (1983–84)	155	105	68	50	32
99th (1985–86)	115	65	57	50	43
100th (1987–88)	123	66	54	57	46
101st (1989–90)	104	47	45	57	55
102d (1991–92)	109	37	34	72	66
103d (1993–94)	97	30	31	67	69

[1] Total rules counted are all order of business resolutions reported from the Rules Committee which provide for the initial consideration of legislation, except rules on appropriations bills which only waive points of order. Original jurisdiction measures reported as privileged are also not counted.

[2] Open rules are those which permit any Member to offer any germane amendment to a measure so long as it is otherwise in compliance with the rules of the House. The parenthetical percentages are open rules as a percent of total rules granted.

[3] Restrictive rules are those which limit the number of amendments which can be offered, and include so-called modified open and modified closed rules, as well as completely closed rule, and rules providing for consideration in the House as opposed to the Committee of the Whole. The parenthetical percentages are restrictive rules as a percent of total rules granted.

Sources: "Rules Committee Calendars & Surveys of Activities," 95th–102d Cong.; "Notices of Action Taken," Committee on Rules, 103d Cong., through Sept. 23, 1994.

OPEN VERSUS RESTRICTIVE RULES: 103D CONG.

Rule number date reported	Rule type	Bill number and subject	Amendments submitted	Amendments allowed	Disposition of rule and date
H. Res. 58, Feb. 2, 1993	MC	H.R. 1: Family and medical leave	30 (D–5; R–25)	3 (D–0; R–3)	PQ: 246–176. A: 259–164. (Feb. 3, 1993).
H. Res. 59, Feb. 3, 1993	MC	H.R. 2: National Voter Registration Act	19 (D–1; R–18)	1 (D–0; R–1)	PQ: 248–171. A: 249–170. (Feb. 4, 1993).
H. Res. 103, Feb. 23, 1993	C	H.R. 920: Unemployment compensation	7 (D–2; R–5)	0 (D–0; R–0)	PQ: 243–172. A: 237–178. (Feb. 24, 1993).
H. Res. 106, Mar. 2, 1993	MC	H.R. 20: Hatch Act amendments	9 (D–1; R–8)	3 (D–0; R–3)	PQ: 248–166. A: 249–163. (Mar. 3, 1993).
H. Res. 119, Mar. 9, 1993	MC	H.R. 4: NIH Revitalization Act of 1993	13 (d–4; R–9)	8 (D–3; R–5)	PQ: 247–170. A: 248–170. (Mar. 10, 1993).
H. Res. 132, Mar. 17, 1993	MC	H.R. 1335: Emergency supplemental Appropriations	37 (D–8; R–29)	1(not submitted) (D–1; R–0)	A: 240–185. (Mar. 18, 1993).
H. Res. 133, Mar. 17, 1993	MC	H. Con. Res. 64: Budget resolution	14 (D–2; R–12)	4 (1-D not submitted) (D–2; R–2)	PQ: 250–172. A: 251–172. (Mar. 18, 1993).
H. Res. 138, Mar. 23, 1993	MC	H.R. 670: Family planning amendments	20 (D–8; R–12)	9 (D–4; R–5)	PQ: 252–164. A: 247–169. (Mar. 24, 1993).
H. Res. 147, Mar. 31, 1993	C	H.R. 1430: Increase Public debt limit	6 (D–1; R–5)	0 (D–0; R–0)	PQ: 244–168. A: 242–170. (Apr. 1, 1993).
H. Res. 149 Apr. 1, 1993	MC	H.R. 1578: Expedited Rescission Act of 1993	8 (D–1; R–7)	3 (D–1; R–2)	A: 212–208. (Apr. 28, 1993).
H. Res. 164, May 4, 1993	O	H.R. 820: Nate Competitiveness Act	NA	NA	A: Voice Vote. (May 5, 1993).
H. Res. 171, May 18, 1993	O	H.R. 873: Gallatin Range Act of 1993	NA	NA	A: Voice Vote. (May 20, 1993).
H. Res. 172, May 18, 1993	O	H.R. 1159: Passenger Vessel Safety Act	NA	NA	A: 308–0 (May 24, 1993).
H. Res. 173 May 18, 1993	MC	S.J. Res. 45: United States forces in Somalia	6 (D–1; R–5)	6 (D–1; R–5)	A: Voice Vote (May 20, 1993)
H. Res. 183, May 25, 1993	O	H.R. 2244: 2d supplemental appropriations	NA	NA	A: 251–174. (May 26, 1993).
H. Res. 186, May 27, 1993	MC	H.R. 2264: Omnibus budget reconciliation	51 (D–19; R–32)	8 (D–7; R–1)	PQ: 252–178. A: 236–194 (May 27, 1993).
H. Res. 192, June 9, 1993	MC	H.R. 2348: Legislative branch appropriations	50 (D–6; R–44)	6 (D–3; R–3)	PQ: 240–177. A: 226–185. (June 10, 1993).
H. Res. 193, June 10, 1993	O	H.R. 2200: NASA authorization	NA	NA	A: Voice Vote. (June 14, 1993).
H. Res. 195, June 14, 1993	MC	H.R. 5: Striker replacement	7 (D–4; R–3)	2 (D–1; R–1)	A: 244–176.. (June 15, 1993).
H. Res. 197, June 15, 1993	MO	H.R. 2333: State Department. H.R. 2404: Foreign aid	53 (D–20; R–33)	27 (D–12; R–15)	A: 294–129. (June 16, 1993).
H. Res. 199, June 16, 1993	C	H.R. 1876: Ext. of "Fast Track"	NA	NA	A: Voice Vote. (June 22, 1993).
H. Res. 200, June 16, 1993	MC	H.R. 2295: Foreign operations appropriations	33 (D–11; R–22)	5 (D–1; R–4)	A: 263–160. (June 17, 1993).
H. Res. 201, June 17, 1993	O	H.R. 2403: Treasury-postal appropriations	NA	NA	A: Voice Vote. (June 17, 1993).
H. Res. 203, June 22, 1993	MO	H.R. 2445: Energy and Water appropriations	NA	NA	A: Voice Vote. (June 23, 1993).
H. Res. 206, June 23, 1993	O	H.R. 2150: Coast Guard authorization	NA	NA	A: 401–0. (July 30, 1993).
H. Res. 217, July 14, 1993	MO	H.R. 2010: National Service Trust Act	NA	NA	A: 261–164. (July 21, 1993).
H. Res. 220, July 21, 1993	MC	H.R. 2667: Disaster assistance supplemental	14 (D–8; R–6)	2 (D–2; R–0)	PQ: 245–178. F: 205–216. (July 22, 1993).
H. Res. 226, July 23, 1993	MC	H.R. 2667: Disaster assistance supplemental	15 (D–8; R–7)	2 (D–2; R–0)	A: 224–205. (July 27, 1993).
H. Res. 229, July 28, 1993	MO	H.R. 2330: Intelligence Authority Act, fiscal year 1994	NA	NA	A: Voice Vote. (Aug. 3, 1993).
H. Res. 230, July 28, 1993	O	H.R. 1964: Maritime Administration authority	NA	NA	A: Voice Vote. (July 29, 1993).
H. Res. 246, Aug. 6, 1993	MO	H.R. 2401: National Defense authority	149 (D–109; R–40)		A: 246–172. (Sept. 8, 1993).
H. Res. 248, Sept. 9, 1993	MO	H.R. 2401: National defense authorization			PQ: 237–169. A: 234–169. (Sept. 13, 1993).
H. Res. 250, Sept. 13, 1993	MC	H.R. 1340: RTC Completion Act	12 (D–3; R–9)	1 (D–1; R–0)	A: 213–191–1. (Sept. 14, 1993).
H. Res. 254, Sept. 22, 1993	MO	H.R. 2401: National Defense authorization		91 (D–67; R–24)	A: 241–182. (Sept. 28, 1993).
H. Res. 262, Sept. 28, 1993	O	H.R. 1845: National Biological Survey Act	NA	NA	A: 238–188 (10/06/93).
H. Res. 264, Sept. 28, 1993	MC	H.R. 2351: Arts, humanities, museums	7 (D–0; R–7)	3 (D–0; R–3)	PQ: 240–185. A: 225–195. (Oct. 14, 1993).
H. Res. 265, Sept. 29, 1993	MC	H.R. 3167: Unemployment compensation amendments	3 (D–1; R–2)	2 (D–1; R–1)	A: 239–150. (Oct. 15, 1993).
H. Res. 269, Oct. 6, 1993	MO	H.R. 2739: Aviation infrastructure investment	N/A	N/A	A: Voice Vote. (Oct. 7, 1993).
H. Res. 273, Oct. 12, 1993	MC	H.R. 3167: Unemployment compensation amendments	3 (D–1; R–2)	2 (D–1; R–1)	PQ: 235–187. F: 149–254. (Oct. 14, 1993).
H. Res. 274, Oct. 12, 1993	MC	H.R. 1804: Goals 2000 Educate America Act	15 (D–7; R–7; I–1)	10 (D–7; R–3)	A: Voice Vote. (Oct. 13, 1993).
H. Res. 282, Oct. 20, 1993	C	H.J. Res. 281: Continuing appropriations through Oct. 28, 1993	N/A	N/A	A: Voice Vote. (Oct. 21, 1993).
H. Res. 286, Oct. 27, 1993	O	H.R. 334: Lumbee Recognition Act	N/A	N/A	A: Voice Vote. (Oct. 28, 1993).
H. Res. 287, Oct. 27, 1993	C	H.J. Res. 283: Continuing appropriations resolution	1 (D–0; R–0)	0	A: 252–170. (Oct. 28, 1993).
H. Res. 289, Oct. 28, 1993	O	H.R. 2151: Maritime Security Act of 1993	N/A	N/A	A: Voice Vote. (Nov. 3, 1993).
H. Res. 293, Nov. 4, 1993	MC	H. Con. Res. 170: Troop withdrawal Somalia	N/A	N/A	A: 390–8. (Nov. 8, 1993).
H. Res. 299, Nov. 8, 1993	MO	H.R. 1036: Employee Retirement Act–1993	2 (D–1; R–1)	N/A	A: Voice Vote. (Nov. 9, 1993).
H. Res. 302, Nov. 9, 1993	MC	H.R. 1025: Brady handgun bill	17 (D–6; R–11)	4 (D–1; R–3)	A: 238–182. (Nov. 10, 1993).
H. Res. 303, Nov. 9, 1993	O	H.R. 322: Mineral exploration	N/A	N/A	A: Voice Vote. (Nov. 16, 1993).
H. Res. 304, Nov. 9, 1993	C	H.J. Res. 288: Further CR, FY 1994	N/A	N/A	
H. Res. 312, Nov. 17, 1993	MC	H.R. 3425: EPA Cabinet Status	27 (D–8; R–19)	9 (D–1; R–8)	F: 191–227. (Feb. 2, 1994).
H. Res. 313, Nov. 17, 1993	MC	H.R. 796: Freedom Access to Clinics	15 (D–9; R–6)	4 (D–1; R–3)	A: 233–192. (Nov. 18, 1993).
H. Res. 314, Nov. 17, 1993	MC	H.R. 3351: Alt Methods Young Offenders	21 (D–7; R–14)	6 (D–3; R–3)	A: 238–179. (Nov. 19, 1993).
H. Res. 316, Nov. 19, 1993	C	H.R. 51: D.C. statehood bill	1 (D–1; R–0)	N/A	A: 252–172. (Nov. 20, 1993).
H. Res. 319, Nov. 20, 1993	MC	H.R. 3: Campaign Finance Reform	35 (D–6; R–29)	1 (D–0; R–1)	A: 220–207. (Nov. 21, 1993).
H. Res. 320, Nov. 20, 1993	MC	H.R. 3400: Reinventing Government	34 (D–15; R–19)	3 (D–3; R–0)	A: 247–183. (Nov. 22, 1993).
H. Res. 336, Feb. 2, 1994	MC	H.R. 3759: Emergency Supplemental Appropriations	14 (D–8; R–5; I–1)	5 (D–3; R–2)	PQ: 244–168. A: 342–65. (Feb. 3, 1994).

OPEN VERSUS RESTRICTIVE RULES: 103D CONG.—Continued

Rule number date reported	Rule type	Bill number and subject	Amendments submitted	Amendments allowed	Disposition of rule and date
H. Res. 352, Feb. 8, 1994	MC	H.R. 811: Independent Counsel Act	27 (D–8; R–19)	10 (D–4; R–6)	PQ: 249–174. A: 242–174. (Feb. 9, 1994).
H. Res. 357, Feb. 9, 1994	MC	H.R. 3345: Federal Workforce Restructuring	3 (D–2; R–1)	2 (D–2; R–0)	A: VV (Feb. 10, 1994).
H. Res. 366, Feb. 23, 1994	MO	H.R. 6: Improving America's Schools	NA	NA	A: VV (Feb. 24, 1994).
H. Res. 384, Mar. 9, 1994	MC	H. Con. Res. 218: Budget Resolution FY 1995–99	14 (D–5; R–9)	5 (D–3; R–2)	A: 245–171 (Mar. 10, 1994).
H. Res. 401, Apr. 12, 1994	MO	H.R. 4092: Violent Crime Control	180 (D–98; R–82)	68 (D–47; R–21)	A: 244–176 (Apr. 13, 1994).
H. Res. 410, Apr. 21, 1994	MO	H.R. 3221: Iraqi Claims Act	N/A	N/A	A: Voice Vote (Apr. 28, 1994).
H. Res. 414, Apr. 28, 1994	O	H.R. 3254: NSF Auth. Act	N/A	N/A	A: Voice Vote (May 3, 1994).
H. Res. 416, May 4, 1994	C	H.R. 4296: Assault Weapons Ban Act	7 (D–5; R–2)	0 (D–0; R–0)	A: 220–209 (May 5, 1994).
H. Res. 420, May 5, 1994	O	H.R. 2442: EDA Reauthorization	N/A	N/A	A: Voice Vote (May 10, 1994).
H. Res. 422, May 11, 1994	MO	H.R. 518: California Desert Protection	N/A	N/A	PQ: 245–172 A: 248–165 (May 17, 1994).
H. Res. 423, May 11, 1994	O	H.R. 2473: Montana Wilderness Act	N/A	N/A	A: Voice Vote (May 12, 1994).
H. Res. 428, May 17, 1994	MO	H.R. 2108: Black Lung Benefits Act	4 (D–1; R–3)	N/A	A: VV (May 19, 1994).
H. Res. 429, May 17, 1994	MO	H.R. 4301: Defense Auth., FY 1995	173 (D–115; R–58)		A: 369–49 (May 18, 1994).
H. Res. 431, May 20, 1994	MO	H.R. 4301: Defense Auth., FY 1995		100 (D–80; R–20)	A: Voice Vote (May 23, 1994).
H. Res. 440, May 24, 1994	MC	H.R. 4385: Natl Hiway System Designation	16 (D–10; R–6)	5 (D–5; R–0)	A: Voice Vote (May 25, 1994).
H. Res. 443, May 25, 1994	MC	H.R. 4426: For. Ops. Approps, FY 1995	39 (D–11; R–28)	8 (D–3; R–5)	PQ: 233–191 A: 244–181 (May 25, 1994).
H. Res. 444, May 25, 1994	MC	H.R. 4454: Leg Branch Approp, FY 1995	43 (D–10; R–33)	12 (D–8; R–4)	A: 249–177 (May 26, 1994).
H. Res. 447, June 8, 1994	O	H.R. 4539: Treasury/Postal Approps 1995	N/A	N/A	A: 236–177 (June 9, 1994).
H. Res. 467, June 28, 1994	MC	H.R. 4600: Expedited Rescissions Act	N/A	N/A	PQ: 240–185 A:Voice Vote (July 14, 1994).
H. Res. 468, June 28, 1994	MO	H.R. 4299: Intelligence Auth., FY 1995	N/A	N/A	A: Voice Vote (July 19, 1994).
H. Res. 474, July 12, 1994	MO	H.R. 3937: Export Admin. Act of 1994	N/A	N/A	A: Voice Vote (July 14, 1994).
H. Res. 475, July 12, 1994	O	H.R. 1188: Anti. Redlining in Ins	N/A	N/A	A: Voice Vote (July 20, 1994).
H. Res. 482, July 20, 1994	O	H.R. 3838: Housing & Comm. Dev. Act	N/A	N/A	A: Voice Vote (July 21, 1994).
H. Res. 483, July 20, 1994	O	H.R. 3870: Environ. Tech. Act of 1994	N/A	N/A	A: Voice Vote (July 26, 1994).
H. Res. 484, July 20, 1994	MC	H.R. 4604: Budget Control Act of 1994	3 (D–2; R–1)	3 (D–2; R–1)	PQ: 245–180 A: Voice Vote (July 21, 1994).
H. Res. 491, July 27, 1994	O	H.R. 2448: Radon Disclosure Act	N/A	N/A	A: Voice Vote (July 28, 1994).
H. Res. 492, July 27, 1994	O	S. 208: NPS Concession Policy	N/A	N/A	A: Voice Vote (July 28, 1994).
H. Res. 494, July 28, 1994	MC	H.R. 4801: SBA Reauth & Amdmts. Act	10 (D–5; R–5)	6 (D–4; R–2)	PQ: 215–169 A: 221–161 (July 29, 1994).
H. Res. 500, Aug. 1, 1994	MO	H.R. 4003: Maritime Admin. Reauth.	N/A	N/A	A: 336–77 (Aug. 2, 1994).
H. Res. 501, Aug. 1, 1994	O	S. 1357: Little Traverse Bay Bands	N/A	N/A	A: Voice Vote (Aug. 3, 1994).
H. Res. 502, Aug. 1, 1994	O	H.R. 1066: Pokagon Band of Potawatomi	N/A	N/A	A: Voice Vote (Aug. 3, 1994).
H. Res. 507, Aug. 4, 1994	O	H.R. 4217: Federal Crop Insurance	N/A	N/A	A: Voice Vote (Aug. 5, 1994).
H. Res. 509, Aug. 5, 1994	MC	H.J. Res. 373/H.R. 4590: MFN China Policy	N/A	N/A	A: Voice Vote (Aug. 9, 1994).
H. Res. 513, Aug. 9, 1994	MC	H.R. 4906: Emergency Spending Control Act	N/A	N/A	A: Voice Vote (Aug. 17, 1994).
H. Res. 512, Aug. 9, 1994	MC	H.R. 4907: Full Budget Disclosure Act	N/A	N/A	A: 255–178 (Aug. 11, 1994).
H. Res. 514, Aug. 9, 1994	MC	H.R. 4822: Cong. Accountability	33 (D–16; R–17)	16 (D–10; R–6)	PQ: 247–185 A: Voice Vote (Aug. 10, 1994).
H. Res. 515, Aug. 10, 1994	O	H.R. 4908: Hydrogen Etc. Research Act	N/A	N/A	A: Voice Vote (Aug. 19, 1994).
H. Res. 516, Aug. 10, 1994	MC	H.R. 3433: Presidio Management	12 (D–2; R–10)	N/A	A: Voice Vote (Aug. 19, 1994).
H. Res. 532, Sept. 20, 1994	O	H.R. 4448: Lowell Natl. Park	N/A	N/A	
H. Res. 535, Sept. 20, 1994	O	H.R. 4422: Coast Guard Authorization	N/A	N/A	A: Voice Vote (Sept. 22, 1994).
H. Res. 536, Sept. 20, 1994	MC	H.R. 2866: Headwaters Forest Act	16 (D–5; R–11)	9 (D–3; R–6)	PQ: 245–175 A: 246–174 (Sept. 21, 1994).
H. Res. 542, Sept. 23, 1994	O	H.R. 4008: NOAA Auth. Act	N/A	N/A	
H. Res. 543, Sept. 23, 1994	O	H.R. 4926: Natl. Treatment in Banking	N/A	N/A	
H. Res. 544, Sept. 23, 1994	O	H.R. 3171: Ag. Dept. Reorganization	N/A	N/A	

Note.—Code: C-Closed; MC-Modified closed; MO-Modified open; O-Open; D-Democrat; R-Republican; PQ: Previous question; A-Adopted; F-Failed.

Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. SOLOMON], ranking member of the Committee on Rules.

Mr. SOLOMON. Mr. Speaker, we are not going to ask for a recorded vote on this. I understand there are severe problems out there with Members trying to return to Washington this afternoon. Therefore, we will not inconvenience the body.

But as the gentleman from Tennessee [Mr. QUILLEN] stated, I did make a motion to substitute the rule that we had upstairs that would specify the waivers that were being asked for. Every Member that comes to floor needs to know whether we are waiving the Budget Act or what rules we are waiving. I think that in the future it would be easy for committee chairmen and subcommittee chairmen when they come before the Committee on Rules to specify which rules are being waived so that Members are aware of it. We are entitled to it as Members of the House.

Mr. Speaker, I will not ask for a recorded vote, but let it be known that we do stand in opposition to this kind of rule.

Mr. QUILLEN. Mr. Speaker, I thank the gentleman from New York for his comments.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. MOAKLEY. Mr. Speaker, I have no requests for time, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. HASTINGS). Pursuant to House Resolution 542 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 4008.

□ 1657

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4008) to authorize appropriations for the National Oceanic and Atmospheric Administration for fiscal years 1994 and 1995, and for other purposes, with Mr. VENTO in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Massachusetts [Mr. STUDDS] will be recognized for 15 minutes, the gentleman from Texas [Mr. FIELDS] will be recognized for 15 minutes, the gentleman from California [Mr. BROWN] will be recognized for 15 minutes, and the gentleman from Pennsylvania [Mr. WALKER] will be recognized for 15 minutes.

The Chair recognizes the gentleman from Massachusetts [Mr. STUDDS].

Mr. STUDDS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Speaker, by way of an aside, may I acknowledge what I suspect to be the proxy here for my ranking member, the gentleman from Texas, who has changed dramatically in appearance, but I am sure not in good will and camaraderie. Also I had meant when there was time under the rule to acknowledge the remarks of the gentleman from New York [Mr. SOLOMON] with his Committee on Rules. I think he is entirely correct in his observation. It was my intention and effort and desire in the Committee on Rules to accommodate that procedure that he spoke of, and I acknowledge the validity of what he said.

Mr. Chairman, H.R. 4008 provides a comprehensive authorization for NOAA's ocean, coastal, and fisheries programs for fiscal years 1995 and 1996. These programs are vital for rebuilding our Nation's fisheries, providing nautical charts and other services for safe navigation, managing our coastal zone, and conducting basic and applied research in marine and coastal waters.

The bill was introduced by Mr. ORTIZ, chairman of the Subcommittee on Oceanography, and referred to the Committee on Merchant Marine and Fisheries and sequentially to the Committee on Science, Space, and Technology. The two committees reported somewhat different versions of the bill, but I am pleased to report that we have

worked out a compromise text on a bipartisan basis. Under the rule, the compromise is the bill that is before the House today.

The bill authorizes $444.2 million for fiscal year 1995, $463.4 million for fiscal year 1996, and some $22 million per year for additional fiscal years for a few programs. The compromise authorizes substantially less than the bill originally reported by the Merchant Marine and Fisheries Committee.

I would like to thank the chairman and ranking member of the Oceanography Subcommittee for their hard work in bringing this bill before the House. I would also like to thank the ranking member of the full committee, Mr. FIELDS, for his support on this bill. Lastly, I would like to thank the leadership of the Science Committee for its cooperation in bringing this legislation to the Floor.

Mr. Chairman, NOAA is a relatively unknown Federal agency that has important responsibilities for managing our marine resources and providing services that enhance the safety of life and property on both land and sea. This bill will help to ensure that these important activities continue. I ask my colleagues to support its passage.

□ 1700

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. SOLOMON] on behalf of the Committee on Merchant Marine and Fisheries.

Mr. SOLOMON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I have never served on the Committee on Merchant Marine and Fisheries, but I guess having served in the U.S. Marine Corps, perhaps that might qualify me here today. I am pinch-hitting because of the inclement weather. Members are having trouble getting back here to the floor.

Let me say a couple of words on behalf of the chairman of the committee, the gentleman from Massachusetts [Mr. STUDDS], and the ranking member, the gentleman from Texas [Mr. FIELDS]. These are two outstanding Members who have done an outstanding job on the Committee on Merchant Marine and Fisheries.

This is a bill which I think we all should support.

Mr. Chairman, I reserve the balance of our time.

Mr. STUDDS. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Texas [Mr. ORTIZ], the chairman of the Subcommittee on Oceanography, Gulf of Mexico, and the Outer Continental Shelf.

Mr. ORTIZ. Mr. Chairman, as chairman of the Oceanography Subcommittee and sponsor of H.R. 4008, I rise in strong support of the bill before the House today.

H.R. 4008 provides a comprehensive authorization of all of the ocean and coastal programs of the National Oceanic and Atmospheric Administration for fiscal years 1995 and 1996, including mapping and charting, ocean observation and prediction, estuarine and coastal assessment, ocean and coastal management, ocean and Great Lakes research, including the National Undersea Research Program, and the Climate and Global Change Research Program.

The bill also includes requirements for several reports and studies which we think are important to help define NOAA's future direction.

Passage of this legislation is crucial to the future direction of NOAA, and with the Senate actively working on their own NOAA authorization bill, I am hopeful that we will be able to get a bill enacted into law before Congress adjourns.

As Chairman STUDDS has indicated, the bill we bring before you today is a consensus document that is without controversy.

It is the product of numerous hours of bipartisan negotiation between the members and staff on the Merchant Marine and Fisheries and the Science, Space, and Technology Committees, and I want to thank everyone involved for their help in putting this bill together.

I particularly want to thank my chairman, Mr. STUDDS, the ranking member, Mr. FIELDS, and the ranking member of the subcommittee, Mr. WELDON, for all their help, cooperation, and leadership over the last year and a half as we have put together this legislation before you today.

In addition, I want to express my appreciation and thanks to Science Committee Chairman BROWN, the Space Subcommittee chairman, Mr. HALL, and to the respective ranking members, Mr. WALKER and Mr. SENSENBRENNER, for all their cooperation during the negotiations on this bill.

Mr. Chairman, this bill is an important statement by this Congress about the future direction and mission of NOAA, and I urge the Members to support passage of the bill.

Mr. STUDDS. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

Mr. SOLOMON. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. BROWN], the distinguished chairman of the Committee on Science, Space, and Technology, for 15 minutes.

Mr. BROWN of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am going to follow the excellent example of the preceding speakers here. Our committee had a peripheral referral on this bill, and we enjoyed a great deal of constructive cooperation with the leadership of the Committee on Merchant Marine and Fisheries.

I think we made some small helpful additions to the bill, and I obviously rise in strong support of it.

Mr. Chairman, I rise in support of H.R. 4008, authorizing the oceanic, coastal, and environmental research, and marine resource programs of the National Oceanic and Atmospheric Administration for fiscal years 1995 and 1996.

Mr. Speaker, the National Oceanic and Atmospheric Administration [NOAA] was established 24 years ago as a science-based agency with the responsibility of predicting changes in the oceanic and atmospheric environments; predicting changes in our living marine resources, and with providing related information and services to the public, industry, the research community, and other government agencies.

The Earth is naturally a place of change, often with severe impacts on society. From the day-to-day changes in our weather to the seasonal changes of floods and droughts to the decadal changes of dust bowls, natural climatic swings will undoubtedly be a part of our future.

More recently, human-induced changes are being observed on decadal time scales. Atmospheric pollution, the thinning ozone layer, and greenhouse gasses are a few of the man-made problems which could greatly affect the future of our global climate.

NOAA is committed to providing science-based advice to policy makers by detecting and assessing decadal to centennial changes in the global environment—with special emphasis on climate change and greenhouse warming, ozone layer depletion, and air quality improvement.

Mr. Chairman, H.R. 4008 provides the funding authorization for NOAA's participation in the U.S. Global Climate Change Research Program. The key to understanding the world's climate may well be found in the interactions between the oceans and the atmosphere.

H.R. 4008 also includes authorization for the GLOBE Program, the Global Learning and Observations to Benefit the Environment Program. NOAA will be the host agency for GLOBE, an international science and education partnership that will establish a network of students throughout the world involved in making environmental observations. In testimony before the Committee on Science, Space, and Technology, Dr. Baker, the NOAA Administrator, expressed his confidence that the use of carefully selected measurements and measurement procedures, and a comprehensive data quality control system will assure that success of the science objective of GLOBE. H.R. 4008 includes a bipartisan agreement limiting the funding authorization for GLOBE through the requirement of matching nongovernment funding resources. I would like to thank Mr. SENSENBRENNER and Mr. HALL for their hard work in crafting this agreement.

I would like to thank the gentleman from Massachusetts [Mr. STUDDS] chairman of the Committee on Merchant Marine and Fisheries,

and the gentleman from Texas [Mr. FIELDS] the ranking member of the Merchant Marine and Fisheries Committee, for their efforts on this important legislation.

I would also like to commend Mr. ORTIZ and Mr. WELDON, the chairman and ranking minority member of the Subcommittee on Oceanography, Gulf of Mexico, and Outer Continental Shelf, BOB WALKER, the ranking minority member of the Committee on Science, Space, and Technology, and Mr. HALL and Mr. SENSENBRENNER, the chairman and ranking minority member on the Subcommittee on Space, for their hard work and cooperation in bringing this bill to the floor today.

I urge my colleagues to support this important legislation.

Mr. GEJDENSON. Mr. Chairman, I rise in support of H.R. 5046. I want to commend the gentleman from Massachusetts [Mr. STUDDS] and the gentleman from Texas [Mr. ORTIZ] for their hard work in bringing this bill to the floor. I also want to thank Mr. BROWN of California for his support.

H.R. 5046 authorizes several programs which are important to coastal States across the country. I am especially pleased that it includes title VI, which authorizes the National Undersea Research Program [NURP]. As many of my colleagues know, we have been working for several years to authorize this important research program. Title VI includes comprehensive authorization language negotiated by the NURP Center Directors and the Science and Merchant Marine Committees. Importantly, it provides clear guidance to the NOAA about how the program should be structured.

This program is carried in about six centers across the country, including one at the University of Connecticut Avery Point campus. The centers conduct research on global climate change, movement of contaminants in the ocean environment, and a wide range of other research with important economic implications. The centers use some of the most sophisticated technology, including manned and unmanned underwater submersibles. I want my colleagues to know that these six centers conduct research in the Atlantic and Pacific Oceans, the Gulf of Mexico, the Caribbean, and the Great Lakes.

H.R. 5046 matches existing centers to the undersea regions for which they are currently responsible. It includes a process for establishing new centers at institutions of higher learning in coastal areas. Importantly, section 605(a) of the bill protects existing centers by prohibiting the establishment of new centers if that will result in reductions in expenditures for any existing center. This is vitally important because the current centers, including Avery Point, operate under very tight budgetary circumstances. In fact, funding provided in fiscal year 1995 is less than in fiscal 1994. H.R. 5046 also provides for a review of existing centers and regions every 6 years to ensure that research continues to be pertinent. The grant review process established by the bill includes a strong peer review component. Finally, the bill includes a very modest authorization of appropriations to support the existing centers, any new centers and for the national office. I am pleased that the bill prohibits the national office from using funds appropriated for the centers for administration and other purposes. Research is carried out by the centers and they should receive the full amount of funds appropriated for that purpose.

Mr. Chairman, this is a balanced bill and this particular title is the result of several months of negotiations between many parties. It is vitally important that we authorize NURP and I urge my colleagues to support this bill.

Mr. HALL of Texas. Mr. Chairman, I rise in support of H.R. 4008, the NOAA Authorization Act of 1994.

I would like to commend the author of this legislation, my colleague from Texas, Mr. ORTIZ, the chairman of the Subcommittee on Oceanography, Gulf of Mexico, and Outer Continental Shelf, for bringing this important bill to the House floor.

I would also like to acknowledge the hard work of the subcommittee's ranking minority member, Mr. WELDON, the chairman of the Committee on Merchant Marine and Fisheries, Mr. STUDDS, and the other gentleman from Texas, Mr. FIELDS, the ranking member of the Merchant Marine and Fisheries Committee, my chairman, the gentleman from California, Mr. GEORGE BROWN, chairman of the Committee on Science, Space, and Technology, Mr. WALKER, the ranking minority member of the committee, and Mr. SENSENBRENNER, the ranking minority member on the Subcommittee on Space, for their hard work and cooperation in bringing this bill to the floor today.

Mr. Chairman, H.R. 4008 authorizes appropriations for the ocean and coastal programs of the National Oceanic and Atmospheric Administration for fiscal years 1995 and 1996. It is the companion bill to H.R. 2811, the NOAA Atmospheric and Satellite Program Authorization Act that was approved by the House of Representatives last year and S. 2432 which may be considered by the Senate in the near future.

Mr. Chairman, the Science Committee shares jurisdiction with the Merchant Marine and Fisheries Committee on a few NOAA programs contained in H.R. 4008, including: Global Climate Change Research; the National Undersea Research Program [NURP]; and NOAA's program support and administrative activities.

We have reached agreements on all of these important programs and support the compromise language.

I would particularly like to acknowledge the hard work of Chairman ORTIZ and his staff in crafting a solid compromise on the National Undersea Research Program [NURP]. The NURP Program can make a valuable contribution to our knowledge of the ocean environment, and I would like to express my support for Mr. ORTIZ' efforts in this regard.

I believe this bill is bipartisan and noncontroversial. I urge my colleagues to support this important legislation.

Mr. BROWN of California. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. Does the gentleman from New York [Mr. SOLOMON] claim the time for the Committee on Science, Space, and Technology?

Mr. SOLOMON. Mr. Chairman, I would claim the time. We were waiting for the ranking Republican on the committee to come, but I think he has been delayed by inclement weather as well.

Mr. Chairman, I yield back the remainder of my time.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute, consisting of the text of H.R. 5046, shall be considered by titles as an original bill for the purposes of amendment, and each title is considered as read.

The Clerk will designate section 1.

The text of section 1 is as follows:

H.R. 5046

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Oceanic and Atmospheric Administration Authorization Act of 1994".

The CHAIRMAN. Are there amendments to section 1?

Mr. STUDDS. Mr. Chairman, I ask unanimous consent that the amendment in the nature of a substitute made in order by the rule be printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The text of the remainder of the amendment in the nature of a substitute is as follows:

SEC. 2. DEFINITIONS.

For the purposes of this Act, the term—

(1) "Act of 1890" means the Act entitled "An Act to increase the efficiency and reduce the expenses of the Signal Corps of the Army, and to transfer the Weather Bureau to the Department of Agriculture", approved October 1, 1890 (26 Stat. 653);

(2) "Act of 1947" means the Act entitled "An Act to define the functions and duties of the Coast and Geodetic Survey, and for other purposes", approved August 6, 1947 (33 U.S.C. 883a et seq.); and

(3) "Act of 1970" means the Act entitled "An Act to clarify the status and benefits of commissioned officers of the National Oceanic and Atmospheric Administration, and for other purposes", approved December 31, 1970 (33 U.S.C. 857–1 et seq.).

TITLE I—NOAA OCEAN AND COASTAL PROGRAMS

SEC. 101. NATIONAL OCEAN SERVICE.

(a) MAPPING AND CHARTING.—

(1) IN GENERAL.—There are authorized to be appropriated to the Secretary of Commerce, to enable the National Oceanic and Atmospheric Administration to carry out mapping and charting activities under the Act of 1947 and any other law involving those activities, $29,005,000 for fiscal year 1995 and $30,049,000 for fiscal year 1996.

(2) AUTOMATED NAUTICAL CHARTING.—In addition to amounts authorized under paragraph (1), there are authorized to be appropriated to the Secretary of Commerce, to enable the National Oceanic and Atmospheric Administration to develop and implement an automated nautical charting system, $1,300,000 for fiscal year 1995 and $1,347,000 for fiscal year 1996.

(b) GEODESY.—There are authorized to be appropriated to the Secretary of Commerce,

to enable the National Oceanic and Atmospheric Administration to carry out geodesy activities under the Act of 1947 and any other law involving those activities, $19,332,000 for fiscal year 1995 and $20,028,000 for fiscal year 1996.

(c) OBSERVATION AND PREDICTION.—

(1) IN GENERAL.—There are authorized to be appropriated to the Secretary of Commerce, to enable the National Oceanic and Atmospheric Administration to carry out observation and prediction activities under the Act of 1947 and any other law involving those activities, $12,429,000 for fiscal year 1995 and $12,876,000 for fiscal year 1996.

(2) CIRCULATORY SURVEY PROGRAM.—In addition to amounts authorized under paragraph (1), there are authorized to be appropriated to the Secretary of Commerce, to enable the National Oceanic and Atmospheric Administration to carry out the Circulatory Survey Program, $700,000 for fiscal year 1995 and $725,000 for fiscal year 1996.

(3) OCEAN AND EARTH SCIENCES.—In addition to amounts authorized under paragraph (1), there are authorized to be appropriated to the Secretary of Commerce, to enable the National Oceanic and Atmospheric Administration to carry out ocean and earth science activities, $4,442,000 for fiscal year 1995 and $4,602,000 for fiscal year 1996.

(4) CENTER FOR OCEAN ANALYSIS AND PREDICTION.—In addition to amounts authorized under paragraph (1), there are authorized to be appropriated to the Secretary of Commerce, to enable the National Oceanic and Atmospheric Administration to continue the activities of the Center for Ocean Analysis and Prediction, $400,000 for fiscal year 1995 and $414,000 for fiscal year 1996.

(5) OBSERVATION BUOYS.—In addition to amounts authorized under paragraph (1), there are authorized to be appropriated to the Secretary of Commerce, to enable the National Oceanic and Atmospheric Administration to operate and maintain observation buoys in the Chesapeake Bay, $400,000 for fiscal year 1995 and $414,000 for fiscal year 1996.

(d) ESTUARINE AND COASTAL ASSESSMENT.—

(1) IN GENERAL.—There are authorized to be appropriated to the Secretary of Commerce, to enable the National Oceanic and Atmospheric Administration to support estuarine and coastal assessment activities under the Act of 1947 and any other law involving those activities, $2,420,000 for fiscal year 1995 and $2,507,000 for fiscal year 1996.

(2) OCEAN ASSESSMENT.—In addition to amounts authorized under paragraph (1), there are authorized to be appropriated to the Secretary of Commerce, to enable the National Oceanic and Atmospheric Administration to carry out the National Status and Trends Program, the Strategic Environmental Assessment Program, and the Hazardous Materials Response Program, $18,945,000 for fiscal year 1995 and $19,627,000 for fiscal year 1996.

(3) DAMAGE ASSESSMENT PROGRAM.—In addition to amounts authorized under paragraph (1), there are authorized to be appropriated to the Secretary of Commerce, to enable the National Oceanic and Atmospheric Administration to carry out the Damage Assessment Program, $1,500,000 for fiscal year 1995 and $1,554,000 for fiscal year 1996.

(4) COASTAL OCEAN PROGRAM.—In addition to amounts authorized under paragraph (1), there are authorized to be appropriated to the Secretary of Commerce, to enable the National Oceanic and Atmospheric Administration to carry out the Coastal Ocean Program, $11,433,000 for fiscal year 1995 and $11,845,000 for fiscal year 1996. Of the amounts authorized under this paragraph for fiscal years 1995 and 1996, a total of $120,000 is available until expended to study the use of oceanographic data obtained from satellite imagery and other sources to determine and predict the presence of endangered sea turtles in the Gulf of Mexico.

(e) OCEAN MANAGEMENT.—There are authorized to be appropriated to the Secretary of Commerce, to enable the National Oceanic and Atmospheric Administration to carry out deep ocean mineral and ocean energy activities, $500,000 for each of fiscal years 1995 and 1996.

SEC. 102. OCEAN AND GREAT LAKES RESEARCH.

(a) MARINE PREDICTION RESEARCH.—

(1) IN GENERAL.—There are authorized to be appropriated to the Secretary of Commerce, to enable the National Oceanic and Atmospheric Administration to carry out marine prediction research activities under the Act of 1947, the Act of 1890, and any other law involving those activities, $10,000,000 for fiscal year 1995 and $10,360,000 for fiscal year 1996.

(2) GREAT LAKES ENVIRONMENTAL RESEARCH LABORATORY.—

(A) IN GENERAL.—There are authorized to be appropriated to the Secretary of Commerce, for the operation and maintenance of the Great Lakes Environmental Research Laboratory, $4,558,000 for fiscal year 1995 and $4,722,000 for fiscal year 1996.

(B) GREAT LAKES NEARSHORE RESEARCH.—There are authorized to be appropriated to the Secretary of Commerce, to enable the National Oceanic and Atmospheric Administration to carry out nearshore research activities of the Great Lakes Environmental Research Laboratory, $500,000 for each of fiscal years 1995 and 1996.

(C) ZEBRA MUSSEL RESEARCH.—In addition to amounts authorized under subparagraph (A), there are authorized to be appropriated to the Secretary of Commerce, to enable the National Oceanic and Atmospheric Administration to carry out zebra mussel research activities of the Great Lakes Environmental Research Laboratory under the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4701 et seq.), $911,000 for fiscal year 1995 and $1,125,000 for fiscal year 1996.

(3) SOUTHEAST FLORIDA AND CARIBBEAN RECRUITMENT PROGRAM.—In addition to amounts authorized under paragraph (1), there are authorized to be appropriated to the Secretary of Commerce a total of $2,000,000 for fiscal years 1995 and 1996 to enable the National Oceanic and Atmospheric Administration to carry out, through the Cooperative Institute for Marine and Atmospheric Studies, collaborative investigations to examine the physical and biological processes which—

(A) occur in tropical marine environments in coastal waters of the United States, Florida, and the Caribbean; and

(B) impact variability and development of fisheries resources.

(b) CLIMATE AND GLOBAL CHANGE RESEARCH.—

(1) IN GENERAL.—There are authorized to be appropriated to the Secretary of Commerce, to enable the National Oceanic and Atmospheric Administration to carry out climate and global change research activities, $71,000,000 for fiscal year 1995 and $84,012,000 for fiscal year 1996. Of sums appropriated under this subsection, sufficient funds should be made available by the Secretary of Commerce to initiate and support research on the effects of climate and global change on the Nation's major freshwater systems, including the Great Lakes and the Mississippi River.

(2) ENVIRONMENTAL OBSERVATIONS.—In addition to the amounts authorized to be appropriated under paragraph (1), there is authorized to be appropriated to the Secretary of Commerce $7,000,000 for each of fiscal years 1995 and 1996 for a program to increase scientific understanding of the earth by using a network of schools to collect environmental observations. Beginning in fiscal year 1996, amounts appropriated for such program may be obligated only to the extent that an equal or greater amount of non-Federal funding is provided for such program.

(3) IMPLEMENTATION OF LANDSAT AGREEMENT.—Section 103 of the Land Remote Sensing Policy Act of 1992 is amended by adding at the end the following new subsection:

"(c) IMPLEMENTATION OF AGREEMENT.—If negotiations under subsection (a) result in an agreement that the Landsat Program Management determines generally achieves the goals stated in subsection (a) (1) through (8), the Landsat Program Management shall award an extension, until the practical demise of Landsat 4 or Landsat 5, whichever occurs later, of the existing contract with the Landsat 6 contractor incorporating the terms of such agreement.".

TITLE II—NOAA MARINE FISHERY PROGRAMS

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

The National Oceanic and Atmospheric Administration Marine Fisheries Program Authorization Act (Public Law 98-210; 97 Stat. 1409) is amended—

(1) in section 2(a) by—

(A) striking "1992 and" and inserting "1992,"; and

(B) inserting after "1993" the following: ", $51,092,000 for fiscal year 1995, and $52,931,000 for fiscal year 1996";

(2) in section 3(a) by—

(A) striking "1992 and" and inserting "1992,"; and

(B) inserting after "1993" the following: ", $14,198,000 for fiscal year 1995, and $14,709,000 for fiscal year 1996"; and

(3) in section 4(a) by—

(A) striking "1992 and" and inserting "1992,"; and

(B) inserting after "1993" the following: ", $17,089,000 for fiscal year 1995, and $17,704,000 for fiscal year 1996".

SEC. 202. AMENDMENTS TO THE MERCHANT MARINE ACT, 1936.

Section 1104A(b)(2) of the Merchant Marine Act, 1936 (46 App. U.S.C. 1274(b)(2)), is amended in the third proviso by striking ", except that no debt may be placed under this proviso through the Federal Financing Bank".

SEC. 203. SCALLOP RESTORATION PROGRAM.

There are authorized to be appropriated to the Secretary of Commerce $200,000 for each of fiscal years 1995 and 1996, for the establishment and maintenance of a scallop restoration program for Long Island Sound.

SEC. 204. SALTONSTALL-KENNEDY PROGRAM AMENDMENTS.

(a) IN GENERAL.—Section 2 of the Act of August 11, 1939 (15 U.S.C. 713c-3), popularly known as the "Saltonstall-Kennedy Act", is amended—

(1) by striking "SEC. 2." the second place it appears;

(2) in subsection (b)(1) by—

(A) striking subparagraph (B);

(B) striking "only for—" and all that follows through "the Secretary—" and inserting "only for use by the Secretary—";

(C) redesignating clauses (i), (ii), and (iii) in order as subparagraphs (A), (B), and (C); and

(D) moving subparagraphs (A), (B), and (C), as redesignated by subparagraph (C) of this

paragraph, 2 ems to the left so that the left margin of those subparagraphs is aligned with the left margin of section 2(a)(5) of that Act (15 U.S.C. 713c-3(a)(5)); and

(3) by striking the designation and heading for subsection (c) and all that follows through paragraph (4) of that subsection, and inserting the following:

"(c) FISHERIES RESEARCH AND DEVELOPMENT PROJECTS.—

"(1) IN GENERAL.—The Secretary shall make grants from the fund established under subsection (b) for the purpose of assisting persons in carrying out research and development projects to promote the sustainable use and development of United States fisheries, including harvesting, processing, aquaculture, marketing, and associated infrastructures.

"(2) SECRETARY'S DUTIES.—The Secretary shall each fiscal year—

"(A) receive at least once, during a 60-day period specified by the Secretary, applications for grants under this subsection pursuant to a Request for Proposals published in the Federal Register;

"(B) prescribe in that Request for Proposals the form and manner in which applications for grants under this subsection must be made, including the specification of the information which must accompany applications to ensure that the proposed projects comply with Federal law and can be properly evaluated under paragraph (3);

"(C) include in that Request for Proposals a list of priorities for grants under this subsection that is based on the priorities recommended for the fiscal year under paragraph (3)(F); and

"(D) approve or disapprove each such application—

"(i) based primarily on the recommendations of the grants review panel established under paragraph (3) for the fiscal year; and

"(ii) before the end of the 90-day period beginning on the day after the last day of the application period specified in the Request for Proposals under subparagraph (A); and

"(E) to the extent amounts are available, obligate funds for grants for approved applications before the end of the fiscal year for which the funds are available, except that up to 10 percent of funds available for a fiscal year may be obligated in the next fiscal year.

"(3) EVALUATION AND APPROVAL OF PROPOSALS.—

"(A) SUITABILITY FOR EVALUATION.—For each application received under paragraph (2) in a fiscal year, the Secretary shall—

"(i) make a determination whether the project proposed in the application meets the requirements of this subsection and is consistent with the priorities recommended for the fiscal year under subparagraph (F); and

"(ii) if so, forward the proposal to the grants review panel established for the fiscal year under subparagraph (B).

"(B) GRANTS REVIEW PANEL.—Each fiscal year, the Secretary shall establish a grants review panel that consists of individuals with expertise in fisheries research, development, or management, that represents a balance among those disciplines, that is balanced in the representation of those disciplines, and that is balanced in the representation of the geographic regions of the United States. Each grants review panel shall review each proposal forwarded by the Secretary under subparagraph (A)(ii) and make recommendations to the Secretary for awarding grants under this subsection among those proposals for the fiscal year, subject to the criteria described in subparagraph (C) and consistent with the funding available for the fiscal year.

"(C) CRITERIA FOR EVALUATION OF PROPOSALS.—Each grants review panel shall evaluate each proposal as to—

"(i) the value of the proposal in promoting the purpose described in paragraph (1) in general and in fulfilling the applicable regional priorities recommended under subparagraph (F);

"(ii) the soundness of its design (including the likelihood of securing useful results, and the organization and management of the proposal);

"(iii) the minimization of duplication within fisheries research and development activities; and

"(iv) based on the criteria in clauses (i), (ii) and (iii), the overall quality and rank of the proposal relative to the other proposals under review.

"(D) INDUSTRIAL PARTNERS.—In evaluating and ranking proposals under this subsection that are of equivalent overall quality and rank based on the criteria set forth in subparagraph (C), a grants review panel and the Secretary shall give preference to proposals in which at least 1 of the persons that would be a principal grantee under the proposal receives a substantial portion of income from seafood harvesting, processing, marketing, or propagation.

"(E) NOTICE OF DECISION BY THE SECRETARY.—If the Secretary approves or disapproves an application for a proposal contrary to the recommendations of a grants review panel, the Secretary shall notify the panel, the Committee on Merchant Marine and Fisheries of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate in writing of that decision, including the reasons for that decision.

"(F) RECOMMENDATIONS FOR FUTURE FUNDING PRIORITIES.—Each grants review panel shall, after evaluating proposals and making grants recommendations, and after consulting with interested parties, recommend to the Secretary for the next fiscal year national and regional priorities for grants under this subsection.

"(4) TERMS AND CONDITIONS.—Each grant made under this subsection shall be subject to such terms and conditions as the Secretary may require to protect the interests of the United States, including the following:

"(A) RECORDS.—The recipient of the grant—

"(i) must keep such records as the Secretary shall require as being necessary and appropriate for disclosing the use made of grant funds; and

"(ii) shall allow the Secretary and the Comptroller General of the United States, or any of their authorized representatives, access to such records for purposes of audit and examination.

"(B) AMOUNT OF GRANT.—The amount of a grant may not be less than 50 percent of the estimated cost of the project.

"(C) PERIOD OF GRANT.—A grant may not provide funding for more than 2 years from the date of the release of the funds to the grantee.

"(D) STATUS REPORT.—The recipient of a grant shall submit annually to the Secretary a project status report. The Secretary may not release funds to the recipient for any subsequent period of funding for that grant or for any other grant to that recipient made by the Secretary under this subsection until the Secretary receives that report.".

(b) APPLICATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section apply to fiscal years beginning after the date of the enactment of this Act.

(2) LIST OF REGIONAL PRIORITIES.—Notwithstanding section 2(c)(2)(C) of the Act of August 11, 1939, as amended by subsection (a)(2) of this section, the list of priorities referred to in that section for the first fiscal year beginning after the date of the enactment of this Act is not required to be based on priorities recommended under paragraph (3)(F) of that section.

TITLE III—ADMINISTRATION AND OTHER ACCOUNTS

SEC. 301. PROGRAM SUPPORT.

(a) EXECUTIVE DIRECTION AND ADMINISTRATIVE ACTIVITIES.—There are authorized to be appropriated to the Secretary of Commerce, to enable the National Oceanic and Atmospheric Administration to carry out executive direction and administrative activities under the Act of 1970 and any other law involving those activities, $25,000,000 for fiscal year 1995 and $25,900,000 for fiscal year 1996.

(b) SYSTEMS ACQUISITION OFFICE.—There are authorized to be appropriated to the Secretary of Commerce, to enable the National Oceanic and Atmospheric Administration to operate and maintain the Systems Acquisition Office under the Act of 1970, $1,100,000 for fiscal year 1995 and $1,140,000 for fiscal year 1996.

(c) CENTRAL ADMINISTRATIVE SUPPORT.—There are authorized to be appropriated to the Secretary of Commerce, to enable the National Oceanic and Atmospheric Administration to carry out central administrative support activities under the Act of 1970 and any other law involving those activities, $38,000,000 for fiscal year 1995 and $39,368,000 for fiscal year 1996.

(d) RETIRED PAY.—There are authorized to be appropriated to the Secretary of Commerce, for retired pay for retired commissioned officers of the National Oceanic and Atmospheric Administration under the Act of 1970, $7,706,000 for fiscal year 1995 and $7,983,000 for fiscal year 1996.

(e) MARINE SERVICES.—There are authorized to be appropriated to the Secretary of Commerce, to enable the National Oceanic and Atmospheric Administration to carry out marine services activities (including ship operations, maintenance, and support) under the Act of 1947 and any other law involving those activities, $63,508,000 for fiscal year 1995 and $65,794,000 for fiscal year 1996.

TITLE IV—MISCELLANEOUS NOAA PROGRAMS

SEC. 401. NAUTICAL PRODUCTS.

(a) DEPOSIT AND USE OF RECEIPTS FROM NAUTICAL PRODUCTS.—Notwithstanding section 1307(b) of title 44, United States Code, one-sixth of the fees collected each fiscal year from the sale of nautical products by the National Oceanic and Atmospheric Administration and from any licensing of those products by the National Oceanic and Atmospheric Administration which is authorized by law—

(1) shall be deposited into the Operations, Research, and Facilities account of the National Oceanic and Atmospheric Administration; and

(2) shall be available to the Secretary of Commerce, in the manner provided for under section 312(d) of the National Marine Sanctuaries Act, only for the acquisition and installation of Physical Ocean Real-Time Systems, the acquisition and maintenance of upgraded hydrographic survey equipment, and other National Ocean Service activities directly related to the modernization and improvement of maritime safety.

(b) BUDGETARY TREATMENT OF RECEIPTS FROM NAUTICAL PRODUCTS.—Amounts deposited and available to the Secretary of Commerce under subsection (a) (1) and (2)—

(1) shall not be considered to be offsetting receipts of the National Oceanic and Atmospheric Administration or the Department of Commerce; and

(2) shall not be available for administrative costs of the National Oceanic and Atmospheric Administration or the Department of Commerce.

(c) DEPLOYMENT OF PHYSICAL OCEAN REAL TIME SYSTEM.—No later than 270 days after the date of enactment of this Act, the Secretary of Commerce shall deploy, in Galveston Bay and the Houston Ship Channel a Physical Ocean Real Time System consisting, at a minimum, of current, wind, tide, salinity, and water level measuring devices and necessary computer links.

SEC. 402. USE OF OCEAN RESEARCH RESOURCES OF OTHER FEDERAL AGENCIES.

(a) FINDINGS.—The Congress finds the following:

(1) Changes in the defense needs of the United States have redefined the status of many defense- related assets.

(2) Observing, monitoring, and predicting the ocean environment has been a high priority for the defense community to support ocean operations.

(3) Many advances in ocean research have been made by the defense community which could be shared with civilian researchers.

(4) The National Oceanic and Atmospheric Administration's missions to describe and predict the ocean environment, manage the Nation's ocean and coastal resources, and promote stewardship of the world's oceans would benefit from increased cooperation with defense agencies.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that the National Oceanic and Atmospheric Administration should expand its efforts to develop interagency agreements to further the use of defense-related technologies, data, and other resources to support its oceanic missions.

(c) REPORT.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Commerce shall submit to the Committee on Merchant Marine and Fisheries of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the feasibility of expanding the use of defense-related technologies, data, and other resources to support and enhance the oceanic missions of the National Oceanic and Atmospheric Administration.

(2) CONTENTS.—The report required under paragraph (1) shall include—

(A) a detailed listing of defense-related resources currently available to the National Oceanic and Atmospheric Administration and the National Oceanic and Atmospheric Administration missions which utilize those resources;

(B) detailed findings and recommendations, including funding requirements, on the potential for expanding the use of available defense-related resources;

(C) a detailed listing and funding history of the National Oceanic and Atmospheric Administration resources, including data and technology, which could be supplemented by defense-related resources;

(D) a listing of currently unavailable defense-related resources, including data and technology, which if made available would enhance the National Oceanic and Atmospheric Administration mission performance;

(E) recommendations on the regulatory and legislative structures needed to maximize the use of defense-related resources;

(F) an assessment of the respective roles in the use of defense-related resources of the Corps, data centers, operational centers, and research facilities of the National Oceanic and Atmospheric Administration; and

(G) recommendations on how to provide access to relevant defense-related data for non-Federal scientific users.

SEC. 403. NAUTICAL CHARTING MODERNIZATION AND IMPROVEMENT.

(a) STUDY.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Commerce shall submit to the Committee on Merchant Marine and Fisheries of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the status of National Oceanic and Atmospheric Administration programs related to marine navigation safety.

(b) CONTENTS.—The study under subsection (a) shall include the funding history of navigation-related programs of the National Oceanic and Atmospheric Administration, adjusted for inflation, over at least the last 10 fiscal years, and detailed findings and recommendations on the following:

(1) The missions and objectives of National Oceanic and Atmospheric Administration's navigation-related programs, including regarding the statutory or other authorities that enable or require the National Oceanic and Atmospheric Administration to conduct those programs.

(2) The technological, financial, or other factors that limit the National Oceanic and Atmospheric Administration's ability to modernize its navigation-related programs.

(3) Near-term actions, without regard to financial constraints, that are required to enable National Oceanic and Atmospheric Administration to address critical deficiencies in its navigation-related programs.

(4) Actions that need to be taken to allow the National Oceanic and Atmospheric Administration to fulfill its navigation-related responsibilities into the 21st century.

(5) A comparison of the resources and activities of National Oceanic and Atmospheric Administration's navigation-related programs with those of other Federal agencies supporting the United States maritime infrastructure.

(6) Past organizational changes within the National Oceanic and Atmospheric Administration and foreseeable future organizational changes that have affected, or would affect, the ability of the National Oceanic and Atmospheric Administration to provide navigation-related services.

SEC. 404. WEST COAST GROUNDFISH LABORATORY.

In selecting a site for placement of a replacement for the National Marine Fisheries Service Lab at Tiburon, California, the Secretary of Commerce shall take into account the following factors:

(1) The proximity of sites considered to—

(A) groundfish fisheries, salmon fisheries, and other unique marine study areas;

(B) academic and private research institutions which conduct relevant marine habitat and environmental research;

(C) other National Oceanic and Atmospheric Administration research and management elements; and

(D) other Federal, State, and private marine related research facilities.

(2) The ability of the National Oceanic and Atmospheric Administration to retain current staff.

(3) The relative construction and operation costs, including the potential for collocation with other Federal facilities.

SEC. 405. MARINE SANCTUARIES FACILITIES.

Not later than 120 days after the date of the enactment of this Act, the Secretary of Commerce shall report to the Committee on Merchant Marine and Fisheries of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on needs of the Department of Commerce for facilities (including real property for facilities) for the National Marine Sanctuary Program established under the National Marine Sanctuaries Act (16 U.S.C. 1431 et seq.).

SEC. 406. SAN FRANCISCO BAY PORT SYSTEM.

(a) IN GENERAL.—The Secretary of Commerce (hereinafter in this section referred to as the "Secretary") shall establish for San Francisco Bay in accordance with this section the safe navigation system known as the Physical Ocean Real Time System (known, and hereinafter in this section referred to, as the "PORT System"), after completion of implementation of section 401(c).

(b) STUDY.—After completion of implementation of section 401(c), and not later than 1 year after the date of that completion, the Secretary shall conduct a hydrodynamics modeling study of San Francisco Bay to determine the appropriate technology and equipment and the effective placement of instruments for the establishment of the PORT System for San Francisco Bay.

(c) IMPLEMENTATION.—

(1) IN GENERAL.—Not later than 1 year after the completion of the study under subsection (b), the Secretary, in consultation with the State of California Office of Oil Spill Prevention and Response and subject to paragraph (2), shall acquire, install, and activate appropriate equipment to establish an operational PORT System for the San Francisco Bay.

(2) CONDITION.—The Secretary may not take any action under paragraph (1) unless the State of California Office has provided to the Secretary adequate assurances that the State will fund the operation and maintenance of the PORT System for San Francisco Bay after its installation.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out this section $4,200,000 for fiscal years 1995 and 1996.

SEC. 407. CONVEYANCE OF NATIONAL MARINE FISHERIES SERVICE LABORATORY AT GLOUCESTER, MASSACHUSETTS.

(a) CONVEYANCE REQUIRED.—

(1) IN GENERAL.—The Secretary of Commerce shall convey to the Commonwealth of Massachusetts, all right, title, and interest of the United States in and to the property comprising the National Marine Fisheries Service laboratory located on Emerson Avenue in Gloucester, Massachusetts.

(2) TERMS.—A conveyance of property under paragraph (1) shall be made—

(A) without payment of consideration; and

(B) subject to the terms and conditions specified under subsections (b) and (c).

(b) CONDITIONS FOR TRANSFER.—

(1) IN GENERAL.—As a condition of any conveyance of property under this section, the Commonwealth of Massachusetts shall assume full responsibility for maintenance of the property for as long as the Commonwealth retains the right and title to that property.

(2) CONTINUED USE OF PROPERTY BY NMFS.—The Secretary may enter into a memorandum of understanding with the Commonwealth of Massachusetts under which the National Marine Fisheries Service is authorized

to occupy existing laboratory space on the property conveyed under this section, if—

(A) the term of the memorandum of understanding is for a period of not longer than 5 years beginning on the date of enactment of this Act; and

(B) the square footage of the space to be occupied by the National Marine Fisheries Service does not conflict with the needs of, and is agreeable to, the Commonwealth of Massachusetts.

(c) REVERSIONARY INTEREST.—All right, title, and interest in and to all property conveyed under this section shall revert to the United States on the date on which the Commonwealth of Massachusetts uses any of the property for any purpose other than the Commonwealth of Massachusetts Division of Marine Fisheries resource management program.

SEC. 408. REIMBURSEMENT OF EXPENSES.

(a) IN GENERAL.—Notwithstanding section 3302 (b) and (c) of title 31, United States Code, and subject to subsection (b) of this section, all amounts received by the United States in settlement of, or judgment for, damage claims arising from the October 9, 1992, collision of the vessel ZACHERY into the National Oceanic and Atmospheric Administration research vessel DISCOVERER—

(1) shall be retained as an offsetting collection in the Fleet Modernization, Shipbuilding, and Conversion account of the National Oceanic and Atmospheric Administration;

(2) shall be deposited in that account upon receipt by the United States Government; and

(3) shall be available only for obligation for National Oceanic and Atmospheric Administration vessel repairs.

(b) LIMITATION.—Not more than $518,757.09 of the amounts referred to in subsection (a) may be deposited into the Fleet Modernization, Shipbuilding, and Conversion account pursuant to subsection (a).

SEC. 409. NOAA FLEET MODERNIZATION.

(a) AUTHORITY TO CONTRACT.—

(1) IN GENERAL.—The Secretary may enter into only the following contracts in fiscal years 1995 and 1996 to implement the Plan:

(A) Repairs to extend the service life of the R/V DISCOVERER.

(B) Construction of a medium endurance oceanographic research vessel.

(C) A service life extension of the R/V DELAWARE II.

(D) Conversion of a T-AGOS vessel for oceanographic research.

(E) Construction of a coastal/low endurance vessel for living marine research.

(F) Leasing to fulfill any NOAA mission requirements.

(G) Necessary repairs to and maintenance of any vessel in the NOAA fleet, subject to subsection (b).

(H) Necessary requirements, designs, and specifications for future vessel repair, conversion, construction, or lease.

(2) CONTRACT DEFINED.—Section 602 of the NOAA Fleet Modernization Act (33 U.S.C. 891) is amended by adding at the end the following:

"(6) 'contract' means any contract or other agreement for the construction, conversion, lease, chartering, service life extension, or repair or maintenance of any vessel of the NOAA fleet, and provision of related equipment, including the development of any necessary requirement, design, or specification. The term includes contracts entered into on behalf of the Secretary by another Federal department, agency, or instrumentality, if the vessel which is the subject of the contract will be operated by or for the benefit of the Department of Commerce.".

(b) LIMITATION ON EXPENDITURES FOR REPAIRS AND MAINTENANCE.—Notwithstanding any other law, of the total amount appropriated for fiscal years 1991 through 1996 to the Fleet Modernization, Shipbuilding, and Conversion account of the National Oceanic and Atmospheric Administration, not more than 20 percent may be expended by the Secretary for repairs and maintenance of vessels in the NOAA fleet.

(c) LEASING AND CONTRACTS.—

(1) IN GENERAL.—The Secretary shall for each of fiscal years 1995 and 1996, enter into contracts or service contracts under the NOAA Fleet Modernization Act (33 U.S.C. 891 et seq.) to use University-National Oceanographic Laboratory System or non-Federal vessels.

(2) AMOUNT SUBJECT TO OBLIGATION.—Amounts subject to obligation under paragraph (1) shall be, for each fiscal year, the greater of $6,000,000 or 10 percent of the amounts appropriated to the Fleet Modernization, Shipbuilding, and Conversion account for fiscal years 1995 and 1996.

(d) DEFINITIONS.—In this section each of the terms "contract", "NOAA", "NOAA fleet", "Plan", and "Secretary" has the meaning given to that term in section 602 of the NOAA Fleet Modernization Act (33 U.S.C. 891), as amended by this section.

SEC. 410. STUDY OF NOAA CORPS.

(a) STUDY.—The Secretary of Commerce shall, subject to the availability of appropriations, contract with the Marine Board of the National Research Council to examine and report to the Secretary on the appropriate role of the National Oceanic and Atmospheric Administration Corps in supporting NOAA missions. In particular, the Marine Board shall—

(1) examine whether there is a continued need for a uniformed service to operate the NOAA fleet, fly weather observations, conduct hydrographic surveys, manage national marine sanctuaries, conduct NOAA research, and participate in other NOAA activities;

(2) examine the role of the NOAA Corps in modernizing the NOAA fleet and the involvement of the NOAA Corps in obtaining efficient, effective, low-cost ship support of NOAA missions;

(3) compare the full costs of utilizing the services of the NOAA Corps compared to civilian employees in similar positions; and

(4) determine whether adequately trained civilian employees are available to fill NOAA Corps positions.

(b) DEADLINE.—No later than 1 year after the date of enactment of this Act, the Secretary of Commerce shall submit the report of the Marine Board under subsection (a) to the Committee on Merchant Marine and Fisheries of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(c) DEFINITIONS.—In this section, the definitions in section 409(d) apply.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Commerce to carry out this section a total of $100,000 for fiscal years 1995 and 1996, to remain available until expended.

SEC. 411. REPORT ON RESEARCH AND EFFECTS OF CLIMATE AND GLOBAL CHANGE ON FRESHWATER SYSTEMS.

Within 60 days after the date of submission of the President's budget request for each of fiscal years 1996 and 1997, the Secretary of Commerce shall submit a report to the Committee on Merchant Marine and Fisheries of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, on—

(1) the amount of funds allocated and the activities supported for research on the effects of climate and global change on the Nation's major freshwater systems, including international commitments;

(2) the criteria used in determining those allocations and in selecting those activities; and

(3) specific proposed agency plans for implementing research programs and activities to evaluate the effects of climate and global change on the Nation's major freshwater systems.

SEC. 412. PROMOTION AND COORDINATION OF NATIONAL ESTUARINE RESEARCH RESERVES.

The Secretary of Commerce shall take such action as is necessary and reasonable to promote and coordinate the use of National Estuarine Research Reserves for research, monitoring, and education purposes. Such action may include consulting with Federal agencies, States, local governments, regional agencies, interstate agencies, or other persons to promote use of one or more such reserves for research, monitoring, and education, including coordination with the National Marine Sanctuaries Program.

SEC. 413. STUDY ON EFFECTS OF DOLPHIN FEEDING.

(a) STUDY.—The Secretary of Commerce shall conduct a study on the effects of feeding noncaptive dolphins in the Gulf of Mexico and Southern Atlantic Ocean. The study shall consider the potential impacts on the behavior or general health of wild populations of dolphins resulting from this feeding.

(b) USE OF THE STUDY.—The Secretary of Commerce shall use the results of the study required under subsection (a) in determining whether and under what conditions feeding noncaptive dolphins may be authorized.

(c) REPORT.—Within 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Merchant Marine and Fisheries of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study.

SEC. 414. FLOWER GARDEN BANKS BOUNDARY MODIFICATION.

(a) MODIFICATION.—Notwithstanding section 304 of the National Marine Sanctuaries Act (16 U.S.C. 1434), the boundaries of the Flower Garden Banks National Marine Sanctuary, as designated by Public Law 102-251, are amended to include the area described in subsection (d), popularly known as Stetson Bank. This area shall be part of the Flower Garden Banks National Marine Sanctuary and shall be managed and regulated as though it had been designated by the Secretary of Commerce under the National Marine Sanctuaries Act.

(b) DEPICTION OF SANCTUARY BOUNDARIES.—The Secretary of Commerce shall—

(1) prepare a chart depicting the boundaries of the Flower Garden Banks National Marine Sanctuary, as modified by this section; and

(2) submit copies of this chart to the Committee on Merchant Marine and Fisheries of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(c) APPLICATION OF REGULATIONS.—Regulations issued by the Secretary of Commerce to implement the designation of the Flower Garden Banks National Marine Sanctuary shall apply to the area described in subsection (d), unless modified by the Secretary. This subsection shall take effect 45 days after the date of enactment of this Act.

(d) AREA DESCRIBED.—

(1) IN GENERAL.—Except as provided in paragraph (2), the area referred to in subsections (a), (b), and (c) is the area that is—

(A) generally depicted on the Department of the Interior, Minerals Management Service map titled "Western Gulf of Mexico, Lease Sale 143, September 1993, Biologically Sensitive Areas, Map 3 of 3, Final";

(B) labeled "Stetson" on the High Island Area South Addition diagram on that map; and

(C) within the 52 meter isobath.

(2) MINOR BOUNDARY ADJUSTMENTS.—The Secretary of Commerce may make minor adjustments to the boundaries of the area described in paragraph (1) as necessary to protect the living coral resources of Stetson Bank or to simplify administration of the Flower Garden Banks National Marine Sanctuary.

(e) PUBLICATION OF NOTICE.—

(1) IN GENERAL.—The Secretary of Commerce shall, as soon as practicable after the date of the enactment of this Act, publish in the Federal Register a notice describing—

(A) the boundaries of the Flower Garden Banks National Marine Sanctuary, as modified by this section, and

(B) any modification of regulations applicable to that Sanctuary that are necessary to implement that modification of the boundaries of the Sanctuary.

(2) TREATMENT AS NOTICE REQUIRED UNDER NATIONAL MARINE SANCTUARIES ACT.—A notice published under paragraph (1) shall be considered to be the notice required to be published under section 304(b)(1) of the National Marine Sanctuaries Act (16 U.S.C. 1434).

SEC. 415. AMENDMENTS RELATING TO NATIONAL COASTAL RESOURCES RESEARCH AND DEVELOPMENT INSTITUTE.

(a) ADMINISTRATION OF INSTITUTE.—Section 201(a) of the Act entitled "An Act to authorize appropriations to carry out the Marine Mammal Protection Act of 1972, for fiscal years 1985 through 1988, and for other purposes" (16 U.S.C. 1463b(a)) is amended by striking "by the Oregon State Marine Science Center" and inserting "by the Oregon State System of Higher Education".

(b) FUNCTIONS OF INSTITUTE.—Section 201(b) of such Act (16 U.S.C. 1463b(b)) is amended to read as follows:

"(b) The Institute shall promote the economic growth and prosperity of the United States by transferring research and technology into applications to improve the economic, environmental, and social well-being of the Nation's coastal communities and the competitiveness of coastal businesses.".

(c) MEMBERSHIP OF BOARD OF GOVERNORS.—Section 201(c)(1) of such Act (16 U.S.C. 1463b(c)(1)) is amended to read as follows:

"(c)(1) The policies of the Institute shall be determined by a Board of Governors composed of—

"(A) 1 representative appointed by the Chancellor of the Oregon State System of Higher Education; and

"(B) 1 representative of each of the following regions, appointed jointly by Governors of the States comprising that region:

"(i) The Alaska region, consisting of Alaska.

"(ii) The Northwest Pacific Coast region, consisting of Oregon and Washington.

"(iii) The Southwest Pacific Coast region, consisting of California.

"(iv) The Pacific Islands region, consisting of Hawaii, American Samoa, and Guam.

"(v) The Great Lakes region, consisting of Pennsylvania, Ohio, Michigan, Indiana, Illinois, Wisconsin, and Minnesota.

"(vi) The Gulf Coast region, consisting of Texas, Louisiana, Mississippi, and Alabama.

"(vii) The South Atlantic and Caribbean region, consisting of South Carolina, Georgia, Florida, Puerto Rico, and the U.S. Virgin Islands.

"(viii) The Mid-Atlantic region, consisting of Delaware, Maryland, Virginia, and North Carolina.

"(ix) The North Atlantic region, consisting of New Jersey, New York, Connecticut, Rhode Island, Massachusetts, New Hampshire, and Maine.".

(d) ADVISORY COUNCIL.—Section 201(d)(1) of such Act (16 U.S.C. 1463b(d)(1)) is amended by inserting "and leaders in coastal communities and businesses" after "community".

(e) CONFORMING AMENDMENT.—Section 201(e) of such Act (16 U.S.C. 1463b(e)) is amended by striking "Oregon Board of Higher Education" and inserting "Oregon State System of Higher Education".

(f) REPORTS.—Section 201(g) of such Act (16 U.S.C. 1463b(g)) is amended to read as follows:

"(g) The Institute shall report to the Congress on its activities annually, and shall report to the Secretary of Commerce in a like manner biennially.".

SEC. 416. SENSE OF CONGRESS REGARDING PROMOTION OF MINORITIES AND WOMEN IN COASTAL AND OCEAN PROGRAMS.

It is the sense of the Congress that the National Oceanic and Atmospheric Administration should develop and promote programs that reach out to and recruit minorities and women for education in the sciences and take actions to increase the direct involvement of underrepresented minorities in coastal and ocean resource stewardship programs carried out directly by the National Oceanic and Atmospheric Administration and in partnership with State and local governments, universities, and other entities. To this end, the National Oceanic and Atmospheric Administration should create minority internship programs to develop a pool of professionals in coastal and ocean science and management, and to make these programs an eligible use of grant and program funds distributed by the National Oceanic and Atmospheric Administration to States, universities, and other entities.

SEC. 417. CHESAPEAKE BAY.

(a) REPEAL.—If by December 1, 1994, the Secretary of Commerce fails to obligate all funds appropriated to the Secretary of Commerce by Public Law 103-121 for oyster disease research, section 307 of the National Oceanic and Atmospheric Administration Act of 1992 (15 U.S.C. 1511d), requiring the establishment of a National Oceanic and Atmospheric Administration Chesapeake Bay Estuarine Resources Office, is repealed.

(b) ASSIGNMENT OF FUNCTIONS.—If section 307 of the National Oceanic and Atmospheric Administration Act of 1992 (15 U.S.C. 1511d) is repealed by subsection (a), the Secretary of Commerce shall immediately—

(1) enter into a cooperative agreement with the directors of the Maryland and Virginia Sea Grant colleges to administer all funds appropriated to the Secretary of Commerce under any law for oyster disease research and Chesapeake Bay studies; and

(2) transfer the functions of the former National Oceanic and Atmospheric Administration Chesapeake Bay Estuarine Resources Office to the Director of the Coastal Ocean Program.

The Director may delegate any of the functions transferred under paragraph (2) to the directors of the Maryland and Virginia Sea Grant colleges under the cooperative agreement required under paragraph (1).

(c) REPEAL AND AUTHORIZATION OF APPROPRIATIONS.—

(1) REPEAL.—Section 2(e) of the National Oceanic and Atmospheric Administration Marine Fisheries Program Authorization Act (Public Law 98-210, 97 Stat. 1409) is repealed.

(2) AUTHORIZATION.—There is authorized to be appropriated to the Secretary of Commerce to implement section 307 of the National Oceanic and Atmospheric Administration Act of 1992 (15 U.S.C. 1511d) and this section, $2,500,000 for each of fiscal years 1995 and 1996, to remain available until expended.

SEC. 418. WEATHER REPORTING STATIONS FOR PRINCE WILLIAM SOUND.

(a) INSTALLATION.—To provide more comprehensive weather information to ensure the safety of fishermen and tank vessels and to protect the resources of Prince William Sound from potential oil spills, the Secretary of Commerce may expend $340,000 to acquire, construct, and install weather reporting stations in Prince William Sound, Alaska, as follows:

(1) In the vicinity of Seal Rocks, to acquire and install a weather buoy capable of measuring and reporting wind speed and direction, barometric pressure, wave height and period, and air temperature.

(2) On the existing tower at Bligh Reef, to acquire and install a weather instrument capable of measuring and reporting wind speed and direction.

(3) At Potato Point, to relocate the existing anemometer to a more exposed location in order to provide more accurate information.

(4) At the Hinchinbrook Lighthouse site, to acquire and install an anemometer.

(b) MAINTENANCE.—The Secretary of Commerce may expend $160,000 in each of fiscal years 1995 and 1996 to maintain the equipment identified in subsection (a).

SEC. 419. PURCHASE OF REMOTELY SENSED SCIENCE DATA.

(a) IN GENERAL.—To the maximum extent possible, the Secretary of Commerce shall purchase from the private sector remotely sensed science data. Examples of such data include scientific data concerning the impact of oceans worldwide on global climate change and concerning the condition of the oceans.

(b) COMPETITIVE BIDDING.—(1) Contracts for the purchase of remotely sensed data under this section shall be awarded in a process of full, fair, and open competitive bidding.

(2) Submission of cost data, either for the purposes of supporting the bid or fulfillment of the contract, shall not be required of bidders.

(3) Conformance with military specifications (Milspec) or Department of Commerce specifications systems with respect to the design, construction, or operation of equipment used in obtaining remotely sensed data under contracts entered into under this section shall not be a requirement for a commercial provider bidding to provide such services.

(4) Contracts under this section shall not provide for the Federal Government to obtain ownership of data not specifically sought by the Federal Government.

SEC. 420. PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any

contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

TITLE V—GREAT LAKES IMPROVEMENTS

SEC. 501. SHORT TITLE.

This title may be cited as the "National Oceanic and Atmospheric Administration Great Lakes Improvements Act".

SEC. 502. GREAT LAKES OFFICE.

(a) ESTABLISHMENT.—The Under Secretary may establish and maintain within the Administration a Great Lakes Office in the Washington, District of Columbia area.

(b) PURPOSE.—The purpose of the Great Lakes Office shall be to promote and coordinate Administration research, monitoring, and assessment work in the Great Lakes region consistent with the goals of the Great Lakes Water Quality Agreement.

(c) DIRECTOR.—The Director of the Great Lakes Office shall be an individual with extensive knowledge and expertise in the Great Lakes ecosystem, and with appropriate administrative experience.

SEC. 503. GREAT LAKES REPORT.

