

FALEOMAVAEGA, Mr. FOGLIETTA, Mr. FLAKE, Mr. FIELDS of Louisiana, Mr. FORD of Tennessee, Mr. FROST, Ms. FURSE, Mr. HASTINGS, Mr. HILLIARD, Mr. HOCHBRUECKNER, Mr. JEFFERSON, Mr. JOHNSON of Georgia, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KINGSTON, Mr. KOPETSKI, Mr. KANJORSKI, Mr. LEWIS of Georgia, Mrs. LLOYD, Mrs. MALONEY, Mr. MARTINEZ, Mr. McCLOSKEY, Mr. McDERMOTT, Mrs. MORELLA, Ms. MCKINNEY, Mrs. MEEK, Mr. MENENDEZ, Mrs. MINK, Ms. MOLINARI, Ms. NORTON, Mr. OWENS, Mr. PASTOR, Mr. PAYNE of New Jersey, Mr. QUILLEN, Mr. QUINN, Mr. RANGEL, Mr. DE LUGO, Mr. REYNOLDS, Mr. RAVENEL, Mr. SISISKY, Ms. SLAUGHTER, Mr. STOKES, Mr. TORRES, Mr. TOWNS, Mr. THOMPSON, Mr. TEJEDA, Mr. TUCKER, Mr. TRAFICANT, Mr. UNDERWOOD, Mr. VALENTINE, Ms. VELÁZQUEZ, Mr. WASHINGTON, Ms. WATERS, Mr. WHEAT, Mr. WILSON, and Mr. WYNN):

H.J. Res. 289. Joint resolution designating May 6, 1994, as "African-American Women Positive Role Model Day"; to the Committee on Post Office and Civil Service.

H.J. Res. 290. Joint resolution designating June 17, 1994, as "African-American Men Positive Role Model Day"; to the Committee on Post Office and Civil Service.

By Mr. ANDREWS of New Jersey (for himself and Mr. ZELIFF):

H. Res. 300. Resolution providing for the consideration of the bill (H.R. 3266) to provide for automatic downward adjustments in the discretionary spending limits for fiscal year 1994 set forth in the Congressional Budget Act of 1974 equal to the amount of rescissions contained in this act; to the Committee on Rules.

131.33 ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 69: Mr. SMITH of New Jersey.  
 H.R. 93: Mr. PETRI, Mr. EWING, Mr. HOLDEN, Mr. BUYER, Mr. ROGERS, Mrs. VUCANOVICH, Ms. SNOWE, Mr. GILLMOR, Mr. ROBERTS, Mr. NUSSLE, Mr. CANADY, Mr. HUTCHINSON, Mr. TALENT, Mr. McINNIS, Mr. BOEHNER, Mr. GALLO, Mr. CAMP, Mr. CASTLE, Mr. FISH, Mr. ALLARD, Mr. TRAFICANT, Mr. BILIRAKIS, Mr. DELAY, Mr. DICKS, Mr. KASICH, Mr. ROHR-ABACHER, Mr. SMITH of Texas, and Mr. LEACH.  
 H.R. 145: Mr. CANADY.  
 H.R. 212: Mr. UPTON.  
 H.R. 216: Mr. DIAZ-BALART.  
 H.R. 326: Mr. TORRES, Mr. BLUTE, Mr. NEAL of North Carolina, Mr. KOPETSKI, and Mr. BUYER.  
 H.R. 429: Mr. KASICH.  
 H.R. 441: Mr. UPTON and Mr. SHARP.  
 H.R. 509: Mr. CRAPO.  
 H.R. 656: Mr. PASTOR.  
 H.R. 662: Mr. ZELIFF.  
 H.R. 672: Mr. McDERMOTT.  
 H.R. 688: Mr. SMITH of Texas and Mr. SWETT.  
 H.R. 702: Mr. BONILLA.  
 H.R. 723: Mr. ZELIFF.  
 H.R. 739: Mr. THOMAS of Wyoming and Mr. ZELIFF.  
 H.R. 823: Mr. REED.  
 H.R. 846: Mrs. LOWEY, Mr. EWING, Mr. KLEIN, Mr. TORRICELLI, Mr. ANDREWS of Maine, Mr. ABERCROMBIE, and Ms. SNOWE.  
 H.R. 1078: Mrs. LOWEY.  
 H.R. 1080: Mr. ALLARD.  
 H.R. 1082: Mrs. LOWEY.  
 H.R. 1089: Mr. MINGE.  
 H.R. 1126: Mr. STEARNS.  
 H.R. 1128: Mr. STEARNS.  
 H.R. 1129: Mr. STEARNS.  
 H.R. 1209: Mr. ZELIFF.

H.R. 1286: Mr. EMERSON, Mr. BROWN of Ohio, Mr. SWETT, Mr. MCHALE, Mr. MEEHAN, Mr. DOOLITTLE, Mr. JACOBS, and Mr. ZELIFF.  
 H.R. 1295: Mr. JOHNSON of South Dakota, Mr. ROEMER, Mr. FROST, and Mr. BAKER of California.  
 H.R. 1322: Mr. FIELDS of Texas, Mr. MINGE, Mr. WHITTEN, and Mr. SMITH of New Jersey.  
 H.R. 1392: Mr. ZELIFF.  
 H.R. 1596: Ms. SHEPHERD.  
 H.R. 1604: Mr. UPTON.  
 H.R. 1608: Ms. MARGOLIES-MEZVINSKY, Mr. SAWYER, and Mr. STUMP.  
 H.R. 1738: Ms. MARGOLIES-MEZVINSKY.  
 H.R. 1801: Ms. FURSE.  
 H.R. 2019: Mr. LEWIS of Georgia.  
 H.R. 2043: Mr. BARRETT of Wisconsin.  
 H.R. 2093: Mr. SMITH of New Jersey and Mr. WILSON.  
 H.R. 2221: Mrs. MEYERS of Kansas and Mr. POMEROY.  
 H.R. 2443: Ms. LONG, Mr. HOAGLAND, Ms. MCKINNEY, Ms. BROWN of Florida, Mr. KASICH, Ms. MARGOLIES-MEZVINSKY, Mr. ZELIFF, Mr. LAUGHLIN, Mr. FOGLIETTA, Mr. CUNNINGHAM, Mr. BISHOP, Mr. HAMBURG, Mr. BURTON of Indiana, Ms. HARMAN, Mr. SENSENBRENNER, Mr. HOLDEN, Mr. PAYNE of New Jersey, Mr. PALLONE, Mr. DORNAN, Mr. DOOLITTLE, Mr. FARR, Mr. MATSUI, Mr. DARDEN, Mr. HERGER of California, Mr. GENE GREEN of Texas, Mr. DE LA GARZA, Mr. ROWLAND, Mr. ROEMER, Mrs. MEYERS of Kansas, Mr. COLEMAN, Mr. WILSON, Ms. ESHOO, and Mr. SMITH of New Jersey.  
 H.R. 2467: Mr. BAKER of California, Mr. CRANE, Mr. DEUTSCH, Mr. DICKEY, Mr. DURBIN, Mr. GUTIERREZ, Mr. HOYER, Mr. KOPETSKI, Mr. KREIDLER, Mr. LEWIS of Florida, Mr. RAMSTAD, Mr. REED, Mr. SPENCE, Mr. SWETT, and Mr. SWIFT.  
 H.R. 2469: Mr. TORRES and Mr. REGULA.  
 H.R. 2488: Mr. PASTOR.  
 H.R. 2573: Mr. MCHALE, Mr. JOHNSON of South Dakota, Mr. FRANK of Massachusetts, Mrs. MORELLA, Mr. WYNN, and Mr. SCOTT.  
 H.R. 2623: Mr. STUMP.  
 H.R. 2662: Mr. DIXON and Mr. VENTO.  
 H.R. 2663: Mr. RAHALL and Mr. PASTOR.  
 H.R. 2666: Mr. STUDDS, Mr. HASTINGS, Mr. DELLUMS, Mr. JOHNSTON of Florida, Mr. LEWIS of Georgia, Mr. BARRETT of Wisconsin, and Mr. MANN.  
 H.R. 2697: Mr. LEWIS of Florida, Mr. GORDON, Mr. FORD of Tennessee, Mr. FROST, and Mr. ENGEL.  
 H.R. 2710: Mr. MARTINEZ, Mr. VENTO, Ms. PELOSI, Mrs. UNSOELD, Mr. GUTIERREZ, and Mr. FILNER.  
 H.R. 2712: Mr. JEFFERSON.  
 H.R. 2759: Mr. HINCHEY and Mr. MORAN.  
 H.R. 2837: Mr. SPRATT.  
 H.R. 2886: Mr. HOLDEN, Mr. JOHNSON of South Dakota, and Mr. GEKAS.  
 H.R. 2890: Mr. DELLUMS, Mr. STUDDS, Mr. LAFALCE, Mrs. SCHROEDER, Mr. SERRANO, Ms. FURSE, Mr. BARCA of Wisconsin, and Mr. GUTIERREZ.  
 H.R. 2898: Mr. FILNER and Mr. FISH.  
 H.R. 2921: Mr. WATT.  
 H.R. 2950: Ms. LONG.  
 H.R. 2975: Mr. HOLDEN.  
 H.R. 3017: Mr. SLATTERY.  
 H.R. 3023: Mrs. CLAYTON, Mr. BILIRAKIS, Mr. GUNDERSON, Mrs. LLOYD, Mr. SKEEN, Mr. LEWIS of California, Mr. LEWIS of Florida, Mr. SCOTT, and Mr. COLEMAN.  
 H.R. 3086: Mr. BAKER of Louisiana and Mr. STEARNS.  
 H.R. 3097: Mrs. UNSOELD, Ms. BYRNE, Mr. JEFFERSON, Mr. LEVY, Mr. HOCHBRUECKNER, Mr. FROST, Mr. FILNER, and Mr. SCHUMER.  
 H.R. 3182: Ms. VELAZQUEZ.  
 H.R. 3224: Ms. HARMAN, Mr. HEFLEY, and Mr. ANDREWS of New Jersey.  
 H.R. 3246: Mr. BARLOW, Mr. BARTON of Texas, Mr. BROWN of Ohio, Mr. ENGLISH of Oklahoma, Mr. GILLMOR, Mr. GUNDERSON, Mr. GUTIERREZ, Mr. HASTINGS, Mr. JOHNSON

