Committee Reports

103d Congress

House Rept. 103-339

103 H. Rpt. 339

MAKING APPROPRIATIONS FOR THE DEPARTMENT OF DEFENSE FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 1994, AND FOR OTHER PURPOSES

**DATE:** November 9, 1993. Ordered to be printed

**SPONSOR:** Mr. Murtha, from the committee of conference, submitted the following

REPORT

(To accompany H.R. 3116)

**TEXT:**

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 numbered 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 numbered 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 colocated 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 Departments 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 numbered 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 Departments senior information resource management (IRM) official as being fully compliant with the Departments 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 program 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, 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 of Defense shall be available to implement the 1993 Defense 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 retained matter 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 retained matter 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 purchasers 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 acknowledgement 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 purchasers 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 purchasers 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 Defense 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 Services 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 services 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 number 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 185:

That the House recede from its disagreement to the amendment of the Senate number 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 systems 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 Servicemens 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 agreed 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 agreed 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 agreed 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 agreed 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 military 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 operations 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 KAHOOLAWE 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 Kahoolawe. Kahoolawe Island is among Hawaiis historic lands and has a long, documented history of cultural and natural significance to the people of Hawaii reflected, in part, in the Islands 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 Kahoolawe 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 governments 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 Defenses 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 Kahoolawe 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 shall not be held harmless, defended or indemnified for activities under this title and activities of 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 contaminant, 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 Navys 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 environmental 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 Kahoolawe Island and its adjacent waters.

SEC. 10003. KAHOOLAWE 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 "Kahoolawe 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 then 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 Kahoolawe 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 Kahoolawe 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. Visclosky,

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. Inouye,

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 DAmato,

Thad Cochran,

Arlen Specter,

Pete V. Domenici,

Don Nickles,

Phil Gramm,

Christopher S. Bond,

Mark O. Hatfield,

Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 3116), making appropriations for the Department of Defense for the fiscal year ending September 30, 1994, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

The conference agreement on the Department of Defense Appropriations Act, 1994, incorporates some of the provisions of both the House and Senate versions of the bill. The language and allocations set forth in House Report 103-254 and Senate Report 103-153 should be complied with unless specifically addressed in the accompanying bill and statement of the managers to the contrary.

TITLE I MILITARY PERSONNEL

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

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

Military Personnel, Army

Amendment No. 1: Appropriates $21,296,177,000 instead of $21,571,207,000 as proposed by the House and $21,212,285,000 as proposed by the Senate.

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

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

Amendment No. 2: Appropriates $18,330,950,000 instead of $18,633,383,000 as proposed by the House and $18,156,982,000 as proposed by the Senate.

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

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

Military Personnel, Air Force

Amendment No. 4: Appropriates $15,823,030,000 instead of $15,916,937,000 as proposed by the House and $15,662,809,000 as proposed by the Senate.

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

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

National Guard and Reserve Forces

The conferees agree to provide $9,401,570,000 in Reserve personnel appropriations, $8,119,478,000 in operation and maintenance appropriations, and $1,200,000,000 in the National Guard and Reserve Equipment appropriation. These funds support a Selected Reserve strength of 1,024,800 as shown below. The conferees agreed to delete House section 8012, which placed a floor on technicians and a ceiling on the number of active Guard and Reserve positions. Amendment number 137 shows the AGR and military technician breakout.

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

reserve personnel, army

Amendment No. 5: Appropriates $2,149,147,000 instead of $2,143,272,000 as proposed by the House and $2,138,416,000 as proposed by the Senate. The conference agreement on items addressed by either the House or the Senate is as follows:

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

reserve personnel, navy

Amendment No. 6: Appropriates $1,555,800,000 instead of $1,565,838,000 as proposed by the House and $1,550,989,000 as proposed by the Senate.

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

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

reserve personnel, marine corps

Amendment No. 7: Appropriates $350,890,000 instead of $350,490,000 as proposed by the House and $311,661,000 as proposed by the Senate.

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

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

reserve personnel, air force

Amendment No. 8: Appropriates $781,958,000 instead of $783,158,000 as proposed by the House and $778,919,000 as proposed by the Senate.

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

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

National Guard Personnel, Army

Amendment No. 9: Appropriates $3,340,283,000 instead of $3,334,183,000 as proposed by the House and $3,332,556,000 as proposed by the Senate.

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

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

National Guard Personnel, Air Force

Amendment No. 10: Appropriates $1,223,492,000 instead of $1,215,935,000 as proposed by the House and $1,230,471,000 as proposed by the Senate.

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

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

TITLE II OPERATION AND MAINTENANCE

A summary of the conference agreement is as follows:

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

justification materials and reprogramming procedures

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

O&M, Army

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

O&M, Navy

Operating forces: Mission and other flight operations; Mission and other ship operations.

O&M, Air Force

Operating forces: Primary combat forces; Primary combat weapons; Global C3I and early warning.

The conferees direct the Department to submit a Mid-Year Operation and Maintenance Execution Review not later than May 1, 1994. The review should be submitted to the Committees on Appropriations and Armed Services of the House and Senate. The conferees intend to work with the Department to determine the details of this submission.

depot maintenance

The conferees are concerned about the size and cost of the depot maintenance infrastructure operated by the Department of Defense. To this end, the conferees urge the Department to improve its programs for depot maintenance competition and interservicing, and identify ways to reduce excess capacity. However, the conferees also believe that the Department needs to maintain a core in-house capability because commercial activities cannot support all mobilization needs, and because private concerns may not always be the lowest cost provider of needed depot maintenance services.

Beside the need to reduce costs and improve the efficiency of depot maintenance, the conferees are also concerned about maintaining adequate oversight. Last year the House Appropriations Committee expressed concern over this matter and directed the Department not to unilaterally implement depot "privatization" initiatives absent Congressional approval. The conferees continue to believe the Department must develop a uniform policy concerning the public-private share of depot maintenance which, if it incorporates changes to existing policy, should be forwarded as a legislative initiative.

The conferees support recommendations found in both the House and Senate reports directing the Department of Defense to conduct analyses required to operate depot maintenance functions more efficiently. Specifically, the conferees direct that Department to take the following actions:

Privatization. The report directed by both House and Senate in their reports accompanying this bill shall be forwarded to the Committees on Appropriations and Armed Services of the House and Senate by April 15, 1994.

Certification of Bids in Depot Maintenance Competitions. Section 9095 of the fiscal year 1993 Defense Appropriations Act required certification of both public and private bids for depot maintenance contracts by the Defense Contract Audit Agency. The conferees wish to clarify their intent that, for competitions carried out under this provision, DCAA audit reports containing an opinion that a bid was prepared in accordance with the DoD Cost Comparability Handbook and is acceptable for evaluation shall be considered a valid certification. The inclusion of findings questioning costs as either understated or overstated are to be considered of an advisory nature only, unless specifically stated by DCAA.

Determination of Core Depot Maintenance Workload. The conferees direct the Department to carry out a study to determine the appropriate public/private mix needed to accomplish depot maintenance workload. In addition to identifying that workload which should be performed by the Department, this study should also develop a plan for distributing workload to DoD facilities to include increasing the use of interservicing. The Department should provide its findings to the Committees on Appropriations not later than April 15, 1994.

Funding Levels. The conferees have not set funding levels subject to DD 1414, Base for Reprogramming, since there exists a reprogramming threshold of $20 million between budget activities. However, the conferees caution the Department to use depot maintenance funds as a last resort for emergency purposes and, that once additional funds are provided, to restore those same amounts taken from the depot maintenance accounts. The conferees direct each Service to report to the Committees on Appropriations of the House and Senate 30 days after their mid-year reviews on the adjustments made to the depot maintenance accounts.

special depot facilities

As part of the maintenance structure supporting the Department of Defense, there are a number of special depot facilities with experienced contractor/government teams having a superior record of performance in support of small fleets of uniquely configured aircraft. The Department should consider transferring no workload from these facilities or consolidating workload within other facilities performing unrelated depot services unless such transfer or consolidation is an integral part of the Base Realignment and closure (BRAC) process, or until completion of a cost and operational effectiveness analysis (COEA) which clearly shows the benefits to the user community and to the taxpayer of such a move.

defense finance and accounting service

The conferees agree to reduce funding for accounting services by a total of $85,200,000, as proposed by the Senate. The specific reductions to the service and Defensewide accounts shall be rebated by the Defense Finance and Accounting Service (DFAS), as described in Senate Report 103-153. The conferees strongly agree that DFAS must reduce administrative overhead to a greater degree than that reached to date if it is to achieve the operating and efficiency objectives promised by the agency.

fuel repricing and war reserves

Since savings will result from changes in world fuel prices and war reserve requirements, the conferees agree to reduce funding for fuel purchases requested by the military services by a total of $527,900,000. Because these savings will accrue to the Departments wholesale fuel supply system, the conferees direct the Defense Fuel Supply Center to provide, free-of-charge, fuel to the services in the amounts listed in the table on page 40 of Senate Report 103-153.

consolidation of command and staff and war colleges

The conferees direct the Secretary of Defense to provide a study detailing potential cost savings from consolidation of the military services command and staff, and war colleges, and their administration. The study should include possible alternative consolidation strategies and timetables, and provide comments on the practicality of each alternative. Consideration shall be given to the progress that has been made on joint and service-specific education. The study shall also consider possible enhancements to joint education and training that may result from consolidation of these institutions, and a comparison of savings achieved through vertical integration of the administrations within each service, including instances where such integration has occurred, versus the overall integration of the administrations of the service schools. The Department shall not take action on any consolidation until the study has been submitted to the appropriate Congressional committees.

Noting the Departments noncompliance with a similar request made in the fiscal year 1993 Senate Appropriations Committee report (S. Report 102-408), this study shall be submitted to the Congressional defense committees no later than March 31, 1994. The Departments report on this matter shall not be combined with other reports due to the Congress on military personnel management, such as Defense Officer Personnel Management Act (DOPMA) reform. If the study is not provided by the date specified above, the Conferees will consider corrective actions in ensuing legislation.

travel

The conferees note that substantial amounts appear to be set aside annually for Department of Defense personnel to attend conventions, conferences, and seminars sponsored by non-governmental organizations. The conferees also note that substantial amounts of resources are used to support conventions, and conferences sponsored by non-governmental organizations. The conferees direct the Department to limit the amount of funds and other resources it provides to various non-governmental organizations at their conventions, conferences, and other functions to one-half of the levels provided in fiscal year 1993. The conferees intend to initiate a review of the Departments support to non-governmental organizations in the near future.

DOD ENVIRONMENTAL SECURITY PROGRAMS

overview

The conferees have agreed to a reduction of $347,100,000 to the Defense Environmental Restoration Account (DERA) from the Presidents budget request due to severe budget constraints. This reduction should in no way lessen the Departments commitment to the restoration and treatment of its natural resources, and the conferees urge the new Administration to work to reduce the impediments to expeditious cleanup.

In addition, the conferees continue to strongly agree that individual site cleanup projects should not be specifically earmarked within the DERA account.

The Senate mandated a number of reports from the Department to assess the validity of requested environmental funds. The conferees agree to these new reports and direct that they be submitted annually to the Defense oversight committees.

Directions provided by either the House or Senate reports should be complied with if funding or direction has either been included by the conferees or was included in the Presidents budget request.

The conferees agree to the following specific allocations for environmental restoration and compliance projects. DD Form 1414 for fiscal year 1994 shall show the items marked with an asterisk ("\*") as Congressional interest items, a change to which requires prior approval. Amounts shown are in thousands of dollars.Environmental restoration and compliance projects

Operation and Maintenance, Army:

Radioactive Waste Disposal Program \*($1,650,000)

Sixth Infantry Division:

Munitions reaction furnace \*($350,000)

Water treatment controls \*($2,500,000)

Munitions disposal \*($1,500,000)

U.S. Army Pacific Command Joint Task Force Initiative:

Wastewater Treatment Joint Task Force \*($500,000)

Family Housing Master Plan \*($2,000,000)

Operation and Maintenance, Navy: Walker River Paiute Reservation \*($500,000)

Operation and Maintenance, Air Force:

Eleventh Air Force Petroleum, oil and lubricants (POL) cleanup \*($2,500,000)

Kotzebue landfill replacement \*($1,300,000)

Operation and Maintenance, Army National Guard:

Camp Withycombe \*($800,000)

Oregon National Guard Headquarters \*($835,000)

pollution abatement test

The Energy Policy Act of 1992 calls on the Secretary of Energy in conjunction with industry and federal agencies to conduct a study on diesel engine combustion and fuels and lubricants to reduce emissions of oxides of nitrogen and particulates. To assist in the conduct of this study, the conferees direct the Secretary of Defense to consider developing a program involving DOD fleet vehicles, in particular trucks and buses, to test diesel fuel additives as a means to reduce emissions.

dod support for antarctic research

The conferees note the direction in Senate Report 103-137 for the National Science Foundation and the Department of Defense to report on how changes in the armed forces may impact support for the Antarctic research program. The conferees expect that report to be provided concurrently to the Subcommittees on Defense of the House and Senate Committees on Appropriations.

cable television contracts

The conferees direct the Department to develop a uniform policy toward all cable television operators that hold contracts or franchise agreements at military installations. The rules of the Federal Acquisition Regulations, including case law applicable to these contracts and franchise agreements, shall be applied in a uniform manner to contracts entered into before and after the date of enactment of this Act. The Department shall transmit a copy of the new policy 90 days after enactment of this Act to the Committees on Appropriations and Armed Services of the House and Senate.

child care facilities pre-school education

The Committee is aware that child care facilities at several Army bases have implemented an innovative pre-school education initiative which utilizes the Sesame Street program as the basis for interactive reading and for assisting families to become their childrens first teachers. Quality care and education of military dependents should continue to be a high priority of the Department of Defense, and the Committee recommends that the Department examine how to expand the Sesame Street pre-school education program to all branches of the military.

OPERATION AND MAINTENANCE, ARMY

Amendment No. 11: Appropriates $15,802,057,000 instead of $15,221,091,000 as proposed by the House and $15,706,229,000 as proposed by the Senate.

Amendment No. 12: Deletes House language to transfer $880,200,000 from the Defense Business Operations Fund.

Amendment No. 13: Inserts Senate language earmarking $6,500,000 for the Army Environmental Policy Institute, of which $2,000,000 shall be for a study on the effects of depleted uranium on the environment; inserts Senate language earmarking $500,000 to study the effects of uranium milling on individuals employed in uranium mills between 1947 and 1971; and deletes Senate language regarding the Somalia operations which is now carried as a general provision (Section 8151).

The conference agreement is as follows:

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

mobile subscriber equipment maintenance

The conferees agree to delete the House reporting requirement on contractual arrangements for Mobile Subscriber Equipment maintenance.

combat survival training program

The conferees agree that the Army should establish a combat survival training program similar to the Air Combat Aircrew Training Program. The conferees direct the Army to submit a plan to establish this program to the Committees on Appropriations and Armed Services of the House and Senate by April 15, 1994.

fort ray cleanup

The conferees agree that $850,000 shall be available only for the removal of hazardous material and demolition of former military facilities at the Fort Ray site in Alaska. These properties were ultimately conveyed to the Shee Atika Native corporation by the Department of Defense. The Secretary of the Army shall submit a plan for activities at the Ft. Ray site to the Committees on Appropriations of the House and Senate not later than February 1, 1994.

life sciences lab

The conferees provide $500,000 for the Air Forces Life Sciences Equipment Laboratory. This lab is involved in the identification of POW/MIA remains.

OPERATION AND MAINTENANCE, NAVY

Amendment No. 14: Appropriations $19,860,309,000 instead of $18,097,782,000 as proposed by the House and $19,845,083,000 as proposed by the Senate.

Amendment No. 15: Deletes House language to transfer $1,092,700,000 from the Defense Business Operations Fund.

Amendment No. 16: Restores House language earmarking $350,000 to connect residences in the vicinity of the Naval Air Warfare Center to the Warminster municipal water supply system.

The conference agreement is as follows:

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

naval test and fleet training range

The conferees agree to add funding to support communications upgrades and operations at the Pacific Missile Range Facility. Below is a listing identifying these projects and the approved funding increases.

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

naval public works facility, pascagoula

The conferees are aware that after nearly three years the Navy has yet to resolve claims associated with a Naval Public Works Facility, Contract No. N62467-88-CO-0039, even though the facility is complete. The conferees firmly recommend that Navy settle or resolve these claims expeditiously and direct the Department to provide a status report to the Committees on Appropriations of the House and Senate by January 15, 1994 on its actions.

junior leadership corps

The conferees urge the Department to apply $4 million of available funds to the Junior Leadership Corps pilot program to be conducted at Loring AFB.

haifa port

In a previous act, the Congress directed the Navy to submit a report detailing possible requirements for upgrades to the Israeli Port of Haifa. Such upgrades would have been in support of U.S. Navy operations in the eastern Mediterranean. That report was submitted by the Secretary of the Navy and reviewed by the Congress. The report indicates that the Haifa Port provides a full range of support needed by Navy ships visiting the region. Although no additional funding for port upgrades is available at this time due to budget constraints, the conferees will continue to examine this matter. The conferees wish to express their gratitude to the Government of Israel and the Israeli people for making available to U.S. servicemen and women the facilities of Haifa Port.

navy graduate education

The conferees direct that funding of at least $38,500,000 be made available to the Naval Postgraduate School for its fiscal year 1994 programs, including $1,000,000 for expanding joint warfare analysis programs.

southern maryland higher education facility

The conferees direct the Navy to provide support for the southern Maryland higher education facility that will exist to provide graduate level engineering and other education courses for military and civilian personnel at the Patuxent Naval Air Warfare Center.

OPERATION AND MAINTENANCE, MARINE CORPS

Amendment No. 17: Deletes center heading.

Amendment No. 18: Appropriates $1,857,699,000 instead of $1,773,889,000 as proposed by the House and $1,834,495,000 as proposed by the Senate and deletes House language to transfer $121,000,000 from the Defense Business Operations Fund.

The conference agreement is as follows:

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

OPERATION AND MAINTENANCE, AIR FORCE

Amendment No. 19: Appropriates $19,093,805,000 instead of $18,305,447,000 as proposed by the House and $19,107,389,000 as proposed by the Senate.

Amendment No. 20: Deletes House language to transfer $941,400,000 from the Defense Business Operations Fund.