(a) CONTENTS.—Subject to the availability of appropriations under section 505, the Under Secretary, in consultation with the Director of the Great Lakes Office if established, shall prepare and submit to Congress an annual Great Lakes Report in accordance with this section. The Report shall provide information relating to Great Lakes ecosystem research, monitoring, and assessment, including—

(1) the individual activities, projects, or proposals conducted by the Administration in the previous fiscal year, including a summary of funds expended in support of these activities, projects, or proposals;

(2) the amount of funds received from the Administration by each State or local government unit bordering the Great Lakes;

(3) the amount of funds received by individuals or institutions residing or located within a State bordering the Great Lakes;

(4) an inventory of Administration facilities and personnel located in a State bordering the Great Lakes or in the Great Lakes used to conduct or support Administration-funded activities, projects, or proposals in the Great Lakes, including vessels;

(5) the proposed Administration activities, projects, and proposals to benefit the Great Lakes ecosystem for the current fiscal year, including requested funds; and

(6) a proposal for increasing the presence of the Administration in the Great Lakes, and improving the coordination of research within the Administration and with other entities, including the Government of Canada.

(b) DEADLINE.—Subject to the availability of appropriations under section 505, the Under Secretary shall submit the Great Lakes Report to the Congress by October 1 of 1995, 1996, 1997, and 1998.

SEC. 504. DEFINITIONS.

In this title—

(1) the term "Administration" means the National Oceanic and Atmospheric Administration;

(2) the term "Great Lakes" means—

(A) Lake Erie, Lake Huron, Lake Michigan, Lake Ontario, and Lake Superior;

(B) their connecting waters, including the St. Marys River, the St. Clair River, Lake St. Clair, the Detroit River, and the Niagara River; and

(C) the St. Lawrence River;

(3) the term "Great Lakes Water Quality Agreement" means the bilateral agreement between the United States and Canada which was signed in 1978 and amended by the Protocol of 1987; and

(4) the term "Under Secretary" means the Under Secretary of Commerce for Oceans and Atmosphere.

SEC. 505. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to the Under Secretary to carry out this title $100,000 for each of fiscal years 1995, 1996, 1997, and 1998.

TITLE VI—NATIONAL UNDERSEA RESEARCH PROGRAM

SEC. 601. SHORT TITLE.

This title may be cited as the "National Undersea Research Program Act of 1994".

SEC. 602. DEFINITIONS.

For the purposes of this title, the term—

(1) "Administration" means the National Oceanic and Atmospheric Administration;

(2) "Center" means any National Undersea Research Center in existence on the day before the date of enactment of this Act or established under section 605;

(3) "Center Director" means the Director of any National Undersea Research Center;

(4) "Committee" means the National Undersea Research Advisory Committee established under section 604;

(5) "Office" means the Office of Undersea Research established by section 603(d)(1);

(6) "priority research area" means any of the priority research areas set forth in section 603(f)(1), as those areas may be revised by the Under Secretary under section 603(f)(2);

(7) "Program" means the National Undersea Research Program established under section 603;

(8) "Program Director" means the Director of the National Undersea Research Program appointed pursuant to section 603(d)(2);

(9) "undersea region" means each of—

(A) the United States Northern Atlantic region, comprised of the coastal and oceanic waters and seabed north of Montauk, New York, and off Maine, New Hampshire, Massachusetts, Rhode Island, and Connecticut;

(B) the Mid-Atlantic Bight region, comprised of the coastal and oceanic waters and seabed south of Montauk, New York, and off New York, New Jersey, Pennsylvania, Delaware, Maryland, and Virginia;

(C) the United States Southern Atlantic region, comprised of the coastal and oceanic waters and seabed off North Carolina, South Carolina, Georgia, and the Atlantic coast of Florida (including the Florida Keys);

(D) the Gulf of Mexico region, comprised of the coastal and oceanic waters and seabed of the Gulf of Mexico off Florida, Alabama, Mississippi, Louisiana, and Texas;

(E) the Great Lakes region, comprised of the waters and lake beds of the Great Lakes;

(F) the California region, comprised of the coastal and oceanic waters and seabed off California;

(G) the United States Northeast Pacific region, comprised of the coastal and oceanic waters and seabed off Oregon, Washington, and Alaska;

(H) the Western Pacific region, comprised of the coastal and oceanic waters and seabed off Hawaii, Johnston Island, Guam, American Samoa, and the Northern Mariana Islands, and other Western Pacific waters and seabed relevant to the purpose of the Program;

(I) the Caribbean region, comprised of the coastal and oceanic waters and seabed off Puerto Rico, the United States Virgin Islands, and other tropical and subtropical waters and seabed relevant to the purposes of the Program; and

(J) any other undersea region resulting from a modification under section 603(e)(5);

(10) "undersea research" means scientific research carried out in the oceans or large lakes of the world, using advanced underwater technology including diving, underwater observatories and laboratories, research submersibles, remotely operated vehicles, autonomous vehicles, and any other research techniques necessary to carry out the provisions of this title; and

(11) "Under Secretary" means the Under Secretary of Commerce for Oceans and Atmosphere.

SEC. 603. ESTABLISHMENT AND ADMINISTRATION OF NATIONAL UNDERSEA RESEARCH PROGRAM.

(a) PROGRAM ESTABLISHMENT AND MAINTENANCE.—The Under Secretary shall establish and maintain in the Administration a program to be known as the "National Undersea Research Program".

(b) PROGRAM PURPOSE.—The purpose of the Program shall be to enhance scientific understanding of processes in the oceans and large lakes of the world, by—

(1) developing, maintaining, and carrying out undersea research programs;

(2) investigating, developing, and applying technology for undersea research; and

(3) developing new approaches to undersea technology transfer and marine science education.

(c) NATIONAL UNDERSEA RESEARCH CENTERS.—The Program shall be conducted by the National Undersea Research Centers established pursuant to section 605(a).

(d) OFFICE OF UNDERSEA RESEARCH.—

(1) ESTABLISHMENT.—There is established in the Administration the Office of Undersea Research.

(2) PROGRAM DIRECTOR.—The head of the Office and Program Officer of the National Undersea Research Program is the Director of the National Undersea Research Program, who shall be appointed by the Under Secretary from among individuals with extensive knowledge and expertise in undersea research and having appropriate administrative experience.

(e) DUTIES OF PROGRAM DIRECTOR.—Subject to the supervision of the Under Secretary, the Program Director shall carry out the following duties:

(1) Facilitate and support the activities of Centers.

(2) Establish guidelines for the submission and review of proposals from the Centers and proposals from individual researchers that are submitted to the Centers for research under the Program.

(3) Make grants and enter into contracts and cooperative agreements under section 608 to advance knowledge in the priority research areas through the Centers.

(4) Support the Memorandum of Agreement Concerning Support of a National Academic Deep Submergence Facility for Scientific Use.

(5) Modify undersea regions as necessary and appropriate.

(6) Carry out any other duty assigned to the Program Director by this title.

(f) PRIORITY RESEARCH AREAS.—

(1) IN GENERAL.—The Under Secretary may use amounts appropriated for the Program to fund research, including long-term studies, within the following priority research areas:

(A) Oceanic, coastal, estuarine, and limnological processes.

(B) Pathways and fates of materials in the oceans and large lakes.

(C) Diversity, distribution, productivity, and recruitment of organisms, including

commercially valuable species, with respect to habitat characteristics in the oceans and large lakes.

(D) Global change processes.

(E) Ocean lithosphere processes and mineral resources.

(F) Undersea research platform and instrument technology.

(G) Diving safety, physiology, and technology.

(H) Studies under section 21(e) of the Outer Continental Shelf Lands Act (43 U.S.C. 1347(e)).

(2) REVISION OF PRIORITY AREAS.—Upon the recommendation of the Committee, the Under Secretary may, after public comment, revise the priority research areas under paragraph (1).

SEC. 604. ADVISORY COMMITTEE.

(a) ESTABLISHMENT OF COMMITTEE.—The Under Secretary shall establish an independent advisory committee to be known as the "National Undersea Research Advisory Committee".

(b) COMPOSITION.—

(1) IN GENERAL.—The Committee shall consist of 9 members appointed by the Under Secretary from individuals who are eminent professional scientists or engineers and active in at least one priority research area, of whom 2 members shall be appointed from individuals nominated by Center Directors. The Under Secretary shall complete appointments under this paragraph by not later than 6 months after the date of the enactment of this Act.

(2) BALANCE.—In appointing members of the Committee, the Under Secretary shall seek to ensure balanced representation of—

(A) priority research areas,

(B) disciplines related to priority research areas, and

(C) geographic regions of the United States.

(3) PROHIBITION ON APPOINTMENTS.—Except as provided in paragraph (4), no member of the Committee may be an employee of a Center or of the Administration.

(4) EX OFFICIO MEMBERS OF THE COMMITTEE.—The Chief Scientist of the Administration shall be a nonvoting ex officio member of the Committee.

(c) DUTIES.—The Committee shall—

(1) advise the Under Secretary and the Program Director concerning—

(A) the quality of research performed with grants awarded under this title, the applicability of such research to the priority research areas;

(B) the designation, establishment, and operation of Centers;

(C) the modification of undersea regions;

(D) the need to revise the priority research areas; and

(E) any other matters that the Under Secretary refers to the Committee for review and advice, or that the Committee considers appropriate; and

(2) carry out any other duty specifically assigned to the Committee by this title.

(d) TERM OF MEMBERSHIP.—

(1) IN GENERAL.—Subject to paragraph (2), the term of membership on the Committee shall be 3 years.

(2) INITIAL APPOINTMENTS.—Of the members first appointed to the Committee—

(A) 3 members shall serve a term of 1 year;

(B) 3 members shall serve a term of 2 years; and

(C) 3 members shall serve a term of 3 years;

as specified by the Under Secretary at the time of appointment.

(3) TERM LIMITATION.—No individual may serve consecutive terms as a member of the Committee.

(e) COMPENSATION.—Members of the Committee, while performing official duties as members of the Committee, are entitled to receive compensation for travel and transportation expenses under section 5703 of title 5, United States Code.

(f) CHAIRPERSON.—The members of the Committee shall select annually from among the voting members of the Committee an individual who shall serve as Chairperson of the Committee. No member of the Committee may serve more than 2 annual terms as Chairperson.

(g) CONDUCT OF BUSINESS.—The Committee shall conduct its business according to the majority vote of those members present at a meeting of the Committee.

(h) PUBLIC PARTICIPATION.—The following guidelines apply to the conduct of business by the Committee:

(1) Each meeting shall be open to the public, and interested persons shall be permitted an opportunity to present oral or written statements on items on the agenda.

(2) Timely notice of each meeting, including the time, place, and agenda, shall be published in the Federal Register and copies sent to all Center Directors.

(i) EXEMPTION.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Committee.

SEC. 605. ESTABLISHMENT OF NATIONAL UNDERSEA RESEARCH CENTERS.

(a) ASSIGNMENT OF EXISTING REGIONS AND ESTABLISHMENT OF NEW CENTERS.—

(1) ASSIGNMENT OF REGIONS TO EXISTING CENTERS.—There are assigned to the Centers in existence on the day before the date of the enactment of this Act undersea regions, as follows:

(A) The Western Pacific region is assigned to the Hawaii Undersea Research Laboratory.

(B) The United States Northeast Pacific and Californian regions are assigned to the West Coast National Undersea Research Center at the University of Alaska-Fairbanks.

(C) The United States Northern Atlantic and Great Lakes regions are assigned to the National Undersea Research Center at the University of Connecticut at Avery Point.

(D) The Mid-Atlantic Bight region is assigned to the New York Bight National Undersea Research Center.

(E) The United States Southern Atlantic region is assigned to the National Undersea Research Center at the University of North Carolina at Wilmington.

(F) The Caribbean region is assigned to the National Undersea Research Center at the Caribbean Marine Research Center.

(G) The Gulf of Mexico region is assigned to a new center to be established pursuant to subsection (f).

(2) ESTABLISHMENT OF NEW CENTERS.—The Under Secretary may establish a new Center to implement the Program for any undersea region at an institution of higher education or oceanographic research located in a State bordering the region—

(A) if there is a clearly demonstrated, scientific need for such a Center;

(B) if there are adequate funds available for the establishment of the Center;

(C) after reviewing each proposal submitted under subsection (b) with respect to that region; and

(D) if the Committee concurs in the selection of that institution.

(3) LIMITATION.—The Under Secretary may not establish a new Center for an undersea region if the expenditure of amounts for that Center would result in any reduction of amounts available for expenditure for any other Center.

(b) SOLICITATION OF PROPOSALS FOR NEW CENTERS.—

(1) IN GENERAL.—The Under Secretary may solicit proposals for the establishment of a new Center under subsection (a)(2) from institutions of higher education or oceanographic research.

(2) PROPOSAL REQUIREMENTS.—A proposal under this subsection shall consist of—

(A) a proposed science program;

(B) a program management plan;

(C) a description of the facilities of the institution at which the new Center is proposed to be established;

(D) a description of relevant capabilities of that institution;

(E) an operational safety plan;

(F) mechanisms for information transfer;

(G) a budget for the proposed Center; and

(H) any other information the Under Secretary considers necessary.

(c) REVIEW OF PROPOSALS.—The Under Secretary and the Committee shall review each proposal submitted under subsection (b) on the basis of—

(1) relevance of the proposal to priority research areas; and

(2) the capability of the applicant institution to administer and direct research in those areas.

(d) CENTER DIRECTOR.—Each institution at which a Center is established under this section may select, in consultation with the Office, an individual who shall be the Center Director of that Center.

(e) 6-YEAR REVIEW OF CENTERS AND REGIONS.—

(1) IN GENERAL.—Every 6 years the Under Secretary and the Committee shall jointly review—

(A) the operation of each Center, except that in the case of a Center in existence on the day before the date of the enactment of this Act, the first review of the Center shall be completed by not later than the date which is 5 years after that date of enactment; and

(B) the configuration of undersea regions to determine whether those regions meet scientific needs for research in priority research areas.

(2) CONTENT OF REVIEW.—A review under this subsection shall consist of—

(A) an evaluation of the quality of the research conducted at the Center under the Program and the applicability of the research to the priority research areas, including consideration of the reviews conducted under section 606(c);

(B) recommendations for changes in the scientific research program and the operation of the Center, that are considered beneficial by the Committee and the Under Secretary;

(C) a determination of whether the continued operation of the Center will increase knowledge in the priority research areas; and

(D) recommendations for the modification of the undersea regions of the Center.

(3) ESTABLISHMENT OF NEW CENTER AT DIFFERENT INSTITUTION.—If the Under Secretary and the Committee determine as a result of a review under this subsection that continued operation of a Center is not warranted, the Under Secretary—

(A) shall provide notification of that determination to the Center, including a description of any changes in the operations of the Center the Under Secretary considers necessary for continued operation of the Center;

(B) shall after 18 months after providing that notice, and not later than 2 years after providing that notice, review the implementation of those changes by the Center; and

(C) may establish, at a different institution of higher education or oceanographic research, a new Center for the same undersea region in accordance with this section, if the Under Secretary determines as a result of the review under subparagraph (B) that those changes are not implemented.

(f) NEW CENTER.—

(1) GULF OF MEXICO.—

(A) ESTABLISHMENT.—Notwithstanding subsection (a)(2) and (a)(3), the Under Secretary shall establish at a qualified public institution a Center to conduct the Program for the Gulf of Mexico undersea region, which shall be known as the "Gulf of Mexico National Undersea Research Center". The Under Secretary shall establish that Center no later than 60 days after the date of enactment of this Act.

(B) DEFINITION.—For the purposes of this paragraph, the term "qualified public institution" means a public institution or consortium of public institutions of higher education—

(i) located directly on the coastline of, or having direct access to, the Gulf of Mexico;

(ii) with strong undergraduate and graduate programs in engineering, science, and technology as they may apply to undersea research;

(iii) with nationally recognized programs in marine science and maritime studies, with strong consideration given to any institution with a degree granting maritime academy;

(iv) with facilities for maintaining and operating research and other vessels appropriate for deployment of equipment necessary to conduct undersea research;

(v) with faculty and other personnel with expertise in undersea research;

(vi) capable of fully utilizing and working closely with the National Marine Sanctuary System in the Gulf of Mexico; and

(vii) capable of developing and maintaining cooperative undersea research programs with Mexico.

(2) LIMITATION.—In carrying out this subsection, the Under Secretary shall not reduce amounts available for carrying out the Memorandum of Agreement Concerning Support of a National Academic Deep Submergence Facility for Scientific Use.

SEC. 606. NATIONAL UNDERSEA RESEARCH CENTER RESEARCH PROGRAMS.

(a) INDIVIDUAL RESEARCH PROPOSALS.—

(1) SOLICITATION.—Each Center Director shall annually solicit individual proposals from the scientific community for research to advance the priority research areas of the Program. Research under each proposal shall be primarily conducted within the undersea region of the Center, but may be conducted in another undersea region in cooperation with the Center for that region, or other geographic areas with the approval of the Program Director. Individual proposals shall adhere to guidelines established by the Program Director pursuant to section 603(e)(2). Proposals under this paragraph may be for multiyear research.

(2) INDIVIDUAL PROPOSAL REVIEW PROCESS.—

(A) IN GENERAL.—Each individual proposal shall be reviewed by an independent review panel and by not less than 3 anonymous mail reviewers. Each independent review panel shall be composed of not less than 4 individuals with experience in undersea research appointed by the Program Director, at least one of whom shall be a member of the Committee.

(B) PANEL REVIEW.—Each review by an independent review panel shall—

(i) assess the scientific merit of the individual research proposal;

(ii) assess the ability of the Center to carry out the proposed research; and

(iii) the applicability of the proposal to the priority research areas.

(C) MAIL REVIEWS.—Each mail review shall consider—

(i) the scientific merit of the proposal; and

(ii) the capability of the principal investigator to carry out or support the proposed research.

(3) ALLOWANCE FOR RESPONSE.—

(A) IN GENERAL.—Subject to any regulation that is issued by the Program Director, a Center Director shall—

(i) provide to each person who submits to the Center a proposal under this section blinded copies of all mail reviews of the proposal conducted under paragraph (2), and

(ii) give the person not more than 14 days to respond to those reviews before rendering any final decision regarding funding for the proposal.

(B) REVIEW OF PROCESS BY COMMITTEE.—Not later than 3 years after the date of the enactment of this Act, the Committee shall—

(i) whether all Centers are implementing subparagraph (A);

(ii) determine whether the opportunity of persons who submit proposals to respond to reviews pursuant to subparagraph (A) has been utilized by those persons;

(iii) determine whether those responses have been effective in ensuring full and fair consideration of those proposals; and

(iv) recommend to the Program Director that the procedures established by subparagraph (A) be continued, terminated, or modified (including the specific modifications which should be made).

(C) REGULATIONS IMPLEMENTING RECOMMENDATIONS.—The Program Director may issue regulations implementing any recommendation made by the Committee under subparagraph (B)(iv).

(b) PROPOSED CENTER PROGRAM.—Each fiscal year each Center Director shall submit to the Program Director—

(1) a proposed program for the Center for the upcoming fiscal year, which shall adhere to guidelines established by the Program Director pursuant to section 603(e)(2) and shall include—

(A) a description of the activities performed and research funded by the Center in the previous fiscal year;

(B) those individual research proposals submitted under subsection (a) that the Center Director determines to be meritorious based on reviews conducted under that subsection;

(C) a proposed budget for the operation of the Center for the current fiscal year;

(D) any other materials requested by the Program Director to clarify the proposed program; and

(E) an annually revised long-range research and operations plan; and

(2) reviews, and responses thereto, of all individual research proposals submitted to the Center Director for the upcoming fiscal year.

(c) REVIEW OF PROPOSED CENTER PROGRAMS.—The Program Director shall review the proposed programs submitted by each Center Director under subsection (b) and make recommendations to the Under Secretary for funding allocations under section 608(b).

(d) GIFTS, DEVISES, AND BEQUESTS.—Each Center may accept, solicit, and use the services of volunteers, and may accept, receive, hold, administer, and use gifts, devises, and bequests, to carry out the research program of the Center.

SEC. 607. PROCEDURES FOR JOINT REVIEW OF RESEARCH PROPOSALS.

The Under Secretary, in consultation with the Program Director and the Committee and jointly with the Director of the National Science Foundation and the Secretary of the Navy, shall—

(1) develop procedures for the submittal and joint review of proposals for research in priority research areas to be carried out with assistance from 2 or more agencies within the Department of Commerce, the National Science Foundation, or the Department of Defense; and

(2) issue final rules establishing those procedures by not later than 1 year after the date of the enactment of this Act.

SEC. 608. GRANTS AND CONTRACTS FOR NATIONAL UNDERSEA RESEARCH CENTERS.

(a) AUTHORIZATION.—The Under Secretary may make grants and enter into contracts and cooperative agreements under this section to fund any Center program if the Under Secretary finds that the program will advance knowledge in the priority research areas.

(b) ALLOCATION OF FUNDING.—

(1) IN GENERAL.—Based on the reviews under section 606(c) of proposed Center programs, the Under Secretary shall—

(A) allocate among the Centers, in such manner as will best advance knowledge in the priority research areas, all amounts available for the current fiscal year for research to be conducted by the Centers and administration of the Centers, consistent with each Center's long-term responsibilities to conduct priority research; and

(B) notify each Center Director of the amount allocated to that Center under subparagraph (A).

(c) TERMS AND CONDITIONS.—

(1) IN GENERAL.—Any grant made or contract entered into under this section shall be subject to paragraphs (2) and (3) and to any other terms, conditions, and requirements the Under Secretary considers necessary.

(2) LIMITATIONS ON USE FOR LAND AND BUILDINGS.—Amounts provided under any grant or contract under this section may not be used for—

(A) the purchase of any land; or

(B) the purchase or construction of any building.

(3) MAINTENANCE OF RECORDS.—Any person who receives or utilizes any proceeds of any grant of contract under this section shall keep any records the Under Secretary prescribes as necessary to facilitate effective audit and evaluation, including reports which full disclose the amount and disposition of funds received under this title, the total cost of activities for which those funds were used, and the amount, if any, of costs which were provided through other sources. The records shall be maintained for 6 years after the completion of the activity. The Under Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access, for the purpose of audit and evaluation, to any books, documents, papers, and records of receipts, which in the opinion of the Under Secretary or of the Comptroller General may be related or pertinent to the grants and contracts.

SEC. 609. FINANCIAL ASSISTANCE REVIEW BOARD.

After the date of the enactment of this Act, grants and contracts under the Program shall not be subject to review by the board in the Department of Commerce known as the Financial Assistance Review Board.

SEC. 610. AUTHORIZATION OF APPROPRIATIONS.

(a) CENTER PROGRAM FUNDING.—There is authorized to be appropriated to the Under Secretary for use for grants and contracts under section 608, to remain available until expended, $18,000,000 for fiscal year 1995, $18,540,000 for fiscal year 1996, $19,100,000 for fiscal year 1997, $19,670,000 for fiscal year 1998, and $20,260,000 for fiscal year 1999.

(b) OFFICE OF UNDERSEA RESEARCH.—There is authorized to be appropriated to the Under Secretary for the administration of the Office of Undersea Research and support of the Memorandum of Agreement Concerning Support of a National Academic Deep Submergence Facility for Scientific Use, to remain available until expended, $2,100,000 for fiscal year 1995, $2,200,000 for fiscal year 1996, $2,300,000 for fiscal year 1997, $2,400,000 for fiscal year 1998, and $2,500,000 for fiscal year 1999.

(c) REVERSION OF UNOBLIGATED AMOUNTS.—The amount of any grant, contract, or portion of a grant or contract, made under section 603 or 608 that is not obligated before the end of the third fiscal year in which it is authorized to be obligated—

(1) shall revert to the Under Secretary; and

(2) shall remain available for grants or contracts under that section.

(d) LIMITATIONS ON USE.—Amounts appropriated under the authority of subsection (a) shall not be available for administration of this title by the Office, or for program or administrative expenses of the Administration or the Department of Commerce.

AMENDMENT OFFERED BY MR. STUDDS

Mr. STUDDS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. STUDDS: At the appropriate place in the bill, insert the following:

SEC. . HYDROGRAPHIC SURVEYING AND MAPPING SERVICES.

The Secretary of Commerce may award contracts for hydrographic surveying and mapping services in accordance with Title IX of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 541 et seq.).

Mr. STUDDS (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. STUDDS. Mr. Chairman, let me begin by saying to the distinguished gentlemen from Texas, Pennsylvania, and New York, the extraordinarily talented, multiroled manager of this bill on the minority side, that so far as I know, certainly, the amendment I now offer, and I will let him know if something arises to the contrary, but we have worked out with many of the people whom you are impersonating at the moment the amendments that are to be offered. I give you my word at this early stage that in the event an amendment is offered that is not on that list to which both sides agree, that I would make that crystal-clear, that is the case.

This is a simple and noncontroversial amendment that provides NOAA with needed flexibility to award contracts for charting responsibilities. It is supported by the administration. It tracks authority given to the Corps of Engineers where it has worked extremely well. It is, as far as I know, without controversy.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman from New York [Mr. SOLOMON] is recognized for 5 minutes.

Mr. SOLOMON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let me, on behalf of the gentleman from Texas [Mr. FIELDS], rise in support of this amendment.

The amendment will likely result in more hydrographic contracts saving the Government money, I like to hear those words, "saving the Government money," and making desperately needed navigational data available sooner.

The committee, the National Academy of Sciences, the Commerce Department, the Inspector General, and Vice President GORE's National Performance Review have been urging NOAA to contract out more of this work, because that agency has neither the resources nor the funds to do it in-house.

I think it is a good amendment, and we support it.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. STUDDS].

The amendment was agreed to.

The CHAIRMAN. Are there further amendments?

AMENDMENT OFFERED BY MR. ORTIZ

Mr. ORTIZ. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ORTIZ: At the appropriate place in the bill insert the following:

SEC. FEASIBILITY STUDY.

No later than 180 days after the date of enactment of this Act, the Secretary of Commerce shall submit to the Committee on Merchant Marine and Fisheries and the Committee on Natural Resources of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, a study on the feasibility and desirability of converting the offshore gas production platform known as High Island A389A, owned by Mobil Exploration and Production U.S., Inc., to a marine research station for the purpose of supporting investigations of the northern Gulf of Mexico and for use as a field laboratory for training students and marine science professionals in technologies related to the exploration and study of the Gulf of Mexico. The study shall include—

(1) an assessment of the need for such a research platform, including consultations with National Oceanic and Atmospheric Administration line and program offices, other relevant Federal and State agencies with research and management responsibilities in the Gulf of Mexico, and academic institutions involved in the study of the Gulf of Mexico ecosystem;

(2) an assessment of the financial feasibility of converting the platform, including the cost of conversion from a gas production facility to a marine science research station, the cost of operation of the platform as a marine science field station, the cost of removal of the platform at the end of its functional life span, and the potential costs to users of the platform; and

(3) a description of potential users of the platform, potential funding strategies, permit requirements, and time schedules and constraints.

Mr. ORTIZ (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ORTIZ. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment requests NOAA to do a feasibility study on converting an operating offshore gas production platform located within the Flower Garden Banks Marine Sanctuary in the Gulf of Mexico to a marine research station.

Researchers currently use this platform as a base to conduct research in the sanctuary and the surrounding ecosystem. It is estimated that within 12 to 18 months, production at the platform will cease and, according to law, the platform must be dismantled and removed, unless the Federal Government indicates otherwise.

There has been a high level of interest by academic and research institutions and a number of Federal agencies in converting this platform into a dedicated marine research station.

This amendment would require NOAA to conduct a study on the feasibility, cost, and need for this proposed conversion within 180 days of the bill's enactment, in order to ensure that a decision on this matter can be reached before the platform would have to be dismantled and removed.

Mr. Chairman, I believe that the amendment is without controversy, and is supported by both sides of the aisle, and I urge its adoption.

□ 1710

Mr. STUDDS. Mr. Chairman, will the gentleman yield?

Mr. ORTIZ. I yield to the chairman of the committee.

Mr. STUDDS. I thank the gentleman for yielding.

Mr. Chairman, we have had an opportunity to examine the amendment offered by the gentleman, and we support it. I am delighted, Mr. Chairman, that the weather appears to have cleared in at least in one quadrant; we have our distinguished ranking minority member back with us.

Mr. FIELDS of Texas. Mr. Chairman, will the gentleman yield?

Mr. ORTIZ. I yield to the ranking minority member, the gentleman from Texas.

Mr. FIELDS of Texas. I thank the gentleman for yielding.

Mr. Chairman, as I understand it, under this amendment Mobil may save money, the sanctuary will have a permanent base for research. In fact, as I understand it, Texas A&M will be doing the research.

Mr. Chairman, this is an excellent amendment. We find no problem with it. I urge its passage.

Mr. ORTIZ. I thank the chairman of the committee and the ranking member.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. ORTIZ].

The amendment was agreed to.

AMENDMENT OFFERED BY MRS. UNSOELD

Mrs. UNSOELD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. UNSOELD: Add at the end the following new section—

SEC. . COORDINATED EFFORTS TO CONSERVE, PROTECT, AND REBUILD PACIFIC SALMON STOCKS.

(a) The Secretary of Commerce, in cooperation with other federal agencies, the states of Washington, Oregon, and California and tribal and local fisheries and natural resource management agencies, shall develop and implement an inter-agency and intergovernmental cooperative plan to protect, restore and enhance pacific salmons and their habitats in those states. The plan shall be based on existing Pacific salmon restoration efforts and shall include, but not be limited to—

(1) developing and implementing watershed plans to rebuild targeted stocks of Pacific salmon in those states, and

(2) other actions needed to restore and conserve stocks of Pacific salmon and their habitats in those states.

(b) Not later than January 1, 1996, and annually thereafter until the Secretary of Commerce determines that Pacific salmon stocks have recovered, the Secretary shall prepare and submit to the Committee on Merchant Marine and Fisheries in the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on progress made under this section to conserve, protect, and rebuild Pacific salmon stocks.

Mrs. UNSOELD (during the reading). Mr. Chairman, I ask unanimous consent the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mrs. UNSOELD. Mr. Chairman, one of the most important issues facing the Pacific Northwest is restoration of our Pacific salmon. Our stocks have collapsed and our commercial and recreational fishing industries are at the bottom of a downward spiral that has nearly eliminated a billion dollar industry and tens of thousands of family wage jobs.

The magnitude of the salmon crisis mandates a comprehensive solution that reforms hydropower operations as well as hatchery, habitat and harvest management practices. Unfortunately, the lack of coordination among resource management agencies has been an obstacle to developing such a response. At one time, I counted over 10 Federal agencies involved: The National Marine Fisheries Service, the Fish and Wildlife Service, the Forest Service, the Bureau of Land Management, the Army Corps of Engineers, the Bureau of Reclamation, the Bureau of Indian Affairs, the Bonneville Power Administration, the Federal Emergency Management Agency, and the EPA.

Now add the agencies from five States along with numerous tribal and local governments and you begin to get a sense of what has to come together for the recovery of Pacific salmon.

The purpose of this amendment is to break through the bureaucratic morass that inevitably results when such myriad government agencies all try to solve the problem as they see fit—with little regard to how all of the pieces of them fit together. Specifically, it requires the Secretary of Commerce—the agency mandated to recover those stocks already listed under the Endangered Species Act—to work cooperatively with the other resource authorities to develop and implement a single coastwide initiative to protect, restore and enhance Pacific salmon.

Mr. Chairman, the salmon resource is the economic, cultural, and recreational fabric of the Pacific Northwest. Within my lifetime, I have seen some salmon runs in the Columbia River—arguably the greatest salmon river on the planet—reduced to where they can be counted on the fingers of one hand. Each day that passes without comprehensive, coordinated response puts our once-mighty salmon runs—as well as a way of life that has defined the Pacific Northwest and our people—a step closer to extinction.

Mr. Chairman, it's time to get some Federal accountability and focus on rebuilding weak stocks. I urge my colleague's support of this amendment.

Mr. STUDDS. Mr. Chairman, will the gentlewoman yield?

Mrs. UNSOELD. I yield to the chairman of the committee.

Mr. STUDDS. I thank the gentlewoman for yielding.

Mr. Chairman, I wholeheartedly support the gentlewoman's amendment. It is a very necessary and logical first step toward the crisis of the Pacific salmon.

Mr. Chairman, we are all against bureaucratic morasses; anything that we can do to reduce them is in the public interest. The gentlewoman has taken leadership in this area, and I am happy to support her amendment.

Mr. FIELDS of Texas. Mr. Chairman, will the gentlewoman yield?

Mrs. UNSOELD. I yield to the gentleman from Texas.

Mr. FIELDS of Texas. I thank the gentlewoman for yielding.

Mr. Chairman, we have had an opportunity to examine this amendment. As I understand, it was the subject of debate at the subcommittee level. We think it is a good amendment. I urge its passage by the Members.

Mrs. UNSOELD. I thank the gentlemen for their comments and urge my colleagues to support this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Washington [Mrs. UNSOELD].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. TAUZIN

Mr. TAUZIN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TAUZIN: On page—add the following:

SEC. . EDUCATION PROGRAM TO REDUCE THE RISK ASSOCIATED WITH CONSUMING RAW MOLLUSCAN SHELLFISH.

(a) IN GENERAL.—Of amounts available under section 713c-3(d) of the Saltonstall-Kennedy Act of 1954, as amended, (15 U.S.C. Sec. 713c-3), the Secretary of Commerce is authorized to use $500,000 for a comprehensive education program to reduce and prevent illnesses and deaths associated with the consumption of raw molluscan shellfish.

(b) TRANSFER AUTHORITY.—The Secretary of Commerce is authorized to transfer up to $500,000 of amounts authorized to be expended under subsection (a) to another federal agency to carry out the purposes of this section.

(c) LIMITATION.—The Secretary of Commerce, or the head of a federal agency to which the Secretary transfers funds under this section, may not use more than 5 percent of amounts authorized to be expended under this section for administrative expenses.

Mr. TAUZIN (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. TAUZIN. Mr. Chairman, this amendment would add to the authorization bill language that has already actually been adopted in the Commerce agency appropriations conference report that allows the transfer of $500,000 of Saltonstall-Kennedy moneys to the program to educate at-risk populations about the risk of eating raw mulloscan shellfish. The agency NMFS is in favor of doing this. It is obviously a necessary and very vital ingredient of making sure that at-risk populations have information with reference to the risks associated with eating raw shellfish so that in fact we can lower the incidence of any problems with those populations and the consumption of raw shellfish. This is, as I said, an amendment that will conform to already passed language in the appropriations bill.

Mr. STUDDS. Mr. Chairman, will the gentleman yield?

Mr. TAUZIN. I yield to the chairman of the committee.

Mr. STUDDS. I thank the gentleman for yielding.

Mr. Chairman, we fully support the amendment offered by the gentleman and commend him on it and on his tie.

Mr. TAUZIN. I try to emulate the chairman of the committee.

Mr. FIELDS of Texas. Mr. Chairman, will the gentleman yield?

Mr. TAUZIN. I yield to the gentleman from Texas.

Mr. FIELDS of Texas. I thank the gentleman for yielding.

Mr. Chairman, I have had a chance to review this amendment, plenty of time to look at it, and we feel comfortable with what this amendment does, and we support it and urge our Members to support it.

Mr. TAUZIN. I very much appreciate the support of my friend from Texas. In fact, anytime my friend from Texas supports me, I appreciate it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Louisiana [Mr. TAUZIN].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. FARR OF CALIFORNIA

Mr. FARR of California. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FARR of California. In the text of section 404 (page 27, line 19), insert "(a) SITE SELECTION FACTORS.—" before "In selecting".

At the end of section 404 (page 28, after line 13), add the following:

(b) AUTHORIZATION FOR ARCHITECTURE AND ENGINEERING STUDIES.—In addition to amounts otherwise authorized by this Act, there are authorized to be appropriated to the Secretary of Commerce, for architecture and engineering studies regarding the replacement for the National Marine Fisheries Service Lab at Tiburon, California.—

(1) $1,500,000 for fiscal year 1995;

Mr. FARR of California (during the reading). Mr. Chairman, I ask unanimous consent the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. FARR of California. Mr. Chairman, the money has been inserted in the fiscal year 1995 appropriations bill. The Department of Commerce appropriations bill conference report stated that the "committee expects NOAA to use up to $1.5 million from its construction account to conduct architectural and engineering studies for the relocation of the NMFS Tiburon laboratory to Santa Cruz-Monterrey Bay."

Mr. Chairman, the amendment is supported by the subcommittee Chair, the gentleman from California [Mr. ORTIZ], the ranking minority member, the chairman of the full committee and the ranking minority member of the full committee.

Mr. STUDDS. Mr. Chairman, will the gentleman yield?

Mr. FARR of California. I yield to the chairman of the committee.

Mr. STUDDS. I thank the gentleman for yielding.

Mr. Chairman, we are strongly in support of the amendment offered by the gentleman, we are happy to support it.

Mr. FIELDS of Texas. Mr. Chairman, will the gentleman yield?

Mr. FARR of California. I yield to the gentleman from Texas.

Mr. FIELDS of Texas. I thank the gentleman for yielding.

Mr. Chairman, we have had an opportunity to review the amendment. I urge my colleagues to support it. We find no problem with it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. FARR].

The amendment was agreed to.

□ 1720

AMENDMENT OFFERED BY MR. FARR OF CALIFORNIA

Mr. FARR of California. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FARR of California. At the end of title Iv, add the following:

SEC. . AUTHORIZATION FOR ENFORCEMENT ACTIVITIES IN MONTEREY BAY NATIONAL MARINE SANCTUARY.

Of amounts provided hereafter in appropriations Acts for the National Marine Sanctuaries Program, up to $150,000 may be expended in each of fiscal years 1995 and 1996, on a 1-to-1 matching basis with non-federal funds, for operation and maintenance of an enforcement vessel for the Monterey Bay National Marine Sanctuary.

Mr. FARR of California. Mr. Chairman, in fiscal year 1994, an agreement was worked out between NOAA and the California Department of Fish and Game to jointly operate an enforcement vessel in the National Marine Sanctuary. One hundred twenty-five thousand dollars was appropriated to do that. This language is to ensure that the funds are authorized for this activity for subsequent years, in 1995 and 1996. I note that the funds will be matched on a one-to-one basis with non-Federal funds.

Mr. Chairman, this amendment, again, is supported by the gentleman from Texas [Mr. ORTIZ], chairman of the Subcommittee on Oceanography, Gulf of Mexico, and the Outer Continental Shelf, the gentleman from Pennsylvania [Mr. WELDON], the gentleman from Massachusetts [Mr. STUDDS], the chairman of the Committee on Merchant Marine and Fisheries, and also the ranking minority member, the gentleman from Texas [Mr. FIELDS].

Mr. STUDDS. Mr. Chairman, will the gentleman yield?

Mr. FARR of California. I yield to the gentleman from Massachusetts.

Mr. STUDDS. Mr. Chairman, the gentleman said it all. This should be supported by anyone who knows anything at all about the situation.

Mr. FIELDS of Texas. Mr. Chairman, will the gentleman yield?

Mr. FARR of California. I yield to the gentleman from Texas.

Mr. FIELDS of Texas. Mr. Chairman, I have also had the opportunity to look at this particular amendment. On this side of the aisle we find no problem, and I urge its passage.

Mr. FARR of California. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. FARR].

The amendment was agreed to.

Mr. WELDON. Mr. Chairman, I move to strike the last word

Mr. Chairman, I rise in strong support of H.R. 4008, the National Oceanic and Atmospheric Administration authorization, and to commend the chairman of the full committee, the gentleman from Massachusetts [Mr. STUDDS], and our ranking member, the gentleman from Texas [Mr. FIELDS], the chairman of the subcommittee and my good friend, the gentleman from Texas [Mr. ORTIZ]. I am sorry that I am late for this debate. I was tied up in traffic on I-95 getting down here, but I do want to take a moment to discuss a couple of the highlights to this legislation and discuss the importance of NOAA's programs. The authorization levels are adequate for NOAA, and it is important that we sustain these funding levels to allow NOAA's programs to continue uninterrupted.

Historically though, Mr. Chairman, the United States has spent relatively little on understanding the marine environment, while at the same time we have expended billions of dollars on the exploration of space. The irony is that we probably have spent more money searching for water bodies on other planets than we have on understanding the Earth's oceans right here in our own backyard.

The end of the cold war has made previously classified military data and technology available to civilian scientists. The potential for using these formerly secret technologies to expand our knowledge of the marine environment is significant.

Already, civilian marine biologists have been given access to data from the Integrated Undersea Surveillance System [IUSS] to conduct research on whales and study hydrothermal activity on the ocean floor. IUSS was originally designed to track enemy submarines and warships, but these recent cooperative ventures have demonstrated the system's great potential as a civilian scientific resource.

This new role for military technology has become known as dual use. Unfortunately, just as the full research potential of these previously classified technologies is being recognized, Department of Defense budgetary cuts are threatening to close down these resources.

We need a coordinated strategy to make sure that this cooperation happens, and this legislation contains the text that will allow that cooperation.

Mr. Chairman, we have been working, not just in the committee, but in the Congress, to expand the cooperation between nations in terms of undersea research and marine ecosystem cooperation, and in fact the international community for GLOBE, Global Legislators for a Balanced Environment, have agreed to a task force report the gentleman from Texas [Mr. ORTIZ] and I put together to have a major international conference on the oceans here in Washington on February 8. Senator KERRY of the other body has been involved in this effort. We expect to have Jacques Cousteau as our keynote speaker. At that conference, which will be attended by legislators from Japan, the European Community, the United States, and Russia, we will discuss major issues affecting the oceans. One of the three major issues that will be discussed will be better cooperation in terms of sharing information and sharing science especially as it can relate to dual use technologies and to help us improve the quality of life for everyone on the face of this Earth.

Mr. Chairman, this bill allows us to continue that cooperation within the limitations of NOAA's budget. It is important that we keep the funding for NOAA at a decent level, and hopefully in future years we can actually increase our commitment to undersea research and marine ecosystem cooperation between the friendly countries of the world.

Mr. Chairman, I am very happy to be a strong supporter and cosponsor of this legislation. Again I thank my colleagues for carrying the day and those who improved the legislation through the amendment process here on the House floor.

The CHAIRMAN. Are there further amendments to the bill?

Mr. FIELDS of Texas. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise very briefly in support of the bill, and, Mr. Chairman, I will not take the entire 5 minutes.

Mr. Chairman, earlier my statement was placed in the RECORD, and I would ask unanimous consent that a letter to me from Vice President GORE be included.

The CHAIRMAN. The gentleman's statement was not placed in the RECORD. The gentleman's statement will have to be placed under general leave. The gentleman can now request to put his statement in the RECORD at this time.

Mr. FIELDS of Texas. Mr. Chairman, I would ask unanimous consent.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The CHAIRMAN. Without objection, the gentleman's statement will be placed in the RECORD. In terms of the other, under general leave, the statement that the gentleman has, the letter that he would like, will fall under general leave in terms of being placed in the RECORD.

Mr. FIELDS of Texas. I would like the letter attached to my statement.

Mr. STUDDS. Mr. Chairman, will the gentleman yield?

Mr. FIELDS of Texas. I yield to the gentleman from Massachusetts.

Mr. STUDDS. Mr. Chairman, let me assure the gentleman we will join him in moving heaven and earth to get the Vice President's letter in the RECORD. On all those occasions in which the Vice President and the gentleman from Texas have kind words to say about one another, Mr. Chairman, it belongs in the RECORD.

The statement and letter referred to is as follows:

Mr. FIELDS of Texas. Mr. Chairman, I rise in support of H.R. 4008, the National Oceanic and Atmospheric Administration Authorization Act.

This legislation is the product of many months of hard work and dedicated effort by a number of distinguished Members of both the Merchant Marine and Fisheries and the Science, Space, and Technology Committees. Working together, we have crafted a proposal that incorporates the best features of our two versions.

The fundamental purpose of H.R. 4008 is to authorize NOAA's important ocean and coastal programs for the next two fiscal years. These include: mapping and charting, observation and prediction, estuarine and coastal assessment, the Great Lakes Environmental Research Laboratory, global climate change, the Saltonstall-Kennedy fishery program, and various marine services. In addition, title four of the bill includes miscellaneous provisions which authorize various reports concerning NOAA's nautical charting, fleet modernization, and research programs.

The bill also includes the text of three bills which passed the House in March—H.R. 3886, H.R. 2063, and H.R. 1394—dealing with the Flower Garden Banks National Marine Sanctuary, the National Coastal Resources Research and Development Institute and a NOAA Great Lakes office. Finally, the bill incorporates a slightly modified text of H.R. 4236, a comprehensive National Undersea Research Program authorization reported by the Merchant Marine Committee on May 11, 1994.

While I generally support most of the programs authorized in this legislation, the bill authorizes a total of $14 million over 2 years for the Global Learning and Observation to Benefit the Environment [GLOBE] Program. As you may remember, when the House considered the Commerce, Justice, State and Judiciary appropriations bill this year, I offered an amendment eliminating funding for GLOBE. The amendment was defeated on a tie vote. I also sought to strike the authorization for the program, when H.R. 4008 was before the Merchant Marine and Fisheries Committee.

GLOBE is the brainchild of Vice President GORE. While I have great respect for the Vice President, it is legitimate to question whether the United States should be spending $7 million in NOAA funds to have schoolchildren from around the world take environmental measurements of questionable scientific value. I objected to this program based on my concerns that there seemed to be no clear focus; that funding was projected to grow at an alarming rate; that funds would flow to foreign countries like Bahrain, Croatia, and Papua New Guinea; and that NOAA had reprogrammed a half million dollars to establish an eight-person GLOBE office without proper notice or authorization by the Congress.

However, I have been assured by the Vice President that the administration does not intend to have the taxpayers of this Nation finance the GLOBE program at a substantially higher rate in the future. In fact, NOAA's share of the program will be limited to the $7 million authorized in fiscal year 1995 and fiscal year 1996, rising eventually to $12 million in later years. In addition, I was pleased to see that the Administrator of NOAA, in his testimony before the Subcommittee on Space on July 19 announced that all U.S. dollars appropriated to the program would remain in the United States. Foreign countries who wish to participate in the GLOBE program will have to bear their own costs.

The Vice President also indicated that GLOBE would take advantage of existing technologies and programs to minimize the costs of the program. One of these is the Mickey Leland Satellite Program, established in honor of the late congressman from Houston, TX, who gave his life fighting hunger and poverty in Africa. The Leland satellite network, to be funded by AID to provide health and agricultural information to African nations, can also serve as a conduit for the types of environmental information collected under GLOBE. I am pleased that Mickey's legacy will be expanded and I thank the Vice President for his commitment to fund the Leland Satellite Network.

I have also been informed that a small advisory committee is being formed to help shape the program and give it some direction. I hope that the advisory committee will represent a cross-section of interest groups and that all efforts will be made to minimize its costs. I urge the committee to examine other Federal programs involving the scientific education of young children and build on their foundation. For example, the National Science Foundation already has a GLOBE-type program in place in the United States and many American school districts participate in weather observation programs in conjunction with local weather stations.

Finally, the provision authored by the gentleman from Wisconsin, [Mr. SENSENBRENNER], which requires a minimum dollar-for-dollar non-Federal match before any GLOBE monies can be obligated beginning in fiscal year 1996, goes a long way in ensuring that the program will truly incorporate a private/governmental partnership. By requiring a funding match, the intent here is to force a commitment of dollars or equipment up front, and not the types of soft matching requirements of administrative

overhead allowed under other Federal research programs. On July 19, the NOAA Administrator stated that the private investment in GLOBE would be "orders of magnitude" greater than the public investment; if this is true, then the matching requirement will not be a hardship and should eventually negate the need for further Federal funding. NOAA plans to establish a private foundation to seek funds for the programs as early as this year. This is a sound idea and I hope the foundation functions well.

Mr. Chairman, if I could direct $7 million of Federal funds, GLOBE would not be my choice. However, the funds have been appropriated for fiscal year 1995 and the program seems to be evolving away from the bloated, foreign aid giveaway I and many of my colleagues had feared. Therefore, I do not plan to offer any amendments to kill the GLOBE program. However, I will be monitoring the situation very carefully and I will request oversight hearings on this program early in the 104th Congress.

Other than this one concern, Mr. Chairman, I urge my colleagues to support this bill. NOAA may not be the largest Federal agency, but it represents the lion's share of the Department of Commerce's budget and personnel. Many NOAA programs are critical to maintaining the health and wise use of our ocean resources, and they deserve our support.

Again, I want to compliment Chairmen GERRY STUDDS, SOLOMON ORTIZ, GEORGE BROWN, and RALPH HALL and our ranking minority members BOB WALKER, CURT WELDON, and JIM SENSENBRENNER for their leadership in crafting this fine piece of legislation.

I urge an "aye" vote on H.R. 4008.

THE VICE PRESIDENT,
Washington, September 22, 1994.

Hon. JACK FIELDS,
House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR REPRESENTATIVE FIELDS: Thank you for your assistance in developing the "Leland Initiative," a program designed to bolster Africa's connectivity to the emerging Global Information Infrastructure Access to the Internet will enable African countries to develop distance learning programs, access databases on agricultural and rural development and environmental issues, and increase communication among scientists, engineers, doctors, and policy-makers both within Africa and throughout the developed world. Africa is the only region in the world without widespread Internet connectivity and we are very pleased to help make them part of the Internet network. We are very excited about adding this cost-effective and multi-faceted capacity to the GLOBE program. Not only will the "Leland Initiative" make it possible for African schools to participate in the GLOBE program from the outset, but it will also support a wide variety of development applications.

As you know, the GLOBE program is managed by an interagency Leadership Council and will receive guidance from a Presidentially-appointed Advisory Committee. The Committee members will be selected from the highest ranks of education, government, science, and technology, and will provide advice to the President and the Vice-President regarding the implementation and development of the GLOBE program. We would of course very much appreciate the names of individuals you believe are well-qualified to sit on the Advisory Committee and could offer expertise on issues relevant to GLOBE.

In order to initiate the GLOBE program we sought $15 million in U.S. Government funding for FY95: NOAA-$7 million; NASA-$5 million; NSF-$2 million and EPA-$1 million. We expect to seek a slightly higher appropriation in FY96. Over the long term, however, U.S. Government funding will pay for only a small part of the costs of the GLOBE program. The majority of GLOBE expenditures will be funded by the private sector and foreign governments. Program growth will depend necessarily on available funding from these sources.

Toward that end we plan to enter into a joint project agreement with a non-profit organization to manage fundraising for the GLOBE program. We expect that financial and in-kind contributions to GLOBE from other nations and the private sector will begin in FY95, and will increase steadily over the coming years.

Thank you again for your interest in and contributions to the GLOBE program. I look forward to working with you in the future on this and other programs of mutual interest.

Sincerely,

AL GORE.

Mr. FIELDS of Texas. Mr. Chairman, at this point I yield back, and I will ask my colleagues to support the legislation.

Mr. STUDDS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am unaware of any further amendments to the bill, so this will be the final word.

I want to take the usual 10 seconds to make the usual accommodation to my ranking member, the gentleman from Texas [Mr. FIELDS]. The Members will note that a bill of substantial substance and consequence has just gone through here with the bipartisan tranquility associated with our committee, and I am proud, again, to associate myself with the gentleman and his leadership there.

Mr. FIELDS of Texas. I thank the gentleman, and, Mr. Chairman, I also commend the chairman of the full committee, the gentleman from Massachusetts [Mr. STUDDS], and also the chairman of the Subcommittee on Oceanography, Gulf of Mexico, and the Outer Continental Shelf, the gentleman from Texas [Mr. ORTIZ], and also our ranking minority member, the gentleman from Pennsylvania [Mr. WELDON].

Mr. STUDDS. Indeed.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. There being no further amendments, the question is on the amendment in the nature of a substitute, as amended.

The amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. COLEMAN) having assumed the chair, Mr. VENTO, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4008) to authorize appropriations for the National Oceanic and Atmospheric Administration for fiscal years 1994 and 1995, and for other purposes, pursuant to House Resolution 542, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment in the nature of a substitute adopted by the Committee of the Whole?

If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title of the bill was amended so as to read: "A bill to authorize appropriations for the National Oceanic and Atmospheric Administration for fiscal years 1995 and 1996, and for other purposes."

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. STUDDS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

LOWELL NATIONAL HISTORICAL PARK

The SPEAKER pro tempore (Mr. COLEMAN). Pursuant to House Resolution 532 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 4448.

□ 1730

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4448) to amend the act establishing Lowell National Historical Park, and for other purposes, with Mr. HASTINGS in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Minnesota [Mr. VENTO] will be recognized for 30 minutes, and the gentleman from Colorado [Mr. ALLARD] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Minnesota [Mr. VENTO].

Mr. VENTO. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, H.R. 4448, would amend the act establishing the Lowell National Historical Park. Lowell National Historical Park was established in 1978 to preserve and interpret the nationally significant historical and cultural sites, structures and districts in Lowell, MA. At that time, Congress established the Lowell National Historical Park Commission to complement and coordinate the efforts of the park and various other State, local and private entities in developing and managing the historic and cultural resources of Lowell. While several projects remain to be completed, the Commission is scheduled to terminate on June 5, 1995, and the limit on authorized development funds has been reached.

H.R. 4448, introduced by Representative MEEHAN on May 18, 1994, extends the Commission for an additional 5 years, and increases the authorization level for the park. The legislation also provides for the transfer of the Commission's authorities to the National Park Service, and authorizes any revenues or assets acquired to be used for park purposes. The bill requires the Lowell Development and Financial Corporation to repay to the Secretary of the Treasury loans and interest from a low-interest loan fund established in 1978, except for any losses taken after all reasonable efforts at collection have been completed. Finally, the legislation establishes an advisory committee, following termination of the Commission, to provide input on the operation, maintenance, development, and programming of the park and preservation district.

The Committee on Natural Resources amended the bill as introduced to strengthen the language authorizing the National Park Service to assume the Commission's responsibilities for loan and grant agreements and to retain the revenues from leasing properties currently administered by the Commission for park use. This section reflects the committee's concern that such action be governed by appropriate regulation, and institutes reporting requirements on the financial records related to these provisions.

In response to concerns raised by OMB, the committee also included additional language regarding the loan fund that would exempt the corporation from repaying principal and interest losses due to defaults to make it acceptable under the Credit Reform Act.

Finally, the committee limited the advisory committee established in the bill to 10 years. I believe the establishment of an advisory committee to be appropriate in this instance, where partnerships and community involvement play such an important role in the operation of the park. However, I also believe that such committees should not be open-ended, and in fact should be reviewed periodically to determine if their activities and membership continue to be appropriate. The 10-year sunset seems adequate for this purpose.

Mr. Chairman, Lowell is in many ways a model for the kind of partnerships and community-based parks we are trying to encourage. The private investment in the area has far outstripped Federal funding for the park. Neglected and deteriorating resources have been restored, and the park has been developed with the support and cooperation of local public and private entities. Without this legislation, however, the National Park Service would be required to assume responsibility for incomplete projects and would be left without the necessary authority to manage properties and programs currently under the jurisdiction of the Commission.

This legislation provides for the completion of projects already underway and provides for the orderly and cost-effective transition from management by the community-based commission to the National Park Service. This is an existing unit of the National Park Service, and the authorities contained in H.R. 4448 are necessary for its continued operation.

Mr. Chairman, I yield 8 minutes to the gentleman from Massachusetts [Mr. MEEHAN], who has been the principal architect of this bill, and has worked very, very hard as a new Member. I have seen few that have developed his understanding and expertise with regard to projects in their districts, especially with regard to the Park Service. I want to praise Mr. MEEHAN for his effort, scholarship, and determination to see this bill enacted in this session of Congress.

Mr. MEEHAN. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I thank my colleague for yielding.

Mr. Chairman, I rise today to ask my colleagues to support H.R. 4448, a bill to amend the act establishing Lowell National Historic Park.

I greatly appreciate the assistance of Chairman VENTO. His efforts and support have improved the bill, and I am grateful for his help and guidance.

In 1978, Congress created the Lowell National Historic Park and in doing so, recognized the critical role that Lowell played in the American Industrial Revolution. On the banks of the Merrimack River our Nation's industrial history began in Lowell, MA, the first planned industrial community in the United States. Lowell is the first place where the mass production of goods, in this case textiles, occurred on a large scale. My ancestors immigrated to Lowell, and along with many other immigrant families, set out to make a life for themselves in America. Lowell is as much a story about immigration and ethnic diversity, as it is about industry. Lowell's historic buildings and canal system are monuments to those immigrants who came here, and through their hard labor and desire for opportunity, sparked the Industrial Revolution. Lowell National Historical Park is a testament to the spirit of the people who shaped that pivotal period in American History, and it warrants preservation.

The city's industrial mill buildings, historic structures, and the canal system document America's transition from an agrarian to an industrial economy. Congress acknowledged these assets to be nationally significant and made the Lowell National Historic Park a unit of the National Park Service.

The original legislation, crafted by former Congressman and then Senator Paul Tsongas, created the Lowell Historic Preservation Commission in 1978. The Commission membership consists of 15 representatives of the local, State, and Federal Government, as well as the private sector. This unique partnership is charged with preserving and interpreting Lowell's cultural and historic assets. Seven years ago, Congress reauthorized the Lowell Historic Preservation Commission. Today, I am asking the House to support the orderly phaseout of the Commission so that it may complete its tasks in accordance with the intent of the original law.

Opponents of the bill have argued that too much money has already been spent at the park by the National Park Service. I would like to emphasize that this park was first authorized 16 years ago, and that it has received less than $4 million a year. The park is seven-eighths of the way finished and, if we authorize the additional $10 million to complete the park, the cost to the taxpayer for a living example of 19th century industrial history is only $2 million a year. Mr. Chairman, this is a modest investment to preserve a unique segment of American history that once lost can never be recaptured.

Currently, the Commission is scheduled to terminate in June 1995. However, if we fail to approve H.R. 4448, we saddle the National Park Service with an unfinished park that will cost the taxpayer more to complete than if we approve the bill currently under consideration.

H.R. 4448 extends the Commission for 5 years to allow adequate time for it to complete its responsibilities. It also provides authorization of the necessary funds, $10.3 million, to complete the physical restoration of the canal system and to preserve certain nationally significant historic structures. Simply put, the authorization is the quickest and most efficient means for the park to be completed.

I would like to explain the reasons for requesting the 5-year extension and

the additional budget authority. In 1987, the Commission asked for a 10-year reauthorization and $15 million. This request was reduced to 7 years and $12 million. Based upon experience, the Commission's original estimates were more accurate as to what is required to complete a complex historic preservation project in an urban setting.

The Commission's inability to complete the job within the 7 years is due to conditions beyond the Commission's control. Hazardous waste was found on one site, structural conditions in major sections of the canal system were substantially worse than anticipated, adding to construction expense, and the acquisition of an essential parcel was delayed due to owner bankruptcy and RTC receivership. I have asked for and received assurance that with the passage of H.R. 4448, the Commission will be able to complete its work within the requested time and budget.

When the Commission ends, the oversight and administrative functions for loan programs, leases and ownership of property and easements will revert to the National Park Service. After the Commission terminates, an unpaid advisory Committee to the Park Service will be established for 5 additional years.

Mr. Chairman, the Lowell Commission is a model for Government cooperation and effectiveness. The Commission has achieved successes which the Federal Government could not accomplish on its own. Through its loan and grant programs, the Commission helped to preserve and restore 63 privately owned buildings, leveraging over $9 of private investment for every Commission dollar. The Commission has been cost-conscious as well. Ninety-five percent of the land for the canal system was acquired through donations. Project engineering and design costs were reduced by 60 percent through the elimination of outside consultants. Interior Secretary Bruce Babbitt and Park Service Director Kennedy were supportive of the Commission when they visited Lowell Park last year. The bill is supported by the National Park Service, the city of Lowell, MA, Republican Governor Bill Weld, the Massachusetts Historic Commission, Historic Massachusetts, Inc., Preservation Action Inc., the National Trust for Historic Preservation and the National Parks and Conservation Association.

Some have expressed the view that the Commission should not be extended. But, this legislation makes every effort to strike a responsible balance.

It seeks the minimum amount of resources required to protect the public investment that has already been made in Lowell. It does not expand the park or authorize any new project initiatives. It only allows the Commission to complete the type of projects which the Congress has already approved. And, it permits the orderly and efficient transition of the Commission's functions to the private sector and the Park Service. In fact, the Commission has already transferred its cultural programs to nonprofit sponsors.

The national significance of Lowell's historic resources and the quality and importance of its interpretive programs are well established. Lowell National Historical Park has won international acclaim as a model partnership where Government and the private sector have worked together to preserve a place which dignifies the history of average Americans: Industrial workers, immigrants, builders of canals and railroads. National publications, such as Time magazine, Yankee magazine, the New York Times, and the Washington Post, have all written significant articles about the historical importance of Lowell Park.

The Lowell Commission was the first of its kind to be created within the Department of the Interior, and with the passage of this bill, it will be the first to go out of business. Without the Lowell Historic Preservation Commission, the National Park Service would be forced to contract out for design and construction management for unfinished projects if the funding is ever provided.

The bottom line, Mr. Chairman, is that voting to cut the commission and transferring these responsibilities to the Park Service would result in more expense to the taxpayer, because the work would still have to be done. The Park Service would have to assume the responsibility and farm the work out to contractors. That would take more money and more time. Allow the Commission to finish the job. Their considerable experience and expertise ensures a cost-effective transition process.

Mr. Chairman, I urge my colleagues to support H.R. 4448, and to oppose any weakening amendments or motions to recommit.

□ 1740

Mr. ALLARD. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, although I understand there has been a remarkable effort to restore the historical values at Lowell and excellent cooperation between the Federal Government, State government, and the private sector, I must strongly oppose H.R. 4448 as I did when the House defeated this legislation nearly 2 months ago.

This legislation effectively authorizes $14 million for Lowell National Historical Park and its historic preservation commission. This is on top of the $53.4 million already spent at the park by the National Park Service. This figure does not include millions spent for park operations and the Commission's administrative expenses.

This park has a long and controversial history. The first attempt to authorize it in 1978 resulted in a defeat on the House floor. Members were concerned about its $40 million cost and fears this money might be spent on urban renewal efforts.

Opponents of this legislation in 1978 included such distinguished alumni as AL GORE and Dan Quayle. They were joined by current members of the leadership as Way and Means Chairman SAM GIBBONS, Intelligence Committee Chairman DAN GLICKMAN, and Veterans Committee Chairman SONNY MONTGOMERY. Distinguished subcommittee chairman BILL HEFNER, ANDY JACOBS, and TOM BEVILL joined in their opposition.

Although then-ranking member of the Subcommittee on National Parks and Recreation Keith Sebelius supported the original authorization, he wrote in the 1978 committee report that, "This legislation, in its implementation must not be permitted to be a bottomless goodie bag of financing assistance."

Unfortunately, Mr. Sebelius' fears were well-founded because 9 years later in 1987, Congress increased the authorization for Lowell by $13.4 million and extended the life of the Commission by 7 years. Today's legislation effectively increases that authorization by $14 million. Examples of this Federal largesse to date include $9.5 million for canal construction and design and $3.6 million for a trolley system.

H.R. 4448 increases the park's development ceiling by $10.33 million. Of this total, $5.1 million will be spent to complete the canalway system. It also extends the life of the Lowell Historic Preservation Commission for 5 additional years.

In fiscal year 1993 this Commission spent $726,000 in administration expenses which has taken the National Park Service's annual budget dollars. Extending it by 5 years, assuming current spending levels are frozen, which will cost taxpayers an additional $3.63 million. The fact that Congress never intended this Commission to have such a long and active life is demonstrated by the Senate Interior Committee's report on H.R. 11622 in 1978 which stated, "The role of the Commission will, in all likelihood, be very minimal by 1988."

This legislation represents the second time in 7 years that Congress has been asked to increase the development ceiling for Lowell and extend the life of the Commission.

Mr. Chairman, I believe the $53.4 million already spent by the National Park Service at Lowell is more than enough. Moreover, because of the National Park Service's massive backlog of between $7.4 to $9.4 billion and our $4.5 trillion national debt, I am astounded this legislation is before us.

My understanding is that the majority will accept my amendment to begin a GAO report detailing how Federal

money has been spent at Lowell Park since it was established. I also plan on offering an amendment to reduce this authorization by 50 percent.

Mr. Chairman, I reserve the balance of my time.

Mr. VENTO. Mr. Chairman, I yield 3 minutes to the gentleman from Minnesota [Mr. PENNY].

Mr. PENNY. Mr. Chairman, as many of my colleagues are aware, I have been a strong advocate of reduced Federal spending. At the same time, however, I recognize the responsibility of the Federal Government to preserve the remaining vestiges of American history for future generations. That is what this bill that is before us today seeks to do.

As a unit of the National Park Service, the Lowell Park depicts a significant aspect of America's Industrial Revolution—the history of the textile industry in America. This era in our history is rich in cultural and ethnic diversity and initiated the transformation of our society from an agrarian-based economy to one based on commercial goods and products.

What the Lowell National Historical Park provides the Nation is a living example of 19 century industry and how the textile mill workers—most of whom immigrants—actually lived and worked. The Commission preservation efforts have been exhaustive and visitors to the park can read original letters from many of the mill workers to their families, view the dormitories and living quarter the mill owners provided for the workers, and see the actual weaving of various textiles on the original mill floors.

The success of this award-winning project is well documented by publications such as Time magazine, the New York Times, and praised by international publications including the London Observer. The historical integrity that has been preserved in Lowell is widely acknowledged by the National Trust for Historic Preservation, Historic Massachusetts, the Massachusetts Historical Commission, and enjoys the endorsement of Republican Governor William Weld.

The opponents of H.R. 4448 try to portray the Federal investment in Lowell as pork. As a deficit hawk, I would be the first to oppose this bill if it were not for the facts, which I would like to briefly cite for my colleagues.

The $54 million investment in the Lowell National Historic Park represents less than 8 percent of the total cost of the park.

For every $1 of public funds spent by the Commission, $9.60 has been generated in private funds.

For every $1 appropriated by Congress to the Commission, $4.50 in State and local funds has been invested.

Ninety-two percent of the moneys invested in Lowell Park are from private or State funds.

For those who question why the National Park Service doesn't complete the park, the simple answer is that it will be more cost effective for the Commission to complete park development. If we fail to pass H.R. 4448, the NPS is still obligated to complete the park and will rely on more costly outside contractors and may not be as successful in leveraging private investment.

In sum, the Federal Government has provided seed money for the preservation of a unique historical resource—the Lowell National Historical Park—and established a model of cost efficiency and cost cooperation between the public and private sector that should be replicated in other Federal programs if we are serious about reducing the Federal deficit.

I thank the gentleman from Massachusetts for allowing me to set the record straight on H.R. 4448.

□ 1750

Mr. Chairman, I would ask the gentleman if he would enter into a colloquy.

Mr. MEEHAN. Mr. Chairman, will the gentleman yield?

Mr. PENNY. I yield to the gentleman from Massachusetts.

Mr. MEEHAN. Mr. Chairman, I am pleased to enter into a colloquy with my colleague, the gentleman from Minnesota.

Mr. PENNY. Mr. Chairman, it is my understanding that the intent of this bill is to provide the necessary authorization to allow the Lowell Historic Preservation Commission to complete only those park development projects already authorized by Congress. Is that correct?

Mr. MEEHAN. Mr. Chairman, the gentleman is correct. H.R. 4448 contains no new boundary expansions and no new project initiatives.

Mr. PENNY. Mr. Chairman, can the gentleman confirm for us that H.R. 4448 will terminate the commission within 5 years without any further legislative action?

Mr. MEEHAN. If the gentleman will continue to yield, Mr. Chairman, that is absolutely correct. The Lowell Historic Preservation Commission will phase out no later than June 5 in the year 2000. The Commission's rights and assets will be transferred in an orderly process to the National Park Service.

Mr. PENNY. Mr. Chairman, I thank the gentleman from Massachusetts for providing us with the assurances that no further authorization will be needed for the Lowell Historic Preservation Commission. I urge support for the bill.

Mr. ALLARD. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would just point out in the debate, the same thing was said that we just now heard on the floor in 1978. Again, we heard it in 1987.

Mr. Chairman, I yield 4 minutes to my esteemed colleague, the gentleman from Utah [Mr. HANSEN], who does a great job, and one whom I admire and enjoy working with on the issues.

Mr. HANSEN. Mr. Chairman, I appreciate the gentleman yielding time to me.

Mr. Chairman, I rise in opposition to H.R. 4448. I have serious reservations about this expansion of Lowell National Historical Park, which would also increase the development ceiling for the park by $10.33 million.

This is the fifth time the House has considered legislation related to the Lowell Park. When the park was created in 1978 it had an acquisition and development ceiling of $18.5 million. In 1987, this was increased to $33.6 million and today we are trying to increase that to $43.9 million.

If this legislation is enacted, how many years must pass before these folks ask us to raise this ceiling for a third time.

The $33.5 million already spent at Lowell by the National Park System includes $5.1 million for a cultural center and over $6 million to design and construct a canal. Nearly half of the $10.3 million in this bill would also go to canal construction.

The Lowell project reconfirms my worst suspicions that the National Park Service is increasingly being transformed into a public works agency. At a time when the Park Service cannot take care of basic services, such as roads, sanitation facilities and campgrounds, we today will give them another $5 million to complete a canalway. Mr. Chairman, this is hard to explain outside the beltway.

I urge my colleagues to oppose this legislation. The $33.6 million already spent at Lowell by the Park Service is more than adequate. Let us reject this attempt to spend another $10 million there.

Mr. ALLARD. Mr. Chairman, I reserve the balance of my time.

Mr. VENTO. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would just point out to my distinguished colleague that the numbers that we have indicate that between the private sector and the State and local government, that they have invested about $600 million in terms of Lowell National Historical Park in Lowell, MA. While the costs have gone up from the initial estimates that existed substantially since 1978, when the park was designated, the fact is the basic projects that are being undertaken were anticipated to be the ones that are in place today. There has not been a great expansion of the mission here. It is simply that the costs associated with some of the delays in terms of Federal funding, State funding, local funding, some other problems that have been more severe, have, of course, caused these types of delays.

Mr. Chairman, we, I think, from time to time have to respond to that. I

would point out that Lowell, unlike many of our parks, does have a development ceiling on it. Many parks do not have. When we have development ceilings, then we have to come back and adjust that. We at least have some voice and some say with regard to Lowell. It had to jump through the hoops, run the gauntlet, so to speak, of the House and Senate, and have a law signed in place. Mr. Chairman, I am confident that the numbers we have today are as accurate as they can be; that they are a true statement of the accounting and the needs of this particular park.

Mr. Chairman, I would again point out to my colleagues the tremendous investment, and that this has been a successful park. I wish that the costs had been more consistent with the initial estimates, but I think they have come back to Congress, and I am certain they do not relish the type of analysis that they receive and reviews that they receive on this floor with regard to their efforts.

Mr. Chairman, I yield 3 minutes to the gentleman from Massachusetts [Mr. MARKEY], a long-time serving and able member of the committee.

Mr. MARKEY. Mr. Chairman, I thank the gentleman from Minnesota for yielding time to me.

Mr. Chairman, I rise in support of this park and the continuation of its thriving existence. That is what is at stake in the debate here today.

For the last 20 years now, Mr. Chairman, since Senator Paul Tsongas, then Congressman Paul Tsongas, in fact, then City Counselor Paul Tsongas, up in Lowell, came up with this innovative, fascinating concept of taking the urban parks, urban areas of the country, and trying to preserve some of that culture, some of that heritage in our country, I have been on the Committee on Natural Resources and here on the floor working in support of the Lowell National Park.

Mr. Chairman, if we cut off the support which is necessary for its continuation, then we essentially send a knife to the heart of a concept which has worked, which has helped to revivify not only downtown Lowell, but the entire greater Lowell area, and in many ways we give sustenance to those that argue that communities of that nature, that the history of communities like that in this country, do not deserve recognition.

Mr. Chairman, in fact, just the opposite is the case. Lowell and Lawrence, MA, along with Manchester, NH, they are the golden triangle of the Industrial Revolution of this country.

For us to turn our backs upon that as not being deserving of support, of recognition, and of continued nurturing, denies to those in the eastern part of the country their heritage, their national park.

Mr. Chairman, there is a kind of a sense that only Yosemite or Yellowstone or the Grand Canyon National Park are part of the land in this country that is deserving of recognition and support and continued nurturing. The truth of the matter is that Lowell was the frontier, as was Lawrence, as was Manchester, and going across this country at any particular point in time, that was the frontier. For the people in that community who take such pride, for the businessmen and the ordinary citizens in that community who have taken this program and turned Lowell into a flourishing example of what the National Park Service, in combination with local community leaders, can do to leverage 9 and 10 times the investment in that area as the Federal Government has put up, to turn an area of the country that had basically been thought of as the past, looking at it in a rear view mirror, into a past that is as current today as it was when it was thriving, I think is an essential part of what the Committee on Natural Resources and what this Congress should be nurturing. I would hope that we would find support for the Lowell National Historical Park out here on the floor today.

□ 1800

Mr. ALLARD. Mr. Chairman, I just make the observation before I yield time to the gentleman from Massachusetts [Mr. TORKILDSEN] that the Golden Triangle seems to be getting more golden with each authorization.

With that, I yield 1 minute to the gentleman from Massachusetts [Mr. TORKILDSEN].

Mr. TORKILDSEN. Mr. Chairman, I thank the gentleman from Colorado for yielding me the time, even though we have differing opinions on this particular issue.

Mr. Chairman, I rise in strong support of H.R. 4448, to complete the work of the Lowell National Historic Park Commission. Urban parks are an important part of our Nation's heritage.

The Lowell National Historic Park is a tribute to our Nation's industrial heritage. Local, State, and private funding have supported the efforts of the Federal Government to make this park a successful addition to the Park Service.

Opponents of this bill state that the Federal Government is more involved than it can afford to be in protecting historical resources. They argue these national treasures should be run at a more local level for a lower cost.

I could not agree more. H.R. 4448 phases out the national Commission in 5 years, simply allowing for completion of the work already begun. Moreover, H.R. 4448 saves taxpayers the cost of having the Park Service hire contractors and consultants to complete that work. H.R. 4448 does not authorize any new projects or expand the park.

The Lowell National Park has been a model of private, State and Federal commitment to historical preservation. I urge my colleagues to support this bill which saves taxpayer money, phases out a National Park Commission, and allows current projects to be completed.

Mr. ALLARD. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I have one other comment and some information I would like to share with the body before I yield back my time.

I have some information here where I am looking at the line-item construction project funding that has been appropriated to selected parks over the years. This happens to be a 10-year total. I am looking at what some of these figures are.

Over this same more-than-10-year period, we have seen more than $54 million gone to Lowell. Yet I see the Everglades National Park has just had $22 million; Denali, $20 million; Glacier has not even made the million yet. Grand Canyon, $45 million. Zero to the Great Smoky Mountains, zero to Olympic, zero to Shenandoah, Rocky Mountain Park has had about $1.2 million, Yellowstone $31 million. Yet it seems to me when I look at these figures, Lowell has had more than its fair share of appropriations.

Mr. Chairman, I reserve the balance of my time.

Mr. VENTO. Mr. Chairman, I yield myself such time as I may consume.

I would just ask the gentleman, and I would yield to him, that obviously in coming to the total, the sum total, the gentleman has added in the operation and maintenance of the park during the 16 years, is that correct? I would yield to the gentleman to answer if that is correct.

Mr. ALLARD. Mr. Chairman, my understanding is that these are construction dollars compared to construction dollars.

Mr. VENTO. Of course the authorized ceiling, I do not know how the gentleman got there, because the authorized number is $33 million, so did the gentleman misspeak, because I thought he said $54 million. I was trying to determine how he got to the number $54 million. I would yield to the gentleman to explain that to me.

Mr. ALLARD. My information is that we have $22 million at the park and then $34 million to the Commission. When you add those together, then you come up with the total dollars.

Mr. VENTO. I think obviously there are some loan programs that are involved that is a revolving fund that do not necessarily represent the same dollars. The number of dollars, as I understand, in terms of the authorization is $33 million, which the ceiling may or may not have been breached but will be in terms of completing what is done. I would further point out to the gentleman and to the Members that, of course, Glacier, the Great Smokies,

some of the other parks the gentleman articulated of course have been long parks. They have been in the park system for 30, 40, 50 years. Of course, they have no development ceiling on them, so they, of course, can compete for dollars. If their development has been completed, then it is not necessary for them to in fact have. But Lowell is very much a park that was designated in 1978. These parks, the gentleman would concede, were in fact designated decades ago. Is that correct?

I would yield to the gentleman.

Mr. ALLARD. Certainly they are pearls that the gentleman mentioned. They have been there for some time. Those parks have all been an important part of our Park Service. My point I want to make is that in the parks we are running short on dollars for construction, we are running short on dollars for maintenance and operation. If we extend too much towards one park, such as Lowell, for example, there is not enough to continue to enhance and even acquire other parks that might be serving the goal of enhancing our national beauty and preservation.

Mr. VENTO. I appreciate the gentleman's observations. I certainly join with him in trying to attain adequate budgets to maintain these. I would just point out that there may be some shortfall in terms of adequate construction and other types of resources for parks. But I do not know that it had to do necessarily with this particular park. This is a park that is designated. I would hope that we could develop innovative means, of course, to in fact designate in the future.

I would say in regards to Lowell, Mr. Chairman, that, of course, this embraces an entire town. This is really a more aggressive design than much of what we might be doing today. It has been a great success, I think, just the portrayal of the numbers, the $600 million that has been invested by the entities that are working with the Park Service, with the Commission here, is evidence, I think ample evidence of the great success of this particular project. The fact that it is costing and will necessitate an additional $10 million in authorization in the years ahead because of some of the costs attributed to it are of course of concern, something we have gone over very carefully and which I understand we are going to have further debate under the general debate.

Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts [Mr. KENNEDY].

Mr. KENNEDY. Mr. Chairman, I rise today in strong support of the efforts of the gentleman from Massachusetts [Mr. MEEHAN] to continue the tremendous national park that has existed largely because of Senator Paul Tsongas' efforts in Lowell, MA. The efforts that we are talking about trying to incorporate today really just complete a park which is ⅘ completed. It attracts over 1 million visitors a year, and it really, I think, commemorates one of the most important aspects of the history of this country. We talk long and hard in the Chamber of this Congress about how the United States is the richest and most powerful Nation on Earth, how we have such a strong military presence, how we have such tremendous productivity increases. The fact is that a lot of those efforts are only made possible because of the people in Lowell, MA, and other Lowell, Massachusettses all across the country that were part of the industrial revolution, that enabled America to have the tremendous economic growth that we have witnessed over the course of the last 150 years. Those people in Lowell, MA, and I think the history of that city, deserve the completion that this bill talks about.