of South Dakota, Ms. LONG, Mr. McCLOSKEY, Mr. MURTHA, Mr. STUMP, Mr. WALSH, Mr. WILSON, and Mr. YOUNG of Alaska.  
 H.R. 3372: Mr. DEUTSCH, Mr. BATEMAN, Mr. FISH, Mrs. UNSOELD, Mrs. SCHROEDER, Mr. MCHUGH, Mr. ROEMER, Mr. DE LA GARZA, Mr. GORDON, Mr. HUTTO, Mr. SARPALIUS, Mr. MURTHA, Ms. FURSE, Mr. MOAKLEY, and Mr. EVANS.  
 H.R. 3386: Ms. DANNER, Mr. GUNDERSON, Mr. ROTH, Mr. ALLARD, Mr. EMERSON, Mr. COBLE, Mr. STENHOLM, Mr. SLATTERY, and Mr. BATEMAN.  
 H.R. 3392: Mr. RICHARDSON, Mr. ROMERO-BARCELO, Mr. BISHOP, Mr. EMERSON, Mr. DARDEN, Mr. MONTGOMERY, and Mr. CAMP.  
 H.R. 3440: Mr. TUCKER, Ms. HARMAN, Mr. HUNTER, Mr. THOMAS of California, and Mr. ANDREWS of New Jersey.  
 H.R. 3458: Mr. GOODLING.  
 H.J. Res. 90: Mr. PAYNE of Virginia, Mrs. MORELLA, Mr. GORDON, Mr. BACHUS of Alabama, Mrs. MEYERS of Kansas, Mr. SMITH of New Jersey, and Ms. WATERS.  
 H.J. Res. 113: Mr. INHOFE and Mr. TORRICELLI.  
 H.J. Res. 131: Mr. ROGERS, Mr. ANDREWS of Maine, Mr. MCCOLLUM, Mr. SABO, and Mr. HANSEN.  
 H.J. Res. 165: Mr. HUTTO, Miss COLLINS of Michigan, Mr. KLECZKA, Mr. PORTER, Mr. BACCHUS of Florida, Mrs. LLOYD, Mr. FINGERHUT, Mr. WHEAT, Mr. PRICE of North Carolina, Mr. LEVIN, Mr. GRAMS, Mr. SMITH of Michigan, Mr. DICKEY, Mr. MCKEON, and Mr. KANJORSKI.  
 H.J. Res. 197: Mr. BARCA if Wisconsin, Mr. BURTON of Indiana, Ms. DELAURO, Mr. DEUTSCH, Mr. GORDON, Mr. HOAGLAND, Mr. HUTTO, Mrs. LLOYD, Mr. MONTGOMERY, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. SOLOMON, Mr. STUDDS, Mr. THOMPSON, Mr. UPTON, Mr. WHEAT, Mr. WHITTEN, Mr. WILSON, Mr. GALLO, Mr. BROWN of California, Mr. FOGLIETTA, Mr. GILMAN, Mr. BAKER of California, Mrs. KENNELLY, Mr. NADLER, Mr. RAMSTAD, Ms. DANNER, Mr. HUNTER, Mr. WASHINGTON, Mr. HALL of Ohio, Mr. ZIMMER, Mr. GREENWOOD, Mr. FIELDS of Louisiana, Ms. ENGLISH of Arizona, and Mr. HOEKSTRA.  
 H.J. Res. 209: Mr. MORAN.  
 H.J. Res. 211: Mr. ANDREWS of New Jersey.  
 H.J. Res. 216: Mr. SKEEN, Mr. BARRETT of Nebraska, Mr. DIAZ-BALART, Mr. DOOLITTLE, Mr. FAWELL, Mr. GOODLING, Mr. KING, Mr. KLUG, Mr. LEVY, Mr. MCHUGH, Mr. MCKEON, Ms. MOLINARI, Mr. MYERS of Indiana, Mr. PAXON, Mr. SMITH of Oregon, Mr. WELDON, Mr. YATES, Mr. MINETA, and Ms. PRYCE of Ohio.  
 H.J. Res. 240: Mr. HINCHEY.  
 H.J. Res. 246: Mr. BLACKWELL, Ms. BYRNE, Ms. DELAURO, Mr. DINGELL, Mr. FAWELL, Mr. HILLIARD, Mrs. KENNELLY, Mr. LEACH, Mr. MOAKLEY, Mr. OWENS, Ms. SLAUGHTER, Mr. SOLOMON, and Mr. WAXMAN of California.  
 H.J. Res. 257: Mr. BATEMAN, Mr. DELLUMS, Mr. FISH, Mr. GORDON, Mr. TEJEDA, Mr. TAUZIN, Mr. EWING, Mr. WYNN, Mrs. MORELLA, Mr. PRICE of North Carolina, and Mr. KLINK.  
 H.J. Res. 274: Mr. BATEMAN, Mr. SERRANO, and Mr. SOLOMON.  
 H. Con. Res. 107: Mr. TORRICELLI and Mr. HOAGLAND.  
 H. Con. Res. 110: Ms. DUNN, Mr. ACKERMAN, Mr. FILNER, Ms. SHEPHERD, Mr. GEJDENSON, and Mr. MACHTLEY.  
 H. Con. Res. 111: Mr. LEACH and Mr. GILMAN.  
 H. Res. 38: Miss COLLINS of Michigan and Ms. WATERS.  
 H. Res. 202: Mr. GORDON.  
 H. Res. 234: Mr. HAMBURG, Mr. VALENTINE, Mr. BILIRAKIS, Mr. DELAY, Mr. POMEROY, Mr. THOMPSON, Mr. PORTMAN, Ms. ROYBAL-ALLARD, Mr. SWIFT, Mr. ROGERS, and Mr. SYNAR.

**WEDNESDAY, NOVEMBER 10, 1993  
(132)**

¶132.1 DESIGNATION OF SPEAKER PRO  
TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. MAZZOLI, who laid before the House the following communication:

WASHINGTON, DC,  
November 10, 1993.

I hereby designate the Honorable ROMANO L. MAZZOLI to act as Speaker pro tempore on this day.

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

¶132.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. MAZZOLI, announced he had examined and approved the Journal of the proceedings of Tuesday, November 9, 1993.

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

¶132.3 WAIVING POINTS OF ORDER  
AGAINST THE CONFERENCE REPORT ON  
H.R. 3116

Mr. FROST, by direction of the Committee on Rules, called up the following resolution (H. Res. 301):

*Resolved*, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 3116) making appropriations for the Department of Defense for the fiscal year ending September 30, 1994, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

When said resolution was considered. After debate,

On motion of Mr. FROST, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶132.4 DEFENSE APPROPRIATIONS

Mr. MURTHA, pursuant to House Resolution 301, called up the following conference report (Rept. No. 103-339):

The Committee of Conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 3116) "making appropriations for the Department of Defense for the fiscal year ending September 30, 1994, 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 27, 36, 57, 61, 62, 64, 80, 88, 92, 93, 94, 95, 96, 97, 104, 105, 106, 110, 111, 112, 131, 135, 149, 150, 153, 160, 164, 166, 171, 175, 176, 177, 184, 193, 195, 199, 200, 202, 204, 206, 207, 210, 213, 215, 219, and 223.

That the House recede from its disagreement to the amendments of the Senate numbered 12, 15, 17, 20, 24, 28, 35, 37, 39, 41, 42, 43, 45, 48, 50, 52, 53, 55, 60, 66, 69, 72, 73, 74, 75, 77, 79, 82, 85, 87, 98, 118, 123, 125, 126, 134, 137, 146, 158, 159, 162, 167, 168, 172, 179, 181, 182, 188, and 224, and agree to the same.

Amendment numbered 1:

That the House recede from its disagreement to the amendment of the Senate num-

bered 1, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *\$21,296,177,000*; 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: *\$18,330,950,000*; 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: *\$5,772,317,000*; 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: *\$15,823,030,000*; 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: *\$2,149,147,000*; 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: *\$1,555,800,000*; 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: *\$350,890,000*; 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: *\$781,958,000*; 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: *\$3,340,283,000*; 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: *\$1,223,492,000*; 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: *\$15,802,057,000*; 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:

After the words "on January 1, 1947 and ending on December 31, 1971" named in said amendment strike out all the matter that follows:

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: *\$19,860,309,000*; 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:

Restore the matter stricken by said amendment, amended to read as follows: *Provided, That \$350,000 shall be available only to connect residences located in the vicinity of the Naval Air Warfare Center, Warminster, to the Warminster municipal water supply system: Provided further, That of the funds appropriated under this heading, not less than \$56,442,500 shall be made available only for the Pacific Missile Range Facility, Hawaii: Provided further, That for costs associated with the termination of the planned MHC facility in Astoria, Oregon, \$2,000,000 shall be made available only to the State of Oregon within 60 days after enactment of this Act for the Marine and Environment Station at South Tongue Point, Oregon, and of this amount, \$500,000 shall be made available for program development; 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 stricken and inserted by said amendment insert: *\$1,857,699,000*; 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: *\$19,093,805,000*; and the Senate agree to the same.

Amendment numbered 21:

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

Restore the matter stricken by said amendment, amended to read as follows: *Provided further, That \$15,500,000 shall be used only to operate, maintain and enhance the Tactical Interim CAMS and REMIS Reporting System (TICARRS-92): Provided further, That TICARRS-92 be reestablished, with direct maintenance data input, as the supporting system for at least one wing each of F-15, F-16 and F-117A aircraft by no later than May 31, 1994: Provided further, That TICARRS-92 be reestablished, with direct maintenance data input, as the supporting system for all F-15, F-16, and F-117A aircraft by no later than August 31, 1994: Provided further, That none of the funds appropriated or otherwise made available under this Act shall be used to operate, maintain or otherwise support an automated maintenance management system for F-15, F-16, and F-117A aircraft other than TICARRS-92 after August 31, 1994: Provided further, That of the funds appropriated under this heading, not more than \$9,538,000 shall be available only for a grant to the Women in Military Service for America Memorial Foundation, Inc., to be used solely to perform the repair, restoration, and preservation of the main gate structures, center plaza, and Homicycle of the Arlington National Cemetery, and these*

funds shall be made available solely for project costs and none of the funds are for remuneration of any entity or individual associated with fund raising for the project: Provided further, That of the funds appropriated under this heading, \$5,000,000 shall be made available only for continued environmental restoration of the former Olmsted Air Force Base, Pennsylvania; and the Senate agree to the same.

Amendment numbered 22:

That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *\$9,456,801,000*; and the Senate agree to the same.

Amendment numbered 23:

That the House recede from its disagreement to the amendment of the Senate numbered 23, 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, \$10,000,000 shall be made available for activities to support the clearing of landmines for humanitarian purposes: Provided further, That of the funds appropriated under this heading, \$48,000,000 shall be made available only for aiding school districts in accordance with authority granted under Public Law 81-874: Provided further, That of the funds appropriated in this paragraph, not less than \$50,000,000 shall be made available only for the Legacy Resource Management Program, of which not less than \$200,000 shall be made available for the Legacy Resource Management Program fellowships: Provided further, That notwithstanding the provisions of the Federal Cooperative Grant and Agreement Act of 1977 (31 U.S.C. 6303-6308), the Department of Defense may hereafter negotiate and enter into cooperative agreements and grants with public and private agencies, organizations, institutions, individuals or other entities to implement the purposes of the Legacy Resource Management Program: Provided further, That of the funds appropriated under this heading, \$10,000,000 shall be made available only for the repair and maintenance of federally owned education facilities located on military installations; and the Senate agree to the same.