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

Amendment No. 21: Restores and amends House language to provide funding for the Tactical Interim CAMS and REMIS Reporting System (TICARRS-92); restores House language providing funding for the Women in Military Service For America Memorial Foundation, Inc., for specific repair, restoration and preservation functions at Arlington National Cemetery; and restores House language providing funding for continued environmental restoration of the former Olmsted Air Force Base, Pennsylvania.

automated logistics maintenance systems

Last year, the conferees directed the Institute for Defense Analyses (IDA) to complete a comparative evaluation of CAMS/REMIS and TICARRS. This evaluation was directed because the General Accounting Office (GAO) and a Department of Defense Major Information System Review Council had found serious deficiencies in the ability of CAMS and REMIS to deliver timely and accurate data.

IDA verified these previous findings that CAMS/REMIS has problems with data integrity, availability and responsiveness. Furthermore, IDA concluded that because of the complexity of the CAMS/REMIS architecture, it is very uncertain that these shortcomings can be overcome. It also found that the Air Force could save $100,000,000 over ten years by using TICARRS instead of CAMS/REMIS. IDAs overall assessment concluded that TICARRS is at least as effective as CAMS/REMIS with less risk and cost.

Given these findings, the conferees support the House position and direct in the interim that the Air Force reestablish TICARRS, with direct data input, as the maintenance management system for F-15, F-16 and F-117A aircraft.

The conferees further direct that the Deputy Secretary of Defense provide the Committees on Appropriations of the House and Senate a report not later than May 15, 1994, on plans to develop a new joint service, Secretary of Defense-managed, logistics maintenance system. This report should include, but not be limited to: a proposed acquisition timeline, the cost of one new joint system, an evaluation of the applicability of OMB Circular A-109, and the naming of an Office of the Secretary of Defense designee who will manage this important acquisition.

standardization of maintenance system applications

The Army was tasked in a Program Decision Memorandum, entitled "Army Maintenance Information System", (September 18, 1992), to implement a smart data system. Subsequently, the Army was directed to fund a concept demonstration for presentation to the Undersecretary of Defense for Acquisition on April 1, 1993. However, the conferees have been informed that no action has yet been taken by the Army.

The conferees support the concept of a joint program for maintenance support below the wholesale logistics level, and therefore encourage the Department to carefully evaluate several potential systems before selecting one maintenance support system.

In keeping with this philosophy, the conferees direct that the Army complete a smart data system concept demonstration under the auspices of the Undersecretary of Defense for Acquisition who shall report the results to the defense committees prior to September 30, 1994.

alternate dispute resolution

The conferees recommend an additional $200,000 over the request for alternate dispute resolution training and program resolution. These funds are required as a result of recent decisions expanding the Air Forces successful efforts to date in implementing the Administrative Dispute Resolution Act of 1990.

Over-The-Horizon backscatter radar system

The conferees agree with the Senate language directing the Air Force to continue operating the East Coast Over-the-Horizon Backscatter (OTH-B) radar at no less than the current 40 hour per week schedule, and to ensure that all OTH-B tracking data is transmitted directly to DOD and civilian agencies responsible for providing counterdrug detection and monitoring support to law enforcement agencies. In order to utilize the full potential of this wide-area sensor, the conferees direct DOD to (1) assist the Air Force in linking the East Coast OTH-B radar site data directly to users, including but not limited to the U.S. Customs/Coast Guard C3I Center, Miami; Joint Task Force 4 Operations Center, Key West; U.S. Southern Command Operations Center, Key West; and U.S. Southern Command Operations Center, Panama; and (2) fully cooperate with efforts of other government agencies to utilize the dual-use capabilities of this system for remote environmental and weather monitoring and other purposes.

DOD NAVIGATION AIDS

The conferees understand that the Air Force and Navy plan to terminate non-directional beacon signals (NBS) navigation aids at Adak Naval Air Station and Eareckson Air Force Station. The conferees direct that these facilities remain in operation until thirty days after the Secretary of the Air Force and the Administrator of the Federal Aviation Administration jointly report to the Committees on Appropriations of the House and Senate the impact of this proposal on military, commercial and private aviation in the regions served by the navigational aids, and how necessary navigational assistance will be maintained.

investigation of radiation testing

In 1957, the Air Force conducted tests of radioactive material on Alaska Natives. The conferees are concerned about the long term implications of these tests on the Native groups involved, and the failure of the Department of Defense to conduct adequate followup evaluation of these cases. The conferees agree that $150,000 shall be available only for the investigation of the tests conducted by the Air Force, and for the preparation of a report recommending specific actions to be taken by the Department of Defense to ensure that the health needs of individuals who were involved in these tests are addressed.

C-12 AIRCRAFT

The conferees direct the Air Force to continue funding and performing operation and maintenance activities on C-12 aircraft used by Defense Attaches.

C-20 Aircraft transfer

The conferees direct the Secretary of the Air Force to transfer one C-20 aircraft from the Air Forces current aircraft inventory to the Coast Guard.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

Amendment No. 22: Appropriations $9,456,801,000 instead of $9,487,133,000 as proposed by the House and $9,452,165,000 as proposed by the Senate.

The conference agreement is as follows:

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

defensewide reductions

The conferees direct that Budget Activity 1, Operation and Maintenance, Defense-Wide, be excluded from reductions shown under "Defensewide Reductions", Line No. 16680.

special operations forces

Fort Bragg Base Support. The conferees agree that base support provided by Fort Bragg to the Special Operations Forces stationed at that installation shall be budgeted in Operation and Maintenance, Defense-wide, U.S. Special Operations Command, starting in fiscal year 1995.

Joint Special Operations Command (JSOC). The conferees expect that all of the funds provided in this Act for the JSOC shall be made available to JSOC for obligation no later than 30 days after enactment by the Special Operations Command, and shall not be withheld for any reason without the explicit approval of the Committees of jurisdiction.

joint military contact team program

The conferees agree to provide $10,000,000 for the Joint Military Contact Team program. As part of this program, the National Guard "Partnership States" arrangement has met with particular success in the Baltic nations. The conferees expect the Department to continue including Guard and Reserve components in this program.

defense personnel support command

The conferees agree that the Department should consider increasing its purchases of Jumbo, Colossal and Super Colossal ripe olives.

Defense Logistics Agency

automated document conversion system

The conferees recommend an additional $14,000,000 only for a competitively procured Automated Document Conversion System for the Defense Logistics Agency. This system shall be capable of efficiently converting information contained in technical documents (including technical manuals, engineering drawings and maps). The system also shall be able to recognize and distinguish between printed alpha numerics, geometric representations, symbols, and foreign font sets as objects.

military youth programs

The conferees agree to provide $70,000,000 for military youth programs initiated last year by Congress that were not funded in the Presidents 1994 request. These funds are appropriated to the Office of the Secretary of Defense and may be made available to the following programs: the National Guard ChalleNGe program, STARBASE, and the CCC program. The Department is directed to provide to the Committee on Appropriations of the Senate and the House a report detailing the objectives of each of these programs, the unique features of each program, objective measures of success, a plan for consolidating these programs, should overlap exist, and a plan for allocating these additional funds. That report is to be provided to the Committees no later than 60 days after enactment of this Act. The conferees intend to work with the Department to determine the exact allocation of these funds over the coming fiscal year, but urge the Department to provide sufficient funds to establish new state ChalleNGe programs in at least five states.

educational development grant

The conferees agree that of the funds available to Operation and Maintenance, Defense-wide, $160,000 shall be available only for a grant to the Network for Educational Development in St. Louis, Missouri, for the support of the Personal Responsibility Education Program. This will be the second year for this program. The Secretary shall notify the Committees on Appropriations of the House and Senate upon execution of the grant.

Amendment No. 23: Deletes House language for the Special Operations Command; restores House language providing $10,000,000 for clearing of landmines for humanitarian purposes; deletes House language which made a portion of the appropriation available for obligation only after enactment of authorizing legislation; inserts and amends Senate language providing $48,000,000 for aiding school districts; inserts and amend Senate language providing $50,000,000 for the Legacy Resource Management Program; and inserts Senate language providing $10,000,000 for the repair and maintenance of federally owned education facilities located on military installations.

landmine clearing

The conferees recommend $10,000,000 for activities to support the clearing of landmines for humanitarian purposes. The conferees intend that the Department of Defense will use these funds for technical assistance, training and equipment for landmine clearing for humanitarian purposes, including locations where refugees and displaced persons are seeking to return to their land after a conflict has ended.

legacy resource management program

The conferees have provided $50,000,000 as recommended by the Senate to continue the Legacy Resource Management Program. The conferees direct that lands, facilities and property owned and/or managed by the National Guard in each of the fifty states and territories are specifically included in the Legacy Resource Management Program.

Amendment No. 24: Inserts Senate language providing $1,000,000 for Secretary of Defense review of captured Iraqi government documents relating to Kurds, provides $1,000,000 for Defense Mapping Agency for evaluation of Former Soviet Union materials, and requests a report from Defense Mapping Agency by March 15, 1994.

OPERATION AND MAINTENANCE, ARMY RESERVE

Amendment No. 25: Appropriates $1,075,140,000 instead of $1,115,095,000 as proposed by the House and $1,057,740,000 as proposed by the Senate and deletes House language prohibiting obligation of $19,505,000 until authorized.

The conference agreement is as follows:

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

OPERATION AND MAINTENANCE, NAVY RESERVE

Amendment No. 26: Appropriates $763,137,000 instead of $807,200,000 as proposed by the House and $761,137,000 as proposed by the Senate.

Amendment No. 27: Restores House language putting the command and operational control of the Naval Reserve Personnel Center under the Commander, Naval Reserve Command.

Amendment No. 28: Deletes House language prohibiting obligation of $31,400,000 until authorized.

The conference agreement is as follows:

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

Amendment No. 29: Appropriates $83,130,000 instead of $86,855,000 as proposed by the House and $75,125,000 as proposed by the Senate and deletes House language prohibiting obligation of $11,805,000 until authorized.

The conference agreement is as follows:

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

Amendment No. 30: Appropriates $1,335,354,000 instead of $1,370,222,000 as proposed by the House and $1,333,470,000 as proposed by the Senate and deletes House language prohibiting obligation of $15,644,000 until authorized.

The conference agreement is as follows:

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

Amendment No. 31: Appropriates $2,230,419,000 instead of $2,272,018,000 as proposed by the House and $2,216,944,000 as proposed by the Senate.

Amendment No. 32: Restores House language earmarking $10,000,000 for a National Guard Outreach Program in the Los Angeles School District; deletes House language prohibiting obligation of $48,763,000 until authorized; and inserts Senate language earmarking $3,000,000 for the MEDRETES program.

The conference agreement is as follows:

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

national guard programs

Training operations. The conferees direct the Defense Fuel Supply Center to provide free-of-charge all fuel planned for purchase by the Army National Guard in fiscal year 1994. The Army National Guard is directed to apply the resulting savings to other potentially unfunded training programs.

Medivac unit. As described in Senate Report 103-153 (page 95), the conferees agree to establish a medical combat enhanced capability aviation team at Hilo, Hawaii. Funding totaling $16,350,000 is set aside for this purpose.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

Amendment No. 33: Appropriates $2,632,298,000 instead of $2,695,233,000 as proposed by the House and $2,686,299,000 as proposed by the Senate.

Amendment No. 34: Amends House language to provide additional funds for the 118th Airlift Wing.

Amendment No. 35: Deletes House language prohibiting obligation of $30,000,000 until authorized.

The conference agreement is as follows:

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

adjustments to budget activities

Adjustments to the budget activities are shown below:

(In thousands of dollars)

Budget Activity 1

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

c-23b aircraft

The conferees provide $2,800,000 for the pilot training, preparation and contractor logistics support of four C-23 commercial variants by the original manufacturer. These funds also may be used to operate these aircraft which are being procured with prior year funds and will be stationed with the Oklahoma National Guard during the first quarter of fiscal year 1994 prior to the completion of their retrofit into C-23B Sherpas.

COURT OF MILITARY APPEALS, DEFENSE

Amendment No. 36: Appropriates $5,855,000 as proposed by the House instead of $6,055,000 as proposed by the Senate.

The conferees recommend a reduction from the budget request for administration, per diem, and travel as proposed by the House.

Amendment No. 37: Deletes House language which made a portion of the appropriation available for obligation only after enactment of authorizing legislation.

ENVIRONMENTAL RESTORATION, DEFENSE

Amendment No. 38: Appropriates $1,962,300,000 instead of $1,716,800,000 as proposed by the House and $2,207,800,000 as proposed by the Senate.

Amendment No. 39: Deletes House language which provided funds for research and development.

SUPPORT FOR INTERNATIONAL SPORTING COMPETITIONS, DEFENSE

Amendment No. 40: Deletes House language making funds available for Support for International Sporting Competitions, Defense, and inserts and amends Senate language appropriating $2,000,000 for the Summer Olympics and $6,000,000 for World Cup USA 1994.

In addition, the conferees agree to House report language directing the Department to include in the fiscal year 1995 budget request an exhibit showing obligations and expenditures for these games. The conferees also agree to insert Section 8116 which extends the availability of prior year funds.

HUMANITARIAN ASSISTANCE

Amendment No. 41: Inserts Senate language providing that funds may be used for transportation of humanitarian relief supplies for the Kurdish population and other minorities of northern Iraq.

Amendment No. 42: Inserts Senate language providing technical correction that funds may be used for transportation of humanitarian relief supplies for the people of sub-Saharan Africa.

Amendment No. 43: Appropriates $48,000,000 as proposed by the Senate instead of $15,000,000 as proposed by the House.

The conferees recommend $48,000,000 for humanitarian assistance, to be used only for acquisition and transportation of excess non-lethal property and supplies to the Kurdish population and other minorities of northern Iraq, the people of sub-Saharan Africa, and the people of Afghanistan.

Amendment No. 44: Deletes House language which made a portion of the appropriation available for obligation only after enactment of authorizing legislation.

FORMER SOVIET UNION (FSU) THREAT REDUCTION

Both the House and the Senate provided $400,000,000, as requested by the budget, for assistance to the states of the former Soviet Union. The conferees agree that, as matters of specific congressional interest, within this amount $60,000,000 shall be reserved for establishing United States-Russian joint venture companies, as proposed by the Senate, and $10,000,000 shall be reserved for technical and linguistic support by the National Academy of Sciences as proposed by the House. In addition, funds are also available for Multilateral Nuclear Safety as proposed by the House and Economic Development as proposed by the Senate. The conferees also agree that funds from this account are available for expenses of FSU students attending the George Marshall Center.

Amendment No. 45: Inserts Senate provision: requiring that $10,000,000 shall be available only for the continuing study, assessment, and identification of nuclear waste disposal by the FSU in the Arctic region; and extending the $400,000,000 in transfer authority provided in the Department of Defense Appropriations Act, 1993, with any such transfers subject to the overall transfer limitation contained in this Act.

Amendment No. 46: Amends Senate provision to incorporate notification of the Congressional foreign affairs committees concerning a prohibition on use of these funds for any country which is currently engaged in the production of a new road mobile or fixed-site land based inter-continental ballistic missile armed with multiple nuclear re-entry vehicles.

TITLE III PROCUREMENT General Conference Issues installation of modifications

The conferees agree with the Senate report on policy and procedures for budgeting for the installation of modifications. Specifically, the conferees reluctantly agree to the budget proposal to incrementally fund these costs in procurement. The Department shall include in budget justification material the total cost of installing each kit to be procured and display, by program, the fiscal year in which the installation funds will be budgeted. In addition, the justification material shall show, by fiscal year and item, the installation costs for those kits which have already been procured. Finally, installation costs may not be reprogrammed to any other purpose.

reprogramming

The conferees agree with Senate report recommendations and directions concerning omnibus reprogrammings and new start reprogrammings. In addition, the conferees restate the current policy that reprogramming thresholds for increases and decreases in procurement and research and development appropriation lines apply to the entire life of the appropriation and are not renewed each year. In other words, an item funded in this bill in Procurement of Ammunition, Army may not be increased or decreased by below threshold reprogramming more than a total of $10 million between now and September 30, 1996. To the extent that it is not already the case, this policy shall be incorporated in Departmental reprogramming regulations.

budgeting for closed accounts

The Senate reduced Army budget authority in investment accounts by $120,639,000 noting that Army managers have interpreted internal instructions in a manner which causes them to request and reserve between one and five percent of funds to cover unanticipated cost overruns on prior year programs. The conferees recognize the concern of Army officials that, with the closure of the M Account, current programs may have to be cut to pay for higher prior year costs. However, to budget specifically for such unknown cost increases defeats one of the key tenets of M Account reform. That legislation was designed to foster better accountability and cost control, and to encourage discipline by program officials. Cost overruns are not to be endorsed either implicitly or explicitly. Budgeting for such contingencies sends exactly the wrong message to program officials.

The conferees emphatically direct that no program manager or Defense Department official shall submit a request to Congress which contains a contingency amount to cover prior year cost overruns. Furthermore, the conferees warn headquarters activities that, if program managers are taxed in advance of cost overruns to cover any such costs, the Committees on Appropriations may recommend legislation next year prohibiting such activity.

Funding reduced by the Senate has been restored because of the reluctance of the conferees to recommend reductions which are not levied against specific programs.

fy 1993 omnibus reprogramming

In the Department of Defense Omnibus Reprogramming (FY 1993-3PA) a series of internal realignments within the Other Procurement, Navy Appropriation for FY 1992 and FY 1993 was delayed pending action on the FY 1994 Appropriation Bill. These realignments were required in order to implement a proposed funding policy change contained in the FY 1994 Budget Request wherein the Department would budget for equipment installation on an annualized basis in the year required vice on a full funding basis in the year the major equipment is procured. In view of the conferees position approving the requested funding policy, the conferees interpose no further objection to the OPN internal realignments proposed in the DOD Omnibus Reprogramming.

9mm handguns

The conferees understand that Navy operational requirements documentation for standard M9 handguns is nearing final approval. The conferees have no objection to the application of measures to accommodate Navy needs for an improved all steel pistol in the next M9 standard handgun procurement and are encouraged at the progress made towards handgun standardization among the services that this step represents.

Aircraft Procurement, Army

Amendment No. 47: Appropriates $1,320,886,000 for Aircraft Procurement, Army, instead of $1,726,164,000 as proposed by the House and $1,125,303,000 as proposed by the Senate.