I have heard the gentleman from Colorado [Mr. ALLARD] talk about the fact that this is additional millions of dollars. The fact is that it is $10 million. It is capped after a 5-year period. Do we really want to be saying to people from all over the United States that come and visit Lowell, MA, that the wonderful park that they see that commemorates the tremendous economic changes that the United States has gone through is only ⅘ completed, that we cannot somehow at this stage after all the contributions that the people of Lowell have made say "We're sorry, we just can't complete the job."

The fact is we do have the resources to complete it, it is an important part of our history, and I commend the gentleman from Lowell, MA, for getting the job done.

Mr. ALLARD. Mr. Chairman, I yield back the balance of my time.

Mr. VENTO. Mr. Chairman, I have no further requests for time, and I yielded back the balance of my time.

□ 1810

The CHAIRMAN. Pursuant to the rule, the committee amendment is in the nature of a substitute now printed in the bill is considered as an original bill for the purpose of amendment and is considered as read.

The text of the committee amendment in the nature of a substitute is as follows:

H.R. 4448

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AMENDMENTS.

The Act entitled "An Act to provide for the establishment of the Lowell National Historical Park in the Commonwealth of Massachusetts, and for other purposes" approved June 5, 1978 (92 Stat. 290; 16 U.S.C. 410cc et seq.), is amended as follows:

(1) In section 103(a)(2), by striking "$33,600,000" and inserting "$43,930,000". The amendment made by this paragraph shall take effect on October 1, 1994.

(2) In section 203, by adding at the end thereof the following new subsection:

"(c) LOAN AND GRANT AGREEMENTS.—Upon termination of the Commission, the Secretary, acting through the National Park Service, shall assume all responsibilities of the Commission for administration and oversight of the loan and grant agreements under section 303.".

(3) In section 205, by adding at the end thereof the following new subsection:

"(e) LEASING AUTHORITY.—(1) In addition to other available authorities, the Secretary may, in his discretion, negotiate and enter into leases, as appropriate, with any person, firm, association, organization, corporation or governmental entity for the use of any property within the Park and Preservation District in accordance with the General Management Plan and any of the purposes set forth in section 1 of this Act.

"(2) Any leases entered into under this subsection shall be subject to such procedures, terms, conditions and restrictions as the Secretary deems necessary. The Secretary is authorized to negotiate and enter into leases or other agreements, at fair market value and without regard to section 321 of chapter 314 of the Act of June 30, 1932 (40 U.S.C. 303b). For purposes of any such lease or other agreements, the Secretary may adjust the rental by taking into account any amounts to be expended by the lessee for preservation, maintenance, restoration, improvement, repair and related expenses with respect to the leased properties.

"(3) The proceeds from leases under this subsection shall be retained by the Secretary, be available without further appropriation, remain available until expended, and be used to offset the costs of preservation, interpretation, restoration, maintenance, improvement, repair, and related expenses, including administration related to such expenses, incurred by the Secretary with respect to properties within the Park and Preservation District, with the balance used to offset other costs incurred by the Secretary in the administration of the Park.

"(4) Each lessee of a lease entered into under this subsection shall keep such records as the Secretary may prescribe to enable the Secretary to determine that all terms of the lease have been, and are being, faithfully performed.

"(5) The Secretary shall annually prepare and submit to Congress a report on property leased under this subsection.".

(4) In section 301(i), by striking "seventeen" and inserting "22".

(5) In section 303(a), by amending paragraph (1) to read as follows:

"(1) The loan to the corporation shall have a maturity of 35 years. At the end of such period, the corporation shall repay to the Secretary of the Treasury (in a lump sum) for deposit in the general fund of the Treasury the full amount of the loan and any additional amounts accruing to the corporation pursuant to this subsection excepting principal and interest losses occasioned by loan defaults after all reasonable efforts at collection have been completed plus those amounts expended by the Corporation for reasonable administrative expenses. The Commission is further authorized to renegotiate the terms and conditions respecting loan repayment of the agreement dated December 8, 1980, with the Lowell Development and Financial Corporation. The authority provided in this paragraph shall be available only to the extent that appropriations for a subsidy cost, as defined in section 502 of the Congressional Budget Act of 1974, are made in advance.".

(6) In section 305(g), by inserting before the period at the end thereof "for administration by the National Park Service in accordance with the general management plan".

(7) By adding after section 307 the following:

"SEC. 308. ADVISORY COMMITTEE.

"(a) ESTABLISHMENT OF ADVISORY COMMITTEE.—Upon the termination of the Commission,

the Secretary shall establish a committee to be known as the Lowell National Historical Park Advisory Committee (hereinafter in this section referred to as the 'Advisory Committee').

"(b) MEMBERSHIP.—The Advisory Committee shall be composed of 15 members appointed by the Secretary.

"(c) CHAIRPERSON.—The Advisory Committee shall designate one of its members as Chairperson.

"(d) QUORUM.—Eight members of the Advisory Committee shall constitute a quorum. The Advisory Committee shall act and advise by affirmative vote of a majority of the members voting at a meeting at which a quorum is present. The Advisory Committee shall meet on a regular basis. Notice of meetings and agenda shall be published in local newspapers which have a distribution which generally covers the area affected by the park and preservation district. Advisory Committee meetings shall be held at locations and in such a manner as to ensure adequate public involvement.

"(e) FUNCTIONS.—The Advisory Committee shall advise the Secretary on the operation, maintenance, development, and programming of the park and preservation district.

"(f) SUPPORT AND TECHNICAL SERVICES.—In order to provide staff support and technical services to assist the Advisory Committee in carrying out its duties under this Act, upon request of the Advisory Committee, the Secretary is authorized to detail any personnel of the National Park Service to the Advisory Committee.

"(g) PER DIEM.—Members of the Advisory Committee shall serve without compensation but shall be entitled to travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in Government service under section 5703 of title 5, United States Code.

"(h) FACA.—The provisions of section 14(b) of the Federal Advisory Committee Act (5 U.S.C. Appendix; 86 Stat. 776), are hereby waived with respect to the Advisory Committee.

"(i) VACANCIES.—Any vacancy in the Advisory Committee shall be filled in the same manner in which the original appointment was made. Any member may serve after the expiration of his term until his successor is appointed.

"(j) TERMINATION.—The Advisory Committee shall terminate on June 5, 2010.".

The CHAIRMAN. Are there amendments to the bill?

AMENDMENT OFFERED BY MR. VENTO

Mr. VENTO. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. VENTO: Page 3, strike line 12 and all that follows through line 14 and insert the following:

"(3) Surplus proceeds from leases entered into under section 111 of the National Historic Preservation Act (16 U.S.C. 470h-3) with respect to property in the Park and Preservation District, and all proceeds from all other leases entered into under this subsection, shall be retained by the Secretary, remain available until expended, and, subject to appropriation,

Mr. VENTO (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. VENTO. Mr. Chairman, this amendment has been worked out with the distinguished chairman of the Interior Appropriations Subcommittee, Mr. YATES, who had indicated some concerns about granting the Secretary the authority to retain and expend funds generated by leasing buildings now administered and leased by the Lowell Preservation Commission.

Under section 111(b) of the Historic Preservation Act, the Secretary is authorized to lease historic properties and retain those revenues needed to directly defray the costs of administration, maintenance, repair and related expenses incurred as the result of such leases. However, revenues from leases of properties not listed on the National Register, or revenues exceeding the costs described above are to be returned to the U.S. Treasury.

Currently, the Preservation Commission leases three properties and retains the revenues from such leases to offset the costs of administering those properties. When the Commission terminates, the National Park Service will assume responsibility for those properties. Without the authority to retain such revenues, the NPS will require an additional $250,000 to $300,000 annually in operating funds to offset the loss of the lease revenues.

While the Secretary's retention of lease revenues may be acceptable, there was some concern that the expenditure of such funds should be directed and regulated by appropriation acts. Accordingly, my amendment provides that any revenues not covered by section 111(b) of the Historic preservation act may, subject to appropriation, be retained by the Secretary and expended for authorized purposes.

Mr. ALLARD. Mr. Chairman, will the gentleman yield?

Mr. VENTO. I yield to the gentleman from Colorado so he can give me some advice as to his support for my amendment.

Mr. ALLARD. Mr. Chairman, I do not have any objection, and I will give my support to the gentleman's amendment.

Mr. VENTO. Mr. Chairman, I appreciate the gentleman's support.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. VENTO].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TRAFICANT: At the end of the bill (page 7, after line 4), add the following:

(8) By adding at the end the following:

TITLE IV—BUY AMERICAN

SEC. 401. PURCHASE OF AMERICAN MADE EQUIPMENT AND PRODUCTS.

(a) SENSE OF CONGRESS.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available pursuant to this Act should be American made.

(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available pursuant to this Act, the Commission, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

Mr. TRAFICANT (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. TRAFICANT. Mr. Chairman, this is the standard Buy American amendment.

Mr. VENTO. Mr. Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the distinguished gentleman from Minnesota [Mr. VENTO], chairman of the subcommittee.

Mr. VENTO. Mr. Chairman, I thank the gentleman for yielding. I have no objection to this amendment. It has I think merit and certainly the products and supplies and dollars spent, paid for by U.S. taxpayers and spent in Lowell, MA could and should be on a Buy American basis. I commend the gentleman and thank him for his amendment.

Mr. TRAFICANT. I appreciate the chairman's support.

Mr. ALLARD. Mr. Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the gentleman from Colorado, the distinguished ranking member.

Mr. ALLARD. Mr. Chairman, I thank the gentleman for yielding. I also stand in support of the gentleman's amendment.

Mr. TRAFICANT. I appreciate the gentleman's support.

Mr. PENNY. Mr. Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the distinguished gentleman from Minnesota, a Member known for his frugality in the House and a leader in that, and I will be sorry to see him leave. He is a dear friend, and I want to say to the gentleman from Minnesota [Mr. PENNY], you are going to be missed in the House of Representatives. I do not know if I will have another chance to say that. The gentleman does a good job.

Mr. PENNY. Mr. Chairman, I thank the gentleman for yielding. I want the gentleman to know I will miss working with him and I applaud his leadership over the years in promoting American products. I rise today in support of the gentleman's amendment.

Mr. TRAFICANT. I appreciate it very much, believe me.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. TRAFICANT].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ALLARD

Mr. ALLARD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ALLARD: Page 7, line 4, strike the closing quotation marks and period.

Page 7, after line 4, add the following:

"SEC. 309. COMPTROLLER GENERAL REVIEW.

"(a) DEADLINE.—No later than January 1, 1996, the Comptroller General of the United States shall conduct the audit described in subsection (b) and submit to Congress a report concerning the results of such audit.

"(h) AUDIT.—The audit required by subsection (a) shall deal only with those activities and expenditures authorized by this Act and shall—

"(1) review the authorities of the National Park Service and the Lowell Historic Park Advisory Commission and compare them with those of similar units of the National Park System;

"(2) undertake a detailed assessment of all major Federal expenditures made by the National Park Service and the Lowell Historic Park Advisory Commission;

Mr. ALLARD (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ALLARD. Mr. Chairman, Congress spends a great deal of time expanding the boundaries of existing parks and establishing new units of the National Park System. Unfortunately, we do not spend nearly as much time and effort conducting oversight of existing park units.

The Lowell National Historic Park is a very complicated creature. Aside from the park there is an accompanying historic district, a very powerful Park Commission, State and private funding and loan authority through the Lowell Development and Financial Corporation.

As a result, it is very difficult to account for how the $50 plus million of Interior Department money has been spent there since the park was established in 1978.

Since this bill was defeated 2 months ago, I have received several letters from citizens in Lowell, who prefer to remain anonymous, which have brought to my attention some serious allegations about questionable spending practices at the Lowell Park. One involves several hundred thousand dollars being spent to renovate the Nesmith House—a job I am told was never completed yet the building was sold for $33,000.

On the other hand, bill proponents assert that for every dollar the commission has spent since 1978, $9.60 has been generated in private funding and $4.50 in State and local government funds.

I believe these allegations and others deserve to be investigated by a fair and impartial body. Consequently, I am offering an amendment which authorizes the General Accounting Office and the Interior Department's inspector general to do a complete and thorough audit of all major Interior Department spending at the Lowell Park since 1978.

This audit will also examine all loans made by the Lowell Development and Financial Corporation related to the park and document the status of those loans which have not been fully repaid.

This Congress and the Nation's taxpayers deserve to know how this park is administered. Although this bill represents the third time Congress has authorized money for the park, my amendment is the first meaningful attempt to force some meaningful oversight of the millions we have spent there since 1978.

Some may claim that this amendment is unnecessary since any Member can request a GAO or inspector general investigation. I would point out that the type of joint audit my amendment authorizes would be hard to direct my sending a letter to a Federal agency. Moreover, my approach elevates this important discussion to the House floor where it belongs.

I urge my colleagues to support this amendment which will provide the Congress and the taxpayers with real oversight on how Federal money has been spent at the Lowell National Historic Park.

Mr. VENTO. Mr. Chairman, will the gentleman yield?

Mr. ALLARD. I yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Chairman, I thank the gentleman for yielding. I rise to speak in support of the amendment. I do not think there is any disagreement on this amendment and I thank the gentleman for his cooperation. As Members know, we had had some concerns about the inspector general and the GAO doing the same sort of audit, but I think it probably would be helpful in terms of what analysis or auditing of the numbers will show with regards to the GAO analysis of this. I have confidence that the Park Service numbers, the commission numbers would be good, and obviously that is the basis for my support of the broader authorization.

But I think it would be salutary for the GAO amendment the gentleman is offering, and I rise to support it.

Mr. ALLARD. Mr. Chairman, I thank the gentleman for his support.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado [Mr. ALLARD].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ALLARD

Mr. ALLARD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ALLARD: Page 2, line 5, strike "$43,930,000" and insert "38,765,000".

Mr. ALLARD. Mr. Chairman, as I pointed out earlier the Interior Department has spent at least $54 million at the Lowell National Historic Park since it was established in 1978. This legislation represents the second legislative attempt to increase that park's authorization ceiling.

I believe the Federal Government has spent enough at Lowell and I am troubled by the massive shortfall at our crown jewels like Rocky Mountain, Yellowstone, and Yosemite. These shortfalls will only be exacerbated if we spend an additional $10.33 million at Lowell as H.R. 4448 authorizes.

Because of the $7.4 to $9.4 billion shortfall at existing national parks and our current national debt of $4.5 trillion, we must make a reasonable effort to trim this authorization.

My amendment would reduce the bill's $10.33 million authorization by 50 percent to a more realistic level of $5.165 million. If bill proponents are accurate that every Federal dollar spent at Lowell generates $14 in State, local and private spending, then there is probably no need for any increased authorization. At the very least, this $5.1 million cut would hardly be felt if other parties are as effective as they claim in generating money to the Lowell project.

Last week 240 Members of the House voted for a similar amendment to the headwaters forest bill which reduced that authorization from potentially $1.5 billion to $200 million. Hopefully, we will show the same prudence today.

I urge my colleagues to support this amendment to save taxpayers $5.1 million.

Mr. VENTO. Mr. Chairman, I rise in opposition to the amendment. I understand the concerns of the gentleman from Colorado with regards to the general Park Service, but the issue, as I stated previously under general debate, Mr. Chairman, this is an amendment that really closes its eyes to the information in the hearing process that has been developed within the subcommittee and within the Committee on Natural Resources, Subcommittee on Parks, Forests and Public Lands.

The fact is this is an arbitrary amendment simply to cut the funds which would prevent the fulfillment of the basic plan that has long existed with regards to Lowell National Historic Park.

□ 1820

As has been pointed out by my colleague, this is one of the most outstanding resources. We made a commitment in 1978. It has been more expensive to fulfill that commitment both for the Federal Government and the National Park Service, but also for the private sector and for the State and for the local government which has contributed far and away the greater share of this.

In other words, the funding has been, as have been indicated, nearly $600 million invested by those entities. They are behind this park. They are pouring

their treasure and their support into it, and it is being rewarded. It is a magnificent park. It is a park that does reflect the industrial, the labor history, the cultural history of the Northeastern part of the United States, one that we all share in as part of our legacy and as part of what makes America and this Nation what it has become today.

This amendment is completely arbitrary. It simply strikes the dollars out, assuming that less is going to accomplish the task. The Park Service and the Commission have specifically pointed out the costs here. The costs are the completion of the canal and development program, over $5 million; the targeted preservation grants which are necessary to leverage the completion of warehouses and other types of shops which are in difficult shape, $1.7 million; stabilization of the endangered industrial structures, over $3 million; a trolley system for handicapped access, $330 thousand. The total, of course, is the $10.3 million that is incorporated in this bill.

Does the gentleman propose to cut out the completion of the canal system only to have further deterioration to slow down the development of these construction projects? These are some pieces and projects that cannot be done in a piecemeal manner. The fact is they need the targeted preservation grants. We need to incentivize the private sector. The commission has been a great success. I regret that things cost more than they were anticipated to cost in 1978. That is 16 years ago, and the fact is that I think, based on the fact that we can look at what has been done here and that Members have the testimony and the information before them, I think it is really incorrect and bad judgment to come back and just arbitrarily cut the appropriation in half because you oppose this or because there are problems with other parks.

We are not going to solve the problems by doing a halfway job with Lowell or with the other parks. We need to get the proper resources to the National Park Service.

We talked about a $5 billion backlog in terms of construction and maintenance. The Park Service budget is only $1.3 billion or $1.4 billion a year for the entire budget. That gives the Members some idea of the magnitude of the problems we face. This has not been caused by the addition of new units or by Lowell. This has been caused by a misallocation of the resources on a broad, broad basis that need to go to preserve the parks. They just do not get along on their own. They need our support. They need our effort. The American people overwhelmingly support the park system. I would hope, and I would think, they would support this, and I would, therefore, ask the Members to reject the Allard amendment. It is unrealistic. It throws out the facts simply for a quick fix in terms of cutting the budget there. That is not going to do it.

This has to go through the appropriations process. This is only the first step. The Members, on a yearly basis, will be scrutinizing these dollars very carefully. We know how carefully our colleagues on the appropriation and interior agency committees go through the budget and the Senate and to be signed.

We need to permit them to compete for the dollars available so this important historic resource can be preserved.

Mr. Chairman, I would ask Members to reject the amendment.

Mr. HANSEN. Mr. Chairman, I rise in strong support of the amendment offered by my good friend, the gentleman from Colorado [Mr. ALLARD]. At a time when our constituents are demanding that Federal spending be cut dramatically, this is an excellent place to start.

My colleagues who support this bill claim that for every Federal dollar spent at Lowell, $14 dollars are generated by the private sector and State and local governments. If this is correct, then I am baffled why this bill is before us today at all. Why would the sponsor want to go through the grueling schedule of the suspension calendar, a Rules Committee hearing and another appearance on the House floor if the Federal contribution at Lowell is only 6 percent of the total revenue?

If this calculation is correct, then the Allard amendment will have virtually no impact on operations at the Lowell National Historic Park. I urge my colleagues to support the Allard amendment.

Mr. MEEHAN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, the amendment is arbitrary: The amount authorized by H.R. 4448 is based on cost estimates by historic preservation specialists and professional engineers. The amount cut by the Allard amendment is based on what sounds good to the gentleman from Colorado. The committee relied on experts to decide how much is needed to finish the ongoing preservation work.

The amendment is also inefficient: Lopping off half the authorized funding will drag out the work already underway, forcing the commission to spend more time and money than necessary. Cutting the authorization for the commission only shifts the burden of completing whatever is left over to the Park Service. The work will still have to be done, but it will be done by outside contractors hired by the Park Service at greater cost.

Last, the amendment is counterproductive: Opponents of the bill say too much has been spent on the Lowell Park. But the more visitors to the park, the more the taxpayers get out of their investment in Lowell. Completion of the canal system will make the park a more interesting and attractive place to visit.

I urge rejection of the Allard amendment. It is an ill-conceived, feel-good cut that would gut the bill.

If the gentleman from Colorado has a study, an expert, or anything at all that shows the work could be done for half the money, he has not told anyone about it up to this point. It should be obvious that he picked a number out of a hat. That might be a good way to score feel-good political points, but it is no way to make policy.

Mr. Chairman, if the gentleman from Colorado is opposed to the bill, then he should just vote against the bill, not cut it in half. If we cut it in half, that is a waste of half of the money. This amendment should be rejected, and I urge my colleagues to reject the amendment. It is ill conceived. It is a feel-good cut that actually would cut this bill, and we do not need to cut this bill. We need to finish the job that we started in Lowell.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado [Mr. ALLARD].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. ALLARD. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 165, noes 215, not voting 59, as follows:

[Roll No. 439]

AYES—165

Allard	Emerson	Kolbe
Andrews (NJ)	Everett	Lambert
Archer	Ewing	Lazio
Armey	Fawell	Leach
Bachus (AL)	Fields (TX)	Levy
Baker (CA)	Fish	Lewis (CA)
Ballenger	Fowler	Lewis (FL)
Barcia	Franks (CT)	Lewis (GA)
Barrett (NE)	Gekas	Lightfoot
Bartlett	Gilchrest	Linder
Barton	Gilman	Livingston
Bateman	Goodlatte	Long
Bentley	Goodling	Lucas
Bereuter	Goss	Machtley
Bilirakis	Grams	Manzullo
Bliley	Grandy	McCandless
Boehlert	Greenwood	McCollum
Boehner	Gunderson	McCrery
Bonilla	Hall (TX)	McDade
Bunning	Hancock	McHugh
Burton	Hansen	McKeon
Buyer	Hastert	McMillan
Camp	Hefley	Meyers
Canady	Herger	Mica
Castle	Hobson	Michel
Clinger	Hoekstra	Miller (FL)
Coble	Hoke	Minge
Collins (GA)	Horn	Molinari
Combest	Hunter	Moorhead
Cox	Hutchinson	Myers
Crane	Hutto	Nussle
Crapo	Hyde	Orton
Cunningham	Inglis	Oxley
DeLay	Istook	Packard
Diaz-Balart	Jacobs	Peterson (MN)
Dickey	Johnson (CT)	Petri
Doolittle	Johnson, Sam	Pombo
Dreier	Kasich	Porter
Duncan	Kim	Portman
Dunn	Kingston	Poshard
Ehlers	Knollenberg	Pryce (OH)

Quillen
Ramstad
Ravenel
Regula
Roberts
Rogers
Rohrabacher
Roth
Roukema
Royce
Santorum
Sarpalius
Saxton
Schaefer
Schiff
Sensenbrenner
Shaw
Shays
Shuster
Skeen
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Stenholm
Stump
Talent
Tauzin
Taylor (MS)
Thomas (WY)
Upton
Volkmer
Vucanovich
Walker
Walsh
Weldon
Wolf
Young (AK)
Young (FL)
Zimmer

NOES—215

Abercrombie
Ackerman
Andrews (TX)
Applegate
Bacchus (FL)
Baesler
Barca
Barlow
Barrett (WI)
Becerra
Beilenson
Berman
Bevill
Bilbray
Bishop
Bonior
Borski
Boucher
Brewster
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Byrne
Cantwell
Cardin
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (MI)
Condit
Conyers
Coppersmith
Costello
Coyne
Cramer
Danner
de la Garza
Deal
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dixon
Dooley
Durbin
Edwards (TX)
Engel
Eshoo
Evans
Faleomavaega (AS)
Farr
Fazio
Fields (LA)
Filner
Fingerhut
Foglietta
Ford (MI)
Frank (MA)
Franks (NJ)
Furse
Gejdenson
Gephardt
Geren
Gibbons
Gillmor
Glickman
Gonzalez
Gordon
Green
Gutierrez
Hamburg
Hamilton
Hastings
Hayes
Hefner
Hilliard
Hinchey
Hoagland
Hochbrueckner
Holden
Hoyer
Hughes
Inslee
Jefferson
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
King
Kleczka
Klein
Klink
Kopetski
Kreidler
LaFalce
Lancaster
Lantos
LaRocco
Lehman
Levin
Lewis (GA)
Lipinski
Lloyd
Lowey
Maloney
Mann
Manton
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCloskey
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mink
Moakley
Montgomery
Moran
Morella
Murphy
Murtha
Norton (DC)
Obey
Olver
Ortiz
Pallone
Parker
Pastor
Paxon
Payne (VA)
Pelosi
Penny
Peterson (FL)
Pickett
Pickle
Pomeroy
Price (NC)
Quinn
Rangel
Reed
Reynolds
Richardson
Roemer
Rose
Rowland
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Sawyer
Schenk
Schroeder
Schumer
Scott
Serrano
Shepherd
Sisisky
Skaggs
Skelton
Slaughter
Spratt
Stark
Stokes
Strickland
Studds
Stupak
Swett
Swift
Synar
Tanner
Tejeda
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Underwood (GU)
Unsoeld
Valentine
Velazquez
Vento
Visclosky
Waters
Watt
Waxman
Williams
Wise
Woolsey
Wynn
Yates
Zeliff

NOT VOTING—59

Andrews (ME)
Baker (LA)
Blackwell
Blute
Callahan
Calvert
Carr
Collins (IL)
Cooper
Darden
de Lugo (VI)
Derrick
Dingell
Dornan
Edwards (CA)
English
Flake
Ford (TN)
Frost
Gallegly
Gallo
Gingrich
Hall (OH)
Harman
Houghton
Huffington
Inhofe
Johnston
Klug
Kyl
Laughlin
McCurdy
McInnis
Mineta
Mollohan
Nadler
Neal (MA)
Neal (NC)
Oberstar
Owens
Payne (NJ)
Rahall
Ridge
Romero-Barcelo (PR)
Ros-Lehtinen
Rostenkowski
Sharp
Slattery
Smith (IA)
Smith (MI)
Stearns
Sundquist
Taylor (NC)
Thomas (CA)
Washington
Wheat
Whitten
Wilson
Wyden

□ 1849

The Clerk announced the following pairs:

On this vote:

Mr. Dornan for, with Mrs. Collins of Illinois, against.

Mr. Thomas of California for, with Mr. Mineta against.

Messrs. EDWARDS of Texas, BAESLER, and WISE changed their vote from "aye" to "no."

Ms. MOLINARI and Mr. EVERETT changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. STEARNS. Mr. Speaker, I was unavoidably detained for rollcall 439, the Allard amendment. Had I been here, I would have voted "yes".

The CHAIRMAN. Are there further amendments to the bill?

If not, the question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PENNY) having assumed the chair, Mr. HASTINGS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill, (H.R. 4448) to amend the act establishing Lowell National Historical Park, and for other purposes, pursuant to House Resolution 532, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER, pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on passage of the bill.

The question was taken, and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. ALLARD. Mr. Chairman, I demand a recorded vote.

I recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 237, noes 145, not voting 52, as follows:

[Roll No. 440]

AYES—237

Abercrombie
Ackerman
Andrews (TX)
Applegate
Bacchus (FL)
Baesler
Barca
Barlow
Barrett (WI)
Becerra
Beilenson
Berman
Bevill
Bilbray
Bishop
Boehlert
Bonior
Borski
Boucher
Brewster
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Byrne
Cantwell
Cardin
Castle
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (MI)
Conyers
Coppersmith
Costello
Coyne
Cramer
Danner
de la Garza
Deal
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dixon
Dooley
Durbin
Edwards (TX)
Engel
Eshoo
Evans
Farr
Fazio
Fields (LA)
Filner
Fingerhut
Fish
Foglietta
Ford (MI)
Frank (MA)
Franks (CT)
Franks (NJ)
Frost
Furse
Gejdenson
Gephardt
Geren
Gibbons
Gillmor
Gilman
Glickman
Gonzalez
Gordon
Green
Gunderson
Gutierrez
Hamburg
Hamilton
Hastings
Hayes
Hefner
Hilliard
Hinchey
Hoagland
Hochbrueckner
Holden
Horn
Hoyer
Hughes
Hutto
Inslee
Jefferson
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
King
Kleczka
Klein
Klink
Kopetski
Kreidler
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Lehman
Levin
Lewis (CA)
Lewis (GA)
Lipinski
Lloyd
Long
Lowey
Machtley
Maloney
Mann
Manton
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCandless
McCloskey
McCrery
McDade
McDermott
McHale
McKinney
McMillan
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mink
Moakley
Montgomery
Moran
Morella
Murphy
Murtha
Obey
Olver
Ortiz
Pallone
Parker
Pastor
Payne (VA)
Pelosi
Penny
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Pomeroy
Porter
Price (NC)
Quillen
Quinn
Rangel
Reed
Regula
Reynolds
Richardson
Roemer
Rose
Roukema
Rowland
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Sarpalius
Sawyer
Schenk
Schroeder
Schumer
Scott
Serrano
Shepherd
Sisisky
Skaggs
Skelton
Slaughter
Smith (NJ)
Spratt
Stark
Stokes
Strickland
Studds
Stupak
Swett
Swift
Synar
Tanner
Tauzin
Tejeda
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Unsoeld
Valentine
Velazquez
Vento
Visclosky
Volkmer
Waters
Watt
Waxman

Weldon	Woolsey	Zeliff
Williams	Wynn	
Wise	Yates	

NOES—145

Allard	Goodling	Nussle
Andrews (NJ)	Goss	Orton
Archer	Grams	Oxley
Armey	Grandy	Packard
Bachus (AL)	Greenwood	Paxon
Baker (CA)	Hall (TX)	Petri
Ballenger	Hancock	Pombo
Barcia	Hansen	Portman
Barrett (NE)	Hastert	Poshard
Bartlett	Hefley	Pryce (OH)
Barton	Herger	Ramstad
Bateman	Hobson	Ravenel
Bentley	Hoekstra	Roberts
Bereuter	Hoke	Rogers
Bilirakis	Hunter	Rohrabacher
Bliley	Hutchinson	Roth
Boehner	Hyde	Royce
Bonilla	Inglis	Santorum
Bunning	Istook	Saxton
Burton	Jacobs	Schaefer
Buyer	Johnson (CT)	Schiff
Camp	Johnson, Sam	Sensenbrenner
Canady	Kasich	Shaw
Clinger	Kim	Shays
Coble	Kingston	Shuster
Collins (GA)	Knollenberg	Skeen
Combest	Kolbe	Smith (MI)
Condit	Lazio	Smith (OR)
Cox	Leach	Smith (TX)
Crane	Levy	Snowe
Crapo	Lewis (FL)	Solomon
Cunningham	Lewis (KY)	Spence
DeLay	Lightfoot	Stearns
Diaz-Balart	Linder	Stenholm
Dickey	Livingston	Stump
Doolittle	Lucas	Talent
Dreier	Manzullo	Taylor (MS)
Duncan	McCollum	Taylor (NC)
Dunn	McHugh	Thomas (WY)
Ehlers	McInnis	Upton
Emerson	McKeon	Vucanovich
Everett	Meyers	Walker
Ewing	Mica	Walsh
Fawell	Michel	Wolf
Fields (TX)	Miller (FL)	Young (AK)
Fowler	Minge	Young (FL)
Gekas	Molinari	Zimmer
Gilchrest	Moorhead	
Goodlatte	Myers	

NOT VOTING—52

Andrews (ME)	Gallo	Owens
Baker (LA)	Gingrich	Payne (NJ)
Blackwell	Hall (OH)	Rahall
Blute	Harman	Ridge
Callahan	Houghton	Ros-Lehtinen
Calvert	Huffington	Rostenkowski
Carr	Inhofe	Sharp
Collins (IL)	Johnston	Slattery
Cooper	Klug	Smith (IA)
Darden	Kyl	Sundquist
Derrick	Laughlin	Thomas (CA)
Dingell	McCurdy	Washington
Dornan	Mineta	Wheat
Edwards (CA)	Mollohan	Whitten
English	Nadler	Wilson
Flake	Neal (MA)	Wyden
Ford (TN)	Neal (NC)	
Gallegly	Oberstar	

□ 1909

The Clerk announced the following pairs:

On this vote:

Mr. Dingell for with Mr. Dornan against.

Ms. English for with Mr. Thomas of California against.

Mr. CONDIT changed his vote from "aye" to "no."

Mr. LEWIS of California changed his vote from "no" to "aye."

So the bill was passed.

The result of the vote was announced as above recorded a motion to reconsider.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. TAYLOR of North Carolina. Mr. Speaker, I was unavoidably detained during roll no. 439, the vote on the Allard amendment to H.R. 4448, establishing the Lowell National Historic Park. Had I been present, I would have voted "yea."

This is consistent with my "no" vote on the bill on August 1, 1994, when it came before the House on the suspension calendar and failed to garner the necessary two-thirds vote for passage. It also is consistent with my vote against its final passage later that afternoon.

The Allard amendment would have reduced the authorized ceiling for awarding grants and loans and acquiring loans by $5.2 million, from $43,930,000 to $38,765,000. This was a common sense amendment, one that considered our current financial burdens.

$53.4 million has already been spent by the National Park Service at Lowell since 1978. I feel strongly that we must work to ensure that the legislation does not continue to be a bottomless goody bag of financial assistance.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 4556, DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1995

Mr. DURBIN. Mr. Speaker, the following request has been cleared with the majority and minority.

Mr. Speaker, I ask unanimous consent that the managers may have until midnight tonight, Monday, September 26, 1994, to file a conference report on the bill (H.R. 4556) making appropriations for the Department of Transportation and related agencies, for the fiscal year ending September 30, 1995, and for other purposes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois [Mr. DURBIN]?

There was no objection.

GENERAL LEAVE

Mr. VENTO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and to include extraneous matter, on the bill just passed.

The SPEAKER pro tempore (Mr. PENNY). Is there objection to the request of the gentleman from Minnesota?

There was no objection.

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 4602, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1995

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 103–749) on the resolution (H. Res. 547) waiving points of order against the bill (H.R. 4602) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1995, and for other purposes, which was referred to the House Calendar and ordered to be printed.

CONFERENCE REPORT ON S. 349 LOBBYING DISCLOSURE ACT OF 1994

Mr. BRYANT submitted the following conference report and statement on the Senate bill (S. 349) to provide for the disclosure of lobbying activities to influence the Federal Government, and for other purposes:

CONFERENCE REPORT (H. REPT. 103–750)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 349), to provide for the disclosure of lobbying activities to influence the Federal Government, 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 disagreement to the amendment of the House and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendments, insert the following:

TITLE I—LOBBYING DISCLOSURE

SECTION 101. SHORT TITLE.

This title may be cited as the "Lobbying Disclosure Act of 1994".

SEC. 102. FINDINGS.

The Congress finds that—

(1) responsible representative Government requires public awareness of the efforts of paid lobbyists to influence the public decision making process in both the legislative and executive branches of the Federal Government;

(2) existing lobbying disclosure statutes have been ineffective because of unclear statutory language, weak administrative and enforcement provisions, and an absence of clear guidance as to who is required to register and what they are required to disclose; and

(3) the effective public disclosure of the identity and extent of the efforts of paid lobbyists to influence Federal officials in the conduct of Government actions will increase public confidence in the integrity of Government.

SEC. 103. DEFINITIONS.

As used in this title:

(1) AGENCY.—The term "agency" has the meaning given that term in section 551(1) of title 5, United States Code.

(2) CLIENT.—The term "client" means any person or entity that employs or retains another person for financial or other compensation to conduct lobbying activities on behalf of that person or entity. A person or entity whose employees act as lobbyists on its own behalf is both a client and an employer of such employees. In the case of a coalition or association that employs or retains other persons to conduct lobbying activities, the client is—

(A) the coalition or association and not its individual members when the lobbying activities are conducted on behalf of its membership and financed by the coalition's or association's dues and assessments; or

(B) an individual member or members, when the lobbying activities are conducted on behalf of, and financed separately by, 1 or more individual members and not by the coalition's or association's dues and assessments.

(3) COVERED EXECUTIVE BRANCH OFFICIAL.—The term "covered executive branch official" means—

(A) the President;

(B) the Vice President;

(C) any officer or employee, or any other individual functioning in the capacity of such an officer or employee, in the Executive Office of the President;

(D) any officer or employee serving in a position in level I, II, III, IV, or V of the Executive Schedule, as designated by statute or executive order;

(E) any officer or employee serving in a Senior Executive Service position, as defined in section 3132(a)(2) of title 5, United States Code;

(F) any member of the uniformed services whose pay grade is at or above O–7 under section 201 of title 37, United States Code; and

(G) any officer or employee serving in a position of a confidential, policy-determining, policy-making, or policy-advocating character described in section 7511(b)(2) of title 5, United States Code.

(4) COVERED LEGISLATIVE BRANCH OFFICIAL.—The term "covered legislative branch official" means—

(A) a Member of Congress;

(B) an elected officer of either House of Congress;

(C) any employee of, or any other individual functioning in the capacity of an employee of—

(i) a Member of Congress;

(ii) a committee of either House of Congress;

(iii) the leadership staff of the House of Representatives or the leadership staff of the Senate;

(iv) a joint committee of Congress; and

(v) a working group or caucus organized to provide legislative services or other assistance to Members of Congress; and

(D) any other legislative branch employee serving in a position described under section 109(13) of the Ethics in Government Act of 1978 (5 U.S.C. App.).

(5) DIRECTOR.—The term "Director" means the Director of the Office of Lobbying Registration and Public Disclosure.

(6) EMPLOYEE.—The term "employee" means any individual who is an officer, employee, partner, director, or proprietor of a person or entity, but does not include—

(A) independent contractors; or

(B) volunteers who receive no financial or other compensation from the person or entity for their services.

(7) FOREIGN ENTITY.—The term "foreign entity" means a foreign principal (as defined in section 1(b) of the Foreign Agents Registration Act of 1938 (22 U.S.C. 611(b)).

(8) GRASSROOTS LOBBYING COMMUNICATIONS.—The term "grassroots lobbying communications" means—

(A) any communication that attempts to influence a matter described in clause (i), (ii), (iii), or (iv) of section 103(10)(A) through an attempt to affect the opinions of the general public or any segment thereof;

(B) any communication between an organization and any bona fide member of such organization to directly encourage such member to make a communication to a covered executive branch official or a covered legislative branch official with regard to a matter described in clause (i), (ii), (iii), or (iv) of section 103(10)(A); and

(C) any communication between an organization and any bona fide member of such organization to directly encourage such member to urge persons other than members to communicate as provided in either subparagraph (A) or subparagraph (B).

(9) LOBBYING ACTIVITIES.—

(A) DEFINITION.—The term "lobbying activities" means lobbying contacts and efforts in support of such contacts, including preparation and planning activities, research and other background work that is intended, at the time it is performed, for use in contacts, and coordination with the lobbying activities of others. Except as provided in subparagraph (B), lobbying activities also include grassroots lobbying communications to the extent that such communications are made in support of a lobbying contact. A communication in support of a lobbying contact is a lobbying activity even if the communication is excluded from the definition of "lobbying contact" under paragraph (10)(B).

(B) RELIGIOUS ORGANIZATIONS.—Lobbying activities do not include grassroots lobbying communications by churches, their integrated auxiliaries, conventions or associations of churches, and religious orders that are exempt from filing Federal income tax returns under paragraph (2)(A)(i) or (2)(A)(iii) of section 6033(a) of the Internal Revenue Code of 1986, unless such communications are made by another registrant or any person or entity required to be identified under section 104(b)(5).

(10) LOBBYING CONTACT.—

(A) DEFINITION.—The term "lobbying contact" means any oral or written communication (including an electronic communication) to a covered executive branch official or a covered legislative branch official that is made on behalf of a client with regard to—

(i) the formulation, modification, or adoption of Federal legislation (including legislative proposals);

(ii) the formulation, modification, or adoption of a Federal rule, regulation, Executive order, or any other program, policy, or position of the United States Government;

(iii) the administration or execution of a Federal program or policy (including the negotiation, award, or administration of a Federal contract, grant, loan, permit, or license), except that this clause does not include communications that are made to any covered executive branch official—

(I) who is serving in a Senior Executive Service position described in paragraph (3)(E); or

(II) who is a member of the uniformed services whose pay grade is lower than O-9 under section 201 of title 37, United States Code,

in the agency responsible for taking such administrative or executive action; or

(iv) the nomination or confirmation of a person for a position subject to confirmation by the Senate.

(B) EXCEPTIONS.—The term "lobbying contact" does not include a communication that is—

(i) made by a public official acting in the public official's official capacity;

(ii) made by a representative of a media organization if the purpose of the communication is gathering and disseminating news and information to the public;

(iii) made in a speech, article, publication or other material that is widely distributed to the public, or through radio, television, cable television, or other medium of mass communication;

(iv) made on behalf of a government of a foreign country or a foreign political party and disclosed under the Foreign Agents Registration Act of 1938 (22 U.S.C. 611 et seq.);

(v) a request for a meeting, a request for the status of an action, or any other similar administrative request, if the request does not include an attempt to influence a covered executive branch official or a covered legislative branch official;

(vi) made in the course of participation in an advisory committee subject to the Federal Advisory Committee Act;

(vii) testimony given before a committee, subcommittee, or task force of the Congress, or submitted for inclusion in the public record of a hearing conducted by such committee, subcommittee, or task force;

(viii) information provided in writing in response to a written request by a covered executive branch official or a covered legislative branch official for specific information;

(ix) required by subpoena, civil investigative demand, or otherwise compelled by statute, regulation, or other action of the Congress or an agency;

(x) made in response to a notice in the Federal Register, Commerce Business Daily, or other similar publication soliciting communications from the public and directed to the agency official specifically designated in the notice to receive such communications;

(xi) not possible to report without disclosing information, the unauthorized disclosure of which is prohibited by law;

(xii) made to an official in an agency with regard to—

(I) a judicial proceeding or a criminal or civil law enforcement inquiry, investigation, or proceeding; or

(II) a filing or proceeding that the Government is specifically required by statute or regulation to maintain or conduct on a confidential basis,

if that agency is charged with responsibility for such proceeding, inquiry, investigation, or filing;

(xiii) made in compliance with written agency procedures regarding an adjudication conducted by the agency under section 554 of title 5, United States Code, or substantially similar provisions;

(xiv) a written comment filed in the course of a public proceeding or any other communication that is made on the record in a public proceeding;

(xv) a petition for agency action made in writing and required to be a matter of public record pursuant to established agency procedures;

(xvi) made on behalf of an individual with regard to that individual's benefits, employment, or other personal matters involving only that individual, except that this clause does not apply to any communication with—

(I) a covered executive branch official, or

(II) a covered legislative branch official (other than the individual's elected Members of Congress or employees who work under such Members' direct supervision),

with respect to the formulation, modification, or adoption of private legislation for the relief of that individual;

(xvii) a disclosure by an individual that is protected under the amendments made by the Whistleblower Protection Act of 1989, under the Inspector General Act of 1978, or under another provision of law;

(xviii) made by—

(I) a church, its integrated auxiliary, or a convention or association of churches that is exempt from filing a Federal income tax return under paragraph 2(A)(i) of section 6033(a) of the Internal Revenue Code of 1986, or

(II) a religious order that is exempt from filing a Federal income tax return under paragraph (2)(A)(iii) of such section 6033(a),

if the communication constitutes the free exercise of religion or is for the purpose of protecting the right to the free exercise of religion; and

(xix) between—

(I) officials of a self-regulatory organization (as defined in section 3(a)(26) of the Securities Exchange Act) that is registered with or established by the Securities and Exchange Commission as required by that Act; and

(II) the Securities and Exchange Commission,

relating to the regulatory responsibilities of such organization under that Act.

(11) LOBBYING FIRM.—The term "lobbying firm" means a person or entity that has 1 or

more employees who are lobbyists on behalf of a client other than that person or entity. The term also includes a self-employed individual who is a lobbyist.

(12) LOBBYIST.—The term "lobbyist" means any individual who is employed or retained by a client for financial or other compensation for services that include one or more lobbying contacts, other than an individual whose lobbying activities constitute less than 10 percent of the time engaged in the services provided by such individual to that client.

(13) MEDIA ORGANIZATION.—The term "media organization" means a person or entity engaged in disseminating information to the general public through a newspaper, magazine, other publication, radio, television, cable television, or other medium of mass communication.

(14) MEMBER OF CONGRESS.—The term "Member of Congress" means a Senator or a Representative in, or Delegate or Resident Commissioner to, the Congress.

(15) ORGANIZATION.—The term "organization" means a person or entity other than an individual.

(16) PERSON OR ENTITY.—The term "person or entity" means any individual, corporation, company, foundation, association, labor organization, firm, partnership, society, joint stock company, group of organizations, or State or local government.

(17) PUBLIC OFFICIAL.—The term "public official" means any elected official, appointed official, or employee of—

(A) a Federal, State, or local unit of government in the United States other than—

(i) a college or university;

(ii) a government-sponsored enterprise (as defined in section 3(8) of the Congressional Budget and Impoundment Control Act of 1974);

(iii) a public utility that provides gas, electricity, water, or communications;

(iv) a guaranty agency (as defined in section 435(j) of the Higher Education Act of 1965 (20 U.S.C. 1085(j))), including any affiliate of such an agency; or

(v) an agency of any State functioning as a student loan secondary market pursuant to section 435(d)(1)(F) of the Higher Education Act of 1965 (20 U.S.C. 1085(d)(1)(F));

(B) a Government corporation (as defined in section 9101 of title 31, United States Code);

(C) an organization of State or local elected or appointed officials other than officials of an entity described in clause (i), (ii), (iii), (iv), or (v) of subparagraph (A);

(D) an Indian tribe (as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e));

(E) a national or State political party or any organizational unit thereof; or

(F) a national, regional, or local unit of any foreign government.

(18) STATE.—The term "State" means each of the several States, the District of Columbia, and any commonwealth, territory, or possession of the United States.

SEC. 104. REGISTRATION OF LOBBYISTS.

(a) REGISTRATION.—

(1) GENERAL RULE.—No later than 30 days after a lobbyist first makes a lobbying contact or is employed or retained to make a lobbying contact, whichever is earlier, such lobbyist (or, as provided under paragraph (2), the organization employing such lobbyist), shall register with the Office of Lobbying Registration and Public Disclosure.

(2) EMPLOYER FILING.—Any organization that has 1 or more employees who are lobbyists shall file a single registration under this section on behalf of such employees for each client on whose behalf the employees act as lobbyists.

(3) EXEMPTION.—

(A) GENERAL RULE.—Notwithstanding paragraphs (1) and (2), a person or entity whose—

(i) total income for matters related to lobbying activities on behalf of a particular client (in the case of a lobbying firm) does not exceed and is not expected to exceed $2,500; or

(ii) total expenses in connection with lobbying activities (in the case of an organization whose employees engage in lobbying activities on its own behalf) do not exceed or are not expected to exceed $5,000,

(as estimated under section 105) in the semiannual period described in section 105(a) during which the registration would be made is not required to register under subsection (a) with respect to such client.

(B) ADJUSTMENT.—The dollar amounts in subparagraph (A) shall be adjusted—

(i) on January 1, 1997, to reflect changes in the Consumer Price Index (as determined by the Secretary of Labor) since the date of enactment of this title; and

(ii) on January 1 of each fourth year occurring after January 1, 1997, to reflect changes in the Consumer Price Index (as determined by the Secretary of Labor) during the preceding 4-year period,

rounded to the nearest $500.

(b) CONTENTS OF REGISTRATION.—Each registration under this section shall be in such form as the Director shall prescribe by regulation and shall contain—

(1) the name, address, business telephone number, and principal place of business of the registrant, and a general description of its business or activities;

(2) the name, address, and principal place of business of the registrant's client, and a general description of its business or activities (if different from paragraph (1));

(3) the name, address, and principal place of business of any organization, other than the client, that—

(A) contributes more than $5,000 toward the lobbying activities of the registrant in a semiannual period described in section 105(a); and

(B) participates significantly in the planning, supervision, or control of such lobbying activities;

(4) the name, address, principal place of business, amount of any contribution of more than $5,000 to the lobbying activities of the registrant, and approximate percentage of equitable ownership in the client (if any) of any foreign entity that—

(A) holds at least 20 percent equitable ownership in the client or any organization identified under paragraph (3);

(B) directly or indirectly, in whole or in major part, plans, supervises, controls, directs, finances, or subsidizes the activities of the client or any organization identified under paragraph (3); or

(C) is an affiliate of the client or any organization identified under paragraph (3) and has a direct interest in the outcome of the lobbying activity;

(5) the name, address, and principal place of business of any person or entity retained by the registrant to conduct grassroots lobbying communications on behalf of the registrant or the client (other than an employee of the registrant or a person or entity that is separately registered under this title in connection with such representation);

(6) a statement of—

(A) the general issue areas in which the registrant expects to engage in lobbying activities on behalf of the client; and

(B) to the extent practicable, specific issues that have (as of the date of the registration) already been addressed or are likely to be addressed in lobbying activities; and

(7) the name of each employee of the registrant who has acted or whom the registrant expects to act as a lobbyist on behalf of the client and, if any such employee has served as a covered executive branch official or a covered legislative branch official in the 2 years before the date on which such employee first acted (after the date of enactment of this Act) as a lobbyist on behalf of the client, the position in which such employee served.

(c) GUIDELINES FOR REGISTRATION.—

(1) MULTIPLE CLIENTS.—In the case of a registrant making lobbying contacts on behalf of more than 1 client, a separate registration under this section shall be filed for each such client.

(2) MULTIPLE CONTACTS.—A registrant who makes more than 1 lobbying contact for the same client shall file a single registration covering all such lobbying contacts.

(d) TERMINATION OF REGISTRATION.—A registrant who after registration—

(1) is no longer employed or retained by a client to conduct lobbying activities, and

(2) does not anticipate any additional lobbying activities for such client,

may so notify the Director and terminate its registration.

SEC. 105. REPORTS BY REGISTERED LOBBYISTS.

(a) SEMIANNUAL REPORT.—

(1) IN GENERAL.—No later than 30 days after the end of the semiannual period beginning on the first day of each January and the first day of July of each year in which a registrant is registered under section 104, each registrant shall file a report with the Office of Lobbying Registration and Public Disclosure on its lobbying activities during such semiannual period. A separate report shall be filed for each client of the registrant.

(2) EXEMPTION.—

(A) GENERAL RULE.—Any registrant whose—

(i) total income for a particular client for matters that are related to lobbying activities on behalf of that client (in the case of a lobbying firm), does not exceed and is not expected to exceed $2,500; or

(ii) total expenses in connection with lobbying activities (in the case of a registrant whose employees engage in lobbying activities on its own behalf) do not exceed and are not expected to exceed $5,000,

in a semiannual period (as estimated under paragraph (3) or (4) of subsection (b) or paragraph (4) of subsection (c), as applicable) is deemed to be inactive during such period and may comply with the reporting requirements of this section by so notifying the Director in such form as the Director may prescribe.

(B) ADJUSTMENT.—The dollar amounts in subparagraph (A) shall be adjusted as provided in section 104(a)(3)(B).

(b) CONTENTS OF REPORT.—Each semiannual report filed under subsection (a) shall be in such form as the Director shall prescribe by regulation and shall contain—

(1) the name of the registrant, the name of the client, and any changes or updates to the information provided in the initial registration;

(2) for each general issue area in which the registrant engaged in lobbying activities on behalf of the client during the semiannual filing period—

(A) a list of the specific issues upon which a lobbyist employed by the registrant engaged in lobbying activities, including, to the maximum extent practicable, a list of bill numbers and references to specific regulatory actions, programs, projects, contracts, grants and loans;

(B) a statement of the Houses and committees of Congress and the Federal agencies contacted by lobbyists employed by the registrant on behalf of the client;

(C) a list of the employees of the registrant who acted as lobbyists on behalf of the client;

(D) a description of the interest, if any, of any foreign entity identified under section 104(b)(4) in the specific issues listed under subparagraph (A); and

(E) a list of the specific issues on which any person or entity required to be identified under section 104(b)(5) has engaged in grassroots lobbying communications on behalf of the client;

(3) in the case of a lobbying firm, a good faith estimate of the total amount of all income from the client (including any payments to the registrant by any other person for lobbying activities on behalf of the client) during the semiannual period, other than income for matters that are unrelated to lobbying activities;

(4) in the case of a registrant engaged in lobbying activities on its own behalf, a good faith estimate of the total expenses that the registrant and its employees incurred in connection with lobbying activities during the semiannual filing period;

(5) the name, address, and principal place of business of any person or entity other than the client who paid the registrant to lobby on behalf of the client; and

(6) a good faith estimate of the total expenses that the registrant and its employees incurred in connection with grassroots lobbying communications on behalf of the client (including any amount paid, in connection with such communications, to a person or entity required to be identified under section 104(b)(5)).

(c) ESTIMATES OF INCOME OR EXPENSES.—For purposes of this section, estimates of income or expenses shall be made as follows:

(1) $100,000 OR LESS.—Income or expenses of $100,000 or less shall be estimated in accordance with the following categories:

(A) $10,000 or less.

(B) More than $10,000 but not more than $20,000.

(C) More than $20,000 but not more than $50,000.

(D) More than $50,000 but not more than $100,000.

(2) MORE THAN $100,000 BUT NOT MORE THAN $500,000.—Income or expenses in excess of $100,000 but not more than $500,000 shall be estimated and rounded to the nearest $50,000.

(3) MORE THAN $500,000.—Income or expenses in excess of $500,000 shall be estimated and rounded to the nearest $100,000.

(4) ESTIMATES BASED ON TAX REPORTING SYSTEM.—In the case of any registrant that is required to report and does report lobbying expenditures as required by section 6033(b)(8) of the Internal Revenue Code of 1986, regulations prescribed under section 107 shall provide that the registrant may make a good faith estimate of applicable amounts that would be required to be disclosed under such section of the Internal Revenue Code of 1986 for the applicable semiannual period (by category of dollar value) to meet the requirements of subsections (b)(4) and (b)(6), if each time the registrant makes such an estimate, the registrant informs the Director that the registrant is making such an estimate.

(5) CONSTRUCTION.—In estimating total income or expenses under this section, a registrant is not required to include—

(A) the value of contributed services for which no payment is made; or

(B) the expenses for services provided by an independent contractor of the registrant who is separately registered under this title.

(d) CONTACTS.—

(1) CONTACTS WITH COMMITTEES.—For purposes of subsection (b)(2), any contact with a member of a committee of Congress, an employee of a committee of Congress, or an employee of a member of a committee of Congress regarding a matter within the jurisdiction of such committee shall be considered to be a contact with the committee.

(2) CONTACTS WITH HOUSE OF CONGRESS.—For purposes of subsection (b)(2), any contact with a Member of Congress or an employee of a Member of Congress regarding a matter that is not within the jurisdiction of a committee of Congress of which that Member is a member shall be considered to be a contact with the House of Congress of that Member.

(3) CONTACTS WITH FEDERAL AGENCIES.—For purposes of subsection (b)(2), any contact with a covered executive branch official shall be considered to be a contact with the Federal agency that employs that official, except that a contact with a covered executive branch official who is detailed to another Federal agency or to the Congress shall be considered to be a contact with the Federal agency or with the committee of Congress or House of Congress to which the official is detailed.

(e) EXTENSION FOR FILING.—The Director may grant an extension of time of not more than 30 days for the filing of any report under this section, upon the request of the registrant, for good cause shown.

SEC. 106. PROHIBITION ON GIFTS BY LOBBYISTS, LOBBYING FIRMS, AND AGENTS OF FOREIGN PRINCIPALS.

(a) IN GENERAL.—

(1) PROHIBITION.—No lobbyist or lobbying firm registered under this title and no agent of a foreign principal registered under the Foreign Agents Registration Act may provide a gift, directly or indirectly, to any covered legislative branch official.

(2) DEFINITION.—For purposes of this section—

(A) the term 'gift' means any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having monetary value and such term includes gifts of services, training, transportation, lodging, and meals, whether provided in kind, by purchase of a ticket, payment in advance, or reimbursement after the expense has been incurred; and

(B) a gift to the spouse or dependent of a covered legislative branch official (or a gift to any other individual based on that individual's relationship with the covered legislative branch official) shall be considered a gift to the covered legislative branch official if it is given with the knowledge and acquiescence of the covered legislative branch official and is given because of the official position of the covered legislative branch official.

(b) GIFTS.—The prohibition in subsection (a) includes the following:

(1) Anything provided by a lobbyist or a foreign agent which is paid for, charged to, or reimbursed by a client or firm of such lobbyist or foreign agent.

(2) Anything provided by a lobbyist, a lobbying firm, or a foreign agent to an entity that is maintained or controlled by a covered legislative branch official.

(3) A charitable contribution (as defined in section 170(c) of the Internal Revenue Code of 1986) made by a lobbyist, a lobbying firm, or a foreign agent on the basis of a designation, recommendation, or other specification of a covered legislative branch official (not including a mass mailing or other solicitation directed to a broad category of persons or entities).

(4) A contribution or other payment by a lobbyist, a lobbying firm, or a foreign agent to a legal expense fund established for the benefit of a covered legislative branch official or a covered executive branch official.

(5) A charitable contribution (as defined in section 170(c) of the Internal Revenue Code of 1986) made by a lobbyist, a lobbying firm, or a foreign agent in lieu of an honorarium to a covered legislative branch official.

(6) A financial contribution or expenditure made by a lobbyist, a lobbying firm, or a foreign agent relating to a conference, retreat, or similar event, sponsored by or affiliated with an official congressional organization, for or on behalf of covered legislative branch officials.

(c) NOT GIFTS.—The following are not gifts subject to the prohibition in subsection (a):

(1) Anything for which the recipient pays the market value, or does not use and promptly returns to the donor.

(2) A contribution, as defined in the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) that is lawfully made under that Act, or attendance at a fundraising event sponsored by a political organization described in section 527(e) of the Internal Revenue Code of 1986.

(3) Food or refreshments of nominal value offered other than as part of a meal.

(4) Benefits resulting from the business, employment, or other outside activities of the spouse of a covered legislative branch official, if such benefits are customarily provided to others in similar circumstances.

(5) Pension and other benefits resulting from continued participation in an employee welfare and benefits plan maintained by a former employer.

(6) Informational materials that are sent to the office of a covered legislative branch official in the form of books, articles, periodicals, other written materials, audio tapes, videotapes, or other forms of communication.

(d) GIFTS GIVEN FOR A NONBUSINESS PURPOSE AND MOTIVATED BY FAMILY RELATIONSHIP OR CLOSE PERSONAL FRIENDSHIP.—

(1) IN GENERAL.—A gift given by an individual under circumstances which make it clear that the gift is given for a nonbusiness purpose and is motivated by a family relationship or close personal friendship and not by the position of the covered legislative branch official shall not be subject to the prohibition in subsection (a).

(2) NONBUSINESS PURPOSE.—A gift shall not be considered to be given for a nonbusiness purpose if the individual giving the gift seeks—

(A) to deduct the value of such gift as a business expense on the individual's Federal income tax return, or

(B) direct or indirect reimbursement or any other compensation for the value of the gift from a client or employer of such lobbyist or foreign agent.

(3) FAMILY RELATIONSHIP OR CLOSE PERSONAL FRIENDSHIP.—In determining if the giving of a gift is motivated by a family relationship or close personal friendship, at least the following factors shall be considered:

(A) The history of the relationship between the individual giving the gift and the recipient of the gift, including whether or not gifts have previously been exchanged by such individuals.

(B) Whether the gift was purchased by the individual who gave the item.

(C) Whether the individual who gave the gift also at the same time gave the same or similar gifts to other covered legislative branch officials.

SEC. 107. OFFICE OF LOBBYING REGISTRATION AND PUBLIC DISCLOSURE.

(a) ESTABLISHMENT AND DIRECTOR.—

(1) ESTABLISHMENT.—There is established an executive agency to be known as the Office of Lobbying Registration and Public Disclosure.

(2) DIRECTOR.—(A) The Office shall be headed by a Director, who shall be appointed by the President, by and with the advice and consent of the Senate.

(B) The Director shall be an individual who, by demonstrated ability, background, training, and experience, is qualified to carry out the functions of the position. The term of service of the Director shall be 5 years. The Director may be removed for cause.

(C) Section 5316 of title 5, United States Code, is amended by adding at the end the following: "Director of the Office of Lobbying Registration and Public Disclosure".

(b) ADMINISTRATIVE POWERS.—The Director may—

(1) appoint officers and employees, including attorneys, in accordance with chapter 51 and

subchapter III of chapter 53 of title 5, United States Code, define their duties and responsibilities, and direct and supervise their activities;

(2) contract for financial and administrative services (including those related to budget and accounting, financial reporting, personnel, and procurement) with the General Services Administration, or such Federal agency as the Director determines appropriate, for which payment shall be made in advance or by reimbursement from funds of the Office in such amounts as may be agreed upon by the Director and the head of the agency providing such services, but the contract authority under this paragraph shall be effective for any fiscal year only to the extent that appropriations are available for that purpose;

(3) request the head of any Federal department or agency (who is hereby so authorized) to detail to temporary duties with the Office such personnel within the agency head's administrative jurisdiction as the Office may need for carrying out its functions under this title, with or without reimbursement;

(4) request agency heads to provide information needed by the Office, which information shall be supplied to the extent permitted by law;

(5) utilize, with their consent, the services and facilities of Federal agencies with or without reimbursement;

(6) accept, use, and dispose of gifts or donations of services or property, real, personal, or mixed, tangible or intangible, for purposes of aiding or facilitating the work of the Office; and

(7) use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

(c) COOPERATION WITH OTHER GOVERNMENTAL AGENCIES.—In order to avoid unnecessary expense and duplication of function among Government agencies, the Office may make such arrangements or agreements for cooperation or mutual assistance in the performance of its functions under this title as is practicable and consistent with law. The head of the General Services Administration and each department, agency, or establishment of the United States shall cooperate with the Office and, to the extent permitted by law, provide such information, services, personnel, and facilities as the Office may request for its assistance in the performance of its functions under this title.

(d) DUTIES.—The Director shall—

(1) after notice and a reasonable opportunity for public comment, and consultation with the Secretary of the Senate, the Clerk of the House of Representatives, and the Administrative Conference of the United States, prescribe such regulations, penalty guidelines, and forms as are necessary to carry out this title;

(2) provide guidance and assistance on the registration and reporting requirements of this title, including—

(A) providing information to all registrants at the time of registration about the obligations of registered lobbyists under this title, and

(B) issuing published decisions and advisory opinions;

(3) review the registrations and reports filed under this title and make such verifications or inquiries as are necessary to ensure the completeness, accuracy, and timeliness of the registrations and reports;

(4) develop filing, coding, and cross-indexing systems to carry out the purposes of this title, including—

(A) a publicly available list of all registered lobbyists and their clients; and

(B) computerized systems designed to minimize the burden of filing and maximize public access to materials filed under this title;

(5) ensure that the computer systems developed pursuant to paragraph (4)—

(A) allow the materials filed under this title to be accessed by the client name, lobbyist name, and registrant name;

(B) are compatible with computer systems developed and maintained by the Federal Election Commission, and that information filed in the two systems can be readily cross-referenced; and

(C) are compatible with computer systems developed and maintained by the Secretary of the Senate and the Clerk of the House of Representatives;

(6) make copies of each registration and report filed under this title available to the public, upon the payment of reasonable fees, not to exceed the cost of such copies, as determined by the Director, in written and electronic formats, as soon as practicable after the date on which such registration or report is received;

(7) preserve the originals or accurate reproduction of—

(A) registrations filed under this title for a period that ends not less than 3 years after the termination of the registration under section 104(d); and

(B) reports filed under this title for a period that ends not less than 3 years after the date on which the report is received;

(8) maintain a computer record of—

(A) the information contained in registrations for a period that ends not less than 5 years after the termination of the registration under section 104(d); and

(B) the information contained in reports filed under this title for a period that ends not less than 5 years after the date on which the reports are received;

(9) compile and summarize, with respect to each semiannual period, the information contained in registrations and reports filed with respect to such period in a manner which clearly presents the extent and nature of expenditures on lobbying activities during such period;

(10) make information compiled and summarized under paragraph (9) available to the public in electronic and hard copy formats as soon as practicable after the close of each semiannual filing period;

(11) provide, by computer telecommunication or other transmittal in a form accessible by computer, to the Secretary of the Senate and the Clerk of the House of Representatives copies of all registrations and reports received under sections 104 and 105 and all compilations, cross-indexes, and summaries of such registrations and reports, as soon as practicable (but not later than 3 working days) after such material is received or created;

(12) make available to the public a list of all persons whom the Director determines, under section 109 (after exhaustion of all appeals under section 111) to have committed a major or minor violation of this title and submit such list to the Congress as part of the report provided for under paragraph (13);

(13) make available to the public upon request and transmit to the President, the Secretary of the Senate, the Clerk of the House of Representatives, the Committee on Governmental Affairs of the Senate, and the Committee on the Judiciary of the House of Representatives a report, not later than March 31 of each year, describing the activities of the Office and the implementation of this title, including—

(A) a financial statement for the preceding fiscal year;

(B) a summary of the registrations and reports filed with the Office with respect to the preceding calendar year;

(C) a summary of the registrations and reports filed on behalf of foreign entities with respect to the preceding calendar year; and

(D) recommendations for such legislative or other action as the Director considers appropriate; and

(14) study the appropriateness of the definition of "public official" under section 103(17) and make recommendations for any change in such definition in the first report filed pursuant to paragraph (13).

SEC. 108. INITIAL PROCEDURE FOR ALLEGED VIOLATIONS.

(a) ALLEGATION OF A VIOLATION.—Whenever the Office of Lobbying Registration and Public Disclosure has reason to believe that a person or entity may be in violation of the requirements of this title, the Director shall notify the person or entity in writing of the nature of the alleged violation and provide an opportunity for the person or entity to respond in writing to the allegation within 30 days after the notification is sent or such longer period as the Director may determine appropriate in the circumstances.

(b) INITIAL DETERMINATION.—

(1) IN GENERAL.—If the person or entity responds within the period described in the notification under subsection (a), the Director shall—

(A) issue a written determination that the person or entity has not violated this title if the person or entity provides adequate information or explanation to make such determination; or

(B) make a formal request for information under subsection (c) or a notification under section 109(a), if the information or explanation provided is not adequate to make a determination under subparagraph (A).

(2) WRITTEN DECISION.—If the Director makes a determination under paragraph (1)(A), the Director shall issue a public written decision in accordance with section 110.

(c) FORMAL REQUEST FOR INFORMATION.—If a person or entity fails to respond in writing within the period described in the notification under subsection (a) or the response is not adequate to determine whether such person or entity has violated this title, the Director may make a formal request for specific additional written information (subject to applicable privileges) that is reasonably necessary for the Director to make such determination. Each such request shall be structured to minimize any burden imposed, consistent with the need to determine whether the person or entity is in compliance with this title, and shall—

(1) state the nature of the conduct constituting the alleged violation which is the basis for the inquiry and the provision of law applicable thereto;

(2) describe the class or classes of material to be produced pursuant to the request with such definiteness and certainty as to permit such material to be readily identified; and

(3) prescribe a return date or dates which provide a reasonable period of time within which the person or entity may assemble and make available for inspection and copying or reproduction the material so requested.

SEC. 109. DETERMINATIONS OF VIOLATIONS.

(a) NOTIFICATION AND HEARING.—If the information provided to the Director under section 108 indicates that a person or entity may have violated this title, the Director shall—

(1) notify the person or entity in writing of this finding and, if appropriate, a proposed penalty assessment and provide such person or entity with an opportunity to respond in writing within 30 days after the notice is sent; and

(2) if requested in writing by that person or entity within that 30-day period, afford the person or entity an opportunity for a hearing on the record under the provisions of section 554 of title 5, United States Code.

(b) DETERMINATION.—Upon the receipt of a written response under subsection (a)(1) when no hearing under subsection (a)(2) is requested, upon the completion of a hearing requested under subsection (a)(2), or upon the expiration of 30 days in a case in which no such written response is received, the Director shall review the information received under section 108 and this section (including evidence presented at any such hearing) and make a final determination

whether there was a violation and a final determination of the penalty, if any. If no written response was received under this section within the 30-day period provided, the determination and penalty assessment shall constitute a final order not subject to appeal.

(c) WRITTEN DECISION.—

(1) DETERMINATION OF VIOLATION.—If the Director makes a final determination under subsection (b) that there was a violation, the Director shall issue a written decision in accordance with section 110—

(A) directing the person or entity to correct the violation; and

(B) assessing a civil monetary penalty—

(i) in the case of a minor violation, which shall be no more than $10,000, depending on the extent and gravity of the violation;

(ii) in the case of a major violation, which shall be more than $10,000, but no more than $200,000, depending on the extent and gravity of the violation;

(iii) in the case of a late registration or filing, which shall be $200 for each week by which the registration or filing was late, unless the Director determines that the failure to timely register or file constitutes a major violation (as defined under subsection (e)(2)) in which case the amount shall be as prescribed by clause (ii); or

(iv) in the case of a failure to provide information requested by the Director pursuant to section 108(c), which shall be no more than $10,000, depending on the extent and gravity of the violation, except that no penalty shall be assessed if the Director determines that the violation was the result of a good faith dispute over the validity or appropriate scope of a request for information.

(2) DETERMINATION OF NO VIOLATION OR INSUFFICIENT EVIDENCE.—If the Director determines that no violation occurred or there was not sufficient evidence that a violation occurred, the Director shall issue a written decision in accordance with section 110.

(d) CIVIL INJUNCTIVE RELIEF.—If a person or entity fails to comply with a directive to correct a violation under subsection (c), the Director shall refer the case to the Attorney General to seek civil injunctive relief in the appropriate court of the United States to compel such person or entity to comply with such directive.

(e) PENALTY ASSESSMENTS.—

(1) GENERAL RULE.—No penalty shall be assessed under this section unless the Director finds that the person or entity subject to the penalty knew or should have known that such person or entity was in violation of this title. In determining the amount of a penalty to be assessed, the Director shall take into account the totality of the circumstances, including the extent and gravity of the violation, whether the violation was voluntarily admitted and corrected, the extent to which the person or entity may have profited from the violation, the ability of the person or entity to pay, and such other matters as justice may require.

(2) REGULATIONS.—Regulations prescribed by the Director under section 107 shall define major and minor violations. Major violations shall be defined to include a failure to register and any other violation that is extensive or repeated, if the person or entity who failed to register or committed such other violation—

(A) had actual knowledge that the conduct constituted a violation;

(B) acted in deliberate ignorance of the provisions of this title or regulations related to the conduct constituting a violation; or

(C) acted in reckless disregard of the provisions of this title or regulations related to the conduct constituting a violation.

(f) LIMITATION.—No proceeding shall be initiated under section 108 or this section unless the Director notifies the person or entity who is to be the subject of the proceeding of the alleged violation within 3 years after the date on which the alleged violation occurred.

SEC. 110. DISCLOSURE OF INFORMATION; WRITTEN DECISIONS.

(a) DISCLOSURE OF INFORMATION.—Information provided to the Director pursuant to sections 108 and 109 shall not be made available to the public without the consent of the person or entity providing the information, except to the extent that such information may be included in—

(1) a new or amended report or registration filed under this title; or

(2) a written decision issued by the Director under this section.

(b) WRITTEN DECISIONS.—All written decisions issued by the Director under sections 108 and 109 shall be made available to the public. The Director may provide for the publication of a written decision if the Director determines that publication would provide useful guidance. Before making a written decision public, the Director—

(1) shall delete information that would identify a person or entity who was alleged to have violated this title if—

(A) there was insufficient evidence to determine that the person or entity violated this title or the Director found that person or entity did not violate this title, and

(B) the person or entity so requests; and

(2) shall delete information that would identify any other person or entity (other than a person or entity who was found to have violated this title), if the Director determines that such person or entity could reasonably be expected to be injured by the disclosure of such information.

SEC. 111. JUDICIAL REVIEW.

(a) FINAL DECISION.—A written decision issued by the Director under section 109 shall become final 60 days after the date on which the Director provides notice of the decision, unless such decision is appealed under subsection (b) of this section.

(b) APPEAL.—Any person or entity adversely affected by a written decision issued by the Director under section 109 may appeal such decision, except as provided under section 109(b), to the appropriate United States court of appeals. Such review may be obtained by filing a written notice of appeal in such court no later than 60 days after the date on which the Director provides notice of the Director's decision and by simultaneously sending a copy of such notice of appeal to the Director. The Director shall file in such court the record upon which the decision was issued, as provided under section 2112 of title 28, United States Code. The findings of fact of the Director shall be conclusive, unless found to be unsupported by substantial evidence, as provided under section 706(2)(E) of title 5, United States Code. Any penalty assessed or other action taken in the decision shall be stayed during the pendency of the appeal.

(c) RECOVERY OF PENALTY.—Any penalty assessed in a written decision which has become final under this title may be recovered in a civil action brought by the Attorney General in an appropriate United States district court. In any such action, no matter that was raised or that could have been raised before the Director or pursuant to judicial review under subsection (b) may be raised as a defense, and the determination of liability and the determination of amounts of penalties and assessments shall not be subject to review.

SEC. 112. RULES OF CONSTRUCTION.

(a) CONSTITUTIONAL RIGHTS.—Nothing in this title shall be construed to prohibit or interfere with—

(1) the right to petition the government for the redress of grievances;

(2) the right to express a personal opinion; or

(3) the right of association,

protected by the First Amendment to the Constitution.

(b) PROHIBITION OF ACTIVITIES.—Nothing in this title shall be construed to prohibit, or to authorize the Director or any court to prohibit, lobbying activities or lobbying contacts by any person or entity, regardless of whether such person or entity is in compliance with the requirements of this title.

(c) AUDIT AND INVESTIGATIONS.—Nothing in this title shall be construed to grant general audit or investigative authority to the Director.

SEC. 113. AMENDMENTS TO THE FOREIGN AGENTS REGISTRATION ACT.

The Foreign Agents Registration Act of 1938 (22 U.S.C. 611 et seq.) is amended—

(1) in section 1—

(A) by striking subsection (j);

(B) in subsection (o) by striking "the dissemination of political propaganda and any other activity which the person engaging therein believes will, or which he intends to, prevail upon, indoctrinate, convert, induce, persuade, or in any other way influence" and inserting "any activity that the person engaging in believes will, or that the person intends to, in any way influence";

(C) in subsection (p) by striking the semicolon and inserting a period; and

(D) by striking subsection (q);

(2) in section 3(g) (22 U.S.C. 613(g)), by striking "established agency proceedings, whether formal or informal." and inserting "judicial proceedings, criminal or civil law enforcement inquiries, investigations, or proceedings, or agency proceedings required by statute or regulation to be conducted on the record.";

(3) in section 3 (22 U.S.C. 613) by adding at the end the following:

"(h) Any agent of a person described in section 1(b)(2) or an entity described in section 1(b)(3) if the agent is required to register and does register under the Lobbying Disclosure Act of 1994 in connection with the agent's representation of such person or entity.";

(4) in section 4(a) (22 U.S.C. 614(a))—

(A) by striking "political propaganda" and inserting "informational materials"; and

(B) by striking "and a statement, duly signed by or on behalf of such an agent, setting forth full information as to the places, times, and extent of such transmittal";

(5) in section 4(b) (22 U.S.C. 614(b))—

(A) in the matter preceding clause (i), by striking "political propaganda" and inserting "informational materials"; and

(B) by striking "(i) in the form of prints, or" and all that follows through the end of the subsection and inserting "without placing in such informational materials a conspicuous statement that the materials are distributed by the agent on behalf of the foreign principal, and that additional information is on file with the Department of Justice, Washington, District of Columbia. The Attorney General may by rule define what constitutes a conspicuous statement for the purposes of this subsection.";

(6) in section 4(c) (22 U.S.C. 614(c)), by striking "political propaganda" and inserting "informational materials";

(7) in section 6 (22 U.S.C. 616)—

(A) in subsection (a) by striking "and all statements concerning the distribution of political propaganda";

(B) in subsection (b) by striking ", and one copy of every item of political propaganda"; and

(C) in subsection (c) by striking "copies of political propaganda,";

(8) in section 8 (22 U.S.C. 618)—

(A) in subsection (a)(2) by striking "or in any statement under section 4(a) hereof concerning the distribution of political propaganda"; and

(B) by striking subsection (d); and

(9) in section 11 (22 U.S.C. 621) by striking ", including the nature, sources, and content of political propaganda disseminated or distributed".

SEC. 114. AMENDMENTS TO THE BYRD AMENDMENT.

(a) REVISED CERTIFICATION REQUIREMENTS.—Section 1352(b) of title 31, United States Code, is amended—

(1) in paragraph (2) by striking subparagraphs (A), (B), and (C) and inserting the following:

"(A) the name of any registrant under the Lobbying Disclosure Act of 1994 who has made lobbying contacts on behalf of the person with respect to that Federal contract, grant, loan, or cooperative agreement; and

"(B) a certification that the person making the declaration has not made, and will not make, any payment prohibited by subsection (a).";

(2) in paragraph (3) by striking all that follows "loan shall contain" and inserting "the name of any registrant under the Lobbying Disclosure Act of 1994 who has made lobbying contacts on behalf of the person in connection with that loan insurance or guarantee."; and

(3) by striking paragraph (6) and redesignating paragraph (7) as paragraph (6).

(b) REMOVAL OF OBSOLETE REPORTING REQUIREMENT.—Section 1352 of title 31, United States Code, is further amended—

(1) by striking subsection (d); and

(2) by redesignating subsections (e), (f), (g), and (h) as subsections (d), (e), (f), and (g), respectively.

SEC. 115. REPEAL OF CERTAIN LOBBYING PROVISIONS.

(a) REPEAL OF THE FEDERAL REGULATION OF LOBBYING ACT.—The Federal Regulation of Lobbying Act (2 U.S.C. 261 et seq.) is repealed.

(b) REPEAL OF PROVISIONS RELATING TO HOUSING LOBBYIST ACTIVITIES.—

(1) Section 13 of the Department of Housing and Urban Development Act (42 U.S.C. 3537b) is repealed.

(2) Section 536(d) of the Housing Act of 1949 (42 U.S.C. 1490p(d)) is repealed.

SEC. 116. CONFORMING AMENDMENTS TO OTHER STATUTES.

(a) AMENDMENT TO COMPETITIVENESS POLICY COUNCIL ACT.—Section 5206(e) of the Competitiveness Policy Council Act (15 U.S.C. 4804(e)) is amended by inserting "or a lobbyist for a foreign entity (as the terms 'lobbyist' and 'foreign entity' are defined under section 103 of the Lobbying Disclosure Act of 1994)" after "an agent for a foreign principal".