Amendment numbered 25:

That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment insert: *\$1,075,140,000*; 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 sum proposed by said amendment insert: *\$763,137,000*; and the Senate agree to the same.

Amendment numbered 29:

That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment insert: *\$83,130,000*; 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 matter stricken and inserted by said amendment insert: *\$1,335,354,000*; and the Senate agree to the same.

Amendment numbered 31:

That the House recede from its disagreement to the amendment of the Senate num-

bered 31, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *\$2,230,419,000*; 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 matter stricken and inserted by said amendment insert: *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: Provided further, That of the funds appropriated under this heading, \$3,000,000 shall be made available only for the MEDRETES program; 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 by said amendment insert: *\$2,632,298,000*; 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:

Restore the matter stricken by said amendment, amended to read as follows: *Provided*, That of the funds appropriated under this heading, \$10,000,000 shall be made available only for the operation of Air National Guard C-130 operational support aircraft of the 159th Air National Guard Fighter Group, the 169th Air National Guard Fighter Group, and the 118th Airlift Wing; 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: *\$1,962,300,000*; 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 matter stricken and inserted by said amendment insert:

#### SUMMER OLYMPICS

For logistical support and personnel services (other than pay and nontravel 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 to be held in Atlanta, Georgia) provided by any component of the Department of Defense to the 1996 Games of the XXVI Olympiad; \$2,000,000.

#### WORLD CUP USA 1994

For logistical support and personnel services (other than pay and nontravel 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 World Cup USA 1994) provided by any component of the Department of Defense to the World Cup USA 1994; \$6,000,000.

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 matter stricken and inserted by said amendment insert: *Provided*, That of

the funds appropriated under this heading, \$30,000,000 shall be made available only for Kurdish relief activities, of which \$15,000,000 shall be made available for a 1993-1994 winterization relief program; 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:

After the words "Congressional defense" named in said amendment in two instances insert: *, foreign affairs*, in two instances;

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 by said amendment insert: *\$1,320,886,000*; 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 sum proposed by said amendment insert: *\$1,094,309,000*; 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 by said amendment insert: *\$888,817,000*; 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: *\$735,445,000*; and the Senate agree to the same.

Amendment Numbered 56:

That the House recede from its disagreement to the amendment of the Senate numbered 56, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *\$2,892,766,000*; 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: *\$5,704,220,000*; 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 "\$2,972,906,000" named in said amendment insert: *\$2,986,720,000*; and the Senate agree to the same.

Amendment Numbered 63:

That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment, as follows:

In lieu of the matter inserted by said amendment insert: *, and in addition, \$50,000,000 for advance procurement on the LHD-7 amphibious assault ship*; and the Senate agree to the same.

Amendment Numbered 65:

That the House recede from its disagreement to the amendment of the Senate numbered 65, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment insert: *\$110,049,000*; 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:

In lieu of the matter stricken and inserted by said amendment insert: *\$343,104,000*; 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:

In lieu of the sum proposed by said amendment insert: *\$4,195,075,000*; 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: *\$2,994,231,000*; 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:

Restore the matter stricken by said amendment, amended to read as follows: *Provided*, That notwithstanding any other provision of law, not less than \$20,000,000 shall be obligated and expended only for automatic data processing investment equipment and peripheral equipment and related software for the Defense Accounting Office and Naval Computer and Telecommunications Station, New Orleans, the Enlisted Personnel Management Center, the Naval Reserve Personnel Center, and the Naval Reserve Force Information Systems Office: *Provided further*, That the Department of Defense shall establish a central management and control site for local area networks at the Naval Computer and Telecommunications Station, New Orleans: *Provided further*, That the operations and functions of the Reserve Financial Management System and other Reserve specific automation systems shall remain collocated with the Commander, Naval Reserve Force; 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 proposed by said amendment insert: *\$441,216,000*; 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 by said amendment insert: *\$6,662,934,000*; 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: *\$3,899,170,000*; 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 by said amendment insert: *\$7,637,250,000*; 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: *\$1,200,000,000*; 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: *\$1,810,039,000*; 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: *\$5,427,546,000*; and the Senate agree to the same.

Amendment numbered 90:

That the House recede from its disagreement to the amendment of the Senate numbered 90, 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 not less than \$1,000,000 of the funds appropriated in this paragraph shall be made available only to a joint research partnership involving an educational institution, not now engaged in a large volume of basic research, and a biomedical research institute, including a working arrangement with Canadian and German scientists, for the development and testing of a new insulin derivative for the treatment of diabetes and hypoglycemia in the dependents of active duty military members: *Provided further*, That \$850,000 of the funds appropriated in this paragraph shall be available for a Lyme disease program; 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: *\$8,365,786,000*; and the Senate agree to the same.

Amendment numbered 99:

That the House recede from its disagreement to the amendment of the Senate numbered 99, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *\$12,314,362,000*; 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:

In lieu of the matter stricken and inserted by said amendment insert: *Provided*, That not less than \$21,000,000 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 \$40,000,000 of the funds appropriated in this paragraph shall be made available only for the National Center for Manufacturing Sciences (NCMS): *Provided further*, That of the funds appropriated in this paragraph, not less than \$15,000,000 of the funds in the Advanced Weapons program element 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 (MSSS); 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 sum proposed by said amendment insert: *\$8,838,690,000*; 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:

In lieu of the matter stricken by said amendment insert: *Provided*, That not less than \$97,000,000 of the funds appropriated in this paragraph are available only for the Extended Range Interceptor (ERINT) missile: *Provided further*, That not less than \$55,000,000 of the funds appropriated in this paragraph are available only for the Patriot Multimode Missile: *Provided further*, That not less than \$56,424,000 of the funds appropriated in this paragraph are available only for the Arrow Continuation Experiments (ACES): *Provided further*, That the Ballistic Missile Defense Organization (BMDO) shall continue its current strategy of flight testing, ground testing, simulations, and other Government analyses of the Patriot Multimode Missile and the Extended Range Interceptor for selection of the best technology in terms of cost, schedule, risk, and performance to meet PAC-3 missile requirements for theater missile defense and that the Director, BMDO, will determine when there is adequate information to proceed to selection for engineering and manufacturing development: *Provided further*, That the Secretary of Defense and the Secretary of Energy shall jointly certify to interested Committees of Congress that activities conducted by the Department of Defense and the Department of Energy in the areas of research, development, demonstration, or commercialization of electric vehicles and the related infrastructure; fuel cell research; and natural gas research are coordinated: *Provided further*, That of the funds appropriated under this heading, not less than \$43,000,000 shall be made available only for the Computer-aided Acquisition and Logistics Support (CALs) Shared Resource Center (CSRC) program, which shall be managed only by the Advanced Research Projects Agency (ARPA) and of that amount, not less than \$23,000,000 shall be made available only for the continued operation of the original CSRC by the current nonprofit institution or its successor in interest, as the Department's tri-service CALs standards and technologies development, deployment, training, and education hub for the CSRC program; the continued operation of the CSRC Regional Satellite (CRS); and the establishment and continued operation of additional CRSs to be operated by educational or other nonprofit institutions: *Provided further*, That the remaining \$20,000,000 shall be made available only for the continued operation of the six original CRSs: *Provided further*, That nothing shall prohibit use of the CSRC or CRSs by industry, associations, other Department of Defense services and agencies, and other government agencies for efforts to be separately negotiated and funded: *Provided further*, That \$2,300,000 of the funds appropriated in this paragraph shall be made available only for cell adhesion molecule research: *Provided further*, That of the funds appropriated in this paragraph, not less than \$5,000,000 of the funds in the High Performance Computing Modernization program element shall be made available only to upgrade the supercomputing capability and capacity of the Maui High Performance Computing Center; 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:

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

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: *\$232,457,000*; 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 by said amendment insert: *\$1,102,295,000*; and the Senate agree to the same.

Amendment numbered 109:

That the House recede from its disagreement to the amendment of the Senate numbered 109, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment, amended to read as follows: *Provided*, That none of the funds available in the Defense Business Operations Fund shall be used for any hardware procurement, new development, or expansion of the Defense Business Management System beyond that required to support fiduciary, management information and other requirements established by law or directive and support existing customers consistent with the provisions of the DBOF Improvement Report; 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 sum proposed by said amendment insert: *\$1,540,800,000*; 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:

Restore the matter stricken by said amendment, amended to read as follows: *Provided*, That up to \$50,000,000 shall be available for transfer to the Secretary of Transportation: *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 shipboard 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 acquire capability for national security purposes; 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: *\$9,626,072,000*; 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: *\$9,352,435,000*; 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 agreed to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *\$273,637,000*; 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 matter stricken and inserted by said amendment insert: *Provided further*, That of the funds appropriated in this Act, such funds as necessary shall be used for the continuation of the cooperative program model being established at Madigan Medical Center for severely behavior disordered students: *Provided further*, That of the funds appropriated under this heading, not less than \$1,410,000 shall be made available only for annual incentive pay bonuses for certified nurse anesthetists: *Provided further*, That of the funds appropriated under this heading, not less than \$3,000,000 shall be made available only for nursing research programs; 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 proposed by said amendment insert: *\$389,947,000*; 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 sum proposed by said amendment insert: *\$291,261,000*; 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: *\$67,986,000*; 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:

In lieu of the sum named in said amendment insert: *\$30,700,000*; 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 sum proposed by said amendment insert: *\$868,200,000*; and the Senate agree to the same.

Amendment numbered 128:

That the House recede from its disagreement to the amendment of the Senate numbered 128, 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: *\$3,200,000*; and the Senate to the same.

Amendment numbered 129:

That the House recede from its disagreement to the amendment of the Senate num-

bered 129, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: *\$137,601,000*; and the Senate agree to the same.

Amendment numbered 130:

That the House recede from its disagreement to the amendment of the Senate numbered 130, and agree to the same with an amendment as follows:

In lieu of the sum proposed by said amendment insert: *\$136,801,000*; and the Senate agree to the same.