The conference agreement on items in conference is as follows:

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

guardrail common sensor

The conference agreement includes $17,385,000 for Guardrail Common Sensor aircraft. The conferees direct that $12,500,000 shall be used only for the procurement of one RC-12 training aircraft.

new training helicopter

The conference agreement includes $29,254,000 for the new training helicopter program, the budget estimate. The Army shall procure as many aircraft as possible within these available funds. If additional aircraft are needed, the Army may budget for them in future budget requests. Under no circumstances, however, shall the Army continue to operate the current training helicopters when all the new training helicopters are delivered.

AH-64 modifications

The conference agreement includes $37,392,000 for AH-64 Apache modifications, the Senate amount and a reduction of $9,000,000 below the budget estimate. The conferees agree that these funds are to be used exclusively for the GPS integration program. However, if safety modifications are required during the execution of this program, funds may be used for that purpose with prior notification.

uh-1 huey slep

The House recommended $25,000,000 to initiate a service life extension program (SLEP) for the UH-1 Huey helicopter program. The Senate opposed creation of this unbudgeted program. The Senate recedes to the House position with an amendment. The conferees agree to provide $15,000,000 to begin a Huey SLEP program as a lower cost option than replacing the total Army inventory with UH-60 Black Hawk helicopters. The conferees direct that the Secretary of the Army work closely with the Chief of the Army National Guard to identify the specific components of the Huey SLEP program. The Army is to give highest priority to the replacement of all major dynamic components to maximize reduced time between overhaul, reduced operating cost and improved operation performance. Any component replacement or modification must eliminate short-falls identified in the U.S. Armys January, 1993 Aviation Modernization Plan.

The conferees direct that the Army may not expend more than $10,000,000 in federal development funds related to the SLEP program initiated under this section. The conferees further direct that none of these federal development funds shall be drawn against the $15,000,000 provided under this heading for the Huey SLEP program.

The Army and National Guard are directed to conduct a full and open competition to initiate the SLEP program. The conferees expect the Army and the Army National Guard to be prepared to implement such a competition no later than January 1, 1994. The conferees also expect the Appropriations Committees of the House and Senate to receive periodic progress reports from the Army and the Army National Guard on the implementation of the Huey SLEP program.

un-60 black hawk modifications

The conference agreement includes $22,300,000 for UH-60 Black Hawk modifications, the Senate amount and $24,586,000 below the budget. The conferees agree that these funds are to be used only for the refurbishment program and may not be obligated until the Army submits to the Defense committees complete budget documentation for this program. However, if safety modifications are required during the execution of this program, funds may be used for that purpose with prior notification.

Both the House and Senate denied the $15,000,000 budgeted for UH-60Q procurement on the basis that procurement funding was premature in fiscal year 1994. The conferees agree that the Army may fund development, integration, and testing and related efforts in fiscal year 1994 using available research and development funds, with prior notification.

kiowa warrior modifications

The conference agreement includes $104,348,000 for the Kiowa Warrior modification program, the Senate amount. The conferees agree that this amount includes funding for continuation of the CDS Upgrade program.

Amendment No. 48: Deletes House language making a portion of the appropriation available for obligation only after enactment of authorizing legislation.

Missile Procurement, Army

Amendment No. 49: Appropriates $1,094,309,000 for Missile Procurement, Army instead of $1,126,110,000 as proposed by the House and $934,123,000 as proposed by the Senate.

The conference agreement on items in conference is as follows:

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

patriot missile italian case

The conferees agree with the Senate provision regarding the Patriot Missile Italian Case and have included a general provision which terminates the Italian Case enabling legislation upon notification by the Italian government of its desire to withdraw from the 1988 United States-Italy cooperative air defense memorandum of understanding or 180 days after the enactment of the fiscal year 1994 Defense Appropriations Act, whichever event occurs first. The conferees also direct that the authority provided to the Secretary of Defense to make Patriot assets from the Italian case available for foreign military sales under the general provision is subject to the standard notification requirements under the Arms Export Control Act.

hellfire

The Department of the Army budgeted $92,535,000 in fiscal year 1994 for the Hellfire missile system. The conferees agree to provide $64,835,000 a reduction of $27,700,000 to the budget request. The conferees specifically deny $4,179,000 budgeted for the destruction and disposal of production tooling for the Hellfire I missile and $9,673,000 for the establishment of an organic depot capability for the Hellfire II missile. The conferees do not agree with the House position of extending prior year production and delivery schedules for the Hellfire II.

tow ii

The Department of the Army budgeted $25,282,000 for the TOW II missile in fiscal year 1994. The conferees agree to provide $73,282,000 an addition of $48,000,000 to the budget request. The conferees direct that $15,120,000 budgeted originally for the destruction and disposal of TOW II production tooling be used only for the acquisition of additional TOW II missiles.

Amendment No. 50: Deletes House language making a portion of the appropriation available for obligation only after the enactment of authorizing legislation.

procurement of weapons and tracked combat vehicles, Army

Amendment No. 51: Appropriates $888,817,000 for Procurement of Weapons and Tracked Combat Vehicles, Army, instead of $892,709,000 as proposed by the House and $805,074,000 as proposed by the Senate.

The conference agreement on items in conference is as follows:

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

abrams tank upgrade program

The conference agreement includes $96,701,000 for the Abrams tank upgrade program, of which $17,000,000 is provided only for the Congressionally mandated tank engine industrial base initiative.

The conferees agree with the Senates direction to the Blue Ribbon panel to examine the entire gas turbine engine industrial base within their mandated review. The Office of the Secretary of Defense is directed to report to the defense committees on what action is recommended prior to January 31, 1994.

The conferees direct that the additional $17,000,000 provided may be obligated only for tank engine long lead parts and material that can be used either by the original manufacturer or the Armys tank depot in response to solutions proposed to Congress. Such obligations may occur only after the Department certifies that a production gap would otherwise occur which would seriously impair production base options.

The conferees further direct that the Army shall negotiate and acquire the data rights for a tank engine remanufacture program prior to signing a production contract.

Amendment No. 52: Deletes House language making a portion of the appropriation available for obligation only after enactment of authorizing legislation.

Procurement of Ammunition, Army

Amendment No. 53: Deletes House centerhead "(Including Transfer of Funds)".

Amendment No. 54: Appropriates $735,445,000 for Procurement of Ammunition, Army, instead of $620,787,000 as proposed by the House and $610,174,000 as proposed by the Senate. The conference agreement on items in conference is as follows:

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

25mm ammunition

The conference agreement provides $30,535,000 for the procurement of 25mm ammunition in fiscal year 1994. The conferees direct that of the funds provided, $25,000,000 shall be used only to buy M919 combat ammunition.

120mm mortar ammunition

The conferees agree to the budget proposal to delete a general provision carried in previous Acts regarding the procurement of 120mm mortars and ammunition. This has been done with the understanding that the Army intends to procure mortars and ammunition, including components, from qualified domestic sources. The Army is directed to continue this policy in future procurements.

conventional ammunition demilitarization

The conferees agree that of the $70,468,000 included in the bill for conventional ammunition demilitarization, $1,000,000 shall be used only to continue the Iowa Army Ammunition Plant demilitarization upgrade program.

m864 projectile conversion program

The conference agreement includes $25,000,000 for a demonstration program to determine the feasibility and desirability of converting elements of the M483 155mm ICM projectile inventory to M864 155mm baseburner projectiles. This is done without making any commitment to additional funding for this program in the future. The conferees direct that thirty days before obligating these funds, the Army shall present to the Defense committees its proposal for implementing this demonstration program. The proposal shall include the procurement strategy, program quantity, and cost. It shall also set forth a funding profile (quantities and costs) for continuing the program if continuation is deemed to be desirable.

The conferees direct that the demonstration program include new projectile metal parts which shall be competitively procured from the existing government-owned production base, with some production assigned to each part of that base.

flexible manufacturing center

The conference agreement provides $7,500,000 for the establishment of a flexible manufacturing center for artillery projectile bodies at the Louisiana Army Ammunition Plant.

joliet army ammunition plant

The conferees agree that the Army should maintain contractor-owned equipment for production of M864 baseburner assemblies at the Joliet Army Ammunition Plant for one year, pending the completion of the ammunition production base plan.

Amendment No. 55: Deletes House transfer of $100,000,000 from the Conventional Ammunition Working Capital Fund.

conventional ammunition working capital fund

The conference agreement deletes the House transfer of $100,000,000 to the Procurement of Ammunition, Army appropriation from the Conventional Ammunition Working Capital Fund (CAWCF). However, the conferees agree with the discussion of CAWCF in the House report and with the actions directed by the House. Specifically, the Army is directed to report by March 15, 1994 on actions required for an orderly close-out of the Fund. The Army may also propose remedial actions as arguments for retaining the Fund.

Other Procurement, Army

Amendment No. 56: Appropriates $2,892,766,000 for Other Procurement, Army, instead of $2,904,933,000 as proposed by the House and $2,784,474,000 as proposed by the Senate.

The conference agreement on items in conference is as follows:

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

tactical trailers/dolly sets

The conference agreement provides $14,138,000 for tactical trailers and dolly sets, of which $5,000,000 is available only for the procurement of M-149A2 400 gallon water trailers and an additional $5,000,000 is available only to upgrade the mobility and stability characteristics of the M-149A2 family of water trailers.

The conferees are aware of an urgent Army requirement for M-1022 mobilizers to redress severe shortfalls in support of deployable medical systems (DEPMEDS) and aviation intermediate maintenance (AVIM) units. While procurement of the current M-1022 model would fulfill these requirements, the Army has contracted for a new design M-1022 which has yet to enter production or field test. In the event there is a delay in delivery of test vehicles, scheduled for February, 1994, the conferees direct the Army to procure sufficient quantities of the existing model M-1022 to fill critical shortages. However, prior to the obligation of any funds for current generation M-1022 mobilizers, the Army shall report to the Defense committees regarding the test and production schedule for the new M-1022 and, if necessary, the Armys plans to comply with the conferees direction.

tactical vehicle modifications

The conference agreement provides $28,068,000 for tactical vehicle modifications. The HMMWV conversion program has been deferred as proposed by the House. However, the conference agreement includes $14,000,000 to be used only for the heavy armor HMMWV program. The conferees agree that the Army shall provide an overall heavy armor HMMWV program to the Defense committees by March 1, 1994. The plan shall include procurement profile (quantities and costs by year) and a description and explanation of the procurement strategy.

combat support medical

The conferees are advised that a cost effective, NDI Liquid Oxygen System (LOX) which satisfies the mission requirement for field generated oxygen is readily available. In fact, such a system was successfully employed by the Army during Operation Desert Shield and Desert Storm. The Army has assigned a high priority to acquiring field medical oxygen generation capability. The conferees understand that the Armys acquisition strategy for field oxygen generation systems includes a requirement for LOX as well as for the Army developed Field Medical Oxygen Generation and Distribution System (FMOGDS). However, the budget request included funds only for FMOGDS.

The conferees direct the Army to prepare a report addressing the overall requirements for field medical oxygen systems in light of its revised evacuation doctrine and projected force structure requirements and provide said report to the defense committees not later than August 1, 1994.

all source analysis system (asas)

The conferees agree to provide $29,578,000 for the All Source Analysis System (ASAS), the amount of the fiscal year 1994 budget request. The conferees also direct that of the funds provided for the ASAS program in fiscal year 1994, $3,500,000 is only for the acquisition of communications and ADP equipment related to the upgrade program for the Single Source Processor SIGINT workstations.

integrated family of test equipment (ifte)

The Conferees agree to provide $23,472,000 an increase of $9,000,000 above the fiscal year 1994 budget request for Automatic Test Equipment development. The Conferees direct that the additional funding provided for this program only be used to develop test program sets for the Apache Longbow and Kiowa Warrior. The conferees further provide $500,000 for the Army to conduct a user test of DSESTS-TOW, making use of the prototype located at Fort Hood. If this study demonstrates that the incorporation of DSETS-TOW will be cost effective, the conferees have provided $5,000,000 for the purchase of this equipment in fiscal year 1994. The conferees have also provided an additional $10,000,000 above the budget request for IFTE equipment for use only by the Army National Guard and Reserve.

Further, the conferees support the Armys decision to adopt a single standardized family of test equipment for all weapon systems. Fielding a limited family of test equipment to service multiple weapons systems is economically and operationally desirable in this era of declining defense budgets. While it is recognized that the DSESTS system services all current tracked vehicles and that the DSESTS optical system is being considered for use as the IFTE EOA, the conferees are in agreement that Army policy concerning automatic test equipment must be maintained. The conferees therefore direct the Department of the Army to prepare an analysis to determine the remaining useful life of DSESTS. The analysis should also determine the appropriate date to transition from DSESTS to the IFTE Base Shop Test Facility as the primary automatic test equipment for armored systems and shall also investigate the feasibility of incorporating DSESTS into the IFTE family. The results of this analysis should be provided to the Committees on Appropriations no later than March 15, 1994. The conferees also direct that no future upgrades, unless proven cost effective, will be made to DSESTS.

aircraft protection initiative

The conferees concur with House position on the Aircraft Protection Initiative program.

training devices

The Conferees agree to provide $84,650,000 for this program activity in fiscal year 1994, an increase of $5,000,000 above the budget request. The conferees further agree that the additional funds are only for the Improved Moving Target Simulator (IMTS) as explained within the Senate report.

Amendment No. 57: Deletes Senate language earmarking $18,000,000 for procurement of heavy armor HMMWVs. This issue is discussed further above.

aircraft procurement, navy

Amendment No. 58: Appropriates $5,704,220,000 for Aircraft Procurement, Navy, instead of $5,664,216,000 as proposed by the House and $5,665,615,000 as proposed by the Senate.

The conference agreement on items in conference is as follows:

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

ea-6b prowler

The Navy has been developing new electronics for the EA-6B PROWLER for the past few years with the expectation of increasing the capability of this important aviation asset. In the past the conferees have supported this program as a cost effective way to increase the survivability of other Navy assets.

The conferees continue to believe the Navys program to increase the capability of sensors and avionics, as well as remanufacture of the airplane, is going to be cost-effective and timely. In particular, the conferees are encouraged by the progress made thus far as evidenced by the reports issued upon completion of development testing and operational evaluation. The technical test summary stated that the systems "\* \* \* demonstrated excellent potential for the tactical jamming mission due to the magnitude of improvement \* \* \* over the current EA-6B ICAP-II variants \* \* \*" And the operational test summary stated the systems were "\* \* \* assessed to be potentially operationally effective and operationally suitable."

The conferees agree to provide $77,586,000 for the EA-6B program as requested and expect the program to transition to low rate initial production as soon as possible. The conferees request that the fiscal year 1995 budget request include production funding to support fleet introduction of EA-6B ADVCAP.

t-45 goshawk

The conferees agree to provide the budget request of $289,981,000 for 12 aircraft, simulators, and advance procurement.

The conferees understand that if Navy chooses to proceed with a T-45 engine competition, proper execution of the competition requires realigning fiscal year 1992 Aircraft Procurement, Navy funds to research and development. The conferees direct that the Navy use the existing 1992 APN engine competition funds ($15 million) for on-going T-45 production purposes and reprogram $15 million in 1993 or 1994 T-45 procurement funds to research and development for continuing the T-45 engine competition if necessary. This creates a total of $35 million for engine competition.

f-14 modifications

The conferees agree to provide $116,213,000 as requested instead of $9,213,000 as recommended by the House and $291,213,000 as recommended by the Senate. The conferees are concerned with current Defense Department and Navy plans for the F-14 which accentuate air-to-ground modifications over re-engining. The Navy is directed not to obligate $107,213,000 of the funds provided for F-14 modifications until it reconsiders its current plan for the F-14 upgrades and reports back to the Committees on Appropriations of the House and Senate in conjunction with the fiscal year 1995 budget submission. In its report, the Navy should examine the relative merit of the planned upgrade program versus continuing to re-engine F-14 aircraft. The conferees understand that re-engining F-14 aircraft remains the highest priority of the Navy fleet and believe that re-engining should be of higher priority than the planned air-to-ground upgrades or other enhancements.

h-1 series modifications

The conferees agree to provide $47,858,000 for H-1 series helicopter modifications. The conferees direct the Department of the Navy to fund the programs within this account in accordance with fleet priorities.

p-3 series modifications

The conferees agree to provide $118,304,000 as proposed by the Senate. The amount provided is $107,038,000 above the House recommendation and $96,000,000 below the budget request.

The conferees agree that the maritime patrol force modernization plan of 2 September 1993 submitted to the Congress by the Secretary of the Navy is a substantial improvement over previous plans. Accordingly, the conferees agree to endorse the following: (1) the maritime patrol force structure for fiscal year 1994 shall be 16 active and 9 reserve squadrons of 8 aircraft each; (2) the Navy shall take appropriate action to ensure 29 P-3B heavy weight aircraft are reconfigured as TP-3C aircraft to satisfy training squadron requirements; (3) the P-3C sustained readiness program should be aggressively pursued and ramp up to at least 20 per year by fiscal year 1997; and (4) the ASUW improvement program may be initiated in fiscal year 1994, but funds for 12 of 13 proposed systems are deleted until program testing has commenced as proposed by the Senate.

If any of the foregoing issues cannot be fully accommodated, the Secretary of the Navy is directed to notify the House and Senate Defense Appropriations Subcommittees that a problem has emerged and identify what action is necessary to correct the problem.

e-6 series modifications

The conferees agree to provide $58,282,000 for E-6 modifications as proposed by the Senate. The amount provided is $60,179,000 below the amount provided by the House and the budget request of $118,461,000. The reduction is based upon documentation provided with the budget request which stated the airborne command post modification approval for production would occur in 1996. Subsequent material from the Department of the Navy indicates an acceleration of the production approval process is expected and a decision will occur in 1994.