(b) AMENDMENTS TO TITLE 18, UNITED STATES CODE.—Section 219(a) of title 18, United States Code, is amended (1) by inserting "or a lobbyist required to register under the Lobbying Disclosure Act of 1994 in connection with the representation of a foreign entity, as defined in section 103(7) of that Act" after "an agent of a foreign principal required to register under the Foreign Agents Registration Act of 1938", and (2) by striking out ", as amended,".

(c) AMENDMENT TO FOREIGN SERVICE ACT OF 1980.—Section 602(c) of the Foreign Service Act of 1980 (22 U.S.C. 4002(c)) is amended by inserting "or a lobbyist for a foreign entity (as defined in section 103(7) of the Lobbying Disclosure Act of 1994)" after "an agent of a foreign principal (as defined by section 1(b) of the Foreign Agents Registration Act of 1938)".

SEC. 117. SEVERABILITY.

If any provision of this title, or the application thereof, is held invalid, the validity of the remainder of this title and the application of such provision to other persons and circumstances shall not be affected thereby.

SEC. 118. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated for fiscal years 1995, 1996, 1997, 1998, and 1999 such sums as may be necessary to carry out this title.

SEC. 119. IDENTIFICATION OF CLIENTS AND COVERED OFFICIALS.

(a) ORAL LOBBYING CONTACTS.—Any person or entity that makes an oral lobbying contact with a covered legislative branch official or a covered executive branch official shall, on the request of the official at the time of the lobbying contact—

(1) state whether the person or entity is registered under this title and identify the client on whose behalf the lobbying contact is made; and

(2) state whether such client is a foreign entity and identify any foreign entity required to be disclosed under section 104(b)(4) that has a direct interest in the outcome of the lobbying activity.

(b) WRITTEN LOBBYING CONTACTS.—Any person or entity registered under this title that makes a written lobbying contact (including an electronic communication) with a covered legislative branch official or a covered executive branch official shall—

(1) if the client on whose behalf the lobbying contact was made is a foreign entity, identify such client, state that the client is considered a foreign entity under this title, and state whether the person making the lobbying contact is registered on behalf of that client under section 104; and

(2) identify any other foreign entity identified pursuant to section 104(b)(4) that has a direct interest in the outcome of the lobbying activity.

(c) IDENTIFICATION AS COVERED OFFICIAL.—Upon request by a person or entity making a lobbying contact, the individual who is contacted or the office employing that individual shall indicate whether or not the individual is a covered legislative branch official or a covered executive branch official.

SEC. 120. TRANSITIONAL FILING REQUIREMENT.

(a) SIMULTANEOUS FILING.—Subject to subsection (b), each registrant shall transmit simultaneously to the Secretary of the Senate and the Clerk of the House of Representatives an identical copy of each registration and report required to be filed under this title.

(b) SUNSET PROVISION.—The simultaneous filing requirement under subsection (a) shall be effective until such time as the Director, in consultation with the Secretary of the Senate and the Clerk of the House of Representatives, determines that the Office of Lobbying Registration and Public Disclosure is able to provide computer telecommunication or other transmittal of registrations and reports as required under section 107(b)(11).

(c) IMPLEMENTATION.—The Director, the Secretary of the Senate, and the Clerk of the House of Representatives shall take such actions as necessary to ensure that the Office of Lobbying Registration and Public Disclosure is able to provide computer telecommunication or other transmittal of registrations and reports as required under section 107(b)(11) on the effective date of this title, or as soon thereafter as reasonably practicable.

SEC. 121. EFFECTIVE DATES AND INTERIM RULES.

(a) IN GENERAL.—Except as otherwise provided in this section, this title and the amendments made by this title shall take effect January 1, 1996.

(b) EFFECTIVE DATE OF GIFT PROHIBITION.—Section 106 shall take effect on January 3, 1995. Beginning on that date, and for the remainder of calendar year 1995, such section shall apply to any gift provided by a lobbyist or an agent of a foreign principal registered under the Federal Regulation of Lobbying Act or the Foreign Agents Registration Act, including any person registered under such Acts as of July 1, 1994, or thereafter.

(c) ESTABLISHMENT OF OFFICE.—Sections 107 and 118 shall take effect on the date of enactment of this Act.

(d) REPEALS AND AMENDMENTS.—The repeals and amendments made under sections 113, 114, 115, and 116 shall take effect as provided under subsection (a), except that such repeals and amendments—

(1) shall not affect any proceeding or suit commenced before the effective date under subsection (a), and in all such proceedings or suits, proceedings shall be had, appeals taken, and judgments rendered in the same manner and with the same effect as if this title had not been enacted; and

(2) shall not affect the requirements of Federal agencies to compile, publish, and retain information filed or received before the effective date of such repeals and amendments.

(e) REGULATIONS.—Proposed regulations required to implement this title shall be published for public comment no later than 270 days after the date of the enactment of this Act. No later than 1 year after the date of the enactment of this Act, final regulations required to implement this title shall be published.

(f) PHASE-IN PERIOD.—No penalty shall be assessed by the Director under section 109(e) for a violation of this title, other than for a violation of section 106, which occurs during the first semiannual reporting period under section 105 after the effective date prescribed by subsection (a).

(g) INTERIM RULES.—

(1) REPORTING RULE.—A person or entity that is required to account for lobbying expenditures and does account for lobbying expenditures pursuant to section 162(e) of the Internal Revenue Code of 1986 may make a good faith estimate (by category of dollar value) of the amount that would not be deductible pursuant to that section for the applicable semiannual period to meet the requirements of sections 104(a)(3), 105(a)(2), and 105(b)(4), if the person or entity—

(A) makes such an estimate to meet the requirements of each such section of this title for a given calendar year; and

(B) informs the Director that the person or entity is making such an estimate in any registration or report including such an estimate.

(2) DE MINIMUS RULE.—In determining whether its employees are lobbyists under section 103(12)—

(A) a person or entity that is required to report and does report lobbying expenditures pursuant to section 6033(b)(8) of the Internal Revenue Code of 1986, and makes an estimate of expenses pursuant to section 105(c)(4) of this title to meet the requirements of sections 104(a)(3), 105(a)(2), 105(b)(4), and 105(b)(6) of this title, shall, in lieu of using the definition of "lobbying activities" in section 103(9) of this title, consider as lobbying activities—

(i) activities that are influencing legislation as defined in section 4911(d) of the Internal Revenue Code of 1986;

(ii) activities described in section 4911(d)(2)(C) of the Internal Revenue Code of 1986; and

(iii) lobbying activities (as defined in section 103(9)) that are in support of a lobbying contact with a covered executive branch official; and

(B) a person or entity that is required to account for lobbying expenditures and does account for lobbying expenditures pursuant to section 162(e) of the Internal Revenue Code of 1986, and makes an estimate of expenses pursuant to paragraph (1) of this subsection, shall, in lieu of using the definition of "lobbying activities" in section 103(9), consider as lobbying activities—

(i) activities that are influencing legislation within the meaning of section 162(e)(1)(A) of the Internal Revenue Code of 1986;

(ii) activities that are attempts to influence the general public, as described in section

162(e)(1)(C) of the Internal Revenue Code of 1986; and

(iii) lobbying activities (as defined in section 103(9)) that are in support of a lobbying contact with a covered executive branch official.

(3) STUDY.—Not later than March 31, 1997, the Comptroller General of the United States shall review reporting by registrants under paragraph (1) of this section and section 105(c)(4) and report to the Congress—

(A) the differences between the definition of "lobbying activities" in section 103(9) and the definitions of "lobbying expenditures", "influencing legislation", and related terms in sections 162(e) and 4911 of the Internal Revenue Code of 1986, as each are implemented by regulations;

(B) the impact that any such differences may have on filing and reporting under this title pursuant to this subsection; and

(C) any changes to this title or to the appropriate sections of the Internal Revenue Code of 1986 that the Comptroller General may recommend to harmonize the definitions.

(4) SUNSET PERIOD.—This subsection shall cease to be effective on December 31, 1998.

(h) INTERIM DIRECTOR.—Within 30 days after the date of the enactment of this Act, the President shall designate an interim Director of the Office of Lobbying Registration and Public Disclosure, who shall serve at the pleasure of the President until a Director of such Office has been nominated by the President and confirmed by the Senate. The interim Director may not promulgate final regulations pursuant to section 107(d) or initiate procedures for alleged violations pursuant to sections 108 and 109.

TITLE II—CONGRESSIONAL GIFT RULES

SEC. 201. AMENDMENTS TO SENATE RULES.

Rule XXXV of the Standing Rules of the Senate is amended to read as follows:

"1. No Member, officer, or employee of the Senate shall accept a gift, knowing that such gift is provided by a registered lobbyist, a lobbying firm, or an agent of a foreign principal in violation of the Lobbying Disclosure Act of 1994.

"2. (a) In addition to the restriction on receiving gifts from registered lobbyists, lobbying firms, and agents of foreign principals provided by paragraph 1 and except as provided in this Rule, no Member, officer, or employee of the Senate shall knowingly accept a gift from any other person.

"(b)(1) For the purpose of this Rule, the term 'gift' means any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having monetary value. The term includes gifts of services, training, transportation, lodging, and meals, whether provided in kind, by purchase of a ticket, payment in advance, or reimbursement after the expense has been incurred.

"(2) A gift to the spouse or dependent of a Member, officer, or employee (or a gift to any other individual based on that individual's relationship with the Member, officer, or employee) shall be considered a gift to the Member, officer, or employee if it is given with the knowledge and acquiescence of the Member, officer, or employee and the Member, officer, or employee has reason to believe the gift was given because of the official position of the Member, officer, or employee.

"(c) The restrictions in subparagraph (a) shall not apply to the following:

"(1) Anything for which the Member, officer, or employee pays the market value, or does not use and promptly returns to the donor.

"(2) A contribution, as defined in the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) that is lawfully made under that Act, or attendance at a fundraising event sponsored by a political organization described in section 527(e) of the Internal Revenue Code of 1986.

"(3) Anything provided by an individual on the basis of a personal or family relationship unless the Member, officer, or employee has reason to believe that, under the circumstances, the gift was provided because of the official position of the Member, officer, or employee and not because of the personal or family relationship. The Select Committee on Ethics shall provide guidance on the applicability of this clause and examples of circumstances under which a gift may be accepted under this exception.

"(4) A contribution or other payment to a legal expense fund established for the benefit of a Member, officer, or employee, that is otherwise lawfully made, if the person making the contribution or payment is identified for the Select Committee on Ethics.

"(5) Any food or refreshments which the recipient reasonably believes to have a value of less than $20.

"(6) Any gift from another Member, officer, or employee of the Senate or the House of Representatives.

"(7) Food, refreshments, lodging, and other benefits—

"(A) resulting from the outside business or employment activities (or other outside activities that are not connected to the duties of the Member, officer, or employee as an officeholder) of the Member, officer, or employee, or the spouse of the Member, officer, or employee, if such benefits have not been offered or enhanced because of the official position of the Member, officer, or employee and are customarily provided to others in similar circumstances;

"(B) customarily provided by a prospective employer in connection with bona fide employment discussions; or

"(C) provided by a political organization described in section 527(e) of the Internal Revenue Code of 1986 in connection with a fundraising or campaign event sponsored by such an organization.

"(8) Pension and other benefits resulting from continued participation in an employee welfare and benefits plan maintained by a former employer.

"(9) Informational materials that are sent to the office of the Member, officer, or employee in the form of books, articles, periodicals, other written materials, audio tapes, videotapes, or other forms of communication.

"(10) Awards or prizes which are given to competitors in contests or events open to the public, including random drawings.

"(11) Honorary degrees (and associated travel, food, refreshments, and entertainment) and other bona fide, nonmonetary awards presented in recognition of public service (and associated food, refreshments, and entertainment provided in the presentation of such degrees and awards).

"(12) Donations of products from the State that the Member represents that are intended primarily for promotional purposes, such as display or free distribution, and are of minimal value to any individual recipient.

"(13) Food, refreshments, and entertainment provided to a Member or an employee of a Member in the Member's home State, subject to reasonable limitations, to be established by the Committee on Rules and Administration.

"(14) An item of little intrinsic value such as a greeting card, baseball cap, or a T shirt.

"(15) Training (including food and refreshments furnished to all attendees as an integral part of the training) provided to a Member, officer, or employee, if such training is in the interest of the Senate.

"(16) Bequests, inheritances, and other transfers at death.

"(17) Any item, the receipt of which is authorized by the Foreign Gifts and Decorations Act, the Mutual Educational and Cultural Exchange Act, or any other statute.

"(18) Anything which is paid for by the Federal Government, by a State or local government, or secured by the Government under a Government contract.

"(19) A gift of personal hospitality of an individual, as defined in section 109(14) of the Ethics in Government Act.

"(20) Free attendance at a widely attended event permitted pursuant to subparagraph (d).

"(21) Opportunities and benefits which are—

"(A) available to the public or to a class consisting of all Federal employees, whether or not restricted on the basis of geographic consideration;

"(B) offered to members of a group or class in which membership is unrelated to congressional employment;

"(C) offered to members of an organization, such as an employees' association or congressional credit union, in which membership is related to congressional employment and similar opportunities are available to large segments of the public through organizations of similar size;

"(D) offered to any group or class that is not defined in a manner that specifically discriminates among Government employees on the basis of branch of Government or type of responsibility, or on a basis that favors those of higher rank or rate of pay;

"(E) in the form of loans from banks and other financial institutions on terms generally available to the public; or

"(F) in the form of reduced membership or other fees for participation in organization activities offered to all Government employees by professional organizations if the only restrictions on membership relate to professional qualifications.

"(22) A plaque, trophy, or other memento of modest value.

"(23) Anything for which, in an unusual case, a waiver is granted by the Select Committee on Ethics.

"(d)(1) Except as prohibited by paragraph 1, a Member, officer, or employee may accept an offer of free attendance at a widely attended convention, conference, symposium, forum, panel discussion, dinner, viewing, reception, or similar event, provided by the sponsor of the event, if—

"(A) the Member, officer, or employee participates in the event as a speaker or a panel participant, by presenting information related to Congress or matters before Congress, or by performing a ceremonial function appropriate to the Member's, officer's, or employee's official position; or

"(B) attendance at the event is appropriate to the performance of the official duties or representative function of the Member, officer, or employee.

"(2) A Member, officer, or employee who attends an event described in clause (1) may accept a sponsor's unsolicited offer of free attendance at the event for an accompanying individual if others in attendance will generally be similarly accompanied or if such attendance is appropriate to assist in the representation of the Senate.

"(3) Except as prohibited by paragraph 1, a Member, officer, or employee, or the spouse or dependent thereof, may accept a sponsor's unsolicited offer of free attendance at a charity event, except that reimbursement for transportation and lodging may not be accepted in connection with the event.

"(4) For purposes of this paragraph, the term 'free attendance' may include waiver of all or part of a conference or other fee, the provision of local transportation, or the provision of food, refreshments, entertainment, and instructional materials furnished to all attendees as an integral part of the event. The term does not include entertainment collateral to the event, or food or

refreshments taken other than in a group setting with all or substantially all other attendees.

"(e) No Member, officer, or employee may accept a gift the value of which exceeds $250 on the basis of the personal relationship exception in subparagraph (c)(3) or the close personal friendship exception in section 106(d) of the Lobbying Disclosure Act of 1994 unless the Select Committee on Ethics issues a written determination that one of such exceptions applies.

"(f)(1) The Committee on Rules and Administration is authorized to adjust the dollar amount referred to in subparagraph (c)(5) on a periodic basis, to the extent necessary to adjust for inflation.

"(2) The Select Committee on Ethics shall provide guidance setting forth reasonable steps that may be taken by Members, officers, and employees, with a minimum of paperwork and time, to prevent the acceptance of prohibited gifts from lobbyists.

"(3) When it is not practicable to return a tangible item because it is perishable, the item may, at the discretion of the recipient, be given to an appropriate charity or destroyed.

"3. (a)(1) Except as prohibited by paragraph 1, a reimbursement (including payment in kind) to a Member, officer, or employee for necessary transportation, lodging and related expenses for travel to a meeting, speaking engagement, fact-finding trip or similar event in connection with the duties of the Member, officer, or employee as an officeholder shall be deemed to be a reimbursement to the Senate and not a gift prohibited by this rule, if the Member, officer, or employee—

"(A) in the case of an employee, receives advance authorization, from the Member or officer under whose direct supervision the employee works, to accept reimbursement, and

"(B) discloses the expenses reimbursed or to be reimbursed and the authorization to the Secretary of the Senate within 30 days after the travel is completed.

"(2) For purposes of clause (1), events, the activities of which are substantially recreational in nature, shall not be considered to be in connection with the duties of a Member, officer, or employee as an officeholder.

"(b) Each advance authorization to accept reimbursement shall be signed by the Member or officer under whose direct supervision the employee works and shall include—

"(1) the name of the employee;

"(2) the name of the person who will make the reimbursement;

"(3) the time, place, and purpose of the travel; and

"(4) a determination that the travel is in connection with the duties of the employee as an officeholder and would not create the appearance that the employee is using public office for private gain.

"(c) Each disclosure made under subparagraph (a)(1) of expenses reimbursed or to be reimbursed shall be signed by the Member or officer (in the case of travel by that Member or officer) or by the Member or officer under whose direct supervision the employee works (in the case of travel by an employee) and shall include—

"(1) a good faith estimate of total transportation expenses reimbursed or to be reimbursed;

"(2) a good faith estimate of total lodging expenses reimbursed or to be reimbursed;

"(3) a good faith estimate of total meal expenses reimbursed or to be reimbursed;

"(4) a good faith estimate of the total of other expenses reimbursed or to be reimbursed;

"(5) a determination that all such expenses are necessary transportation, lodging, and related expenses as defined in this paragraph; and

"(6) in the case of a reimbursement to a Member or officer, a determination that the travel was in connection with the duties of the Member or officer as an officeholder and would not create the appearance that the Member or officer is using public office for private gain.

"(d) For the purposes of this paragraph, the term 'necessary transportation, lodging, and related expenses'—

"(1) includes reasonable expenses that are necessary for travel for a period not exceeding 3 days exclusive of traveltime within the United States or 7 days exclusive of traveltime outside of the United States unless approved in advance by the Select Committee on Ethics;

"(2) is limited to reasonable expenditures for transportation, lodging, conference fees and materials, and food and refreshments, including reimbursement for necessary transportation, whether or not such transportation occurs within the periods described in clause (1);

"(3) does not include expenditures for recreational activities, or entertainment other than that provided to all attendees as an integral part of the event; and

"(4) may include travel expenses incurred on behalf of either the spouse or a child of the Member, officer, or employee, subject to a determination signed by the Member or officer (or in the case of an employee, the Member or officer under whose direct supervision the employee works) that the attendance of the spouse or child is appropriate to assist in the representation of the Senate.

"(e) The Secretary of the Senate shall make available to the public all advance authorizations and disclosures of reimbursement filed pursuant to subparagraph (a) as soon as possible after they are received.".

SEC. 202. AMENDMENTS TO HOUSE RULES.

Clause 4 of rule XLIII of the Rules of the House of Representatives is amended read as follows:

"4. (a) No Member, officer, or employee of the House of Representatives shall accept a gift, knowing that such gift is provided directly or indirectly by a registered lobbyist, a lobbying firm, or an agent of a foreign principal in violation of the Lobbying Disclosure Act of 1994.

"(b) In addition to the restriction on receiving gifts from registered lobbyists, lobbying firms, and agents of foreign principals provided by paragraph (a) and except as provided in this Rule, no Member, officer, or employee of the House of Representatives shall knowingly accept a gift from any other person.

"(c)(1) For the purpose of this clause, the term 'gift' means any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having monetary value. The term includes gifts of services, training, transportation, lodging, and meals, whether provided in kind, by purchase of a ticket, payment in advance, or reimbursement after the expense has been incurred.

"(2) A gift to the spouse or dependent of a Member, officer, or employee (or a gift to any other individual based on that individual's relationship with the Member, officer, or employee) shall be considered a gift to the Member, officer, or employee if it is given with the knowledge and acquiescence of the Member, officer, or employee and the Member, officer, or employee has reason to believe the gift was given because of the official position of the Member, officer, or employee.

"(d) The restrictions in paragraph (b) shall not apply to the following:

"(1) Anything for which the Member, officer, or employee pays the market value, or does not use and promptly returns to the donor.

"(2) A contribution, as defined in the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) that is lawfully made under that Act, or attendance at a fundraising event sponsored by a political organization described in section 527(e) of the Internal Revenue Code of 1986.

"(3) Anything provided by an individual on the basis of a personal or family relationship unless the Member, officer, or employee has reason to believe that, under the circumstances, the gift was provided because of the official position of the Member, officer, or employee and not because of the personal or family relationship. The Committee on Standards of Official Conduct shall provide guidance on the applicability of this clause and examples of circumstances under which a gift may be accepted under this exception.

"(4) A contribution or other payment to a legal expense fund established for the benefit of a Member, officer, or employee, that is otherwise lawfully made, if the person making the contribution or payment is identified for the Committee on Standards of Official Conduct.

"(5) Any food or refreshments which the recipient reasonably believes to have a value of less than $20.

"(6) Any gift from another Member, officer, or employee of the Senate or the House of Representatives.

"(7) Food, refreshments, lodging, and other benefits—

"(A) resulting from the outside business or employment activities (or other outside activities that are not connected to the duties of the Member, officer, or employee as an officeholder) of the Member, officer, or employee, or the spouse of the Member, officer, or employee, if such benefits have not been offered or enhanced because of the official position of the Member, officer, or employee and are customarily provided to others in similar circumstances;

"(B) customarily provided by a prospective employer in connection with bona fide employment discussions; or

"(C) provided by a political organization described in section 527(e) of the Internal Revenue Code of 1986 in connection with a fundraising or campaign event sponsored by such an organization.

"(8) Pension and other benefits resulting from continued participation in an employee welfare and benefits plan maintained by a former employer.

"(9) Informational materials that are sent to the office of the Member, officer, or employee in the form of books, articles, periodicals, other written materials, audio tapes, videotapes, or other forms of communication.

"(10) Awards or prizes which are given to competitors in contests or events open to the public, including random drawings.

"(11) Honorary degrees (and associated travel, food, refreshments, and entertainment) and other bona fide, nonmonetary awards presented in recognition of public service (and associated food, refreshments, and entertainment provided in the presentation of such degrees and awards).

"(12) Donations of products from the State that the Member represents that are intended primarily for promotional purposes, such as display or free distribution, and are of minimal value to any individual recipient.

"(13) Food, refreshments, and entertainment provided to a Member or an employee of a Member in the Member's home State, subject to reasonable limitations, to be established by the Committee on Standards of Official Conduct.

"(14) An item of little intrinsic value such as a greeting card, baseball cap, or a T shirt.

"(15) Training (including food and refreshments furnished to all attendees as an integral part of the training) provided to a Member, officer, or employee, if such training is in the interest of the House of Representatives.

"(16) Bequests, inheritances, and other transfers at death.

"(17) Any item, the receipt of which is authorized by the Foreign Gifts and Decorations Act,

the Mutual Educational and Cultural Exchange Act, or any other statute.

"(18) Anything which is paid for by the Federal Government, by a State or local government, or secured by the Government under a Government contract.

"(19) A gift of personal hospitality of an individual, as defined in section 109(14) of the Ethics in Government Act.

"(20) Free attendance at a widely attended event permitted pursuant to paragraph (e).

"(21) Opportunities and benefits which are—

"(A) available to the public or to a class consisting of all Federal employees, whether or not restricted on the basis of geographic consideration;

"(B) offered to members of a group or class in which membership is unrelated to congressional employment;

"(C) offered to members of an organization, such as an employees' association or congressional credit union, in which membership is related to congressional employment and similar opportunities are available to large segments of the public through organizations of similar size;

"(D) offered to any group or class that is not defined in a manner that specifically discriminates among Government employees on the basis of branch of Government or type of responsibility, or on a basis that favors those of higher rank or rate of pay;

"(E) in the form of loans from banks and other financial institutions on terms generally available to the public; or

"(F) in the form of reduced membership or other fees for participation in organization activities offered to all Government employees by professional organizations if the only restrictions on membership relate to professional qualifications.

"(22) A plaque, trophy, or other memento of modest value.

"(23) Anything for which, in exceptional circumstances, a waiver is granted by the Committee on Standards of Official Conduct.

"(e)(1) Except as prohibited by paragraph (a), a Member, officer, or employee may accept an offer of free attendance at a widely attended convention, conference, symposium, forum, panel discussion, dinner, viewing, reception, or similar event, provided by the sponsor of the event, if—

"(A) the Member, officer, or employee participates in the event as a speaker or a panel participant, by presenting information related to Congress or matters before Congress, or by performing a ceremonial function appropriate to the Member's, officer's, or employee's official position; or

"(B) attendance at the event is appropriate to the performance of the official duties or representative function of the Member, officer, or employee.

"(2) A Member, officer, or employee who attends an event described in subparagraph (1) may accept a sponsor's unsolicited offer of free attendance at the event for an accompanying individual if others in attendance will generally be similarly accompanied or if such attendance is appropriate to assist in the representation of the House of Representatives.

"(3) Except as prohibited by paragraph (a), a Member, officer, or employee, or the spouse or dependent thereof, may accept a sponsor's unsolicited offer of free attendance at a charity event, except that reimbursement for transportation and lodging may not be accepted in connection with the event.

"(4) For purposes of this paragraph, the term 'free attendance' may include waiver of all or part of a conference or other fee, the provision of local transportation, or the provision of food, refreshments, entertainment, and instructional materials furnished to all attendees as an integral part of the event. The term does not include entertainment collateral to the event, or food or refreshments taken other than in a group setting with all or substantially all other attendees.

"(f) No Member, officer, or employee may accept a gift the value of which exceeds $250 on the basis of the personal relationship exception in paragraph (d)(3) or the close personal friendship exception in section 106(d) of the Lobbying Disclosure Act of 1994 unless the Committee on Standards of Official Conduct issues a written determination that one of such exceptions applies.

"(g)(1) The Committee on Standards of Official Conduct is authorized to adjust the dollar amount referred to in paragraph (c)(5) on a periodic basis, to the extent necessary to adjust for inflation.

"(2) The Committee on Standards of Official Conduct shall provide guidance setting forth reasonable steps that may be taken by Members, officers, and employees, with a minimum of paperwork and time, to prevent the acceptance of prohibited gifts from lobbyists.

"(3) When it is not practicable to return a tangible item because it is perishable, the item may, at the discretion of the recipient, be given to an appropriate charity or destroyed.

"(h)(1)(A) Except as prohibited by paragraph (a), a reimbursement (including payment in kind) to a Member, officer, or employee for necessary transportation, lodging and related expenses for travel to a meeting, speaking engagement, factfinding trip or similar event in connection with the duties of the Member, officer, or employee as an officeholder shall be deemed to be a reimbursement to the House of Representatives and not a gift prohibited by this paragraph, if the Member, officer, or employee—

"(i) in the case of an employee, receives advance authorization, from the Member or officer under whose direct supervision the employee works, to accept reimbursement, and

"(ii) discloses the expenses reimbursed or to be reimbursed and the authorization to the Clerk of the House of Representatives within 30 days after the travel is completed.

"(B) For purposes of clause (A), events, the activities of which are substantially recreational in nature, shall not be considered to be in connection with the duties of a Member, officer, or employee as an officeholder.

"(2) Each advance authorization to accept reimbursement shall be signed by the Member or officer under whose direct supervision the employee works and shall include—

"(A) the name of the employee;

"(B) the name of the person who will make the reimbursement;

"(C) the time, place, and purpose of the travel; and

"(D) a determination that the travel is in connection with the duties of the employee as an officeholder and would not create the appearance that the employee is using public office for private gain.

"(3) Each disclosure made under subparagraph (1)(A) of expenses reimbursed or to be reimbursed shall be signed by the Member or officer (in the case of travel by that Member or officer) or by the Member or officer under whose direct supervision the employee works (in the case of travel by an employee) and shall include—

"(A) a good faith estimate of total transportation expenses reimbursed or to be reimbursed;

"(B) a good faith estimate of total lodging expenses reimbursed or to be reimbursed;

"(C) a good faith estimate of total meal expenses reimbursed or to be reimbursed;

"(D) a good faith estimate of the total of other expenses reimbursed or to be reimbursed;

"(E) a determination that all such expenses are necessary transportation, lodging, and related expenses as defined in this paragraph; and

"(F) in the case of a reimbursement to a Member or officer, a determination that the travel was in connection with the duties of the Member or officer as an officeholder and would not create the appearance that the Member or officer is using public office for private gain.

"(4) For the purposes of this paragraph, the term 'necessary transportation, lodging, and related expenses'—

"(A) includes reasonable expenses that are necessary for travel—

"(i) for a period not exceeding 4 days including travel time within the United States or 7 days in addition to travel time outside the United States; and

"(ii) within 24 hours before or after participation in an event in the United States or within 48 hours before or after participation in an event outside the United States,

unless approved in advance by the Committee on Standards of Official Conduct;

"(B) is limited to reasonable expenditures for transportation, lodging, conference fees and materials, and food and refreshments, including reimbursement for necessary transportation, whether or not such transportation occurs within the periods described in clause (A);

"(C) does not include expenditures for recreational activities or entertainment other than that provided to all attendees as an integral part of the event; and

"(D) may include travel expenses incurred on behalf of either the spouse or a child of the Member, officer, or employee, subject to a determination signed by the Member or officer (or in the case of an employee, the Member or officer under whose direct supervision the officer or employee works) that the attendance of the spouse or child is appropriate to assist in the representation of the House of Representatives.

"(5) The Clerk of the House of Representatives shall make available to the public all advance authorizations and disclosures of reimbursement filed pursuant to subparagraph (1) as soon as possible after they are received.".

SEC. 203. MISCELLANEOUS PROVISIONS.

(a) AMENDMENTS TO THE ETHICS IN GOVERNMENT ACT.—Section 102(a)(2)(B) of the Ethics in Government Act (5 U.S.C. 102, App. 6) is amended by adding at the end thereof the following: "Reimbursements accepted by a Federal agency pursuant to section 1353 of title 31, United States Code, or deemed accepted by the Senate or the House of Representatives pursuant to Rule XXXV of the Standing Rules of the Senate or clause 4 of Rule XLIII of the Rules of the House of Representatives shall be reported as required by such statute or rule and need not be reported under this section.".

(b) REPEAL OF OBSOLETE PROVISION.—Section 901 of the Ethics Reform Act of 1989 (2 U.S.C. 31–2) is repealed.

(c) SENATE PROVISIONS.—

(1) AUTHORITY OF THE COMMITTEE ON RULES AND ADMINISTRATION.—The Senate Committee on Rules and Administration, on behalf of the Senate, may accept gifts provided they do not involve any duty, burden, or condition, or are not made dependent upon some future performance by the United States. The Committee on Rules and Administration is authorized to promulgate regulations to carry out this section.

(2) FOOD, REFRESHMENTS, AND ENTERTAINMENT.—The rules on acceptance of food, refreshments, and entertainment provided to a Member of the Senate or an employee of such a Member in the Member's home State before the adoption of reasonable limitations by the Committee on Rules and Administration shall be the rules in effect on the day before the effective date of this title.

(d) HOUSE PROVISION.—The rules on acceptance of food, refreshments, and entertainment provided to a Member of the House of Representatives or an employee of such a Member in

the Member's home State before the adoption of reasonable limitations by the Committee on Standards of Official Conduct shall be the rules in effect on the day before the effective date of this title.

SEC. 204. EXERCISE OF CONGRESSIONAL RULEMAKING POWERS.

Sections 201, 202, 203(c), and 203(d) of this title are enacted by Congress—

(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and pursuant to section 7353(b)(1) of title 5, United States Code, and accordingly, they shall be considered as part of the rules of each House, respectively, or of the House to which they specifically apply, and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change such rules (insofar as they relate to that House) at any time and in the same manner and to the same extent as in the case of any other rule of that House.

SEC. 205. EFFECTIVE DATE.

This title and the amendments made by this title shall take effect on May 31, 1995.

And the House agree to the same.

JOHN BRYAN,
DAN GLICKMAN,
MIKE SYNAR,
Managers on the Part of the House.

JOHN GLENN,
CARL LEVIN,
DANIEL K. AKAKA,
BILL COHEN,
TED STEVENS,
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 amendment of the House to the bill (S. 349), to provide for the disclosure of lobbying activities to influence the Federal Government, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The House amendment struck all of the Senate bill after the enacting clause and inserted a substitute text.

The Senate recedes from its disagreement to the amendment of the House with an amendment that is a substitute for the Senate bill and the House amendment. The differences between the Senate bill, the House amendment, and the substitute agreed to in conference are noted below, except for clerical corrections, conforming changes made necessary by agreements reached by the conferees, and minor drafting and clerical changes.

The House amendment to the text of S. 349 struck out all of the Senate bill after the enacting clause and inserted a substitute text. The Senate recedes from its disagreement to the amendment of the House with a further amendment which is a substitute for the Senate bill and the House amendment. The differences between the Senate bill, House amendment, and substitute agreed to in conference are noted below, except for clerical corrections, structural changes, conforming changes made necessary by agreements reached by the conferees, and minor drafting and clarifying changes.

TITLE I.—LOBBYING DISCLOSURE

Section 101. Short Title.—Section 1 of the Senate bill and the House amendment contain the short title of the bill. Section 101 of the conference amendment would provide that Title I of the bill may be referred to as the "Lobbying Disclosure Act of 1994".

Section 102. Findings.—Section 2 of the Senate bill contains a statement of findings and purpose for the legislation. Section 2 of the House amendment would retain the statement of findings from the Senate bill, but delete the statement of purpose. The conference amendment would adopt the House provision.

Section 103. Definitions.—Section 3 of the Senate bill and the House amendment contain definitions of key terms used in the bill. Section 103 of the conference amendment would resolve the differences between the Senate bill and the House amendment as follows.

Section 103(1): Definition of "Agency".—Section 3(1) of the Senate bill and the House amendment would define the term "agency" to have the meaning given that term in Title 5 of the U.S. Code. The conferees agree to this provision.

Section 103(2): Definition of "Client".—The Senate bill would define the term "client" to mean any person who employs or retains another person for financial or other compensation to conduct lobbying activities on its own behalf. The House amendment contains a similar definition, which differs from the Senate bill in that it would: (1) expressly include entities such as State and local governments in the definition of the term; (2) include a person who pays a lobbyist to conduct lobbying activities on behalf of another person; and (3) provide that, in the case where a coalition or association employs or retains a lobbyist, the client is (a) the coalition or association if the lobbying is conducted on behalf of the membership generally and paid for out of general dues or assessments; and (b) an individual member or members, if the lobbying is financed separately by such member or members.

On the first issue, the conference amendment would expressly include State and local governments in the definition of clients. This would be done through a new definition of the term "person or entity" in section 103(16), which would include State and local governments. This means that when a State or local government employs or retains an outside lobbyist or lobbying firm, the outside lobbyist or lobbying firm would be required to register. Officers or employees of a State or local government who engage in lobbying activities on behalf of that government in their official capacity would remain exempt from coverage under the public official exception in section 103(10(B)(1) of the bill.

On the second issue, the conference amendment would adopt the Senate approach, with a clarifying amendment. As under the Senate bill, a separate provision (section 104(b)(5)) would require registrants to disclose the identity of a third party who pays for lobbying activities on behalf of the client, but such a third party would not be included in the definition of the term "client." Unlike the Senate bill, this disclosure requirement would apply to both in-house lobbyists and lobbying firms.

On the third issue, the conference amendment would adopt the House approach, with an amendment clarifying that the client would be a member or members of a coalition or association if the lobbying is conducted on behalf of and paid for by just a few members. This provision should prevent the use of coalitions or associations as fronts for lobbying that is really conducted on behalf of and paid for by just a few of their members.

Section 103(3): Definition of "Covered Executive Branch Official".—The Senate bill would define the term "covered executive branch official" to include, the President and Vice President; any officer or employee in the Executive Office of the President; any officer or employee serving in an Executive level position or in the Senior Executive Service; any member of the uniformed services as a pay grade of 0–7 or higher; and any Schedule C employee. The House amendment contains a similar definition, which differs from the Senate bill in that it would: (1) include the President-elect and the Vice President-elect in the definition; (2) include "any individual functioning in the capacity of officer or employee or an unpaid basis"; and (3) clarify that the term "covered legislative branch official" would include all Schedule C employees.

The conference amendment would adopt a compromise approach. On the first point the conference amendment would not include the President-elect or the Vice President-elect in the definition.

On the second point, the conference amendment would include in the definition of covered executive branch officials any officer or employee in the Executive Office of the President and any other individual functioning in the capacity of such an officer or employee. This term would include a special government employee and any other individual (including the spouse of an elected official) who is retained, designated, appointed or employed to perform duties like those of an employee without compensation.

On the third point, the conference amendment would adopt a compromise approach. The phrase "position of a confidential, policy-determing, policy-making, or policy-advocating character" includes Schedule C employees. Positions described in section 7511(b)(2) of title 5 include, among others, Schedule C employees. It is the intent of the conferees that all Schedule C employees be included in the definition of "covered executive branch officials".

Section 103(4): Definition of "Covered Legislative Branch Official".—The Senate bill would define the term "covered legislative branch official" to include Members, officers and employees of the House, the Senate, and joint Committees of the House and Senate. The House amendment contains a similar definition, which differed from the Senate bill in that it would include: (1) Members-elect of the Congress; (2) employees of any working group or caucus organized to provide legislative services to Members of Congress; and (3) "any individual funtioning in the capacity of an employee" of Congress on an unpaid basis.

The conference amendment would adopt a compromise approach. On the first point the conference amendment would not include Members-elect in the definition.

On the second point, the conference amendment would adopt the House language covering employees of a working group or caucus. This provision would cover any employee of an official congressional working group or caucus whose salary is paid out of legislative branch funds.

On the third point, the conference amendment would include in the definition of covered legislative branch officials any employee of the Congress and any other individual functioning in the capacity of such an employee. The term would include any individual (including the spouse of an elected official) who is retained, designated, appointed or employed to perform duties like those of an employee with or without compensation.

Section 103(5): Definition of "Director".—The Senate bill and the House amendment would define the term "director" to mean the Director of the Office of Lobbying Registration and Public Disclosure. The conferees agree to this provision.

Section 103(6): Definition of "Employee".—The Senate bill would define the term employee broadly to include any individual who is an officer, employee, partner, director, or proprietor of a person or entity. The definition would expressly exclude independent contractors and other agents who are not regular employees and volunteers who receive no financial compensation. The House amendment differs from the Senate bill in that: (1) it would include persons acting in the capacity of government employees in the definition of the term; and (2) it would not include any reference to "other agents who are not regular employees".

On the first point, the conference amendment would adopt the Senate language. The conferees determined that the House language is unnecessary because persons acting in the capacity of government employees would be specifically included in the definitions of covered legislative branch officials and covered executive branch officials under sections 103(3) and 103(4).

On the second point, the conference amendment would adopt the House language. The conferees concluded that the phrase "agents who are not regular employees" is unnecessary, as such individuals would be covered by the exclusion of independent contractors.

Section 103(7): Definition of "Foreign Entity".—The Senate bill would define a foreign entity in the same terms currently used in the Foreign Agents Registration Act to define the term "foreign principal". The House amendment would directly cross-reference the definition of "foreign principal" in the Foreign Agents Registration Act, without repeating the language of that Act. The conference amendment would adopt the House language.

Section 103(8): Definition of "Grass Roots Lobbying Communications".—The Senate bill refers to grass roots lobbying communications "as defined under section 4911(d)(1)(A) and (d)(3) of the Internal Revenue Code of 1986 and the regulations implementing such provisions", but contains no separate definition of the term. The House amendment would define "grass roots lobbying communications" to include communications that attempt to influence legislation through communications with the general public; communications between organizations and their members with an intent to influence such members to contact public officials on matters of public policy; and communications between organizations and their members with an intent to encourage such members to urge other persons to attempt to influence legislation.

The conference amendment would adopt the House definition of the term "grass roots lobbying communications" with a further amendment to clarify that the definition includes communications intended to influence executive branch officials and executive branch actions in addition to communications intended to influence legislative branch officials and legislative branch actions. Nothing in the conference amendment would require a person or entity to register as a lobbyist because the person or entity engages in grass roots lobbying communications, unless the person or entity also makes one or more lobbying contacts and otherwise qualifies as a "lobbyist".

The term "bona fide member" of an organization, as used in this paragraph, would have the same scope that term is given in the related contexts covered by section 4911 of the Internal Revenue Code (see C.F.R. 56.4911-5(f)) and by the Federal Election Campaign Act (see 11 C.F.R. 114.1(e)). In particular, the term is intended to include any person who: (a) pays dues or makes more than a nominal contribution to the organization; (b) contributes more than a nominal amount of time to the organization; (c) is one of a limited number of "honorary" or "life" members of an organization; or (d) is a member of another organization that is an affiliate of the organization (for example, members of the local chapter of an organization may be considered to be members of the national or international organization of which the local organization is a chapter).

Section 103(9): Definition of "Lobbying Activities".—The Senate bill would define the term "lobbying activities" to mean lobbying contacts and efforts in support of such contacts, including preparation and planning activities, research and other background work that is intended for use in contacts, and coordination with the lobbying activities of others. The Senate bill would expressly include grass roots lobbying communications in the definition of lobbying activities. The House amendment contained a similar definition, which differed from the Senate bill in that it would: (1) clarify that research and other background work is included in the definition of lobbying activities only if intended at the time of its preparation for use in a lobbying contact; (2) provide a specific list of activities which are excluded from the definition of "lobbying contact", but may be lobbying activities, if performed in support of a lobbying contact; and (3) provide that grass roots lobbying communications by churches, their integrated auxiliaries, conventions or associations of churches, and religious orders are exempt from the definition of lobbying activities.

On the first issue, the conference amendment would adopt the House language, clarifying that research and other background work is included in the definition of lobbying activities only if it is intended for use in a lobbying contact at the time of its preparation.

On the second issue, the House amendment would provide a specific list of activities which are excluded from the definition of a "lobbying contact", but would be a lobbying activity, if performed in support of a lobbying contact. It is the intent of the conferees that such communications be considered to be lobbying activities. For this reason, the conference amendment would provide that communications in support of a lobbying contact are included as lobbying activities, even if those communications are of a type expressly excluded from the definition of "lobbying contact". As provided in the House bill, such communications would include the following, if they are made in support of a lobbying contact:

A communication made in a speech, article, publication or other material which is widely distributed to the public or through the media (section 103(10)(b)(iii));

A request for a meeting, a request for the status of an action, and any other similar administrative request (section 103(10)(b)(v));

Congressional testimony (section 103(10)(b)(vii)); and

Information provided in writing in response to a written request for specific information (section 103(10)(b)(viii)).

Other types of communications that are expressly excluded from the definition of lobbying contacts would also be lobbying activities if they are made in support of a lobbying contact. For example, if a person makes a lobbying contact by seeking private relief legislation on behalf of an individual, communications in support of that effort would be considered to be lobbying activities, even if they otherwise would be excluded from the definition of lobbying contacts because they pertain to benefits for an individual.

On the third issue, the conference amendment would adopt the House language with a further amendment clarifying that grass roots lobbying communications of churches are included in the definition of lobbying activities if they are conducted by an outside lobbyist, outside lobbying firm, or other outside firm making grass roots lobbying communications on behalf of a church. The exemption for grass roots lobbying communications is intended to avoid excessive regulatory entanglement in the internal affairs of churches; for this reason, the exemption would extend only to officers and employees of such churches and not to outside lobbyists who may be engaged to represent the interests of churches.

The exemption for grass roots lobbying communications would apply only to churches, their integrated auxiliaries, conventions or associations of churches, and religious orders that are exempt from filing a Federal income tax return under paragraph 2(a)(i) or 2(a)(iii) of section 6033(a) of the Internal Revenue Code of 1986. The conferees intend for "integrated auxiliaries" to include "internally supported church organizations", as more fully described in the Internal Revenue Service's Rev. Proc. 86-23, 1986-1 C.B. 564.

Section 103(10): Definition of "Lobbying Contact".—The Senate bill would define the term "lobbying contact" to mean any oral or written communication with a covered legislative or executive branch official that is made on behalf of a client with regard to matters of public policy. The Senate bill contains sixteen listed exclusions from this definition.

The House amendment contains a similar definition, which differs from the Senate bill in that it would: (1) expressly include in the definition of lobbying contact lobbying on the nomination or confirmation of a person subject to confirmation by the Senate; (2) modify the exclusion for contacts that are disclosed under the Foreign Agents Registration Act; (3) clarify the exclusion for a communication made with regard to judicial proceedings and filings that are specifically required by statute or regulation to be maintained or conducted on a confidential basis; (4) clarify that a contact with regard to private relief legislation is considered to be a lobbying contact; (5) use a different formulation to refer to contacts on routine administrative matters that are exempt from the definition of lobbying contacts; and (6) modify the Senate provision excluding "a formal petition for agency action" from the definition of lobbying contacts, by dropping the word "formal".

On the first point, the conference amendment would adopt the House language expressly including lobbying on nominations and confirmations.

On the second point, the conference amendment would adopt the House language modifying the exclusion for contacts on behalf of foreign governments or political parties that are disclosed under FARA.

On the third point, the conference amendment would also adopt the House language. The conferees do not intend to interfere with the conduct of judicial proceedings or civil

or criminal law enforcement matters, or to require the disclosure of communications regarding filings or proceedings that are required by law or regulation to be conducted by the government on a confidential basis. For this reason, the conference amendment would not require disclosure of communications regarding such proceedings, filings, or matters (whether made by an attorney or by anybody else), as long as there is no effort to lobby officials outside the agency responsible for handling the matter. While this exemption would cover many agency proceedings in which private parties are customarily represented by attorneys, it would not cover all such proceedings (only those which are required by law or regulation to be conducted by the government on a confidential basis), nor would it make any distinction between attorneys and non-attorneys.

The conferees intend that the Office of Lobbying Registration and Public Disclosure should develop and include in implementing regulations a list of specific types of filings and proceedings that fall into this category, with specific citation to the statute or regulation that requires confidentiality. In developing this list, the Director should consider the views of the American Bar Association and other interested parties.

On the fourth point, the conference amendment would adopt a compromise approach, providing that a contact with regard to private relief legislation is considered to be a lobbying contact, unless such contact is made to the individual's own elected Members of Congress or employees who work under such Members' direct supervision. For the purpose of this provision, an individual's elected Members of Congress would be the two Senators representing the State and the Member of the House of Representatives representing the congressional district in which the individual resides.

On the fifth point, the conference amendment would exclude from the definition of lobbying contacts requests for meetings, requests for status of an action, or other similar administrative requests, as long as there is no attempt to influence a covered official. The phrase "other similar administrative requests", as used in this paragraph, means routine requests, such as requests for transcripts or hearing records, requests for copies of forms or regulations, requests for a room number or the location of an event, and requests for the time and place of a public meeting.

On the sixth point, the conference amendment would adopt a compromise approach, excluding from the definition of lobbying contacts a petition for agency action that is made in writing and required to be a matter of public record pursuant to established agency procedures. Under this provision, applicable agency procedures must require both that the petition be made in writing and that it be a matter of public record. For the purpose of this provision, a document would be "a matter of public record" if it is maintained in a public docket or other files open to the public. A document would not be "a matter of public record" merely because it may be subject to disclosure under the Freedom of Information Act.

In addition, the House amendment contains two exclusions to the definition of lobbying contact which are not included in the Senate bill:

An exclusion for a contact by a church, its integrated auxiliaries, a convention or association of churches, or a religious order, if the contact constitutes the free exercise of religion or is for the purpose of protecting the right to the free exercise of religion; and

An exclusion for contacts between officials of self-regulatory organizations and the responsible Federal regulatory agency, which would apply to contacts relating to the regulatory responsibilities of the organization.

The conference amendment would adopt the House provisions, with minor modifications to clarify the language of the House amendment. The conferees understand that the two new exclusions adopted from the House bill would apply only to contacts by officers and employees; neither exclusion would apply to contacts that may be made by outside lobbyists or lobbying firms. Outside lobbyists and lobbying firms would be required to register in connection with such contacts in the same manner as they register in connection with contacts that are made on behalf of other clients.

The exclusion for certain communications by a church, its integrated auxiliary, or a convention or association of churches would apply only to such an organization that is exempt from filing a Federal income tax return under paragraph 2(a)(i) of section 6033(a) of the Internal Revenue Code of 1986. The conferees intend for an "integrated auxiliary" to include "internally supported church organizations" as more fully described in the Internal Revenue Service's Rev. Proc. 86-23, 1986-1 C.B. 564. The exclusion for certain communications by a religious order would apply only to a religious order that is exempt from filing a Federal income tax return under paragraph 2(a)(iii) of section 6033(a) of the Internal Revenue Code of 1986.

The self-regulatory organizations covered by the second exemption would be those recognized by the Securities and Exchange Commission. These are the American Stock Exchange, the Boston Stock Exchange, the Chicago Board Options Exchange, the Chicago Stock Exchange, the Pacific Stock Exchange, the Philadelphia Stock Exchange, the National Association of Securities Dealers, the Boston Stock Exchange Clearing Corporation, the Delta Government Options Corporation, the Depository Trust Corporation, the Government Securities Clearing Corporation, the Intermarket Clearing Corporation, the International Securities Clearing Corporation, the MBS Clearing Corporation, the Midwest Clearing Corporation, the Midwest Securities Trust Corporation, the National Securities Clearing Corporation, the Pacific Clearing Corporation, the Pacific Securities Trust Company, the Participants Trust Company, the Philadelphia Depository Trust Company, the Stock Clearing Corporation of Philadelphia, and the Municipal Securities Rulemaking Board.

Under the conference amendment, these organizations would not be required to register in connection with communications made by their employees to officials of the Security and Exchange Commission, with respect to the self-regulatory duties and responsibilities of the organizations. Communications with other agencies or with Congress, and communications with the SEC with regard to other matters, would require registration to the extent that the other provisions of the bill apply.

Section 103(11): Definition of "Lobbying Firm".—The Senate bill would place certain requirements on a registrant that engages in lobbying activities on behalf of a client other than the registrant. The House amendment contains similar requirements. However, neither the Senate bill nor the House amendment would provide a name for such an entity. The conference amendment would clarify the bill by defining such an entity as a "lobbying firm". Under the conference amendment, any entity that has one or more employees who are lobbyists on behalf of a client other than that person or entity would be a lobbying firm. A self-employed individual who is a lobbyist would also be a lobbying firm.

Section 103(12): Definition of "Lobbyist".—The Senate bill would define the term "lobbyist" to mean any individual who is employed or retained by a client for financial or other compensation to perform services that include lobbying contacts, other than an individual whose lobbying activities are only incidental to, and are not a significant part of the services provided by such individual to the client. The Senate report explains that, as a rule of thumb, "any individual whose lobbying activities constitute less than 10% of the services he or she provides to his or her client is engaged only in incidental and insignificant lobbying activities and would not be covered by the bill." The House amendment would expressly exclude any individual whose lobbying activities "constitute less than 10 percent of the time engaged in the services provided by such individual to that client."

The conference amendment would adopt the House language, with a further amendment (in section 120(f)), providing that organizations reporting lobbying expenditures to the Internal Revenue Code under 26 U.S.C. may use the accounting systems set up to comply with IRS regulations to determine whether the 10% threshold has been met. Under this provision, the 10% test would work on a client-by-client basis. The percentage to be used in the test would be the amount of time an individual spends on lobbying activities for a client, as a percentage of the total amount of time the individual spends working for that same client.

The conferees intend that the 10% test, like the other standards in the bill, may be met on the basis of a good faith estimate. However, potential registrants should use the best information available to them in making a determination whether the 10% test is met. For example, individuals who are required to keep time records for tax, billing, or other purposes should rely upon those records in making their estimates.

The conferees note that this definition would cover only lobbying contacts that are "made on behalf of a client". It would not cover lobbying contacts of an individual acting on the individual's own behalf. For this reason, the bill would have no applicability to an employee of an educational institution, such as a faculty member, who tries to influence government decisions by expressing his or her own personal opinions about an issue of public policy. Like any other individual who chooses to express his or her own personal views to government officials, the faculty member would not be included in the definition of the term "lobbyist". The only case in which faculty lobbying would be covered is where the faculty member acts on behalf of the institution—for example, by seeking to obtain increased federal funding or other special treatment for the institution.

Section 103(13): Definition of "Media Organization".—The Senate report states that the term "media organization" was intended to have the same meaning as the term "representative of the news media" in the Administrative Procedure Act. However, the Senate bill does not contain a definition of the term. The House amendment includes such a definition as a subparagraph in the definition of the term "lobbying contract". The conference amendment would adopt the House definition as a free-standing provision.

Section 103(14): Definition of "Member of Congress".—The House amendment includes a definition of the term "Member of Congress" as a subparagraph in the definition of the term "covered legislative branch official". The conference amendment would adopt the House definition as a free-standing provision.

Section 103(15): Definition of "Organization".—The Senate bill would define the term "organization" to mean any corporation (excluding a government corporation), company, foundation, association, labor organization, firm, partnership, society, joint stock company, or group of organizations, excluding Federal, State and local governments. The House amendment contains a similar definition, but would not exclude government corporations or Federal, State and local governments. Neither the Senate bill nor the House amendment contains a definition of the term "person or entity".

The conference amendment would clarify the language of both the Senate bill and the House amendment by including a new definition of the term "person or entity". The term "organization" would be defined as any person or entity other than an individual.

Section 103(16): Definition of "Person or Entity".—Section 103(16) would add a new definition of the term "person or entity". The term person or entity would mean any individual, corporation, company, foundation, association, labor organization, firm, partnership, society, joint stock company, group of organizations, or State or local government. The inclusion of State and local governments in the definition in the term "person or entity" would mean that although public officials acting in their official capacity are exempt from registration as lobbyists, State and local governments may be clients. Consequently, outside lobbyists and lobbying firms representing such entities would be required to register in connection with such representation.

Section 103(17): Definition of "Public Official". The Senate bill would define the term "public official" to mean any elected or appointed official who is a regular employee of a Federal, State or local unit of government (other than a State college or university), an organization of State or local elected officials, an Indian tribe, a national or State political party, or a national, regional or local unit of a foreign government. The House amendment contains a similar definition, which differs from the Senate bill in that it would expressly exclude employees of government-sponsored enterprises and public utilities that provide gas, electricity, water, or communications from the definition of public officials. The term "public official" would also include an elected or appointed official who is a regular employee of a public entity formed by two or more federal, state, or local units of government (other than units of government described in clause (i), (ii), (iii), (iv), or (v) of paragraph (A)).

The conference amendment would adopt the House language, with a further amendment clarifying that employees of state student loan secondary markets and guaranty agencies, like employees of GSE's and public utilities, are excluded from the definition of public officials and would be required to register in connection with their lobbying activities (if they meet the other tests in the bill).

Section 104. Registration of Lobbyists.—Section 4 of the Senate bill and the House amendment contain requirements for the registration of lobbyists. Section 104 of the conference amendment would resolve the differences between the Senate bill and the House amendment as follows.

Section 104(a): Requirement to Register.—Section 4(a) of the Senate bill would require lobbyists to register within 30 days after making a lobbying contact or agreeing to make a lobbying contact. (A separate provision of the Senate bill, section 4(c)(2), would require organizations employing lobbyists to register on behalf of the lobbyists that they employ). This section would exclude from the registration requirement any organization whose total lobbying expenses did not exceed $1,000 in a semi-annual period on behalf of a particular client, or $5,000 in a semi-annual period on behalf of all clients, and would provide for inflation adjustments to be made to these dollar amounts every five years.

Section 4(a) of the House amendment contains a similar registration requirement, which differs from the Senate bill, in that it would—(1) move the requirement for organizations to register on behalf of all of their employees who are lobbyists to section 4(a)(2); (2) set the threshold for registration at $2,500 in a semi-annual period; and (3) require inflation adjustments to be made every four years, instead of every five years, as in the Senate bill.

On the first issue, the conference amendment would adopt the House approach, with a clarifying amendment. Under the conference amendment, any organization having one or more employees who are lobbyists must file a single registration for each client, covering all lobbying contacts made by the registrant and its employees on behalf of the client. The conferees believe that the bill is clarified by placing the requirement that organizations register on behalf of all of their individual employees who are lobbyists in the registration paragraph itself.

On the second issue, the conference amendment would take the Senate approach, with the threshold set at $5,000 for organizations that lobby on their own behalf and at $2,500 per client for lobbying firms. As in both the Senate bill and the House amendment, these dollar thresholds would apply to the lobbying income or expenditures (as applicable) or an entire organization—not to the income or expenditures of an individual lobbyist for the organization.

On the third issue, the conference amendment would provide for inflation adjustments to be made every four years and rounded to the nearest $500.

Section 104(b): Contents of Registration.—Section 4(b) of the Senate bill would require that each registration include:

The name, address, and principal place of business of the registrant and the client;

The name, address, and principal place of business of any organization which is similar to a client, in that it—(a) contributes more than $5,000 toward the lobbying activities; (b) significantly participates in the planning, supervision or control of such lobbying activities; and (c) has a direct financial interest in the outcome of the lobbying activities;

The name, address, and principal place of business of any foreign entity that has an interest in the outcome of the lobbying activity;

A statement of the general issue areas in which the registrant expects to engage in lobbying activities; and

The name of each employee whom the registrant expects to act as a lobbyist on behalf of the client (and any covered legislative branch or covered executive branch position in which any such lobbyist has served in the previous two years).

The House amendment contains similar requirements for the contents of a registration, but differs from the Senate bill in that: (1) the requirement to identify organizations that are similar to clients would be modified to (a) include organizations that have agreed to contribute to the lobbying activities, but have not yet done so; and (b) delete the requirement that the organization have a direct financial interest in the outcome of the lobbying activities; (2) a new requirement would be added to disclose the dollar amount of any contribution in excess of $5,000 to the lobbying activities of the registrant by a foreign entity; and (3) a new requirement would be added to disclose the name, address, and principal place of business of any outside firm retained by the registrant to conduct grass roots lobbying activities.

On the first issue, the conference amendment would strike a compromise between the Senate bill and the House amendment. Under the conference amendment, as under the Senate bill, only organizations that have actually contributed to lobbying activities (and not those that have merely agreed to do so) would be disclosed. As in the case of disclosure of lobbying income and expenses (see page 22 of the Senate report), this language would give the Director flexibility to determine whether a contribution is made at the time an obligation is incurred (rather than the time a payment is made), to the extent necessary to preclude evasion.

Like the House amendment, the conference amendment would drop the requirement that the organization have a direct financial interest in the outcome of the lobbying activities. This change would place coalitions and associations of non-profit entities (which are unlikely to have a direct financial stake in the outcome of their lobbying activities) on the same footing as coalitions and associations of for-profit entities (which are more likely to have such a stake).

In many situations, organizational members of a trade association, a labor federation, or another multi-tiered membership organization may be represented on the organization's governing board. So long as the board consists of a large number of members, none of whom has a disproportionate vote in the decisions of the board, such representation, standing alone, would not be enough to bring the constituent organization within the "significant participation" test in paragraph (3)(B).

On the second issue, the conference amendment would adopt the House approach. For the purpose of disclosing contributions in excess of $5,000 under this section, a contribution by a foreign entity to a client that is not specifically earmarked or designated for the lobbying activities of the registrant should be allocated in a reasonable manner to the lobbying and non-lobbying activities of the client. The IRS regulations on allocation of costs to lobbying activities for the purposes of section 162(e) of the Internal Revenue Code (26 C.F.R. 1.162-28) provide useful guidance as to how such allocations may be made. A person or entity that is required to make such an allocation for IRS purposes may reasonably allocate contributions from foreign entities in the same manner and the same percentages for the purposes of this requirement.

The conference amendment would also modify the paragraph on disclosure of foreign entities to require the disclosure of any foreign entity that directly or indirectly, in whole or in major part plans, supervises, controls, directs, finances, or subsidizes the activities of the client or any organization

identified under paragraph (3). For the purposes of this paragraph, any foreign entity that provides more than 20% of the funding of a client would be considered to have financed or subsidized the activities of the client in whole or in major part for the purposes of this paragraph.

On the third issue, the conference amendment would adopt the House language. This provision would require the disclosure of any outside firm that is retained by a registrant to conduct grass roots lobbying activities.

Section 104(c): Guidelines for Registration.—Section 4(c) of the Senate bill contains (a) a rule on multiple clients, which would require that a registrant representing more than one client register separately in connection with each client represented and (b) a rule on multiple lobbyists, which would require that each organization having one or more employees who are lobbyists file a single registration on behalf of all such employees. The House amendment contains similar provisions and adds a rule on multiple contacts, which provides that a registrant whose employees make multiple lobbying contacts on behalf of the same client would be required to file a single registration in connection with such contacts.

The conference amendment would delete from section 104(c) the rule on multiple lobbyists, as a similar provision is included in section 104(a) of the conference amendment. The conference amendment would adopt the House provision on multiple lobbying contacts, with a further amendment clarifying the language of the provision.

Section 104(d): Termination of Registration.—The Senate bill contains no provision for the termination of a registration. The House bill contains a provision, section 4(d), which would require registrants that do not anticipate engaging in additional lobbying activities to notify the Office of Lobbying Registration and Public Disclosure that they have terminated their lobbying activities. The conference amendment would authorize (but not require) a registrant to terminate its registration by notifying the Office, if the registrant is no longer employed or retained by the client to conduct lobbying activities and does not anticipate any additional lobbying activities for the client in the future.

Section 105. Reports by Registered Lobbyists.—Section 5 of the Senate bill and the House amendment provide for reports by registered lobbyists. Section 105 of the conference amendment would resolve the differences between the Senate bill and the House amendment as follows.

Section 105(a): Reporting Requirement.—Section 5(a) of the Senate bill would require registrants to file semi-annual reports on their lobbying activities in January and July of each year in which they are registered. A separate provision in section 105(c)(3) would exempt from this requirement any registrant whose total lobbying expenses do not exceed $1,000 in a semi-annual period on behalf of a particular client, or $5,000 in a semi-annual period on behalf of all clients. The House amendment contains a similar provision, which differs from the Senate bill, in that the House amendment would: (1) expressly provide for a separate report to be filed for each client of the registrant; and (2) set the threshold for reporting at $2,500 per client.

On the first issue, the conference amendment would adopt the House language requiring a separate report for each client of the registrant. The conferees understand that there may be some cases in which several members of a coalition or association jointly sponsor a single lobbying effort. In this case, the client, as defined in section 103(2) of the bill, would be those members, collectively. Because section 103(2) uses the singular "client" to refer to these members, only a single report (naming as the client those members of the coalition or association on whose behalf the lobbying is conducted) would be required.

On the second issue, the conference amendment would take the Senate approach, with the threshold set at $5,000 for registrants that lobby on their own behalf and at $2,500 per client for lobbying firms.

Section 105(b): Contents of Reports.—Section 5(b) of the Senate bill would require that each lobbying report contain—

The name of the registrant, the name of the client, and any changes or updates to the information provided in the initial registration;

For each general issue area in which the registrant engaged in lobbying activities: (a) a list of specific issues on which the registrant engaged in significant lobbying activities; (b) a statement of the Houses and committees of Congress and the Federal agencies contacted by the registrant's lobbyists; (c) a list of the employees of the registrant who acted as lobbyists during the period; and (d) a description of the interest, if any, of any foreign affiliate or contributor in each of the specific issues on which the registrant lobbied;

In the case of a lobbying firm, a good faith estimate, by category of dollar value, of all income from the client, other than income for matters that are clearly unrelated to lobbying activities;

In the case of in-house lobbying, a good faith estimate, by category of dollar value, of all expenses incurred by the registrant and its employees in connection with lobbying activities; and

In the case of a lobbying firm, the name, address and principle place of business of any person other than the client who paid the registrant to lobby on behalf of the client.

Section 5(b) of the House amendment contains similar reporting requirements, which differ from the Senate bill, in that the House amendment would: (1) require a list of all specific issues upon which the registrant engaged in lobbying activities; (2) require the identification of the specific issues on which an outside firm retained by the registrant engaged in grass roots lobbying communications on behalf of the client; (3) require a separate good faith estimate, by category of dollar value, of the total expenses that the registrant and its employees incurred in connection with grass roots lobbying communications (including any amounts paid to an outside firm retained to make such communications); and (4) delete the requirement in the Senate bill to identify any person other than the client who paid for the lobbying activities (while adding such persons to the definition of "client").

On the first issue, the conference amendment would strike a compromise between the Senate bill and the House amendment. The conference amendment, like the House amendment, would require a listing of all specific issues that were the subject of lobbying activities; unlike the House amendment, however, the conference amendment would limit this list to issues on which lobbyists employed by the registrant engaged in lobbying activities. Under this compromise approach, lobbyists would be required to identify all of the issues on which they lobbied, but registrants would not be required to list the issues on which employees other than lobbyists may have engaged in incidental lobbying activities.

On the second and third issues, the conference amendment would adopt the House language, requiring the disclosure of grass roots lobbying issues and expenses.

On the fourth issue, the conference amendment would adopt the Senate language with a clarifying amendment. Under the conference amendment, all registrants (regardless whether they are lobbying firms or use in-house lobbyists) would be required to identify any person other than the client who paid the registrant to lobby on behalf of the client.

Section 105(c): Estimates of Income or Expenses.—Section 5(d) of the Senate bill would establish the categories of dollar value for estimates of income or expenses; authorize registrants that are required to report lobbying expenses to the Internal Revenue Service under section 6033 of the Internal Revenue Code to report the same amounts to the Office of Lobbying Registration and Public Disclosure; and provide that estimates of lobbying income or expenses need not include the value of volunteer services or expenses provided by independent contractors who are separately registered and separately report such income. Section 5(c) of the House bill contains similar provisions, with minor clarifying changes. The conference amendment would adopt the language of the House amendment, with a further amendment to clarify the treatment of registrants that report lobbying expenses to the IRS under section 6033 and minor modifications to the categories of dollar value to be used for estimates of income or expenses.

As explained in the Senate report (pp. 33–34), the purpose of disclosing lobbying expenditures is to establish the scope of a lobbying effort. For this reason, as long as a registrant has a reasonable estimating system in place and complies in good faith with that system, the requirements of this provision would be met.

For example, an organization could make a good faith estimate of the total expenses that the organization and its employees incurred in connection with lobbying activities during a filing period if: (1) the organization has its professional employees make a regular periodic estimate of the percentage of time the employee spends on lobbying activities and uses that percentage to compute both its salary costs and general overhead costs (e.g., rent, utilities, salaries of nonprofessional support staff, etc.) assignable to lobbying activities; and then (2) adds to that figure an estimate of the direct costs attributable to lobbying activities (i.e., third-party reimbursements for media, printing, postage, expense reimbursements and other costs directly associated with the organization's lobbying activities). In other words, where an organization follows such a system and where the professional staff's estimates are done carefully and in good faith, the only major obligation imposed by this reporting requirement will be the preparation of those estimates.

Similarly, an organization could make a "good faith estimate" of the total expenses that the organization and its employees incurred in connection with grassroots lobbying communications if (1) the organization has its professional employees make a regular periodic estimate of the percentage of time the employee spends on grassroots lobbying communications and uses that percentage to compute both its salary costs and the general overhead costs assignable to such activity; and (2) then adds to that figure an estimate of the direct costs attributable to grassroots lobbying communications (e.g., third-party payments for media,

printing, mailings, postage and other costs directly associated with grassroots lobbying communications).

Some concern has been expressed about over-reporting being considered a violation of the Lobbying Disclosure Act. The conferees agree that unintentional over-reporting, resulting from a good faith effort to report all lobbying contacts and expenses related to lobbying activities, should not be considered a violation of the Act.

Section 105(d): Contacts.—Section 5(e) of the Senate bill would provide that any contact with a member or employee of a Congressional Committee regarding a matter within the jurisdiction of the Committee is considered a contact with the Committee. Section 5(d) of the House bill contains similar language, with additional provisions which would define contacts with a House of Congress and contacts with federal agencies.

The conference amendment would adopt the language of the House amendment with a further amendment clarifying that a contact with a covered executive branch official who has been detailed to another Federal agency or to the Congress is considered to be a contact with the federal agency, committee of Congress, or House of Congress to which the official has been detailed and not a contact with the home agency of the official. An executive branch official who is detailed to the Congress, but is not a covered executive branch official would be included in the definition of the term covered legislative branch employee (because he or she functions in the capacity of an employee of the Congress). A contact with the person would be a contact with the committee or House of Congress to which the individual has been detailed.

The language in the conference amendment would pertain to details of executive branch employees under sections 3341 through 3349 of Title 5; section 112 of Title 3; section 202(f) of the Legislative Reorganization Act of 1946; section 81a of Title 2; and other statutes or rules that authorize details from one agency or branch to another agency or branch of the federal government.

Section 106. Prohibition of Gifts by Lobbyists, Lobbying Firms, and Agents of Foreign Principals.—Section 5(c) of the Senate bill would require lobbyists to disclose certain gifts to covered legislative branch officials. Section 6 of the House amendment would prohibit most gifts from lobbyists and their clients to covered legislative branch officials and require the disclosure of other gifts. In addition, a separate bill passed by the Senate, S. 1935, would prohibit members of Congress and congressional staff from accepting most gifts from lobbyists or from any other sources.

The conference amendment would adopt a compromise approach to these proposals. Section 106 of the conference amendment would prohibit virtually all gifts from lobbyists to covered legislative branch officials. A separate title of the bill would amend the Standing Rules of the Senate and the Rules of the House of Representatives to address gifts from all sources.

Under section 106 of the conference amendment, registered lobbyists, lobbying firms, and foreign agents would be prohibited from providing any gift, directly or indirectly, to a covered legislative branch official, with certain narrow exceptions.

A gift to a spouse or dependent of a covered legislative branch official (or a gift to any other individual based on that individual's relationship with the covered legislative branch official), would be considered a gift to the covered legislative branch official if it is given, with the knowledge and acquiescence of the official, because of the official position of the recipient. A gift (such as a wedding gift) with is given jointly to both a covered legislative branch official and the spouse of that covered legislative branch official and that would not be appropriate under the circumstances to give to only one of the two recipients by an individual who has a family relationship or close personal friendship with only one of the two recipients would be considered a gift to the recipient who has the relationship with the donor. Such a gift may be accepted under the family relationship or close personal friendship exception if the gift otherwise meets the requirements of that provision.

This section also would prohibit—

Anything provided by a registered lobbyist or a foreign agent which is paid for, charged to, or reimbursed by a client or firm of the lobbyist or foreign agent;

Anything provided by a registered lobbyist, firm, or foreign agent to an entity that is maintained or controlled by a covered legislative branch official;

A charitable contribution made by a registered lobbyists, lobbying firm, or foreign agent on the basis of a designation, recommendation, or other specification by a covered legislative branch official;

A contribution or other payment by a registered lobbyist, lobbying firm, or foreign agent too a legal expense fund established for the benefit of a covered legislative branch official or a covered executive branch official; and

A charitable contribution made by a registered lobbyist, lobbying firm, or foreign agent in lieu of an honorarium to a covered legislative branch official.

A contribution or expenditure by a registered lobbyist, lobbying firm, or foreign agent relating to a congressional conference, retreat, or similar event.

The following exceptions would apply: Anything for which the recipient pays the market value or does not use and promptly returns, any lawful campaign contribution or attendance at a political fundraising event; food or refreshment of nominal value offered other than as part of a meal; benefits resulting from outside business, employment or other activities of the spouse of the covered legislative branch official; pension and other benefits resulting from former employment; and informational materials that are sent to the office of a covered legislative branch official.

Finally, a gift from an individual would be permitted under circumstances which make it clear that the gift is given for a nonbusiness purpose and is motivated by a family relationship or close personal friendship and not by the covered legislative branch official. The conference amendment would establish narrow limits on the circumstances under which gifts of this type would be permitted.

Section 107. The Office of Lobbying Registration and Public Disclosure.—Section 6 of the Senate bill and section 7 of the House amendment would establish a new Office of Lobbying Registration and Public Disclosure and set forth the duties of the Office. Section 107 of the conference amendment would resolve the differences between the Senate bill and the House amendment as follows.

Section 107(a): Establishment.—Section 6(a) of the Senate bill would establish an Office of Lobbying Registration and Public Disclosure in the Department of Justice, to be headed by a Director. Section 7(a) of the House amendment contains a similar provision, which differs from the Senate bill, in that it would: (1) provide for the Office of Lobbying Registration and Public Disclosure to be an independent agency in the executive branch, rather than an office within the Justice Department; (2) provide a fixed, five-year term for the Director; and (3) authorize the Director to appoint officers and employees and to contract with the General Services Administration and other Federal agencies for financial and administrative services.

On the first point, the conference amendment would adopt the House approach and provides for the Office of Lobbying Registration and Public Disclosure to be an independent agency in the executive branch. Congressional oversight of this office would be assured by limiting the authorization of appropriations to five years (as provided in section 118 of the bill).

On the second point the conference amendment would provide a fixed, five-year term for the Director.

On the third point, the conference amendment would adopt the House provision and would: (a) provide additional administrative powers for the Director; and (b) require other agencies to cooperate with the Director by supplying needed personnel and services (subject to reimbursement).

Section 107(b): Duties.—Section 6(b) of the Senate bill would establish the duties of the Director of the Office of Lobbying Registration and Public Disclosure. Section 7(b) of the House amendment contains a similar provision, which differs from the Senate bill in that it would: (1) provide for the payment of reasonable copying fees for registrations and reports made available to the public; (2) require that copies and electronic records of registrations be retained in perpetuity; (3) require that copies of reports be retained for 3 years instead of 2; and (4) require the Director, upon request, to determine whether an individual is a covered executive branch official or a covered legislative branch official.

On the first issue, the conference amendment would adopt the language of the House amendment.

On the second issue, the conference amendment would provide that copies of registrations be retained for at least three years after the termination of a registration and that electronic records of registrations be retained for at least five years after the termination of a registration.

On the third issue, the conference amendment would adopt the language of the House amendment.

On the fourth issue, the conference amendment would adopt a compromise approach, under which an individual who is contacted by a lobbyist (or the office employing such individual), rather than the Director, would be required to state whether the individual is a covered official. This requirement would be placed in section 119(c) of the conference amendment.

The conference amendment would also require the Director to study the definition of the term "public official" and make recommendations for any changes to this definition which might be necessary to ensure appropriate disclosure of lobbying activities and equitable treatment of public and quasi-public entities. The Director's recommendations would be included in the first annual report required by the bill.

Section 108. Initial Procedure for Alleged Violations.—Section 7 of the Senate bill and section 8 of the House amendment contain

the initial procedures for resolution of alleged violations. Section 108 of the conference amendment would resolve the differences between the Senate bill and the House amendment as follows.

Section 108(a): Allegation of a Violation.—Under section 7(a) of the Senate bill and section 8(a) of the House amendment, whenever the Director has reason to believe that a person may be in violation of the Act, the Director is required to notify the person and provide the person an opportunity to respond in writing to the allegation. The conferees agree to this provision.

Section 108(b): Initial Determination.—Section 7(b) of the Senate bill would provide that, upon receipt of a response to a notification under section (7), the Director would: (a) take no further action, if it appeared unlikely that the Act had been violated; (b) provide an automatic reduction of penalty for a major violation (and no penalty at all, for a minor violation) if the violation was admitted and corrected; and (c) make a formal request for information if the information or explanation provided indicated that the person might be in violation of the Act.

Section 8(b) of the House amendment differs from the Senate bill in that it: (1) would authorize the Director to avoid further proceedings only if the information or explanation provided was adequate to issue a written determination that the person had not violated the Act (and not if it merely appeared that a violation was unlikely); (2) would not provide for any reduction in penalty if a violation was admitted and corrected; and (3) would authorize the Director to either request additional information or proceed directly to a hearing, if the information or explanation provided indicated that the person may be in violation of the Act.

On the first issue, the conference amendment would adopt the language of the House amendment. On the second issue, the conference amendment would drop the requirement for an automatic reduction in penalty if a violation is admitted or corrected, but would provide (in section 108(e)(1)) that whether or not a violation is voluntarily admitted and corrected is a factor to be considered by the Director in determining the amount of a penalty under the Act. On the third issue, the conference amendment would adopt the language of the House amendment, with minor clarifying changes.

Section 108(c): Formal Request for Information.—Section 7(c) of the Senate bill would provide for the Director to make formal requests for specific "documentary information" that is reasonably necessary to make a determination whether a person has violated the Act. Section 8(c) of the House amendment contains a similar provision, which differs from the Senate bill, in that it would authorize requests for specific "written information". The conference amendment would adopt the language of the House amendment, authorizing requests for written information. The conferees understand that the term "written information" is broader than the term "documentary information" and may include interrogatories calling for an answer in writing, in addition to requests for documents.

Section 109. Determinations of Violations.—Section 8 of the Senate bill and section 9 of the House bill would establish procedures for hearings and determination of violations. Section 109 of the conference amendment would resolve the differences between the Senate bill and the House amendment as follows.

Section 109(a): Notification and Hearing.—Section 8(a) of the Senate bill would provide for notification and hearing in cases in which the Director finds that the Act may have been violated. This subsection would provide for an informal hearing in the case of a minor violation and a full hearing under the Administrative Procedure Act in the case of a significant violation. Section 9(a) of the House amendment contains a similar provision, but would provide for a full APA hearing for either a minor violation or a significant violation. The conference amendment would adopt the language of the House amendment.

Section 109(b): Determinations.—Section 8(b) of the Senate bill and section 9(b) of the House amendment would provide for determinations by the Director in substantially similar terms. The conferees agree to this provision.

Section 109(c): Written Decision.—Section 8(c) of the Senate bill and section 9(c) of the House amendment would provide for the issuance of written decisions by the Director in substantially similar terms. The conferees agree to this provision.

Section 109(d): Civil Injunctive Relief.—Section 8(d) of the Senate bill and section 9(d) of the House amendment would provide for referral to the Attorney General to seek civil injunctive relief in substantially similar terms. The conferees agree to this provision.

Section 109(e): Penalty Assessments.—Section 8(e) of the Senate bill would provide guidelines for penalty assessments and would define major violations as knowing failure to register and other knowing violations that are extensive or repeated. Section 9(e) of the House amendment contains similar language, but differs from the Senate bill in that it would: (1) delete a provision of the Senate bill, which prohibited the Director from assessing a penalty in an amount greater than that recommended by an Administrative Law Judge; and (2) extend the definition of major violations to include actions which a person "should have known" violated the Act.