Amendment numbered 132:

That the House recede from its disagreement to the amendment of the Senate numbered 132, and agree to the same with an amendment, as follows:

In lieu of the sum named in said amendment insert: *\$10,000,000*; 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 proposed by said amendment insert: *\$151,288,000*; 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 by said amendment insert: *\$2,500,000,000*; 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:

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: *8014A*; 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 matter stricken and inserted by said amendment insert:

SEC. 8023. None of the funds made available by this Act may be obligated for the acquisition of major automated information systems which have not successfully completed oversight reviews required by Department of Defense regulations: *Provided*, That the automated information systems oversight review board will be independent of any other Department review function and chaired by the Assistant Secretary of Defense for Command, Control, Communications and Intelligence: *Provided further*, That except for those programs to modernize and develop migration and standard automated information systems that have been certified by the Department's senior information resource management (IRM) official as being fully compliant with the Department's information management initiative as defined in Defense Department Directive 8000.1, no funds may be expended for modernization or development of any automated information system (AIS) by the military departments, services, defense agencies, Joint Staff or Military Commands in excess of \$2,000,000 unless the senior official of the Office of the Secretary of Defense with primary responsibility for the functions being supported or to be supported certifies to the Assistant Secretary of Defense for Command, Control, Communications and Intelligence that the functional requirement(s) is valid

and that the system modernization or development has no unnecessary duplication of other available or planned AISS: Provided further, That the Department shall develop the capability for open systems integration of commercial-off-the-shelf (COTS) applications within the Composite Health Care System (CHCS): Provided further, That the Department shall limit deployment of the Defense Blood Standard System (DBSS) to existing donor and processing centers, the ten Primary Casualty Receiving Hospitals (PCRHS), and two OCONUS military hospitals, with transfusion services only, and shall procure, install, and integrate by April 1, 1994, at two or more CHCS sites an open system compliant COTS hospital-based blood bank/transfusion application, with security access by application function and developed in the same application language as CHCS: Provided further, That the Department shall procure and install at all CHCS alpha and beta sites by September 1, 1994, an open system integrated anatomic pathology COTS application with security access by application function and developed with the same software application language as CHCS: Provided further, That notwithstanding any other provision of law, the one time investment cost, including the procurement or lease of new or reutilized automatic data processing investment equipment, peripheral equipment and related software, for the July 16, 1993 DOD Data Center Consolidation Plan shall not exceed \$309,000,000.

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 matter stricken and inserted by said amendment insert:

SEC. 8025. Notwithstanding any other provision of law, to establish region-wide, at-risk, fixed price managed care contracts possessing features similar to those of the CHAMPUS Reform Initiative, the Secretary of Defense shall submit to the Congress a plan to implement a nation-wide managed health care program for the military health services system not later than December 31, 1993: Provided, That the program shall include, but not be limited to: (1) a uniform, stabilized benefit structure characterized by a triple option health benefit feature; (2) a regionally-based health care management system; (3) cost minimization incentives including "gatekeeping" and annual enrollment procedures, capitation budgeting, and at-risk managed care support contracts; and (4) full and open competition for all managed care support contracts; Provided further, That the implementation of the nation-wide managed care military health services system shall be completed by September 30, 1996: Provided further, That the Department shall competitively award contracts in fiscal year 1994 for at least four new region-wide, at-risk, fixed price managed care support contracts consistent with the nationwide plan, that one such contract shall include the State of Florida (which may include Department of Veterans Affairs' medical facilities with the concurrence of the Secretary of Veterans Affairs), one such contract shall include the States of Washington and Oregon, and one such contract shall include the State of Texas: Provided further, That any law or regulation of a State or local government relating to health insurance, prepaid health plans, or other health care delivery, administration, and financing methods shall be preempted and shall not apply to any region-wide, at-risk, fixed price managed care contract entered into pursuant to chapter 55 of title 10, United States Code: Provided further, That the Department shall competitively award within 13 months after the date

of enactment of this Act two contracts for stand-alone, at-risk managed mental health services in high utilization, high-cost areas, consistent with the management and service delivery features in operation in Department of Defense managed mental health care contracts: Provided further, That the Assistant Secretary of Defense for Health Affairs shall, during the current fiscal year, initiate through competitive procedures a managed health care program for eligible beneficiaries in the area of Homestead Air Force Base with benefits and services substantially identical to those established to serve beneficiary populations in areas where military medical facilities have been terminated, to include retail pharmacy networks available to Medicare-eligible beneficiaries, and shall present a plan to implement this program to the House and Senate Committees on Appropriations not later than January 15, 1994.

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:

In lieu of the matter restored by said amendment insert:

SEC. 8028. Of the funds appropriated to the Army, \$217,600,000 shall be available only for the Reserve Component Automation System (RCAS): Provided, That none of these funds can be expended—

(1) except as approved by the Chief of the National Guard Bureau;

(2) unless RCAS resource management functions are performed by the National Guard Bureau;

(3) to pay the salary of an RCAS program manager who has not been selected and approved by the Chief of the National Guard Bureau and chartered by the Chief of the National Guard Bureau and the Secretary of the Army;

(4) unless the Program Manager (PM) charter makes the PM accountable to the Chief of the National Guard Bureau and fully defines his authority, responsibility, reporting channels and organizational structure;

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

(6) to pay contracted costs for the acquisition of RCAS unless RCAS is an integrated system consisting of software, hardware, and communications equipment and unless such contract continues to preclude the use of Government furnished equipment, operating systems, and executive applications software; and

(7) unless RCAS performs its own classified information processing: Provided further, That notwithstanding any other provision of law, none of the funds appropriated shall be available for procurement of computers for the Army Reserve Component which are used to network or expand the capabilities of existing or future information systems or duplicate functions to be provided under the RCAS contract unless the procurement meets the following criteria: (A) at sites scheduled to receive RCAS equipment prior to September 30, 1995, RCAS ADP equipment may be procured and only in the numbers and types allocated by the RCAS program to each site; and at sites scheduled to receive RCAS equipment after September 30, 1995, RCAS ADP equipment from a list of RCAS compatible equipment approved by the Chief of the National Guard Bureau or his designee, may be procured and only in the numbers and types allocated by the RCAS pro-

gram to each site; (B) the requesting organizational element has insufficient ADP equipment to perform administrative functions but not to exceed the number of work stations determined by the RCAS program for that site; (C) replacement equipment will not exceed the minimum required to maintain the reliability of existing capabilities; (D) replacement will be justified on the basis of cost or feasibility of repairs and maintenance of present ADP equipment as compared to the cost of replacement; and (E) the procurement under this policy must be approved by the Chief of the National Guard Bureau or his designee, provided that the procurement is a one for one replacement action of existing equipment.

And further

Amend the matter retained by said amendment as follows:

In lieu of the section number named in said retained matter insert: *8028A* and

Delete the words "Deputy Under Secretary of Defense (Logistics)" named in said retained matter and insert in lieu thereof: *Principal Deputy Under Secretary of Defense, Acquisition*; 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:

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: *8029A*; and

After the words "February 28, 1992" named in said retained matter insert: *Provided*, That the Director of Central Intelligence may waive this provision, on a case by case basis only, upon certification that the above cited locks are not adequate for the protection of sensitive intelligence information; 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:

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: *8030A*; 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 by said amendment, amended to read as follows:

SEC. 8035. None of the funds available to the Department of Defense shall be obligated or expended for (or to implement) automatic data processing, data processing center, central design activity, DMRD 918, defense information infrastructure, and military or civilian personnel function consolidation plans, consolidations, and disestablishment or realignment plans that impact, in terms of reductions in force or transfers in military and civilian personnel, end strength, billets, functions, or missions, the Enlisted Personnel Management Center, the Naval Computer and Telecommunications Station, New Orleans, and the Naval Reserve Personnel Center until sixty legislative days after the Secretary of Defense submits to the House and Senate Committees on Appropriations a report, including complete review comments and a validation by the Department of Defense Comptroller, justifying and validating

that such plans and actions: (1) do not consolidate, plan to consolidate, plan to consolidate, disestablish or realign Department of Defense or Service data processing functions or centers, central design activities, or military and civilian personnel functions and activities, or claim savings from such function and activity consolidations and disestablishment, realignment, or consolidation plans, that are in more than one defense management report plan or decision or any other Department of Defense or Service consolidation, disestablishment or realignment plan; (2) utilize criteria to evaluate, measure and compare, using objective measurements, how data processing centers, central design activities, and military and civilian personnel functions and activities are ranked in terms of operational readiness, customer satisfaction, and the most cost effective and least expensive from a business performance, and regional operations cost standpoint; (3) will provide equal or better service for DoD customers; (4) provide details as to the impacts on the quality of life and benefits of the individual service person, dependents, and civilian personnel, and (5) will not adversely impact the mission and readiness of the Navy and Navy Reserves: Provided, That funds made available to the Department Base Closure and Realignment Commission approved recommendations concerning the Enlisted Personnel Management Center and the Naval Computer and Telecommunications Station, New Orleans.

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:

In lieu of the section number named in said amendment insert: *8035A*; 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 amendment insert: *8046A*; 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 stricken and inserted by said amendment insert:

SEC. 8051. Notwithstanding any other provision of law, a qualified Indian Tribal corporation or Alaska Native Corporation furnishing the product of a responsible small business concern shall not be denied the opportunity to compete for and be awarded a procurement contract pursuant to section 2323 of title 10, United States Code, solely because the Indian Tribal corporation or Alaska Native Corporation is not the actual manufacturer of processor of the product to be supplied under the contract.

and the Senate agree to the same.

Amendment numbered 151:

That the House recede from its disagreement to the amendment of the Senate numbered 151, 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 amendment insert: *8056A*; 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 restored by said amendment as follows:

Delete the words “, and supporting software, not engineered and” named in said restored matter and insert in lieu thereof: *not*, and further

Amend the matter retained by said amendment as follows:

In lieu of the section number “8059” named in said amendment insert: *8059A* and

Delete the words “(4)(B)” named in said retained matter.

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 inserted by said amendment insert:

(c) Notwithstanding any other provision of law, of the amounts available to the Department of Defense during fiscal year 1994, not more than \$1,352,650,000 may be obligated for financing activities of Federally Funded Research and Development Centers.

(d) The total amount appropriated by this Act is hereby reduced by \$200,000,000 to reflect the obligation limitation contained in subsection (c).

(e) The total amount appropriated to or for the use of the Department of Defense in titles III and IV of this Act is reduced by \$200,000,000 to reflect savings from the decreased use of non-FFRDC consulting services by the Department of Defense.

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:

Amend the matter restored by said amendment as follows:

Delete all the matter contained in said restored matter appearing after the words “being as of the date of enactment of this Act.” down to and including “national security purposes.”

And further

Amend the matter retained by said amendment as follows:

In lieu of section “8065” named in said retained matter insert: *8065A*; and the Senate agree to the same.

Amendment numbered 156:

That the House recede from its disagreement to the amendment of the Senate numbered 156, 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. 8070. (a) Of the funds made available in this Act in title II, Operation and Maintenance, Army, \$5,000,000 shall be available only to execute the cleanup of uncontrolled hazardous waste contamination affecting the Sale Parcel at Hamilton Air Force Base, in Novato, in the State of California.