The conferees acknowledge the importance of the modifications but have no assurances that production approval will occur two years ahead of the original schedule. Therefore, the conferees have agreed to the Senate reduction but will consider any proposed reprogrammings for this effort if the planned schedule changes and necessary approvals are achieved.

s-3 series modifications

The conferees agree to provide $16,660,000 for S-3 series modifications. The amount provided is $3,750,000 above the budget request. The increased funding is to be used to initiate procurement of AN/USH-42 mission recorders as stated in House Report 103-254.

common ecm equipment

The conferees agree to provide $71,774,000 for procurement of common ECM equipment. The amount provided is $6,000,000 more than the budget request. The additional funds are to be used only for continued procurement of the LAU-138/A launcher raid chaff dispenser system.

weapons procurement, navy

Amendment No. 59: Appropriates $2,986,720,000 for Weapons Procurement, Navy instead of $2,808,986,000 as proposed by the House and $2,972,906,000 as proposed by the Senate and inserts Senate provision concerning the Trident II D-5 missile.

The conference agreement on items in conference is as follows:

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

mk-50 advanced lightweight torpedo

The conferees agree to provide $46,269,000 for the Mk-50 Torpedo program an addition of $24,850,000 to the fiscal year 1994 budget request. Of the additional funding provided by the conferees, $2,850,000 is for the safe disposal of 920 Mk-50 boilers, $5,000,000 is for the settlement of requests for equitable adjustments that can be negotiated and paid in fiscal year 1994, and $17,000,000 is for continued procurement of the Mk-50 torpedo.

vertical launched asroc (vla)

The conferees agree to provide $32,682,000 for the Vertical Launched ASROC (VLA) program an addition of $10,000,000 to the fiscal year 1994 budget request. The conferees direct the Department of the Navy to procure as many VLAs as possible with the funding provided.

practice bombs

The conference agreement includes $14,346,000 for practice bombs. Of this amount, $10,000,000 is available only for procurement of laser guided practice bombs.

5"/54 gun ammunition

The conference agreement provides $51,961,000 for 5"/54 gun ammunition. Of this amount, $18,958,000 is available only for procurement of high explosive (HE-CVT) ammunition.

Amendment No. 60: Deletes House language making a portion of the appropriation available for obligation only after the enactment of authorizing legislation.

Shipbuilding and Conversion, Navy

Amendment No. 61: Deletes the Senate proposed funding for the carrier replacement program.

Amendment No. 62: Appropriates $2,642,772,000 for the DDG-51 destroyer program as proposed by the House instead of $2,610,972,000 as proposed by the Senate.

Amendment No. 63: Appropriates $50,000,000 for advance procurement on the LHD-7 amphibious assault ship rather than earmarking from within available funds as proposed by the Senate.

Amendment No. 64: Appropriates $124,175,000 for the mine warfare command and control ship as proposed by the House.

Amendment No. 65: Appropriates $110,049,000 for the oceanographic ship program as proposed by the House instead of $62,482,000 as proposed by the Senate. Also deletes House language on T-AGS 60 contract options and Comptroller General recommendations.

Amendment No. 66: Deletes House language which included production design support along with other miscellaneous costs.

Amendment No. 67: Deletes House language which included cost growth along with other miscellaneous costs and appropriates $343,104,000 for craft, outfitting, post delivery, and first destination transportation, instead of $595,131,000 as proposed by the House and $330,104,000 as proposed by the Senate.

Amendment No. 68: Appropriates a total of $4,195,075,000 instead of $5,397,102,000 as proposed by the House and $7,332,133,000 as proposed by the Senate.

The conference agreement on items in conference is as follows:

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

scn account closing

The conferees understand that the Department of Defense has drafted special guidance governing the application of the account closing law to the Shipbuilding and Conversion, Navy (SCN) appropriation. The conferees are concerned that the guidance must recognize that the SCN appropriation must be considered an indefinite account. This guidance would be consistent with the proviso that the Congress has added to the SCN appropriation since 1984 to recognize the unique nature of ship construction and extend its availability.

The conferees direct the Secretary of Defense to issue procedures to ensure that the account remains available until all the purposes for which the appropriation was made available have been accomplished. The conferees expect the Department to adhere to all limitations in the appropriation throughout its life, and to close it expeditiously when the purposes have been accomplished.

disputed claims

The conferees are aware of a long standing dispute between Southwest Marine of San Diego, California and Atlantic Dry Dock of Jacksonville, Florida and the Department of the Navy over facility investments made by these two shipyards. Although, the shipyard owners agree that there is no legal remedy for a claim to be paid by the Navy, they continue to believe that, in fairness, the Navy should pay costs which the yards incurred in making facility investments. The conferees direct the Navy to examine this issue again and inform the Committees on Appropriations of the House and Senate by May 31, 1994 on what course of action it recommends to resolve this matter.

study of nuclear powered aircraft carriers and submarines

The conferees direct the Comptroller General of the United States to study the cost-effectiveness to the Navy of the utilization of nuclear powered aircraft carriers and nuclear-powered submarines. The study should include the following:

1. A comparison of the life-cycle cost, including the cost of processing or otherwise disposing of nuclear fuel and other nuclear waste removed from nuclear-powered ships, of nuclear-powered aircraft carriers and nuclear-powered submarines with the life-cycle cost of conventionally-powered aircraft carriers and conventionally-powered submarines;

2. A comparison of the cost of procuring nuclear-powered aircraft carriers with the cost of carrying out the service-life extension or complex overhaul of existing conventionally-powered aircraft carriers;

3. A comparison of the projected cost to the Navy of operating a fleet of twelve aircraft carriers utilizing one or more homeports located at foreign overseas installations with the projected cost of operating such a fleet utilizing only homeports located in the United States;

4. An assessment of the refueling costs and the cost of disposing of the waste generated by such refuelings for the nuclear-powered aircraft carriers of the fleet through the year 2020;

5. A detailed estimate of the costs associated with processing or otherwise disposing of nuclear fuel and other nuclear material from the existing nuclear-powered fleet of ships in the Navy; and

6. A detailed description of all programs of the Department of Defense and the Department of Energy relating to nuclear propulsion systems for naval ships that utilize such systems required for the nuclear-powered aircraft carriers.

ddg-51 destroyer

The conferees agree to provide $2,642,772,000 for procurement of three DDG-51 class destroyers. The funding provided is to be used for procurement of three destroyers as well as production design support. The conferees reject the Departments proposal to finance design support outside the production funding line.

The conferees further agree that the Department should more aggressively explore the use of existing equipment which can be removed from ships planned for retirement and used on new platforms.

Two issues were addressed in previous reports on this program. First, the conferees have adopted a general provision that prohibits using any funds for a sole source procurement of ring laser gyroscope configured inertial navigation systems. Second, the conferees agree the Navy should conduct a competition in 1995 for switchgear for flight IIA DDG-51 class destroyers.

Further, the conferees agree to allow the Department of the Navy to go forward with the award of contract N00024-93-C-5203 for DDG-51 shipboard display equipment subject to the same restrictions that apply to Navy Tactical Data System equipment as discussed in the Other Procurement, Navy section of the statement of managers.

lhd-7 advance procurement

The Senate earmarked $50,000,000 in funds from the LHD-6 which could have been used for advance procurement on the LHD-7. The Senate action presupposed that, if an LHD-7 were to be purchased, the cost of the LHD-6 would be reduced as the shipyard would be receiving additional work. The conferees agree with the intent of the Senate in support of the LHD-7. However, there is a concern that the price of the LHD-6 will not decrease with the addition of the LHD-7. Therefore, the conferees have added $50,000,000 which may be available for advance procurement on the LHD-7. The conferees expect that the Defense Department will fund the balance of the ship in fiscal year 1995 prior to obligating the advance procurement funds.

service craft

The conferees agree to provide $36,986,000 for procurement of service craft. The agreement includes a reduction of $3,376,000 from the budget request to reflect the Department of the Navys decision to delete the large covered lighter (YFNB) from its service craft requirements. Additionally, the conferees agree to provide $5,000,000 above the budget request for six open lighters (YC) and two fuel oil storage barges (YOS).

Finally, the conferees have provided, in this account, $8,000,000 for conversion of the USNS CHAUVENET to a training ship for the Texas Maritime Academys Training Program.

outfitting and post delivery

The conferees agree to provide $211,003,000 for outfitting and $89,322,000 for post delivery expenses. In total, the funding provided for these two accounts is $120,737,000 below the budget request.

ship cost adjustment

The conferees have included a general provision (section 8120) which transfers $761,101,000 in prior year funds to cover cost increases in various ship programs. The only source used for transfer which was not identified by Navy officials is $55,500,000 from the Space Nuclear Thermal Propulsion Program within the RDT&E, Air Force appropriation. The following table lists the adjustments by appropriations.

Appropriations to which transfer is made: Amount

Shipbuilding and Conversion, Navy 1986/1990 $3,459,000

Shipbuilding and Conversion, Navy 1987/1991 256,000

Shipbuilding and Conversion, Navy 1988/1992 141,704.000

Shipbuilding and Conversion, Navy 1989/1993 174,540,000

Shipbuilding and Conversion, Navy 1990/1994 144,071,000

Shipbuilding and Conversion, Navy 1991/1995 297,071,000

Total 761,101,000

Appropriations from which transfer is made:

Shipbuilding and Conversion, Navy 1990/1994 5,037,000

Shipbuilding and Conversion, Navy 1991/1995 3,806,000

Shipbuilding and Conversion, Navy 1992/1996 44,360,000

Shipbuilding and Conversion, Navy 1992/1995 27,000,000

Shipbuilding and Conversion, Navy 1993/1994 13,000,000

Shipbuilding and Conversion, Navy 1993/1996 43,500,000

Shipbuilding and Conversion, Navy 1993/1997 69,829,000

Aircraft Procurement, Navy 1992/1994 65,600,000

Aircraft Procurement, Navy 1993/1995 45,700,000

Weapons Procurement, Navy 1992/1994 36,000,000

Weapons Procurement, Navy 1993/1995 105,800,000

Other Procurement, Navy 1993/1995 163,274,000

Research, Development, Test and Evaluation, Navy 1993/1994 46,395,000

Research, Development, Test and Evaluation, Air Force 1993/1994 55,500,000

National Guard and Reserve Equipment 1992/1994 3,400,000

National Guard and Reserve Equipment 1993/1995 32,900,000

Total 761,101,000

Amendment No. 69: Deletes a House provision making a portion of the appropriation subject to authorization.

Other Procurement, Navy

Amendment No. 70: Appropriates $2,994,231,000 for Other Procurement, Navy, instead of $2,980,815,000 as proposed by the House and $2,794,718,000 as proposed by the Senate.

The conferees agree on items in conference as follows:

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

BQG-5 WIDE APERTURE ARRAY

The AN/BQG-5 Wide Aperture Array (WAA) is a conformal hull sonar array developed for the Seawolf. It can be retrofitted on Los Angeles-class submarines, and is a likely candidate for Centurion. The WAA provides rapid range and bearing on a target, an essential advantage in shallow coastal waters where sonar clutter, shipping, and ocean conditions limit surveillance ranges and increase the likelihood of chance encounters. Therefore, the conferees provide $33,000,000 for the acquisition of one complete BQG-5 shipset and the completion of a partially cannibalized BQG-5 already in the possession of the Navy for backfit on Los Angeles-class subs. The WAAs procured shall include the additional cards necessary to provide full search capability. The conferees direct the Navy to reprogram the funds necessary to cover administrative and array installation costs.

AN/SPS-48E Radar

The conferees agree to provide $14,018,000 for the AN/SPS-48E radar of which $5,000,000 is available to initiate the subproject as directed in the House report.

navy tactical data system (NTDS)

The conferees agree to provide $66,863,000 for the Navy Tactical Data System an addition of $24,000,000 to the budget request. The additional funding provided is available only for the acquisition of low cost commercial emulator systems. The use of commercial emulators in place of Mil-spec display equipment at shore-based facilities has proven to be cost effective and the conferees expect the Department of the Navy to continue to aggressively pursue further cost savings through the use of commercial emulators in place of Mil-spec display equipment.

Accordingly, the conferees direct the Department of the Navy not to expend any OPN or SCN funds on the purchase of new Mil-spec display equipment if that equipment requirement can be fulfilled (1) by an existing emulation system, (2) from assets available at land-based sites, (3) from decommissioned ships, or (4) by expenditure of funds provided to develop new emulators. A certification of need to purchase new Mil-spec display equipment by other than these methods must be obtained from the Naval Audit Service and applies to the following types of equipment: LS-653, LS-654/A, OJ-452, OJ-451, OJ-535, OL-190, and OL-191. The conferees further direct the Navy to expedite the use of funds provided in fiscal years 1993 and 1994 for the upgrade of existing emulators and the acquisition of new emulators so that additional funds can be saved in the future.

Amendment No. 71: Restores and amends House language and provides $20,000,000 for Defense Department and Navy automated information system acquisitions and operations. The conferees strongly believe that the funding be used for missions and functions as directed in the bill and House Report 103-254, pages 154-155, except with regard to the management and coordination of active and reserve personnel central design activity and personnel accounting programs. The conferees direct that not less than $17,000,000 ($8,500,000 at each location) shall be spent for acquisitions, upgrades, and replacements at the Enlisted Personnel Management Center (EPMAC) and the Naval Computer and Telecommunications Station (NCTS), New Orleans. The conferees direct that not less than $3,000,000 shall be spent for acquisitions, upgrades, and replacements at the Naval Reserve Force Information Systems Office, the Naval Reserve Personnel Center (NRPC), and the Defense Accounting Office (DAO), New Orleans. In addition to the missions and functions described in the House report, the conferees recommend that the Department of the Navy have the EPMAC, the NRPC, and the Navy Reserve Force Information Systems Office and the Bureau of Personnel jointly design, develop, test and maintain a new automated enlisted detailing system and a new consolidated Naval manpower data base. The conferees believe that the Department of Defense should establish a central management and control site for local area networks, as described in House Report 103-254, and operate a central design activity software and development test center and classified systems site for megacenters at NCTS, New Orleans. The Department of Defense should also establish a coordinated central management, operations, and processing site for the Integrated Disbursing and Financial Management System at NCTS and DAO, New Orleans. The Department of Navy may proceed, with prior year funds, to design, procure, install, and deploy the NRPC subsystem of the Electronic Military Personnel Records System, to include preparation of life cycle management documentation through milestone III. The work on the subsystem shall be contracted through and administered by the NRPC.

Amendment No. 72: Deletes House language since this subject is addressed under amendment number 71.

Amendment No. 73: Deletes House language since this subject is addressed under amendment number 71.

Amendment No. 74: Deletes House language since this subject is addressed under amendment number 71.

Amendment No. 75: Deletes House language which made a portion of the appropriation available for obligation only after enactment of authorizing legislation.

Procurement, Marine Corps

Amendment No. 76: Appropriates $441,216,000 for Procurement, Marine Corps, instead of $527,754,000 as proposed by the House and $441,056,000 as proposed by the Senate.

The conference agreement on items in conference is as follows:

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

Amendment No. 77: Deletes House language making a portion of the appropriation available for obligation only after enactment of authorizing legislation.

Aircraft Procurement, Air Force

Amendment No. 78: Appropriates $6,662,934,000 for Aircraft Procurement, Air Force instead of $6,887,201,000 as proposed by the House and $4,017,475,000 as proposed by the Senate.

The conference agreement on items in conference is as follows:

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

The conferees recommend $572,239,000 for the procurement of support equipment and other support for the B-2 bomber. The recommendation is $32,100,000 below the budget request to reflect the need for a review by the Under Secretary of Defense, Acquisition, on the long-term support and maintenance plan for the B-2 bomber. The Under Secretary shall report to the Congressional Defense Committees on the most efficient and cost-effective utilization of both public and private facilities to support the B-2 bomber. The conferees recognize that the government has already invested significantly in the private sector to train a highly skilled work force and has constructed facilities which can support this need. In addition, it is recognized that the Air Force has constructed facilities to allow for organic maintenance of the B-2 bomber. The $32,100,000 reduction reflects no prejudice; it is deemed that such expenditure would be premature until the Department has completed its review.

c-17

The conferees agree to provide $1,935,809,000 for the

acquisition of six C-17 aircraft, a reduction of $138,000,000 to the fiscal year 1994 budget request. The conferees also agree to provide $245,500,000 for advance procurement of C-17 aircraft; this is the amount of the budget request. It is the sense of the conferees that the C-17 is a vitally important program which addresses severe shortfalls in the Defense Departments overall airlift capability. It is also the conferees expectation that the C-17 will play a large role in any alternative mix of airfleets which will fulfill future Department airlift requirements. The conferees are not without concern for the future success of the program, however, and restrict the obligation of fiscal year 1994 advance procurement funding under the following conditions:

1. The conferees direct that not more than $100,000,000 of fiscal year 1994 advance procurement funding may be obligated until the Secretary of Defense provides a report to the Congressional Defense Committees which designates a production representative aircraft which incorporates fixes to the wing, flaps, slats and landing gear. In addition, the report will identify the cost of retrofitting the first ten production aircraft with these deficiency corrections.

2. The conferees also direct that the C-17 Lot VII engine advance procurement contract not be awarded until the Secretary of Defense provides the Congressional Defense Committees with a report on the consideration to be received by the government for any engines in Lots IV through VI which do not meet the specific fuel consumption requirements in the engine specifications found in the original contracts.

Should present unit cost and performance trends continue for the C-17 engine, the conferees will be forced to consider other options to address the requirement. The conferees also agree to the House language which requires the submission of a quarterly report detailing the progress of the C-17 flight test program.

C-130J

It is the conferees sense that in the future, acquisition of new tactical airlift aircraft should be the most capable and cost effective variant of the C-130. Toward that end, the conferees encourage the Air Force to consider including in the fiscal year 1995 budget request the C-130J which could be available for delivery in 1996.

E-8B JSTARS

The conferees recommend $436,823,000 for the purchase of two E-8B JSTARS aircraft. The conferees agree with the House allocation which reduced engineering change orders by $40,000,000 believing the budgeted amount to be excessively high. The conferees further agree that the Air Force should examine a multiyear purchase of JSTARS sub-components, including the purchase of airframes.

C-130 modifications

The conferees agree to provide $129,085,000 for C-130 modifications, a reduction of $12,000,000 to the fiscal year 1994 budget request. The conferees agree to the Senate proposed reduction of $20,000,000 due to delays in modifications to electrical systems. The conferees also agree to the House proposal to include an additional $8,000,000 solely for the compass call mission training system.

KC-135 Re-engining

The conferees recommend $70,643,000 for C-135 modifications, $24,000,000 above the fiscal year 1994 budget request. The conferees understand that $100,900,000 of prior year funds may be available in addition to the $24,000,000 increase provided herein for C-135 re-engining. The conferees agreed that these funds would be used to re-engine two KC-135E and two RC-135 aircraft. However, the conferees will not object if the Air Force uses the full amount to re-engine up to five KC-135E aircraft.