On the first point, the conference amendment would adopt the language of the House amendment. On the second point, the conference amendment would adopt a compromise approach. Under this approach, a person may be penalized for a minor violation if he or she "knew or should have known" that he or she was in violation of the Act. A person may be penalized for a major violation only if he or she fails to register or commits another violation that is extensive or repeated and: (a) had actual knowledge that the conduct constituted a violation; (b) acted in deliberate ignorance of the provisions of the Act or implementing regulations; or (c) acted in reckless disregard of the Act or implementing regulations.

In addition, the conference amendment would require the Director, in determining the amount of a penalty to be assessed, to consider: (a) whether a violation was voluntarily admitted and corrected; (b) the extent to which the person or entity may have profited from the violation; (c) the ability of the penalized person or entity to pay; and (d) such other matters as justice may require.

Section 9 of the Senate bill and section 10 of the House amendment contain provisions regarding penalties for late registration or filing and failure to provide information. The conference amendment would add these provisions to section 109 of the bill, addressing determinations of violations generally.

Under the conference amendment, as under the House and Senate bills, a $200 penalty would be assessed for each week by which a filing is late. For the purpose of this provision, the term "each week" would include a portion of a week. If the Director determines, however, that a late filing was extensive or repeated and that the person committing the violation acted with actual knowledge, deliberate ignorance, or reckless disregard of the relevant law, a larger penalty would be assessed under the paragraph providing penalties for major violations. For example, a late filing would be penalized as a major violation if it were a part of a deliberate pattern of late filings with intent to evade the disclosure requirements of the Act.

Section 110: Disclosure of Information.—Section 7(d) of the Senate bill would prohibit the Director from disclosing information obtained in the dispute resolution process to the public, or outside the Office of Lobbying Registration and Public Disclosure, without the consent of the person providing the information, with specific exceptions. Section 8(d) of the House amendment contains a similar provision, which differs from the Senate bill in that it would not limit the disclosure of information to other federal officials. In addition, the House bill contains several provisions that would address the publication of written decisions by the Director.

Section 110 of the conference amendment would consolidate these provisions in a new section. Under section 110, the Director would make information provided to the Director in the dispute resolution process available to the public only through a report or registration filed by the registrant, or in a written decision issued by the Director. This section would provide that all written decisions shall be available to the public, and any decision may be published if the Director determines that publication would provide useful guidance.

Information that would identify a person or entity would be deleted from a written decision before the decision is made public, under circumstances described in the provision. A person who is a party to the proceeding and is not found to have violated the Act may have identifying information deleted, upon request. Information that would identify a person who is not a party to the proceeding must be deleted if the Director determines that such person or entity could reasonably be expected to be injured by the disclosure of such information. No request for redaction by a non-party would be required, as a person who is not a party to the proceeding may not be aware of the proceeding or in a position to make such a request.

The conferees intend that if the Director finds that there has been a violation of Section 106 and has reason to believe that a covered legislative branch official may have knowingly participated in such violation, the Director shall refer the matter to the Senate Select Committee on Ethics or the House Committee on Standards of Official Conduct, as appropriate.

Section 111. Judicial Review.—Section 10 of the Senate bill and section 11 of the House amendment would provide in substantially similar terms for judicial review of written decisions of the Director. The Senate bill would provide that any person who prevails on the merits would be entitled to recover attorneys' fees from the United States; the House amendment contained no such provision. The conference amendment would not include the attorneys' fees provision. The conferees note that such fees may be available, in appropriate cases, in accordance with the terms of the Equal Access to Justice Act.

Section 112. Rules of Construction.—Section 11 of the Senate bill contains two rules of construction, which would provide that nothing in the Act may be construed to prohibit lobbying activities or to grant general audit or investigative authority to the Director. Section 12 of the House amendment contains a similar provision, but adds a third rule of construction, which would state that nothing in the Act may be construed to interfere with the exercise of rights protected by the First Amendment to the Constitution. The conference amendment would adopt all three rules of construction, including the third rule added by the House amendment. The conferees note that the authorities granted to the Director under sections 7, 8 and 9 of the Act do not include general audit or investigative authority.

Section 113. Amendments to the Foreign Agents Registration Act.—The Senate bill would amend the Foreign Agents Registration Act (FARA) to limit the definition of the term "foreign principal" to the government of a foreign country or a foreign political party. The bill would provide for disclosure of lobbying by representatives of foreign corporations, organizations and individuals under the Lobbying Disclosure Act, rather than FARA.

The House amendment would retain the current definition of "foreign principal" in FARA, including foreign corporations, organizations and individuals as well as foreign governments and political parties. The House amendment would add a new provision to FARA, exempting from registration any person who is required to register and does register under the Lobbying Disclosure Act. Lobbying contacts for foreign corporations, organizations and individuals would trigger a requirement to register under the Lobbying Disclosure Act, but lobbying contacts for foreign governments and political parties would not. Contacts on behalf of foreign governments and political parties would continue to be disclosed under FARA.

The conference amendment would adopt the language of the House amendment. The result is that, while lobbyists for foreign corporations, organizations and individuals would generally be required to register under the Lobbying Disclosure Act (and not under FARA), any representative of a foreign corporation, organization or individual who is not required to register as a lobbyist (such as a representative of a foreign corporation which engages only in public relations activities and does no lobbying in the United States), or fails to do so, would still be required to register under FARA. The conferees note that FARA does not and would not apply to an organization whose activities are entirely supervised, directed, controlled, financed and subsidized by citizens of the United States, even if the agenda of such an organization includes issues affecting the foreign policy of the United States.

Section 114. Amendments to the Byrd Amendment.—Section 13 of the Senate bill and section 14 of the House amendment would amend the so-called Byrd amendment to eliminate separate lobbying disclosure provisions and harmonize that provision with the requirements of the Lobbying Disclosure Act. The conferees agree to this provision.

Section 115. Repeal of Certain Lobbying Provisions.—Section 14 of the Senate bill would repeal certain obsolete and redundant lobbying disclosure provisions. Section 15 of the House amendment contains similar repealers, but would not repeal the lobbying registration requirement in the Public Utility Holding Company Act of 1935 (PUHCA).

The conferees have been assured that the Securities and Exchange Commission and the relevant Committees of jurisdiction intend to review the PUCHA registration requirement and will seek its repeal if the provision is no longer needed. On this basis, the conference amendment would adopt the House approach and leave the repeal of the PUCHA registration requirement to consideration by the appropriate committees.

Section 116. Conforming Amendments to Other Statutes.—Section 15 of the Senate bill contains conforming amendments to other statutes. Section 16 of the House amendment contains similar conforming amendments and would also amend section 201(c)(1) of Title 18 to address the relationship between the criminal gratuity statute and the congressional gift rules. The conference amendment would not amend section 201 because the conferees determined that such an amendment was unnecessary. In fact, a federal district court specifically determined that the Ethics Reform Act of 1989 "was enacted to limit the liability of public officials under the gratuities statute by permitting the ethics offices in each branch of government to establish rules for the acceptance of gifts. *See* 827 F. Supp. 1153, 1173 (1993). Title II of the conference amendment would establish such rules.

Section 117. Severability.—Section 16 of the Senate bill and section 17 of the House amendment would provide that if any provision of the Act is found to be unconstitutional, such provision would be treated as severable and the remainder of the Act would remain in effect. The conferees agree to this provision.

Section 118. Authorization of Appropriations.—Section 17 of the Senate bill and section 18 of the House amendment would authorize appropriations. Section 118 of the conference amendment would authorize appropriations for a period of five years, to ensure effective congressional oversight of the Office of Lobbying Registration and Public Disclosure.

Section 119. Identification of Clients and Covered Officials.—Section 19 of the Senate bill would require any person who makes a lobbying contact to identify, on request of the individual contacted, the client on whose behalf the contact is made. Section 20 of the House amendment would require any person who makes a lobbying contact on behalf of a foreign client to identify, on request of the individual contacted, the client on whose behalf the contact is made and to confirm the information provided in writing. The House provision would also require all written lobbying contacts on behalf of foreign clients to identify the client on whose behalf the contact is made, and would provide a definition of the term "foreign client".

The conference amendment would adopt a compromise approach. Under the conference amendment, any person who makes an oral lobbying contact would be required, on request of the individual contacted, to identify the client on whose behalf the contact is made, state whether the client is a foreign entity, and identify any foreign entity subject to disclosure under the registration provisions of the bill which has a direct interest in the outcome of the lobbying activity. A lobbyist who make a written lobbying contact would be required to identify any foreign entity that is a client or an entity subject to disclosure under the registration provisions of the bill that has a direct interest in the outcome of the lobbying activity.

In addition, section 119 of the conference amendment would require an individual who is contacted by a lobbyist (or the office employing such individual) to state whether or not the individual contacted is a covered executive branch official or a covered legislative branch official.

Section 120. Transitional Filing Requirement.—Section 19 of the Senate bill section 20 of the House amendment contain a transitional filing requirement, to apply until such time as the Office of Lobbying Registration and Public Disclosure is able to make computer transmittal of registrations and reports to the Senate and the House of Representatives. The conferees agree to this provision.

Government-Sponsored Enterprises—Report to Congress. Section 20 of the Senate bill would require government-sponsored enterprises to file special annual reports with the Congress on their lobbying activities. The House amendment contains no parallel provision. The conference amendment would not include the Senate provision. Under the conference amendment, lobbying for government-sponsored enterprises would be reported in the same manner, and to the same extent, as lobbying for other entities.

Section 121. Effective Dates and Interim Rule.—Section 23 of the Senate bill would provide effective dates for the Act and implementing regulations. Section 20 of the House amendment contains similar language on effective dates and would add a new interim reporting rule for organizations that are required to track their lobbying expenditures under the new provision in the Internal Revenue Code addressing the non-deductibility of lobbying expenses. Section 121 of the conference amendment would address the differences between the Senate bill and the House amendment as follows:

Subsection 121(a): In General.—Section 121(a) of the conference amendment would provide that the Lobbying Disclosure Act (Title I of the bill) and the amendments made by the Lobbying Disclosure Act shall take effect on January 1, 1996.

Subsection 121(b): Interim Gift Prohibition.—Section 121(b) of the conference amendment would provide that section 106 of the bill, prohibiting gifts from registered lobbyists, lobbying firms and foreign agents to covered legislative branch officials, would take effect on January 3, 1995. During calendar year 1995, before the effective date of the balance of the Lobbying Disclosure Act, this prohibition would apply to lobbyists and foreign agents registered under the existing Federal Regulation of Lobbying Act and Foreign Agents Registration Act. The provision would preclude evasion through termination of registrations under these Acts by covering any lobbyist or foreign agent registered under existing law as of July 1, 1994 or thereafter.

Subsection 121(c): Establishment of Office.—Section 121(c) of the conference amendment, like the Senate bill and the House amendment, would provide that the provisions establishing the office of Lobbying Registration and Public Disclosure, and authorizing appropriations for that office, would take effect upon enactment.

Subsection 121(d): Repeals and Amendments.—Section 121(d) of the conference amendment, like the Senate bill and the House amendment, would provide for the continued effectiveness of existing lobbying registration laws during the interim period prior to the effective date of the Lobbying Disclosure Act.

Subsection 121(e): Regulations—Section 121(e) of the conference amendment, like the Senate bill and the House amendment, would

provide a timetable for the issuance of proposed and final regulations implementing the Act.

Subsection 121(f): Phase-in period—Section 121(f) of the conference amendment, like the Senate bill and the House amendment, would provide a phase-in period during which no penalties would be assessed for violations of the Act. As in the House bill, this subsection would provide that violations of the gift prohibition in section 106 of the bill during the phase-in period, unlike violations of other provisions of this title, would be subject to penalties.

Subsection 121(g): Interim Rules.—Section 121(g) of the conference amendment contains an interim reporting rule similar to the provision contained in the House amendment. Under the interim reporting rule, entities that are required to account for their lobbying expenditures pursuant to the non-deductibility rules would be permitted to use the same accounting system to account for the report lobbying expenses under the Lobbying Disclosure Act. This provision would apply to in-house lobbyists who are covered by the non-deductibility provision, and not to lobbying firms which are not covered by the non-deductibility provision of the Internal Revenue Code.

In addition, the conference amendment would modify the interim rule to provide that organizations reporting lobbying expenditures under the Internal Revenue Code may use certain definitions in the Internal Revenue Code in making the determination whether an individual is a "lobbyist" under this Act. Each entity covered by this provision must choose whether to use the lobbying Disclosure Act Definitions or the IRS definitions in a particular calendar year and notify the Office of Lobbying Registration and Public Disclosure of this choice. This provision would apply to the in-house employees of organizations that are required to account for lobbying expenditures pursuant to section 162(e) or section 6033(b)(8) of the Internal Revenue Code; it would not apply to employees of outside lobbying firms representing such organizations which are not covered by the non-deductibility provisions of the Internal Revenue Code.

The provision would expire on December 31, 1998 and would provide for a GAO report to Congress on differences between the definition of lobbying activities in the Lobbying Disclosure Act and definitions of "lobbying expenditures", "influencing legislation", and related terms in sections 162(e) and 4911 of the Internal Revenue Code. The GAO report would also address the impact that any such differences may have on filing and reporting under the Lobbying Disclosure Act (including the interim reporting rule). The conferees expect this study to lead to recommendations for appropriate adjustments to harmonize the definitions.

Subsection 121(h): Interim Director.—Section 121(h) of the conference amendment would authorize the President to appoint an interim Director of the Office of Lobbying Registration and Public Disclosure until the first Director after enactment of this Act has been nominated by the President and confirmed by the Senate. This provision is intended to avoid unnecessary delays in the implementation of this Act and ensure that the Office of Lobbying Registration and Public Disclosure will be up and running in a timely manner. The provision would prohibit the interim Director from promulgating final regulations or initiating enforcement actions; these authorities would be reserved for the Director.

TITLE II.—CONGRESSIONAL GIFT RULES

Section 5(c) of the Senate bill would require lobbyists to disclose certain gifts to covered legislative branch officials. Section 6 of the House amendment would prohibit most gifts from lobbyists and their client to covered legislative branch officials and require the disclosure of other gifts. In addition, a separate bill passed by the Senate, S. 1935, would prohibit Members of Congress and congressional staff from accepting most gifts from lobbyists or from any other sources.

The conference amendment would adopt a compromise approach to these proposals. Section 106 of the conference amendment would prohibit lobbyists from making virtually any gift to covered legislative branch officials. Title II of the conference amendment would amend the Standing Rules of the Senate and the Rules of the House of Representatives to address the acceptance of gifts by Members, officers and employees of both bodies. However, the rules cannot anticipate every situation that a Member, officer, or employee will confront. The Senate Select Committee on Ethics and the House Committee on Standards of Official Conduct would provide guidance and further regulation to assure that the rules are fairly construed.

Section 201. Amendment to Senate Rules.—Section 201 of the conference amendment would amend Rule XXXV of the Standing Rules of the Senate to provide tight, new restrictions on the acceptance of gifts by Members, officers, and employees of the Senate.

Paragraph 1 of the new Rule XXXV would prohibit Members, officers, and employees from accepting any gift from a registered lobbyist, lobbying firm, or foreign agent, knowing that such gift is provided in violation of the Lobbying Disclosure Act of 1994.

Paragraph 2 of the new rule XXXV would address gifts from other sources.

Subparagraph 2(a) would prohibit Members, officers, and employees from knowingly accepting a gift from any other person (in addition to the restriction on receiving gifts from registered lobbyists, lobbying firms, and foreign agents), except as otherwise provided in the Rule.

Subparagraph 2(b) would define the term "gift" to include any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having monetary value. The term would include gifts of services, training, transportation, lodging, and meals—whether provided in kind, by purchase of ticket, payment in advance, or reimbursement after the expense has been incurred. This definition is the same as the definition of "gift" in the executive branch gift rules.

This subparagraph would also provide that a gift to the spouse or dependent of a Member, officer, or employee (or a gift to any other individual based on that individual's relationship with the Member, officer, or employee) would be considered a gift to the Member, officer, or employee if it is given with the knowledge and acquiescence of the Member, officer, or employee, and the Member, officer or employee has reason to believe the gift was given because of his or her official position. Something of value that is provided by one person to both a Member, officer, or employee and the spouse or dependent of that Member, officer, or employee, may be considered two separate gifts, depending on the nature of what is provided and the time and manner in which it is provided. A gift (such as a wedding gift) which is given jointly to both a Member, officer or employee and the spouse of that Member, officer or employee and that would not be appropriate under the circumstances to give to only one of the two recipients by an individual who has a family or personal relationship with only one of the two recipients would be considered a gift to the recipient who has the relationship with the donor. Such a gift may be accepted under the family or personal relationship exception if the gift otherwise meets the requirements of that provision.

Subparagraph 2(c) would except certain items from the prohibitions on gifts from persons other than registered lobbyists, lobbying firms, and foreign agents. These exceptions are similar to those contained in S. 1935 and in the House amendment to S. 349.

Excepted items would include: anything for which the recipient pays the market value or does not use and promptly returns; lawfully made campaign contributions and attendance at political fundraising events; gifts that are provided on the basis of personal or family relationships; an otherwise lawful contribution to a legal expense fund; food or refreshment of minimal value; a gift from another Member, officer, or employee of the Senate or the House of Representatives; food and lodging provided in connection with a job interview, a fundraising or campaign event, or resulting from outside business, employment, or other outside activities of a Member, officer, or employee (or the spouse thereof); pension and other benefits resulting from prior employment; informational materials that are sent to the office of the Member, officer, or employee; awards and prizes given to competitors in contests open to the public; honorary degrees and other bona fide awards; donations of home State products for promotional purposes; food, refreshments, and entertainment provided in a Member's home State (subject to reasonable limitations to be established by the Rules Committee); training provided in the interest of the Senate; bequests, inheritances, and other transfers at death; gifts expressly permitted by statute; anything which is paid for by the Federal Government, by a State or local government, or secured by the Government under a Government contract; a gift of personal hospitality; free attendance at widely attended events; opportunities and benefits available to all of an appropriate class of the general public; and a plaque, trophy, or other memento of modest value. The rule would provide for waiver by the Select Committee on Ethics only in unusual cases.

This subparagraph would establish an exception for gifts based on personal or family relationships. This exception would not apply where the Member, officer, or employee has reason to believe that, under the circumstances, the gift was provided because of his or her official position and not because of the personal or family relationship. For example, a gift would not be considered to be based on a personal or family relationship if the Member, officer, or employee has reason to believe that the individual providing the item intends to deduct the value of the item as a business expense on the individual's tax return or to accept direct or indirect reimbursement or compensation for the item from a client or a firm of which the individual is a member or employee. The provision would direct the Select Committee on Ethics to provide guidance on the applicability of this paragraph and examples of circumstances under which a gift may be accepted under this exception.

Subparagraph 2(d) would provide for participation in widely attended events, such as

conventions, conferences, symposia, forums, panel discussions, dinners, viewings, and receptions, by Members, officers and employees. Under this provision, a Member, officer or employee would be permitted to accept a sponsor's offer of free attendance at such an event, if he or she were participating in the event as a speaker, or if attendance were otherwise appropriate to the performance of his or her official duties or representational function. In appropriate circumstances, Members, officers and employees would also be permitted to accept an offer of free attendance for an accompanying individual. Free attendance would be defined to include waiver of all or part of a fee or the provision of food, refreshment, entertainment, and instructional materials furnished as an integral part of the event.

In addition to widely attended events, subparagraph 2(d) would permit a Member, officer, or employee to accept a sponsor's unsolicited offer of free attendance at a charity event—such as a charity dinner or a charitable golf or tennis tournament. However, the provision would not permit the acceptance of transportation or lodging in connection with participation in such an event. The references to "the sponsor" of an event in this subsection are intended to refer to the person, entity, or entities that are primarily responsible for organizing the event.

Subparagraph 2(e) would prohibit the acceptance of a gift in excess of $250 on the basis of a personal relationship or personal friendship exception, unless the Select Committee on Ethics makes a written determination that one of the exceptions applies.

Subparagraph 2(f) would authorize the Committee on Rules and Administration to adjust the $20 limit for food and refreshments to the extent necessary to adjust for inflation; authorize the Select Committee on Ethics to provide guidance to Members, officers and employees on reasonable steps that they can take to prevent the acceptance of prohibited gifts from lobbyists; and permit the recipient of a perishable gift that may not be accepted under the new Rule to throw away the gift or give it to an appropriate charity.

Paragraph 3 of the new Rule XXXV would address the rules on reimbursement of officially connected travel by private sources. Under this provision, Members, officers and employees would be prohibited from accepting travel reimbursement from registered lobbyists, lobbying firms and foreign agents. Members, officers and employees would be permitted to accept reimbursement for travel expenses from other sources for necessary expenses in appropriate circumstances, as set forth in the paragraph. Any such reimbursements would be deemed to be a reimbursement to the Senate and not a gift prohibited by the Rule.

Under subparagraph (a) of Paragraph 3, a Member, officer or employee would be permitted to accept reimbursement, from sources other than registered lobbyists and foreign agents, for necessary travel expenses incurred in connection with a meeting, speaking engagement, factfinding trip or similar event in connection with the duties of the Member, officer or employee as an officeholder. Events, the activities of which are substantially recreational in nature, would not be considered to be in connection with the duties of a Member, officer, or employee as an officeholder. Accordingly, private reimbursement of travel expenses incurred in connection with charitable golf, tennis or ski tournaments, or similar recreational events, would be prohibited.

Subparagraph (b) of Paragraph 3 would set forth the requirements for advance authorization of privately reimbursed travel for congressional staff. Under this provision, each advance authorization would be signed by the Member or officer under whose direct supervision the employee works and would include: the name of the Member, officer or employee; the name of the person making the reimbursement; the time, place and purpose of the travel; and a determination that the travel is in connection with the duties of the employee as an officeholder and would not create the appearance that the employee is using public office for private gain.

Subparagraph (c) would set forth the requirements for disclosure of expenses reimbursed. Under this provision, each such disclosure would be signed by the appropriate Member or officer and would include: a good faith estimate of total transportation expenses reimbursed; a good faith estimate of total lodging expenses reimbursed; a good faith estimate of total food and refreshment expenses reimbursed; a good faith estimate of any other expenses reimbursed; a determination that all such expenses are necessary transportation, lodging, and related expenses; and in the case of reimbursement to a Member or officer, a determination that the travel is in connection with the duties of the Member of officer as an officeholder and would not create the appearance that the Member or officer is using public office for private gain.

Subparagraph (d) would define the term "necessary transportation, lodging, and related expenses". Under this provision, necessary expenses would be limited to expenses necessary for a period not exceeding 3 days exclusive of travel time within the United States or 7 days exclusive of travel time outside of the United States. A Member, officer or employee would be permitted to extend his or her stay beyond these periods only if approved in advance by the Select Committee on Ethics or at his or her own expenses. (As under the current rule, travel to Alaska, Hawaii, and U.S. Territories and possessions would be treated as travel outside the United States.)

Necessary expenses would be limited to expenditures for transportation, lodging, conference fees and materials, and food or refreshment. Necessary expenses would not include expenditures for recreational activities, or entertainment other than that provided to all attendees as an integral part of the event. Reimbursement for travel expenses incurred on behalf of either the spouse or a child of a Member, officer, or employee could be accepted, subject to a determination that the attendance of the spouse or child is appropriate to assist in the representation of the Senate.

Subparagraph (e) would require the Secretary of the Senate to make available to the public all advance authorizations and disclosures of reimbursement filed under this paragraph as soon as possible after they are filed.

Section 202. Amendment to House Rules.—Section 202 of the conference amendment would amend clause 4 of rule XLIII of the Rules of the House of Representatives to provide tight, new restrictions on the acceptance of gifts by Members, officers, and employees of the House of Representatives.

Paragraph (a) any gift from a registered lobbyist, lobbying firm, or foreign agent, knowing that such gift is provided in violation of the Lobbying Disclosure Act of 1994.

Paragraph (b) would prohibit Members, officers, and employees from knowingly accepting a gift from any other person (in addition to the restriction on receiving gifts from registered lobbyists, lobbying firms, and foreign agents), except as otherwise provided in the Rule.

Paragraph (c) would define the term "gift" to include any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having monetary value. The term would include gifts of services, training, transportation, lodging, and meals—whether provided in kind, by purchase of ticket, payment in advance, or reimbursement after the expense has been incurred. This definition is the same as the definition of "gift" in the executive branch gift rules.

This paragraph would also provide that a gift to the spouse or dependent of a Member, officer, or employee (or a gift to any other individual based on that individual's relationship with the Member, officer, or employee) would be considered a gift to the Member, officer or employee if it is given with the knowledge and acquiescence of the Member, officer, or employee, and the Member, officer or employee has reason to believe the gift was given because of his or her official position. Something of value that is provided by one person to both a Member, officer, or employee and the spouse or dependent of that Member, officer, or employee may be considered two separate gifts, depending on the nature of what is provided and the time and manner in which it is provided. A gift (such as a wedding gift) which is given jointly to both a Member, officer or employee and the spouse of that Member, officer or employee and that would not be appropriate under the circumstances to given to only one of the two recipients by an individual who has a family or personal relationship with only one of the two recipients would be considered a gift to the recipient who has the relationship with the donor. Such a gift may be accepted under the family or personal relationship exception if the gift otherwise meets the requirements of that provision.

Paragraph (d) would except certain items from the prohibitions on gifts from persons other than registered lobbyists, lobbying firms, and foreign agents. These exceptions are similar to those contained in S. 1935 and in the House amendment to S. 349.

Excepted items would include: anything for which the recipient pays the market value or does not use and promptly returns; lawfully made campaign contributions and attendance at political fundraising events; gifts that are provided on the basis of personal or family relationships; an otherwise lawful contribution to a legal expense fund; food or refreshment of minimal value; a gift from another Member, officer, or employee of the Senate or the House of Representatives; food and lodging provided in connection with a job interview, a fundraising or campaign event, or resulting from outside business, employment, or other outside activities of a Member, officer, or employee (or the spouse thereof); pension and other benefits resulting from prior employment; informational materials that are sent to the office of the Member, officer, or employee; awards and prizes given to competitors in contests open to the public; honorary degrees and other bona fide awards; donations of home State products for promotional purposes; food, refreshments, and entertainment provided in a Member's home State (subject to reasonable limitations to be established by the Committee on Standards of Official Conduct); training provided in the interest of the House of Representatives; bequests, inheritances, and other transfers at death;

gifts expressly permitted by statute; anything which is paid for by the Federal Government, by a State or local government, or secured by the Government under a Government contract; a gift of personal hospitality; free attendance at widely attended events; opportunities and benefits available to all of an appropriate class of the general public; and a plaque, trophy, or other memento of modest value. The rule would provide for waiver by the Committee on Standards of Official Conduct only in exceptional circumstances.

This paragraph would establish an exception for gifts based on personal or family relationships. This exception would not apply where the Member, officer, or employee has reason to believe that, under the circumstances, the gift was provided because of his or her official position and not because of the personal or family relationship. For example, a gift would not be considered to be based on a personal or family relationship if the Member, officer, or employee has reason to believe that the individual providing the item intends to deduct the value of the items as a business expense on the individual's tax return or to accept direct or indirect reimbursement or compensation for the item from a client or a firm of which the individual is a member or employee. The provision would direct the Committee on Standards of Official Conduct to provide guidance on the applicability of this paragraph and examples of circumstances under which a gift may be accepted under this exception.

Paragraph (e) would provide for participation in widely attended events, such as conventions, conferences, symposia, forums, panel discussions, dinners, viewings, and receptions, by Members, officers and employees. Under this provision, a Member, officer or employee would be permitted to accept a sponsor's offer of free attendance at such an event, if he or she were participating in the event as a speaker, or if attendance were otherwise appropriate to the performance of his or her official duties or representational function. In appropriate circumstances, Members, officers and employees would also be permitted to accept an offer of free attendance for an accompanying individual. Free attendance would be defined to include waiver of all or part of a fee or the provision of food, refreshment, entertainment, and instructional materials furnished as an integral part of the event.

In addition to widely attended events, paragraph (e) would permit a Member, officer, or employee to accept a sponsor's unsolicited offer of free attendance at a charity event—such as a charity dinner or a charitable golf or tennis tournament. However, the provision would not permit the acceptance of transportation or lodging in connection with participation in such an event. The references to "the sponsor" of an event in this subsection are intended to refer to the person, entity, or entities that are primarily responsible for organizing the event.

Paragraph (f) would prohibit the acceptance of a gift in excess of $250 on the basis of a personal relationship or personal friendship exception, unless the Committee on Standards of Official Conduct makes a written determination that one of the exceptions applies.

Paragraph (g) would authorize the Committee on Standards of Official Conduct to adjust the $20 limit for food and refreshments to the extent necessary to adjust for inflation; authorize the Committee to provide guidance to Members, officers and employees on reasonable steps that they can take to prevent the acceptance of prohibited gifts from lobbyists; and permit the recipient of a perishable gift that may not be accepted under the new Rule to throw away the gift or give it to an appropriate charity.

Paragraph (h) would address the rules on reimbursement of officially connected travel by private sources. Under this provision, Members, officers and employees would be prohibited from accepting travel reimbursement from registered lobbyists, lobbying firms and foreign agents. Members, officers and employees would be permitted to accept reimbursement for travel expenses from other sources for necessary expenses in appropriate circumstances, as set forth in the paragraph. Any such reimbursements would be deemed to be a reimbursement to the House of Representatives and not a gift prohibited by the Rule.

Under subparagraph (1), a Member, officer or employee would be permitted to accept reimbursement, from sources other than registered lobbyists and foreign agents, for necessary travel expenses incurred in connection with a meeting, speaking engagement, factfinding trip or similar event in connection with the duties of the Member, officer or employee as an officeholder. Events, the activities of which are substantially recreational in nature, would not be considered to be in connection with the duties of a Member, officer, or employee as an officeholder. Accordingly, private reimbursement of travel expenses incurred in connection with charitable golf, tennis or ski tournaments, or similar recreational events, would be prohibited.

Subparagraph (2) would set forth the requirements for advance authorization of privately reimbursed travel for congressional staff. Under this provision, each advance authorization would be signed by the Member or officer under whose direct supervision the employee works and would include: the name of the Member, officer or employee; the name of the person making the reimbursement; the time, place and purpose of the travel; and a determination that the travel is in connection with the duties of the employee as an officer holder and would not create the appearance that the employee is using public office for private gain.

Subparagraph (3) would set forth the requirements for disclosure of expenses reimbursed. Under this provision, each such disclosure would be signed by the appropriate Member or officer and would include: a good faith estimate of total transportation expenses reimbursed; a good faith estimate of total lodging expenses reimbursed; a good faith estimate of total food and refreshment expenses reimbursed; a good faith estimate of any other expenses reimbursed; a determination that all such expenses are necessary transportation, lodging, and related expenses; and in the case of reimbursement to a Member or officer, a determination that the travel is in connection with the duties of the Member or officer as an office holder and would not create the appearance that the Member or officer is using public office for private gain.

Subparagraph (4) would define the term "necessary transportation, lodging, and related expenses". Under this provision, necessary expenses would be limited to expenses necessary for a period not exceeding 4 days including travel time within the United States or 7 days exclusive of travel time outside of the United States and within 24 hours before or after participation in an event in the United States or within 48 hours before or after participation in an event outside the United States. A Member, officer or employee would be permitted to extend his or her stay beyond these periods only if approved in advance by the Committee on Standards of Official Conduct or at his or her own expense. (As under the current rule, travel to Alaska, Hawaii, and U.S. territories and possessions would be treated as travel outside the United States.)

Necessary expenses would be limited to expenditures for transportation, lodging, conference fees and materials, and food or refreshment. Necessary expenses would not include expenditures for recreational activities or entertainment other than that provided to all attendees as an integral part of the event. Reimbursement for travel expenses incurred on behalf of either the spouse or a child of a Member, officer, or employee could be accepted, subject to a determination that the attendance of the spouse or child is appropriate to assist in the representation of the House of Representatives.

Subparagraph (5) would require the Clerk of the House to make available to the public all advance authorizations and disclosures of reimbursement filed under this paragraph as soon as possible after they are filed.

Section 203. Miscellaneous Provisions.—Section 203 of the conference amendment contains certain miscellaneous provisions relative to the acceptance of gifts.

Subsection 203(a): Amendments to the Ethics in Government Act.—Section 203(e) would amend the Ethics in Government Act to provide that travel reimbursements properly reported under the new Senate and House gift rules do not also have to be reported in personal financial disclosure statements.

Subsection 203(b): Repeal of Obsolete Provision.—Section 203(b) would repeal Section 901 of the Ethics Reform Act of 1989, which contains the current Senate gift rules and would be superseded by the enactment of this bill.

Subsection 203(c): Senate Provisions.—Subsection 203(c) contains miscellaneous provisions applicable to the Senate. Paragraph (1) would authorize the Committee on Rules and Administration to accept gifts on behalf of the Senate, in appropriate circumstances. Nothing in this paragraph would restrict any authority that any other Committee or office of the Congress may have under existing law. Paragraph (2) would provide that the rules on acceptance of food, refreshments, and entertainment provided to a Member or an employee of a Member in the Member's home State prior to the adoption of reasonable limitations by the Committee on Rules and Administration shall be the rules in effect on the day before the effective date of the new gift rules.

Subsection 203(d): House Provisions.—Subsection 204(d) would provide that the rules on acceptance of food, refreshments, and entertainment provided to a Member or an employee of a Member in the Member's home State prior to the adoption of reasonable limitations by the Committee on Standards of Official Conduct shall be the rules in effect on the day before the effective date of the new gift rules.

Subsection 204. Exercise of Congressional Rulemaking Powers.—Section 204 of the conference amendment would provide that the sections of this Title amending the congressional gift rules are an exercise of the congressional rulemaking power.

Section 205. Effective Date.—Section 205 of the conference amendment would provide that Title II of the conference amendment shall become effective on May 31, 1995. The conferees agreed to this date to provide time

for the Senate Select Committee on Ethics and the House Committee on Standards of Official Conduct to develop guidance, as required by the bill.

JOHN BRYANT,
DAN GLICKMAN,
MIKE SYNAR,
Managers on the Part of the House.

JOHN GLENN,
CARL LEVIN,
DANIEL AKAKA,
BILL COHEN,
TED STEVENS,
Managers on the Part of the Senate.

MODIFICATION IN APPOINTMENT OF CONFEREES ON S. 1569, DISADVANTAGED MINORITY HEALTH IMPROVEMENT ACT OF 1994

The SPEAKER pro tempore. Without objection, the Chair announces that under the authority granted in clause 6 of rule X, the Speaker hereby modifies the appointment of conferees on the bill (S. 1569), Disadvantaged Minority Health Improvement Act of 1994, to amend the Public Health Service Act to establish, reauthorize and revise provisions to improve the health of individuals from disadvantaged backgrounds, and for other purposes, as follows:

As additional conferees from the Committee on Ways and Means for consideration of titles VI and VII of the Senate bill, and modifications committed to conference:

Messrs. GIBBONS, FORD of Tennessee, and ARCHER.

There was no objection.

COMMUNICATION FROM CHAIRMAN OF SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS OF THE COMMITTEE ON ENERGY AND COMMERCE

The SPEAKER pro tempore laid before the House the following communication from the Honorable JOHN D. DINGELL, chairman of the Subcommittee on Oversight and Investigations of the Committee on Energy and Commerce:

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, September 22, 1994.

Hon. THOMAS S. FOLEY,
Speaker, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule L (50) of the Rules of the House that I have received a subpoena for testimony issued by the United States District Court for the District of Columbia.

After appropriate consultation, I have determined that compliance with the subpoena is inconsistent with the privileges and precedents of the House.

Sincerely,

JOHN D. DINGELL,
Chairman, Subcommittee on Oversight and Investigations.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 4912

Mr. MFUME. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 4912. While I have no objection to this legislation, my name was added as a cosponsor by error.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of February 11, 1994, June 10, 1994, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

EXPRESSING APPRECIATION TO HON. ALFRED A. MCCANDLESS ON HIS RETIREMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. LEWIS] is recognized for 60 minutes as the designee of the minority leader.

Mr. LEWIS of California. Mr. Speaker, it is my privilege to rise this evening and take the time of the House to join with a number of my colleagues to express our appreciation to one of our colleagues who has decided to do some other things with his life. My friend, the gentleman from California, AL MCCANDLESS, is going to be, at the end of this session, returning to the beautiful California desert. He and his lovely bride, Gail, will enjoy many days without the pressures of roll call votes and sometimes crazy schedules such as we experience around this place.

Over the years, Mr. Speaker, AL MCCANDLESS and I have developed a very, very close personal friendship.

We have worked together on countless numbers of issues. You have all experienced desert protection with us, maybe for longer than you might have liked; questions of flood control, endangered species, just to name a few.

While most people know of our friendship, Mr. Speaker, a lot of people are not aware of the fact that our friendship was not early in the making. AL MCCANDLESS and Jerry Lewis from time to time have done battle themselves. When I was a member of the State legislature, Mr. Speaker, and AL MCCANDLESS was the supervisor in Riverside County, I was involved in an item relating to air quality that would reorganize the way air quality standards and regulations were developed in southern California.

I would be less than accurate if I suggested that AL MCCANDLESS was in total agreement with my position. As a matter of fact, Mr. Speaker, his position did not relate to the fact that he was a car dealer, for he was concerned about smong as well. The reality was that we had a fundamental disagreement about the way that process should go forward in southern California. Those discussions led to public debate. It was an interesting exchange. I still did not know AL MCCANDLESS very well.

Mr. Speaker, as an aside, I might mention that while he continued to serve on the board of supervisors, AL MCCANDLESS served on that very air quality management district board, and served with great distinction; indeed, to such a level of accomplishment that upon his retirement, and his coming to Washington, they decided to name their new building where the public now holds forth on air quality issues after my colleague AL MCCANDLESS.

Years later, Mr. Speaker, following those debates in the early 1970's, AL and I found overselves serving together here in the Congress from adjacent counties. Riverside and San Bernardino County are among the most rapidly growing areas in the entire United States. There is little question, Mr. Speaker, that few people have had the privilege of representing so many in such a short period of time. Once AL decided to come to the Congress, his district continued this explosion of growth. At the time of our last redistricting, his own district involved almost 1 million people.

□ 1920

AL represented the diversity of his district and those vary large numbers extremely well.

It is no small amount of irony that in spite of huge population growth, AL has continued to focus upon the very special problems of the desert. Literally, Mr. Speaker, there is no one in the House, no one in either body, who begins to understand the desert as well as AL MCCANDLESS does. He was born in Brawley with sand in his shoes, or at least between his toes. He is a fellow who is very very sensitive to the value of open spaces and the interests of people who love and understand the desert. He is sensitive to making sure that they can continue to use it while we all work together to preserve it.

It has been said by more than a few of his friends that you can take AL MCCANDLESS out of the desert but absolutely no way you can ever take the desert and the spirit of those wonderful people out of AL MCCANDLESS.

People may not know about our good friend's amazing array of impressions that he continues to leave with us. He is a guy with a dry sense of humor who jokes all the time.

One of his more interesting impressions on the House floor, reflects that. I will never forget during the debate on the desert bill, AL giving us his own

impression of a cow foraging for food in the California desert. It caused our staff to almost die of laughter on the House floor as he munched away. Tears came to their eyes, but they know one more time it was vintage AL MCCANDLESS.

In all seriousness, Mr. Speaker, all of us who live and work in the desert and love it most owe AL MCCANDLESS an enormous debt of gratitude for his work on our behalf. AL, the citizens of my district, the people of San Bernardino and Inyo Counties thank you sincerely for the hard work you have done. It will not be forgotten by those of us who share these interests with you, my friend.

There is another side of AL—the warm and cuddly side. Her name is Gail and she is his bride who is with us up in the gallery this evening. Gail is a very, very special friend as well as a fantastic lady. She is, beyond being beautiful, a person who has had an enormous effect on our friend AL MCCANDLESS. In the old days we used to call him Old Stone Face, because you could never tell what the guy was thinking. He was always serious about issues, but you could never quite penetrate that brick wall. Gail showed us that he really does under that surface have more than just a sense of humor. Beyond doing that with AL, she also taught him a lot. Back in the days when he was kicking tires, AL MCCANDLESS was not used to work around the house. Since that, has taught him that a husband's responsibility may be much broader than just the cars or the work on the House floor. There is work to be done around the home as well.

Not so long ago, I think it was on a Saturday, Gail was out shopping. She left AL with a list of chores. Among other things, he was to wash the huge window that overlooks the area of the cathedral in their home in Washington, DC. He took a pail of water, went out on the balcony with appropriate rags and slid the door shut. Surprising to him, the door locked. This is on the sixth floor where their condo is located. It was cold outside.

So after 15 or 20 minutes, AL started to yell and he could not get anybody's attention. More and more time went by. Finally there was a retired colonel the next floor up who is hearing this ruckus. He came out, looked over the balcony and heard AL, and handed him a blanket to stay warm.

As it turned out, this guy went out to try to find the manager who was somewhere across town.

Eventually, they got AL off the balcony. But, Gail, in spite of that incident has been a great contribution to putting cracks in that stone face that I talked about.

AL is a phenomenal guy with an amazing sense of humor. He is one of the few people I know in our business who with great regularity finds that he can laugh at himself, something all of us need to remember in the more serious and contentious moments of this place.

There are any number of other items that I might mention regarding AL MCCANDLESS and I may continue at another point in this discussion.

In the meantime, Mr. Speaker, I think I should yield to some of my colleagues.

GENERAL LEAVE

Mr. LEWIS of California. As I go about doing that, Mr. Speaker, I would ask unanimous consent that all the Members have 5 legislative days in which to revise and extend their remarks and include extraneous material in the RECORD regarding this special order.

The SPEAKER pro tempore (Mr. PENNY). Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LEWIS of California. Mr. Speaker, I would like to call on my colleague, a member of the Democratic leadership from northern California, Mr. VIC FAZIO.

Mr. FAZIO. Mr. Speaker, I want to thank my colleague for yielding. I do not want to destroy his confidence, he is doing so well, but he has yet to crack the stone face of the gentleman from California [Mr. MCCANDLESS] in the back. All the efforts so far employed have not. I think we finally saw the corner of his mouth went up there for a second.

It is worth every effort to make the gentleman from California [Mr. MCCANDLESS] smile, but it is that wry, dry sense of humor that we have all come to appreciate and to enjoy. I particularly applaud the gentleman's effort to make this a Sayonara for both AL and the Gail. This is a couple who have enjoyed Washington, and we have enjoyed them.

Mr. LEWIS. I am not sure we would have done it if it were not for Gail.

Mr. FAZIO. I am not sure if we want to go that far. That might get under AL's skin. But there is no question we do want to say good-bye to both of them because they truly have been important to the California delegation and to our presence in this town. AL is someone who came here as a public servant from local government, a small businessman, and auto dealer, who enjoyed serving his community. I think he has taken the time he has put in Washington in perspective. Some of us never quite get the proper perspective, but he has had it. He understood that he was not here for a career. He had one of those. He understood he was here to make a continuing contribution to the people of Riverside County. He has done it consistently, he has done it with a great deal of grace, and I think he has done it in the classic way that has really made him an important element of our delegation. We are renowned for our differences, north and south, conservative and liberal, Democratic and Republican, coastal and mountain and desert. I think despite all of our divisions, we do occasionally get together, and when we do, it is usually people like AL MCCANDLESS who are integral to that, part of the effort to bring us together around the fact that we come from a very large, unique and diverse State.

I have enjoyed the fact that AL's contribution has been whenever possible bipartisan. We have worked together on all kinds of issues for the communities he represents. He has been good to those of us from my end of the State. We have not fought about water. We have figured out how we could make the best use of what we had. I applaud his effort, and I think it is the kind of model that our delegation needs to cite for the future. He is the kind of person, the way he has performed his job, that probably ought to be a guidance to the younger Members joining us here who sometimes think all we do is sharpen our partisan knives. I think we will miss AL for that perspective. I certainly hope that he will stay in touch with us. I really believe that the people of Riverside County could not have had better, more effective representation in the time that he has served them here. I think he is wise to take the opportunity to go back to La Quinta to enjoy not only his district but his family and the opportunity to look back on a career that really includes a tremendous amount of public service and good work done for the people who had the confidence to elect him to so many offices for such a long period of time.

I want to thank the gentleman from California [Mr. LEWIS] for letting our delegation from California get together and other Members of Congress who work with AL. I thank the gentleman for letting me be part of this effort.

□ 1930

Mr. LEWIS of California. I thank very much VIC FAZIO. I agree with you that our delegation has learned a lot by the service of AL MCCANDLESS. Many of our problems are not just purely partisan, and I think AL reflects what policymaking is all about in that connection.

Mr. Speaker, I yield to a classmate, the gentleman from Indiana, Mr. DAN BURTON.

Mr. BURTON of Indiana. Mr. Speaker, I would like to say as VIC has shaken hands with AL, that is one of the rare occasions where VIC FAZIO and I agree 100 percent, and it is kind of nice to know that on Indo-American relations he is I think the only classmate of AL's that is in attendance tonight. Just let me just say we were elected together back in 1982 and we took office in 1983 together and there were 26 of us,

and that number has dwindled dramatically. And that was one of the nicest groups of people that I ever had the pleasure to work with, and AL MCCANDLESS was one of the outstanding Members of that 1983 Congress class, and we are certainly going to miss him. and we are going to miss his lovely wife, Gail. I know she is going to keep you under wraps out there in California and try and get your arm back in shape and to get your golf game rehoned and get you back on the links.

On behalf of all of the Members of the 1983 class, we are going to miss you, AL.

Mr. LEWIS of California. Mr. Speaker, I thank the gentleman from Indiana and I very much appreciate his participation.

Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. KENNEDY], a good friend of AL's who works with him on the Committee on Banking, Finance and Urban Affairs.

Mr. KENNEDY. Mr. Speaker, I thank the gentleman very much for yielding. And let me thank JERRY LEWIS and BOB WISE and so many others for putting this together for a good friend and a fine colleague, AL MCCANDLESS. It has been a great pleasure serving with AL MCCANDLESS for the last 8 years on the Committee on Banking, Finance and Urban Affairs, including the past 2 years as both chairman and ranking member of the Consumer Credit Subcommittee.

AL and I do not see eye to eye on a lot of issues. In fact, I was trying to think of one in which I actually see eye to eye, and I was stumped. But he has a great guidepost because every time AL votes no, I know to vote yes and, every time he votes yes, I vote no. So it has been a wonderful channel marker to be able to mark our service together.

But despite the fact that we might not agree on a lot of the issues, I have always found AL MCCANDLESS to be truly one of the most honorable and decent individuals that I have ever worked with. He is a man of his word. He has a fine staff, and he has a heart of gold. He is always looking out after the interests of the people.

But I would just like to point out that AL brings a tremendous and unique quality to much of the debate on the Banking Committee by being able to cut through so much of the jargon and all of the complicated issues that we deal with and AL has the interest of cutting through the paperwork, cutting through the bureaucracy, trying to make certain that we find ways to get businesses, small businesses in particular the loans they need, and he calls upon the experience that he has had in starting his own business and making it grow into great prosperity and brings those skills to the Banking Committee.

I honestly believe that, and I say that it was with great regret that I heard that AL was going to retire, because I think that he does in fact bring a very healthy perspective to the Congress, and particularly to that committee. He does a fine job. I hope that he considers me a friend because I certainly consider him to be one, and I think that he has made a great contribution to business, but a more important contribution to his country. I wish more Americans had the same sense of obligation, of giving back something to this country that AL MCCANDLESS has.

Although I do not think we have met Mrs. McCandless, I wish you all of the best. I hope you take good care of AL and that he takes good care of you back in California. Thank you, AL, for the years together.

Mr. LEWIS of California. Mr. Speaker, while you and I are going to be working away here, he and Gail are going to be having a good time enjoying his retirement.

Mr. Speaker, I yield to the gentleman from Pennsylvania, Congressman BILL CLINGER, who works with AL on the Committee on Government Operations.

Mr. CLINGER. Mr. Speaker, I want to thank the gentleman from California and the gentleman from West Virginia, Mr. BOB WISE, for calling this special order to honor a gentleman who has made an incredible contribution to the body, and as the ranking member on the Committee on Government Operations where I have been privileged to serve with AL for all of these many years. I want to just get in the RECORD the really major contributions that he has made to the work of the Committee on Government Operations over the years.

He has been a valued and very hardworking member of the committee for 12 years, and during that time I have come to know him as a good friend and an absolutely reliable colleague, somebody when he told you what he was going to do, he did it. There was never any question of where AL stood on anything because he was absolutely reliable.

He first served as ranking member on the Government Operations old Subcommittee on Government Activities and Transportation. During his time there, he took on very effectively GSA's occasionally unwise public building conveyances and forced the General Services Administration to rethink its Federal real estate disposal process. And as the ranking member on the Subcommittee on Government Information, Justice and Agriculture, he worked with the subcommittee chairman, BOB WISE, who is the cosponsor of this special order, to examine our national drug control policies. Together they really challenged the Departments of Justice, State and Defense to fulfill their roles in protecting America's youth by curbing our children's exposure to dangerous drugs.

AL has also fought long and hard to improve coordination and reduce duplication in the Department of Agriculture's massive bureaucracy, an effort which I think is even now bearing fruit, a challenge which has since been taken up and followed and hopefully will be followed by this administration.

Finally, as the current ranking member on the Government Operations really flagship Subcommittee on Legislation and National Security, AL MCCANDLESS has been able to focus on the issues which concern him most, and those issues are the Federal budget process and our burgeoning national debt, and also to focus on our international security and the effectiveness of our national defense, and yet again this country's ongoing battle with illegal narcotics.

He has earned the respect and admiration of the committees he has served with. He has been persistent in pursuing these issues and bringing many things to light that otherwise might not have occurred.

Even though he has taken on the challenges of major national issues, he has never forgotten the oft-cited adage of Tip O'Neill's that all politics are local, and some of AL's biggest fights were on matters closest to home.

Certainly there are few of us who can easily forget the bill that would not die, the bill from hell, if you will, the California Desert Protection Act. After 4 weeks of listening to AL and JERRY LEWIS and others expounding on tortoise rights-of-way, big sheep watering holes and desert mining technologies, I for one was glad to be an Easterner and did not have to deal with that.

So even though AL is retiring he is not going to be settling down to a life of leisure. I know he and Gail, and mention has been made of Gail, and she has been a real partner in this effort. I might tell that she has been an example to my wife. On a recent occasion my wife badly sprained her ankle on a trip that we were on recently, and years ago when we were on a trip with the McCandlesses and Gail sprained her ankle rather badly, yet she carried on like the trooper that she is and attended all of the official functions, hobbling around, and when my wife sprained her ankle on this trip she said, "If Gail McCandless can do it, I can do it." And she carried through. So Gail made a great contribution. But they are going to be spending time with their grandchildren, and I think are looking forward to building a new desert home, to which I am sure they will invite all of us when it is completed. I am positive that AL's wood shop is going to be busier than ever, and I have even heard that he plans to open the world's first Jiffy Lube for golf carts on his own back patio.

But whatever he chooses to do I know both AL and Gail are going to be very much missed here, and the many contributions that they have made are

greatly appreciated by all of us. Again I thank the gentleman for yielding to me.

□ 1940

Mr. LEWIS of California. I thank the gentleman very much. It is a pleasure to call upon California's Representative from our side of the aisle on the Committee on Rules, a good friend of AL MCCANDLESS and Gail's, the gentleman from California [Mr. DREIER].

Mr. DREIER. I thank the gentleman very much.

Let me say that I appreciate the fact that my colleague, the gentleman from California [Mr. LEWIS], and the gentleman from West Virginia [Mr. WISE], have taken this time out for what is clearly an important but a difficult moment.

More than 2 years ago I had a conversation with AL's wife, Gail, about the prospect of his not running for reelection. After several rather lengthy conversations, Gail and I were both finally able to get from AL the fact that he decided then to run for reelection, and we were very gratified by his decision then.

But it was with a great deal of sadness when I did hear that AL made his decision not to seek reelection, because he has been, as VIC said, as BILL CLINGER has said, as my colleague STEVE HORN is saying in remarks that he is submitting for the RECORD, as JERRY has said, and I know others will say, a great friend, and he has brought, because of his vast experience in local government, a very important, less than partisan perspective. His work on the South Coast Air Quality Management District did, as JERRY pointed out, raise this issue to a very important level and, in fact, got AL's name on the building.

I have testified there several times and had more than a few meetings as we have been in the midst of that battle. He has, with that local government experience, been able to, on the Committee on Banking, Finance and Urban Affairs and on the Committee on Government Operations, as has been said, bring this spirit that is needed to deal with some very controversial issues, but as he has worked diligently to maintain a degree of nonpartisanship and bipartisanship, he has never, in any way, moved from the principles on which he has stood since I assume he first got elective office at the local level, and certainly since he has come to the Congress.

When I think of AL MCCANDLESS, I am often reminded of the father of conservatism, Edmond Burke, who in 1794 had a quote which is often used around here which I believe describes the way AL approached the issue of representation. Burke said:

> Your representative owes you not his industry only but his judgment as well, and he betrays, rather than serves, if he sacrifices it to your opinion.

Now, that does not mean that AL has not regularly listened to his constituents, because he has, but he has known very well that he will have to live with his conscience longer than he will be living with the hundreds of thousands of people he has represented in southern California. So as he has looked at issues, he has not simply been the weather vane that often we see around this place; he has stood for principle. He has taken input from a wide range of people, but he has not in any way moved from those basic goals that he outlined as a candidate.

The gentleman from California [Mr. LEWIS] talked about the stone face of AL MCCANDLESS, and I see a great likeness between AL MCCANDLESS and my father. My father was a Marine Corps drill instructor. As has been noted, AL was a Marine. The similarities to me are very great. AL, I am sure, is much, much younger than my father, but I should say that I often do think of AL and my father in the same light, and that is why, when I look at him, and he has provided me all kinds of sage advice; one time he told me rather than running down the hill that I should go down the hill and get all of them; I think that is the way the story went. I will not elaborate on it from there.

He has provided me with friendship, advice, and counsel over the past several years. And I hope that when he does leave the House at the end of the 103d Congress that he will still let those of us who rely on him continue to do so in the future.

I wish both Gail and AL MCCANDLESS well and look forward to many more years of friendship. We will miss them here in the Congress.

I thank the gentleman, my friend, for yielding.

Mr. LEWIS of California. I thank the gentleman very much for participating.

AL may remind you of your father, but, unfortunately, AL does not remind me of my father.

Next it is my privilege to call upon my colleague, the gentleman from New Mexico [Mr. SCHIFF]. I thank the gentleman for being with us.

Mr. SCHIFF. I thank the gentleman very much for inviting me to this special order.

It is my privilege to be here. I want to explain particularly why.

I was elected to the U.S. House of Representatives from the First District of New Mexico 6 years ago, in 1988. When I arrived here in 1989, my first committee assignment was on the Committee on Government Operations.

And, you know, we all know something about the Congress of the United States simply from high school civics, but high school civics teaches you the Congress from the philosophical point of view and from the legal point of view; in other words, two Houses of Congress and checks and balances and so forth. But every legislative body, from city council to State legislature to, especially, the Congress of the United States, has its own special history, its own special way of doing business, its own method of getting things done, and that is something they do not just teach you in any civics course. They do not teach you what committees have what jurisdiction, how do they operate with each other, and, frankly, from time to time who are the personalities, who are the senior members of those committees and how do they prefer to get business done. That you have to learn when you get here.

When I got here in 1989, we were the smallest new class, called freshman class, for many, many years. There were only 33 new Members of the House of Representatives elected in 1988, and that includes Democrats and Republicans together. That is not just Republicans; that is everybody.

So when there is that small of a brand new freshman class, to say the least, there is not a lot of attention paid to the new Members.

If ever there was a situation they wanted you to be seen and not heard, that was it. They did not altogether always want to see you, to tell you the truth.

Nevertheless, the 33 of us had to begin our learning curve. The person I went to oftentimes when I had questions about what was before us and how it was being handled was a fellow and senior member of the Committee on Government Operations, AL MCCANDLESS from California, and no matter how often I wanted to bring something up, AL would always take the time to sit down and go over it and make sure that I understood. My questions were answered.

The significance of that, of course, is that there are no special points in doing that. That is not something that you see done on C-SPAN. It is not something that aids you with your constituents back home. It is just something AL did just to be a generous and down-to-earth person.

And, of course, times do change. In the last Congress, 1992, there were 110 freshmen, and I have now moved to the back row of the Committee on Government Operations where AL and I practically sit next to each other. I have never forgotten that experience. I have never forgotten that lesson.

Now people who come in after me have the questions that I had. I remember a senior member took the time to help me out, and I try to take the time to help out those who have questions that I can answer.

I just want to say to AL, I am very grateful for the counseling and mentorship that you gave me, and I wish you and Gail a happy, I hate to use the word retirement, because I do not think you are going to retire; I wish you a happy return to the State of California.

Mr. LEWIS of California. I thank the gentleman very much for his comments. The gentleman's comments regarding AL's work on the committee very much reflect his work in the House. Indeed, AL constantly has a handle on details. Most important, he uses them to help people for whom he cares.

I would like next to call upon my cosponsor of this resolution, a great friend in the House, a Member who is not just helpful in this process, but is very helpful in reaching across the aisle in a fashion that makes the place work, the gentleman from West Virginia [Mr. WISE].

Mr. WISE. I thank the gentleman from California [Mr. LEWIS]. He is the one, of course, who did the work in putting this together. It was a pleasure, when you requested, to be able to cosign and come to the well and recognize all AL has done.

Everything said about him, of course, including the great stone face is true. I can say, as one who served with AL 4 years, I was nominally the Chair and AL was nominally the ranking Member of our Subcommittee on Government Operations, Government Information, Justice, and Agriculture, but I think we ran it as a team, and I got to know AL very, very well.

What I appreciate about AL is AL was really the only one crazy enough to go to the Upper Huallaga Valley in Peru not once but twice with me when we decided to go and see how some of our efforts to interdict drugs and to stop the growing of coca were going.

We really had not had too many, I think we took them by surprise; they had not had too many Members show up in that particular area, and so what I appreciated about AL was the first thing, I think it is the former marine, as we flew over the Andes in an old plane and then flew up into the Upper Huallaga Valley, AL noticed the condition of the equipment, which was pretty bad, and he got pretty upset about that, and when he returned to the United States, AL personally made it his personal mission to get the equipment upgraded, including the helicopters, the communications equipment, and some of the other stuff which was pretty shabby, and not only with the Peruvians' military using it and the Peruvian police but our own drug enforcement agents as well as other United States employees.

□ 1950

And so AL succeeded.

When we went back a year later, that equipment was significantly updated. I think a lot of the tribute goes to AL MCCANDLESS. AL and I were an incredible team.

We went into Bolivia on one of our missions and the DEA and the Bolivian army had saved up all the coca paste that they had been able to get in their raids for, I think, at least several weeks. It was pretty impressive. They packed it together, they called all the world's press together. They were going to give AL and me the opportunity to set this ablaze, to show what coordination could do.

Well, we coordinated very well. I forget whether we had one torch or two. The torch was soaked in gasoline and other flammable fuel, as was the interdicted contraband. The only thing we managed to set ablaze was ourselves.

The entire footage for CNN and the Bolivian national television is AL and I trying to run out of this ring of flame that we had set all around ourselves. They actually had soldiers come in to get the rest of it going. That was the kind of teamwork AL and I put together.

We made two trips. That was something else that impressed me so much about AL. Just for the record, because it is so important that the record shows that some people think these were junkets, we flew 12 hours in the hold of a C–130. The only person I could talk into going again was AL MCCANDLESS, knowing the conditions and all. But AL went. We landed, we went to Peru twice that way and flew back twice that way.

I like to say—and I hope Gail understands—that AL and I used to dine by candlelight because in Lima the Shining Path guerillas had a custom, a routine. They always blew the electric pylons up early in the morning, usually about 5:30 or 6:00, and again in the evening. Just like clockwork you could count on losing electric power.

I remember several breakfasts and dinners that AL and I had by candlelight as a tribute to the Shining Path guerillas' effectiveness.

There are a couple of things that I do want to call specific attention to concerning AL. I think he knows this, but if not, I really want him to. What impressed me about AL was he called it straight about everybody. We one time had a situation with one of the Government agencies, under the previous administration, under the Republican administration. We thought we had caught them doing less than they should. I forgot the details of it. I do remember that there were some glaring errors.

So rather than—we thought it would be best, AL and I agreed that it would be best to invite the administrator of that particular division in to talk with them and see what could be worked out. To be honest with you, I thought, well, this would be kind of a dicey thing, I wonder if some punches would get pulled on the minority side.

When the guy walked out, he asked who was the Democrat and who was the Republican, because it was AL MCCANDLESS who had held him to account in tougher language than I had been using. What I said was there is something wrong here. AL made sure it was addressed.

That is what gained AL, I know on our side of the aisle, the affection, the true affection and loyalty of the staff and Members alike. I saw that repeated time after time, whether it was trips to Peru, in hearings or in questions asked, whether it was in dealing with administration officials.

Finally, in closing, I would say I do not know anyone who worked harder to make things right, no matter where the chips fell.

I can remember another situation, a tragedy in AL's district, where a death was caused by a high-speed chase of some Federal officials. AL pulled no punches, he wanted to get to the bottom of it. More importantly, he wanted to make sure that kind of thing did not happen again.

I consider the 4 years that I had working with AL some of the highlights of my time in the House. I will miss the opportunity very, very much to work with him.

I wish AL and Gail the very best. I just want to say to the gentleman from California [Mr. LEWIS] that I thank him for this opportunity so that I have an opportunity on the record to thank AL for all that he did.

Mr. LEWIS of California. I thank the gentleman from West Virginia, and we appreciate his participation this evening.

There are other notable items about AL that have not been mentioned. Just recently, for example, he was received and honored by the commandant of the Marine Corps here in Washington, DC for his service in the U.S. Marine Corps.

When AL first arrived here, he was a part of the largest class that had come in for a long, long time. AL expected there would be all kinds of red carpet rolled out, as all of us do, of course. Well, suddenly he found himself with no space available whatsoever for an incoming Member. So AL set up shop in the Longworth cafeteria near the pay phone where he could have ready access to the telephone.

He told me and others shortly thereafter that maybe he had gotten off the wrong plane at the wrong airport rather than the Nation's capital.

Mr. Speaker, it is now my privilege to call upon a fellow who shows that AL does not just reach across generations, he reaches the whole panoply of this House. As the president of the freshman class of the 103d Congress, it is my privilege to call upon BUCK MCKEON.

Mr. MCKEON. I thank the gentleman from California for taking this special order.

I want to commend him for putting this on and honoring our colleague, AL MCCANDLESS. I think it shows again the gentleman's leadership and ability to think of others.

I think we spend a lot of time here beating up on each other, and it is nice to spend some time honoring our colleagues for some of the things that they have done well.

I come from a similar background. I was not a Marine—and I just learned that about AL, just learned about that tonight, that he was a Marine. I should have known, just from his demeanor and the way he is. I think he would just be picked out as a Marine.

So it fits.

But I think we both come from business backgrounds. One of the concerns I had when I entered this arena and ran for office was what kind of people I would be associating with back here. I had met some politicians while serving on city council, and I was not overly impressed.

And I think that back here, the Members of the House that I associate with are really high-quality individuals and I would put AL right up at the top. The things that stand out in my mind about him are his plain-spokenness, his no-nonsense attitude, and yet he has a real wry, keen sense of humor. I have had a chance to work with him on a number of things.

I know he approached me at one time with a friend who needed some help. He came and approached me. The friend lived in my district, so it was something that I could try to help on. I was really happy to be able to do that.

I know that AL was not content to let it go until it was done. I think it is good to be one of his friends because I know he goes out of his way to help people that need help.

I just think that it was good to do this.

I want to commend those who have taken their time to come down here and talk about AL. We will miss AL.

AL has been here 12 years, and that is the term limits that I am supporting. I think he imposed this term limit on himself. If I am able to win a few elections, that is all I would want to be here, about 8 or 10, maybe.

It was interesting to me to look through and see some of the things that he has done. I remember we went and helped KEN CALVERT do a fundraiser in his district last year in the Mission Inn in the city of Riverside. After that event, the owner of that hotel took us on a tour. I could not believe that building.

The heritage there. I see that without his efforts that building would have been lost. I think all of these other—there are pages here of things he has accomplished. But that one alone I think would be worth a career because that building has a heritage that the people in Riverside and others from around the world—President Nixon was married there—I think the tremendous historical significance of that building, if it had been lost, would be something that would be a real loss, I think, to mankind. And that, and all of the other things that have been mentioned tonight, I would just like to add my voice to, to those who have thanked you for your service to your community and to your country, and I consider it a real pleasure to be numbered, I hope, as a friend of AL MCCANDLESS.

□ 2000

Mr. LEWIS of California. Certainly not the least in this process is one of our colleagues who worked so hard on our effort to make sure that the House understood the problems of the California desert. I speak of my friend, the gentleman from San Diego, CA, Mr. HUNTER.

I say to the gentleman, "DUNCAN, welcome."

Mr. HUNTER. Mr. Speaker, I thank the gentleman from California, and thank all my colleagues, and I thank AL MCCANDLESS for making this night possible.

Incidentally, Mr. Speaker, I understood initially that the reason AL worked so hard to save the Mission Inn was because he owned it, but I know that is not true. It could not possibly be true.

As my colleagues know, the gentleman from California [Mr. LEWIS] has the honor of representing the area to the west and somewhat, or the east and somewhat, north of AL's district, and I have the privilege of representing an area to the south of AL's district, that desert area to the south and, as my colleagues know, when you talked about AL initially as being a man of the desert, I say, "JERRY, I had to think of the great lifestyle that we developed in southern California and the enormous prosperity because of a lot of people like AL MCCANDLESS. They were people who rolled up their sleeves and went to work in that southern California area that we have built up, and they did it with appreciation for everything that God gave us here, the great weather, the great topography, in AL's district. You can go literally from the desert floor just above sea level. You can take a tram and go up to 7,000, 8,000 feet in the San Jacinto Mountains."

We have an area that has an enormous diversity, and the people who built that area were people that had good common sense, had AL MCCANDLESS good common sense, and they realized that we had to take care of all of our natural life and species. But they also realized, like AL does, that you have take care of that other species; that is people, and you have to try to accommodate their needs in the way that young folks are going to be able to build houses, and have a good lifestyle, send their kids to school, and pay mortgages, and all those kinds of things and, because of that, I thought it was an interesting partnership that we formed, the five so-called desert Congressmen, the people that the L.A. Times called the diehards.

When the desert bill came up, and I can recall that; in fact, this is really a nice editorial, calls us the diehards, and it said, Mr. Speaker, would we please pack it in, meaning would we stop this fight against the so-called desert bill, what I call the desert lockout bill because this bill did something that AL MCCANDLESS has never liked, and that is locking up 7,000,000 acres of California land, public land, that heretofore had been used by working people in California, whether they were off-road families who went under that same Palos Verdes tree every year for the last 30 years, and we had constituents like that, or miners who went out, and mined a little claim, and had that as kind of their life's occupation——

Mr. LEWIS of California. Or whether they want swimming in those guzzlers——

Mr. HUNTER. That's right, went to those, or the Desert Unlimited, the Wildlife Unlimited, the people that AL loves so much, the sportsmen who go out there and dig those waterholes for what the gentleman from Pennsylvania [Mr. CLINGER], an easterner, erroneously referred to as big sheep. I say to my colleague, "No BILL, we don't build those for big sheep. It's bighorn sheep. The size has nothing to do with it."

But because a lot of other people had the same idea of conservation that AL does; that is, that when you use the desert, you take care of it, private people went out there and built those waterholes to bring back the wildlife species, and did so successfully, and yet they were in danger in this so-called desert plan for being locked out so that we could not maintain those waterholes.

So, the same fuzzy-headed environmentalists thought they were helping wildlife. In fact they were not helping wildlife. But commonsense people like AL MCCANDLESS knew we had to keep some vehicular access to that desert. Because of that he cosponsored the amendment with you, and I, and the gentleman from California [Mr. MCKEON], and others that allowed the wildlife groups and our fish and game department to come into the desert, maintain the watering holes.

He sponsored the amendment that allowed our law enforcement agents, like Border Patrol, to be able to come into the desert with vehicles because Lord knows those new desert areas abut the Mexican-American international line, and of course the smugglers are not going to read the fine print in the desert bill. They are going to be going through with four-wheel drives, and those wilderness areas will become havens for drug smugglers and smugglers of illegal aliens. Well, AL MCCANDLESS realized that, so he cosponsored the amendment that successfully passed

the House, I might add, that at least allowed our law enforcement officers to use vehicles in that area. AL MCCANDLESS fought a great battle.

Mr. Speaker, I mean this was like I just got finished reading Jeb Stuart in the defense of Richmond. As the Confederate Army was forced further and further south, we fought a great battle along with you, and the gentleman from California [Mr. THOMAS], another guy with a great sense of humor, and the gentleman from California [Mr. MCKEON].

I really like these pictures of us in this L.A. Times editorial. I think this is the only picture I have ever seen of AL MCCANDLESS smiling, so it is quite a picture. Actually we are all smiling because we are all diehards.

So, I want to say, "You know, we're accused of a lot of things in this body. We're accused sometimes of gridlock. Congressmen aren't supposed to be for gridlock. You're supposed to pass tons of bills, and incidentally I saw the new regulations on small business that was passed this year, and, if you stacked them one on top of one another, they would reach over the head of any small businessman in America. Those are new regulations on small business that were created by language that came out of this Congress."

So, Mr. Speaker, some people that measure what Congress has done for the country by volume, I say, "You don't want diehards. You want people who will just pass stuff voluminously so the American people will never be able to read all the laws they're supposed to comply with."

But, as my colleagues know, sometimes it is important to have diehards, and because of a guy, because of AL MCCANDLESS and his hard work, maybe those Americans, millions of Americans that use the California desert, will not be locked out. At least maybe they will not be locked out this year. Maybe they will be able to utilize those 7,000,000 acres, and the small miners and the off-road folks who go to the same place to camp every year, and the hunters, and all the people who know that those people who built California did it with the sense of balance, and we lost that sense of balance with that particular bill.

So I just want to say sometimes it is good to be a diehard, and a number of us, realizing that being a diehard is important sometimes when you are a diehard for good strong values and conservatism have gotten just a little token of our esteem for AL's battle to save the desert for people, and we have that in this box here. A lot of people say, "What's in the box, HUNTER?" Well——

Mr. LEWIS of California. It's a bighorn sheep.

Mr. HUNTER. Well, AL this is your Die Hard battery, and incidentally the gentleman from California [Mr. THOMAS] has put on the top—you see the orange part that says "plus"? That is the positive side, AL.

It says, "AL, always be," and there is a little arrow toward the positive.

It is signed "BILL THOMAS," but it is signed by all the desert diehards, and we want to thank the gentleman, our fellow diehard, AL MCCANDLESS, for his steadfast, tenacious resistance and opposition to the California desert lockout bill, and can my compadres, the gentleman from California [Mr. MCKEON], the gentleman from California [Mr. LEWIS] come up here and help me present this?

This is real heavy, and AL, can you come up here, and, AL, catch.

Let us all hand this to AL.

Mr. LEWIS of California. Here you go, AL.

Mr. MCCANDLESS. I say to my colleagues, "Thank you."

Mr. LEWIS of California. It is filled with gold.

Mr. MCCANDLESS. Is this charged?

Mr. LEWIS of California. It is charged; be careful.

As my colleagues know, ofttimes in our desert country we hear people say, "Why don't we get more people with common sense in government?

Our problem is that it is awfully hard to attract people of diverse backgrounds who reflect the common sense of this country.

□ 2010

Some people suggest maybe we have too many lawyers or we have too many people that come directly out of college and all they want to do is run for public office and run government. It is much more difficult to find people who have everyday, practical experience, and success, working in America's private economy. AL MCCANDLESS is a reflection of that. I said he used to pound tires and was a car dealer. He was a very successful small businessman in the desert country in California. It is very important for all of us to recognize that it was that common sense that made him so successful here as a Member of the House.

I know when he had that responsibility in his dealership, he developed some traits that he has used with his own staff that involved how he would screen people. I hear that in the old days, when he was looking to determine the special qualifications of people who were applying for work, he did a variety of things. Among them, he asked a potential employee, "if you were a car, what kind of a car would you be?"

The answers obviously were always very thoughtful and revealing, and sometimes even made the difference between two closely qualified candidates. Did his technique work, you may ask? Apparently it did. Because AL traditionally had an office with very, very little staff turnover, even in those days. Occasionally some cranking and starting problems, but very little turnover.

In connection with that, sharing this evening with us is a reflection of the best of AL'S success, for in the gallery this evening, starting to my left looking up there, is Monty Tripp. If you would stand, Monty. Behind Monty is Don Wolfsenberger.

The SPEAKER pro tempore (Mr. PENNY). I would caution the gentleman about references to the gallery.

Mr. LEWIS of California. I will put these names in the RECORD. I will not mention Don's wife next. On the other hand, we did mention Gail. The rest of you folks, you know we love you, and you will be in the RECORD anyway.

In all my years in public affairs and public life, one of the constant challenges was to find people like AL who reflect the best of our country.

AL MCCANDLESS is among the most outstanding of all the individuals I have even dealt with in public affairs. I am reminded of a great building in Sacramento, where it was my privilege to serve for some years. And on the face of the building it says, "Bring us men to match our mountains." If there was meaning to that statement, it is reflected in the fact that we have been able to attract the likes of AL MCCANDLESS to public affairs. AL MCCANDLESS is a guy who I consider to be more than a friend, a person who has made a great difference for all of us in the best of nonpartisan sense in the House. He is a wonderful individual who has made a difference because he chose to make a difference.

AL, you know that Arlene and I love not only you and your wife, but all that you represent. We will miss you. We do not intend to let you get very far away.

One promise we will make is that one of these days we are going to visit that special spot on that island that you talk about a lot. But, most importantly, as you enjoy scenes like that together, I hope that you will remember all of us, your friends here, and those of us who love public affairs as you do.

Let me yield to AL MCCANDLESS.

Mr. MCCANDLESS. Has the hour expired yet, Mr. Speaker? Two minutes?

Boy, it has been a long hour.

Mr. LEWIS of California. Maybe 30 seconds.

Mr. MCCANDLESS. You want 30 seconds?

Mr. LEWIS of California. I would be happy to yield to my colleague.

Mr. MCCANDLESS. This is quite a surprise, or at least it was until I walked in just prior to the last vote this evening, and I began to get, "Oh, AL, I can't make it, but I am going to enter this into the RECORD," and I made a few inquiries and found out that my colleague, the gentleman from California [Mr. LEWIS], had kind of

loaded the dice, so-to-speak, for a special order this evening.

The gentleman from Minnesota [Mr. PENNY], the Speaker pro tempore, is retiring also. We have taken a plane back and forth together from Minneapolis on a number of occasions, and I hope they do not do this to you.

On a serious note though, I would say to the gentleman from West Virginia [Mr. WISE] thank you very much. The Huaga Valley, the Chapare, the snakes and so forth. It was an experience, but it had a purpose. We were not joyriding, obviously.

To my other colleagues, I appreciate the time that you have taken to share with me your thoughts, all of which have been positive this evening. I could assure you, some of you, back in 1990, when I was running against "Pa" Walton. But we made that by 5 points.

I guess one of the highlights of my political career was the election process that got me here, to the gentleman from California [Mr. LEWIS] and the gentleman from California [Mr. HUNTER] and the rest who are still here. I was looking for a campaign finance chairman, and this kind of thing is somewhat difficult to come by. The sum total of which was I had a breakfast and we had a lot of my friends and business people there, and one person by the name of Gail Glass. And so these fellows all looked at me when I said "I need a finance chairman," and they looked at Gail, and she mistakenly, or unmistakenly, or however she wished to interpret it, agreed to be the finance chairman of the McCandless campaign. We had 10 Republicans and 9 Democrats in the primary, and, obviously, I was successful. But she had a great deal to play in that, and collected quite a bit of money, and did an awful lot of work.

Now that we are through with the November election, and we are about to be gaveled down here, I would conclude by saying I liked this campaign finance chairman so much, that I asked her to marry me, and she, after a great deal of thought, agreed. And then we came to Washington and we got married in the Chapel here, I might add, by Rev. Chaplain Ford.

That began a wonderful career, a wonderful relationship with some outstanding people here in Washington, my colleagues in the House, even the gentleman from California [Mr. LEWIS] who used to be a life insurance salesman, and he calls me a reformed used car dealer who became a politician.

And these people are genuine in that they came here to serve, they came here to try to do a job, as I have attempted to do, and serve their country. We cannot take away from the importance of the House of Representatives, this body in which we serve, and what it does for not only the Nation, but the world.

I cannot overemphasize that. The words gridlock, you name it, have been on many occasions, attributed to us. These are honest differences of opinion in the way to proceed down a given path.

When we talk about going down a given path, you really cannot do an awful lot, as I learned in the Marine Corps as a platoon sergeant and then a platoon leader, without a lot of help from a lot of people. I must say in all candidness, I have had probably, if not the finest, one of the finest staffs here in our good District of Columbia, as well as the State of California.

Mr. LEWIS of California. If the gentleman would yield, by chance was Darlene Jones one of those people who helped you?

Mr. MCCANDLESS. The name is very familiar. Yes, she is.

Mr. LEWIS of California. By chance, is Signy Ellerton Cale one of those people?

Mr. MCCANDLESS. I vaguely remember this young lady 12 years ago when I hired her, yes.

Mr. LEWIS of California. You have heard of Jayne Gillenwaters?

Mr. MCCANDLESS. Jayne Gillenwaters? Everybody has heard of Jayne Gillenwaters, yes.

Mr. LEWIS of California. How about Pat Rinaldi?

Mr. MCCANDLESS. Pat Rinaldi, no one ever forgets.

Mr. LEWIS of California. Ready. How about Mike Riith?

Mr. MCCANDLESS. Mike Riith? Mike is pretty good people, yes.

□ 2020

Travels a long way to work but nice person.

Mr. LEWIS of California. How about Dave Schroeder?

Mr. MCCANDLESS. Good hometown boy from Palm Springs.

Let me conclude by saying this: This has been a frustrating 12 years; it has been a rewarding 12 years.

The frustration and the reward are far outweighed by the fact that I have been honored, and I mean that sincerely, have been honored by my colleagues here this evening. I have been honored by the constituency of 44th district and the previous district to that and in serving this House as their Representative.

I want to thank all of my colleagues for the effort that they have devoted this evening, particularly those on the other side of the aisle, not that they are any different than we are. They put their trousers on one leg at a time. But particularly Mr. WISE and Mr. FAZIO and Mr. KENNEDY. And I thank you, Mr. LEWIS, and thank all of my colleagues.