(b) Notwithstanding any other provision of law, in the event that the purchaser of the Sale Parcel exercises its option to withdraw from all or a portion of the sale, as provided in the Agreement and Modification, dated September 25, 1990, between the Department

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

(c) In the event that the purchaser purchases only a portion of the Sale Parcel and exercises its option to withdraw from the sale as to the rest of the Sale Parcel, the portion of the Sale Parcel that is not purchased (other than Landfill 26 and an appropriate buffer area around it and the groundwater treatment facility site), together with any of the land referred to in section 9099(e) of Public Law 102-396 that is not purchased by the purchaser, shall be sold to the City of Novato, in the State of California, for the sum of One Dollar as a public benefit transfer for school, classroom or other educational use, for use as a public park or recreation area or for further conveyance as provided herein, subject to the following restrictions: (1) if the City sells any portion of such land to any third party within ten years after the transfer to the City, which sale may be made without the foregoing use restrictions, any proceeds received by the City in connection with such sale, minus the demonstrated reasonable costs of conducting the sale and of any improvements made by the City to the land following its acquisition of the land (but only to the extent such improvements increase the value of the portion sold), shall be immediately turned over to the Army in reimbursement of the withdrawal payment made by the Army to the contract purchaser and the costs of cleaning up the Landfill and (2) until one year following completion of the cleanup of contaminated soil in the landfill and completion of the groundwater treatment facilities, the sale must be at a per-acre price for the portion sold that is at least equal to the per-acre contract price paid by the purchaser for the portion of the Sale Parcel purchased under the Agreement and Modification, as amended, and thereafter must be at a price at least equal to the fair market value of the portion sold. The foregoing restrictions shall not apply to a transfer to another public or quasi-public agency for public uses of the kind described above. The deed of the City shall contain a clause providing that, if any of the proceeds referred to in clause (1) are not delivered to the Army within 30 days after sale, or any portion of the land not sold as provided herein, is used for other than educational, park or recreational uses, title to the applicable portion of such land shall revert to the United States Government at the election of the General Services Administration. The Army shall agree to deliver into the applicable closing escrow an acknowledgment of receipt of any proceeds described in clause (1) above and a release of the reverter right as to the affected land, effective upon such receipt.

(d) Notwithstanding any other provision of law, the Air Force shall be reimbursed for expenditures in excess of \$15,000,000 in connection with the total clean-up of uncontrolled hazardous waste contamination on the aforementioned Sale Parcel from the proceeds collected upon the closing of any portion of the Sale Parcel purchased by the contract purchaser under the Agreement and Modification, as amended.

(e) Notwithstanding any other provision of law, the purchaser's reimbursement claims shall be audited by the Defense Contract Audit Agency for reasonableness and accuracy before the Department of Defense provides any funds under the purchaser's withdrawal and reimbursement rights.

And further

Amend the matter retained by said amendment as follows:

In lieu of the section number named in said retained matter insert: 8070A; 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 and retain the matter inserted by said amendment, amended as follows:

Amend the matter retained by said amendment as follows:

In lieu of section "8075" named in said retained matter insert: 8074A and

After the words "Environmental Policy Act" named in said retained matter insert: , or for General Accounting Office studies requested by a member of Congress or a Congressional Committee ; 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 section number named in said amendment insert: 8083A; 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:

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. 8088A. None of the funds available to the Department of Defense for establishing a Naval East Coast Electronics Engineering Center may be obligated or expended for the establishment of such Headquarters at any location other than Charleston, South Carolina: Provided, That no such funds may be obligated or expended for the establishment or operation of subordinate detachments at Portsmouth, Virginia, with manning levels or broader functions than that specifically stated in the 1993 Report to the President of the Defense Base Closure and Realignment Commission: Provided further, That no funds may be obligated or expended for the relocation, alteration or modification of the functions specified in the 1993 Report to the President of the Defense Base Closure and Realignment Commission to be maintained at St. Inigoes, Maryland, including all civilian management, support personnel and management operations associated with these functions that were in existence as of September 20, 1993.

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:

Amend the matter restored by said amendment as follows:

Delete the words "domestic owned and" in said restored matter, and further

In lieu of the matter retained by said amendment insert:

SEC. 8090A. None of the funds available to the Department of the Air Force shall be available to establish or support any organic depot maintenance support activity for the B-2 bomber until the Under Secretary of Defense, Acquisition reviews the existing infrastructure for the private sector and Air Force Depot support and maintenance of the B-2, and reports to the Congressional De-

fense Committees no later than May 15, 1994, the most efficient and cost effective utilization of both public and private facilities to support the B-2.

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:

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 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:

(TRANSFER OF FUNDS)

SEC. 8096. In addition to amounts appropriated or otherwise made available by this Act, \$25,000,000 is hereby appropriated to the Department of Defense and shall be available only for transfer to the National Park Service, of which: \$10,000,000 shall be available to repair and rehabilitate military structures transferred from the Department of Defense to the National Park Service as part of the Golden Gate National Recreation Area; \$10,000,000 shall be available to convert and rehabilitate military structures at Fort Wadsworth for National Park Service's purposes; and \$5,000,000 shall be available for cultural cyclic resource programs within the National Park Service system: Provided, That these funds shall remain available for obligation until September 30, 1995.

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 inserted by said amendment insert:

SEC. 8099A. None of the funds appropriated by this Act shall be used for the support of any nonappropriated funds activity of the Department of Defense that procures malt beverages and wine with nonappropriated funds for resale (including such alcoholic beverages sold by the drink) on a military installation located in the United States unless such malt beverages and wine are procured within that State, or in the case of the District of Columbia, within the District of Columbia, in which the military installation is located: Provided, That in a case in which the military installation is located in more than one State, purchases may be made in any State in which the installation is located: Provided further, That such local procurement requirements for malt beverages and wine shall apply to all alcoholic beverages only for military installation in States which are not contiguous with another State: Provided further, That alcoholic beverages other than wine and malt beverages, in contiguous States and the District of Columbia shall be procured from the most competitive source, price and other factors considered.

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 retained by said amendment as follows:

In lieu of the section number named in said retained matter insert: 8102A; 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 stricken and inserted by said amendment insert:

SEC. 8109. Notwithstanding any other provision of law, funds made available in this Act for the Defense Intelligence Agency may be used for the design, development, and deployment of General Defense Intelligence Program intelligence communications and intelligence information systems for the Services, the Unified and Specified Commands, and the component commands.

SEC. 8110. None of the funds appropriated by this Act shall be available for the planning, programming or actual movement of any component or function of the Defense Mapping Agency Aerospace Center annex from the St. Louis, Missouri, area.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8111. In addition to amounts appropriated or otherwise made available by this Act, \$21,700,000 is hereby appropriated to the Department of Defense and shall be available only for transfer to the United States Coast Guard for a 2.2 percent pay increase for uniformed members.

SEC. 8112. Notwithstanding any other provision of law, and in accordance with section 2905 of the Defense Base Closure and Realignment Act of 1990, Public Law 101-510, the Department of Defense shall proceed with implementation of the 1993 Defense Base Closure and Realignment Commission recommendation concerning the consolidation of tactical missile maintenance at Letterkenny Army Depot.

SEC. 8113. In addition to amounts appropriated elsewhere in this Act, \$200,000 shall be available only for settlement of claims and interest thereon, associated with contract numbered N62474-86-C-0253 for construction of a multipurpose range complex at the Marine Corps Air Ground Combat Center in Twentynine Palms, California: Provided, That such settlement shall be made pursuant to the recommendation of August 19, 1993, of the Comptroller General of the United States (case B-230871.3): Provided further, That such settlement shall be accomplished within thirty days of enactment of this Act.

SEC. 8114. Notwithstanding any other provision of law, none of the funds appropriated for fiscal year 1993 and fiscal year 1994 for the DDG-51 destroyer program shall be obligated or expended for procurement of the ring laser gyroscope inertial navigation system under a sole source contract.

SEC. 8115. The Secretary of the Navy shall carry out the establishment of the Mine Warfare Center of Excellence at the naval station at Ingleside, Texas (including the establishment of all subordinate units and the relocation of Navy mine warfare forces), in accordance with the schedule of the Navy for the establishment of such center and without regard to any alteration in that schedule that would otherwise be required pursuant to any other provision of law enacted during the first session of the 103d Congress that applies specifically to the construction and operation of that center or to the relocation of Navy mine warfare forces to Ingleside, Texas.

SEC. 8115A. None of the funds appropriated by this Act shall be used to begin closing a military treatment facility unless the Secretary of Defense notifies the Committees on Appropriations of the House of Representatives and the Senate ninety days prior to such action.

SEC. 8116. Unobligated balances of the funds appropriated in Public Law 102-172 and Public Law 102-396 under the headings "World University Games", "Summer Olympics" and "World Cup USA 1994" in title II of those Acts shall, notwithstanding any other section of those Acts, remain available for obligation until September 30, 1995.

SEC. 8116A. Notwithstanding any other provision of law, reimbursements received from the North Atlantic Treaty Organization for the E-3 Airborne Warning and Control System (AWACS) Radar System Improvement Program (RSIP) attributable to development work for fiscal years 1987 through 1992 shall be available to the Air Force until September 30, 1994, for meeting that service's financial commitments for the AWACS RSIP.

SEC. 8117. (a) None of the funds appropriated or otherwise made available in this Act may be used to transport or provide for the transportation of chemical munitions to the Johnston Atoll for the purpose of storing or demilitarizing such munitions.

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

(c) The President may suspend the application of subsection (a) during a period of war in which the United States is a party.

SEC. 8118. None of the funds available to the Department of Defense may be used to support the relocation of P-3 aircraft squadrons or other aircraft or units from the Naval Air Station at Barbers Point, Hawaii unless such relocation was specifically stated in the 1993 Report to the President of the Defense Base Closure and Realignment Commission.

SEC. 8119. The Secretary of Defense is authorized to use, for foreign military sales otherwise authorized under Chapter 39, title 22 United States Code or for transfer to United States Army, Army National Guard, or Army Reserves, articles and services procured for the implementation of the Italian air defense agreements: Provided, That the term "Italian air defense agreements" has the meaning given such term in Section 1050 of Public Law 102-190 (105 Stat. 1469): Provided further, That upon notification of the Government of the United States by the Government of Italy of its desire to withdraw from the Italian air defense agreement or 180 days from the enactment of this Act, section 1050 of Public Law 102-190 (105 Stat. 1469) is repealed.

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

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 matter stricken and inserted by said amendment insert:

Under the heading, "Research, Development, Test and Evaluation, Navy, 1993/1994", \$42,936,000;

Under the heading, "Research, Development, Test and Evaluation, Air Force, 1993/1994", \$55,500,000;

Under the heading, "Aircraft Procurement, Navy, 1992/1994", \$8,000,000;

Under the heading, "National Guard and Reserve Equipment, 1992/1994", \$3,400,000;

Under the heading, "National Guard and Reserve Equipment, 1992/1994", \$3,618,000;

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:

After the sum "\$49,868,000;" named in said amendment insert: Under the heading, "Other Procurement, Navy 1993/1995", \$58,456,000; and the Senate agree to the same.