Spares and Repair Parts

The conferees recommend $456,077,000 for the purchase of spare

and repair parts. This amount is $100,000,000 below the fiscal year 1994 budget request. The recommendation reduces funds from B-2 spare parts noting that, because of a change in Air Force spare parts budgeting policy, these funds will not be needed until fiscal year 1996.

F-16 Bomb Ejector Racks

The conferees recommend $4,500,000 for F-16 ejector racks under Other Production Charges. This program was supported by both the House and Senate. Providing funds in this bill will allow the Air Force to proceed with the purchase of a replacement for the TER-9A ejector rack by the second quarter of fiscal year 1994.

Amendment No. 79: Deletes House language earmarking $20,000,000 for the C-130J program.

Amendment No. 80: Deletes Senate language earmarking $4,500,000 for the TER-9A ejection rack.

Missile Procurement, Air Force

Amendment No. 81: Appropriates $3,899,170,000 for Missile Procurement, Air Force instead of $3,845,354,000 as proposed by the House and $4,127,514,000 as proposed by the Senate.

The conference agreement on items in conference is as follows:

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

Amendment No. 82: Deletes House language making a portion of the appropriation available for obligation only after enactment of authorizing legislation.

Other Procurement, Air Force

Amendment No. 83: Appropriates $7,637,250,000 instead of $7,336,918,000 as proposed by the House and $7,527,084,000 as proposed by the Senate.

The conference agreement on items in conference is as follows:

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

National Guard and Reserve Equipment

Amendment No. 84: Appropriates $1,200,000,000 for National Guard and Reserve Equipment instead of $1,178,100,000 as proposed by the House and $785,000,000 as proposed by the Senate.

The conference agreement on items in conference is as follows:

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

The conferees agree that this program shall be executed by the heads of the guard and reserve components with priority consideration for miscellaneous equipment appropriations given to the following items:

PLS/HEMTT trucks, HET trucks, Automatic building machines, Tugboats, D-9 tractor upgrade, APX-109 transponder system, LOCASS submunition, KC-135 receiver, transmitter/antennae upgrade, Firearms training systems, C-130 simulator, MIUW vans, C-9 modifications, F/18 support, AN/SQQ-T1 trainer, AH-1W Cobra aircraft, AN/AQS-14 "MATE", Night vision devices, Civil engineering equipment upgrade, SINCGARS radios, AN/PSG-7 digital data set, 2.5 ton truck SLEP, M-9 ACE/FAASV, CH-47 simulator, CH-47 FADAC upgrade, MCE/TASCI P3I, Transition assistance program, Material handling equipment, AN/TLQ-32 ARM Decoys, Electronic document imaging system, MLRS launchers, M915/916 trucks, Forklifts, 20 ton dumptrucks, C-nite, UH-1 external fuel tanks, ALR-66 ESM upgrade.

National Guard and Reserve Aircraft

The conferees agree to provide $800,000,000 for the procurement of new transport aircraft for the reserve components. Both the House and Senate passed bills recognized the urgent requirement to replace aging National Guard and Reserve transport aircraft. The Department has consistently failed to request funds to ensure the timely modernization of the reserve component aircraft fleet, for large tactical transport and smaller mission aircrat for cargo and personnel transportation, air ambulance and evacuation missions and short, unprepared runway operations.

The Chiefs of the National Guard and the Reserves shall allocate these funds to accommodate the most critical reserve component aircraft replacement needs. The Chiefs will report the proposed allocation of funds, by component and by specific system, to the Defense committees not later than January 15, 1994. The conferees expect these funds to be released for obligation by the Office of the Comptroller of the Department of Defense upon submission of the report to the Congress. The conferees identify this initiative as a special priority of the Congress and will not consider any reprogramming or transfer of these funds under authority provided by Sec. 8006.

Air Force Reserve C-130 Modernization

The conferees agree with the House position requiring the Department to provide 8 C-130H aircraft for the 910th Tactical Airlift Group in Youngstown, Ohio as directed in the fiscal year 1992 and 1993 Defense Appropriation Conference Reports.

Colorado Air Force Reserve Modernization

It is the sense of the conferees that as the Air Force Reserve continues its tactical airlift modernization plan, high priority will continue to be given to the Colorado Air Force Reserve in Colorado Springs.

Amendment No. 85: Deletes House language making a portion of the appropriation available for obligation only after enactment of authorizing legislation.

Procurement, Defense-Wide

Amendment No. 86: Appropriates $1,810,039,000 for Procurement, Defense-Wide, instead of $1,557,344,000 as proposed by the House and $1,602,726,000 as proposed by the Senate.

The conference agreement on items in conference is as follows:

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

special operations forces

The conferees agree to provide for Special Operations Forces an additional $2,100,000 for Quiet Knight; $4,000,000 to purchase LI-465 Fuzes; and $15,000,000 to cover costs growth in the Patrol Craft program.

patrol boats

The conferees agree to provide an increase of $15,000,000 for special operations patrol boats. These funds may be required to pay for cost overruns on special operations patrol boats which are currently under construction. The conferees direct that these funds will only be used to cover contractor claims on that program if the Navy determines the claims are the responsibility of the government. The Secretary shall inform the Committees on Appropriations prior to the allocation of these funds to cover contractor claims.

Amendment No. 87: Deletes House language on the High Performance Computer Modernization plan since this issue is addressed under amendment number 190.Defense Production Act Purchases

Amendment No. 88: Restores House language which includes an appropriation paragraph for the Defense Production Act Purchases and appropriates $200,000,000. The conferees direct the Department to submit all projects/programs in accordance with the Defense Production Act, as amended.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

oversight, consultation, and notification

The conferees agree with the Senate report language with respect to oversight, consultation, and notification about proposed changes to acquisition programs. The conferees note that compliance with this direction may be accomplished without use of the established formal DD Form 1415 reprogramming procedures.

items of special congressional interest

Funds for projects noted to be of special interest in either the House or the Senate reports remain so, even if the dollar value of these items has changed in conference or even if not specifically mentioned in this report, unless indicated to the contrary in this report.

electro-optical device maintenance at dod test ranges

As a cost saving measure during the downsizing of Defense Department operations, the conferees direct the Defense Director of Test and Evaluation, in consultation with the directors of test and evaluation of each armed service, to submit a report and plan by June 1, 1994 on establishing government-owned/contractor-operated centralized maintenance service centers for electro-optical tracking systems at Department of Defense test ranges. The report should include a feasibility analysis evaluating the need to develop two such centers, one each to support Eastern and Western test ranges, with depot maintenance of this equipment accomplished at contractor facilities. The conferees encourage the Department to include Service training ranges, which may use these electro-optical tracking systems, in the overall plan for these centralized maintenance service centers. The evaluation also should include a special assessment of the impacts of such maintenance arrangements on maintaining the effective operations of any test and operational training ranges located outside the continental United States. The Department should consider centralized maintenance in the future for data collection and reduction capabilities and range command and control systems used at DOD test ranges.

small business innovative research

The Small Business Act requires Federal agencies which perform research to conduct a certain percentage of their extramural research funding with small businesses. The goal of this legislation is to foster the development and growth of small businesses. The fiscal year 1994 Department of Defense budget proposes a system in which Defense small business funds in the RDT&E appropriations are budgeted in separate line items. While this may be well-intended and offers some advantages, such as increased program visibility, the conferees believe that this also has the undesirable effect of decoupling such efforts from major research programs. The conferees believe the goals of the small business legislation are thwarted when each defense program manager is exempted from the responsibility for cultivating small businesses within major research or development programs. The conferees have therefore denied funding for separate small business program elements and have not agreed to a general provision proposed by the Senate. This action in no way changes the Defense Departments responsibility for full compliance with all provisions of the Small Business Act.

space surveillance programs

The fiscal year 1994 budget requested a total of $1,128,877,000 for space-based, early warning, infrared satellites. The disposition of items in conference is as follows:

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

Defense Support Program (DSP). The conferees believe that there is no requirement for DSP 25 and have therefore provided no funds. The $536,800,000 being provided is sufficient to continue funding in fiscal year 1994 for the multi-year contract for DSP satellites 23 and 24.

FEWS. The conferees agree that there is a requirement to replace the DSP system. In addition, the conferees believe that to terminate FEWS, competitively select new contractors, and start a new development effort would introduce unacceptable financial and schedule risk. Consequently, the conferees agree to continue the FEWS program, but at a reduced funding level.

Brilliant Eyes. The conferees agree to continue funding this program, but at a reduced level. The conferees also agree that the program management and funding responsibility should be transferred to the Air Force.

Reprogramming Authority. The conferees agree that the Secretary of Defense may realign funding into or out of the above programs only with the prior approval of the House and Senate Committees on Appropriations.

space and related programs

The House and Senate each included specific direction for many of the various DOD and intelligence space and related programs. The conferees agree with the language contained in the two different reports except as addressed elsewhere in this joint statement or as modified in this section.

The conferees believe it is premature in fiscal year 1994 to begin the aggressive development of a new medium launch vehicle.

The conferees are unwilling at this time to endorse the evolution of improvements to Pegasus and Taurus class small lift vehicles and the suggestion that the Defense Department should spur development of alternative competitive vehicles.

The conferees agree that the Defense Department and intelligence community should provide, not later than June 1, 1994, a technologically achievable and affordable plan for how current and planned large payloads may be downsized on a reasonable schedule to permit launch on a medium lift vehicle. The conferees believe it is premature to decide now as to when such down-sizing can be achieved.

space launch vehicles

The conferees agree to provide a total of $60,000,000 to ARPA for research and development activities for space launch vehicles. The conferees agree not to provide $53,906,000 to the Air Force for a new National Launch System vehicle as proposed by the House, but rather agree to provide $10,000,000 to ARPA to begin program concept definition for a new, affordable, near-term medium launch vehicle. The conferees also agree to provide $40,000,000 for a competitive Single Stage to Orbit (SSTO) vehicle as proposed by the House; however, the conferees agree to modify the House language to permit reimbursement to the Air Force for projects approved by the Director of ARPA. Finally, the conferees also agree to provide $10,000,000 as proposed by the House for launch technology development projects such as hybrid propellants and parafoils.

university affiliated research centers

The conferees agree with the Senate requirement to provide a report and direct the Department of Defense to provide the requested report by June 15, 1994.

medical research

The conferees recommend the following levels highlighted in the table below for the military services medical research programs. DD Form 1414 for fiscal year 1994 shall show the items marked with an asterisk (" \* ") as Congressional interest items, a change to which requires prior approval.

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

Some funds have been realigned from either the House or Senate recommendations to a different appropriation or program element to more correctly budget for a project in the account in which funds will be obligated and expended.

Conference Recommendations

breast cancer

The conferees recommend $25,000,000 for breast cancer reseach. This funding should be used to continue the fiscal year 1992 and 1993 breast cancer research program in accordance with the standards outlined by the Institute of Medicine recommendations. The conferees agree that the Department should continue this important program in future budget requests.

dod/dva sharing

The conferees recommend $20,000,000 to continue cooperative sharing arrangements between the Departments of Defense and Veterans Affairs, instead of $30,000,000 as proposed by the House. In addition, the conferees encourage the Assistant Secretary of Defense for Health Affairs to continue to work jointly with the Department of Veterans Affairs to pursue any sharing arrangements which may be advantageous to both Departments.

walter reed army institute of research (wrair)

The conferees strongly support the House position and direct the Department to make the new WRAIR a top priority and to proceed with the obligation and expenditure of funds appropriated for this project immediately.

southeast regional telemedicine testbed facility

The conferees recommend $1,000,000 for a facility to make use of advanced technology to provide high quality, on-site medical care for injured and ill military and civilian patients at remote locations.

louisiana medical foundation/touro infirmary study

The conferees recommend $1,200,000 and direct that this funding be used for a research grant to the Louisiana Medical Foundation and Touro Infirmary in New Orleans only to evaluate an anti-bacterial treatment method of the Desert Storm syndrome already begun and found to be successful for some veterans using established methods for treating diseases associated with bacteriuria.

transurethral hyperthemia (tuht)

A recent advance in medical technology offers the opportunity to develop a less invasive alternative to corrective surgery for benign prostatic hyperplasia. The conferees believe that the Department should move forward with a randomized multi-year trial comparing TUHT patients with those who receive surgical therapy using veterans as the target population. The conferees request the Department to report back on joint DOD/DVA efforts to move forward with such an effort not later than March 31, 1994. The report should include, but not be limited to: estimated total cost of such an effort, projected number of participants to be included, and the location of VA hospitals to be included in this multiyear trial.

madigan ent minimally invasive surgical simulation

The conferees recommend $2,000,000 to develop and evaluate a minimally invasive prototype surgical simulator to establish real time requirements for tactile feedback and computer image synthesis for training surgical and trauma care procedures. This project, which shall involve Madigan Army Medical Center, is an important step in the technological evolvement of surgical simulation into the virtual reality training environment.Research, Development, Test and Evaluation, Army

Amendment No. 89: Appropriates $5,427,546,000 instead of $5,560,082,000 as proposed by the House and $5,275,385,000 as proposed by the Senate.

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

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

explanation of project level adjustments

The conferees agree to the following specific program adjustments. DD Form 1414 for fiscal year 1994 shall show the items marked with an asterisk ("\*") as Congressional interest items, a change to which requires prior approval. Amounts shown are in thousands of dollars.

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

materials technology

The conferees agree to provide $17,288,000 for this program element. The conferees agree to provide $4,000,000 only for the hardened materials development program as proposed by the Senate.

In addition, the conferees agree to provide $2,000,000 over the request, as authorized, for cast ductile iron evaluation efforts. Funds for development and evaluation of cast ductile iron munitions are specifically denied. The conferees note ongoing efforts to develop cast ductile iron tracked vehicle components, including track shoes, and believe the Army should consider directing a portion of these funds to the Tank and Automotive Command for field testing of these items.

environmental quality technology

The conferees agree to provide $54,129,000 for this program element.

National Defense Center for Environmental Excellence (NDCEE). The conferees agree to provide $10,000,000 for the NDCEE. In addition, the conferees agree that the NDCEE shall perform the projects listed in the House report and evaluate applications of the Adams process.

Unexploded Ordnance Program. The conferees agree to provide $10,000,000 for research and testing of remediation technology at the Jefferson Proving Ground. In addition, the conferees direct the Secretary of the Army to report on plans to obligate funds available for this initiative and to comply with priorities identified by Congress not later than January 15, 1994.

logistics advanced technology

The conferees agree to provide $12,913,000, the budget request, for this program element.

Munitions Packaging. The conferees agree that $300,000 of the fiscal year 1993 funds provided for this effort shall be used to pursue the Armys munitions packaging effort with industry to pursue injection-molded plastic technology development.

line-of-sight, antitank (LOSAT)

The conferees agree to provide $5,000,000 for this program element. The conferees also agree that the Army should continue to pursue the LOSAT technology effort in order to reach Engineering, Manufacturing, and Development of LOSAT in fiscal year 1996. In addition, the conferees agree that the Army should evaluate whether the LOSAT technology can be used on the early concept vehicle.

non-line of sight (nlos) system

The conferees agree to provide $25,000,000 only to develop and field an accelerated, resource constrained Non-Line of Sight missile system such that the first unit equipped will occur not later than the third quarter of 1999.

The conferees expect that, prior to the award of a development contract for this accelerated NLOS program, the Department of the Army will provide program, schedule, and cost data to the defense committees.

Further, because of the critical requirement to deploy the NLOS system to the light, early entry forces, the conferees acknowledge the need and support a non-classical contracting approach to the development and procurement of the NLOS missile system.

artillery propellant development

The conferees agree to provide $30,533,000 for artillery propellant development, of which $18,500,000 is provided only for the joint development of the XM230 unicharge propellant and the XM297 52 caliber cannon.

The conferees expect the Department of the Army to complete type classification of the XM230 unicharge propellant for 39 caliber howitzers not later than the third quarter of fiscal year 1994 with a follow-on type classification for 52 caliber howitzers on a time scale consistent with the AFAS program to provide a backup armament suite should the preferred liquid propellant not succeed. The conferees further direct the Army to develop a mount that will allow a "bolt in/bolt out" integration of the XM297 cannon with the Paladin turret.

Finally, in view of the Paladin interface considerations, the conferees expect the Program Executive Office, Armaments to manage these activities.

logistics and engineer equipment advance development

The conferees agree to provide $15,945,000 for this program element, of which $1,250,000 is only for laser vibration sensing technology research on bridge, overpass and highway structural integrity assessment and shall be conducted by the Constructed Facilities Center under the aegis of the U.S. Army Belvoir RD&E Center, Bridge Division.

all source analysis system (asas)

The conferees agree to provide $4,471,000 for the All Source Analysis System, an addition of $3,500,000 to the fiscal year 1994 budget request. The conferees also direct that the additional funding provided shall only be used for continuing the upgrade of the communications and intelligence capabilities of the Armys existing Single Source Processor SIGINT and continuing the development of a lightweight portable equivalent for support of contingency operations.

advanced command and control vehicle

The conferees agree to provide $10,654,000 for the Advanced Command and Control Vehicle, of which $2,000,000 is only for integration of the vehicle intercom system and mission module.

The conferees agree to delete the additional funding proposed by the House for acceleration of this program. This action is taken because of fiscal constraints and should not indicate any lessening of the conferees desires to accelerate this program along with the M1A2 tank upgrade program.

brilliant anti-armor technology (bat)

The conferees agree to provide $120,008,000 for the continued development of the Brilliant Anti-armor Technology system.

Based upon the decision by the conferees to take the Army out of the TSSAM program, the conferees agree to provide an additional $10,000,000 above the Senate allowance for the initiation of the studies and design work for the possible integration of the BAT on the Multiple Launch Rocket.

sense and destroy armament missile (sadarm)

The conferees agree to terminate the SADARM program as proposed by the Senate. The conference agreement provides $28,500,000, the amount identified by the Army as required for the orderly termination of the SADARM program in fiscal year 1994.

combat vehicle improvement program

The conferees agree to provide $114,972,000 for this program element, of which $45,000,000 is for the M1A2 tank upgrade program; the M1A2 electronic data processing, storage and retrieval system; and the Bradley Fighting Vehicle upgrade program.