The SPEAKER pro tempore (Mr. PENNY). If the Chair may use the Speaker's prerogative to add as well my best wishes to the gentleman from California.

Mr. HORN. Mr. Speaker, I have had the pleasure of serving with AL MCCANDLESS on the Committee on Government Operations as well as being a colleague in the California delegation.

There is an old saying about legislators: "There are workhorses and there are showhorses." AL is a workhorse that has his showy moments. I have sat with him in committee and watched him patiently tolerate some of the nonsense by both questioners and witnesses. When his turn comes, he quietly asks a series of questions that brings the hearing back to its focus and clarifies the record so a legislative judgment can properly be made. He always shows that he has done his homework with great care. He gets to the core of the problem.

His colleagues and I hold AL in great affection because he is a gentleman and he is civil. He has conducted himself in the highest traditions of the House of Representatives.

Few Members have come to this Chamber with such a record of public service. A Marine who fought in the Second World War and the Korean War, a successful businessman, AL served his community in many ways including appointed and elected public service. A member of the Riverside County Board of Supervisors, he was elected its chairman; a founding member of the South Coast Air Quality Management District in 1975, he was elected its chairman at the beginning and served in that role for 7 years. In brief, if you wanted to accomplish something, you elected AL MCCANDLESS chairman and the job would get done.

That experience and his way of doing the business of the people will be sorely missed. Good wishes always. You are a true role model for those of us less senior.

Mr. ZELIFF. Mr. Speaker, I rise this evening to pay special tribute to my friend and colleague, AL MCCANDLESS. AL will be leaving the House of Representatives after 12 years of dedicated public service in this institution.

In fact, public service pretty well sums up AL's life. Prior to coming to Congress, AL served for 12 years as the elected supervisor in Riverside County's 4th District. During that time, he served as chairman of the Board of Supervisors. He was also a founding member and chairman of the South Coast Air Quality Management District, chairman of the Riverside County Housing Authority, a founding member of the Sunline Transit Agency, and a member of numerous civic associations.

AL is a former Marine who served his country in the Pacific and in Korea. Following his military service, AL went to work building a business, McCandless Motors, a GM auto, truck, and bus dealership.

I had the pleasure of traveling with AL to Mexico last year as part of a fact-finding delegation to explore the issues related to the debate over NAFTA. At that fine, we were two lonely voices in a delegation that was blind to the virtues of free trade. But AL and I knew better, and we saw first hand great opportunity for this country through an expanded trade relationship with Mexico.

Congress is often judged by the misdeeds of a few, but seldom by the virtues of outstanding public servants who truly make a difference. AL MCCANDLESS is such a man. This institution has been a better place because of AL's service, and he will be missed.

I want to close by offering my heartfelt thanks to AL for the guidance and help he gave to me as a new Member of Congress. I wish him and his wife Gail, and their family, my very best wishes for the future.

Mr. THOMAS of California. Mr. Speaker, a native Californian, which is about as rare as a native Washingtonian, AL MCCANDLESS has served the people of Riverside County for over a quarter of a century—first as a Riverside county supervisor, then as a Member of the House. Before that AL served his country in not one but two wars, in the Pacific during World War II and then again in Korea. In all these years of public service, AL MCCANDLESS has left an impeccable and distinguished record.

AL's career in the House is marked by a steady and understated dedication to service. While never flashy, he was most importantly always ready to fight the good fight. And fight AL did. Before AL came to Congress, he had already been battling for 12 years to bring balance to protection of the California desert. So when he arrived in 1982, desert dwellers gained a knowledgeable and dedicated proponent of fair desert legislation.

Throughout his career AL showed wise judgment in how taxpayers' money should be spent. He was also one of the first Republican Members of Congress to raise a red flag regarding the savings and loan crisis. In fact, he joined the Banking Committee just because he was so alarmed at the state of affairs in that industry. Recent achievements include working for reform of the National Flood Insurance Program and prohibiting high cost, home equity funding.

And, AL MCCANDLESS is a nice man. While he goes about his job in a no nonsense way, he also takes the time to know and talk with all those around him—the policemen, doorkeepers, cloakroom staff, subway and elevator operators as well as staff. He knew them by name and took the time to chat and share a joke.

Besides the obvious of being Republicans from California, AL and I have another commonality—cars. While I truly enjoy my cars, my level of fascination doesn't go quite as far as AL's. I don't name my cars the way AL does—but then I don't know anyone who names their cars the way AL does, or refers to them in such loving terms. For which, I pass on a special salute to his wife Gail—a truly understanding woman.

I will miss AL. His dedication to the institution will be hard to replace. He came here with honor and leaves here with honor. On his retirement I wish he and Gail well.

Mr. PACKARD. Mr. Speaker, I rise to pay a farewell tribute to my colleague and good friend, Mr. AL MCCANDLESS. I have had the distinct pleasure of being both a classmate and personal friend of Mr. MCCANDLESS.

We both came together as freshmen 12 years ago as members of the class of 1982 and have served together since. Mr. MCCANDLESS and I have worked together hand-in-hand over the years to serve the people of California. Our comraderie is reflected in our adjacent districts as well as in our political views. Mr. MCCANDLESS and I have supported and encouraged one another over the years on various issues. Politically and personally, Mr. MCCANDLESS and I hail from essentially the same mold.

Over the years my wife Jean and I have become close friends with Mr. MCCANDLESS and his wife Gail. We wish them the best in their future endeavors. While I look forward to working closely with his successor, as a colleague and friend Mr. MCCANDLESS will be sorely missed in the Capitol region.

Mrs. MORELLA. Mr. Speaker, it is a pleasure to join in the tribute to our colleague, AL MCCANDLESS, who is retiring after a long and distinguished career in public service, the last 12 years of which have been as a Member of this House.

Since he was elected in 1982 to represent the Riverside County area of California, Congressman MCCANDLESS has made his mark as a fervent defender of free enterprise and as a champion of the Social Security system.

Most recently, he has played key roles on the Banking, Finance and Urban Affairs, and Government Operations Committees. He has been vice chairman of the Consumer Credit and Insurance Subcommittee on the Banking Committee, and vice chairman of Government Operations' Subcommittee on Government Information, Justice and Agriculture.

AL MCCANDLESS has had the distinction of representing the fastest growing congressional district in the country. In the 1980s, he represented the burgeoning 37th District, but, in 1990, he had 500,000 constituents shifted to another district. He now represents the 44th, which reaches from Moreno Valley eastward to Blythe, on the Colorado River.

Before becoming a Member of Congress, AL served as supervisor in Riverside County's Fourth District for 12 years, 4 of them as chairman of the Board of Supervisors. He has held a variety of other positions in public life as well.

A former Marine, he served in the Pacific Theater in 1945–46 and in Korea from 1950 to 1952.

For nearly a quarter-century, he operated an auto dealership in Indio, selling the business in 1975.

As AL concludes his notable career in Washington, I want to join with my colleagues in thanking him for his great service, and in wishing him and his family well for the future. May he enjoy his new post-Congress adventure.

Mr. QUILLEN. Mr. Speaker, I rise at this time to bid a fond farewell to my good friend and colleague, AL MCCANDLESS, who is retiring from the Congress to return to California at the end of this session. I have known AL ever since he left La Quinta to come to Congress in 1982. Even though I am from the mountains and he is from the desert, we hit it off quite well. He has always been the kind of business-oriented, real-world conservative that we need more of in the House. Whenever we feel pressured to respond to a problem with a quick legislative fix, AL is one to stand up and make his colleagues see what unforeseen problems the legislation could cause.

AL loves to talk about the beauty of the southern California desert that comprises most of his district. AL has fought ceaselessly to stop a bill that would turn this land into a national park and deny much of its use to those who now enjoy it. When AL believes that something is not right, he pulls out all the stops to oppose it, as everyone who made it through the California desert debate can attest.

Courage, tenacity, and common sense have been hallmarks of AL MCCANDLESS' service to his country over the last 40 years. In the Marines Corps, in local government in Riverside County, and here in the House of Representatives, AL has given much to the people of his State and his country. It is fitting that we take time tonight to salute him and to wish both he and Gail a happy and fulfilling retirement. I hope that they keep in touch, and while I will sorely miss AL, I will try to keep my continued service in the House up to the standard that he has set.

Mr. MOORHEAD. Mr. Speaker, for many years now, AL MCCANDLESS has been a respected and effective Member of the House of Representatives and the California congressional delegation.

Since he arrived here in January 1983, he has done an outstanding job of representing the interests of the residents of his congressional district. He has never sacrificed the common good for short-term, self-interest. He is a man of honor and wit, traditional values, and sound politics. He is and will always be a very good friend to many of us who continue to serve in the House.

Mr. Speaker, I sincerely wish AL MCCANDLESS the very best as he departs the Congress and seek new goals and activities.

Mr. KNOLLENBERG. Mr. Speaker, it is with mixed emotions that I rise this evening to recognize our colleague from California, the Honorable ALFRED A. MCCANDLESS.

He will be leaving us at the end of this term, returning to the beautiful California desert with his wife Gail. AL and I served together, not only as Members of this esteemed body, but much more closely as members of the House Banking Committee.

Over the past 2 years, AL has become a good friend and mentor on Capitol Hill. As a freshman, he took me under his wing, and helped foster my growth as a true citizen legislator.

On the committee, he recognized our abilities—our true strengths and weaknesses. But more importantly to me, he allowed me the opportunity to use my expertise for the benefit of this Congress, regardless of my seniority.

And thanks to his tutoring and kind words, I was not only able to author and coauthor several amendments, but also gain in confidence in my abilities.

So with that Mr. Speaker, I extend a heartfelt thank you to my friend and colleague AL MCCANDLESS, and wish him well in all his future endeavors.

Mr. LEWIS of California. Mr. Speaker, as you know, the House paid tribute several days ago to our good friend and colleague, AL MCCANDLESS, who is returning to the California desert upon the adjournment of the 103d Congress. At this time, I would like to also recognize the many fine men and women have served on his staff in Washington and in California. They, too, deserve recognition for the outstanding work for our colleague, Mr. MCCANDLESS.

AL MCCANDLESS' staff includes: Signy Ellerton-Cale, Chief of Staff and Administrative

Assistant; Jayne Gillenwaters, Executive Assistant; Patricia Rinaldi, Appointments Scheduler and Director of Constituent Relations; David Schroeder, Legislative Director; Barbara Beyer, Research Assistant; Michael Riith, Legislative Assistant; M.Darlene Jones, Congressional Systems Manager; Monty Tripp, Counsel, Subcommittee on Legislation and National Security, Government Operations Committee; Stephan Vincze, Counsel, Subcommittee on Legislation and National Security, Government Operations Committee; Sean Cassidy, Counsel, Subcommittee on Consumer Credit and Insurance, Banking Committee; Patricia Cross, 44th Congressional District Director; Anita Carey, Senior Staff Assistant, Palm Desert Office; Kimberly Estock, 44th Congressional District Scheduler; D. Jann Foley, Field Representative and Office Administrator, Moreno Valley Office; Carol Park, Senior Staff Assistant, Moreno Valley office; Nancy Rios, Staff Assistant, Moreno Valley office.

Mr. DREIER. Mr. Speaker, I have had the distinct honor of serving 13 years in Congress with the distinguished gentleman, Congressman AL MCCANDLESS. Throughout his years in the U.S. House of Representatives, he served tirelessly and with dedication for the betterment of our society.

In his tenure with the House, Congressman MCCANDLESS was a consistent fiscal conservative who never buckled under pressure. He voted against the Tax Reform Act of 1986, even after being lobbied personally by President Reagan. Although he had opposition in his home district by the media and AARP, he voted against the catastrophic health care bill because it did not include long-term care.

AL was one of the first Members of Congress to raise a red flag regarding an impending Savings and Loan crisis. He introduced legislation that specifically addressed the lack of oversight of S&L's and spent many hours in committee meetings covering every aspect of the various proposals to help save victims of the S&L crisis. Although he was unable to get action from the committee chairman, he continued to be an outspoken critic of the way Congress handled the S&L crisis.

Several of AL's many successes include developing projects in his district aimed at protecting and enhancing the lives of his constituents. A major concern in his desert district, AL helped to fund major flood-control construction projects such as the Lake Elsinore stabilization project, the Eastern Municipal Water District's futuristic water reclamation project, and a host of others. AL also fought for and got Federal highway funds for a new interstate interchange. The March Air Force Base was saved from being completely shut down by the Base Closure Commission and instead remains open today as a reserve base. He was also instrumental in having 200,000 acres in the Santa Rosa and San Jacinto Mountains designated as a National Scenic Area.

Congressman AL MCCANDLESS' character can be measured in more ways than one: His tireless attention to detail, maintaining a voting record above the 90th percentile for his congressional career, never bouncing a check, and donating his pay increase after taxes to several charities in his district.

I know that I am joined by my colleagues in saying that Congressman AL MCCANDLESS has served this body with dedication, virtue, and dignity. His leadership and commitment to his constituents and this Congress will be remembered fondly.

CONFERENCE REPORT ON H.R. 4556

Mr. CARR submitted the following conference report and statement on the bill (H.R. 4556) making appropriations for the Department of Transportation and related agencies, for the fiscal year ending September 30, 1995, and for other purposes:

CONFERENCE REPORT (H. REPT. 103-752)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4556) "making appropriations for the Department of Transportation and related agencies, 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 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 20, 41, 49, 64, 65, 69, 70, 79, 85, 96, 97, 98, 99, 109, 113, 128, 130, 132, 134, 135, 144, 145, 147, 155, 156, 158, 181, and 182.

That the House recede from its disagreement to the amendments of the Senate numbered 18, 19, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 34, 37, 42, 44, 45, 46, 50, 53, 54, 56, 60, 63, 66, 68, 73, 76, 80, 81, 82, 86, 87, 90, 91, 92, 94, 127, 131, 146, 149, 150, 152, 153, 166, 167, 168, 171, and 174, 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:

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

SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary, $58,094,000, of which $3,962,000 shall remain available until expended; and of which not to exceed $40,000 shall be available as the Secretary may determine for allocation within the Department for official reception and representation expenses: Provided, That in addition to this amount and notwithstanding any other provision of law, of the funds provided in this or any other Act for the Department of Transportation, the Secretary may transfer not to exceed $5,376,000 from accounts otherwise available for carrying out civil rights functions within the Department of Transportation to this account for carrying out internal civil rights functions through a consolidated departmental Office of Civil Rights within the Office of the Secretary: Provided further, That in addition, for transfer of civil rights and legal support activities related to the Federal Highway Administration, $809,000 to be derived from "Federal-aid Highways" subject to the "Limitation on General Operating Expenses": Provided further, That notwithstanding any other provision of law, funds available for the purposes of the Minority Business Resource Center in this Act may be used for business opportunities related to any mode of transportation.

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:

In lieu of the sum proposed in said amendment insert: *$93,000,000*; and the Senate agree to the same.

Amendment numbered 33:

That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$2,598,000,000*; and the Senate agree to the same.

Amendment numbered 35:

That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$362,950,000*; and the Senate agree to the same.

Amendment numbered 36:

That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$187,900,000*; and the Senate agree to the same.

Amendment numbered 38:

That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$29,700,000*; and the Senate agree to the same.

Amendment numbered 39:

That the House recede from its disagreement to the amendment of the Senate numbered 39, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$89,350,000*; and the Senate agree to the same.

Amendment numbered 40:

That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$44,200,000*; and the Senate agree to the same.

Amendment numbered 43:

That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$23,500,000*; and the Senate agree to the same.

Amendment numbered 47:

That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$4,595,394,000*; and the Senate agree to the same.

Amendment numbered 48:

That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment, amended to read as follows: *Provided further, That, of the funds available under this head, $17,500,000 is available only for permanent change of station moves for members of the air traffic workforce*; and the Senate agree to the same.

Amendment numbered 51:

That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$2,087,489,000*; and the Senate agree to the same.

Amendment numbered 52:

That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$1,878,989,000*; and the Senate agree to the same.

Amendment numbered 55:

That the House recede from its disagreement to the amendment of the Senate numbered 55, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$259,192,000* ; and the Senate agree to the same.

Amendment numbered 57:

That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment, as follows:

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

AIRCRAFT PURCHASE LOAN GUARANTEE PROGRAM

None of the funds in this Act shall be available for activities under this head the obligations for which are in excess of $9,970,000 during fiscal year 1995.

And the Senate agree to the same.

Amendment numbered 58:

That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment, as follows;

In lieu of the sum proposed in said amendment insert: *$525,341,000*; and the Senate agree to the same.

Amendment numbered 59:

That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$218,158,000*; and the Senate agree to the same.

Amendment numbered 61:

That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$10,800,000*; and the Senate agree to the same.

Amendment numbered 62:

That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment, as follows;

In lieu of the sum proposed in said amendment insert: *$10,800,000*; and the Senate agree to the same.

Amendment numbered 67:

That the House recede from its disagreement to the amendment of the Senate numbered 67, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment, amended to read as follow:

OPERATIONS AND RESEARCH

For expenses necessary to discharge the functions of the Secretary with respect to traffic and highway safety under the Motor Vehicle Information and Cost Savings Act (Public Law 92-513, as amended) and the National Traffic and Motor Vehicle Safety Act (Public Law 89-563, as amended), $79,556,000, of which $42,965,000 shall remain available until September 30, 1997.

And the Senate agree to the same.

Amendment numbered 71:

That the House recede from its disagreement to the amendment of the Senate numbered 71, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$30,310,000*; and the Senate agree to the same.

Amendment numbered 72:

That the House recede from its disagreement to the amendment of the Senate numbered 72, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$13,090,000*; and the Senate agree to the same.

Amendment numbered 74:

That the House recede from its disagreement to the amendment of the Senate numbered 74, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$47,729,000*; and the Senate agree to the same.

Amendment numbered 75:

That the House recede from its disagreement to the amendment of the Senate numbered 75, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$2,600,000*; and the Senate agree to the same.

Amendment numbered 77:

That the House recede from its disagreement to the amendment of the Senate numbered 77, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: $20,500,000; and the Senate agree to the same.

Amendment numbered 78:

That the House recede from its disagreement to the amendment of the Senate numbered 78, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$200,000,000*; and the Senate agree to the same.

Amendment numbered 83:

That the House recede from its disagreement to the amendment of the Senate numbered 83, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$772,000,000*; and the Senate agree to the same.

Amendment numbered 84:

That the House recede from its disagreement to the amendment of the Senate numbered 84, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$542,000,000*; and the Senate agree to the same.

Amendment numbered 88:

That the House recede from its disagreement to the amendment of the Senate numbered 88, and agree to the same with an amendment, as follows:

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

RHODE ISLAND RAIL DEVELOPMENT

For the costs associated with construction of a third track on the Northeast Corridor between Davisville and Central Falls, Rhode Island, with sufficient clearance to accommodate double stack freight cars, $5,000,000, to be matched by the State of Rhode Island or its designee on a dollar for dollar basis and to remain available until expended: Provided, That as a condition of accepting such funds, the Providence and Worcester (P&W) Railroad shall enter into an agreement with the Secretary to reimburse Amtrak and/or the Federal Railroad Administration, on a dollar for dollar basis, up to the first $5,000,000 in damages resulting from any legal action initiated by the P&W Railroad under its existing contracts with Amtrak relating to the provision of vertical clearances between Davisville and Central Falls in excess of those required for present freight operations.

And the Senate agree to the same.

Amendment numbered 89:

That the House recede from its disagreement to the amendment of the Senate numbered 89, and agree to the same with an amendment, as follows:

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

PENNSYLVANIA STATION REDEVELOPMENT PROJECT

For grants to the National Railroad Passenger Corporation, $40,000,000, to remain available until expended, for engineering, design and construction activities to enable the James A. Farley Post Office in New York City to be used as a train station and commercial center: Provided, That the Secretary may retain from these funds such amounts as the Secretary shall deem appropriate to undertake the environmental and historic preservation analyses associated with this project: Provided further, That none of these funds may be expended for construction activities (except for emergency and short-term and related repairs and environmental restoration) until the participants have entered into a binding agreement satisfactory to the Secretary that contains financial and related commitments from the participants sufficient to ensure the completion of the project: Provided further, That no funds provided under this head shall be available until authorized by law.

And the Senate agree to the same.

Amendment numbered 93:

That the House recede from its disagreement to the amendment of the Senate numbered 93, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$710,000,000*; and the Senate agree to the same.

Amendment numbered 95:

That the House recede from its disagreement to the amendment of the Senate numbered 95, and agree to the same with an amendment, as follows:

In lieu of the sum named in said amendment insert: *$8,000,000*; and the Senate agree to the same.

Amendment numbered 100:

That the House recede from its disagreement to the amendment of the Senate numbered 100, 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: *$24,000,000*; and the Senate agree to the same.

Amendment numbered 101:

That the House recede from its disagreement to the amendment of the Senate numbered 101, 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: *$25,000,000*; and the Senate agree to the same.

Amendment numbered 102:

That the House recede from its disagreement to the amendment of the Senate numbered 102, 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: *$16,925,000*; and the Senate agree to the same.

Amendment numbered 103:

That the House recede from its disagreement to the amendment of the Senate numbered 103, 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: *$2,500,000*; and the Senate agree to the same.

Amendment numbered 104:

That the House recede from its disagreement to the amendment of the Senate numbered 104, 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: *$3,000,000*; and the Senate agree to the same.

Amendment numbered 105:

That the House recede from its disagreement to the amendment of the Senate numbered 105, 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: *$10,000,000*; and the Senate agree to the same.

Amendment numbered 106:

That the House recede from its disagreement to the amendment of the Senate numbered 106, 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: *$30,000,000*; and the Senate agree to the same.

Amendment numbered 107:

That the House recede from its disagreement to the amendment of the Senate numbered 107, 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: *$1,000,000*; and the Senate agree to the same.

Amendment numbered 108:

That the House recede from its disagreement to the amendment of the Senate numbered 108, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$107,000,000*; and the Senate agree to the same.

Amendment numbered 110:

That the House recede from its disagreement to the amendment of the Senate numbered 110, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$55,000,000*; and the Senate agree to the same.

Amendment numbered 111:

That the House recede from its disagreement to the amendment of the Senate numbered 111, 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: *$1,200,000*; and the Senate agree to the same.

Amendment numbered 112:

That the House recede from its disagreement to the amendment of the Senate numbered 112, 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: *$5,000,000*; and the Senate agree to the same.

Amendment numbered 114:

That the House recede from its disagreement to the amendment of the Senate numbered 114, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$98,000,000*; and the Senate agree to the same.

Amendment numbered 115:

That the House recede from its disagreement to the amendment of the Senate numbered 115, 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: *$5,000,000*; and the Senate agree to the same.

Amendment numbered 116:

That the House recede from its disagreement to the amendment of the Senate numbered 116, 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: *$20,150,000*; and the Senate agree to the same.

Amendment numbered 117:

That the House recede from its disagreement to the amendment of the Senate numbered 117, 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: *$5,000,000*; and the Senate agree to the same.

Amendment numbered 118:

That the House recede from its disagreement to the amendment of the Senate numbered 118, 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: *$2,350,000*; and the Senate agree to the same.

Amendment numbered 119:

That the House recede from its disagreement to the amendment of the Senate numbered 119, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$12,095,000*; and the Senate agree to the same.

Amendment numbered 120:

That the House recede from its disagreement to the amendment of the Senate numbered 120, and agree to the same with an amendment, as follows:

In lieu of the sum named in said amendment insert: *$3,000,000*; and the Senate agree to the same.

Amendment numbered 121:

That the House recede from its disagreement to the amendment of the Senate numbered 121, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert: *$3,600,000 for the Boston, Massachusetts to Portland, Maine Transportation Corridor Program*; and the Senate agree to the same.

Amendment numbered 122:

That the House recede from its disagreement to the amendment of the Senate numbered 122, and agree to the same with an amendment, as follows:

In lieu of the sum named in said amendment insert: *$14,000,000*; and the Senate agree to the same.

Amendment numbered 123:

That the House recede from its disagreement to the amendment of the Senate numbered 123, 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: *$500,000*; and the Senate agree to the same.

Amendment numbered 124:

That the House recede from its disagreement to the amendment of the Senate numbered 124, 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: *$5,000,000*; and the Senate agree to the same.

Amendment numbered 125:

That the House recede from its disagreement to the amendment of the Senate numbered 125, 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: *$2,500,000*; and the Senate agree to the same.

Amendment numbered 126:

That the House recede from its disagreement to the amendment of the Senate numbered 126, 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: *$2,500,000*; and the Senate agree to the same.

Amendment numbered 129:

That the House recede from its disagreement to the amendment of the Senate numbered 129, and agree to the same with an amendment, as follows:

In lieu of the sum named in said amendment insert: *$1,500,000*; and the Senate agree to the same.

Amendment numbered 133:

That the House recede from its disagreement to the amendment of the Senate numbered 133, and agree to the same with an amendment, as follows:

In lieu of the sum named in said amendment insert: *$4,000,000*; and the Senate agree to the same.

Amendment numbered 136:

That the House recede from its disagreement to the amendment of the Senate numbered 136, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$10,251,000*; and the Senate agree to the same.

Amendment numbered 137:

That the House recede from its disagreement to the amendment of the Senate numbered 137, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$26,238,000*; and the Senate agree to the same.

Amendment numbered 138:

That the House recede from its disagreement to the amendment of the Senate numbered 138, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$37,424,000*; and the Senate agree to the same.

Amendment numbered 139:

That the House recede from its disagreement to the amendment of the Senate numbered 139, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$34,991,500*; and the Senate agree to the same.

Amendment numbered 140:

That the House recede from its disagreement to the amendment of the Senate numbered 140, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$16,317,500*; and the Senate agree to the same.

Amendment numbered 141:

That the House recede from its disagreement to the amendment of the Senate numbered 141, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert: *: Provided, That from amounts made available herein from the Pipeline Safety Fund, not to exceed $750,000 shall be available for grants to States for the development and establishment of one-call notification systems*; and the Senate agree to the same.

Amendment numbered 142:

That the House recede from its disagreement to the amendment of the Senate numbered 142, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$10,800,000*; and the Senate agree to the same.

Amendment numbered 143:

That the House recede from its disagreement to the amendment of the Senate numbered 143, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert: *That no such funds shall be made available for obligation by individuals other than the Secretary of Transportation, the Director of the National Institute of Environmental Health Sciences, or their designees*; and the Senate agree to the same.

Amendment numbered 148:

That the House recede from its disagreement to the amendment of the Senate numbered 148, and agree to the same with an amendment, as follows:

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

For necessary expenses of the Interstate Commerce Commission, including services as authorized by 5 U.S.C. 3109 and hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b), $30,302,000: Provided, That; and the Senate agree to the same.

Amendment numbered 151:

That the House recede from its disagreement for the amendment of the Senate numbered 151, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert: *: Provided further, That employment at the Center shall not exceed 550 full time equivalent staff years in fiscal year 1995*; and the Senate agree to the same.

Amendment numbered 154:

That the House recede from its disagreement to the amendment of the Senate numbered 154, and agree to the same with an amendment, as follows:

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

SEC. 314. None of the funds in this Act shall be used to implement section 404 of title 23, United States Code.

SEC. 314A. For the purpose of carrying out a demonstration of the construction of highways in high priority corridors, authorized by section 1105(f) of Public Law 102-240, there is hereby appropriated $6,000,000 for the Secretary to enter into an agreement to make a loan or loans not to exceed $40,000,000 to the public entity or entities with the statutory duty to construct such facilities: Provided, That such loan or loans shall be repaid by direct repayment no later than the fifth Federal fiscal year following the year in which a loan was made. Funds made available by this section shall not be subject to any limitation.

And the Senate agree to the same.

Amendment numbered 157:

That the House recede from its disagreement to the amendment of the Senate numbered 157, and agree to the same with an amendment, as follows;

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

In lieu of the second "SEC. 324." proposed in said amendment, insert: *SEC. 324A.*; and the Senate agree to the same.

Amendment numbered 159:

That the House recede from its disagreement to the amendment of the Senate numbered 159, and agree to the same with an amendment, as follows;

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

SEC. 327. None of the funds made available by this Act may be obligated or expended to design, construct, erect, modify or otherwise place any sign in any State relating to any speed limit, distance, or other measurement on any highway if such sign establishes such speed limit, distance, or other measurement using the metric system.

SEC. 327A. Notwithstanding any other provisions of law, tolls collected for motor vehicles on any bridge connecting the boroughs of Brooklyn, New York, and Staten Island, New York, shall continue to be collected for only those vehicles exiting from such bridge in Staten Island.

And the Senate agree to the same.

Amendment numbered 160:

The the House recede from its disagreement to the amendment of the Senate numbered 160, and agree to the same with an amendment, as follows:

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

SEC. 329. None of the funds in this Act may be used to compensate in excess of 335 technical staff years under the federally-funded research and development center contract between the Federal Aviation Administration and the Center for Advanced Aviation Systems Development during fiscal year 1995.

SEC. 329A. The Secretary of Transportation may enter into grants, cooperative agreements, and other transactions with any person, agency, or instrumentality of the United States, any unit of State or local government, any educational institution, and any other entity in execution of the Technology Reinvestment Project authorized under the Defense Conversion, Reinvestment and Transition Assistance Act of 1992 and related legislation: Provided, That the authority provided in this section may be exercised without regard to section 3324 of title 31, United States Code.

And the Senate agree to the same.

Amendment numbered 161:

That the House recede from its disagreement to the amendment of the Senate numbered 161, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$7,000,000*; and the Senate agree to the same.

Amendment numbered 162:

That the House recede from its disagreement to the amendment of the Senate numbered 162, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$93,000,000*; and the Senate agree to the same.

Amendment numbered 163:

That the House recede from its disagreement to the amendment of the Senate numbered 163, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$5,590,000*; and the Senate agree to the same.

Amendment numbered 164:

That the House recede from its disagreement to the amendment of the Senate numbered 164, and agree to the same with an amendment, as follows:

In lieu of the sum proposed in said amendment insert: *$25,922,000*; and the Senate agree to the same.

Amendment numbered 165:

That the House recede from its disagreement to the amendment of the Senate numbered 165, and agree to the same with an amendment, as follows:

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

SEC. 332. Section 127(a) of title 23, United States Code, is amended by adding at the end the following: "With respect to the State of Maryland, laws and regulations in effect on June 1, 1993, shall be applicable for the purposes of this subsection.".

SEC. 332A. The Federal Aviation Administration is directed to install a Terminal Doppler Weather Radar at Charlotte, North Carolina in fiscal year 1995, and to commission that radar no later than December 31, 1995.

And the Senate agree to the same.

Amendment numbered 169:

That the House recede from its disagreement to the amendment of the Senate numbered 169, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment and insert the matter proposed by said amendment, amended to read as follows:

SEC. 335A. Section 5302(a)(1) of title 49, United States Code, is amended by inserting "payments for the capital portions of rail trackage rights agreements," after "rights-of-way,".

And the Senate agree to the same.

Amendment numbered 170:

That the House recede from its disagreement to the amendment of the Senate numbered 170, and agree to the same with an amendment, as follows:

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

SEC. 337. In addition to amounts otherwise provided by this Act, $2,900,000 shall be available for "Interstate Commerce Commission, Salaries and Expenses" for the discharge of liabilities, including severance pay, under title 5 of the United States Code to employees separated from the Interstate Commerce Commission on or after October 1, 1994.

And the Senate agree to the same.

Amendment numbered 172:

That the House recede from its disagreement to the amendment of the Senate numbered 172, and agree to the same with an amendment, as follows:

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

SEC. 340. The unspent balance of funds previously appropriated for the Meadowbrook Parkway project shall be available for the Loop Parkway Bridge rehabilitation project.

And the Senate agree to the same.

Amendment numbered 173:

That the House recede from its disagreement to the amendment of the Senate numbered 173, and agree to the same with an amendment, as follows:

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

SEC. 341. Amounts not to exceed $3,000,000 available in the obligation guarantee fund established under section 511 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94-210), as amended, and received from the Delaware and Hudson Railroad, shall be transferred to the Federal Railroad Administration, "Office of the administrator" for necessary expenses of the Federal Railroad Administration.

And the Senate agree to the same.

Amendment numbered 175:

That the House recede from its disagreement to the amendment of the Senate numbered 175, and agree to the same with an amendment, as follows:

Delete the matter proposed by said amendment, and on page 16, line 21 of the House engrossed bill, H.R. 4556, insert *or as specified in authorizing legislation*, after *percent*; and the Senate agree to the same.

Amendment numbered 176:

That the House recede from its disagreement to the amendment of the Senate numbered 176, and agree to the same with an amendment, as follows:

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

SEC. 343. Section 30308(a) of title 49, United States Code, is amended by inserting after "1994" "and $2,550,000 for fiscal year 1995".

And the Senate agree to the same.

Amendment numbered 177:

That the House recede from its disagreement to the amendment of the Senate numbered 177, and agree to the same with an amendment, as follows:

In lieu of the section designation of said amendment, insert: *SEC. 344.* ; and the Senate agree to the same.

Amendment numbered 178:

That the House recede from its disagreement to the amendment of the Senate numbered 178, and agree to the same with an amendment, as follows:

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

SEC. 345. None of the funds appropriated by this Act may be used for planning, engineering, design, or construction of a sixth runway at the new Denver International Airport, Denver, Colorado: Provided, That this provision shall not apply in any case where the Administrator of the Federal Aviation Administration determines, in writing, that safety conditions warrant obligation of such funds.

And the Senate agree to the same.

Amendment numbered 179:

That the House recede from its disagreement to the amendment of the Senate numbered 179, and agree to the same with an amendment, as follows:

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

SEC. 346. (a) UNIFORM HOV—2 DEMONSTRATION PROJECT ON I–66 IN VIRGINIA—Notwithstanding any other law or any prior decision of the Secretary of Transportation, the Governor of Virginia shall have the authority to carry out a 1-year demonstration project on Interstate Highway 66 (I–66) inside the Capital Beltway, to determine the impact of applying a uniform high-occupancy vehicle restriction to the portion of I–66 that is between the District of Columbia and Interstate Highway 495 (I–495) and the portion of I–66 that is west of I–495.

(b) PROJECT REQUIREMENTS—

(1) UNIFORM HOV RESTRICTION—Except as provided in paragraph (2), under the demonstration project established under this section, the uniform high-occupancy vehicle restriction applied to the two portions of I–66 described in subsection (a) shall be vehicles carrying two or more persons.

(2) AUTHORITY OF GOVERNOR OF VIRGINIA—During the 1-year demonstration period under this section, the Governor of Virginia shall retain the flexibility to return the high-occupancy vehicle restriction applicable to the portion of I–66 that is between the District of Columbia and I–495 to vehicles carrying three or more persons, or to make any other revisions in the demonstration project that the Governor determines are necessary.

(3) APPROVAL—The 1-year demonstration shall begin after approval by the Virginia delegation of the National Capital Region Transportation Planning Board, based on a one-member, one-vote process with the allowance for authorized alternates if necessary and inclusion of the general manager of the Washington Metropolitan Area Transit Authority, but not before January 1, 1995.

(c) STUDY AND REPORT—If the Governor of Virginia makes use of the authority granted in subsection (a), the Governor shall—

(1) consult with interested parties to develop level of service standards, enforcement standards and assessment criteria;

(2) carry out an assessment of the effects of the uniform high-occupancy vehicle restriction under the demonstration project established under this section;

(3) carry out a study and assessment of the enforcement of the modified high-occupancy vehicle restriction under the demonstration project established under this section;

(4) within 6 months from beginning the demonstration project provide an interim assessment of the effects of the demonstration project to interested parties;

(5) upon completion of the assessment, submit to the Congress and to the Secretary of Transportation a report setting forth the results of the assessment and the demonstration project.

(d) UNIFORM HOV–2 RESTRICTION—Upon completion of the assessment described in subsection (c), the Governor of Virginia shall have the authority to apply a uniform HOV–2 restriction to Interstate 66 on a permanent basis following the formal approval process.

And the Senate agree to the same.

Amendment numbered 180:

That the House recede from its disagreement to the amendment of the Senate numbered 180, and agree to the same with an amendment, as follows:

In lieu of the section designation of said amendment, insert: *SEC. 347.*; and the Senate agree to the same.

BOB CARR,
RICHARD J. DURBIN,
MARTIN OLAV SABO,
DAVID E. PRICE,
RONALD D. COLEMAN,
THOMAS M. FOGLIETTA,
DAVE OBEY,
FRANK R. WOLF
(except amendment 66, corridor H),
TOM DELAY
(except amendment 66, corridor H),
RALPH REGULA,
JOSEPH M. MCDADE,
Managers on the Part of the House.

FRANK R. LAUTENBERG,
ROBERT C. BYRD,
TOM HARKIN,
JIM SASSER,
BARBARA A. MIKULSKI,
ALFONSE M. D'AMATO,
PETE V. DOMENICI,
MARK O. HATFIELD,
ARLEN SPECTER,
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 amendments of the Senate to the bill (H.R. 4556) making appropriations for the Department of Transportation and related agencies 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 effect of the action agreed upon by the managers and recommended in the accompanying conference report.

CONGRESSIONAL DIRECTIVES

The conferees agree that Executive Branch propensities cannot substitute for Congress' own statements concerning the best evidence of Congressional intentions—that is, the official reports of the Congress. Report language included by the House that is not changed by the report of the Senate, and Senate report language that is not changed by the conference is 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.

PROGRAM, PROJECT AND ACTIVITY

During fiscal year 1995, for the purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99–177), as amended, with respect to funds provided for the Department of Transportation and related agencies, the terms "program, project and activity" shall mean any item for which a dollar amount is contained in an appropriation Act (including joint resolutions providing continuing appropriations) or accompanying reports of the House and Senate Committees on Appropriations, or accompanying conference reports and joint explanatory statements of the committee of conference. In addition, the reductions made pursuant to any sequestration order to funds appropriated for "Federal Aviation Administration, facilities and equipment" and for "Coast Guard, Acquisition, construction, and improvements" shall be applied equally to each "budget item" that is listed under said accounts in the budget justifications submitted to the House and Senate Committees on Appropriations as modified by subsequent appropriation Acts and accompanying committee reports, conference reports, or joint explanatory statements of the committee of conference. The conferees recognize that adjustments to the above allocations may be required due to changing program requirements or priorities. The conferees expect any such adjustment, if required, to be accomplished only through the normal reprogramming process.

STAFFING INCREASES PROVIDED BY CONGRESS

The conferees direct the Department of Transportation to fill expeditiously any positions added in this bill, without regard to agency-specific staffing targets which may have been previously established to meet the mandated government-wide staffing reductions. The conferees support the overall staffing reductions, and have made reductions in the bill which more than offset staffing increases provided for a small number of specific activities.

TITLE I—DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

Amendment No. 1: Appropriates $58,094,000 for salaries and expenses of the office of the secretary as proposed by the House instead of individual appropriations as proposed by the Senate. In addition, the conference agreement provides $40,000 for official reception and representation expenses, instead of $25,000 as proposed by the House and $50,000 as proposed by the Senate, and provides that funds available for the Minority Business Resource Center may be used for business opportunities related to any mode of transportation.

The conference agreement distributes funds among the various offices of the office of the secretary as follows:

Immediate office of the secretary	$1,220,000
Immediate office of the deputy secretary	583,000
Office of the general counsel	7,876,000
Office of the assistant secretary for transportation policy	2,309,000
Office of the assistant secretary for aviation and international affairs	7,887,000
Office of the assistant secretary for budget and programs	4,400,000
Office of the assistant secretary for governmental affairs	2,250,000
Office of the assistant secretary for administration	22,425,000
Office of public affairs	1,380,000
Executive secretariat	932,000
Contract appeals board	630,000
Office of civil rights	1,779,000
Office of small and disadvantaged business utilization	936,000
Minority business resource center	4,000,000
Office of intelligence and security	800,000
Office of intermodalism	1,000,000
Undistributed reduction	−2,313,000
Total appropriation	58,094,000

The conference agreement provides a consolidated appropriation in order to give the office of the secretary more flexibility in management of its resources. However, should the department decide to deviate from the above allocations by more than 10 percent, it is expected that the House and Senate Appropriations Committees will be notified through the regular reprogramming process.

Immediate office of the secretary.—The conference agreement provides the office of the secretary with the discretion to allocate the reduction of $177,000 for the immediate office of the secretary. However, it is expected that the reduction will be focused on the areas of travel and employee benefits, as recommended by the Senate.

Travel, office of the assistant secretary for budget and programs.—The conference agreement includes $5,000 for the travel of the office of the assistant secretary for budget and programs, as proposed by the House, instead of $32,000 as proposed by the Senate. The conferees agree that Congressional directives in this area need to be followed more stringently by this office in the future. The conferees direct that no funds be reprogrammed above the level provided, as proposed by the House.

Other reductions, office of the assistant secretary for budget and programs.—In addition to the travel reduction, the conference agreement includes reductions of $20,000 in reception and representation expenses and $669,000 in staffing. The House proposed reductions of $35,000 and $1,100,000, respectively.

Office of the assistant secretary for administration.—The conference agreement allocates $22,425,000 for the office of the assistant secretary for administration instead of $23,385,000 as proposed by the Senate and $21,470,000 as proposed by the House in a consolidated appropriation.

The conference agreement includes the following changes to the budget request for this office:

Hold travel to the fiscal year 1994 level	−$8,000
Reduce staffing in office of management planning (−8 FTP)	−600,000
Delete position of special assistant to the asst. secretary	−106,000
Delete personnel management specialist and 2 employee development specialists, office of personnel	−246,000

Office of management planning.—The conferees agree to reduce this office by 8 full-time positions (FTP) and $600,000 instead of eliminating the office (−17 FTP and −$1,200,000) as proposed by the House and no reduction as proposed by the Senate. The conferees have been presented with little or no useful product resulting from the work of this office, and note that several recent management analyses commissioned by OST have not been requested of this office, but instead by the office of the inspector general.

Procurement reform.—The conference agreement restores $80,000 in reductions proposed by the House which were budgeted for support of the transportation systems acquisition resource council (TSARC). However, the conferees agree that the office of the secretary and the TSARC need to be more active and aggressive in making procurement reform a reality in the department.

Civil rights consolidation.—The conferees agree to consolidate internal civil rights activities within the department into a single office within the office of the secretary. The Senate bill included language providing the authority to consolidate all civil rights activities. The House bill contained no consolidation authority. The conferees are aware of significant concerns regarding the potential consolidation of external civil rights activities, including those related to disadvantaged business enterprises. Because of these concerns, the conferees have eliminated these activities from the consolidation. In contrast, there is general consensus that consolidation of internal activities will result in more effective handling of civil rights complaints within DOT. The agreement therefore results in total transfer authority of $6,185,000 compared to $11,387,000 in the Senate bill. In addition, language in the Senate bill allocating a specific amount of transferred resources to the office of general counsel has been deleted.

The conferees understand that, in advance of Congressional approval, DOT took certain steps to begin consolidation activities during fiscal year 1994. The conferees wish to make it clear that only internal civil rights activities are to be consolidated, and direct the department to take no actions to reorganize, redirect funding, or otherwise affect changes to the current civil rights programs of the department which are inconsistent with this Congressional intent.

IMMEDIATE OFFICE OF THE SECRETARY

Amendment No. 2: Provides no separate appropriation for this office, as proposed by the House, instead of $1,280,000 as proposed by the Senate. Funds for this office are included under amendment number 1.

IMMEDIATE OFFICE OF THE DEPUTY SECRETARY

Amendment No. 3: Provides no separate appropriation for this office, as proposed by the House, instead of $583,000 as proposed by the Senate. Funds for this office are included under amendment number 1.

OFFICE OF THE GENERAL COUNSEL

Amendment No. 4: Provides no separate appropriation for this office, as proposed by the House, instead of $7,876,000 as proposed by the Senate. Funds for this office are included under amendment number 1.

OFFICE OF THE ASSISTANT SECRETARY FOR TRANSPORTATION POLICY

Amendment No. 5: Provides no separate appropriation for this office, as proposed by the House, instead of $2,309,000 as proposed by the Senate. Funds for this office are included under amendment number 1.

OFFICE OF THE ASSISTANT SECRETARY FOR AVIATION AND INTERNATIONAL AFFAIRS

Amendment No. 6: Provides no separate appropriation for this office, as proposed by the House, instead of $7,887,000 as proposed by the Senate. Funds for this office are included under amendment number 1.

OFFICE OF THE ASSISTANT SECRETARY FOR BUDGET AND PROGRAMS

Amendment No. 7: Provides no separate appropriation for this office, as proposed by the House, instead of $5,100,000 as proposed by the Senate. Funds for this office are included under amendment number 1. Funds specified in the Senate bill for official reception and representation expenses are also included, at a reduced level, under amendment number 1.

OFFICE OF THE ASSISTANT SECRETARY FOR GOVERNMENTAL AFFAIRS

Amendment No. 8: Provides no separate appropriation for this office, as proposed by the House, instead of $2,284,000 as proposed by the Senate. Funds for this office are included under amendment number 1.

OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

Amendment No. 9: Provides no separate appropriation for this office, as proposed by the House, instead of $23,385,000 as proposed by the Senate. Funds for this office are included under amendment number 1.

OFFICE OF PUBLIC AFFAIRS

Amendment No. 10: Provides no separate appropriation for this office, as proposed by the House, instead of $1,458,000 as proposed by the Senate. Funds for this office are included under amendment number 1.

EXECUTIVE SECRETARIAT

Amendment No. 11: Provides no separate appropriation for this office, as proposed by the House, instead of $932,000 as proposed by the Senate. Funds for this office are included under amendment number 1.

CONTRACT APPEALS BOARD

Amendment No. 12: Provides no separate appropriation for this office, as proposed by the House, instead of $630,000 as proposed by the Senate. Funds for this office are included under amendment number 1.

OFFICE OF CIVIL RIGHTS

Amendment No. 13: Provides no separate appropriation for this office, as proposed by the House, instead of $1,779,000 as proposed by the Senate. Funds for this office are included under amendment number 1. As described more fully under amendment number 1, the conference agreement amends language proposed by the Senate regarding the consolidation of departmental civil rights activities.

OFFICE OF SMALL AND DISADVANTAGED BUSINESS UTILIZATION

Amendment No. 14: Provides no separate appropriation for this office, as proposed by the House, instead of $936,000 as proposed by the Senate. Funds for this office are included under amendment number 1.

MINORITY BUSINESS RESOURCE CENTER

Amendment No. 15: Provides no separate appropriation for this office, as proposed by

the House, instead of $4,000,000 as proposed by the Senate. Funds and bill language for this office are included under amendment number 1.

OFFICE OF INTELLIGENCE AND SECURITY

Amendment No. 16: Provides no separate appropriation for this office, as proposed by the House, instead of $1,000,000 as proposed by the Senate. Funds for this office are included under amendment number 1.

OFFICE OF INTERMODALISM

Amendment No. 17: Provides no separate appropriation for this office, as proposed by the House, instead of $1,050,000 as proposed by the Senate. Funds for this office are included under amendment number 1.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

Amendment No. 18: Appropriates $8,293,000 for transportation planning, research, and development as proposed by the Senate instead of $2,693,000 as proposed by the House.

OFFICE OF COMMERCIAL SPACE TRANSPORTATION

OPERATIONS AND RESEARCH

Amendment No. 19: Provides $3,833,000 available until expended as proposed by the Senate instead of $2,000,000 as proposed by the House.

Amendment No. 20: Deletes language proposed by the Senate which would have allowed up to $200,000 in user fees established for commercial space transportation regulatory services to be credited to this appropriation. The House bill contained no similar provision. Current legislation specifies that such fees may only be collected if authorized by law.

WORKING CAPITAL FUND

Amendment No. 21: Limits obligations for the working capital fund to $93,000,000 instead of $88,750,000 as proposed by the House and $94,855,000 as proposed by the Senate.

The conference agreement includes the following changes to the budget request:

Reduction in WCF-funded travel	−$350,000
Disallowance of transfers from OST	−11,629,000
Defer survey of accounting system users (FMFIA)	−719,000
Reduction in executive training and development	−250,000
Administrative streamlining	−305,000
Additional reduction due to budget constraints	−1,106,000

Disallowance of transfers from OST.—The conferees direct the office of the secretary not to sign reimbursable agreements with any element of the department which would result in the financing of $11,629,000 in activities included in the WCF budget request for fiscal year 1995, and for which funds are being denied in the appropriations process.

PAYMENTS TO AIR CARRIERS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(AIRPORT AND AIRWAY TRUST FUND)

(INCLUDING RESCISSION OF CONTRACT AUTHORIZATION)

Amendment No. 22: Appropriates $33,423,000 for payments to air carriers as proposed by the Senate instead of $25,600,000 as proposed by the House.

Amendment No. 23: Limits obligations for payments to air carriers to $33,423,000 as proposed by the House instead of $25,600,000 as proposed by the House.

Amendment No. 24: Deletes language proposed by the House which would have applied program criteria specified in the bill to the State of Hawaii.

Amendment No. 25: Includes language proposed by the Senate which restricts program mileage criteria to distances from the nearest large or medium hub airport. The House bill proposed that the mileage criteria be based upon the distance to any (small, medium, or large) hub airport.

Amendment No. 26: Includes language proposed by the Senate which excludes from the per passenger subsidy criteria essential air service points greater than two hundred and ten miles from the nearest large or medium hub airport. The House bill included no similar language.

Amendment No. 27: Rescinds $4,000,000 in contract authority from the payments to air carriers program as proposed by the Senate instead of $13,000,000 as proposed by the House. The agreement removes contract authority which is not available for obligation due to annual limits on obligations. A similar rescission of $10,067,000 was made in fiscal year 1994.

RENTAL PAYMENTS

Amendment No. 28: Provides $1,976,000 in rental payments from the highway trust fund as proposed by the Senate instead of $1,872,000 as proposed by the House.

Amendment No. 29: Provides $39,426,000 in rental payments from the airport and airway trust fund as proposed by the Senate instead of $38,728,000 as proposed by the House.

Amendment No. 30: Provides $713,000 in rental payments from the pipeline safety fund as proposed by the Senate instead of $678,000 as proposed by the House.

Amendment No. 31: Provides $181,000 in rental payments from the harbor maintenance trust fund as proposed by the Senate instead of $172,000 as proposed by the House.

Amendment No. 32: Provides $18,044,000 in rental payments from Federal-aid highways "Limitation on general operating expenses" as proposed by the Senate instead of $17,688,000 as proposed by the House.

The conference agreement for amendments number 28 through 32 reflects updated estimates from the Department of Transportation, and included in the Senate bill, of the most accurate allocation of rental payments among the various trust funds administered by the department.

COAST GUARD

OPERATING EXPENSES

Amendment No. 33: Appropriates $2,598,000,000 for Coast Guard operating expenses instead of $2,580,000,000 as proposed by the House and $2,600,000,000 as proposed by the Senate.

The following table summarizes the budget estimate, House and Senate recommendations, and the conference agreement by budget activity:

Coast Guard Operating Expenses
Conference Agreement
Fiscal Year 1995

	House Bill	Senate Bill	Conference Agreement
Pay and Allowances:			
Budget estimate:	1,587,524,000	1,587,524,000	1,587,524,000
Adjustments to the budget estimate:			
Reduce transition benefits	-2,142,000	0	0
Workforce management tools	0	-270,000	-270,000
Reduce general detail	-10,842,000	0	-3,205,000
Reduce base for excess flight pay	-900,000	0	0
Delete flight pays where VSI/SSBs are made available	-1,100,000	0	0
Delete responsibility pay	-141,000	0	-141,000
Reduce increase for HAZMAT training and management	-704,000	0	-704,000
Delete increase for health care costs	-7,671,000	-11,070,000	-11,070,000
Staff downsizing - accelerate transition	-10,500,000	-4,797,000	-10,500,000
Transfer funds for AR&SC	18,700,000	0	0
Housing management efficiencies	0	-775,000	-775,000
Marine safety initiatives	0	2,762,000	2,762,000
SAR station retentions	0	926,000	926,000
Maintenance augmentation team, 140 foot WTGB	0	0	-322,000
Amount recommended	*1,572,224,000*	*1,574,300,000*	*1,564,225,000*
Depot Level Maintenance:			
Budget estimate:	363,991,000	363,991,000	363,991,000
Adjustments to the budget estimate:			
Transfer funds for AR&SC	-18,700,000	0	0
Excess aircraft spares	-1,000,000	0	0
Excess ship spares	-390,000	0	-390,000
Shore facility construction follow-on	0	-262,000	-262,000
Excess HU-25 storage preparation costs	0	0	-200,000
Amount recommended	*343,901,000*	*363,729,000*	*363,139,000*
Operations and Support:			
Budget estimate:	421,102,000	421,102,000	421,102,000
Adjustments to the budget estimate:			
Base restoration adjustment, 210-foot cutter MMA	-1,100,000	0	0
Housing utilization, Support Center Boston	-328,000	0	0
Base St. Louis/Group Keokuk	-375,000	-375,000	-375,000
Cutter Mackinaw	3,700,000	0	3,700,000
Reduce funds for VTS operations	-1,621,000	0	-234,000
Hold ammunition and small arms to FY 1994 level	-134,000	0	-134,000
SAR station retentions	0	-235,000	-235,000
Austere logistics aircraft (VC-4)	0	550,000	0
Marine safety initiatives	0	316,000	316,000

Coast Guard Operating Expenses
Conference Agreement
Fiscal Year 1995

Maintenance augmentation team, 140 foot WTGB	0	0	-50,000
Amount recommended	*421,244,000*	*421,358,000*	*424,090,000*
Recruiting and Training:			
Budget estimate:	74,423,000	74,423,000	74,423,000
Adjustments to the budget estimate:			
Transfer from headquarters administration	2,560,000	0	2,560,000
Student pay, Naval Academy Preparatory School	-60,000	-60,000	-60,000
Coast Guard Academy operating support	-1,000,000	-85,000	-500,000
Hold professional training/education to FY 1994 level	-1,402,000	0	-1,402,000
Recruit training base adjustment	-2,000,000	0	-500,000
Housing utilization, Training Center Cape May	-125,000	0	0
Recruiting	0	-200,000	0
Amount recommended	*72,396,000*	*74,078,000*	*74,521,000*
Coast Guard-Wide Centralized Services and Support:			
Budget estimate:	183,465,000	183,465,000	183,465,000
Adjustments to the budget estimate:			
Strike teams	-366,000	0	-150,000
Excess ship spares	0	-390,000	0
Move recruiting funds under "headquarters" to "recruiting"	-2,560,000	0	-2,560,000
Standard workstation	0	-17,000,000	-2,000,000
Persian Gulf operational support	0	460,000	374,000
Amount recommended	*180,539,000*	*166,535,000*	*179,129,000*
Account-Wide Adjustments:			
Budget estimate	0	0	0
Adjustments to the budget estimate:			
Re-estimate of fuel and energy requirements	-4,500,000	0	-4,000,000
Hold printing/reproduction costs to FY 1994 level	-329,000	0	-329,000
Defer Joint Maritime Combat Information System	-2,500,000	0	0
Information resource management follow-on	-1,150,000	0	-350,000
Defer additional funds for HAZMAT management	-1,725,000	0	-1,725,000
Delete daily SORTS report	-100,000	0	0
Headquarters downsizing	0	0	-700,000
Amount recommended	*-10,304,000*	*0*	*-7,104,000*
TOTAL APPROPRIATION	*2,580,000,000*	*2,600,000,000*	*2,598,000,000*

Responsibility pay.—The conferees agree to delete the $141,000 budgeted for "responsibility pay", as proposed by the House, and direct the Coast Guard not to reprogram any funds to finance this special pay during fiscal year 1995. The conferees note that this is a discretionary special pay not uniformly used among the military services. The conferees see no evidence that the lack of such pay would hinder the recruitment of officers into top command positions, and believe that in these austere budgetary times, only the most justifiable special pays should be continued.

Workforce management tools.—The conference agreement reduces the request for new "workforce management tools" by $270,000, as proposed by the Senate instead of $2,142,000 as proposed by the House. The conferees direct the Coast Guard not to pay new benefits authorized under 58 U.S.C. to officers who will be separated from the Coast Guard for failure to be promoted. Such payments would contribute nothing toward better management of the workforce.

Hazardous materials disposal, training and management.—The conference agreement deletes the increase of $2,429,000 for hazardous materials disposal, training and management, as proposed by the House. The conferees believe that the highest priority activities can be conducted without a budgetary increase. Additional funds for similar activities are provided under "Environmental compliance and restoration". This appropriation is increased by $900,000 over the fiscal year 1994 level.

Ballast water management program.—The conferees direct the Coast Guard to allocate $1,000,000 of the funds provided herein to the ballast water management program, as proposed by the House. This is an increase of $300,000 above the $700,000 included in the budget request.

Great Lakes icebreaking needs.—The conferees direct the Coast Guard to conduct a comprehensive analysis regarding a long-term solution to icebreaking needs on the Great Lakes, as proposed by the House.

Chicago/Glenview air facility.—The conferees urge the Coast Guard to provide adequate helicopter search and rescue capability at the Chicago/Glenview air facility during the peak season between April 1 and November 15 of each year. The House urged the Coast Guard to station at least one helicopter at the Chicago/Glenview facility during that time period. The Senate did not concur with that provision.

Coast Guard cutter Tackle.—The conferees urge the Coast Guard to provide adequate icebreaking assets for the lower Chesapeake Bay if a final decision is made to decommission the Coast Guard icebreaking cutter *Tackle*. The Senate urged the Coast Guard to reconsider its planned decommissioning of the *Tackle*. The House did not concur with that provision.

Standard workstation III.—The conference agreement has reduced the level of funding available for the standard workstation III contract by $2,000,000. The conferees direct that, prior to the obligation of any funds for this contract, the Secretary will submit a report to the House and Senate Committees on Appropriations providing a detailed analysis of the technical, cost and other factors that justify the Coast Guard's procurement plan, as opposed to acquiring the workstation and related software and support through the office automation services contract already in place throughout the department.

Marine safety initiatives.—The conference agreement includes the entire $3,078,000 provided in the Senate bill above the President's request for marine safety initiatives. These funds are intended to enhance personnel resources available for the targeted boarding program and other marine safety resources available for the targeted board program and other marine safety initiatives discussed in the Senate report. None of these funds shall be used to restore funding to those budget reductions called for under the Commandant's fiscal year 1995 budget request.

Consistent with the provision included in the Senate bill, no funds are included in the conference agreement for the inspection of Department of Defense vessels except vessels under the Ready Reserve Force and the National Defense Reserve Fleet. The conferees direct that the Coast Guard may inspect other DOD vessels only if the fully allocated personnel and operating costs of such inspection activities are covered through reimbursable agreements with the Department of Defense.

Amendment No. 34: Deletes House language prohibiting funds for flight pay to any member of the Coast Guard who is also provided voluntary separation incentives (VSIs) or special separation benefits. The conferees understand that the Coast Guard no longer plans to offer VSIs or special separation benefits during fiscal year 1995, making the House language unnecessary. However, the conferees direct that, if those plans change during fiscal year 1995 and the Coast Guard decides to offer VSIs or special separation benefits, they may not pay special and incentive pay under section 301 of title 37, United States Code to any member of the Coast Guard assigned to a skill, or specialty to which VSIs or special separation benefits are to be paid.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

Amendment No. 35: Appropriates $362,950,000 for Acquisition, construction, and improvements instead of $385,200,000 as proposed by the House and $370,400,000 as proposed by the Senate. The conferees also approve reprogrammings totaling $7,514,000, resulting in overall program resources of $370,464,000 for fiscal year 1995.

A table showing the distribution of this appropriation by project as included in the fiscal year 1995 budget estimate, House bill, Senate bill, and the conference agreement follows:

		COAST GUARD FISCAL YEAR 1995 ACQUISITION, CONSTRUCTION & IMPROVEMENTS (Dollars in thousands)		
	BUDGET ESTIMATE	HOUSE BILL	SENATE BILL	CONFERENCE
I. VESSELS				
A. ACQUIRE VESSELS AND EQUIPMENT:				
1. Survey and design-cutters and boats	$750	$750	$750	$750
2. Seagoing buoy tender (WLB) replacement	34,500	34,500	34,500	36,000
3. Coastal buoy tender (WLM) replacement	56,000	56,000	56,000	56,000
4. 47-ft. motor lifeboat (MLB) replacement	31,000	31,000	31,000	31,000
5. Buoy boat (BUSL) replacement	18,500	10,000	10,000	10,000
6. Polar icebreaker follow-on	10,400	10,400	7,900	7,900
7. 378-foot shipboard command and control	6,000	6,000	4,000	5,000
8. 82-foot coastal patrol boat replacement	10,000	10,000	10,000	10,000
9. Norwegian crew search and rescue boat	2,000	.....	.....	.....
10. Self propelled barge replacement	2,500	2,500	2,500	2,500
B. REPAIR, RENOVATE OR IMPROVE EXISTING VESSELS AND SMALL BOATS:				
1. 210-ft. medium endurance cutter (WMEC)--Major maintenance availability (MMA)	25,000	25,000	25,000	25,000
2. Polar class icebreaker reliability improvement project	11,600	9,600	.....	.....
3. Stalwart class conversion	6,000	6,000	3,750	3750
Total	214,250	201,750	185,400	187,900
II. AIRCRAFT				
1. Traffic alert and collision avoidance system (TCAS)-Phase II	7,000	7,000	3,900	3,900
2. Global positioning system installation-Phase V	2,300	2,300	2,300	2,300
3. HU-25B aireye system replacement	1,600	1,600	1,600	1,600
4. HH-65 helicopter--transmission gearbox upgrade-phase II	2,000	2,000	2,000	2,000
5. HU-25C modification	2,000	2,000	2,000	2,000
Subtotal	14,900	14,900	11,800	11,800

	BUDGET ESTIMATE	HOUSE BILL	SENATE BILL	CONFERENCE
III. OTHER EQUIPMENT				
1. Systems to automate and integrate logistics (SAIL)	8,800	8,800	.....	.....
2. Resource information system for health services program	3,000	3,000	3,000	3,000
3. Vessel traffic services (VTS) 2000	32,000	2,000	2,000	2,000
4. Vessel traffic services (VTS) equipment replacement project	3,000	3,000	3,000	3,000
5. Oil spill response equipment	2,500	2,500	2,500	2,500
6. Search and rescue management information system	900	900	900	900
7. Global maritime distress and safety system-phase III	1,800	1,800	1,800	1,800
8. Conversion of software applications-phase II	3000	3000	2,750	2,750
9. Communication station Honolulu transmitters	1,900	1,900	1,900	1,900
10. Finance center information system replacement	1,000	1,000	.....	1,000
11. Replace aircraft repair and supply computer-phase IV	2,000	2,000	2,000	2,000
12. Vessel traffic services upgrade and expansion projects	1,600	1,600	1,600	1,600
13. Supply center computer replacement	.....	.....	1,000	6,000
14. Oilspill training simulator	.....	.....	1,250	1,250
15. Standard workstation III	.....	.....	17,000	.....
TOTAL	61,500	31,500	40,700	29,700
IV. SHORE FACILITIES AND AIDS TO NAVIGATION				
A. SHORE-GENERAL:				
1. Survey and design of various shore projects	10,000	10,000	10,000	10,000
2. Minor AC&I shore construction projects	6,000	6,000	6,000	6,000
B. SHORE-AIR STATIONS:				
Air Station Miami, Florida upgrade--Phase II	8,400	8,400	8,400	8,400
C. SHORE-SUPPLY CENTERS/SUPPORT CENTERS/COAST GUARD YARD:				
1. Support Center New York-construct ET/ANT shops	3,250	3,250	3,250	3,250
2. Support center Seattle, Washington--reconstruct pier 37	10,300	10,300	10,300	10,300
D. SHORE-PERSONNEL SUPPORT FACILITIES:				
Public family quarters	18,200	18,200	10,000	12,000

	BUDGET ESTIMATE	HOUSE BILL	SENATE BILL	CONFERENCE
E. SHORE-GROUPS/BASES/STATIONS/MSOs:				
1. Station Provincetown, Massachusetts--replace wave barrier	1,300	1,300	.....	1,300
2. Base San Juan-reconstruction-phase I	10,750	10,750	10,750	10,750
3. Base St. Louis flood recovery	9,000	.....	.....	.....
4. Base Honolulu-electrical sytem	1,950	1,950	1,950	1,950
5. Atlantic strike team-construct maintenance and equipment storage facility	5,000	5,000	5,000	5,000
F. AIDS TO NAVIGATION FACILITIES:				
1. Waterways short range aids projects	5,500	4,000	8,250	6,500
2. Overseas loran closure	13,900	13,900	13,900	13,900
TOTAL	103,550	93,050	87,800	89,350
V. PERSONNEL AND RELATED SUPPORT				
Personnel and related support	45,000	44,000	44,700	44,200
SUBTOTAL (new budget authority)	439,200	385,200	370,400	362,950
REPROGRAMMINGS:				
1. TALON helicopter tie-down project			2,509	2,509
2. Air interdiction systems/airborne early warning project			605	605
3. Coast Guard Cutter Yacona reengining project			4,400	4,400
TOTAL (new program level)	439,200	385,200	377,914	370,464

Amendment No. 36: Provides $187,900,000 to acquire, repair, renovate or improve vessels, small boats and related equipment instead of $201,750,000 as proposed by the House and $185,400,000 as proposed by the Senate.

The conference agreement requires $4,400,000 originally appropriated for reengining the *Yacona* be applied to the polar icebreaker reliability improvement project. Including these funds, the total available for vessels in fiscal year 1995 is $192,300,000.

The conferees recommend a total of $36,000,000 for the seagoing buoy tender (WLB) replacement program, including $1,500,000 above the budget request. The additional funds are to be used only for expenses related to increasing the ice breaking capability of the seagoing buoy tenders. The additional funds should first be applied to strengthening the buoy tender's hull. If sufficient funding remains, the Coast Guard should then consider other alternatives for increasing the buoy tender's ice breaking capability, including increasing engine power, adding a moveable ballast or heeling system, and installing a bubbler.

Amendment No. 37: Provides $11,800,000 to acquire new aircraft and increase aviation capability as proposed by the Senate instead of $14,900,000 as proposed by the House.

The conference agreement requires $3,114,000 originally appropriated for the TALON helicopter tie-down project and the air interdiction systems/airborne early warning project be applied to the traffic alert and collision avoidance system phase II project. Including these funds, the total available for aircraft and aviation capability in fiscal year 1995 is $14,914,000.

Amendment No. 38: Provides $29,700,000 for other equipment instead of $31,500,000 as proposed by the House and $40,700,000 as proposed by the Senate.

The budget submission included a single request of $8,000,000 for the system to automate and integrate logistics (SAIL). Previously, the Coast Guard had budgeted for the SAIL effort in four separate activities. The conferees do not agree with the proposed new budget portrayal and direct the Coast Guard to budget for the SAIL subcomponents in fiscal year 1996 and future years as separate line items.

Accordingly, the conference provides no funding for the unified SAIL program. However, the conferees have provided $6,000,000 for the supply center computer replacement project, the amount assumed in the SAIL budget estimate for that effort. Repeated delays in the defense logistics modernization effort will result in $4,248,000 in unobligated funds at the end of fiscal year 1994. Some of these funds could be available for other purposes. If submitted by the Coast Guard, the Committees on Appropriations will consider a reprogramming of some defense logistics modernization funds for configuration management activities in fiscal year 1995.

Amendment No. 39: Provides $89,350,000 for shore facilities and aids to navigation facilities instead of $93,050,000 as proposed by the House and $87,800,000 as proposed by the Senate.

The conferees agree that within the $12,000,000 provided for public family quarters, $2,000,000 shall be available only for new construction expenses to replace the existing Buxton Woods and Navy Annex housing facilities at Cape Hatteras, North Carolina. The conferees support the revised priority and phased construction plan of the Coast Guard regarding housing at Cape Hatteras, and expect the Coast Guard to request funding for the plan in fiscal year 1996 and future years.

The conferees recommend a total of $6,500,000 for waterways short range aids projects. The conferees expect that the amount provided will be sufficent to support the necessary repairs to the range lights and navigational aids in the upper Chesapeake Bay that were damaged as a result of this past year's severe winter.

Amendment No. 40: Provides $44,200,000 for personnel compensation and benefits and related costs instead of $44,000,000 as proposed by the House and $44,700,000 as proposed by the Senate.

Amendment No. 41: Provides that funds appropriated for personnel compensation and benefits and related costs remain available until September 30, 1995 as proposed by the Senate.

Amendment No. 42 Permits the Coast Guard to credit the funds received from the sale of VC–11A and HU–25 aircraft to the aircraft subaccount of the acquisition, construction, and improvements account as proposed by the Senate. The House provided only that proceeds from the sale of VC–11A aircraft be credited to this subaccount.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

Amendment No. 43: Appropriates $23,500,000 for environmental compliance and restoration instead of $22,000,000 as proposed by the House and $24,000,000 as proposed by the Senate.

Use of funds.—The conferees agree that funds in this appropriation may be used for program-related training and course development and for pollution prevention and waste minimization activities, as proposed in the budget and in the Senate bill. The House directed that funds not be used for these types of activities, and instead should focus on site-specific compliance and restoration projects. In addition, hazardous materials management, disposal, oversight, and training activities not funded under the "Operating expenses" appropriation may be funded at the Coast Guard's discretion from this appropriation.

RESERVE TRAINING

Amendment No. 44: Appropriates $64,981,000 for reserve training as proposed by the Senate instead of $66,000,000 as proposed by the House. The conferees agree that the allocation of funds is to be as stated in the Senate report.

Amendment No. 45: Provides that funds under this head shall support a selected reserve force of 8,000 members, as proposed by the Senate. The House bill contained no similar provision, but provided a funding level which assumed a force strength of 8,000.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

Amendment No. 46: Deletes language proposed by the House which would allow appropriations under this head to be used for the Aircraft Purchase Loan Guarantee program. The Senate bill, and the conference agreement, include such funds in a separate appropriation discussed under amendment number 57.

Amendment No. 47: Appropriates $4,595,394,000 for operating expenses of the Federal Aviation Administration instead of $4,585,000,000 as proposed by the House and $4,591,440,000 as proposed by the Senate. The following table summarizes the House and Senate recommendations and the conference agreement by budget activity:

FAA Operations
Conference Agreement
Fiscal Year 1995

	House Bill	Senate Bill	Conference Agreement
Operation of Air Traffic Control System			
Budget estimate	2,167,301,000	2,167,301,000	2,167,301,000
Adjustments to the budget estimate:			
Sunday premium pay	-6,000,000	-6,000,000	-6,000,000
Grand Prairie, TX ATCT (contract tower)	250,000	250,000	250,000
PCS moves	15,000,000	0	9,500,000
Staffing	7,000,000	0	3,500,000
AT staffing & PCS moves	0	9,000,000	0
Anoka, MN. ATCT (contract tower)	0	250,000	250,000
Weather observers-Alaska	0	1,000,000	1,000,000
Pay demonstration project	0	13,000,000	13,900,000
Undistributed	0	4,504,000	0
Alaska FSS/ATCT rotational staffing	0	0	4,000,000
Amount recommended	*2,183,551,000*	*2,184,801,000*	*2,193,701,000*
NAS Logistics Support			
Budget estimate	183,434,000	183,434,000	183,434,000
Adjustments to the budget estimate:			
Reduction to growth	0	-3,393,000	-3,393,000
Rental vehicles (IG report)	0	-1,000,000	-1,000,000
Amount recommended	*183,434,000*	*179,041,000*	*179,041,000*
Maintenance of Air Traffic Control System			
Budget estimate	848,113,000	848,113,000	848,113,000
Adjustments to the budget estimate:			
Contract maintenance	-2,602,000	0	-2,600,000
Pay demonstration project	0	2,597,000	2,900,000
Amount recommended	*845,511,000*	*850,710,000*	*848,413,000*
Leased Telecommunications Services			
Budget estimate	316,987,000	316,987,000	316,987,000
Adjustments to the budget estimate:			
General reduction	-250,000	0	0
Direct user access terminal (DUATS)	7,000,000	10,000,000	9,000,000
Amount recommended	*323,737,000*	*326,987,000*	*325,987,000*
Aviation Regulation and Certification			
Budget estimate	359,965,000	359,965,000	359,965,000
Adjustments to the budget estimate:			
Flight stds/certification staff inc.	-15,000,000	0	-5,000,000
Flight stds/ PCS moves inc.	-2,000,000	0	0
General reduction	0	-1,965,000	0
Pay demonstration project	0	0	850,000
Amount recommended	*342,965,000*	*358,000,000*	*355,815,000*
Aviation Standards			
Budget estimate	111,942,000	111,942,000	111,942,000
Adjustments to the budget estimate:			
Amount recommended	*111,942,000*	*111,942,000*	*111,942,000*

FAA Operations
Conference Agreement
Fiscal Year 1995

Civil Aviation Security			
Budget estimate	65,088,000	65,088,000	65,088,000
Adjustments to the budget estimate:			
Amount recommended	*65,088,000*	*65,088,000*	*65,088,000*
NAS Design and Management			
Budget estimate	55,745,000	55,745,000	54,200,000
Adjustments to the budget estimate:			
Amount recommended	*55,745,000*	*55,745,000*	*54,200,000*
Administration of Airports			
Budget estimate	40,477,000	40,477,000	40,477,000
Adjustments to the budget estimate:			
General reduction	-1,500,000	-1,544,000	-2,544,000
Amount recommended	*38,977,000*	*38,933,000*	*37,933,000*
Direction, Staff and Supporting Services			
Budget estimate	141,077,000	141,077,000	141,077,000
Adjustments to the budget estimate:			
General reduction	-1,000,000	-1,007,000	-1,007,000
Amount recommended	*140,077,000*	*140,070,000*	*140,070,000*
Human Resource Management			
Budget estimate	243,819,000	243,819,000	243,819,000
Adjustments to the budget estimate:			
General reduction	-1,746,000	0	-1,746,000
PATCO recruitment/training/hiring	0	500,000	0
Administrative cost controls, CMD	0	-819,000	-819,000
Amount recommended	*242,073,000*	*243,500,000*	*241,254,000*
Headquarters Administration			
Budget estimate	46,952,000	46,952,000	46,952,000
Adjustments to the budget estimate:			
Headquarters staffing reductions	-1,000,000	-1,002,000	-1,000,000
Amount recommended	*45,952,000*	*45,950,000*	*45,950,000*
Accountwide adjustments			
Budget estimate	0	0	0
Adjustments to the budget estimate:			
Pay demonstration project	17,500,000	0	0
Ctr for Management Dev.	-5,700,000	0	0
"Other services"	-5,000,000	0	-4,000,000
Rental vehicles reduction	-1,000,000	0	0
Aircraft purchase loan guarantee	148,000	0	0
Bonuses and awards	0	-4,823,000	0
Amount recommended	*5,948,000*	*-4,823,000*	*-4,000,000*
Total Appropriation	4,585,000,000	4,591,440,000	4,595,394,000

Control Tower streamlining project.—The conferees do not agree with the House's direction regarding the reassignment of air traffic controllers from low-activity towers as a result of the tower streamlining program. However, the FAA should seek to match such reassignments with higher-level towers needing additional staffing to the maximum extent feasible.

Center for management development.—The conferees do not agree with the House direction requiring the closure of FAA's center for management development, and have restored the House's proposed reduction of $5,700,000 to affect the closure. The conferees have received new evidence demonstrating the cost-effectiveness of this facility, and are impressed with the new FAA management team recently put into place to address past deficiencies.

TCAS implementation.—The conferees do not agree with House direction extending the deadline for implementation of the traffic collision avoidance system (TCAS). Recent actions by the FAA have made such direction unnecessary.

Rehire of former controller work force.—The conferees do not agree with the Senate's proposal to give priority to qualifying, training, and rehiring former controllers fired as a result of the 1981 PATCO strike.

Arapahoe County Centennial Airport.—The conferees do not agree with the Senate's direction regarding the Arapahoe County Centennial Airport in Colorado.

Bonuses and awards.—The conferees do not agree with the Senate's specific reduction of $4,823,000 in FAA bonuses and awards. However, the bill includes a general provision which limits department-wide expenses for bonuses and awards. It is expected that the FAA will be allocated a reduction of approximately $4,800,000 due to the application of this provision.

Amendment No. 48: Provides $17,500,000 for permanent change of station moves for members of the air traffic workforce, instead of $23,000,000 as proposed by the House and no specific allocation as proposed by the Senate. There is significant evidence that the FAA's air traffic operations are hampered by lack of adequate funding for permanent change of station moves. Some facilities are understaffed, and others are overstaffed, simply due to a lack of funds to move employees and their families to where their services are needed most. In addition, moral suffers because employees are not always assigned to those facilities where their skills and abilities are put to their highest use. For these reasons, the conferees agree with the House that additional funds are needed, and a specific allocation of funds in the bill is required to ensure adequate funding for this important activity. The $17,500,000 in the bill represents an increase of $9,500,000 over the budget request.

Amendment No. 49: Retains prohibition in both bills on paying Sunday premium pay to FAA employees unless such employee actually performed work during the time corresponding to such pay, and deletes additional categories of premium pay proposed by the Senate to be subject to the prohibition.

Amendment No. 50: Deletes language proposed by the House which would limit obligations for the Aircraft Purchase Loan Guarantee Program to $9,970,000 in fiscal year 1995. The Senate bill, and the conference agreement, includes a similar limitation under amendment number 57.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

Amendment No. 51: Appropriates $2,087,489,000 for facilities and equipment instead of $2,176,700,000 as proposed by the House and $2,086,941,000 as proposed by the Senate.