Amendment numbered 183:

That the House recede from its disagreement to the amendment of the Senate numbered 185, and agree to the same with an amendment, as follows:

In lieu of the matter inserted by said amendment insert:

Under the heading, "Aircraft Procurement, Navy 1993/1995", \$45,700,000;

Under the heading, "National Guard and Reserve Equipment, 1993/1995", \$29,282,000;

Under the heading, "Shipbuilding and Conversion, Navy, 1991/1995":

Craft, outfitting, post delivery, and special support equipment, \$3,806,000;

Under the heading, "Shipbuilding and Conversion, Navy, 1992/1996":

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

Craft, outfitting, post delivery, and DBOF transfer, \$2,560,000;

Under the heading, "Shipbuilding and Conversion, Navy, 1992/1995":

T-AO fleet oiler program, \$27,000,000;

Under the heading, "Shipbuilding and Conversion, Navy, 1993/1994":

T-AO fleet oiler program, \$13,000,000;

Under the heading, "Shipbuilding and Conversion, Navy, 1993/1996":

T-AO fleet oiler program, \$12,129,000; and the Senate agree to the same.

Amendment numbered 186:

That the House recede from its disagreement to the amendment of the Senate numbered 186, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: \$55,932,000; and the Senate agree to the same.

Amendment numbered 187:

That the House recede from its disagreement to the amendment of the Senate numbered 187, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert: \$38,062,000; 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:

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

;

From:

Under the heading, "Shipbuilding and Conversion, Navy, 1993/1996":

T-AO fleet oiler program, \$31,371,000;

Under the heading, "Shipbuilding and Conversion, Navy, 1993/1997":

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

Refueling overhauls, \$909,000;

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

Craft, outfitting, post delivery, and first destination transportation, and inflation adjustments, \$45,177,000;

To:

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

AO conversion program, \$256,000;

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

LSD-41 cargo variant ship program, \$28,250,000;

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

T-AO fleet oiler program, \$14,184,000;

Under the heading, "Shipbuilding and Conversion, Navy, 1990/1994":

LSD-41 dock landing ship cargo variant program, \$30,300,000; Oceanographic ship program, \$410,000;

Under the heading, "Shipbuilding and Conversion, Navy, 1991/1995":

LSD-41 dock landing ship cargo variant program, \$27,800,000

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 stricken and inserted by said amendment insert:

SEC. 8120A. The provision in Public Law 102-396 requiring that not less than \$55,500,000 be made available only for the Space Nuclear Thermal Propulsion Program is hereby repealed.

SEC. 8121. Notwithstanding any other provision of law, funds appropriated in this Act for the upgrade, purchase, or modernization of supercomputing capability and capacity under the High Performance Computing Modernization program shall only be available for contracts, contract modifications, or contract options which are awarded as the result of open competition based upon the requirements of the users without regard to the architecture or design of the supercomputer system.

SEC. 8122. Amounts collected for the use of the facilities of the National Science Center for Communications and Electronics during the current fiscal year pursuant to section 1459(g) of the Department of Defense Authorization Act, 1986 and deposited to the special account established under subsection 1459(g)(2) of that Act are appropriated and shall be available until expended for the operation and maintenance of the Center as provided for in subsection 1459(g)(2).

And the Senate agree to the same.

Amendment numbered 191:

That the House recede from its disagreement to the amendment of the Senate numbered 191, and agree to the same with an amendment, as follows:

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

SEC. 8124. Notwithstanding any other provision of law, none of the funds appropriated in this or any other Act shall be used for the purchase of a totally enclosed lifeboat survival system, which consists of the lifeboat and associated davits and winches, if less than 50 percent of the entire system's components are manufactured in the United States, and if less than 50 percent of the labor in the manufacture and assembly of the entire system is performed in the United States.

SEC. 8125. None of the funds appropriated by this Act may be used (1) to transfer to the United Nations a facility in the continental United States for use as a United Nations peacekeeping facility, or (2) for the renovation of such a facility in preparation for such a transfer.

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 stricken and inserted by said amendment insert:

SEC. 8126. (a) None of the funds appropriated in this Act may be expended by an entity of the Department of Defense unless the entity, in expending the funds, complies with the Buy American Act. For purposes of this subsection, the term "Buy American Act" means title III of the Act entitled "An Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes", approved March 3, 1993 (41 U.S.C. 10a et seq.).

(b) If the Secretary of Defense determines that a person has been convicted of intentionally affixing a label bearing a "Made in America" inscription to any product sold in or shipped to the United States that is not made in America, the Secretary shall determine, in accordance with section 2410f of title 10, United States Code, whether the person should be debarred from contracting with the Department of Defense.

SEC. 8127. In the case of members who separate from active duty or full-time National Guard duty in a military department pursuant to a Special Separation Benefits program (10 U.S.C. Sec. 1174a) or a Voluntary Separation Incentive program (10 U.S.C. Sec. 1175) at any time after the enactment of this Act, the separation payments paid such members who are also paid any bonus provided for in chapter 5, title 37, United States Code, during the same years in which they separate shall be reduced (but in no event to an amount less than zero) by an amount equal to any such bonus: Provided, That any future bonus payments to which such members would otherwise be entitled are rescinded: Provided further, That this measure will not apply to members who separate during the last year of a bonus paid pursuant to chapter 5, title 37, United States Code: Provided further, That civilian employees of the Department of Defense are prohibited from receiving voluntary separation payments if such employees are rehired by another agency of the Federal Government within one hundred and eighty days of separating from the Department of Defense.

SEC. 8128. Under the heading "Research, Development, Test and Evaluation, Army" in the Department of Defense Appropriations Act, 1993 (Public Law 102-396), delete the final proviso and insert in lieu thereof: "": Provided further, That of the funds appropriated in this paragraph, \$4,000,000 shall be used only for a grant to the Assistive Technology Center at the National Rehabilitation Hospital for laboratory and other efforts associated with research and development and other programs of major importance to the Department of Defense".

SEC. 8129. None of the funds available to the Department of Defense in this Act shall be used by the Secretary of a military department to purchase coal or coke from foreign nations for use at United States defense facilities in Europe when coal from the United States is available.

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 section number named in said amendment insert: *8131*; and the Senate agree to the same.

Amendment numbered 196:

That the House recede from its disagreement to the amendment of the Senate numbered 196, and agree to the same with an amendment, as follows:

In lieu of the section number named in said amendment insert: *8132*; and the Senate agree to the same.

Amendment numbered 197:

That the House recede from its disagreement to the amendment of the Senate numbered 197, and agree to the same with an amendment, as follows:

In lieu of the section number named in said amendment insert: *8133*; 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:

In lieu of the matter inserted by said amendment insert:

SEC. 8134.(a)(1) The Secretary of Defense shall pay a death gratuity under this section to each beneficiary under a Servicemen's Group Life Insurance policy in the case of each deceased member of the uniformed services described in paragraph (2).

(2) This section applies with respect to any member of the uniformed services—

(A) who died on or after October 29, 1992 (the date of the enactment of the Veterans' Benefits Act of 1992 (Public Law 102-568)), and before December 1, 1992 (the effective date of amendments made by title II of the Act, relating to veterans' life insurance programs); and

(B) whose death was in performance of duty.

(b)(1) The amount of the death gratuity payable to a beneficiary under this section shall be equal to the amount of the life insurance proceeds paid or payable to that beneficiary under section 1967(a) of title 38, United States Code, by reason of death of such member.

(2) In the case of a deceased member of the uniformed services who, before death, affirmatively elected, in writing, to apply for an increase in SGLI coverage in an amount less than \$100,000 under subsection (e) of section 1967 of title 38, United States Code, the death gratuity paid under this section shall be equal to the amount of the increase so elected.

(c) A death gratuity may not be paid under this section if the deceased member, before death, affirmatively elected, in writing, to apply for increased SGLI coverage under subsection (e) of section 1967 of title 38, United States Code, and, by reason of a provision of law enacted after October 29, 1992, insurance is payable pursuant to that election.

(d) A death gratuity shall be payable under this section to a SGLI beneficiary upon receipt of a written application for the payment of such gratuity. Any such application must be received by the Secretary of Defense not later than September 30, 1994.

(e) In addition to amounts otherwise appropriated in this Act, the amount of \$5,300,000 is hereby appropriated for, and shall be available only for, the payment of death gratuities under this section. Funds provided under this section shall remain available until expended for any valid claims received by the Secretary of Defense not later than September 30, 1994.

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:

In lieu of the matter inserted by said amendment insert:

(RESCISSIONS)

SEC. 8135. Of the funds provided in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts in the specified amounts:

"Aircraft Procurement, Army, 1993/1995", \$42,700,000;

"Procurement of Ammunition, Army, 1992/1994", \$30,181,000;

"Procurement of Ammunition, Army, 1993/1995", \$52,480,000;

"Other Procurement, Army, 1992/1994", \$4,000,000;

"Weapons Procurement, Navy, 1992/1994", \$15,000,000;

"Weapons Procurement, Navy, 1993/1995", \$7,500,000;

"Other Procurement, Navy, 1993/1995", \$26,600,000;

"Procurement, Marine Corps, 1992/1994", \$8,274,000;

"Procurement, Marine Corps, 1993/1995", \$6,508,000;

"Missile Procurement, Air Force, 1993/1995", \$6,000,000;

"Other Procurement, Air Force, 1993/1995", \$13,706,000;

"Other Procurement, Air Force, 1992/1994", \$17,276,000;

"Research, Development, Test and Evaluation, Air Force, 1993/1994", \$51,000,000;

And the Senate agree to the same.

Amendment numbered 203:

That the House recede from its disagreement to the amendment of the Senate numbered 203, and agree to the same with an amendment, as follows:

In lieu of the matter inserted by said amendment insert:

SEC. 8136. Not later than May 1, 1994, the Under Secretary of Defense for Acquisition shall submit to the Congressional defense committees the complete results of an independent study of options for accomplishing the functions now performed by the Defense Nuclear Agency (DNA): 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 1994, \$1,000,000 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 205:

That the House recede from its disagreement to the amendment of the Senate numbered 205, and agree to the same with an amendment, as follows:

In lieu of the section number named in said amendment insert: *8137*; 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 section number named in said amendment insert: *8138*; and the Senate agree to the same.

Amendment numbered 209:

That the House recede from its disagreement to the amendment of the Senate numbered 209, and agree to the same with an amendment, as follows:

In lieu of the section number named in said amendment insert: *8139*; 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 section number named in said amendment insert: *8140*; 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 section number named in said amendment insert: *8141*

In lieu of the word "Senate" named in said amendment insert: *Congress*; 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 section number "8152" named in said amendment insert: *8142*; and the Senate agree to the same.