In addition, the conferees agree to provide $11,403,000, the budget request, for the Improved Recovery Vehicle.

horizontal battlefield integration

Both the House and Senate Committees addressed the importance of the Armys program to digitize the battlefield. Therefore, the conferees agree to provide $20,000,000 for these efforts. Prior to obligating these funds, the Army should report to the defense committees on how these funds will be utilized and how they fit into the Armys overall plan on digitizing the battlefield.

As a related issue, the conferees agree to delete the additional funding recommended by the House for avionics upgrades due to fiscal constraints. However, the conferees agree that any plan of the Armys to digitize the battlefield should include aviation assets as well.

missile/air defense product improvement program

The conferees agree to provide $65,782,000 for this program element, of which $6,000,000 is only for the ground-to-air complementary missile live-fire tests from the Avenger. The Secretary of the Army shall report the results of the test to the congressional defense committees not later than June 15, 1994.

high energy laser system test facility (helstf)

The conferees agree to provide $24,808,000 for the DOD High Energy Laser System Test Facility (HELSTF). The conferees agree with the restrictions placed in the House report, but stress that they apply only to the high energy laser capabilities at HELSTF. The conferees agree that the Department may use the funds provided for HELSTF to study the future status of HELSTF. In addition, the conferees direct that the report requested in last years conference and Senate reports on the long-term plan for HELSTF be submitted not later than January 15, 1994.

Amendment No. 90: Restores House language concerning development and testing of a new insulin derivative for the treatment of diabetes and hypoglycemia in the dependents of active duty military members; restores and amends House language earmarking funds for a lyme disease program; deletes House language making a portion of the appropriation subject to authorization; and deletes Senate language earmarking funds for an upgrade of the Los Alamos Meson Physics Facility/Los Alamos Neutron Scattering Center.Research, Development, Test and Evaluation, Navy

Amendment No. 91: Appropriates $8,365,786,000 for Research, Development, Test and Evaluation, Navy instead of $8,604,777,000 as proposed by the House and $7,925,369,000 as proposed by the Senate.

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

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

anti-submarine warfare

The conferees are concerned about the emerging threat of very quiet diesel-electric and air independent propulsion submarines in the hands of potentially hostile third world countries, and about the state of technology which will allow our Navy to deal effectively with these threats operating in littoral environments. ARPA and the Navy should review the state of the technology programs required to effectively counter this emerging threat.

advanced marine biological systems

The conferees agree that the Navy should have some flexibility in transitioning the marine mammals no longer required for this program. In this regard, regulatory agencies should act in consultation with the Marine Mammal Commission when dealing with the Navy on transfers to other protected captive environments or facilities. The Congressional defense committees should be notified in advance of such proposed transfers.

advanced surface machinery systems

The conferees agree to provide $83,000,000. The conferees note the importance of the Intercooled Recuperative Engine (ICR) for future requirements in the Navys surface combatant fleet. The conferees direct the Secretary of the Navy to proceed on schedule with the establishment of the ICR land-based engineering site at Philadelphia.

advanced warhead development (Mk-50)

The conferees agree to provide $16,000,000 for advanced warhead development for the Mk-50 torpedo program. The conferees also direct that none of the funds provided may be obligated until the Department of the Navy reports to the Committee on Appropriations the programmatic objectives, schedule, technical risks, and annual and total costs of the warhead development program.

lightweight torpedo development

The conferees agree to provide $9,000,000 for the development of a lightweight hybrid torpedo. The additional funding provided shall be used to ascertain the feasibility of producing hybrid torpedoes. The conferees also direct that none of the funds provided may be obligated until the Department of the Navy reports to the Committee on Appropriations the programmatic objectives, schedule, technical risks, and annual and total costs of the hybrid torpedo development program.

strategic submarine and weapon system support

The conferees understand that the Navy earlier this year informed Congress that activities had been terminated to explore development of conventional variants of the Trident I and II missiles. No funds were requested in the budget for this purpose, and accordingly the conferees have provided no funds for such efforts in fiscal year 1994. The conferees would regard initation of any such activities in fiscal year 1994 as a new start requiring prior approval by the Congressional defense committees.

v-22

The conferees encourage the Defense Department to budget sufficient procurement funds to achieve the Marine Corps V-22 initial operating capability in 1999, to the extent the Secretary of Defense believes the initial operating capability can be attained in light of the technological maturity and affordability of the program.

F-14

The conferees do not agree to provide an additional $78,000,000 as proposed by the House for the F/A-14 development program. The conferees do believe that the Secretary of Defense should closely examine the benefits in terms of military warfighting capability that such a program could provide. The conferees would consider a reprogramming request in fiscal year 1994 to initial such a program if warranted.

joint advanced strike technology program

The conferees direct that none of the funds provided for the Joint Advanced Strike Technology program may be obligated to support any specific project or sub-project which was denied by other conference agreements in this report. The conferees direct the Assistant Secretary of the Navy for Research, Development, and Acquisition to submit a report to the Congressional defense committees by May 5, 1994 on the JAST organization, program goals, acquisition strategy, funding, and milestones.

tactical airbone reconnaissance

The conferees provided $33,141,000 to develop a capability to meet the Navy and Marine Corps tactical airborne reconnaissance requirements as a follow-on to the cancelled Advanced Tactical Airborne Reconnaissance System (ATARS) program. The conferees direct that $3,141,000 is available for the development of the Navys JSIPS. Of the remaining appropriated funds, no more than $4,069,000 is available to continue flight tests using the ATARS hardware and software transferred from the Air Force to better define the requirements for the follow-on program. The conferees direct that $25,931,000 may not be obligated until the Secretary of the Navy submits a report to the Congressional defense committees detailing a program plan, schedule, annual and total funding requirements, and the technical risks associated with developing a F/A-18D tactical reconnaissance capability to satisfy current requirements. Furthermore, the conferees direct that the report include a description and analysis of two program options: an accelerated program and a prudent risk, minimum concurrency program. The conferees further direct that the Navy and Marine Corps take no action in the follow-on program which would preclude the Air Force from eventually acquiring the system to be developed.

c4i for the warrior

The conferees agree that within the appropriated funds for the C4I for the Warrior program, the Navy is to provide $1,000,000 for the Joint Universal Data Interpreter System effort at St. Inigoes, Maryland.

unmanned undersea vehicles

The conferees agree with the Senate direction that the Office of the Secretary of Defense should establish affordable, cost affective priorities among the many projects proposed by the Navy and ARPA related to unmanned undersea vehicles (UUVs) and should present an overall, coordinated program in the fiscal year 1995 budget request. The conferees recognize the requirement for a near-term UUV that can detect mines and minefields and relay such information back to commanders as part of the Navys clandestine mine reconnaissance concept primarily for amphibious operations.

The conferees believe that meeting this requirement is a high priority and are concerned that the submarine offboard mine search system (SOMSS) proposed in the budget will not provide such a near-term, affordable capability. In addition, the conferees are concerned that there is no central focus of effort in the Navy regarding the development of UUVs, especially with respect to addressing the near term requirement. The conferees direct that the Director of the Navys Expeditionary Warfare Division (N85) be assigned the responsibility for establishing the Navys UUV program priorities.

In order to begin addressing this near-term requirement, the conferees have added $5,000,000 to the Undersea Superiority Technology Demonstration program element. Of this amount, $1,000,000 is available only for the classified clandestine mine warfare project proposed by the House. The conferees further direct that funds provided to ARPA for its autonomous mine countermeasures project may not be obligated until the Undersecretary of Defense for Acquisition and the Assistant Secretary of the Navy for Research, Development, and Acquisition certify that the ARPA effort is part of the overall plan and meets the priorities established for UUVs.

manufacturing technology office

The conferees do not agree to the House bill language which prohibits use of funds at the Navy Research Laboratory after a certain date unless the Navys manufacturing technology office is afforded a headquarters level status. The conferees do agree that the Navys manufacturing technology office should have sufficient organizational visibility and responsibility to obtain maximum benefit from the $142,255,000 provided in this bill for manufacturing technology. The conferees are particularly concerned that this office be able to influence the adoption of advanced manufacturing technologies and processes in Navy weapon systems as part of the normal acquisition process. The conferees direct that the Assistant Secretary of the Navy for Research, Development, and Acquisition submit a plan to the Appropriations Committees by May 5, 1994 to achieve these objectives.

navy nuclear fuel requirements

The conferees are concerned that the United States maintain its technological capabilities for producing naval nuclear fuel. The conferees urge the Secretary of the Navy to submit, no later than May 5, 1994, a report outlining the Navys current and future requirements and capabilities for producing nuclear fuel. This report should include, if required and appropriate, results of an engineering reconfiguration program study so the Navy may efficiently prepare for future requirements. The conferees direct that no funds may be obligated to conduct this study without prior approval by the Congressional defense committees.

ship self defense

The conferees agree to modify the Senate language restricting the obligation of funds for the Enhanced Sea Sparrow Missile to permit a total of $4,800,000 to be obligated before the required report is submitted to Congress.

rdt&e instrumentation modernization

The conferees agree to provide funds for the Navy to buy out the lease of the large cavitation channel to avoid the payment of unnecessary lease costs in fiscal year 1994. However, funds for such acquisitions normally are budgeted in the Military Construction appropriation. The conferees believe the Navy should have complied with normal budgeting practices in this instance and direct that the Office of the Secretary of Defense ensure that Defense Department components do so in the future. The conferees do not regard this action as a precedent.

Amendment No. 92: Restores language proposed by the House and stricken by the Senate which provides $1,000,000 as a grant for the National Center for Physical Acoustics.

Amendment No. 93: Restores language proposed by the House and stricken by the Senate which provides limitations on the Aegis destroyer variant.

Amendment No. 94: Restores language proposed by the House and stricken by the Senate which provides limitations on Aegis tactical display simplification funds.

Amendment No. 95: Restores language proposed by the House and stricken by the Senate which provides limitations on Aegis tactical display simplification contracts.

Amendment No. 96: Restores language proposed by the House and stricken by the Senate which provides limitations on E-2 aircraft upgrades.

Amendment No. 97: Restores language proposed by the House and stricken by the Senate which provides limitations on development of the L-X ship.

Amendment No. 98: Deletes language proposed by the House which provides limitations on the funds for the Naval Research Laboratory.

Research, Development, Test and Evaluation, Air Force

Amendment No. 99: Appropriates $12,314,362,000 instead of $12,608,995,000 as proposed by the House and $11,847,970,000 as proposed by the Senate.

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

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

explanation of project level adjustments

The conferees agree to the following specific program adjustments. DD Form 1414 for fiscal year 1994 shall show the items marked with an asterisk ("\*") as Congressional interest items, a change to which requires prior approval. Amounts shown are in thousands of dollars.

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

advanced fighter technology integration

advanced avionics integration

The conferees agree with the Senate reductions in these program elements. However, the conferees agree to modify the Senate report language with respect to the Advanced Avionics Integration program element to permit the use of $1,000,000 to complete the stellar sensor/inertial system project in fiscal year 1994.

The conferees also agree that the Air Force, after reevaluating its priorities and submitting better justification, may request approval from the Congress through the established procedures for funds for reduced activities.

national aero space plane (nasp) technology program

The conferees agree to provide $40,000,000 for this program element. The conferees agree to provide this amount due to fiscal constraints and pursuant to section 242 of the National Defense Authorization Act for Fiscal Year 1993.

The conferees are aware that the National Aero Space Plane Technology Program has technological benefits, both for military and domestic uses. Therefore, the conferees agree that the Air Force should re-evaluate its need to continue this program or to move some of the components into other technology base programs.

ballistic missile technology

The conferees agree to provide $20,900,000 for the Ballistic Missile Technology program, of which $20,000,000 is available for the Advanced Inertial Measurement System (AIMS) project. The conferees direct that none of the funds for AIMS may be obligated or expended until the Secretary of Defense certifies that the project is fully funded in the Future Years Defense Program and that a specific, validated military requirement exists for the project. None of the funds provided for this program element may be used for the GPS-aided guidance package (re-entry vehicle) project.

airborne laser technology

The conferees agree to provide $1,945,000 for the Airborne Laser Technology effort. The conferees direct that these funds may not be obligated or expended until the Secretary of the Air Force provides the rationale for pursuing this technology and certifies that the program is fully funded in the Future Years Defense Program.

b-1b

The House allowance recommended $126,543,000 for development of B-1B bomber enhancements. The Senate denied all funds and proposed rescinding $31,000,000 of fiscal year 1993 funds.

The conferees agree to provide $49,000,000 in new budget authority, and not to rescind the prior year funds, to provide a total of $80,000,000. The conferees direct that these funds may only be used to develop conventional war-fighting enhancements to the B-1B, including the Relative Targeting System/GPS-Aided Munition (RTS/GAM) demonstration. The conferees also agree that none of these funds may be used for any activities related to addressing deficiencies in the aircrafts electronic countermeasures systems.

In addition, the conferees are concerned with the Department of Defenses inability to comply with the B-1B upgrade program reporting requirements in the Joint Explanatory Statement of the Committee of Conference on the fiscal year 1993 Act. The conferees direct that this comprehensive information be provided to the congressional defense committees no later than March 1, 1994, along with a certification by the Secretary of Defense that any proposed upgrades are militarily-required, affordable, and fully-funded in the Future Years Defense Program.

b-2 advanced technology bomber

The conferees agree to provide $790,497,000 for the B-2 Advanced Technology Bomber program. In addition, the conferees fully support the Air Forces decision to integrate a GPS-Aided Targeting System (GATS) and the Joint Direct Attack Munition (JDAM) into the B-2 conventional development effort at the earliest practical time to provide the B-2 with an effective, affordable, all weather, near-precision guided conventional munition. The conferees agree the JDAM weapon is the best long-term solution, but also recognize that a GPS-Aided Munition (GAM) may offer a sufficient capability for an interim period of time, albeit at a higher cost. The conferees, therefore, approve the Air Forces request to proceed with JDAM testing and integration on the B-2 and to procure 28 test GAMS to validate the GATS capability. The conferees direct the Air Force to protect the option to produce GAMS to ensure an interim capability in the event the JDAM program does not meet its schedule.

minuteman squadrons

The conferees agree to provide $15,000,000 for the Minuteman III Propulsion Replacement Program. However, the conferees direct that no funds for this project may be obligated or expended until the Under Secretary of Defense for Acquisition complies with the certification requirement in the Senate report and also certifies that the entire propulsion upgrade project is needed to avoid costly disruption in the intercontinental ballistic missile industrial base. The funds also may not be obligated or expended until after the Secretary of the Air Force submits a full report on the results of the independent cost estimate and provides a risk assessment, final acquisition strategy, and emerging results from the cost-and-operational effectiveness analysis for the project.

kc-135

The conferees recognize the military utility of the receptacles and multipoint aerial refueling enhancements and have provided half of the budget request for each for fiscal year 1994. The conferees direct that none of these funds may be obligated until the Secretary of the Air Force complies with the reporting requirements imposed by Congress in fiscal year 1993 and in the fiscal year 1994 House report. The conferees further direct that the House reporting requirement be expanded to include the receptacles project.

The conferees also direct that none of the funds provided for either project may be obligated until the Secretary certifies to the congressional defense committees that the relevant project is fully funded in the Future Years Defense Program.

The conferees direct that the required reports and certification be submitted to the committees no later than February 15, 1994.

follow-on tactical reconnaissance system

The conferees agree to provide $9,000,000 for the continued development of the Air Forces Joint Services Imagery Processing System (JSIPS). The conferees direct that of the unobligated fiscal year 1993 funds, $7,000,000 is available for the development and testing of an electro-optical sensor with framing and on chip forward motion compensation capabilities, $1,500,000 is available to pay Air Force costs to transition the canceled Advanced Tactical Reconnaissance Systems program to the Navy, and $1,500,000 is available for JSIPS. The conferees agree with the Senates report language about the reallocation of other ATARS prior year funds.

rome laboratory

The conferees are concerned about reports of possible realignment actions being considered which might affect Rome Laboratory, Griffiss Air Force Base, New York. Therefore, the conferees prohibit the use of any Defense Department funds to implement the realignment, closure, or consolidation of any mission or activity at Rome Laboratory except as part of the base realignment and closure process.

space nuclear thermal propulsion (SNTP) PROGRAM

The conferees disagree with the provision directing obligation of $55,500,000 provided in fiscal year 1993 solely for the SNTP program. The conferees agree to amend this proposal by deleting the fiscal year 1993 statutory requirement reserving the funds solely for this program. The conferees agree to transfer the fiscal year 1993 SNTP funds to the Navy to help meet ship cost adjustment funding needs.

Amendment No. 100: Restores House language earmarking funds for the Joint Seismic Program and Global Seismic Network administered by the Incorporated Research Institutions for Seismology; restores and amends House language earmarking funds for the National Center for Manufacturing Sciences; deletes Senate language earmarking funds for the development of a GATS/GAM capability for the B-2 Advanced Technology Bomber; inserts Senate language earmarking funds for the Air Force Maui Space Surveillance Site (MSSS); and deletes Senate language earmarking funds for development and testing of down-sized test equipment for the F-15.Research, Development, Test and Evaluation, Defense-Wide

Amendment No. 101: Appropriates $8,838,690,000 for Research, Development, Test and Evaluation, Defense-Wide instead of $9,376,918,000 as proposed by the House and $8,296,588,000 as proposed by the Senate.

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

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

explanation of project level adjustments

The conferees agree to the following specific program adjustments. DD Form 1414 for fiscal year 1994 shall show the items marked with an asterisk ("\*") as Congressional interest items, a change to which requires prior approval. Amounts shown are in thousands of dollars.