The following table summarizes the fiscal year 1995 budget estimate, House and Senate recommended levels, and the conference agreement by budget activity:

FACILITIES AND EQUIPMENT
Conference Agreement
(In thousands of dollars)

FY94 ENACTED	FY95 BUDGET	TITLE	FY 1995 ESTIMATE	FY 1995 HOUSE	FY 1995 SENATE	CONFERENCE AGREEMENT
ACTIVITY 1, ENGINEERING, DEVELOPMENT, TEST, AND EVALUATION						
A. EN ROUTE ROGRAMS						
1A01	1A01	AVIATION WEATHER SERVICES IMPROVEMENTS	23,500.0	23,500.0	23,500.0	23,500.0
1A02	1A02	ADVANCED AUTOMATION SYSTEM (AAS) - E,D,T&E	473,500.0	425,000.0	409,500.0	409,500.0
1A03		AUTOMATIC DEPENDENT SURVEILLANCE (ADS)	0.0	0.0	0.0	0.0
1A04		AERONAUTICAL DATA LINK (ADL)	0.0	0.0	0.0	0.0
1A05		VOICE SWITCHING AND CONTROL SYSTEM (VSCS) - EDT&E	0.0	24,000.0	24,000.0	24,000.0
		OCEANIC AUTOMATION SYSTEM	0.0	41,600.0	36,300.0	36,300.0
2A09		AERONAUTICAL DATA LINK (ADL) APPLICATIONS	15,000.0	27,000.0	23,000.0	23,800.0
		SUBTOTAL - EN ROUTE PROGRAMS	**497,000.0**	**541,100.0**	**516,300.0**	**517,100.0**
B. TERMINAL PROGRAMS						
1B01	1B01	AIRPORT SURVEILLANCE RADAR (ASR)	3,000.0	3,000.0	3,000.0	3,000.0
1B02		RUNWAY STATUS LIGHT SYSTEM (FY 1995: 2B14)	0.0	0.0	0.0	0.0
1B03		TERMINAL ATC AUTOMATION (TATCA)	0.0	0.0	0.0	0.0
		TRANSIENT CREW SECURITY SYSTEM	0.0	0.0	0.0	0.0
		SUBTOTAL - TERMINAL PROGRAMS	**3,000.0**	**3,000.0**	**3,000.0**	**3,000.0**
C. FLIGHT SERVICE PROGRAMS			*0.0*	*0.0*	*0.0*	*0.0*
D. LANDING AND NAVIGATIONAL AIDS PROGRAMS						
1D01	1D01	MICROWAVE LANDING SYSTEM (MLS)	23,300.0	0.0	0.0	0.0
		SUBTOTAL - LANDING AND NAVIGATIONAL AIDS PROGRAMS	**23,300.0**	**0.0**	**0.0**	**0.0**
E. RESEARCH, TEST AND EVALUATION EQUIPMENT AND FACILITIES						
1E02	1E01	FAA TECHNICAL CENTER FACILITY - TECHNICAL BUILDING LEASE	5,290.0	5,290.0	5,290.0	5,290.0
1E03	1E02	UTILITY PLANT MODIFICATIONS	1,200.0	1,200.0	1,200.0	1,200.0
1E04	1E03	NAS IMPROVEMENT OF SYSTEM SUPPORT LABORATORY	4,500.0	4,500.0	4,500.0	4,500.0
1E05	1E04	TECHNICAL CENTER FACILITIES	9,000.0	9,000.0	9,000.0	9,000.0
---	1E05	TECHNICAL CENTER TEST EQUIPMENT	300.0	300.0	300.0	300.0
1E08	1E06	PRECISION AUTOMATED TRACKING SYSTEM	1,400.0	1,400.0	1,400.0	1,400.0
1E07	1E07	CAMI INFRASTRUCTURE - MODERNIZATION	2,900.0	2,900.0	2,000.0	2,900.0
1E01	---	INDEPENDENT OPERATIONAL TEST AND EVALUATION (IOT&E) SUPPORT	0.0	0.0	0.0	0.0
1E06	---	TECHNICAL CENTER R&D LABORATORY - ESTABLISH	0.0	0.0	0.0	0.0
		SUBTOTAL, RDT&E EQUIPMENT AND FACILITIES	**24,590.0**	**24,590.0**	**23,690.0**	**24,590.0**
		TOTAL ACTIVITY 1	***547,890.0***	***568,690.0***	***542,990.0***	***544,690.0***
ACTIVITY 2. AIR TRAFFIC CONTROL FACILITIES AND EQUIPMENT						
A. EN ROUTE PROGRAMS						
2A01	2A01	LONG RANGE RADAR (LRR) PROGRAM - REPLACE/ESTABLISH	21,100.0	14,100.0	14,100.0	14,100.0
2A02	2A02	ARSR-3 LEAP FROG PROGRAM	2,000.0	0.0	0.0	0.0
2A03	2A03	RADAR MICROWAVE LINK (RML) SYSTEM REPLACEMENT/EXPANSION	8,000.0	12,000.0	8,000.0	8,000.0
2A04	2A04	NEXT GENERATION WEATHER RADAR (NEXRAD) - PROVIDE	62,000.0	62,000.0	62,000.0	62,000.0
2A05	2A05	AIR TRAFFIC CONTROL EN ROUTE RADAR FACILITIES IMPROVEMENTS	8,898.0	8,898.0	7,400.0	8,898.0
2A06	2A06	ADVANCED AUTOMATION SYSTEM (AAS) - CENTER MODERNIZATION	36,400.0	0.0	8,800.0	8,800.0
2A07	2A07	EN ROUTE SOFTWARE DEVELOPMENT AND INTEGRATION SUPPORT	10,300.0	10,300.0	10,300.0	10,300.0
2A08	2A08	WEATHER AND RADAR PROCESSOR (WARP)	4,700.0	0.0	4,700.0	0.0
2A09	2A09	AERONAUTICAL DATA LINK (ADL) APPLICATIONS	15,000.0	0.0	0.0	0.0
2A10	2A10	EN ROUTE AUTOMATION EQUIPMENT - IMPROVE	4,000.0	4,000.0	4,000.0	4,000.0
2A11	2A11	OCEANIC AUTOMATION SYSTEM	16,400.0	0.0	0.0	0.0
2A12	2A12	ARTCC BUILDING IMPROVEMENTS/PLANT IMPROVEMENTS	59,128.0	32,828.0	21,000.0	21,000.0
2A14	2A13	VOICE SWITCHING AND CONTROL SYSTEM (VSCS)	231,200.0	184,500.0	193,500.0	184,500.0
2A15	2A14	REMOTE COMMUNICATIONS FACILITIES (RCF) - EXPAND/RELOCATE	5,400.0	5,400.0	5,400.0	5,400.0
2A16	2A15	TRAFFIC MANAGEMENT SYSTEM (TMS) - UPGRADE	10,800.0	10,800.0	8,800.0	8,800.0
2A17	2A16	DATA MULTIPLEXING NETWORK (DMN)	5,500.0	5,500.0	5,500.0	5,500.0
2A18	2A17	CRITICAL COMMUNICATIONS SUPPORT	12,700.0	12,700.0	10,700.0	10,700.0
2A19	2A18	EN ROUTE COMMUNICATIONS AND CONTROL FACILITIES IMPROVEMENT	7,189.0	7,189.0	6,689.0	6,689.0
2A13	2A19	NADIN II ENHANCEMENTS - PROVIDE	3,800.0	3,800.0	3,800.0	3,800.0
---	2A20	SATELLITE COMMUNICATIONS CIRCUIT BACK-UP	1,500.0	1,500.0	1,500.0	1,500.0
2A25	2A21	DOD BASE CLOSURE - FACILITY TRANSFER	10,700.0	10,700.0	6,700.0	5,000.0
2A22	2A22	CENTRAL ALTITUDE RESERVATION FUNCTION (CARF)	1,500.0	1,500.0	1,500.0	1,500.0
2A23	2A23	DISPLAY CHANNEL COMPLEX REHOST	2,000.0	2,000.0	2,000.0	2,000.0
	2A24	EN ROUTE ANALYSIS AND REPORTING SYSTEM	2,000.0	0.0	500.0	500.0
2A26	2A25	PERFORMANCE MONITORING ANALYSIS SYSTEM	1,000.0	1,000.0	1,000.0	1,000.0
	2A26	BACK-UP EMERGENCY COMMUNICATIONS (BUEC) - INTERIM	3,000.0	3,000.0	2,000.0	2,000.0
2A20		CENTRAL FLOW CONTROL FACILITY - RELOCATE	0.0	0.0	0.0	0.0
2A21		AIR/GROUND COMMUNICATION RFI ELIMINATION	0.0	0.0	0.0	0.0
2A24		LONG RANGE RADAR (LRR) PROGRAM - ESTABLISH	0.0	0.0	0.0	0.0
		ATC FACILITIES CONSOLIDATION	0.0	40,000.0	0.0	0.0
		SUBTOTAL - EN ROUTE PROGRAMS	**546,215.0**	**433,715.0**	**389,889.0**	**375,987.0**

FACILITIES AND EQUIPMENT
Conference Agreement
(In thousands of dollars)

FY94 ENACTED	FY95 BUDGET	TITLE	FY 1995 ESTIMATE	FY 1995 HOUSE	FY 1995 SENATE	CONFERENCE AGREEMENT
B. TERMINAL PROGRAMS						
2B01	2B01	AIRPORT SURVEILLANCE RADAR (ASR)	20,500.0	18,000.0	18,000.0	18,000.0
2B02	2B02	TERMINAL DOPPLER WEATHER RADAR (TDWR) - PROVIDE	25,000.0	25,000.0	25,000.0	25,000.0
2B03	2B03	MODE S - PROVIDE	24,900.0	24,900.0	24,900.0	24,900.0
2B04	2B04	DIGITAL BRITE RADAR INDICATOR TOWER EQUIPMENT (DBRITE)	2,700.0	2,700.0	2,700.0	2,700.0
2B10	2B05	TERMINAL SOFTWARE DEVELOPMENT SUPPORT	4,000.0	4,000.0	4,000.0	4,000.0
2B11	2B06	CHICAGO TERMINAL RADAR APPROACH CONTROL (TRACON) RELOCATION	2,400.0	2,400.0	2,400.0	2,400.0
2B12	2B07	ARTS IIIE UPGRADES FOR SELECTED AIR TRAFFIC FACILITIES - PROVIDE	10,000.0	8,000.0	15,000.0	15,000.0
2B13	2B08	REMOTE MAINTENANCE MONITORING SYSTEM (RMMS) - PROVIDE	10,000.0	10,000.0	10,000.0	10,000.0
2B14	2B09	TERMINAL AIR TRAFFIC CONTROL FACILITIES - REPLACE	54,500.0	55,500.0	35,500.0	40,250.0
2B15	2B10	AIR TRAFFIC CONTROL TOWER (ATCT)/TRACON FACILITIES - IMPROVE	16,433.0	14,433.0	14,400.0	14,400.0
2B16	2B11	EMERGENCY TRANSCEIVERS - REPLACEMENT	3,000.0	3,000.0	3,000.0	3,000.0
2B18	2B12	TERMINAL VOICE SWITCH REPLACEMENT (TVSR)	15,500.0	15,500.0	15,500.0	15,500.0
2B19	2B13	RADIO CONTROL EQUIPMENT (RCE) - PROVIDE	9,600.0	9,600.0	9,600.0	9,600.0
	2B14	RUNWAY STATUS LIGHT SYSTEM (FY 1994: 1B02)	4,000.0	4,000.0	4,000.0	4,000.0
2B22	2B15	AIRPORT SURFACE DETECTION EQUIPMENT (ASDE-3) - ESTABLISHMENT	7,000.0	7,000.0	7,000.0	7,000.0
2B23	2B16	ARTS IIA MODE C INTRUDER CAPABILITY AND VIDEO COMPRESSION	9,400.0	9,400.0	9,400.0	9,400.0
1B03	2B17	TERMINAL AIR TRAFFIC CONTROL AUTOMATION (TATCA)	13,000.0	16,000.0	13,000.0	13,000.0
2B24	2B18	TERMINAL RADAR (ASR) - IMPROVE	3,898.0	3,898.0	3,898.0	3,898.0
2B09	2B19	DALLAS/FORT WORTH METROPLEX PROGRAM	5,500.0	5,500.0	5,500.0	5,500.0
	2B20	POTOMAC PROJECT METROPLEX	2,800.0	2,800.0	2,800.0	2,800.0
	2B21	NORTHERN CALIFORNIA METROPLEX	1,500.0	1,500.0	1,500.0	1,500.0
	2B22	ATLANTA METROPLEX	1,500.0	1,500.0	1,500.0	1,500.0
2B21	2B23	EMPLOYEE SAFETY/OSHA AND ENVIRONMENTAL COMPLIANCE STANDARDS	31,300.0	31,300.0	31,300.0	31,300.0
	2B24	TERMINAL COMMUNICATIONS - IMPROVE	2,677.0	2,677.0	2,677.0	2,677.0
2B05	2B25	PRECISION RUNWAY MONITORS	1,000.0	14,000.0	16,000.0	15,000.0
	2B26	SOUTHERN CALIFORNIA METROPLEX	17,000.0	0.0	0.0	0.0
	2B27	NEW AUSTIN AIRPORT AT BERGSTROM	20,000.0	18,500.0	18,500.0	18,500.0
2B06		AIRPORT MOVEMENT AREA SAFETY SYSTEM (AMASS)	0.0	10,000.0	0.0	10,000.0
2B07		MODE C INTRUDER (MCI) EXPAND ARTS IIIA CAPACITY	0.0	0.0	0.0	0.0
2B08		SOUTHERN CALIFORNIA TRACON CONSOLIDATION/PROGRAM SUPPORT	0.0	0.0	0.0	0.0
2B17		NEW DENVER AIRPORT	0.0	0.0	0.0	0.0
2B20		TERMINAL COMMUNICATIONS IMPROVEMENTS	0.0	0.0	0.0	0.0
2B25		ATC TOWER STREAMLINING PROJECT	0.0	0.0	0.0	0.0
		SUBTOTAL - TERMINAL PROGRAMS	**319,108.0**	**321,108.0**	**297,075.0**	**310,825.0**
C. FLIGHT SERVICE PROGRAMS						
2C01	2C01	FLIGHT SERVICE STATION (FSS) AUTOMATION	8,000.0	8,000.0	8,000.0	8,000.0
2C03	2C02	AUTOMATED SURFACE OBSERVING SYSTEM (ASOS)	37,200.0	37,200.0	37,200.0	37,200.0
	2C03	WIDE AREA AUGMENTATION SYSTEM FOR GPS	25,900.0	70,000.0	67,900.0	67,900.0
2C06	2C04	FSAS OPERATIONAL AND SUPPORTABILITY IMPLEMENTATION SYSTEM (OASIS	2,000.0	2,000.0	2,000.0	2,000.0
2C07	2C05	FLIGHT SERVICE FACILITIES IMPROVEMENT	2,289.0	2,289.0	2,289.0	2,289.0
2C02		VERY HIGH FREQUENCY DIRECTION FINDER (DF) NETWORK PROGRAM	0.0	0.0	0.0	0.0
2C05		DIGITAL ALTIMETER SETTING INDICATORS (DASI) - REPLACE	0.0	0.0	0.0	0.0
2C04		WEATHER MESSAGE SWITCHING CENTER REPLACEMENT (WMSCR)	0.0	0.0	0.0	0.0
		SUBTOTAL - FLIGHT SERVICE PROGRAMS	**75,389.0**	**119,489.0**	**117,389.0**	**117,389.0**
D. LANDING AND NAVIGATIONAL AIDS PROGRAM						
2D01	2D01	VOR/DME/TACAN NETWORK PLAN	623.0	623.0	623.0	623.0
2D02	2D02	APPROACH LIGHTING SYSTEM IMPROVEMENT PROGRAM (ALSIP)	2,000.0	2,000.0	2,000.0	2,000.0
2D03	2D03	ILS - REPLACE MARK 1A, 1B, AND 1C	6,000.0	6,000.0	6,000.0	6,000.0
2D04	2D04	INSTRUMENT LANDING SYSTEM (ILS) - ESTABLISH/UPGRADE	18,600.0	18,600.0	20,100.0	20,100.0
2D05	2D05	VISUAL NAVAIDS - ESTABLISH/EXPAND	2,565.0	2,565.0	2,565.0	2,565.0
2D07	2D06	RUNWAY VISUAL RANGE (RVR)	2,500.0	2,500.0	2,500.0	2,500.0
	2D07	ILS - REPLACE WILCOX CAT II/III	11,600.0	11,600.0	11,600.0	11,600.0
	2D08	INSTRUMENT APPROACH PROCEDURES AUTOMATION (IAPA)	1,000.0	1,000.0	1,000.0	1,000.0
	2D09	GULF OF MEXICO OFFSHORE PROGRAM	5,400.0	12,700.0	5,400.0	8,500.0
2D08		ILS AND VISUAL NAVAID COMPONENT SPARING	0.0	0.0	0.0	0.0
2D09		ILS - FAA ASSUMPTION OF AIRCRAFT IMPROVEMENT PROGRAM FUNDING ILS'S	0.0	0.0	0.0	0.0
2D10		NAVIGATIONAL AND LANDING AIDS - IMPROVE	0.0	0.0	0.0	0.0
		SUBTOTAL - LANDING AND NAVIGATIONAL AIDS	**50,288.0**	**57,588.0**	**51,788.0**	**54,888.0**
E. OTHER ATC FACILITIES PROGRAMS						
2E01	2E01	ALASKAN NAS INTERFACILITY COMMUNICATIONS SYSTEM (ANICS)	5,000.0	5,000.0	5,000.0	5,000.0
2E02	2E02	FUEL STORAGE TANK REPLACEMENT AND MONITORING	10,500.0	10,500.0	10,500.0	10,500.0
2E03	2E03	FAA BUILDINGS AND EQUIPMENT - IMPROVE/MODERNIZE	11,645.0	11,645.0	11,645.0	11,645.0
2E04	2E04	ELECTRICAL POWER SYSTEMS - SUSTAIN/SUPPORT	7,000.0	7,000.0	3,500.0	5,000.0
2E05	2E05	AIR NAVIGATIONAL AIDS AND ATC FACILITIES (LOCAL PROJECTS)	6,000.0	6,000.0	6,000.0	6,000.0
2E06	2E06	AIR NAVIGATION FACILITY/ATC SYSTEM SUPPORT - PROVIDE	9,000.0	9,000.0	9,000.0	9,000.0
2E07	2E07	PURCHASE LAND OR EASEMENT FOR EXISTING FACILITIES	1,500.0	1,500.0	1,500.0	1,500.0
2E08	2E08	AIRCRAFT RELATED EQUIPMENT PROGRAM	6,000.0	6,000.0	6,000.0	6,000.0

FACILITIES AND EQUIPMENT
Conference Agreement
(In thousands of dollars)

FY94 ENACTED	FY95 BUDGET	TITLE	FY 1995 ESTIMATE	FY 1995 HOUSE	FY 1995 SENATE	CONFERENCE AGREEMENT
2E09	2E09	AIRCRAFT FLEET MODERNIZATION	50,000.0	50,000.0	50,000.0	50,000.0
	2E10	AIR TRAFFIC CONTROLLER CHAIRS - REPLACE	1,000.0	1,000.0	1,000.0	1,000.0
2E10	2E11	AIRPORT CABLE LOOP SYSTEMS - SUSTAINED SUPPORT	6,113.0	6,113.0	6,113.0	6,113.0
2E11	2E12	COMPUTER AIDED ENGINEERING GRAPHICS (CAEG) REPLACEMENT	1,000.0	1,000.0	1,000.0	1,000.0
2E12		SPECIAL USE AIRSPACE MANAGEMENT SYSTEM (SAMS)	0.0	0.0	0.0	0.0
		SUBTOTAL - OTHER ATC FACILITIES	**114,758.0**	**114,758.0**	**111,258.0**	**112,758.0**
		TOTAL ACTIVITY 2	***1,105,758.0***	***1,046,658.0***	***987,399.0***	***971,847.0***
ACTIVITY 3. NON-ATC FACILITIES AND EQUIPMENT						
A. SUPPORT EQUIPMENT						
3A01	3A01	AUTOMATED DATA PROCESSING (ADP) FACILITIES MANAGEMENT (CORN)	20,600.0	15,000.0	20,600.0	20,600.0
3A04	3A02	NAS MANAGEMENT AUTOMATION PROGRAM (NASMAP)	4,500.0	4,500.0	4,500.0	4,500.0
3A05	3A03	HAZARDOUS MATERIALS MANAGEMENT	15,000.0	15,000.0	15,000.0	15,000.0
3A06	3A04	AVIATION SAFETY ANALYSIS SYSTEM (ASAS)	15,392.0	15,392.0	15,392.0	15,392.0
3A07	3A05	OPERATIONAL DATA MANAGEMENT SYSTEM (ODMS)	5,000.0	5,000.0	5,000.0	5,000.0
3A12	3A06	CHILD CARE FACILITIES	4,400.0	4,400.0	4,000.0	4,400.0
3A08	3A07	FAA EMPLOYEE HOUSING - PROVIDE	8,000.0	8,000.0	8,000.0	8,000.0
3A09	3A08	LOGISTICS SUPPORT SYSTEM AND FACILITIES	5,000.0	5,000.0	5,000.0	5,000.0
3A10	3A09	TEST EQUIPMENT - MAINTENANCE SUPPORT FOR REPLACEMENT	4,000.0	4,000.0	4,000.0	4,000.0
3A11	3A10	RADIO FREQUENCY INTERFERENCE (RFI) VANS	2,300.0	2,300.0	2,300.0	2,300.0
3A13	3A11	INTEGRATED FLIGHT QUALITY ASSURANCE	2,500.0	2,500.0	2,500.0	2,500.0
	3A12	SAFETY PERFORMANCE ANALYSIS SUBSYSTEM (SPAS)	7,400.0	7,400.0	7,400.0	7,400.0
	3A13	PORTABLE PERFORMANCE SUPPORT SYS PEN-BASED TECHNOLOGY	2,543.0	2,543.0	2,543.0	2,543.0
3A16	3A14	NATIONAL AVIATION SAFETY DATA CENTER (ASAAP)	4,000.0	4,000.0	4,000.0	4,000.0
3A02	3A15	AIRPORT DATUM MONUMENT PROGRAM	1,500.0	1,500.0	1,500.0	1,500.0
3A03		NATIONAL AIRSPACE SYSTEM (NAS) RECOVERY COMMUNICATIONS (RCOM)	0.0	0.0	0.0	0.0
3A14		EXPLOSIVE DETECTION SYSTEM - INSTALL, OPERATE AND MAINTAIN	0.0	0.0	0.0	0.0
3A15		AIRMEN AND AIRCRAFT REGISTRY REPORTING SYSTEMS - RENOVATION	0.0	0.0	0.0	0.0
		SUBTOTAL - SUPPORT EQUIPMENT	**102,135.0**	**96,535.0**	**101,735.0**	**102,135.0**
B. TRAINING, EQUIPMENT AND FACILITIES						
3B02	3B01	COMPUTER BASED INSTRUCTION (CBI) - EXPAND/IMPROVE	4,500.0	4,500.0	4,500.0	4,500.0
3B03	3B02	AERONAUTICAL CENTER TRAINING AND SUPPORT FACILITIES	13,900.0	7,500.0	10,900.0	7,500.0
3B04	3B03	NATIONAL AIRSPACE SYSTEM (NAS) TRAINING FACILITIES	6,000.0	6,000.0	6,000.0	6,000.0
3B01		SIMULATION BASED TRAINING SYSTEMS	0.0	0.0	0.0	0.0
		SUBTOTAL - TRAINING, EQUIPMENT AND FACILITIES	**24,400.0**	**18,000.0**	**21,400.0**	**18,000.0**
		TOTAL ACTIVITY 3	***126,535.0***	***114,535.0***	***123,135.0***	***120,135.0***
ACTIVITY 4. MISSION SUPPORT						
4A01	4A01	SYSTEM ENGINEERING AND TECHNICAL ASSISTANCE (SETA)	95,200.0	70,000.0	77,600.0	74,000.0
4A02	4A02	LOGISTICS SUPPORT SERVICES	8,000.0	8,000.0	6,000.0	8,000.0
4A04	4A03	MIKE MONRONEY AERONAUTICAL CENTER - LEASE	14,800.0	14,800.0	14,800.0	14,800.0
4A05	4A04	IN-PLANT NAS CONTRACT SUPPORT SERVICES	5,700.0	5,700.0	5,700.0	5,700.0
4A06	4A05	TRANSITION ENGINEERING SUPPORT	52,000.0	52,000.0	50,000.0	50,000.0
4A07	4A06	NATIONAL AIRSPACE LOGISTICS SUPPORT (NAILS)	5,000.0	5,000.0	5,000.0	5,000.0
4A08	4A07	FREQUENCY AND SPECTRUM ENGINEERING - PROVIDE	1,600.0	1,600.0	1,600.0	1,600.0
4A09	4A08	ACQUISITION OVERSIGHT	2,000.0	0.0	1,000.0	0.0
4A11	4A09	FAA SYSTEM ARCHITECTURE	3,000.0	0.0	2,000.0	2,000.0
4A10	4A10	TECHNICAL SERVICES SUPPORT CONTRACT (TSSC)	62,000.0	62,000.0	61,000.0	61,000.0
	4A11	PROGRAM SUPPORT SERVICES	5,000.0	0.0	1,000.0	1,000.0
	4A12	PROGRAM SUPPORT LEASES	19,217.0	19,217.0	19,217.0	19,217.0
4A03		HUMAN RESOURCE MGMT. PLAN FOR NAS TRANSITION/IMPLEMENTATION	0.0	0.0	0.0	0.0
		TOTAL ACTIVITY 4	***273,517.0***	***238,317.0***	***244,917.0***	***242,317.0***
ACTIVITY 5. PERSONNEL AND RELATED EXPENSES						
		PERSONNEL AND RELATED EXPENSES	215,400.0	208,500.0	208,500.0	208,500.0
		TOTAL ACTIVITY 5	***215,400.0***	***208,500.0***	***208,500.0***	***208,500.0***
		TOTAL	***2,269,100.0***	***2,176,700.0***	***2,086,941.0***	***2,087,489.0***

Reprogramming to cover disaster-related expenses.—The conferees understand that the FAA is still incurring obligations for several natural disasters such as the California earthquake, the midwest floods, and Hurricane Andrew. These obligations have exceeded the $17,000,000 in total supplemental funds provided. Therefore, the conferees have no objection to the FAA reprogramming expiring fiscal year 1990 and fiscal year 1992 unobligated balances to cover unfunded natural disaster requirements. Specific allocation of this reprogramming should be footnoted by the FAA in its September 30, 1994 status report of reprogramming actions.

ARTS IIIE upgrades.—The conference agreement provides $15,000,000 for this program, as proposed by the Senate. The conference agreement allows the FAA to use some of the additional $5,000,000 provided for the ARTS IIIE program to accelerate the stand-alone terminal radar system (STARS) program, at the discretion of the FAA administrator.

Terminal air traffic control facilities-replacement.—The conference agreement provides $40,250,000 for this program instead of $55,500,000 as proposed by the House and $35,500,000 as proposed by the Senate. The conference agreement reflects the reduction of funds due to schedule delays, except for Bangor, Maine, as stated in the Senate report, and reflects the addition of $5,000,000 for a replacement tower in Birmingham, Alabama, as proposed by the House. The $350,000 included in the budget estimate for a replacement tower in Roanoke, Virginia is included in the conference agreement. The conference agreement also provides the funds requested for construction of a new air traffic control tower at the Portland, Oregon International Airport. The conferees are concerned with further delays in construction given the large increase in activity at this airport and the projection of a doubling of air traffic in the near future. The conferees expect the department to let a contract for construction in the first half of the fiscal year or as soon as consolidation plans are finalized.

Use of computer simulation technology in airport planning.—The conferees encourage the Secretary of Transportation to assess the commercial application of computer simulation technology in airport planning. The Department of Defense has made extensive use of interactive computer simulation technology to provide real-time manipulation of facilities, equipment, and manpower is wartime situations. The FAA has acknowledged the benefit of computer simulation technology in the specific area of noise abatement. The conferees would request that the Secretary accelerate the practical application of this technology in civilian aviation facility design and management. It is the conferees' belief that computer simulation may better communicate complex design options early in the planning process, thereby decreasing design costs and approval delays.

FSAS operational and support implementation system (OASIS).—The conferees have been made aware of a briefing prepared by the General Accounting Office on the FSAS operational and support implementation system (OASIS) program The GAO conducted a preliminary review to compare the FAA's current acquisition strategy for OASIS, with an alternative approach of using current contracts to upgrade the existing system. The GAO concluded that proceeding with OASIS is the best course of action. The conferees support the OASIS program, and have provided the $2,000,000 requested by the FAA to continue the program. The conferees direct the FAA to accelerate the program, with the goal of contract award by mid-1995 and first deployment in 1996. Such a schedule is achievable given the current emphasis on, and availability of, commercial off-the-shelf technology.

Instrument landing system establishment.—The conference agreement provides sufficient funds to procure and install an instrument landing system (ILS) at the Greater Peoria Airport in Illinois and a glide slope indicator at Owl's Head, Maine Airport. The conferees understand that the extension of runway 4/22 in Peoria is nearing completion and installation of the ILS is necessary at this time to complete rehabilitation of the runway and improve airfield operations and safety. The conferees recognize the special safety and economic development needs of the Knox County Airport located at Owl's Head, Maine, and direct the FAA to schedule installation of a glide slope to be coordinated with other airport improvements planned for construction in fiscal year 1995.

Roswell TRACON.—The conferees understand that the expeditious completion and operational utilization of the stand-alone TRACON in Roswell, New Mexico referred to in the Senate report means October 1997.

Amendment No. 52: Provides $1,878,989,000 available until September 30, 1997 instead of $1,968,200,000 as proposed by the House and $1,878,441,000 as proposed by the Senate.

Amendment No. 53: Provides that the $208,500,000 appropriated for personnel and related expenses shall be available for two years as proposed by the Senate instead of one year as proposed by the House. The conferees believe that personnel expenses should normally be subject to one-year availability, and most large personnel accounts in this bill are available for only one year. The conferees agree to keep this portion of facilities and equipment funding available for two years because some permanent change of station (PCS) funds are included in the account, and require two years of availability. However, the conferees request the FAA to include PCS funds in another part of the budget for fiscal year 1996, in order to allow one-year availability for the other personnel-related expenses.

(RESCISSION)

(AIRPORT AND AIRWAY TRUST FUND)

Amendment No. 54: Rescinds no funds as proposed by the Senate. The House bill included a rescission of $51,700,000.

RESEARCH, ENGINEERING, AND DEVELOPMENT

(AIRPORT AND AIRWAY TRUST FUND)

Amendment No. 55: Appropriates $259,192,000 for FAA research, engineering, and development instead of $254,000,000 as proposed by the House and $264,440,000 as proposed by the Senate. The following table summarizes the fiscal year 1995 budget estimate, House and Senate recommended levels, and the conference agreement:

RESEARCH, ENGINEERING, AND DEVELOPMENT
Conference Agreement
(In thousands of dollars)

	FY 1995 Estimate	House Bill	Senate Bill	Conference Agreement
Management and Infrastructure				
R,E&D Plans and Programs	3,873,000	3,623,000	3,873,000	3,623,000
Technical Laboratory Facility	5,800,000	3,500,000	5,800,000	5,800,000
Mitre Technical Support	0	-6,000,000	-2,000,000	-3,000,000
Subtotal	*9,673,000*	*1,123,000*	*7,673,000*	*6,423,000*
Capacity & Air Traffic Management Technology				
Air Traffic Management Technology	11,063,000	6,372,000	11,063,000	9,500,000
Oceanic Automation Program	10,910,000	12,910,000	10,910,000	10,910,000
Terminal ATC Automation (TATCA)	17,242,000	17,242,000	17,242,000	17,242,000
Runway Incursion Reduction/Tower Automation	8,135,000	8,135,000	8,135,000	8,135,000
System Capacity, Planning & Improvements	12,330,000	13,330,000	12,330,000	12,330,000
Cockpit Technology	7,613,000	4,110,000	6,613,000	5,000,000
Vertical Flight Program	3,663,000	5,663,000	3,663,000	4,860,000
Modeling and Simulation	9,915,000	9,915,000	9,915,000	9,915,000
Future Airway Facilities Maintenance Technology	1,030,000	500,000	1,030,000	800,000
Subtotal	*81,901,000*	*78,177,000*	*80,901,000*	*78,692,000*
Communications, Navigation & Surveillance				
Communications	19,333,000	19,333,000	19,333,000	19,333,000
Navigation	14,922,000	17,922,000	14,922,000	14,922,000
Surveillance	5,217,000	0	4,000,000	4,000,000
Subtotal	*39,472,000*	*37,255,000*	*38,255,000*	*38,255,000*
Weather	*2,909,000*	*2,909,000*	*2,909,000*	*2,909,000*
Airport Technology	*9,443,000*	*7,800,000*	*8,600,000*	*8,200,000*
Aircraft Safety Technology				
Aircraft Systems Fire Safety	5,337,000	700,000	5,337,000	1,200,000
Advanced Materials/Structural Safety	5,245,000	5,245,000	5,245,000	5,245,000
Propulsion and Fuel Systems	4,436,000	3,436,000	3,936,000	3,436,000
Flight Safety/Atmospheric Hazards Research	5,296,000	4,296,000	5,296,000	5,000,000
Aging Aircraft	22,957,000	22,957,000	25,957,000	25,000,000
Aircraft Catastrophic Failure Prevention Research	2,705,000	2,705,000	2,705,000	2,705,000
Fire Research	5,028,000	5,028,000	5,028,000	4,500,000
Subtotal	*51,004,000*	*44,367,000*	*53,504,000*	*47,086,000*
System Security Technology				
Explosives/Weapons Detection	23,675,000	23,675,000	23,675,000	23,675,000
NAS Security	1,977,000	0	1,977,000	1,000,000
Aviation Security Human Factors	3,124,000	3,124,000	3,124,000	3,124,000
Aircraft Hardening	7,828,000	7,828,000	7,828,000	7,828,000
Subtotal	*36,604,000*	*34,627,000*	*36,604,000*	*35,627,000*
Human Factors/Aviation Medicine				
Flightdeck Human Factors	6,890,000	7,430,000	6,890,000	8,000,000
ATC Human Factors	6,198,000	6,398,000	6,398,000	7,800,000
Airway Facilities Maint. Human Factors	2,333,000	3,459,000	2,333,000	3,459,000
Flightdeck/ATC Sysem Integration	2,199,000	4,342,000	2,199,000	6,524,000
Aircraft Maintenance Human Factors	1,579,000	1,984,000	1,579,000	1,984,000
Aeromedical Research	6,130,000	4,233,000	6,130,000	4,233,000
Undistributed Human Factors Increase	0	10,500,000	0	0
Subtotal	*25,329,000*	*38,346,000*	*25,529,000*	*32,000,000*
Environment and Energy	*5,429,000*	*4,896,000*	*5,429,000*	*5,200,000*
Innovative/Cooperative Research	*5,036,000*	*4,500,000*	*5,036,000*	*4,800,000*
TOTAL, R,E&D	***266,800,000***	***254,000,000***	***264,440,000***	***259,192,000***

Vertical flight program.—Of the funds provided for the vertical flight program, $1,200,000 is only for further research and development of the civil tiltrotor aircraft.

Aging aircraft.—Of the funds provided for the aging aircraft program, the Aging Aircraft Nondestructive Inspection Validation Center, the Center for Aviation System Reliability, and the Titanium Research Consortium are each to be allocated $1,000,000, as proposed by the Senate.

Manhattan heliport study.—The conferees do not agree with Senate direction to conduct a study, in cooperation with the Intrepid Museum Foundation and the City of New York, of the need for a new heliport in downtown Manhattan. Funds for this project have been provided under amendment number 56.

Wind shear protection for New York City airports.—The conferees are aware of significant problems encountered by the FAA in finding effective sites for terminal doppler weather radar (TDWR) coverage in New York City which address the concerns of surrounding communities. In response to these concerns, the FAA discontinued further planning for New York City TDWR sites covering JFK International and LaGuardia International airports in 1993. The conferees believe that a solution is needed which provides enhanced wind shear detection capability for these airports as soon as possible while addressing the concerns of local residents over the siting of large radar systems in residential areas. Therefore, the conferees direct the FAA to provide wind shear and microburst protection for these two airports by siting a TDWR at an appropriate location, as well as by installing a low-level wind shear alert system (LLWAS) at LaGuardia International Airport. The conferees believe this provides the best balance of radar coverage and community acceptability of all feasible options for the New York City area.

The FAA has announced that TDWRs will not be sited in North Bellmore or Roslyn, Long Island, due to the concerns of local residents over these sites' close proximity to residential neighborhoods. The conferees firmly support these decisions.

The conferees do not agree with the Senate direction regarding testing and installation of microburst prediction radar (MPR) equipment at New York City airports until the Memphis testing is complete. The conferees agree that while this equipment may have some potential as a low-cost alternative for airports not scheduled to receive a TDWR system, only further testing can determine its feasibility at such high density airports as JFK and LaGuardia. The conferees understand that the FAA looks forward to evaluating the MPR's performance at the New York City area airports. Therefore, the conferees direct the FAA to continue ongoing tests of the MPR system at Memphis and report the results to the House and Senate Committees on Appropriations.

GRANTS-IN-AID FOR AIRPORTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(AIRPORT AND AIRWAY TRUST FUND)

Amendment No. 56: Limits obligations under the grants-in-aid for airports program to $1,450,000,000 as proposed by the Senate instead of $1,500,000,000 as proposed by the House.

Specific projects.—Of the funds provided, the conferees direct that the following airports receive the corresponding allocations of fiscal year 1995 discretionary funds for planned or ongoing capital development projects:

Orlando International (runway 18L/36R rehabilitation)	$10,000,000
Philadelphia International (third runway)	10,000,000
Detroit City (runway extension)	2,000,000
San Juan (Luis Muoñoz Marin) International (crossfield taxiway)	7,000,000
New Manhattan heliport	2,000,000

AIRCRAFT PURCHASE LOAN GUARANTEE PROGRAM

Amendment No. 57: Includes, with amendments, language proposed by the Senate which finances the aircraft purchase loan guarantee program. The House had proposed to finance this program from the FAA operations appropriation. The conference agreement makes technical changes, including a deletion of bill language which is no longer needed due to codification in permanent law. The provisions previously and regularly enacted were identical from year to year, except for an annual limitation on obligations. Because the provisions constituted substantive law and contained the term "hereafter", they are considered to be permanent law. Accordingly, these provisions (other than the limitation on obligations) are no longer necessary in annual appropriations Acts.

FEDERAL HIGHWAY ADMINISTRATION

LIMITATION ON GENERAL OPERATING EXPENSES

Amendment No. 58: Limits general operating expenses of the Federal Highway Administration to $525,341,000 instead of $524,021,000 as proposed by the House and $539,798,000 as proposed by the Senate. Recommended funding distribution by program and activity is as follows:

Program/Activity	Conference
Administrative expenses	$307,183,000
Contract programs:	
Research & technology:	
Highway R&D	55,153,000
IVHS	114,500,000
Technology development	13,000,000
Long term pavement perf.	9,000,000
Local rural technical assist.	3,105,000
National Highway Institute	4,500,000
Disadvantaged business enterp.	10,000,000
International transportation	500,000
OJT support services	5,000,000
Rehabilitation of TFHRC	3,000,000
Technical assistance for Russia	400,000
Total	525,341,000
The highway R&D and IVHS programs by activity are as follows:	
Highway Research & Development:	
Safety	8,000,000
Materials	5,614,000
Pavements	7,700,000
Structures	6,500,000
Environment	5,760,000
Right-of-Way	442,000
Policy	6,881,000
Planning	6,250,000
Motor carrier	8,006,000
Total, Highway R&D	55,153,000
Intelligent Vehicle Highway System:	
Research & development	35,000,000
Operational tests	22,500,000
Commercial vehicle operations	10,700,000
Automated highway system	10,000,000
Advanced technology applications	15,000,000
Priority corridors	10,000,000
Deployment support	
Program & systems support	11,300,000
Total IVHS	114,500,000

Office of Motor Carriers.—The conference agreement provides funding for the Office of Motor Carriers' administrative expenses within the limitation on general operating expenses as proposed by the House. The Senate bill included a specific designation of funds for the Office of Motor Carriers within the Federal Highway Administration's limitation on general operating expenses. The conferees agree that the Office of Motor Carriers should absorb the same proportional reduction in funding for its administrative expenses as applied to other FHWA operating units funded under the limitation on general operating expenses account.

Motor carrier safety research and development.—The conference agreement includes $8,006,000 for motor carrier safety research and development. Within this amount, $2,500,000 shall be used for research to (1) test the feasibility of a smart card system to enhance the security and utility of the commercial driver's license and enforcement of hours-of-service regulations, (2) evaluate the medical requirements necessary to operate commercial motor vehicles safely and (3) develop a national electronic information truck and intermodal freight planning information service. Within the funds provided for motor carrier safety research and development, the conferees expect that $300,000 will be used to support the pilot project on hazardous materials registration and permits as directed by the Senate.

Pavements research and development.—The conferees agree that within the total of $7,700,000 provided for pavements is $600,000 for the evaluation of crumb rubber modified asphalts.

IVHS/Commercial vehicle operations.—Within the amounts provided for IVHS/commercial vehicle operations, the conferees agree that $3,900,000 be made available to design and implement an on-line motor carrier safety fitness system at no less than 200 MCSAP sites by mid-1997. The conference agreement also includes $500,000 for the hazardous materials incident notification pilot projects, $250,000 for fleet management activities, and $250,000 for outreach and deployment activities. The conferees do not agree with the Senate directive that at least $2,000,000 be made available for the design and initial development of an advanced vehicle and driver identification/information system. Instead, the conferees reiterate the Senate's directive that a report be submitted to the House and Senate Committees on Appropriations which describes the objectives of such a system and provides a complete plan describing how much a system might be implemented in the future.

Advantage I-75.—The conferees do not agree with the Senate bill which includes no funds under the commercial vehicle operations component of the IVHS program for operational tests. The conference agreement includes $1,300,000 to continue through fiscal year 1995 the on-going Advantage I-75 operational test and parallel evaluation activities that will include equipping and electronically linking each weigh station along I-75. The conferees believe, however, that the funds requested for the commercial vehicle operations component of the IVHS program should be reserved for higher-risk research and development activities that may not yet be ready for larger-scale deployment. Therefore, the conferees agree that funds for operational tests of this nature should be requested under the operational tests component of the program for fiscal year 1996 and beyond.

Intelligent vehicle/highway systems program.—Within the intelligent vehicle/highway systems program, the conferees recommend that not more than $7,500,000 of the $15,000,000 provided for advanced technology applications be transferred to the National Highway Traffic Safety Administration.

Amendment No. 59: Provides for the extended availability until September 30, 1997 of $218,158,000 in contract funds for the Federal Highway Administration instead of

$216,805,000 as proposed by the House and $232,615,000 as proposed by the Senate.

Border regions infrastructure issues.—The conferees agree with the House language recognizing the great need to develop further the infrastructure along the United States' border regions with Mexico and Canada, especially as these countries implement the North American Free Trade Agreement. The conferees have received a report prepared by the Federal Highway Administration entitled Assessment of Border Crossings and Transportation Corridors for North American Trade, and are concerned about its findings, including that "border states, in distributing federal highway funds, seem not to have allocated sufficient funds to border communities. * * *" The conferees reaffirm the House directive to the Federal Highway Administration to review its distribution of funds to border regions, including a reexamination of a dedicated border infrastructure investment program; to develop and report recommendations to improve the distribution of such funds; and to give high priority to the transportation needs of border regions. Finally the conferees direct the FHWA to work with state and local governments in border regions, including requests for information about funding distribution, to assist them with planning.

HIGHWAY-RELATED SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

(INCLUDING RESCISSION AND TRANSFER OF FUNDS)

Amendment No. 60: Insert the words "Rescission and" into the center heading for the Highway-related safety grants program as proposed by the Senate.

Amendment No. 61: Provides liquidating cash of $10,800,000 for Highway-related safety grants instead of $10,000,000 as proposed by the House and $11,500,000 as proposed by the Senate.

Amendment No. 62: Limits obligations for the Highway-Related safety grants programs to $10,800,000 instead of $10,000,000 as proposed by the House and $11,500,000 as proposed by the Senate.

The conferees agree that the total recommended includes not less than $500,000 for the development and implementation of safety management systems and not less than $300,000 for improved traffic engineering directed toward reducing deaths and injuries occurring in school bus loading/unloading zones.

Amendment No. 63: Rescinds $20,000,000 in unobligated contract authority from the section 402 highway safety programs as proposed by the Senate. The House bill contained no similar provision.

FEDERAL-AID HIGHWAYS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Amendment No. 64: Limits obligations for the Federal-aid highway program to $17,160,000,000 as proposed by the House instead of $17,543,150,000 as proposed by the Senate.

The conferees agree with all of the project specific priorities listed in the House and Senate reports accompanying the bill for the discretionary bridge program, the federal lands highways program, and for ferry boats and ferry facilities funding.

The conferees direct that within the total provided for the intelligent vehicle/highway system program, funding shall be made available for the following projects in the amounts specified:

Project	*Amount*
Minnesota (GuideStar)	$6,825,000
Oakland County, MI (Fast-Trac)	15,000,000
Charlotte, North Carolina (CARAT)	4,500,000
Houston, Texas	2,250,000
Lower Hudson Valley, New York	1,500,000
I-95 Corridor	7,500,000
Bronx-Northern Manhattan	2,250,000
University of North Dakota	750,000
Hazardous material trans. safety	1,500,000
Detroit, Michigan (SMART)	7,500,000
Santa Teresa, New Mexico crossing	1,680,000
Johnson City, Tennessee	3,750,000
TRANSCOM, New York/New Jersey	2,625,000
Syracuse, New York congestion mgmt	1,500,000
Brooklyn/Bronx/Queens signalization	3,750,000
National Trans. Center, Oakdale, NY	1,870,000
Advanced railroad/highway crossings	2,625,000
New Jersey Turnpike	2,625,000
Green light CVO project, Oregon	6,000,000

IVHS and the environment.—The conferees are aware of the recent findings of the National Conference on IVHS and the Environment, which highlighted the need to involve a wide range of public interest groups in the IVHS decision making process. The conferees agree with the finding of a related University of Minnesota study, that calls for the expansion of IVHS early deployment studies to include greater environmental group participation at the local level. The conferees also encourage the University of Minnesota to continue its efforts to initiate a research network on sustainable transportation technologies, and to keep the House and Senate Committees on Appropriations informed of progress in this area.

North Dakota infrastructure problems.—The conferees recognize the State of North Dakota is experiencing urgent and unique infrastructure problems. Significant flooding this spring, following an extremely severe winter and the historic floods of 1993 have created a serious situation.

The conferees also recognize that some of the road damage in North Dakota may not meet the Federal Highway Administration's strict definition of "sudden damage" that is crucial in determining eligibility for the emergency relief program. It is noted that Devils Lake, located in north-central North Dakota, has experienced a 650 percent increase in water inflow compared to average levels. The total volume of Devils Lake has doubled, and the lake has risen by eight feet in the past fifteen months, to a 100-year high level. While the increase may not be sudden by the FHWA's normal standard, the damage is very real and relief is needed.

The conferees further note that the Federal Emergency Management Agency has recognized the unusual nature of the circumstances in North Dakota, and has amended its criteria for certain disaster assistance. Therefore, the committee of conference urges the Federal Highway Administration to examine North Dakota's request for emergency funding very carefully and give special consideration to the unique and catastrophic circumstances that have already resulted in more than $10,000,000 in damage to federal-aid roads in the state.

RIGHT-OF-WAY REVOLVING FUND

(LIMITATION ON DIRECT LOANS)

(HIGHWAY TRUST FUND)

The conference agreement provides the budget request limiting loans in the right-of-way revolving fund to $42,500,000. Within that amount, the Federal Highway Administration is directed to make available $1,000,000 for the Yuba City, California bridge project.

MOTOR CARRIER SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

Amendment No. 65: Appropriates $74,000,000 for motor carrier safety grants as proposed by the House instead of $75,000,000 as proposed by the Senate.

The conference agreement distributes the appropriation as follows:

Activity	*Budget authority*
Basic grants to states	$55,550,000
Traffic enforcement	6,375,000
Commercial driver's license enforcement	1,000,000
Hazardous materials training	1,500,000
Truck and bus accidents	1,500,000
Research and development	500,000
Public education	850,000
Uniformity grants	3,450,000
Uniformity working groups	450,000
Commercial vehicle information system	1,500,000
Drug interdiction assistance	500,000
Administrative expenses	825,000
Total	74,000,000

The conferees agree that at least $600,000 of the funds provided for public education about sharing the road with the motor carrier industry should be distributed among the states and that not less than $300,000 of funds provided for traffic enforcement should be used to encourage state agencies that are not now writing the DOT number on traffic tickets to do so.

Covert verification activities.—The conferees agree that, within the funds provided, not less than $1,000,000 shall be used to conduct additional covert verification activities. These funds should be used to supplement covert verification activities in each state's enforcement plan and should be allocated on a priority basis to those states most in need of improving their covert verification activities.

Assistance to border states.—The conferees agree that not less than $750,000 of MCSAP funds available for redistribution in fiscal year 1995 be provided to border states that will be affected by increased trade with Mexico and Canada. These states face special problems associated with a projected concentration of trade-related commercial vehicle traffic at international border crossings.

Drug interdiction assistance.—The conference agreement includes $500,000 for special drug interdiction assistance grants to address extraordinary drug interdiction problems and needs. The conferees direct that the Federal Highway Administration's Office of Motor Carriers develop grant award criteria which consider a state's need for additional drug interdiction assistance over and beyond those activities that can be supported through the basic MCSAP grant. The FHWA shall advise the House and Senate Appropriations Committees of these award criteria prior to making grants to the states.

SURFACE TRANSPORTATION PROJECTS

Amendment No. 66: Appropriates $352,055,000 for surface transportation

projects as proposed by the Senate instead of $299,862,000 as proposed by the House. The conferees agree to the following distribution of the funding provided:

Project	Amount
State Route 4 freeway expansion, Pittsburg, CA	$1,000,000
I-10/I-12 Baton Rouge bypass, Louisiana	500,000
Coleman Bridge expansion, Virginia	1,000,000
Jasper, Alabama Bypass	1,650,000
Spring Mountain/I-15 interchange, Nevada	2,475,000
I-15 widening, Victorville to Barstow, CA	1,667,000
M-59 corridor, Michigan	11,000,000
U.S. 58, Cumberland Gap, Virginia	3,300,000
Fuller Warren Bridge, Jacksonville, FL	5,000,000
Airport access road, Jacksonville, FL	1,000,000
96th Street upgrade, Indianapolis, IN	1,000,000
State Road 305 improvements, Bainbridge Is, WA	672,000
Border highway extension, El Paso, TX	5,000,000
State Road 61 connector with I-20, Georgia	2,000,000
NASA road 1, Houston, TX	2,500,000
U.S. 71 upgrade, Alma, Arkansas to Louisiana	1,650,000
Airport access road, Detroit, MI	14,000,000
Rail consolidation project, Monroe, MI	5,000,000
Bristol St. improvement project, Santa Ana, CA	1,000,000
WA 18, 312th Way to Maple Valley, Washington	1,000,000
U.S.67/IL 267 improvements, Illinois	800,000
M-6 South Beltline, Grand Rapids, MI	1,000,000
CA 113 railroad grade separation, California	668,000
CA 113/I-5 improvements, California	500,000
CA 905, congestion mitigation border facility	668,000
Pier 98, Philadelphia, PA	60,000
U.S. 12 improvements, Washington	1,336,000
U.S. 395 improvements, Washington	3,300,000
Transportation center, Norwich, CT	668,000
State Highway 21 upgrade, Missouri	668,000
I-255/Mo 231 intersection, Missouri	535,000
Old Nashville Highway bridge, Tennessee	1,000,000
I-265 extension, Indiana	500,000
State Road 7/U.S. 441 widening, Florida	668,000
U.S. 220 construction, North Carolina	1,000,000
U.S. 22/U.S. 33 Lancaster bypass, Ohio	1,958,000
Baltimore-Washington Parkway, Maryland	8,000,000
Missouri R. bridge, Vermillion, SD-Newcastle, NE	2,000,000
Missouri R. bridge, Springfield-Niobrara, NE/SD	2,000,000
Intermodal terminal, Fearing Blvd., Toledo, OH	668,000
Highway safety improvements, Michigan	10,500,000
State Route 71, planning/design, Riverside Co, CA	1,000,000
Sidney Lanier Bridge, Brunswick, GA	1,850,000
M-102/Grand River interchange, Michigan	1,313,000
U.S. 93, upgrade, Kingman-Lake Mead, AZ	1,000,000
Delaware Street reconstruction, Tonawanda, NY	700,000
NY 531 extension study, Ogden-Sweden, NY	150,000
Highway 41 expansion, California	1,000,000
Highway 330, Marshalltown to Des Moines, IA	1,240,000
I-10, St. Charles Parish line to Tulane Ave., LA	1,000,000
Hoosier Heartland Corridor, Indiana	2,475,000
Arden Garden connector, Sacramento, CA	1,000,000
Evansville-Bloomington corridor, Indiana	1,500,000
PA 14 improvements, Bradford County, PA	1,000,000
PA 3011 improvements, Scranton, PA	1,000,000
U.S. 15, Steam Valley-Sebring, Pennsylvania	1,500,000
CA 138: CA 14 to 50th St., E., California	1,000,000
I-4 Greeneway interchange, Orlando, FL	1,000,000
Veterans Parkway, Springfield, IL	1,000,000
Peoria-Chicago highway, Illinois	1,000,000
Mare Island access study, California	500,000
Riverside Expressway, Fairmont, WV	4,000,000
Fairfax County expressway, Virginia	1,000,000
U.S. 22, Section B07 reconstruction, PA	1,000,000
Blairsville Bridge, Pennsylvania	1,069,000
U.S. 22/PA 217 bridge, Pennsylvania	600,000
Six points road interchange at I-70, Indiana	1,500,000
Railroad relocation, Lafayette, Indiana	4,450,000
6th & 7th Sts. improvements, Brownsville, TX	500,000
I-15/University Avenue interchange, Utah	1,500,000
Veterans Memorial Overpass, Arizona	1,000,000
Pinners point connector, Virginia	1,000,000
U.S. 64 improvements, North Carolina	3,000,000
Southern Charlotte outer loop, North Carolina	3,000,000
Peace Street, Thomasville, North Carolina	625,000
Unity Street, Thomasville, North Carolina	625,000
U.S. 17 bridge replacement (Neuse River), NC	3,000,000
U.S. 30 widening, Wooster to Riceland, OH	2,500,000
Santa Fe relief route, New Mexico	1,500,000
U.S. 27, Kentucky	750,000
KY 114 widening: Salyersville to U.S. 23, KY	1,000,000
77th Street improvements, Minneapolis, MN	4,125,000
City of Columbus "Front Door", Indiana	800,000
State Road 67 improvements, Indiana	500,000
Port of Palm Beach intermodal facility, Florida	500,000
I-15 corridor improvements, Salt Lake City, UT	1,500,000
U.S. 70 frontage road, Las Cruces, NM	1,000,000
State Highway 5 relocation, Iowa	2,636,000
State Road 124/7, Ravenswood connector, Ohio	1,336,000
McLellan Avenue, Marquette, MI	2,000,000
State Highway 58 upgrade, Bakersfield, CA	500,000
Bypass study and design, Conway, AR	500,000
I-5 capacity enhancement, California	1,000,000
U.S. 31 upgrade, Berrien County, Michigan	1,650,000
Wabasha Street bridge replacement, St. Paul, MN	500,000
Lake Shore Drive extension study, Whiting, IN	600,000
Marina access road, East Chicago, IN	800,000
U.S. 36 Hannibal bridge, Missouri-Illinois	1,250,000
Chouteau bridge replacement, Missouri	500,000
14th Street bridge lane addition, Virginia	1,000,000
U.S. 101 congestion relief, Sonoma County, CA	500,000
U.S. 101 HOV lanes, Marin County, CA	500,000
Orange Beach evacuation route, Alabama	4,000,000
Lock & dam No. 4, Pine Bluff, AR	8,000,000
Saddle Road, Hawaii	1,000,000
Kihei Road, Maui, HI	2,500,000
Des Moines/Burlington corridor, Iowa	8,000,000
Des Moines inner loop, Iowa	5,500,000
I-70/110th Street interchange, Kansas City, KS	3,600,000
Natcher Bridge, Owensboro, KY	15,800,000
I-10/I-610 intersection, New Orleans, LA	10,000,000
Corridor O, Maryland	5,000,000
Pearl River Bridge, Jackson, MS	400,000
River bridge, Greenville, MS	2,500,000
I-90 interchange, Belgrade, MT	500,000
Pyramid interchange, I-80, Nevada	5,500,000
Route 21/McCarter Highway, Newark, NJ	4,500,000
I-280 connector, Newark, NJ	4,500,000
Routes 4 & 17, Bergen County, New Jersey	15,000,000
Sunport Boulevard, Albuquerque, NM	4,600,000
Point of entry, Santa Teresa, NM	3,200,000
Exit 26 bridge, Schenectady, NY	3,200,000
Columbia Gorge Highway, Oregon	2,500,000
Busway, Pittsburgh, PA	15,800,000
Railroad relocation, Brownsville, TX	6,000,000
Corridor H, West Virginia	35,000,000
Mercer/McDowell Counties, Route 52, West Virginia	5,000,000

M-59 corridor, Michigan.—The conferees agree that of the funds provided for the M-59

corridor in Michigan, $2,000,000 shall be made available to the White Lake Road portion of the project, $2,000,000 shall be made available for the continued right-of-way acquisition on the Rochester Road portion of the project, $2,000,000 shall be made available for the right-of-way acquisition at the M-59/U.S. 23 interchange, $1,000,000 shall be made available for the bike path portion of the project in Washington and Shelby Townships, $750,000 shall be made available for the construction of a timber bridge on Little Road over the Clinton River in Clinton Township, and $300,000 shall be made available for improvements at the intersection of Tilch and 21-Mile Roads.

Highway safety improvement project, Michigan.—The conferees agree that of the funds provided for the highway safety improvement project in Michigan, $5,000,000 shall be made available for Walton Boulevard construction from Clintonville Road to Dixie Highway, $1,000,000 shall be made available for Baldwin Road right-of-way acquisition, $400,000 shall be made available for design of Trowbridge Road and $200,000 shall be made available for completion of the Saginaw Street project within the Lansing Area Mobility Project, $1,500,000 shall be made available for improved access to I-75 in Auburn Hills, $1,000,000 shall be made available for design and right-of-way acquisition at the Grand River/I-96 interchange, and $1,400,000 shall be made available for engineering, right-of-way acquisition and construction between Walton Boulevard and Dixie Highway.

Fuller Warren Bridge, Jacksonville, Florida.—The conferees remain concerned about the serious state of disrepair of the Fuller Warren Bridge and direct the Federal Highway Administration to work with the Florida Department of Transportation to identify additional resources to replace the bridge.

Corridor H, West Virginia.—The conferees have provided $35,000,000 for corridor H for fiscal year 1995 to continue right-of-way acquisition, preliminary engineering and construction. Corridor H is part of the Appalachian Regional Corridor System first authorized in 1965 and reauthorized in the Intermodal Surface Transportation Efficiency Act of 1991. The conferees recognize that for fiscal year 1996 and beyond, substantially more funds will be required in order to complete corridor H in the most expeditious and cost-effective manner. The conferees wish to avoid construction delays and the increased costs that would result therefrom in the funding of this important corridor and, therefore, agree that Congress should make every effort to consider favorably these increased funding needs for fiscal year 1996 and beyond.

East-West Transamerica corridor.—The conferees support a request to the Federal Highway Administration from the State of Kentucky for feasibility study funds authorized by section 1105(h) of the Intermodal Surface Transportation Efficiency Act of 1991 for the Kentucky segment of the East-West Transamerica corridor (I-66). The conferees believe the funding requested is necessary to further pursue this important project.

I-24/I-40 high occupancy vehicle lanes.—The conferees are familiar with the sustained population growth in Rutherford County, Tennessee, and the increasing need for congestion mitigation projects including the construction of high occupancy vehicle lanes on Interstate 24 and Interstate 40 from Rutherford County into Nashville. The conferees encourage the Tennessee Department of Transportation to establish congestion mitigation programs including construction of HOV lanes on I-24 and I-40. The conferees believe the highest priority should be given to I-24 in Davidson and Rutherford Counties.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

OPERATIONS AND RESEARCH

Amendment No. 67: Appropriates $79,556,000 for the general fund portion of the operations and research activities of the National Highway Traffic Safety Administration, of which $42,965,000 shall remain available until September 30, 1997. The House bill proposed a general fund appropriation of $74,352,000 of which $38,327,000 shall remain available until September 30, 1997. The Senate bill included no appropriation from the general fund.

(RESCISSIONS)

Amendment No. 68: Deletes House rescissions of $3,372,629 in unobligated balances previously made available for the national advanced driving simulator. The Senate bill included no similar rescissions.

OPERATIONS AND RESEARCH

(HIGHWAY TRUST FUND)

Amendment No. 69: Deletes Senate language which provides that activities authorized by the Motor Vehicle Information and Cost Savings Act and the National Traffic and Motor Vehicle Safety Act shall be financed out of the highway trust fund. The House bill included provisions to finance these activities from the general fund.

Amendment No. 70: Appropriates $46,997,000 for the highway trust fund portion of operations and research activities of the National Highway Traffic Safety Administration as proposed by the House instead of $128,887,000 as proposed by the Senate.

Amendment No. 71: Provides that $30,310,000 for operations and research activities shall be available until September 30, 1997 instead of $29,891,000 as proposed by the House and $70,000,000 as proposed by the Senate.

The conference agreement for operations and research (general fund and highway trust fund combined) includes the following adjustments to the President's budget request:

Rulemaking:	
New car assessment program side impact tests	−$620,000
New car assessment program promotional activities	−100,000
Fuel economy studies	−365,000
Automobile theft prevention program	+100,000
Travel expenses	−4,000
Enforcement: Odometer fraud program (+7 FTP/FTE)	+510,000
Highway safety:	
Pedestrian demonstrations	−341,000
Pedestrian/speed research initiatives	−342,000
Emergency medical services	−100,000
Older driver research	+56,000
Regional operations staff (−5FTP/5FTE)	−423,000
Research and analysis:	
Traffic injury studies	+300,000
National accident sampling system	+1,041,000
Data analysis program	−324,000
Vehicle safety systems	+1,000,000
Biomechanics research	
0,000	
General administration:	
NAS study on motor vehicle safety labeling	+300,000
Strategic planning studies	−100,000
Accountwide adjustments:	
Administrative reductions	−670,000

Fuel economy studies.—The conference agreement includes $360,000 for the fuel economy program instead of $300,000 as proposed by the House and $725,000 as proposed by the Senate. The conferees agree that within this amount, $300,000 shall be used for a study on light truck fuel economy in accordance with the House directive and $60,000 shall be used to maintain the plants, lines and financial database.

Domestic content labeling.—As a result of the passage of the American Automobile Labeling Act (AALA) of 1992, each new passenger motor vehicle manufactured on or after October 1, 1994 must be labeled to indicate the origin of its contents and location of assembly. The conferees note that NHTSA did not publish a final rule implementing this Act until July 21, 1994, despite the direction of Congress that the rule be published promptly so that manufacturers would have adequate lead time to comply.

The conferees are pleased that NHTSA has included a provision in the final rule that excuses manufacturers and suppliers from the requirement that they use the detailed data calculation procedures of the regulation for car lines first offered for sale to ultimate purchasers before June 1, 1995, if they use procedures that they expect, in good faith, to yield similar results.

The conferees are aware that several petitions for reconsideration have been submitted to NHTSA since the publication of the final rule. Among the issues raised in the petitions are whether it is consistent with the Act that the final rule requires that a first-tier supplier of equipment produced or assembled in the U.S. or Canada must consider material used in that equipment to have zero U.S./Canadian content unless the material's U.S./Canadian value has been verified by full tracing to its origin, and that a manufacturer or supplier that does not receive information from its suppliers concerning the U.S./Canadian content of equipment must consider the U.S./Canadian value of the equipment to be zero.

These provisions of the final rule will not ensure that the most accurate, understandable, and cost-effective information is provided to consumers, and thus contradict the expressed intent of Congress in passing the AALA. Therefore, the conferees direct NHTSA to amend the final rule to permit first-tier suppliers to use other methods, such as country-of-origin marking, substantial transformation, or other customs data in their records, to determine the U.S./Canadian content of equipment, and manufacturers and allied suppliers to use other methods to determine U.S./Canadian content of equipment when suppliers fail to provide adequate information.

Furthermore, to ensure that the final rule does not impose costly and unnecessary burdens on manufacturers, the conferees also direct NHTSA to amend the rule to allow manufacturers to propose alternative procedures for determining domestic content if such procedure produce reliable results.

Tire labeling program.—The managers are aware that NHTSA has requested comments on a tire labeling program to help consumers identify tires that have low rolling resistance and hence save fuel. The managers applaud this action and direct NHTSA to promulgate to rule to implement this program no later than June 1, 1995.

Odometer fraud program.—The conference agreement includes $510,000 in personnel compensation and benefits funds to restore seven positions and seven full-time equivalent staff-years for odometer fraud enforcement has proposed by the Senate.

Regional operations staff.—The conference agreement reduces staffing for NHTSA's office of regional operations by five positions and five full-time equivalent staff years below the budget request. The conferees wish to clarify that regional staff reductions may be made in headquarters and/or field operations, and that the conferees to not concur in the directive of the Senate which would have required that NHTSA's regional operations staff be placed under the associate administrator for traffic safety programs. The conferees understand that NHTSA currently has underway an assessment of NHTSA's relationship with the states and look forward to receiving a report from the NHTSA administrator regarding any actions he plans to take regarding organization, staffing policy and procedures to ensure that NHTSA's highway safety program is delivered in the most effective and efficient manner possible.

Federal grant administration.—The conferees agree that $6,043,000 may be made available to the highway safety program for federal grant administration costs.

Alcohol impairment survey.—The conferees agree that, within the amounts made available for traffic safety programs, $200,000 shall be made available for a roadside alcohol impairment survey to be conducted jointly by the North Carolina Transportation Department and the North Carolina Highway Safety Research Center.

National advanced driving simulator.—The conference agreement provides $2,000,000 for the national advanced driving simulator (NADS) as proposed by the Senate. The House bill included no appropriation for this project. When former Secretary of Transportation Samuel Skinner approved the NADS project on January 16, 1992, it was with the proviso that NHTSA obtain a total of $11,000,000 in cost-sharing contributions from non-DOT sources, approximately one third of the anticipated total $32,000,000 cost of developing the driving simulator. In addition, the March 19, 1993 cooperative agreement between NHTSA and the University of Iowa regarding the development of the NADS specifies that two thirds of any costs for the facility in excess of $32,000,000 will be borne by DOT with the remainder from non-DOT sources. Pursuant to these stipulations, the conferees direct that no funds are to be obligated for the construction of NADS unless the following conditions are met:

(1) NHTSA provides to the House and Senate Committees on Appropriations a new estimate of the expected total cost of the NADS project that reflects its evaluation of the work of the competing NADS design contractors;

(2) At least $11,000,000 in non-DOT matching contributions/commitments to the NADS project, of which $6,000,000 shall be cash contributions/commitments from nonfederal sources, are secured by June 1, 1995;

(3) The Transportation Research Board (TRB) makes a determination that, if the driving simulator is built, it is highly likely that NADS will be used to at least 80 percent of full capacity, as defined by the TRB, after a start-up period of two years; provided that for the purposes of the TRB determination, no more than 50 percent of capacity usage is attributable to NHTSA; and

(4) The General Accounting Office certifies to the House and Senate Committees on Appropriations that the $11,000,000 in matching contributions/commitments to the driving simulator has been secured, as stipulated above.

The conferees agree that if the General Accounting Office certifies that the $11,000,000 in matching contributions/commitments to the NADS project has not been secured as stipulated above, then the unobligated balances for the NADS project will be rescinded in the fiscal year 1996 transportation appropriations bill. However, if these conditions are met, the conferees expect to provide construction funds for the driving simulator in the fiscal year 1996 transportation appropriations bill. The conferees further agree that they have no objection to private contributors sharing in the use of the NADS software for their purposes.

National Academy of Sciences study on automobile labeling.—The conference agreement includes $300,000 for a study to be conducted by the National Academy of Sciences (NAS) of motor vehicle safety consumer information needs and the most cost effective methods of communicating this information, as proposed by the House. The conferees request that the NAS study include participation from a wide array of experts in marketing, advertising, consumer attitudes, vehicle safety, vehicle product development and manufacturing, as well as consumer representatives and safety advocates. The conferees further request that, as part of its study, the NAS review information gathered by NHTSA through public meetings held in 1994 on the topic of consumer information, and any information gathered by the agency through surveys of occupant protection attitudes, knowledge and behavior. The study should be submitted to the House and Senate Committees on Appropriations no later than March 31, 1996. In order to ensure that the results of the study are considered in the rulemaking process, the conferees agree that NHTSA shall not issue a final regulation concerning motor vehicle safety labeling requirements until after the NAS study is completed.

FEDERAL RAILROAD ADMINISTRATION

OFFICE OF THE ADMINISTRATOR

Amendment No. 72: Appropriates $13,090,000 for the office of the administrator instead of $13,650,000 as proposed by the House and $16,421,000 as proposed by the Senate.

Amendment No. 73: Provides $1,508,000 available until expended as proposed by the Senate instead of $1,300,000 as proposed by the House.

The conference agreement includes the following adjustments to the budget estimate:

Reduce increase for administrative law judges	−$125,000
Delete new position in public affairs office	−33,000
Hold travel to fiscal year 1994 level	−100,000
Delete funds for passenger rail oversight	−300,000
Administrative system upgrades	−65,000
Delete funds for rail trespasser profile study	−82,000
Reduction of 4 staff years	−286,000
Scranton-Wilkes-Barre rail study	+350,000
Metairie, LA rail crossing study	+250,000
Offset to account for unobligated balance	−2,000,000
Offset from Delaware & Hudson recoveries	−3,000,000

Scranton to Wilkes-Barre, PA rail study.—The conference agreement includes $350,000 and directs the FRA to use these funds for a comprehensive feasibility study of re-establishing passenger and freight service between Scranton and Wilkes-Barre, Pennsylvania. The FRA is directed to work with the Lackawanna County Railroad Authority to determine the economic viability, ridership and freight potential, and operational aspects of the proposed line.

Delaware & Hudson offset.—The conference agreement includes a new general provision (amendment number 173) which transfers $3,000,000 from the section 511 loan guarantee fund to this appropriation to offset regular operating expenses of the office of the administrator. These funds have been recovered from the Delaware and Hudson Railroad, and are not otherwise available for obligation.

RAILROAD SAFETY

Amendment No. 74: Appropriates $47,729,000 for railroad safety instead of $47,067,000 as proposed by the House and $48,079,000 as proposed by the Senate.

Amendment No. 75: Provides $2,600,000 available until expended instead of $2,500,000 as proposed by the House and $2,623,000 as proposed by the Senate.

The conference agreement includes the following adjustments to the budget estimate:

Reduce funding for corridor risk analytical model development	−100,000
Reduce increase in training-related travel	−50,000
Increase for rail-highway crossings safety	+200,000
Overtime	−60,000

RAILROAD RESEARCH AND DEVELOPMENT

Amendment No. 76: Includes language proposed by the Senate which allows the FRA to issue grants using funds from this appropriation. The House bill contained no similar language.

Amendment No. 77: Appropriates $20,500,000 for railroad research and development instead of $17,145,000 as proposed by the House and $20,985,000 as proposed by the Senate.

The conference agreement includes the following adjustments to the budget estimate:

Reduce maglev systems evaluation	−1,200,000
Defer further funding for TTC environmental cleanup	−200,000
Safety training for certified locomotive engineers	+350,000
Centralized positive train control/hazard sensing	+1,000,000

Centralized positive train control/hazard sensing.—The conferees provide $1,000,000 for this project, as proposed by the Senate, and direct that such funding must be matched by non-Federal sources on a dollar-for-dollar basis with a cash match.

NORTHEAST CORRIDOR IMPROVEMENT PROGRAM

Amendment No. 78: Appropriates $200,000,000 for the northeast corridor improvement program (NECIP) instead of $165,000,000 as proposed by the House and $230,000,000 as proposed by the Senate. Amtrak is requested to notify the House and Senate Committees on Appropriations of their final allocation of these funds.

Amendment No. 79: Provides three year availability for this appropriation as proposed by the House instead of availability until expended as proposed by the Senate.

Market and ridership survey.—The conferees agree that Amtrak is to conduct a detailed market and ridership survey of the proposed

high speed service between New York and Boston, as proposed by the House. As stated in the House report, this is to include modal preference interviews and surveys with traveler dispersion data.

Rhode Island rail development.—The conferees do not agree with the House direction that $10,000,000 of NECIP funds be used for design and construction of a third rail line between Providence and Davisville, Rhode Island. Funding for this project has been provided under amendment number 88.

Connecticut rail sidings.—The conferees do not agree with the House direction that $5,000,000 of NECIP funds be used for the construction of specific rail sidings in Connecticut. While the conferees support the need for these sidings, it is the conferees' understanding that such construction will be included in the final environmental impact statement for this project as a required mitigation measure which Amtrak will be required to finance.

RAILROAD REHABILITATION AND IMPROVEMENT PROGRAM

Amendment No. 80: Makes a technical change in the reference to the authorizing legislation for this program, as proposed by the Senate.

NEXT GENERATION HIGH SPEED RAIL

Amendment No. 81: Deletes the word "and" as proposed by the Senate.

Amendment No. 82: Includes language allowing funds to be used for track and signal improvements, as proposed by the Senate. The House bill included no similar language.

The conference agreement provides total funding (appropriation plus limitation on obligations) of $25,000,000 for the next generation high speed rail program. These funds are to be allocated as follows:

National transportation plan	$2,500,000
Defense conversion/technology development:	
Lightweight materials	500,000
Non-electric locomotive	3,000,000
Signal, grade crossing, and other technologies	8,500,000
Other innovative technologies	1,500,000
Administrative expenses	500,000
Corridor-specific planning and development:	
Alton, IL to St. Louis, MO	3,000,000
Charlotte, NC to Richmond, VA	1,000,000
State of Oregon	1,000,000
High speed trainset testing (TTC)	3,500,000

GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

Amendment No. 83: Appropriates $772,000,000 in total funding for grants to the National Railroad Passenger Corporation (Amtrak), instead of $771,700,000 as proposed by the House and $622,000,000 as proposed by the Senate.

Amendment No. 84: Provides $542,000,000 for Amtrak operating losses instead of $526,700,000 as proposed by the House and $392,000,000 as proposed by the Senate. The conference agreement reflects the inclusion of $150,000,000 in mandatory passenger rail service payments under this head instead of in a separate appropriation as discussed under amendment number 88.

Amendment No. 85: Provides that funds under this head may be used for mandatory passenger rail service payments, as proposed by the House. The Senate included such funds under a separate appropriation.

Amendment No. 86: Provides $230,000,000 for capital grants to Amtrak as proposed by the Senate instead of $245,000,000 as proposed by the House.

Rehabilitation of maintenance facilities.—The conferees agree with the House direction and allocations regarding funding for certain Amtrak maintenance facilities specified in the House report.

North Carolina section 403(b) service.—The conferees concur in the direction provided by the Senate Committee requiring Amtrak to carry over unexpended balances into fiscal year 1995 for the costs associated with expanded 403(b) service in the state of North Carolina.

Repair of damaged rolling stock.—The conferees agree that Amtrak may use federal capital funds for the extraordinary repair or replacement of damaged rolling stock.

Amendment No. 87: Makes a technical change that allows funds to be used to cover Amtrak's "losses" related to state-supported rail services, as proposed by the Senate.

RHODE ISLAND RAIL DEVELOPMENT

Amendment No. 88: Deletes appropriation of $150,000,000 in the Senate bill for Amtrak's mandatory passenger rail service payments. The conference agreement includes $150,000,000 for such payments under amendment number 83, "Grants to the National Passenger Railroad Corporation". In addition, the conferees agree to provide $5,000,000 to the Federal Railroad Administration (FRA) for construction of a third rail line between Davisville and Central Falls, Rhode Island, and specify that, as a condition of receiving such funds, the Providence and Worcester (P&W) Railroad shall enter into an agreement with the Secretary of Transportation to reimburse Amtrak and/or the FRA for up to the first $5,000,000 of any damages that the FRA and/or Amtrak may incur as a result of legal actions initiated by the P&W Railroad against Amtrak or the FRA to recover damages under certain existing contracts. The conferees wish to make it clear that in providing such funding, it is expected that the railroad will not seek to augment funds for this project through judicial remedies. If federal funds are provided in the future for this project, it is the conferees' firm intent that this limitation would be carried for any federal funds provided in those bills as well. The conferees also wish to make it clear that, in providing the above limitation related to potential legal action against Amtrak, they in no way intend to speak to the substance or the merits of any potential legal action. It is the intent of the conferees that the funds provided under this appropriation shall be used for activities other than those which Amtrak currently plans to undertake as part of the Northeast High Speed Rail Improvement Project.

PENNSYLVANIA STATION REDEVELOPMENT PROJECT

Amendment No. 89: Appropriates $40,000,000, to remain available until expended, for engineering, design and construction activities to enable the James A. Farley post office in New York City to be used as a train station and commercial center, as proposed by the Senate. The House proposed no similar appropriation. The conference agreement also includes language proposed by the Senate which: (a) allows the Secretary to use such funds for environmental and historic preservation analyses associated with this project, and (b) requires the participants to enter into an agreement satisfactory to the Secretary containing financial commitments from the participants sufficient to ensure completion of the project prior to the obligation of most construction funds. The agreement further requires that none of the funds provided herein may be obligated until authorized by law. Language proposed by the Senate requiring a report on this project has been deleted because such report has been submitted to the Congress since consideration of the Senate bill.

FEDERAL TRANSIT ADMINISTRATION

FORMULA GRANTS

(INCLUDING TRANSFER OF FUNDS)

Amendment No. 90: Inserts the center heading "Including transfer of funds" as proposed by the Senate.

Amendment No. 91: Appropriates $1,350,000,000 from the general fund for formula grants for the Federal Transit Administration as proposed by the Senate instead of $1,356,050,000 as proposed by the House.

Amendment No. 92: Provides for a total program level, including appropriations and limitations on obligations for transit formula grants, of $2,500,000,000 as proposed by the Senate instead of $2,506,050,000 as proposed by the House.

Section 13(c) processing.—The conferees agree that a review of the processing of grants by the Department of Labor under section 13(c) of the Federal Transit Act reveals that the majority of transit grants are processed without delay and funds obligated in a timely manner. When delays have occurred, they have often been attributable to difficulties the parties involved have experienced in negotiating appropriate arrangements in accordance with long-standing policy and program standards reflecting the intent of the provisions of section 13(c). The conferees believe that mediation and policy guidance expeditiously provided by the Department of Labor can best serve to facilitate negotiated solutions and, thus, the timely obligation of funds the Congress provides for transit improvements.

Amendment No. 93: Provides $710,000,000 for transit operating assistance instead of $700,000,000 as proposed by the House and $730,000,000 as proposed by the Senate.