Amendment numbered 216:

That the House recede from its disagreement to the amendment of the Senate numbered 216, and agree to the same with an amendment, as follows:

In lieu of the matter inserted by said amendment insert:

SEC. 8143. Notwithstanding any other provision of law, the Secretary of the Navy shall

obligate the funds appropriated for fiscal years 1992 and 1993 for the USH-42 Mission Recorder program within the A-6 aircraft program: Provided, That the Secretary of the Navy verifies that the mission recorder is required in the future for Navy aircraft for peacetime training and bomb damage assessment in combat: Provided further, That the Secretary shall make this verification within thirty days of this Act becoming law: Provided further, That the Secretary shall obligate such funds within thirty days of this verification that the mission recorder is required in Navy aircraft for peacetime training and bomb damage assessment in combat. And the Senate agree to the same.

Amendment numbered 217:

That the House recede from its disagreement to the amendment of the Senate numbered 217, and agree to the same with an amendment, as follows:

In lieu of the section number named in said amendment insert: *8144*

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

Amendment numbered 218:

That the House recede from its disagreement to the amendment of the Senate numbered 218, and agree to the same with an amendment, as follows:

In lieu of section number "8156" named in said amendment insert: *8145*; and the Senate agree to the same.

Amendment numbered 220:

That the House recede from its disagreement to the amendment of the Senate numbered 220, and agree to the same with an amendment, as follows:

In lieu of the words "Sec. 8158.(a) Is is" named in said amendment insert: *Sec. 8146.(a) It is*; and the Senate agree to the same.

Amendment numbered 221:

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 section number "8159" named in said amendment insert: *8147*; and the Senate agree to the same.

Amendment numbered 222:

That the House recede from its disagreement to the amendment of the Senate numbered 222, and agree to the same with an amendment, as follows:

In lieu of the matter inserted by said amendment insert:

SEC. 8148. Funds appropriated in title III of this Act for the Department of defense Pilot Mentor-Protege Program may be transferred to any other appropriation contained in this Act solely for the purpose of implementing a Mentor-Protege Program developmental assistance agreement pursuant to Section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101-510; 10 U.S.C. 2301 note), as amended, under the authority of this provision or any other transfer authority contained in this Act.

SEC. 8149. Funding appropriated under the heading "Operation and Maintenance, Defense-Wide" for increasing energy and water efficiency in Federal buildings may be transferred to other appropriations or funds of the Department of Defense, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred.

SEC. 8150. Upon approval by the Secretary of the Navy, clause (2) of section 7308(c) of title 10, United States Code, shall not apply with respect to the transfer of the USS Blueback by the Secretary of the Navy under section 7308(a) of such title.

SEC. 8151. (a) The Congress finds that—

(1) the United States entered into Operation Restore Hope in December of 1992 for

the purpose of relieving mass starvation in Somalia;

(2) the original mission in Somalia, to secure the environment for humanitarian relief, had the unanimous support of the Senate, expressed in Senate Joint Resolution 45, passed on February 4, 1993, and was endorsed by the House when it amended S.J. Res. 45 on May 25, 1993;

(3) Operation Restore Hope was being successfully accomplished by United States forces, working with forces of other nations, when it was replaced by the UNOSOM II mission, assumed by the United Nations on May 4, 1993 pursuant to United Nations Resolution 814 of March 26, 1993;

(4) neither the expanded United Nations mission of national reconciliation, nor the broad mission of disarming the clans, nor any other mission not essential to the performance of the humanitarian mission has been endorsed or approved by the Senate;

(5) the expanded mission of the United Nations was, subsequent to an attack upon United Nations forces, diverted into a mission aimed primarily at capturing certain persons, pursuant to United Nations Security Council Resolution 837, of June 6, 1993;

(6) the actions of hostile elements in Mogadishu, and the United Nations mission to subdue those elements, have resulted in open conflict in the city of Mogadishu and the deaths of 29 Americans, at least 159 wounded, and the capture of American personnel; and

(7) during fiscal years 1992 and 1993, the United States incurred expenses in excess of \$1.1 billion to support operations in Somalia.

(b) The Congress approves the use of United States Armed Forces in Somalia for the following purposes—

(1) The protection of United States personnel and bases; and

(2) The provision of assistance in securing open lines of communication for the free flow of supplies and relief operations through the provision of—

(i) United States military logistical support services to United Nations forces; and

(ii) United States combat forces in a security role and as an interim force protection supplement to United Nations units: Provided, That funds appropriated, or otherwise made available, in this or any other Act to the Department of Defense may be obligated for expenses incurred only through March 31, 1994, for the operations of United States Armed Forces in Somalia: Provided further, That such date may be extended if so requested by the President and authorized by the Congress: Provided further, That funds may be obligated beyond March 31, 1994 to support a limited number of United States military personnel sufficient only to protect American diplomatic facilities and American citizens, and noncombat personnel to advise the United Nations commander in Somalia: Provided further, That United States combat forces in Somalia shall be under the command and control of United States commanders under the ultimate direction of the President of the United States: Provided further, That the President should intensify efforts to have United Nations member countries immediately deploy additional troops to Somalia to fulfill previous force commitments made to the United Nations and to deploy additional forces to assume the security missions of United States Armed Forces: *Provided further*, That—

(A) captured United States personnel in Somalia should be treated humanely and fairly; and

(B) the United States and the United Nations should make all appropriate efforts to ensure the immediate and safe return of any future captured United States personnel: *Provided further*, That the President should ensure that, at all times, United States mili-

tary personnel in Somalia have the capacity to defend themselves, and American citizens: *Provided further*, That the United States Armed Forces should remain deployed in or around Somalia until such time as all American service personnel missing in action in Somalia are accounted for, and all American service personnel held prisoner in Somalia are released: *Provided further*, That nothing herein shall be deemed to restrict in any way the authority of the President under the Constitution to protect the lives of Americans.

SEC. 8152. Funds appropriated by this Act for intelligence or intelligence-related activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 1994 until the enactment of the Intelligence Authorization Act for fiscal year 1994.

SEC. 8153. (1) Except as provided in subsection (c) below, it is the sense of the Congress that none of the funds appropriated by this Act should be obligated or expended for costs incurred by the United States Armed Forces units serving in any international peacekeeping or peace-enforcement operations under the authority of Chapter VI or Chapter VII of the United Nations Charter and under the authority of a United Nations Security Council Resolution, or for costs incurred by United States Armed Forces serving in any significant international humanitarian, peacekeeping or peace-enforcement operations, unless:

(a) the President initiates consultations with the bi-partisan leadership of Congress, including the leadership of the relevant committees, regarding such operations; these consultations should be initiated at least 15 days prior to the initial deployment of United States Armed Forces units to participate in such an operation, whenever possible, but in no case later than 48 hours after such a deployment; and these consultations should continue on a periodic basis throughout the period of the deployment;

(b) such consultation should include discussion of—

(1) the goals of the operation and the mission of any United States Armed Forces units involved in the operation;

(2) the United States' interests that will be served by the operation;

(3) the estimated cost of the operation;

(4) the strategy by which the President proposes to fund the operation, including possible supplemental appropriations or payments from international organizations, foreign countries or other donors;

(5) the extent of involvement of armed forces and other contributions of personnel from other nations;

(6) the operation's anticipated duration and scope;

(c) subsection (a) does not apply with respect to an international humanitarian assistance operation carried out in response to natural disasters; or to any other international humanitarian assistance operation if the President reports to Congress that the estimated cost of such operation is less than \$50,000,000.

(2) Further, it is the sense of the Congress—

(a) that the President should seek a supplemental appropriation to defray the costs of United States military operations in Somalia in order to restore needed operation and maintenance funds for United States Armed Forces;

(b) that the President should seek supplemental appropriations for any significant future deployment of United States Armed Forces when such forces are to perform or have been performing international humanitarian, peacekeeping or peace-enforcement operations.

SEC. 8154. The Department shall ensure that the A-6 rewing contracts are terminated this fiscal year: Provided, That none of the funds recouped by the Department through the termination of the A-6 rewing program shall be available for obligation or expenditure during this fiscal year.

SEC. 8155. None of the funds available to the Department of Defense shall be available to make progress payments based on costs to large business concerns at rates in excess of 75% on contract solicitations issued after enactment of this Act.

SEC. 8156. Not to exceed \$100,000,000 of the funds provided in this Act may be made available for payment to non-United States government entities for logistical support of Somalia operations: Provided, That the Congressional Defense Committees are notified in advance of any obligations providing such support: Provided further, That any funds obligated pursuant to this authority shall be reimbursed by the United Nations to the Department of Defense to the originating appropriations.

And the Senate agree to the same.

Amendment numbered 225:

That the House recede from its disagreement to the amendment of the Senate numbered 225, and agree to the same with an amendment, as follows:

In lieu of the matter inserted by said amendment insert:

#### TITLE X

#### SEC. 10001. CONVEYANCE OF KAHO'OLAWE ISLAND, HAWAII, TO THE STATE OF HAWAII.

(a) PURPOSE.—It is timely and in the interest of the United States to recognize and fulfill the commitments made on behalf of the United States to the people of Hawaii and to return to the State of Hawaii the Island of Kaho'olawe. Kaho'olawe Island is among Hawaii's historic lands and has a long, documented history of cultural and natural significance to the people of Hawaii reflected, in part, in the Island's inclusion on the National Register of Historic Places and in the longstanding interest in the return of the Island to State sovereignty, public access and use. Congress finds that control, disposition, use and management of Kaho'olawe is affected with a federal interest. It also is in the national interest and an obligation undertaken by Congress and the United States under this and other Acts, and in furtherance of the purposes of Executive Order 10436 (1953), to recognize the cultural and humanitarian value of assuring meaningful, safe use of the Island for appropriate cultural, historical, archaeological and educational purposes as determined by the State of Hawaii and to provide for the clearance or removal of unexploded ordnance and for the environmental restoration of the Island for such purposes. Congress also finds it is in the national interest and an essential element in the federal government's relationship with the State of Hawaii to ensure that the conveyance, clearance or removal of unexploded ordnance, environmental restoration, control of access to the Island and future of the Island be undertaken in a manner consistent with the enhancement of that relationship, the Department of Defense's military mission, the federal interest and applicable provisions of law.

(b) CONVEYANCE.—Subject to Section 10001(e) of this Act, the United States, through the Secretary of the Navy (also, hereinafter, "the Secretary"), shall, notwithstanding Section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620 (h)) convey and return, without consideration and without conditions other than those set forth in or required by this Act, to the State of Hawaii all right, title

and interest of the United States, except that interest set forth in Section 10001(d)(2) and Section 10001(e) of this Act, in and to that parcel of property consisting of approximately 28,776 acres of land known as Kaho'olawe Island, Hawaii and its surrounding waters. Such conveyance of title shall occur no later than 180 days from the date of enactment of this Act and the appropriation of funds for such purposes described in this Act.

(c) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the parcel of property to be conveyed under Section 10001(b) shall be determined by a survey that is deemed satisfactory by the State of Hawaii in consultation with the Secretary. The cost of the survey shall be borne by the Secretary, making use of funds provided pursuant to this Act.

(d) IMPLEMENTATION.—(1) The Secretary shall carry out the requirements of this Act following consultation with the State of Hawaii as required by Section 10002 of this Act and with the technical and logistical support, as needed, of the United States Army Corps of Engineers and other federal agencies.