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

superconducting magnetic energy storage

The conferees agree with the Senate recommendation to transfer management and funding responsibility for the superconducting magnetic energy storage (SMES) program to the Department of Energy. The conferees direct the Defense Nuclear Agency to undertake and complete such a transfer by the end of fiscal year 1994. In order to minimize ultimate costs and maximize progress, every effort should be made to keep the existing program intact.

advanced lithography

The conferees are aware of ARPAs use of consortia composed of industry, federal laboratories, and universities to pursue new technologies. The conferees recognize that consortia can foster U.S. leadership in advanced lithography. The conferees encourage ARPA to investigate the development of x-ray and advanced optical lithography technologies through the use of consortia.

sematech

The conferees agree to provide $90,000,000 for SEMATECH. The conferees do not agree with the Senates direction that ARPA prepare a plan to reduce the obligatory Federal investment over the next five years. However, given the great financial pressures on a declining defense budget, it is likely that the Defense Department and the Congress will not be able to sustain the level of investment in SEMATECH that has been made in the past. In addition, the conferees again note that ARPA previously proposed that funds be provided to SEMATECH only for those projects selected on the basis of merit by ARPA. The conferees agree that it would be useful for the new Administration to present to Congress its plans for future activities with SEMATECH. The conferees direct the Undersecretary of Defense for Acquisition to submit a plan to the Defense Committees of Congress by March 1, 1994 on planned activities for SEMATECH during the next five years. The plan should provide ARPA the opportunity to ensure its requirements are sufficiently addressed in the annual plan developed by the SEMATECH members.

tactical technology

Small, Low Cost Interceptor Device (SLID). The conferees agree to provide $3,000,000, and allow the transfer of $6,500,000 of prior year funds from program element 0602618A, Ballistic Technology, task AH-81, for the Small, Low Cost Interceptor Device (SLID) program. While the conferees agree with the Senates concerns about SLID, the conferees recognize the need to investigate an alternative to continually adding more armor to our combat vehicles. The conferees direct ARPA to devise a program which develops and demonstrates this technology at a substantially lower cost. The conferees expect such a plan to continue to include actual live fire tests while possibly reducing the number of participants in each phase of development.

Light Contingency Vehicle (LCV). The conferees agree to deny all funds requested to develop a Light Contingency Vehicle (LCV). The conferees agree with the Senates concerns and urge the Defense Department to fully assess all alternative approaches to performing the scout mission.

defense nuclear agency

The conferees do not agree to the Senates proposal to fund the functions of the Defense Nuclear Agency (DNA) in the individual armed services and ARPA and to require the Under Secretary of Defense for Acquisition to submit a plan and schedule to transition DNAs functions to them. The conferees agree to provide $235,000,000 for the Defense Nuclear Agency program element. The conferees also agree with the House recommendation to provide another $41,350,000 for the Verification Technology Demonstration program which is executed by DNA.

The conferees have modified the Senates proposed bill language so as to require the Under Secretary of Defense to submit to the Congressional defense committees the complete results of an independent study of options for accomplishing the functions now performed by DNA. The conferees direct that this study be accomplished by the RAND Corporations National Defense Research Institute, a federally-funded research and development center. The conferees direct that the options to be studied shall, at a minimum, include: (1) transferring DNAs functions to the individual armed services and ARPA under an arrangement whereby a service or ARPA becomes the executive agent for the entire Department of Defense for the function or functions transferred; (2) maintaining DNA as a separate agency under the plan proposed by the Department of Defense in a letter to the Congressional defense committees on June 25, 1993, to adapt the agency to the conditions of the new international security environment; (3) transferring DNAs functions to the Department of Energy nuclear weapons laboratories; (4) combining any of the previously-listed options; and, (5) reorganizing DNA to significantly reduce the agencys operating, management, administrative, and other overhead costs.

For any option evaluated, the conferees direct that the study shall provide, at a minimum, detailed information and conclusions as to: (1) any impact on the federal governments ability to maintain critical expertise in nuclear and conventional defense areas and to effectively perform functions now performed by DNA; (2) annual cost savings, if any; and, (3) a reasonable implementation schedule. The study also shall provide recommendations as to which option is in the best national security and fiscal interests of the federal government. The Under Secretary of Defense is directed to take all administrative and other actions necessary to ensure that the research and investigative work of the study shall begin within 30 days after the enactment of the defense appropriations Act.

The conferees further direct that the results of this study shall be submitted in unclassified, and, if necessary, classified format and shall be submitted by the Under Secretary to the Congressional defense committees without any delay upon the completion of the internal review process by the independent organization accomplishing the study. The conferees direct that the results submitted to the committees shall contain all the information, conclusions, and recommendations validated by this internal review process. The conferees have mandated in statutory language that $1,000,000 be allocated to accomplish this study, which must be submitted to the committees no later than May 1, 1994. The conferees also direct that none of the funds provided to the Defense Nuclear Agency in fiscal year 1994 may be used for the Mighty Uncle underground nuclear test and associated activities, which have been cancelled by the Department of Defense.

Ballistic Missile Defense

The conferees agree to provide $2,638,900,000 for the Ballistic Missile Defense Program. This amount does not include funds for the Brilliant Eyes project, which is funded in the Air Force RDT&E appropriation. The conferees do not agree to the specific reductions proposed and approved by the Senate. The conferees agree to recommend the illustrative reductions contained in the following table which is expressed in thousands of dollars. The conferees believe these reductions could be necessary to implement this lower aggregate level of funding for fiscal year 1994. The bulk of these reductions were approved by the full Senate or reflect recent decisions by BMDO to reduce or terminate specific projects. The conferees agree to the Senate direction concerning the Ground Based Interceptor and theater missile defense simulation efforts.

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

The conferees do not agree to the House bill language which prohibits use of BMD funds to operate more than one public affairs office in the Washington DC area. However, the conferees do believe that more than one such office is unnecessary and an unaffordable luxury. The conferees direct the Secretary of Defense to eliminate one of the two current BMD public/external affairs offices in the Washington DC area by the end of the fiscal year, unless he certifies to the Defense committees of Congress that each is essential. Should the Secretary choose to close one of these offices, the conferees do not expect that the organization chosen for elimination will simply be funded from another appropriation but will actually be abolished.

Strategic Environmental Research and Development Program

The conferees note recent actions taken by the Defense Department to develop a process for evaluating and approving service environmental research and development projects. DoD is in the process of developing a multi-year Strategic Environmental Research and Development Program (SERDP) plan and has asked participants to propose projects addressing priority concerns. These actions respond to concerns raised by the Senate and should allow the services to plan on the availability of funds for high priority environmental projects. Given these actions, the conferees do not agree to the Senate proposal to transfer service research and exploratory development projects to the SERDP program element in fiscal year 1995.

The conferees agree that global environment change research should be a priority within the SERDP program. The conferees agree to the House proposal to provide $37,800,000 only for continued funding of Phase 1 projects approved by the SERDP Science Advisory Board which include global environmental change efforts. The conferees direct that these funds be allocated expeditiously.

DOD/CTC Joint CALS Initiative

The conferees agree to provide $43,000,000 only for the CALS Shared Resource Center program, $9,000,000 less than recommended by the House. This program and funding shall be managed only by ARPA with the nonprofit Concurrent Technologies Corporation serving as the Departments technical advisor. The conferees support the funding initiatives addressed in the House report, except that additional Regional CSRCs shall be established only in Oakland, California; Atlanta, Georgia; and Bremerton, Washington.

Joint Wargaming Simulation Management Office

The conferees agree to provide $79,152,000. Within this amount, $2,500,000 is available only for establishment and operation of a Joint Simulation Center for Warfighting Concepts and Doctrine Development, and $1,000,000 is available only for the establishment of a Peace Enforcement Doctrine Development Center.

Pollution Abatement Testing

The Energy Policy Act of 1992 calls on the Secretary of Energy in conjunction with industry and federal agencies to conduct a study on diesel engine combustion and fuels and lubricants to reduce emissions of oxides of nitrogen and particulates. To assist in the conduct of this study, the conferees urge the Secretary of Defense to consider developing a program involving DOD fleet vehicles, in particular trucks and buses, to test diesel fuel additives as a means to reduce emissions and particulates.

Electric Vehicles

The conferees agree to the requirements stated in the Senate report, except that the prohibition or purchasing vehicles developed or manufactured outside the United States should only apply to new projects. The conferees further agree to modify this prohibition to only apply to vehicles developed and manufactured outside the United States.

C3I INTELLIGENCE PROGRAM (0305190D)

As proposed by the House, the conferees agree to provide an increase of $10,000,000 solely for the National Drug Intelligence Center (NDIC). The conferees also agree that DOD may reimburse the Department of Justice for such costs as are incurred. In addition, the conferees expect that the NDIC will submit a single consolidated budget justification for fiscal year 1995 which will show such data as the total funding being requested by agency, the number of personnel by agency, hardware acquisition, and operating costs.

tactical signals intelligence satellite

The House provided $80,000,000 for ARPA to begin development of a low cost, deployable, rapid-prototype signals intelligence satellite. The conferees agree to provide a total of $10,000,000 in the EEMIT program. Additional details are contained in the accompanying classified report by the conferees.

worldwide military command and control system (wwmccs)

The conferees are satisfied that possible management problems within the WWMCCS program highlighted in the Senate report have been fully addressed in the Department of Defense Inspector General (DOD IG) Report No. 94-006, dated October 19, 1993. Further, because the DOD IG report clears the WWMCCS program of any improprieties, the conferees require no further action by the Department on this subject.

Amendment No. 102: Restores and amends language proposed by the House concerning tactical missile defense programs; restores and amends language proposed by the House concerning coordination of certain energy research programs between the Departments of Defense and Energy; inserts language proposed by the Senate on the Maui High Performance Computing Center; restores language proposed by the House concerning cell adhesion molecule research; and restores and amends language proposed by the House concerning the Computer-aided Acquisition and Logistics Support (CALS) Shared Resource Center program.

Amendment No. 103: Deletes language proposed by the House concerning a grant to historically black colleges and universities; deletes language proposed by the House concerning the High Performance Computing initiative; deletes language proposed by the House concerning the Experimental Program to Stimulate Competitive Research; deletes language proposed by the House concerning coordination of certain energy research programs between the Departments of Defense and Energy; deletes language proposed by the House concerning cell adhesion molecule research; deletes language proposed by the House concerning the Computer-aided Acquisition and Logistics Support (CALS) Shared Resource Center program; and deletes language proposed by the Senate concerning the Maui High Performance Computing Center.

Amendment No. 104: Deletes language proposed by the Senate concerning the ARPA Nuclear Nonproliferation Technology initiative.

Amendment No. 105: Deletes language proposed by the Senate concerning establishment of a simulation center and a peace enforcement doctrine development center.

Amendment No. 106: Deletes language proposed by the Senate concerning a methanol plantship.Developmental Test and Evaluation, Defense

Amendment No. 107: Appropriates $232,457,000 instead of $232,592,000 as proposed by the House and $228,047,000 as proposed by the Senate.

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

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

development test and evaluation

The conferees agree to a reduction of $23,135,000 for the Development Test and Evaluation program. The Senate has receded on its reductions to specific activities within this program element. The recommended reduction should be taken against the total program.

DEFENSE CONVERSION

The Conferees strongly support the objectives of the Defense Conversion, Reinvestment, and Transition Act of 1992. To help accomplish the goals of that legislation the conferees have included at least $2,491,000,000 in the fiscal year 1994 Defense Appropriations Act as follows:

Title I:

Temporary Early Retirement $319,000,000

Temporary Health Transition Assistance 12,000,000

Subtotal, Title I 331,000,000

Title II:

Separation Pay and Civilian Health Benefits 100,000,000

Occupational Conversion and Training 6,250,000

Transition Assistance/Relocation Assistance 67,000,000

Office of Economic Adjustment 39,000,000

Junior ROTC Expansion 73,000,000

Law Enforcement and Health Care Provider Training 15,000,000

Other Defense Conversion Projects 76,750,000

Subtotal, Title II 377,000,000

Title III:

Neutron Generators, Components, and Associated Equipment 6,000,000

Shipbuilding Initiative 50,000,000

Subtotal, Title III 56,000,000

Title IV:

Shipbuilding Initiative 30,000,000

Dual-Use Partnerships 474,000,000

Subtotal, Title IV 504,000,000

In addition several programs in the Research, Development, Test and Evaluation and Procurement budget constitute defense conversion initiatives. The following amounts (including increases above the budget) are also contained in Title IV of the bill:

Intelligence Systems/Software $68,800,000

High Performance Computing 195,600,000

Software Engineering 39,100,000

SEMATECH 90,000,000

Advanced Simulation 74,300,000

High Definition Systems 85,000,000

Materials and Electronics Technology 259,000,000

Advanced Lithography 60,200,000

Other Electronics Manufacturing 264,500,000

Defense Research Sciences 84,700,000

Subtotal 1,222,100,000

The conferees have agreed to provide the authorized level of $377,000,000 for Defense Conversion in the Operation and Maintenance, Defense-Wide appropriation. This amount is $65,000,000 above the budget request.

The conferees also recommend that the following conversion projects be funded in the Operation and Maintenance, Defense-Wide appropriation. DD Form 1414 shall show them as items of special Congressional interest, a funding decrease to which requires prior Congressional approval:

Southeastern Pennsylvania Consortium for Information Technology and Training $875,000

Western Michigan University School of Aviation Sciences/Fort Custer Industrial Park 6,000,000

Illinois Vietnam Veterans Leadership Program 125,000

Monterey Institute of International Studies 5,000,000

California State University System 15,000,000

New London State Pier 3,725,000

Conversion of Homestead Air Force Base 5,000,000

Miami Dade Community College 10,500,000

California Statewide Economic Development Network 3,125,000

San Diego State University Center on Defense Conversion 7,000,000

San Francisco State University California Economic Recovery and Environmental Restoration Project 750,000

Hampton University/Hughes Aircraft Aeroscience Institute 3,750,000

Rand Study on Force Downsizing and Immigration 1,000,000

Personnel Training in Law Enforcement and Health Care Professions 15,000,000

Mare Island & Charleston Shipyard Conversion/Reuse Studies 500,000

Mare Island Worker Retraining for Environmental Restoration 2,500,000

Section 1333 Worker Retraining 5,000,000

Personnel Transition Assistance 3,750,000

Century Brass Products Environmental Cleanup 5,000,000

Aviation Technology and Training Center 4,500,000

System International Job Training Education Program 8,000,000

World Language and Cultural Studies Center, Pfeiffer College 250,000

Urban-Rural Health Care Network Carolinas 3,000,000

Health Care Network New York 2,500,000

Servicemen Occupational Conversion and Training Act 6,250,000

The conferees recommend that the following conversion project be funded in the Procurement, Defense-Wide appropriation. DD form 1414 shall show this project as an item of special Congressional interest, a funding decrease to which requires prior Congressional approval:

Neutron Generators, Components and Associated Equipment $6,000,000

The conferees recommend that the following conversion projects be funded in the Research, Development, Test and Evaluation Defense-wide appropriation account in the Dual Use Technologies program element. DD form 1414 shall show them as items of special Congressional interest, a funding decrease to which requires prior Congressional approval:

CFC Free Refrigeration Technology Project $200,000

Shipboard Material Handling System 500,000

Plastics and Rubber Technologies 3,125,000

Drew Medicine and Science Health Occupations Retraining Demonstration Project 2,000,000

Midwest Regional Centers for Advanced Technology Development 20,000,000

Far West Regional Office Technology Transfer Project 79,000

Renewable Electric and Renewable Thermal Utility Demonstration Projects 6,250,000

Ocean Thermal Power Plantships Technology Project 2,000,000

St. Louis Manufacturing Extension Program 1,000,000

Center for Photochemical Sciences 1,250,000

Center for Advanced Control System Technology 2,500,000

Queens Hall of Science "Discovery Lab" Project 2,500,000

Lahey Clinic Ambulatory Surgical Research 750,000

RPI New York Regional Manufacturing and Engineering Center, Troy, New York 1,250,000

Miami Health Technologies Science Center Defense Reinvestment Project 750,000

Tucson Defense Conversion Project 225,000

Joint Arizona Center for Manufacturing and Training (JACMET) 375,000

Curved Plate Technology Project in Norfolk, Va 15,000,000

Joint Army Ammunition Plant Transfer Project 18,750

Southeast Health Professional Training Center at Mt. Sinai Medical Center of Miami, Florida 750,000

High Technology Center of Rochester, New York 6,000,000

Magnetically Levitated Transportation Prototype Test Track 0

USF/DOE Pinellas Technology Deployment Center 10,000,000

Device Independent Multi-Media Universal Interface System for Medical Information Management 1,400,000

Ben Franklin Partnership and Industrial Resource Center 14,000,000

Methanol Plantship 3,000,000

Low Cost Continuous Emission Monitoring System 185,000

Mojave Regional Technical Center for San Bernadino County 167,000

Software Engineering Environment for Parallel Processor Supercomputers 7,851,000

Environmental Technology Project at Duquesne University 750,000

The conferees also recommend that the Department consider funding for the following projects: the California Gold Strike Program, California Manufacturing Excellence Program, and California Information Initiative Program.

Details on some of the projects listed above follows:

Transition Assistance Programs

The conferees are aware that the Congress appropriated $1,200,000 in 1993 for the Assistant Secretary of Labor for Veterans Employment and Training to use for distributing the Militran Guide under the Transition Assistance Program (TAP). Since the services rely upon the TAP program to help with the transition of military personnel leaving the force, the conferees urge DOD to work with the Assistant Secretary of Labor for Veterans Employment and Training to release funds for distributing the Militran Guide.

Law Enforcement and Health Care Provider Training

The conferees agree to provide a total of $15,000,000 for a demonstration project designed to ease the impact of defense downsizing while strengthening local law enforcement and health care efforts by encouraging military personnel with experience in these fields to work for local police departments and health care agencies after completion of military service. The conferees urge the Secretary of Defense to consider using a part of these funds to help ease the transition of military members living in Southern California.

San Diego University Defense Conversion Center

The conferees agree that a regional conversion center shall be established at San Diego University and appropriate $7 million in defense conversion funds for the center.

Urban-Rural Health Care Network

The conferees are aware of the health care program that the Carolinas Medical Center is developing to serve parts of North and South Carolina. This program should provide better and more cost effective health care in rural areas where hospitals have had trouble attracting professionals and buying the necessary equipment. The concept could also prove useful to the military. The conferees have included $3,000,000 to provide the telecommunications equipment necessary to begin this program.

TITLE V REVOLVING AND MANAGEMENT FUNDS

defense business operations fund

Amendment No. 108: Appropriates $1,102,295,000 instead of $1,091,100,000 as proposed by the House and $1,161,095,000 as proposed by the Senate.

Defense Commissary Agency. The Defense Commissary Agencys budget request is reduced by $58,800,000.