Amendment No. 94: Deletes House language that would have delayed expenditure of funds made available for the XXVth Olympiad and the Xth Paralympiad for the Disabled until October 1, 1995, as proposed by the Senate.

Amendment No. 95: Provides that $8,000,000 of formula grants funding shall be transferred to the Transit planning and research account and be administered under the provisions of section 26(b) of the Federal Transit Act. The Senate had proposed a transfer of $10,000,000 while the House had not proposed any transfer. The conferees direct that within the total funding level provided for transit planning and research, the Federal Transit Administration shall make available a sufficient amount of funds for each of the programs and activities specifically mentioned in the House and Senate reports accompanying the bill.

National Cooperative Transportation Alliance.—The conferees are aware of the National Cooperative Transportation Alliance, a new transportation research center initiative in Knox County, Tennessee, which seeks to bring together the ongoing research and technology development efforts of the Oak Ridge National Laboratory, the Tennessee Department of Transportation, the University of Tennessee, the Oak Ridge Centers for Manufacturing Technologies, industry and others to further transportation research applications and commercialization. The Alliance will emphasize six areas of research

which are of substantial concern to the federal government including vehicle and fuel technologies, logistics systems, intermodal and international issues, transportation system planning, transportation infrastructure, and hazardous materials transportation. The Alliance will reap the benefit of past federal, state, and commercial research, development and deployment investments, including existing expertise. The conferees support this initiative, and urge the Federal Transit Administration to provide consultative support to members of the Alliance in development of the center.

Amendment No. 96: Deletes language proposed by the Senate which would have provided that ten percent of the funds apportioned to each grantee under section 9 of the Federal Transit Act be available for obligation only after the grantee certifies that the funding will be used only for projects that will contribute to reduced traffic congestion. The House bill contained no similar provision.

DISCRETIONARY GRANTS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Amendment No. 97: Provides $725,000,000 for fixed guideway modernization as proposed by the House instead of $760,000,000 as proposed by the Senate.

Amendment No. 98: Provides $353,330,000 for the replacement, rehabilitation, and purchase of buses and related equipment and the construction of bus related facilities as proposed by the House instead of $370,000,000 as proposed by the Senate. The conferees agree that the recommended funding should be distributed as follows:

Location and Purpose	*Amount*
Albany, New York, buses	$1,000,000
Albuquerque, New Mexico, intermodal center	3,750,000
Atlanta, Georgia, buses	4,000,000
Atlantic City, New Jersey, bus terminal	4,000,000
Atlantic City, New Jersey, rural buses	150,000
Beaver County, Pennsylvania, bus garage	500,000
Bronx, New York, buses	1,000,000
Buffalo, New York, transit station	800,000
Camden, New Jersey, shuttle buses	150,000
Cedar Rapids, Iowa, electric hybrid buses	3,000,000
Central Ohio, buses	3,000,000
Clallam, Washington, bus facility	1,600,000
Cleveland, Ohio, bus garage	1,500,000
Cleveland, Ohio, tower city intermodal hub	1,000,000
Corvallis, Oregon, et. al., buses	920,000
Cumberland County, NJ, buses	480,000
Detroit, Michigan, passenger intermodal center	4,000,000
Eagle County, Colorado, buses	1,000,000
Edmonds, Washington, intermodal center	400,000
El Paso, Texas, alternatively fueled buses	7,500,000
El Paso, Texas, transit terminal	1,500,000
Fitchburg, Massachusetts, intermodal center	1,000,000
Flint, Michigan, ground transportation center	170,000
Greenfield-Montague, MA, buses	540,000
Herndon-Reston, Virginia, park-n-ride	7,500,000
Johnson County, Kansas, wheelchair lift vans & buses	1,030,000
Kansas City, Missouri, Union Station facility	5,000,000
Kauai, Hawaii, Iniki Express operations	1,500,000
King County/Seattle, WA, buses	3,000,000
Lansing, Michigan, intermodal center	4,000,000
Las Vegas, New Mexico, intermodal center	220,000
Las Vegas/Clark County, NV, buses and bus facility	6,000,000
Little Rock, Arkansas, transit transfer facility	1,000,000
Long Beach, California, buses	1,000,000
Long Island, New York, buses, paratransit, & equip.	7,300,000
Los Angeles, California, Gateway intermodal center	7,000,000
Marine trans. sys., Alaska, ferry system	2,000,000
Memphis, Shelby County, TN, Central Station inter. facility	8,700,000
Miami, Florida, buses	2,000,000
Milwaukee, Wisconsin, multi-modal transit platform	1,000,000
MTC, Minnesota, buses	6,000,000
New Jersey transit, buses	13,000,000
New Orleans, Louisiana, buses	8,280,000
New Orleans, Louisiana, Union Passenger Terminal	2,000,000
Northern Virginia-Dulles, corridor express bus	950,000
Norwich, Connecticut, bus transfer/parking facility	2,000,000
Orlando, Florida, OSCAR	6,500,000
Orlando, Florida-Lynx, buses	500,000
Palm Beach County, Florida, buses & bus facility	5,000,000
Philadelphia-Erie Avenue, intermodal center	2,500,000
Philadelphia-Midvale, bus garage	7,500,000
Phoenix, Arizona, alternative fuel buses	6,500,000
Pittsburgh, Pennsylvania, busway	10,000,000
Pierce County, Washington, Tacoma Dome Station	3,000,000
Rutland, Vermont, intermodal facility	1,500,000
Salem, Oregon, bus facility	1,000,000
San Francisco, ferry building facility	1,000,000
San Francisco Bay Area, buses	7,000,000
Santa Barbara, California, buses	1,000,000
Santa Cruz, California, bus facility	1,000,000
Santa Fe, New Mexico, buses & center improvement	1,010,000
Sioux Falls, South Dakota, buses	1,200,000
Southeast Michigan, SMART/DDOT merger	9,000,000
Southeastern Pennsylvania, buses	6,000,000
State of Delaware, bus replacement	6,000,000
State of Illinois, buses & bus facilities	17,000,000
State of Iowa, buses and bus facilities	7,000,000
State of Maryland, buses and bus facilities	9,700,000
State of Michigan (DDOT), buses	7,000,000
State of Missouri, buses and bus facilities	1,500,000
State of North Carolina, buses & vans	16,000,000
State of Ohio, buses and bus facilities	15,000,000
State of Tennessee, buses	4,000,000
State of Utah, buses and bus facilities	4,000,000
State of Wisconsin, buses	12,000,000
Syracuse, New York, bus garage	700,000
Tri-state Authority, WV, buses & vans	3,400,000
Tucson, Arizona, paratransit o&m facility	1,890,000
Tucson, Arizona, alternatively fueled buses	1,890,000
Vineland, New Jersey, bus terminal	1,000,000
Wenatchee, Washington, intermodal facility	2,000,000
Westchester County, NY, buses	1,500,000
Wichita, Kansas, transit maintenance facility	2,600,000
Worcester, Massachusetts, intermodal center	3,000,000
Yolo County, CA, bus facility	1,500,000
Unallocated,	30,000,000

State of Illinois bus and bus related facilities.—The conference agreement provides $17,000,000 to the Illinois Department of Transportation for replacement buses and transit facilities. The committee of conference expects the Illinois Department of Transportation to fund the projects identified in the House report.

Sacramento, California section 3 projects.—The fiscal year 1994 Transportation Appropriations Act provided for an electric trolley in Sacramento available for a bus system in that city.

Suburban Mobility Authority for Regional Transportation.—The fiscal year 1994 Transportation Appropriations Act provided $5,000,000 in section 3 bus funds for the Suburban Mobility Authority for Regional Transportation (SMART). The conferees hereby approve the use of these funds under section 4(c) of title 49, United States Code, to utilize state of the art intelligent vehicle highway system/advanced vehicle locator technologies to enable SMART to integrate and optimize its fixed route paratransit services.

Amendment No. 99: Provides $646,670,000 for new fixed guideway systems as proposed by the House instead of $595,000,000 as proposed by the Senate. The conference agreement provides for the distribution for the recommended funding as follows:

Project	*Amount*
Boston, South Boston piers Transitway	$24,000,000
Chicago Central Area Circulator	25,000,000
Dallas South Oak Cliff light rail project	16,925,000
DART North Central light rail extension	2,500,000
Dallas-Ft. Worth RAILTRAN	3,000,000

Project	Amount
Florida Tri-County Commuter	10,000,000
Houston Regional Bus Plan Program	30,000,000
Los Angeles MOS-2 & MOS-3	165,000,000
Miami, Metrorail North Corridor Extension	1,000,000
New Jersey Urban Core	107,000,000
New Orleans Canal Street Corridor	10,000,000
New York Queens Connection	55,000,000
Cincinnati Northeast/Northern KY Rail	1,200,000
Orange County Transitway	5,000,000
Pittsburgh Busway projects	10,000,000
Portland Westside LRT Project	98,000,000
Salt Lake City light rail project	5,000,000
S.F. BART Extension/Tasman Corridor	20,150,000
San Juan, PR Tren Urbano	5,000,000
Seattle-Renton-Tacoma commuter rail	2,350,000
St. Louis METRO Link LRT Project	12,095,000
Maryland Central Corridor LRT project	3,000,000
Boston-Portland transportation corridor	3,600,000
MARC Commuter Rail project	14,000,000
Tampa to Lakeland, Florida commuter rail	500,000
Twin Cities Central Corridor	5,000,000
Wisconsin Central Commuter (Metra)	2,500,000
Whitehall ferry terminal, New York	2,500,000
Boston metropolitan "Urban Ring" project	1,100,000
Burlington to Gloucester, New Jersey line	1,500,000
New Bedford & Fall River, MA commuter rail	750,000
West Shore Line, New Jersey	4,000,000

Amendment No. 100: Provides $24,000,000 for the South Boston Piers transitway project instead of $48,000,000 as proposed by the House and no funding as proposed by the Senate.

Amendment No. 101: Provides $25,000,000 for the Chicago central area circulator project instead of $50,000,000 as proposed by the House and no funding as proposed by the Senate.

Amendment No. 102: Provides $16,925,000 for the Dallas South Oak Cliff LRT project instead of $33,770,000 as proposed by the House and no funding as proposed by the Senate.

Amendment No. 103: Provides $2,500,000 for the DART North Central light rail extension project instead of $5,000,000 as proposed by the House and no funding as proposed by the Senate.

Amendment No. 104: Provides $3,000,000 for the Dallas-Fort Worth RAILTRAN project instead of $6,000,000 as proposed by the House and no funding as proposed by the Senate.

Amendment No. 105: Provides $10,000,000 for the Florida Tri-County commuter rail project instead of $20,000,000 as proposed by the House and no funding as proposed by the Senate.

Amendment No. 106: Provides $30,000,000 for the Houston Regional Bus Plan program instead of $60,000,000 as proposed by the House and no funding as proposed by the Senate. The entirety of the regional computerized traffic signal system project, as described in Houston Metro's grant application to the Federal Transit Administration for the first annual capital construction program, is fully eligible to receive the funding provided herein.

Amendment No. 107: Provides $1,000,000 for the Miami Metrorail north corridor extension project instead of $2,000,000 as proposed by the House and no funding as proposed by the Senate.

Amendment No. 108: Provides $107,000,000 for the New Jersey Urban Core project instead of $500,000 as proposed by the House and $146,000,000 as proposed by the Senate. Consistent with the provisions of the Intermodal Surface Transportation Efficiency Act, Public Law 102-240, the funds provided for the Urban Core may be used for any project authorized under the Urban Core program of projects.

Amendment No. 109: Provides $10,000,000 for the New Orleans Canal Street Corridor project as proposed by the House. The Senate proposed no funding for this project.

Amendment No. 110: Provides $55,000,000 for the New York Queens Connection project instead of $45,000,000 as proposed by the House and $62,540,000 as proposed by the Senate.

Amendment No. 111: Provides $1,200,000 for the Cincinnati Northeast/Northern Kentucky rail line project instead of $2,400,000 as proposed by the House and no funding as proposed by the Senate.

Amendment No. 112: Provides $5,000,000 for the Orange County Transitway project instead of $10,000,000 as proposed by the House and no funding as proposed by the Senate.

Amendment No. 113: Provides $10,000,000 for the Pittsburgh Busway projects as proposed by the House instead of no funding as proposed by the Senate.

Amendment No. 114: Provides $98,000,000 for the Portland Westside LRT project instead of $73,500,000 as proposed by the House and $111,700,000 as proposed by the Senate.

Amendment No. 115: Provides $5,000,000 for the Salt Lake City light rail project instead of $10,000,000 as proposed by the House and no funding as proposed by the Senate. The conference agreement also permits the funding to be made available for related high-occupancy vehicle lane and intermodal corridor design costs as proposed by the House. The Senate bill contained no similar provision.

Amendment No. 116: Provides $20,150,000 for the San Francisco BART Extension/Tasman corridor project instead of $40,300,000 as proposed by the House and no funding as proposed by the Senate.

Amendment No. 117: Provides $5,000,000 for the San Juan, Puerto Rico Tren Urbano project instead of $10,000,000 as proposed by the House and no funding as proposed by the Senate.

Amendment No. 118: Provides $2,350,000 for the Seattle-Renton-Tacoma commuter rail project instead of $4,700,000 as proposed by the House and no funding as proposed by the Senate. The conferees agree that of the funds provided for the Seattle-Renton-Tacoma commuter rail project, up to $1,000,000 may be used for the capital costs of a commuter rail demonstration project in the Tacoma-Seattle-Everett corridor.

Amendment No. 119: Provides $12,095,000 for the St. Louis Metro Link LRT project instead of $19,500,000 as proposed by the House and $4,690,000 as proposed by the Senate. The total recommended includes $6,095,000 to complete phase I construction and $6,000,000 to initiate acquisition of vehicles for the Illinois extension.

Amendment No. 120: Provides $3,000,000 for the Maryland Central Corridor LRT project instead of $10,000,000 as proposed by the Senate and no funding as proposed by the House.

Amendment No. 121: Provides $3,600,000 for the Boston to Portland element of the Boston to Portland transportation corridor program instead of $37,300,000 for the program, including $3,600,000 for the Boston to Portland element and $33,700,000 for the Central Artery Rail Link element as proposed by the Senate and no funding as proposed by the House.

Amendment No. 122: Provides $14,000,000 for the MARC commuter rail project instead of $24,000,000 as proposed by the Senate and no funding as proposed by the House.

Amendment No. 123: Provides $500,000 for the Tampa to Lakeland commuter rail project instead of $1,000,000 as proposed by the House and no funding as proposed by the Senate.

Amendment No. 124: Provides $5,000,000 for the Twin Cities central corridor project instead of $10,000,000 as proposed by the House and no funding as proposed by the Senate.

Amendment No. 125: Provides $2,500,000 for the Wisconsin central commuter project instead of $5,000,000 as proposed by the House and no funding as proposed by the Senate.

Amendment No. 126: Provides $2,500,000 for the Whitehall ferry terminal, New York, instead of $5,000,000 as proposed by the House and no funding as proposed by the Senate.

Amendment No. 127: Provides $1,100,000 for the Boston metropolitan "Urban Ring" project as proposed by the Senate instead of no funding as proposed by the House.

Amendment No. 128: Provides no funding for the Burlington to Charlotte, Vermont commuter rail project as proposed by the House instead of $8,320,000 as proposed by the Senate. Although the conference agreement does not include funding for the Burlington to Charlotte, Vermont commuter rail project, funding will be reconsidered after the ongoing ridership and cost studies associated with the project have been fully evaluated.

Amendment No. 129: Provides $1,500,000 for the Burlington to Gloucester, New Jersey line project instead of $2,500,000 as proposed by the Senate and no funding as proposed by the House.

Amendment No. 130: Provides no funding for the Dulles Corridor rail project as proposed by the House instead of $6,000,000 as proposed by the Senate.

Amendment No. 131: Provides $750,000 for the New Bedford and Fall River, Massachusetts commuter rail extensions as proposed by the Senate instead of no funding as proposed by the House.

Amendment No. 132: Provides no funding for the New Orleans Riverfront LRT downriver extension as proposed by the House instead of $10,000,000 as proposed by the Senate.

Amendment No. 133: Provides $4,000,000 for the West Shore Line, New Jersey project instead of $5,100,000 as proposed by the Senate and no funding as proposed by the House.

INTERSTATE TRANSFER GRANTS—TRANSIT

Amendment No. 134: Appropriates $48,030,000 for interstate transfer grants—transit as proposed by the House instead of $38,530,000 as proposed by the Senate. The conferees do not concur with the language in the Senate report requiring that interstate transfer funds made available in the bill for Portland, Oregon, be used for preliminary engineering and environmental impact studies for the North/South corridor project.

Amendment No. 135: Restores language proposed by the House and stricken by the Senate that provides that of the funds made

available for interstate transfer grants—transit, only $9,500,000 shall be available for the substitute transit project approved under section 1045 of Public Law 102-240.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

OPERATIONS AND MAINTENANCE

(HARBOR MAINTENANCE TRUST FUND)

Amendment No. 136: Appropriates $10,251,000 for operations and maintenance of the United States' portion of the Saint Lawrence Seaway Development Corporation instead of $10,271,000 as proposed by the House and $10,150,000 as proposed by the Senate.

The conferees agree that the recommended amount reflects a reduction of $20,000 resulting from savings associated with the cessation of collection of U.S. tolls. This issue is also addressed in amendment number 171.

The conferees direct that the Seaway Development Corporation provide specific information in future budget submissions for "travel and transportation of persons", including a breakdown of the amount of travel funds budgeted for headquarters and field office travel. Within the breakdown for each office, the Corporation's budget should display "trade missions" costs, as well as other sub-categories of travel.

RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION

RESEARCH AND SPECIAL PROGRAMS

Amendment No. 137: Appropriates $26,238,000 for research and special programs instead of $26,074,000 as proposed by the House and $26,738,000 as proposed by the Senate.

The conference agreement includes the following adjustments to the President's budget request:

Hazardous materials safety:	
Information systems	−$50,000
Internship program	−10,000
Emergency response support	−60,000
HAZMAT registration administration	−50,000
Operating expenses	−7,000
Sanitary Food Transportation Act staff (2FTP/2FTE)	+75,000
Aviation information management: Operating expenses	−1,000
Emergency transportation:	
Operating expenses	−1,000
Research and technology:	
Radionavigation plan coordination	−100,000
R&D studies/coordination	−170,000
Operating expenses	−1,000
Program and administrative support:	
Electronic bulletin board	−45,000
Operating expenses	−22,000
Administrative expenses	−302,000

Sanitary Food Transportation Act implementation.—The conference agreement provides $75,000 and two full-time positions for implementation of the Sanitary Food Transportation Act (SFTA). The conferees have approved funding for two positions to enable the Department of Transportation to continue work associated with implementing SFTA. At the same time, however, the conferees are concerned that full implementation of the existing law could result in an entirely new food safety inspection bureaucracy with its concomitant costs within the Department of Transportation, when the requisite technical experience, operational framework, and inspection personnel already exist within the Departments of Health and Human Services and Agriculture. The conferees direct the Department of Transportation to move expeditiously, in consultation with the Departments of Agriculture and Health and Human Services, to resolve how the intent of SFTA can best be met and how enforcement responsibilities for the safe transportation of food should be distributed among the three agencies. Further, the conferees urge the authorizing committees to take prompt action on any legislation needed to implement a shared enforcement arrangement.

PIPELINE SAFETY

(PIPELINE SAFETY FUND)

Amendment No. 138: Appropriates $37,424,000 for pipeline safety instead of $32,967,000 as proposed by the House and $38,877,000 as proposed by the Senate.

The conference agreement includes the following adjustments to the President's budget request:

Federal and state pipeline inspector training	+$54,000
Research on new pipeline technologies	−358,000
New Jersey pipeline office	+304,000

Pipeline safety positions.—The conference agreement includes funding to support an additional 33 full-time permanent positions and 18 full-time equivalent staff in fiscal year 1995 for pipeline safety. The conferees have provided approximately half of the funds needed to support fully in fiscal year 1995 an additional 33 positions for the pipeline safety office in recognition that the time required to recruit new pipeline inspectors and to bring these employees on board will require less than full-year support for these positions. The conferees urge the Research and Special Programs Administration to accelerate to the extent practicable the hiring process for these additional safety personnel.

The conference agreement also provides the $4,500,000 requested in the President's budget to put qualified contract engineers in the field quickly to assess the integrity and safety of existing and new pipelines and to develop remedial strategies. Although it is nearly twice as costly to perform pipeline inspections utilizing contract personnel than federal inspectors, the conferees have approved the administration's request on a one-time basis in order to expedite safety inspections of high-risk pipelines. However, the conferees expect the Department of Transportation to budget for full-year funding for the additional 33 full-time permanent positions recommended for the office of pipeline safety in its fiscal year 1996 budget request. The conferees believe that providing support for full-time federal pipeline inspectors is a more efficient mechanism for addressing ongoing priority pipeline inspection requirements than utilizing more costly contract personnel.

Permanent New Jersey inspection office.—The conferees agree that $304,000 shall be allocated to establish in New Jersey a permanent pipeline safety regional office within the Office of Pipeline Safety.

Amendment No. 139: Provides that $34,991,500 shall be derived from the pipeline safety fund instead of $30,534,500 as proposed by the House and $36,445,500 as proposed by the Senate.

Amendment No. 140: Provides that $16,317,500 of funds derived from the pipeline safety fund shall remain available until September 30, 1997 instead of $14,323,000 as provided by the House and $17,876,000 as proposed by the Senate.

Amendment No. 141: Provides that not to exceed $750,000 shall be available from the pipeline safety fund for grants to states for the development and establishment of one-call notification systems. The Senate bill specified that not to exceed $1,500,000 shall be available from the pipeline safety funds for grants to state, one-call notification system operators and non-profit organizations for the development, establishment and promotion of pipeline damage prevention programs and one-call notification systems. The House bill assumed the availability of $1,000,000 from the pipeline safety fund for state grants for one-call notification activities.

Pipeline safety state grants.—The conference agreement includes $12,000,000 for pipeline safety state grants. The conferees agree that $11,250,000 of this amount shall be distributed based on the Senate direction.

EMERGENCY PREPAREDNESS GRANTS

(EMERGENCY PREPAREDNESS FUND)

Amendment No. 142: Limits obligational authority for emergency preparedness grants to $10,800,000 instead of $10,550,000 as proposed by the House and $11,200,000 as proposed by the Senate.

The conference agreement includes the following allocations for emergency preparedness activities:

Activity	*Budget authority*
Training and planning grants	$9,650,000
Technical assistance	400,000
Administration	500,000
National Institute of Environmental Health Sciences	250,000
Total	10,000,000

Amendment No. 143: Provides that only the Secretary of Transportation, the Director of the National Institute of Environmental Health Sciences, or their designees shall obligate emergency preparedness grant funds. The House bill provided that only the Secretary of Transportation or his designee shall obligate such funds. The Senate bill provided that such funds be made available only to the Secretary of Transportation and the National Institute of Environmental Health Sciences.

ALASKA PIPELINE TASK FORCE

(RESCISSION)

(OIL SPILL LIABILITY TRUST FUND)

Amendment No. 144: Rescinds $544,000 as proposed by the House. The Senate bill included no similar rescission.

The conference agreement rescinds $544,000 in unobligated balances for the Presidential Task Force on the Trans-Alaska Pipeline System. The conferees agree that the funds, appropriated in fiscal year 1993, are no longer needed.

OFFICE OF THE INSPECTOR GENERAL

SALARIES AND EXPENSES

Amendment No. 145: Appropriates $40,000,000 for salaries and expenses of the office of the inspector general as proposed by the House instead of $40,500,000 as proposed by the Senate. The conferees wish to emphasize to the Inspector General that the additional resources provided should be focused on the priority areas specified in the Senate report to the maximum extent possible. These include acquisition audits, motor fuel tax evasion investigations, and department-wide audits.

Odometer fraud investigations.—The conferees do not agree with House direction requiring the Inspector General to assume responsibility for conducting odometer fraud investigations. The conference agreement restores that function to the National Highway Traffic Safety Administration.

Amendment No. 146: Includes language proposed by the Senate which provides $180,000 for the Inspector General to hire independent legal counsel. The House bill contained no similar provision.

TITLE II—RELATED AGENCIES

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

Amendment No. 147: Appropriates $37,392,000 as proposed by the House instead of $37,046,000 as proposed by the Senate.

The conferences agreement provides for the following distribution of the appropriation and full-time equivalent staff:

Office	Staff years	Budget authority
Policy and direction	50	$6,041,000
Aviation safety	122	13,079,000
Surface transportation	91	9,883,000
Research and engineering	51	5,116,000
Administration	32	2,454,000
Administrative law judges	4	819,000
Total	350	37,392,000

INTERSTATE COMMERCE COMMISSION

SALARIES AND EXPENSES

Amendment No. 148: Appropriates $30,302,000, with technical modifications, for necessary expenses of the Interstate Commerce Commission (ICC) as proposed by the Senate. The House bill included no similar appropriation. However, the House bill (amendment number 170) provided $18,000,000 to the office of the secretary for severance pay for ICC employees and activities currently performed by the ICC.

Staffing allocation.—The conference agreement includes funding to support not more than 428 staff years as proposed by the Senate. This will result in a staffing reduction of 194 staff years below the Commission's fiscal year 1994 ceiling of 622 staff years. On August 26, 1994, the President signed into law the Trucking Industry Regulatory Reform Act of 1994. This law removes the requirement that motor carriers file tariffs with the Interstate Commerce Commission and, thereby, eliminates the need for certain ICC motor carrier regulations and enforcement activities. The streamlining of ICC motor carrier regulatory responsibilities will enable the ICC to refocus on significant remaining responsibilities including the enforcement of motor carrier safety and insurance requirements and the oversight of railroad mergers. Consistent with its reduced staffing requirements, the Commission notified employees on August 30, 1994 of its intent to implement involuntary separations on October 2, 1994. The conferees commend the Commission for promptly taking the necessary steps to immediately downsize in anticipation of fewer staff resources in fiscal year 1995. Funding for employee separation expenses has been provided in a separate account in amendment number 170.

The conferees agree on the staff-year allocation listed below which implements staff reductions throughout the Commission, particularly for administrative services and motor carrier workload. In recognition of the significant restructuring of the Commission's internal operations, the conferees agree that the Commission may need additional flexibility in fiscal year 1995 to realign operating funds in order to ensure that its resources are appropriately allocated to correspond with the Commission's diminishing motor carrier workload and increasing rail workload. While the conferees believe that the staff years provided are sufficient to address the Commission's ongoing rail workload, the conferees direct the Commission to notify promptly the House and Senate Committees on Appropriations should staff resources need to be reallocated to process rail merger proceedings expeditiously. Further, the conferees agree that the Commission shall advise the House and Senate Committees on Appropriations if it proposes to deviate by more than five percent from the staff-year or funding allocations listed below. Within the staff-year distribution listed below, the conferees direct that no fewer than three staff years shall be allocated to the Inspector General; not to exceed four staff years (including the commissioner) shall be allocated for each commissioner's office with the exception of the chairman who shall be allocated not to exceed 4.5 staff years; and not to exceed five staff years shall be allocated to the office of Congressional and press services.

Office	Staff years	Budget authority
Commissioners and their offices	25.5	$2,903,000
General counsel	15.5	1,775,000
Proceedings	60	5,947,000
Public services	14	1,425,000
Economics	53	5,446,000
Compliance and enforcement	166	13,605,000
Managing director	94	7,501,000
Offsetting collections	...	−8,300,000
Total	428	30,302,000

Reception and representation expenses.—The conferees direct that not more than $1,500 be used for official reception and representation expenses.

PANAMA CANAL COMMISSION

PANAMA CANAL REVOLVING FUND

Amendment No. 149: Corrects a technical error in the House bill. The House bill inadvertently made the obligation limitation applicable to fiscal year 1994. The conference agreement correctly cites fiscal year 1995, as proposed by the Senate.

DEPARTMENT OF THE TREASURY

REBATE OF SAINT LAWRENCE SEAWAY TOLLS

(HARBOR MAINTENANCE TRUST FUND)

Amendment No. 150: Deletes language proposed by the House and stricken by the Senate which would have appropriated $9,319,000 for the rebate of the United States' portion of tolls paid for the use of the Saint Lawrence Seaway. In a separate provision of the bill (section 339) the conferees agree to waive the requirement to collect tolls on the United States' portion of the Saint Lawrence Seaway. That action eliminates the need to appropriate toll rebates in this account.

TITLE III—GENERAL PROVISIONS

(INCLUDING TRANSFERS OF FUNDS)

Amendment No. 151: Provides that full-time equivalent staff years at the Volpe National Transportation Systems Center shall not exceed 550 in fiscal year 1995 instead of 536 as proposed by the Senate. The House bill had no similar provision, but funding levels assumed 559.5 full-time equivalent staff years.

Amendment No. 152: Deletes House language which provides for an exception to section 104(b)(5)(A) of title 23, United States Code, as proposed by the Senate.

Amendment No. 153: Provides for a technical modification to House language to amend "Interstate Discretionary" to read "Interstate Construction Discretionary" as proposed by the Senate.

Amendment No. 154: Restores House language deleted by the Senate which prohibits the use of funds in the Act to establish a highway safety advisory committee; and includes language proposed by the Senate which provides $6,000,000 in new budget authority for the Secretary to make loans not to exceed $40,000,000 for the construction of highways in high-priority corridors authorized by section 1105(f) of Public Law 102-240. Of the new budget authority provided, the conferees expect that at least $1,600,000 will be applied to the innovative financing plan anticipated for the U.S. 71 upgrade I-40 to Fayetteville, Arkansas, project.

Amendment No. 155: Deletes Senate language which provides that available unobligated balances may be used to support fiscal year 1995 pay raises for programs funded in this Act. The House bill included no similar provision.

Amendment No. 156: Restores House language deleted by the Senate which prohibits the use of funds in the Act for the implementation, administration or enforcement of section 1038(d) of Public Law 102-240 pertaining to crumb rubber modified asphalt; and deletes Senate language allowing the transfer of funds with the Office of the Secretary of Transportation.

Amendment No. 157: Restores House language deleted by the Senate which provides for the use of certain railroad-highway crossings project funds made available in Public Law 103-122, and transfer of unobligated balances from funds made available in Public Law 94-387 to a rail relocation project in Lafayette, Indiana; and includes language proposed by the Senate which provided $100,000 for a scenic byway pilot project.

Amendment No. 158: Restores House language deleted by the Senate which prohibits the use of funds in the Act for grants to entities that divert airport revenue to non airport uses in violation of the Airport and Airway Improvement Act of 1982, and deletes Senate language which prohibits the use of Coast Guard funds in the Act for the inspection of certain Department of Defense vessels. While deleting the statutory language, the conferees concur in the policy articulated by the Senate amendment as discussed under amendment number 33.

Amendment No. 159: Restores House language deleted by the Senate which prohibits the use of funds for the creation of highway signs using the metric system, and includes language proposed by the Senate which prescribes certain conditions under which tolls may be collected on any bridge connecting Brooklyn and Staten Island.

Amendment No. 160: Modifies House language deleted by the Senate by allowing continuation of the existing federally-funded research and development center (FFRDC) relationship between FAA and the Mitre Corporation's Center for Advanced Aviation Systems Development, but caps the scope of work to no more than 335 technical staff years during fiscal year 1995. The conference agreement also includes language proposed by the Senate allowing the Secretary of Transportation to enter into grants and other transactions in execution of the Technology Reinvestment Project.

The conferees understand that the FAA has completed its comprehensive review of the FFRDC relationship, as required by section 35.017 of the Federal Acquisition Regulations, and intends to make significant changes. The conferees applaud senior management at the FAA for expediting this review in order for the results to be considered

at this time. The conferees believe that if the FFRDC relationship with Mitre is to continue over the long term, the FAA must provide greatly increased day-to-day oversight, a more precise definition of what support is expected of the FFRDC relative to other contractors, and a reduction in the scope of the FFRDC contract to eliminate low value activities similar to those cited in the House report.

The conferees are pleased that the FAA appears to be moving toward such improvements. To ensure their implementation, the conferees direct the FAA to conduct an in-depth review of the existing Mitre contract, eliminate any activities which are not appropriate for an FFRDC, and subject all such activities to a full and open competition. In anticipation of this review, the conferees agree to bill language which limits technical staff years at the FFRDC to 335 during fiscal year 1995, which is 25 percent below the estimated fiscal year 1994 level. The conference agreement also reduces the RE&D appropriation by $3,000,000 for Mitre technical support, which reflects the lower level of effort. The FAA is also directed to provide a report to the House and Senate Committees on Appropriations, by March 1, 1995, describing in detail the FAA's plan for improved FFRDC oversight and the specific timing, scope and amount of work to be completed.

Amendment No. 161: Reduces the working capital fund for Department of Transportation programs funded in this Act by $7,000,000 instead of $13,253,000 as proposed by the House and $6,105,000 as proposed by the Senate.

Amendment No. 162: Limits working capital fund obligational authority for Department of Transportation programs funded in this Act to $93,000,000 instead of $88,750,000 as proposed by the House and $94,855,000 as proposed by the Senate.

Amendment No. 163: Reduces bonuses and cash awards for Department of Transportation employees by $5,590,000 instead of $6,012,680 as proposed by the House and $5,169,000 as proposed by the Senate. The reduction shall be allocated department wide as the Secretary determines appropriate. However, the conferees direct the Secretary to report to the Committees on Appropriations concerning the application of the limitation in light of the expiration of "merit pay" as previously authorized in chapter 54 of title 5, United States Code.

Amendment No. 164: Limits obligational authority for bonuses and cash awards for Department of Transportation employees to $25,922,000 instead of $25,500,000 as proposed by the House and $26,344,000 as proposed by the Senate.

Amendment No. 165: Restores House language deleted by the Senate which amends section 127(a) of title 23, United States Code, relating to vehicle weight limitations on the interstate highway system in the state of Maryland; and includes Senate language which directs the Federal Aviation Administration to install terminal doppler weather radar in Charlotte, North Carolina and to commission such radar by a certain date.

Amendment No. 166: Provides for a technical modification to House language to specify the Research and Special Programs Administration's account, as proposed by the Senate.

Amendment No. 167: Provides for a technical modification to House language to specify three Department of Transportation operating accounts, as proposed by the Senate.

Amendment No. 168: Provides for a technical modification to House language to specify a method of distribution of credited funds by account as proposed by the Senate.

Amendment No. 169: Restores House language deleted by the Senate which amends section 1045 of Public Law 102-240 regarding an interstate substitute project in the state of Wisconsin; and includes Senate language with technical modifications which provides that the capital portion of rail trackage rights agreements shall be an eligible capital expense under section 9 of the transit formula grant program.

Amendment No. 170: Provides $2,900,000 for employee severance pay expenses incurred by the Interstate Commerce Commission instead of $5,425,000 as proposed by the Senate. The House bill provided $26,300,000 to the Office of the Secretary of the Department of Transportation for severance pay and residual ICC related functions. The conferees agree that these funds are not available to support the Commission's ongoing operational requirements.

Amendment No. 171: Provides for the waiver of the collection and rebate of St. Lawrence Seaway tolls from commercial vessels as proposed by the Senate. The House bill included no similar provision.

Amendment No. 172: Provides that funds previously appropriated for the Meadowbrook Parkway project shall be available for the Loop Parkway Bridge rehabilitation project as proposed by the Senate with modification. The House bill included no similar provision.

Amendment No. 173: Deletes Senate language which limits the amount of Coast Guard operating funds available for certain kinds of pay and benefits, and includes language which provides for the transfer of up to $3,000,000 from the obligation fund established under section 511 of Public Law 94-210 to the Federal Railroad Administration, Office of the Administrator.

Amendment No. 174: Provides for the transfer of funds made available in Public Law 103-122 for the domestic fuel cell bus development program as proposed by the Senate. The House bill included no similar provision.

Amendment No. 175: Provides for federal matching shares for certain highway projects as specified in authorizing legislation; and deletes Senate language which allows certain funding for the Portland to Boston Transportation Corridor Program to be used for a rail link connection between North and South Stations, Boston. The House bill included no similar provision.

Amendment No. 176: Includes Senate language, with technical modifications, extending the availability of contract authority for the National Driver Register under the existing authorization for the section 402 highway safety program. The House bill included no similar provision.

Amendment No. 177: Includes Senate language which provides for a full and open competition for the Coast Guard acquisition of 47-foot motor life boats for fiscal year 1995 through 2000. The House bill included no similar provision.

Amendment No. 178: Provides that no funds in the Act shall be used to finance a sixth runway at the new Denver International airport, and deletes Senate language which allows funds available for certain highway research and development activities to be used for a follow-up study to a 1992 vision waiver study program. The House bill included no similar provision.

Amendment No. 179: Provides for a project to demonstrate two person high occupancy vehicle lanes on a portion of Interstate 66 in Virginia, and deletes Senate language which allows $486,000 in unobligated balances to be made available for a rail relocation project in Lafayette, Indiana.

Amendment No. 180: Includes Senate language which provides that the Eastport Port Authority facility in Eastport, Maine is eligible for funding under section 1064 of Public Law 102-240. The House bill included no similar provision.

Amendment No. 181: Deletes language proposed by the Senate which would have prohibited the use of funds in the Act to regulate overflights of public lands in Alaska. However, the conferees expect the Administration to abide by the letter and intent of the Alaska National Interest Lands Conservation Act.

Amendment No. 182: Deletes Senate language which prohibits the use of funds to implement recommendations of the Federal Aviation Administration's flight service modernization program to close or reduce services in flight service stations in the State of Alaska. The House bill included no similar provision.

The conference agreement recognizes and endorses a recently completed consensus agreement among the Alaskan aviation community and the FAA which addresses long-standing concerns over the provision of flight services in Alaska as well as quality of life concerns for FAA employees residing in remote locations of that state. The agreement is subject to certain important conditions with which the conferees agree and which FAA has indicated its willingness to satisfy. As part of this approach, the FAA has proposed a unique "rotational plan" for staffing the remote air traffic locations in Alaska. The conferees support the rotational plan, and the conference agreement provides $4,000,000 for initial implementation of that program. In addition, there have been concerns expressed about the closing of the Bettles, Alaska flight service station. There are no other stations within hundreds of miles of Bettles. The Committee understands that the FAA Administrator already has the authority to open that station on a seasonal basis if safety considerations warrant such action.

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 1994 amount, the 1995 budget estimates, and the House and Senate bills for 1995 follow:

New budget (obligational) authority, fiscal year 1994	$13,589,113,194
Budget estimates of new (obligational) authority, fiscal year 1995	13,813,438,000
House bill, fiscal year 1995	14,169,353,371
Senate bill, fiscal year 1995	14,330,109,000
Conference agreement, fiscal year 1995	14,290,468,000
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 1994	+701,354,806
Budget estimates of new (obligational) authority, fiscal year 1995	+477,030,000
House bill, fiscal year 1995	+121,114,629
Senate bill, fiscal year 1995	−39,641,000

	FY 1994 Enacted	FY 1995 Estimate	House	Senate	Conference	Conference compared with enacted
TITLE I - DEPARTMENT OF TRANSPORTATION						
Office of the Secretary						
Salaries and expenses	.....	61,811,000	76,094,000	.....	58,094,000	.....
Immediate Office of the Secretary	1,173,000	(1,397,000)	(1,220,000)	1,280,000	(1,220,000)	+47,000
Immediate Office of the Deputy Secretary	481,000	(603,000)	(583,000)	583,000	(583,000)	+102,000
Office of the General Counsel	7,817,000	(7,876,000)	(7,876,000)	7,876,000	(7,876,000)	+59,000
Office of the Assistant Secretary for Transportation Policy	2,410,000	(2,309,000)	(2,309,000)	2,309,000	(2,309,000)	-101,000
Office of the Assistant Secretary for Aviation and International Affairs	8,000,000	(7,887,000)	(7,887,000)	7,887,000	(7,887,000)	-113,000
Office of the Assistant Secretary for Budget and Programs	2,826,000	(5,106,000)	(3,954,000)	5,100,000	(4,400,000)	+1,574,000
Office of the Assistant Secretary for Governmental Affairs	2,100,000	(2,284,000)	(2,150,000)	2,284,000	(2,250,000)	+150,000
Office of the Assistant Secretary for Administration	27,066,000	(23,385,000)	(21,470,000)	23,385,000	(22,425,000)	-4,641,000
Office of Public Affairs	1,355,000	(1,458,000)	(1,368,000)	1,458,000	(1,380,000)	+25,000
Executive Secretariat	900,000	(935,000)	(932,000)	932,000	(932,000)	+32,000
Contract Appeals Board	602,000	(630,000)	(630,000)	630,000	(630,000)	+28,000
Office of Civil Rights	1,430,000	(1,788,000)	(1,779,000)	1,779,000	(1,779,000)	+349,000
Office of Small and Disadvantaged Business Utilization	934,000	(936,000)	(936,000)	936,000	(936,000)	+2,000
Minority Business Resource Center	.....	(4,000,000)	(4,000,000)	4,000,000	(4,000,000)	+4,000,000
Office of Intelligence and Security	1,000,000	(1,217,000)	.....	1,000,000	(800,000)	-200,000
Office of Intermodalism [1]	.....	.....	(1,000,000)	1,050,000	(1,000,000)	+1,000,000
Undistributed	.....	.....	(18,000,000)	.....	(-2,313,000)	-2,313,000
Subtotal, Salaries and expenses	58,094,000	61,811,000	76,094,000	62,489,000	58,094,000	.....
Transportation planning, research, and development	9,232,000	9,665,000	2,693,000	8,293,000	8,293,000	-939,000
Office of Commercial Space Transportation: Operations and Research	4,700,000	6,541,000	6,060,000	6,060,000	6,060,000	+1,360,000
Working capital fund	(93,000,000)	(107,359,000)	(88,750,000)	(94,855,000)	(93,000,000)	.....
Payments to air carriers (Airport and Airway Trust Fund):						
(Liquidation of contract authorization)	(33,423,077)	(25,600,000)	(25,600,000)	(33,423,000)	(33,423,000)	(-77)
(Limitation on obligations)	(33,423,077)	(25,600,000)	(25,600,000)	(33,423,000)	(33,423,000)	(-77)
Rescission of contract authority	(-10,067,000)	(-13,000,000)	(-13,000,000)	(-4,000,000)	(-4,000,000)	(+6,067,000)
Rental payments	149,605,000	144,419,000	144,419,000	144,419,000	144,419,000	-5,186,000
Rescission	(-1,781,000)	.....	.....	.....	.....	(+1,781,000)

[1] Comparable FY94: 1,050,000 and FY95: 1,690,000.

	FY 1994 Enacted	FY 1995 Estimate	House	Senate	Conference	Conference compared with enacted
Minority business resource center program	400,000	1,900,000	1,900,000	1,900,000	1,900,000	+1,500,000
(Limitation on direct loans)	(7,500,000)	(15,000,000)	(15,000,000)	(15,000,000)	(15,000,000)	(+7,500,000)
Total, Office of the Secretary	222,031,000	224,336,000	231,166,000	223,161,000	218,766,000	-3,265,000
(Limitations on obligations)	(33,423,077)	(25,600,000)	(25,600,000)	(33,423,000)	(33,423,000)	(-77)
Total budgetary resources	(255,454,077)	(249,936,000)	(256,766,000)	(256,584,000)	(252,189,000)	(-3,265,077)
Coast Guard						
Operating expenses	2,570,000,000	2,630,505,000	2,580,000,000	2,600,000,000	2,598,000,000	+28,000,000
(Transfer from DoD)	(21,770,000)	.....	.....	.....	.....	(-21,770,000)
Acquisition, construction, and improvements:						
Vessels	95,300,000	214,250,000	201,750,000	185,400,000	187,900,000	+92,600,000
Aircraft	49,685,000	14,900,000	14,900,000	11,800,000	11,800,000	-37,885,000
Other equipment	44,500,000	61,500,000	31,500,000	40,700,000	29,700,000	-14,800,000
Shore facilities and aids to navigation	96,400,000	103,550,000	93,050,000	87,800,000	89,350,000	-7,050,000
Personnel and related support	41,615,000	45,000,000	44,000,000	44,700,000	44,200,000	+2,585,000
Rescission	(-20,000,000)	.....	.....	.....	.....	(+20,000,000)
Subtotal, A C and I	327,500,000	439,200,000	385,200,000	370,400,000	362,950,000	+35,450,000
Environmental compliance and restoration	22,600,000	25,000,000	22,000,000	24,000,000	23,500,000	+900,000
Alteration of bridges	12,940,000	.....	.....	.....	.....	-12,940,000
Retired pay	548,774,000	562,585,000	562,585,000	562,585,000	562,585,000	+13,811,000
Reserve training	64,000,000	65,032,000	66,000,000	64,981,000	64,981,000	+981,000
Research, development, test, and evaluation	22,500,000	20,310,000	20,310,000	20,310,000	20,310,000	-2,190,000
Boat safety (Aquatic Resources Trust Fund)	32,250,000	.....	25,000,000	25,000,000	25,000,000	-7,250,000
Total, Coast Guard	3,600,564,000	3,742,632,000	3,661,095,000	3,667,276,000	3,657,326,000	+56,762,000
(Transfer from DoD)	(21,770,000)	.....	.....	.....	.....	(-21,770,000)
Total budgetary resources	(3,622,334,000)	(3,742,632,000)	(3,661,095,000)	(3,667,276,000)	(3,657,326,000)	(+34,992,000)
Federal Aviation Administration						
Operations	4,580,518,000	4,580,900,000	4,585,000,000	4,591,440,000	4,595,394,000	+14,876,000
Rescission	(-750,000)	.....	.....	.....	.....	(+750,000)

	FY 1994 Enacted	FY 1995 Estimate	House	Senate	Conference	Conference compared with enacted
Facilities and equipment (Airport and Airway Trust Fund)	2,120,104,000	2,269,100,000	2,176,700,000	2,086,941,000	2,087,489,000	-32,615,000
Rescission	(-65,380,300)		(-51,700,000)			(+65,380,300)
Research, engineering, and development (Airport and Airway Trust Fund)	254,000,000	268,800,000	254,000,000	264,440,000	259,192,000	+5,192,000
Grants-in-aid for airports (Airport and Airway Trust Fund):						
(Liquidation of contract authorization)	(2,200,000,000)	(1,500,000,000)	(1,500,000,000)	(1,500,000,000)	(1,500,000,000)	(-700,000,000)
(Limitation on obligations)	(1,690,000,000)	(1,690,000,000)	(1,500,000,000)	(1,450,000,000)	(1,450,000,000)	(-240,000,000)
Aircraft purchase loan guarantee program	150,000	148,000		148,000	148,000	-2,000
(Limitation on borrowing authority)	(9,970,000)	(9,970,000)		(9,970,000)	(9,970,000)	
Total, Federal Aviation Administration	6,954,772,000	7,116,948,000	7,015,700,000	6,942,969,000	6,942,223,000	-12,549,000
(Limitations on obligations)	(1,690,000,000)	(1,690,000,000)	(1,500,000,000)	(1,450,000,000)	(1,450,000,000)	(-240,000,000)
Total budgetary resources	(8,644,772,000)	(8,806,948,000)	(8,515,700,000)	(8,392,969,000)	(8,392,223,000)	(-252,549,000)
Federal Highway Administration						
Limitation on general operating expenses	(468,856,000)	(598,339,000)	(524,021,000)	(539,798,000)	(525,341,000)	(+56,485,000)
Highway-related safety grants (Highway Trust Fund):						
(Liquidation of contract authorization)	(10,000,000)	(10,000,000)	(10,000,000)	(11,500,000)	(10,800,000)	(+800,000)
(Limitation on obligations)	(10,000,000)	(10,000,000)	(10,000,000)	(11,500,000)	(10,800,000)	(+800,000)
Rescission of contract authority		(-20,000,000)		(-20,000,000)	(-20,000,000)	(-20,000,000)
Railroad-highway crossings projects	30,262,000					-30,262,000
Federal-aid highways (Highway Trust Fund):						
(Limitation on obligations)	(17,590,000,000)	(19,968,872,000)	(17,160,000,000)	(17,543,150,000)	(17,160,000,000)	(-430,000,000)
Rescissions	(-3,624,140)					(+3,624,140)
(Exempt obligations)	(2,117,008,750)	(100,000,000)	(2,267,701,000)	(2,267,701,000)	(2,267,701,000)	(+150,692,250)
(Liquidation of contract authorization)	(18,000,000,000)	(17,000,000,000)	(17,000,000,000)	(17,000,000,000)	(17,000,000,000)	(-1,000,000,000)
Emergency relief	(1,265,000,000)					(-1,265,000,000)
Emergency relief (subject to budget request)	(400,000,000)					(-400,000,000)
Right-of-way Revolving Fund (Highway Trust Fund) (limitation on direct loans)	(42,500,000)	(42,500,000)	(42,500,000)	(42,500,000)	(42,500,000)	
Motor carrier safety grants (Highway Trust Fund):						
(Liquidation of contract authorization)	(68,000,000)	(73,000,000)	(73,000,000)	(73,000,000)	(73,000,000)	(+5,000,000)
(Limitation on obligations)	(65,000,000)	(83,000,000)	(74,000,000)	(75,000,000)	(74,000,000)	(+9,000,000)
Surface transportation projects			299,862,000	352,055,000	352,055,000	+352,055,000
Baltimore-Washington Parkway	12,800,000					-12,800,000
Kentucky bridge project	12,000,000					-12,000,000

	FY 1994 Enacted	FY 1995 Estimate	House	Senate	Conference	Conference compared with enacted
Border highway project	6,400,000					-6,400,000
Appalachian corridor improvement project	57,000,000					-57,000,000
Cumberland Gap tunnel project	6,000,000					-6,000,000
Lock and Dam No. 4	4,000,000					-4,000,000
Mineola grade crossing (Highway Trust Fund)	7,800,000					-7,800,000
Congestion mitigation	1,600,000					-1,600,000
Cross Westchester expressway	9,800,000					-9,800,000
Schenectady bridge	3,200,000					-3,200,000
Columbia Gorge highway	2,500,000					-2,500,000
Manassas Battlefield bypass	3,000,000					-3,000,000
Rescission of contract authority [1]		(-816,966,000)				
Total, Federal Highway Administration	156,362,000		299,862,000	352,055,000	352,055,000	+195,693,000
(Limitations on obligations)	(17,665,000,000)	(20,061,872,000)	(17,244,000,000)	(17,629,650,000)	(17,244,800,000)	(-420,200,000)
(Exempt obligations)	(2,117,008,750)	(100,000,000)	(2,267,701,000)	(2,267,701,000)	(2,267,701,000)	(+150,692,250)
Total budgetary resources	(19,938,370,750)	(20,161,872,000)	(19,811,563,000)	(20,249,406,000)	(19,864,556,000)	(-73,814,750)
National Highway Traffic Safety Administration						
Operations and research	75,909,000	77,743,000	74,352,000		79,556,000	+3,647,000
Rescission			(-3,372,629)			
Operations and research (Highway Trust Fund)	48,236,000	48,092,000	46,997,000	128,887,000	46,997,000	-1,239,000
Subtotal, Operations and research	124,145,000	125,835,000	121,349,000	128,887,000	126,553,000	+2,408,000
Highway traffic safety grants (Highway Trust Fund):						
(Liquidation of contract authorization)	(138,550,000)	(151,000,000)	(151,000,000)	(151,000,000)	(151,000,000)	(+12,450,000)
State and community highway safety grants (Sec. 402) (limitation on obligations)	(123,000,000)	(123,000,000)	(123,000,000)	(123,000,000)	(123,000,000)	
Safety belt and motorcycle helmet use grants (Sec. 153) (limitation on obligations)	(12,000,000)					(-12,000,000)
National Driver Register (Sec. 402) (limitation on obligations)	(3,500,000)	(3,400,000)	(3,400,000)	(3,400,000)	(3,400,000)	(-100,000)
Alcohol safety incentive grants (Sec. 408) (limitation on obligations)	(10,500,000)					(-10,500,000)
Alcohol - impaired driving countermeasures program (Sec. 410) (limitation on obligations)	(25,000,000)	(25,000,000)	(25,000,000)	(25,000,000)	(25,000,000)	

[1] FY 1994 comparable rescissions of -$2,209,716,000. FY 1995 rescission proposed in budget, but not officially submitted.

	FY 1994 Enacted	FY 1995 Estimate	House	Senate	Conference	Conference compared with enacted
Education grants (Sec. 209) (cumulative limitation on obligations)	(4,750,000)	(4,750,000)	.....	.....	.....	(-4,750,000)
Rescission	(-219,750,000)	.....	.....	.....	.....	(+219,750,000)
Total, National Highway Traffic Safety Administration	124,145,000	125,835,000	121,349,000	128,887,000	126,553,000	+2,408,000
(Limitations on obligations)	(174,000,000)	(151,400,000)	(151,400,000)	(151,400,000)	(151,400,000)	(-22,600,000)
Total budgetary resources	(298,145,000)	(277,235,000)	(272,749,000)	(280,287,000)	(277,953,000)	(-20,192,000)
Federal Railroad Administration						
Office of the Administrator	12,011,000	18,481,000	13,650,000	16,421,000	13,090,000	+1,079,000
Local rail freight assistance	17,000,000	.....	17,000,000	17,000,000	17,000,000	.....
Railroad safety	44,420,000	47,739,000	47,067,000	48,079,000	47,729,000	+3,309,000
Railroad research and development	37,613,000	20,550,000	17,145,000	20,985,000	20,500,000	-17,113,000
Rescission	(-17,000,000)	.....	.....	.....	.....	(+17,000,000)
Northeast corridor improvement program	225,000,000	199,600,000	165,000,000	230,000,000	200,000,000	-25,000,000
Mandatory Passenger Rail Service Payments	137,000,000	.....	.....	150,000,000	.....	-137,000,000
Rhode Island Rail Development	.....	.....	.....	.....	5,000,000	+5,000,000
Railroad Rehabilitation and Improvement Financing Fund:						
Loan guarantee program (limitation on borrowing authority)	(5,000,000)	.....	.....	.....	.....	(-5,000,000)
Subsidy amount	250,000	.....	.....	.....	.....	-250,000
Next generation high speed rail program	.....	27,500,000	20,000,000	20,000,000	20,000,000	+20,000,000
High-speed ground transportation (Highway Trust Fund):						
(Liquidation of contract authorization)	(4,000,000)	(3,400,000)	(3,400,000)	(3,400,000)	(3,400,000)	(-600,000)
(Limitation on obligations)	(7,952,000)	(5,000,000)	(5,000,000)	(5,000,000)	(5,000,000)	(-2,952,000)
Grants to the National Railroad Passenger Corporation:						
Operations	351,700,000	536,000,000	526,700,000	392,000,000	542,000,000	+190,300,000
Capital	195,000,000	252,000,000	245,000,000	230,000,000	230,000,000	+35,000,000
Pennsylvania station redevelopment project	10,000,000	90,000,000	.....	40,000,000	40,000,000	+30,000,000
Total, Grants to the National Railroad Passenger Corporation	556,700,000	878,000,000	771,700,000	662,000,000	812,000,000	+255,300,000
Total, Federal Railroad Administration	1,029,994,000	1,191,870,000	1,051,562,000	1,164,485,000	1,135,319,000	+105,325,000
(Limitations on obligations)	(7,952,000)	(5,000,000)	(5,000,000)	(5,000,000)	(5,000,000)	(-2,952,000)
Total budgetary resources	(1,037,946,000)	(1,196,870,000)	(1,056,562,000)	(1,169,485,000)	(1,140,319,000)	(+102,373,000)

	FY 1994 Enacted	FY 1995 Estimate	House	Senate	Conference	Conference compared with enacted
Federal Transit Administration						
Administrative expenses	21,295,000	43,060,000	43,060,000	43,060,000	43,060,000	+21,765,000
Administrative expenses (Highway Trust Fund) (limitation on obligations)	(18,162,000)	.....	.....	.....	.....	(-18,162,000)
Formula grants	482,638,000	1,131,050,000	656,050,000	620,000,000	640,000,000	+157,362,000
Operating grants	802,278,000	600,000,000	700,000,000	730,000,000	710,000,000	-92,278,000
Formula grants (Highway Trust Fund) (limitation on obligations)	(1,129,951,000)	(1,150,000,000)	(1,150,000,000)	(1,150,000,000)	(1,150,000,000)	(+20,049,000)
University transportation centers	3,238,000	6,000,000	6,000,000	6,000,000	6,000,000	+2,762,000
University transportation centers (Highway Trust Fund) (limitation on obligations)	(2,762,000)	.....	.....	.....	.....	(-2,762,000)
Transit planning and research	48,125,000	92,250,000	92,250,000	92,250,000	92,250,000	+44,125,000
Transit planning and research (Highway Trust Fund) (limitation on obligations)	(44,125,000)	.....	.....	.....	.....	(-44,125,000)
Trust fund share of transit programs (Highway Trust Fund) (liquidation of contract authorization)	(1,195,000,000)	(1,150,000,000)	(1,150,000,000)	(1,150,000,000)	(1,150,000,000)	(-45,000,000)
Discretionary grants (Highway Trust Fund) (limitation on obligations)	(1,785,000,000)	(1,501,000,000)	(1,725,000,000)	(1,725,000,000)	(1,725,000,000)	(-60,000,000)
Rescission	(-3,308,935)	.....	.....	.....	.....	(+3,308,935)
Mass transit capital fund (Highway Trust Fund) (liquidation of contract authorization)	(1,000,000,000)	(1,500,000,000)	(1,500,000,000)	(1,500,000,000)	(1,500,000,000)	(+500,000,000)
Interstate transfer grants - transit	45,000,000	38,530,000	48,030,000	38,530,000	48,030,000	+3,030,000
Washington Metropolitan Area Transit Authority	200,000,000	200,000,000	200,000,000	200,000,000	200,000,000	.....
Total, Federal Transit Administration	1,602,574,000	2,110,890,000	1,745,390,000	1,729,840,000	1,739,340,000	+136,766,000
(Limitations on obligations)	(2,980,000,000)	(2,651,000,000)	(2,875,000,000)	(2,875,000,000)	(2,875,000,000)	(-105,000,000)
Total budgetary resources	(4,582,574,000)	(4,761,890,000)	(4,620,390,000)	(4,604,840,000)	(4,614,340,000)	(+31,766,000)
Saint Lawrence Seaway Development Corporation						
Operations and maintenance (Harbor Maintenance Trust Fund)	10,765,000	10,271,000	10,271,000	10,150,000	10,251,000	-514,000
Research and Special Programs Administration						
Research and special programs	24,008,000	26,982,000	26,074,000	26,738,000	26,238,000	+2,230,000
Hazardous materials safety	(12,600,000)	(12,999,000)	(12,600,000)	(13,449,000)	(12,897,000)	(+297,000)
Aviation information management	(2,521,000)	(2,454,000)	(2,453,000)	(2,454,000)	(2,453,000)	(-68,000)
Emergency transportation	(842,000)	(1,327,000)	(1,097,000)	(1,327,000)	(1,326,000)	(+484,000)

	FY 1994 Enacted	FY 1995 Estimate	House	Senate	Conference	Conference compared with enacted
Research and technology	(1,766,000)	(2,801,000)	(2,590,000)	(2,476,000)	(2,530,000)	(+764,000)
Program and administrative support	(6,279,000)	(7,401,000)	(7,334,000)	(7,032,000)	(7,032,000)	(+753,000)
Subtotal, research and special programs	(24,008,000)	(26,982,000)	(26,074,000)	(26,738,000)	(26,238,000)	(+2,230,000)
Pipeline safety (Pipeline Safety Fund)	19,376,000	37,424,000	32,967,000	38,877,000	37,424,000	+18,048,000
Alaska Pipeline Task Force (Oil Spill Liability Trust Fund) (rescission)	.....	.....	(-544,000)	.....	(-544,000)	(-544,000)
Emergency preparedness grants:						
(Emergency preparedness fund)	400,000	400,000	400,000	400,000	400,000	.....
(Limitation on obligations)	(11,000,000)	(11,350,000)	(10,550,000)	(11,200,000)	(10,800,000)	(-200,000)
Total, Research and Special Programs Administration	43,784,000	64,806,000	59,441,000	66,015,000	64,062,000	+20,278,000
(Limitations on obligations)	(11,000,000)	(11,350,000)	(10,550,000)	(11,200,000)	(10,800,000)	(-200,000)
Total budgetary resources	(54,784,000)	(76,156,000)	(69,991,000)	(77,215,000)	(74,862,000)	(+20,078,000)
Office of the Inspector General						
Salaries and expenses	39,000,000	38,319,000	40,000,000	40,500,000	40,000,000	+1,000,000
Administrative provision: Procurement	.....	-65,120,000	-65,120,000	-65,120,000	-65,120,000	-65,120,000
Total, title I, Department of Transportation (net)	13,442,329,625	13,710,821,000	14,102,099,371	14,236,218,000	14,196,231,000	+753,901,375
Appropriations	(13,783,991,000)	(14,560,787,000)	(14,170,716,000)	(14,260,218,000)	(14,220,775,000)	(+436,784,000)
Rescissions	(-341,661,375)	(-849,966,000)	(-68,616,629)	(-24,000,000)	(-24,544,000)	(+317,117,375)
(Limitations on obligations)	(22,561,375,077)	(24,596,222,000)	(21,811,550,000)	(22,155,673,000)	(21,770,423,000)	(-790,952,077)
(Exempt obligations)	(2,117,008,750)	(100,000,000)	(2,267,701,000)	(2,267,701,000)	(2,267,701,000)	(+150,692,250)
Total budgetary resources including (limitations on obligations) and (exempt obligations)	(38,120,713,452)	(38,407,043,000)	(38,181,350,371)	(38,659,592,000)	(38,234,355,000)	(+113,641,548)

	FY 1994 Enacted	FY 1995 Estimate	House	Senate	Conference	Conference compared with enacted
TITLE II - RELATED AGENCIES						
Architectural and Transportation Barriers Compliance Board						
Salaries and expenses	3,348,000	3,232,000	3,350,000	3,350,000	3,350,000	+2,000
National Transportation Safety Board						
Salaries and expenses	37,105,000	37,046,000	37,392,000	37,046,000	37,392,000	+287,000
Interstate Commerce Commission						
Salaries and expenses	44,960,000	43,827,000	.....	30,302,000	30,302,000	-14,658,000
Payments for directed rail service (limitation on obligations)	(475,000)	(475,000)	(475,000)	(475,000)	(475,000)	.....
Total, Interstate Commerce Commission	(45,435,000)	(44,302,000)	(475,000)	(30,777,000)	(30,777,000)	(-14,658,000)
Panama Canal Commission						
Panama Canal Revolving Fund:						
(Administrative expenses)	(51,742,000)	(50,030,000)	(50,030,000)	(50,030,000)	(50,030,000)	(-1,712,000)
(Limitation on operating and capital expenses)	(540,000,000)	(540,000,000)	(540,000,000)	(540,000,000)	(540,000,000)	.....
Department of the Treasury						
Rebate of Saint Lawrence Seaway Tolls (Harbor Maintenance Trust Fund)	9,707,000	9,319,000	9,319,000	.....	.....	-9,707,000
Washington Metropolitan Area Transit Authority						
Interest payments	51,663,569	9,193,000	9,193,000	9,193,000	9,193,000	-42,470,569
Total, title II, Related Agencies	146,783,569	102,617,000	59,254,000	79,891,000	80,237,000	-66,546,569
(Limitation on obligations)	(475,000)	(475,000)	(475,000)	(475,000)	(475,000)	.....
Total budgetary resources	(147,[illegible]58,569)	(103,092,000)	(59,729,000)	(80,366,000)	(80,[illegible]12,000)	(-66,546,569)

	FY 1994 Enacted	FY 1995 Estimate	House	Senate	Conference	Conference compared with enacted
GENERAL PROVISIONS						
Orange County, CA toll road	.....	.....	8,000,000	8,000,000	8,000,000	+8,000,000
High priority corridor	.....	.....	.....	6,000,000	6,000,000	+6,000,000
Grand total (net)	13,589,113,194	13,813,438,000	14,169,353,371	14,330,109,000	14,290,468,000	+701,354,806
Appropriations	(13,930,774,569)	(14,663,404,000)	(14,237,970,000)	(14,354,109,000)	(14,315,012,000)	(+384,237,431)
Rescissions	(-341,661,375)	(-849,966,000)	(-68,616,629)	(-24,000,000)	(-24,544,000)	(+317,117,375)
(Limitations on obligations)	(22,561,850,077)	(24,596,697,000)	(21,812,025,000)	(22,156,148,000)	(21,770,898,000)	(-790,952,077)
(Exempt obligations)	(2,117,008,750)	(100,000,000)	(2,267,701,000)	(2,267,701,000)	(2,267,701,000)	(+150,692,250)
Grand total budgetary resources including (limitations on obligations) and (exempt obligations)	(38,267,972,021)	(38,510,135,000)	(38,249,079,371)	(38,753,958,000)	(38,329,067,000)	(+61,094,979)
CONGRESSIONAL BUDGET RECAP						
Total in this bill	13,589,113,194	13,813,438,000	14,169,353,371	14,330,109,000	14,290,468,000	+701,354,806
Scoreekeeping adjustments	-553,563,455	-29,975,000	-19,718,000	-24,183,000	-24,334,000	+529,229,455
Total mandatory and discretionary	13,035,549,739	13,783,463,000	14,149,635,371	14,305,926,000	14,266,134,000	+1,230,584,261
Mandatory	600,587,569	571,926,000	571,926,000	571,926,000	571,926,000	-28,661,569
Discretionary	12,434,962,170	13,211,537,000	13,577,709,371	13,734,000,000	13,694,208,000	+1,259,245,830

BOB CARR,
RICHARD J. DURBIN,
MARTIN OLAV SABO
DAVID E. PRICE,
RONALD D. COLEMAN,
THOMAS M. FOGLIETTA,
DAVE OBEY,
FRANK R. WOLF
(except amendment 66, corridor H),
TOM DELAY
(except amendment 66, corridor H),
RALPH REGULA,
JOSEPH M. MCDADE,
Managers on the Part of the House.

FRANK R. LAUTENBERG,
ROBERT C. BYRD,
TOM HARKIN,
JIM SASSER,
BARBARA A. MIKULSKI,
ALFONSE M. D'AMATO,
PETE V. DOMENICI,
MARK O. HATFIELD,
ARLEN SPECTER,
Managers on the Part of the Senate.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MINETA (at the request of Mr. GEPHARDT) for today, on account of personal business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. SCHIFF) to revise and extend their remarks and include extraneous matter:)

Mr. GOSS, for 5 minutes each day, on September 27, 28, 29, and 30.

Mr. EHLERS, for 5 minutes each day, on September 27, 28, 29, and 30.

(The following Members (at the request of Mr. WISE) to revise and extend their remarks and include extraneous material:)

Mr. OWENS, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. SCHIFF) and to include extraneous matter:)

Mr. BURTON of Indiana.

Ms. ROS-LEHTINEN.

Mr. GILMAN.

(The following Members (at the request of Mr. WISE) and to include extraneous matter:)

Mr. PICKETT.

Mr. GEJDENSON in two instances.

Mr. MORAN.

Mr. EDWARDS of California.

Ms. NORTON.

Mr. BRYANT.

Mr. ROMERO-BARCELO.

Mr. ROEMER.

Mr. MILLER of California.

Mrs. MALONEY.

Mr. MAZZOLI.

Mr. TOWNS.

Mrs. MEEK of Florida.

(The following Members (at the request of Mr. LEWIS of California) and to include extraneous matter:)

Mr. GILLMOR.

Mr. LAROCCO.

Mrs. SCHROEDER.

SENATE JOINT RESOLUTION REFERRED

A joint resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S.J. Res. 221. Joint resolution to express the sense of the Congress in commemoration of the 75th anniversary of Grand Canyon National Park; to the Committee on Natural Resources.

ADJOURNMENT

Mr. LEWIS of California. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 21 minutes p.m.) under its previous order the House adjourned until Tuesday, September 27, 1994, at 10:30 a.m.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DINGELL: Committee on Energy and Commerce, H.R. 4865. A bill to amend the Federal Food, Drug, and Cosmetic Act, the Public Health Service Act, and the Orphan Drug Act to revise the provisions of such acts relating to orphan drugs; with an amendment (Rept. 103-746). Referred to the Committee of the Whole House on the State of the Union.

Mr. MURTHA: Committee of Conference. Conference report on H.R. 4650. A bill making appropriations for the Department of Defense for the fiscal year ending September 30, 1995, and for other purposes (Rept. 103-747). Ordered to be printed.

Mr. STUDDS: Committee on Merchant Marine and Fisheries. H.R. 4924. A bill to assist in the conservation of rhinoceros and tigers by supporting and providing financial resources for the conservation programs of nations whose activities directly or indirectly affect rhinoceros and tiger populations, and of the CITES Secretariat (Rept. 103-748). Referred to the Committee of the Whole House on the State of the Union.

Mr. GORDON: Committee on Rules. House Resolution 547. Resolution waiving points of order against the conference report to accompany the bill (H.R. 4602) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1995, and for other purposes (Rept. 103-749). Referred to the House Calendar.

Mr. BRYANT: Committee of Conference. Conference report on S. 349. An act to provide for the disclosure of lobbying activities to influence the Federal Government, and for other purposes (Rept. 103-750). Ordered to be printed.

Mr. DINGELL: Committee on Energy and Commerce. H.R. 4864. A bill to amend the Federal Food, Drug, and Cosmetic Act to authorize a device application fee, and for other purposes, with an amendment; (Rept. 103-751). Referred to the Committee of the Whole House on the State of the Union.

Mr. CARR: Committee of Conference. Conference report on H.R. 4556. A bill making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1995, and for other purposes (Rept. 103-752). Ordered to be printed.

SUBSEQUENT ACTION ON A REPORTED BILL SEQUENTIALLY REFERRED

Under clause 5 of rule X the following action was taken by the Speaker:

The Committees on Science, Space, and Technology and the Judiciary discharged from further consideration of H.R. 3392; H.R. 3392 referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. LEHMAN:

H.R. 5099. A bill to amend the Reclamation States Emergency Drought Relief Act of 1991 to provide a loan to the Madera-Chowchilla Power Authority; to the Committee on Natural Resources.

By Mr. CHAPMAN (for himself, Mr. MCCLOSKEY, Mr. MONTGOMERY, Mr. SKELTON, Mr. HALL of Texas, Mr. THOMAS of Wyoming, Mr. KOLBE, Mr. CLINGER, Mr. WILSON, Mr. HOLDEN, Mr. TAUZIN, Mr. VOLKMER, Mr. BREWSTER, Mr. WISE, Mrs. UNSOELD, and Mr. GENE GREEN of Texas):

H.R. 5100. A bill to repeal the ban on semiautomatic assault weapons and the ban on large capacity ammunition feeding devices; to the Committee on the Judiciary.

By Mr. LIVINGSTON:

H.R. 5101. A bill to amend title 28, United States Code, to provide that a reasonable attorney's fee shall be awarded as a part of the cost to prevailing plaintiffs in Federal civil actions; to the Committee on the Judiciary.

By Mr. MCCANDLESS (for himself and Mr. FISH):

H.R. 5102. A bill to amend title 18, United States Code, with respect to certain crimes relating to Congressional Medals of Honor; to the Committee on the Judiciary.

By Mr. MCCLOSKEY:

H.R. 5103. A bill to amend title 31, United States Code, to provide for an Executive Director of the General Accounting Office Personnel Appeals Board, and for other purposes; to the Committee on Post Office and Civil Service.

By Mrs. MEEK of Florida:

H.R. 5104. A bill to amend title XIX of the Social Security Act to require each State plan for medical assistance under such title to impose nondiscrimination requirements on hospitals and nursing facilities receiving

funds under the plan; to the Committee on Energy and Commerce.

H.R. 5105. A bill to amend title XVIII of the Social Security Act to impose nondiscrimination requirements on hospitals and skilled nursing facilities as a condition of participation in the Medicare Program; jointly, to the Committees on Ways and Means and Energy and Commerce.

By Mr. SAXTON:

H.R. 5106. A bill to amend the Internal Revenue Code of 1986 to provide an exclusion from gross income for amounts contributed by an employer to medical incentives accounts of employees; to the Committee on Ways and Means.

By Mr. WILLIAMS:

H.R. 5107. A bill to amend the Wild and Scenic Rivers Act to provide for the study of Rock Creek in the State of Montana for potential addition to the national wild and scenic rivers system, and for other purposes; to the Committee on Natural Resources.

By Mr. STEARNS:

H. Con. Res. 297. Concurrent resolution expressing the sense of the Congress that President Clinton should ask for the resignation of Joycelyn Elders as Surgeon General of the Public Health Service; to the Committee on Energy and Commerce.

H. Res. 548. Resolution expressing the sense of the House of Representatives that aviators who meet the qualification standards of the Air Forces Escape and Evasion Society should be granted recognition for meritorious service by the Department of Defense; to the Committee on Armed Services.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 9: Mr. DELLUMS.

H.R. 326: Ms. SCHENK, Mr. SISISKY, Mr. BECERRA, Mr. JOHNSON of Georgia, Mr. MCHALE, Mr. ORTON, Mr. ROWLAND, Mr. JOHNSON of South Dakota, Mrs. BYRNE, Mr. LAUGHLIN, Mr. MATSUI, and Mr. WATT.

H.R. 559: Mr. MILLER of California.

H.R. 1366: Mr. CHAPMAN.

H.R. 1517: Mr. MCCLOSKEY.

H.R. 1671: Mr. FILNER.

H.R. 1843: Mr. DEFAZIO and Mr. STUMP.

H.R. 2638: Mr. TORRES and Ms. MARGOLIES-MEZVINSKY.

H.R. 2790: Mr. SWETT.

H.R. 3179: Mr. JEFFERSON.

H.R. 3283: Mr. JACOBS.

H.R. 3500: Mr. LEWIS of Kentucky.

H.R. 3906: Mr. RIDGE, Mr. ANDREWS of New Jersey, Mr. KOPETSKI, and Mr. LUCAS.

H.R. 4051: Mr. HOLDEN.

H.R. 4091: Mr. VENTO and Mr. GIBBONS.

H.R. 4300: Mr. LEWIS of Georgia.

H.R. 4491: Mr. MCINNIS, Mr. TAYLOR of North Carolina, Ms. PRYCE of Ohio, Mr. DOOLITTLE, and Mr. RIDGE.

H.R. 4531: Mr. DEUTSCH.

H.R. 4557: Mr. ZIMMER.

H.R. 4789: Mr. ANDREWS of New Jersey.

H.R. 4805: Mr. VENTO.

H.R. 4831: Mr. PARKER and Mr. KOLBE.

H.R. 4897: Mr. HOLDEN and Mr. PARKER.

H.R. 4898: Mr. HOLDEN and Mr. PARKER.

H.R. 4934: Mr. DUNCAN, Mr. CALVERT, Mr. FIELDS of Texas, Mr. SENSENBRENNER, Mr. SAM JOHNSON, and Mr. MOORHEAD.

H.R. 4994: Mr. WILLIAMS and Mr. GORDON.

H.R. 4997: Mr. GUTIERREZ, Mr. WAXMAN, Mr. DELLUMS, Mr. LEWIS of California, Mr. VALENTINE, Mr. JOHNSTON of Florida, Mr. LEWIS of Georgia, Mr. LIPINSKI, Mr. HAMBURG, and Mr. BERMAN.

H.R. 5005: Mr. SERRANO.

H.R. 5062: Mr. BACHUS of Alabama, Mr. BILBRAY, Ms. SNOWE, Mr. MCCOLLUM, Mr. FINGERHUT, Mr. SAXTON, Mr. MCKEON, Mr. SCHAEFER, Mr. SLATTERY, Mr. DIXON, Mr. KILDEE, and Ms. SLAUGHTER.

H.J. Res. 44: Mr. CALLAHAN.

H.J. Res. 332: Mrs. UNSOELD, Mr. KLUG, Mr. PAXON, Mr. ORTIZ, Mr. ROSE, Mr. LAROCCO, Mr. BARCA of Wisconsin, Mr. BROWDER, Mr. CALVERT, Mr. RICHARDSON, Mr. FORD of Tennessee, Mr. ANDREWS of Maine, and Mr. SCHUMER.

H.J. Res. 385: Mr. LEWIS of Georgia and Mr. HASTERT.

H.J. Res. 389: Mr. DIAZ-BALART, Ms. DANNER, Mr. HOYER, Ms. ROYBAL-ALLARD, Ms. LOWEY, Mr. STENHOLM, Mr. GLICKMAN, Mr. MOAKLEY, Ms. MOLINARI, Mr. MARKEY, Mr. WISE, Mr. MOLLOHAN, Mr. LEVIN, Mr. MCCOLLUM, Mr. HYDE, Mr. LIVINGSTON, Mr. BROWN of California, Mr. FAZIO, Mr. GUTIERREZ, Mr. MACHTLEY, Mr. KILDEE, Mr. FIELDS of Texas, Mr. WHEAT, Mr. MENENDEZ, Mr. MURPHY, Mr. MYERS of Indiana, Mr. CONYERS, Mr. PALLONE, Mr. WOLF, Mr. GILMAN, Mr. SYNAR, Mr. NADLER, Mr. FIELDS of Louisiana, Mrs. FOWLER, Mr. WASHINGTON, Mr. ROYCE, Ms. PRYCE of Ohio, and Mrs. MINK of Hawaii.

H.J. Res. 401: Mr. BOUCHER, Mr. COBLE, Mr. GALLO, Mr. GENE GREEN of Texas, Mr. HOCHBRUECKNER, Mr. KANJORSKI, Mr. MURPHY, Mr. PRICE of North Carolina, Mr. REED, Mr. SHAYS, Mr. SKEEN, and Mr. SMITH of New Jersey.

H.J. Res. 409: Mrs. CLAYTON.

H. Con. Res. 210: Ms. PRYCE of Ohio.

H. Con. Res. 262: Mr. PALLONE, Mr. ROTH, Mr. ROHRABACHER, Mr. EVANS, Mr. SCHUMER, and Mr. POMEROY.

H. Con. Res. 269: Mr. BATEMAN.

H. Res. 432: Mr. LEWIS of Georgia.

H. Res. 473: Mr. COLEMAN, Mr. DELLUMS, Mr. FINGERHUT, Mr. JACOBS, Mr. KILDEE, Mr. MCDERMOTT, Mrs. MALONEY, Ms. PELOSI, Mr. QUINN, Mr. SWETT, Mr. TORRICELLI, and Mrs. UNSOELD.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 4912: Mr. MFUME.