(2) Notwithstanding any other provisions of this Act, the Secretary shall retain the control of access to the Island, in consultation with the State of Hawaii and prior to and following the entering into force of the Memorandum of Understanding contained in Section 10002 of this Act, until either clearance and restoration are completed or within no more than 10 years after the date of enactment of this Act, whichever comes first, and control of access is transferred to the State of Hawaii, pursuant to such conditions.

(e) INDEMNIFICATION AND THE CONTROL OF ACCESS.—(1) The Navy shall retain control of the access to the Island during the time period set forth in Section 10001(d)(2) of this Act that it is undertaking unexploded ordnance removal and hazardous materials removal activities required in this Act.

(2) During the time period the United States retains control of access to the Island, the United States shall hold harmless, defend and indemnify the State of Hawaii or its political subdivisions from and against all claims, demands, losses, damages, liens, liabilities, injuries, deaths, penalties, fines, lawsuits and other proceedings, judgments, awards and reasonable costs and expenses arising out of, or in any manner predicated upon, the presence, release or threatened release of any munitions, exploded or unexploded ordnance, solid waste associated with such ordnance or hazardous substance, pollutant or contaminant resulting from the activities of the Department of Defense, including the activities of the Department of the Navy and the Department of the Army and any agent, employee, lessee, licensee, independent contractor or other person on the property during such time that the property was and remains under the control of the Department of Defense, Navy, Army or other agencies of the United States Government. Notwithstanding this subsection or any other provision of law, response action contractors are not included as activities of the Department of Defense under this subsection.

The term "response action contractor" has the meaning given such term in section 119(e)(2) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9619(e)(2)), except that such term includes a person who enters into, and is carrying out, a contract to provide at a facility (including a facility not listed on the National Priorities List) a response action with respect to any release or threatened release from the facility of a hazardous substance or pollutant or contami-

nant, or a similar action with respect to petroleum or its derivatives.

(3) Nothing in this Act is intended to alter or affect the federal or state requirements of law governing liability following the transfer of control of access to the State of Hawaii, except that the United States shall remain liable for and retain responsibility for any environmental restoration, remediation, or corrective action required at the property conveyed in paragraph (b).

#### SEC. 10002. COOPERATION OF FEDERAL DEPARTMENTS AND THE STATE OF HAWAII AND TRANSFER OF CONTROL OF ACCESS.

(a)(1) Upon the request of the Secretary or the State of Hawaii, and in accordance with existing laws and requirements, any department or agency of the Federal Government may provide assistance to the Secretary or the State of Hawaii, as the case may be, in carrying out their respective duties under this Act.

(2) Within 180 days following passage of this Act, and notwithstanding any other provision of law, the Secretary shall consult with and enter into a Memorandum of Understanding with the State of Hawaii governing the terms and conditions of (i) access to the Island for those purposes set forth in Sections 10001 and 10002 of this Act and any other cultural, archeological, educational and planning purposes provided for in this title, giving due regard to the risk of harm to public health and the environment and safety involved in providing such access and the need to avoid interference with or disruption of the Navy's clearance, removal and remediation activities; (ii) the timing, planning, methodology and implementation of ordnance clearance or removal and hazardous substance clearance and other waste removal and the protection of historical, cultural and religious sites and artifacts, provided that all reasonable effort should be made to avoid harm to such sites and artifacts from the detonation of unexploded ordnance, clearance or removal of ordnance, and hazardous substance clearance; (iii) the establishment of a two-tiered standard of restoration and ordnance clearance, removal, restoration and safety, taking into account the purpose for which any geographic area will be used and the nature and purpose of human access to such area, but assuring the protection of human health and the environment; (iv) the means for protecting historical, cultural and religious sites and artifacts from intentional destruction, harm and vandalism; (v) public participation, as appropriate, including the opportunity for public comment and hearing; and (vi) the means for regular interval clean-ups and removal of newly discovered previously undetected ordnance by the Navy. Under any such terms and conditions, the Secretary shall be assured full and necessary access to carry out the obligations of the Secretary arising out of the responsibilities and liabilities of this title. Such terms and conditions shall remain in existence until the completion of the restoration and remediation activities required by Section 10002 of this Act and be revised periodically by mutual consent and giving due regard to the importance of access to the Island as the level of clean-up, restoration and remediation moves toward attainment. Nothing in this title is intended to diminish or alter the rights and responsibilities of the Navy to allow access to the Island that existed prior to the enactment of this title.

(3) The United States, through the Secretary of the Navy, shall transfer the control of access to the State of Hawaii within no more than 10 years from the date of enactment of this Act or when the activities required by this Act, including ordnance clearance or removal activities and environ-

mental remediation activities are completed, whichever comes first.

(4) Notwithstanding the duties and obligations set forth in this title and notwithstanding the conveyance required under Section 10001, the State of Hawaii shall not be liable or responsible for the conduct of any clean-up and response actions arising from and relating to the use, environmental clean-up and ordnance removal and remediation of Kaho'olawe Island and its adjacent waters.

**SEC. 10003. KAHŌ'OLAWĒ ISLAND CONVEYANCE, REMEDIATION, AND ENVIRONMENTAL RESTORATION TRUST FUND.**

(a) There is established on the books of the Treasury of the United States a fund to be known as the "Kaho'olawe Island Conveyance, Remediation, and Environmental Restoration Fund" (hereinafter in this subsection referred to as the "Fund"). The Fund shall be administered by the Secretary of the Treasury. The Fund shall be used for the accumulation of funds in order to pay the obligations incurred by the Secretary of the Navy or the Department of Defense in carrying out the purposes of this Act and for properly allocable costs of the Federal Government in the administration of the Fund.

(b) There shall be deposited into the Fund the following, which shall constitute the assets of the Fund:

(1) Amounts paid into the Fund from any source.

(2) Any amount appropriated to the Fund.

(3) Any return on investment of the assets of the Fund.

(c) To the extent provided in appropriation Acts, the assets of the Fund shall be available for obligation by the Secretary of the Navy to carry out the purposes of this Act.

(d) There is authorized to be appropriated into the Fund \$400,000,000, which may be appropriated as a lump sum or in annual increments. Of the amounts deposited into the Fund, not less than eleven percent shall be made available to the State of Hawaii to carry out the provisions of Section 10002 of this Act.

(e) Amounts appropriated to the Fund shall remain available until obligated or until the Fund is terminated.

(f) Upon payment of all incremental costs associated with the purposes for which the Fund is established, the Fund shall be terminated.

(g) Subject to the provisions of this Section, the Secretary is authorized to provide \$45,000,000 to the State of Hawaii for the purpose of long term planning and implementation by the State of (i) such long term planning (ii) environmental restoration activities and (iii) the terms and conditions set forth in the Memorandum of Understanding required by Section 10002 of this Act, concerning Kaho'olawe Island and its adjacent waters. Such funds as are provided by the Secretary for the purpose of carrying out this Section shall be made available to the State by the Secretary from funds made available pursuant to this Act and shall be provided to the State of Hawaii.

(h) Funds in addition to those provided pursuant to Section 10003(g) may be provided to the State of Hawaii upon the submission of an acceptable plan containing the elements identified in 10003(g) of this Act and demonstrating, to the satisfaction of the Secretary, that such funds are necessary to the proper fulfillment of such elements and the purposes of this Act. The Secretary shall have sole discretion to award such additional funds, however, the award of such funds shall not be unreasonably withheld.

**SEC. 10004. ANNUAL REPORT TO CONGRESS AND RELATED DISPUTE RESOLUTION.**

(a) The Secretary shall submit annually a Report, in detail, describing compliance with the provisions of this Act. Such Report shall

include the comments of the State of Hawaii and be submitted to the Defense Committees of Congress.

(b) Federal Courts shall have jurisdiction to enforce the terms, conditions and provisions of this Act, regarding the activities, duties, and responsibilities of the United States, its departments, agencies and instrumentalities set forth in this Act and occurring on the Island of Kaho'olawe and in its adjacent waters. In any judicial review under this Act, the United States or the State, or both, if not a party may intervene as a matter of right. The United States, its departments, agencies and instrumentalities shall be subject to only such injunctive relief as may be imposed by the court to enforce compliance with the terms of this Act and the Memorandum of Understanding. Such compliance shall be enforced giving due regard to the need for expeditious clean-up under the terms and conditions of this Act.

And the Senate agree to the same.

JOHN P. MURTHA,  
NORMAN D. DICKS,  
CHARLES WILSON,  
W.G. (BILL) HEFNER,  
MARTIN O. SABO,  
JULIAN C. DIXON,  
PETER J. VISLOSKEY,  
GEORGE (BUDDY) DARDEN,  
WILLIAM H. NATCHER,  
JOSEPH M. MCDADE,  
C.W. BILL YOUNG,  
BOB LIVINGSTON,  
JERRY LEWIS,  
JOE SKEEN,

*Managers on the Part of the House.*

DANIEL K. INOUE,  
FRITZ HOLLINGS,  
J. BENNETT JOHNSTON,  
ROBERT C. 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.*

When said conference report was considered.

After debate,

On motion of Mr. MURTHA, the previous question was ordered on the conference report to its adoption or rejection and, under the operation thereof, the conference report was agreed to.

A motion to reconsider the vote whereby said conference report was agreed to was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk notify the Senate thereof.

¶132.5 ORDER OF BUSINESS—  
CONSIDERATION OF MODIFIED  
AMENDMENT—H.R. 1025

On motion of Mr. DERRICK, by unanimous consent,

*Ordered*, That during the consideration of the bill (H.R. 1025) to provide for a waiting period before the purchase of a handgun, and for the establishment of a national instant criminal background check system to be contacted by firearms dealers before the

transfer of any firearms, pursuant to House Resolution 302, it may be in order to consider the amendment numbered 3 in part 2 of House Report 103-341 in a modified form, as submitted.

¶132.6 PROVIDING FOR THE  
CONSIDERATION OF H.R. 1025

Mr. DERRICK, by direction of the Committee on Rules, called up the following resolution (H. Res. 302):

*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. 1025) to provide for a waiting period before the purchase of a handgun, and for the establishment of a national instant criminal background check system to be contacted by firearms dealers before the transfer of any firearm. 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 the amendments made in order by this resolution and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. 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 the Judiciary now printed in the bill, modified by the amendment printed in part 1 of the report of the Committee on Rules accompanying this resolution. The committee amendment in the nature of a substitute, as modified, shall be considered as read. All points of order against the committee amendment in the nature of a substitute, as modified, are waived. No amendment to the committee amendment in the nature of a substitute, as modified, shall be in order except those printed in part 2 of the report of the Committee on Rules. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against the amendment numbered 3 in part 2 of the report 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.

When said resolution was considered. After debate,

On motion of Mr. DERRICK, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. MAZZOLI, announced that the yeas had it.