Amendment No. 109: Restores and amends House language restricting the obligation of funds for the Defense Business Management System (DBMS) beyond those funds necessary to provide the present level of support for existing customers consistent with all provisions of law and the DBOF Improvement Report.

The conferees direct the Department to continue executing sound business decisions and seeking efficiency improvements to the DBMS system. The Department, however, may neither expand the current mission of the system nor the number of customers served by it.

NATIONAL DEFENSE SEALIFT FUND

Amendment No. 110: Restores the title of the National Defense Sealift Fund as proposed by the House instead of the National Defense Strategic Lift Fund as proposed by the Senate.

Amendment No. 111: Restores the House center heading.

Amendment No. 112: Restores the title "Sealift" as proposed by the House instead of "Strategic Lift" as proposed by the Senate.

Amendment No. 113: Appropriates $1,540,800,000 for the National Defense Sealift Fund instead of $490,800,000 as proposed by the House and $2,669,100,000 for the National Defense Strategic Lift Fund as proposed by the Senate.

Amendment No. 114: Deletes language proposed by the House regarding execution of a loan guarantee program and inserts language allowing transfer of funds to the Secretary of Transportation and restriction on foreign ship equipment purchases.

national defense sealift fund

The conferees agree to provide $1,540,800,000 for the National Defense Sealift program. Up to $50,000,000 of these funds are available for shipbuilding loan guarantees as authorized. An additional, $1,200,000,000 may be available for later transfer to Shipbuilding and Conversion, Navy for the CVN-76 nuclear aircraft carrier to the extent that such funds are authorized in supplemental legislation. In the event that such authorization does not occur, the funds provided may be available, subsequent to notification to and approval by the Committees on Appropriations, to charter up to five roll-on/roll-off vessels if subsequent authorization allows for this charter under the National Defense Sealift Fund and/or for sealift ship construction.

merchant mariner utilization

The conferees recognize the vital role played by the United States merchant marine in providing operating crews for sealift vessels retained in inactive status when activated for defense purposes. The conferees direct that vessels constructed or operated with funds drawn from the NDSF shall be operated and crewed by United States merchant mariners to the extent possible. Preference shall be given to otherwise qualified former military personnel released from active service as a result of the downsizing of the Armed Forces. This action is to be consistent with current policy and practices.

NATIONAL DEFENSE STOCKPILE

Zinc Stockpile. The conferees note that current sales of zinc from the National Defense Stockpile compete directly with zinc sales of U.S. domestic producers. The conferees further note that the zinc from the stockpile is being sold at prices well below prices paid by the U.S. Treasury for coinage operations. Therefore, it is the view of the conferees that if, in fact, the zinc in the stockpile meets the ASTM standards for flat-rolled zinc for coinage operations, then the manager of the stockpile should first sell zinc as required for Treasury coinage operations prior to the release of zinc from the stockpile to the domestic market.

TITLE VI OTHER DEPARTMENT OF DEFENSE PROGRAMS

Defense Health Program

Amendment No. 115: Appropriates $9,626,072,000 instead of $9,644,447,000 as proposed by the House and $9,576,209,000 as proposed by the Senate.

Amendment No. 116: Earmarks $9,352,435,000 instead of $9,368,185,000 as proposed by the House and $9,303,447,000 as proposed by the Senate.

The conferees recommend the following levels highlighted in the table below for the Defense Health Program:

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

Conference Recommendations

fort bragg mental health demonstration project

The conferees support the House position and recognize that to ensure continuation of the current services the demonstration authority must be extended to allow for the delivery of and payment for services currently not part of the CHAMPUS benefit.

physician assistant/rural health care demonstration

The conferees support the House position. In addition, the conferees agree to $250,000 in additional funding for this ongoing demonstration project to expand its scope to study cost effective methods of providing rural health care.

uniformed services university of the health sciences (usuhs)

The conferees do not agree with the House report language.

nonphysicians rank structure

The conferees remain concerned about the inability of nonphysicians (particularly the Nurse Corps) to achieve adequate numbers in the upper ranks of captain (Navy) and colonel, as well as flag and general officer ranks. The conferees believe the Department should address this inequity by providing more career advancement options to affected officers.

health management practices

Biofeedback care. The conferees continue to support CHAMPUS reimbursements for biofeedback care.

Patient records. The Department is encouraged to ensure that patient medical records are integrated, such that all health care providers, including nurses, utilize the same form.

Psychology Prescription Privileges. The conferees agree to delete a general provision detailing certain restrictions regarding this program, as proposed by the Senate. The conferees expect the Department to continue to provide regular and timely reports to the Congress on the status of the psychology prescription privilege training project.

Amendment No. 117: Earmarks $273,637,000 instead of $276,262,000 as proposed by the House and $272,762,000 as proposed by the Senate.

Amendment No. 118: Inserts Senate language that includes the State of New Mexico in one multi-state expansion region of a mail service pharmacy program.

Amendment No. 119: Restores House language for the continuation of the cooperative program model recently established at Madigan Medical Center for severely behavior disordered students; deletes House language which made a portion of the appropriation available for obligation only after enactment of authorizing legislation; inserts Senate language providing $1,410,000 for annual incentive pay bonuses for certified nurse anesthetists; and inserts Senate language providing $3,000,000 for nursing research programs.Chemical Agents and Munitions Destruction, Defense

Amendment No. 120: Appropriates a total of $389,947,000 for Chemical Agents and Munitions Destruction, Defense, instead of $397,561,000 as proposed by the House and $395,847,000 as proposed by the Senate.

operation and maintenance

Amendment No. 121: Earmarks $291,261,000 for operation and maintenance, instead of $292,061,000 as proposed by the House and $278,361,000 as proposed by the Senate.

The reduction of $16,900,000 below the budget is to be applied to Anniston reconfiguration operations ($10,000,000), Tooele systemization ($5,900,000) and CSSEP ($1,000,000).

The conferees have agreed to restore $1,000,000 of the $2,000,000 Senate reduction for anticipated savings in FEMAs overhead cost. The action is based on assurances from representatives from the Department of Defense and FEMA that steps have been and are continuing to be taken to improve the management of the CSSEP program. In addition, it is based on assurances by the new Assistant to the Secretary of Defense for Atomic Energy that a thorough review of the CSSEP will be conducted and that a decision on the management structure will be forthcoming in this fiscal year.

procurement

Amendment No. 122: Earmarks $67,986,000 for procurement instead of $74,800,000 as proposed by the House and $65,886,000 as proposed by the Senate, and adds the words "shall be for Procurement" as proposed by the Senate.

The conference agreement includes the following reductions below the budget estimate:

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

The $700,000 remaining in the bill for the Pine Bluff facility provides only for continuing design and engineering work. The $19,200,000 remaining for the Umatilla facility provides for long lead equipment procurement. The conferees stipulate, however, that any equipment procured with these funds must be required for the facility regardless of which destruction technology is chosen for that facility. In other words, no "baseline-unique" equipment may be procured.

Amendment No. 123: Deletes House language "shall be for Procurement" as proposed by the Senate.

Amendment No. 124: Earmarks $30,700,000 for research, development, test and evaluation as proposed by the House instead of $51,600,000 as proposed by the Senate and adds "shall be for Research, development, test and evaluation" as proposed by the Senate.

Amendment No. 125: Deletes House language "shall be available for Research, development, test and evaluation" as proposed by the Senate.

Amendment No. 126: Deletes House language making a portion of the appropriation available for obligation only after enactment of authorization legislation.Drug Interdiction and Counter-Drug Activities

Amendment No. 127: Appropriates $868,200,000 instead of $757,785,000 as proposed by the House and $1,080,656,000 as proposed by the Senate.

The conference agreement on the items in conference is as follows:

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

JTF-6

The conferees agree with the House position regarding the limitation on obligations for Defense Department training support to law enforcement agencies and also agree that this limitation shall only apply to Joint Task Force 6 activities.

Light Armored Vehicles (LAVs)

The conferees agree with the House position regarding Light Armored Vehicles (LAVs) to be used by the National Guard to support activities of law enforcement agencies in the counter-drug program. The conferees do not agree with the Senate language which directs the Marine Corps to transfer 4 LAVs to the National Guard for a two year demonstration project. the conferees therefore direct the Defense Department to acquire these vehicles and equipment as directed in the fiscal year 1993 Defense Appropriations Act. It is the conferees belief that with the acquisition of the fiscal year 1993 LAVs, the requirements of the National Guard in this mission area will have fully been met.

military drug rehabilitation facility

The conferees agree to provide $3,500,000 to assist in the establishment of a military style boot camp to be located in Cook County, Illinois which concentrates on substance abuse intervention of the youthful drug offender using traditional therapeutic community approaches along with military discipline. The conferees also direct that the Defense Department provide assistance to the county sheriffs office in the planning of a military style regimen and curricula at the facility.

gulf states initiative

The conferees have provided $3,200,000 for the Gulf States Counter-Narcotics Initiative (GSCI). The conferees understand the Defense Department plans to reprogram additional funds to the GSCI and expects this to occur so that the fiscal year 1994 funds along with reprogrammed funds will be enough for sustainment and enhancement costs in fiscal year 1994. The conferees concur with the House direction regarding future management for the GSCI C4 network.

counter-drug multi-jurisdictional task force training

The conferees agree to provide $2,000,000 for the Multi-jurisdictional task force training program identified by both the House and Senate. The conferees have provided additional funding above the budget request for this program and in addition to those amounts requested and identified in this bill for National Guard Counter-drug activities. The additional funding in made available only for the Florida National Guard to implement counter-drug operations courses developed during fiscal year 1993, including $950,000 for the procurement of equipment for the delivery of the distance learning module to public administrators.

land based aerostats

The conferees are deeply concerned about the degradation of operational readiness of the land based aerostat program currently managed by the Air Force. The conferees therefore direct the Department of Defense Coordinator for Drug Enforcement Policy to provide a report detailing the status of the land based aerostat network and corrective action required to maintain an adequate level of coverage. The conferees further direct that the Committees on Appropriations be notified prior to any action which deactivates a land based aerostat site.

linguist and intelligence analysis service

Consistent with section 1004 of the fiscal year 1991 National Defense Authorization Act, the Conferees direct that $5,000,000 is available solely for the purpose of supporting the translation needs of the Drug Enforcement Administration.

counter-narcotics R&D

The conferees direct that none of the funding reductions taken to the fiscal year 1994 counter-drug research and development budget be taken against existing cargo inspection site efforts.

Amendment No. 128: Amends House language earmarking funds for the Gulf States Counter-Narcotics Initiative.

Office of the Inspector General

Amendment No. 129: Appropriates $137,601,000 instead of $169,801,000 as proposed by the House and $127,601,000 as proposed by the Senate.

Amendment No. 130: Earmarks $136,801,000 instead of $169,001,000 as proposed by the House and $126,801,000 as proposed by the Senate for operation and maintenance.

The conferees recommend an additional $10,000,000 for the increased audit and investigative workload of the Office of the Inspector General.

consolidation of defense criminal investigative functions

The conferees are deeply concerned about the effectiveness and efficiency of the Departments criminal investigative functions. In an attempt to address these concerns, the possibility of consolidating criminal investigative functions under the Department of Defense Inspector General was considered by the conferees in each of the past two years. However, the conferees recognize that such consolidation should take place based on careful analysis of the problems inherent to the current structure, and on a thorough review of possible alternatives.

The conferees support the DoD plan to form an Advisory Board which will perform a comprehensive review of all the issues relating to the conduct of investigative functions. The Secretary of Defense is directed to submit an interim report, not later than June 30, 1994, which describes the status of the Advisory Boards review of these issues, including the consolidation of criminal investigative activities, and provides preliminary findings and conclusions. In particular, the conferees direct that the report include, but not be limited to, consolidation of procurement fraud investigation. Finally, the conferees direct the Department to submit a final report of the findings and recommendations of the Advisory Board before the end of calendar year 1994.

TITLE VII

Amendment No. 131: Restores House language "National Foreign Intelligence Program" as the title.

Amendment No. 132: Deletes the House provision which abolishes the National Security Education Trust Fund and appropriates $10,000,000 from the fund.

Amendment No. 133: Appropriates $151,288,000 for the Community Management Staff, instead of $114,688,000 as proposed by the House and $115,788,000 as proposed by the Senate.

The conferees agree that the Community Management Staff was established to assist the Director of Central Intelligence (DCI) in his community-wide functions. Therefore, the conferees have transferred funds into this account in order to fund those programs that are DCI related. The conferees agree to provide $24,000,000 for the Environmental Task Force.

national foreign intelligence program (nfip) budget justification

The conferees agree to delete the provision proposed by the House requiring by law that the budget justification material for the NFIP be significantly improved. However, the conferees agree fully with the intent of the House and direct that the NFIP budget material submitted in conjunction with the fiscal year 1995 request clearly display all programs, define all requirements, and justify all resource requests. The conferees also explicitly stipulate that each individual program must provide complete details for the entire request, not simply any changes from the "base" level provided in the prior fiscal year.

national foreign intelligence program (nfip) requirements boards

The House included a provision directing that a majority of the members of all NFIP requirements boards, committees, and panels represent the ultimate users of the intelligence information being required. Currently, all such panels are composed entirely of career intelligence professionals. The conferees are encouraged with recent steps taken by the Director of Central Intelligence (DCI) to improve the responsibleness of the intelligence requirements, collection, production, and dissemination process. The conferees, therefore, agree to delete the provision proposed by the House in order to allow the DCI one additional year to implement demonstrable improvements.

authorization of intelligence programs

The conferees agree to include section 8152 which provides that 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 until such time during fiscal year 1994 as the Intelligence Authorization Act for fiscal year 1994 is enacted into law.

TITLE VIII GENERAL PROVISIONS

Amendment No. 134: Inserts Senate language to exempt foreign nationals employed in the Republic of Turkey from the limitations prescribed under the provision.

Amendment No. 135: Restores House language which extends an Administration disapproval notification period from six to eighteen months for a GP-160 AIDS vaccine trial.

Amendment No. 136: Places a ceiling on the transfer of funds between accounts at $2,500,000,000 instead of $2,000,000,000 proposed by the House and $1,500,000,000 as proposed by the Senate.

Amendment No. 137: Deletes House language which provides for a civilian military technician floor and an active Guard or Reserve ceiling, and inserts Senate language allowing Operation and maintenance funding to be used for civic action teams and transporting civilian personnel to various Pacific treatment facilities.

agrs/civilian technicians

The conferees agree to delete section 8012 as proposed by the House in order not to conflict with or prejudice the Presidents Report of the National Performance Review.

In taking this action, the conferees urge the reserve components to adhere to the intent of the House provision. The Assistant Secretary of Defense for Reserve Affairs shall monitor the reserve components to make sure that they do not convert technician positions to AGRs, and that technician personnel are not included in any administratively imposed freeze on civilian positions. The following table shows the breakout of the AGRs/technicians.

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

The Department submits a monthly report on active duty personnel end strengths to the defense Committees. The conferees direct that the Department resume submitting a monthly end strength report on the Selected Reserve and AGRs and begin a monthly end strength report on technician personnel.

Amendment No. 138: Restores House language prohibiting management of DOD civilian personnel on the basis of end strength and retains Senate language which limits the number of civilian workyears that DOD may fund outside the United States and its territories.

Amendment No. 139: Restores and amends House language which provides that the automated information systems oversight review board will be independent of any other department review function; provides open systems capability to the Composite Health Care System (CHCS); and provides for the inclusion of anatomic pathology and blood components; and deletes two Senate provisions, the first regarding major automated information systems which have not completed oversight reviews required by Department regulations, and the second had set a limit of $1,600,000,000 as the total life-cycle cost for the CHCS.

defense blood standard system (dbss)

The conferees support the House position with regard to the deployment of the Defense Blood Standard System (DBSS), but have expanded its deployment to include, for medical readiness requirements, ten Primary Casualty Receiving Hospitals (PCRHs) and two military hospitals outside the continental United States with transfusion services only. The conferees direct that a competitively procured commercial-off-the-shelf (COTS) product, open system complaint and fully compatible with CHCS, shall be the blood bank application for all remaining Department hospital-based transfusion services.

Amendment No. 104: Inserts Senate language requiring the Department to develop and implement a nationwide managed health care program with stated characteristics, and directs entire system implementation to be completed by September 30, 1996. In addition, restores and amends House language requiring the Department to competitively award at least four new region-wide contracts, provides preemption for these contracts, directs the Department to award two contracts for managed mental health services consistent with the Departments managed mental health care contract, and provides for managed health care in the Homestead catchment area.

mental health care

The conferees are pleased with the delivery of mental health benefits through the competitively procured, at-risk managed care project to over 250,000 CHAMPUS beneficiaries in the Tidewater area of Virginia. The General Accounting Office documented that the cost savings from this project alone were $148,000,000. Because of the Departments severe funding constraints, the conferees would like to see similar savings achieved in other high mental health cost areas as soon as possible, along with the concurrent high beneficiary satisfaction, and therefore include a provision to competitively expand the Tidewater concept as a step toward cost-effectiveness and nationwide beneficiary equity.

health care reform

The conferees direct the Department to establish a nation-wide military health care system featuring a uniform, stabilized benefit structure for all military members, retirees, and their families. The conferees understand that this direction entails a radical restructuring of the current military health care system. As such, they intend to work closely with the Department to establish an appropriate implementation schedule for this new program. In particular, the conferees believe it essential that details regarding the provision of health care for eligible beneficiaries at bases to be closed, over-the-counter prescription drug programs, dental benefits, mental health care benefits, and the role of the uniformed service treatment facilities be included in the plan to be provided to Congress.

The conferees are concerned that, as the Department transitions from health care demonstrations to the new nationwide program, some beneficiaries already participating in ongoing managed care programs within regions could have their care disrupted. The conferees encourage the Department to continue to closely monitor this concern, and to phase implementation of managed health care whenever possible, so that beneficiaries will continue to receive access to uninterrupted quality health care when necessary.

Amendment No. 141: Restores and amends House language providing funds for the Reserve Component Automation System and mandating other limitations; and inserts and amends Senate language limiting expenditures for Computer Aided Acquisition and Logistics Systems without approval of Departmental officials.

Amendment No. 142: Restores House language prohibiting the purchase of certain molded shipboard anchor and mooring chains outside the United States and inserts and amends Senate language directing the Department of Defense to replace old security locks with GSA approved locks, except for certain locks required by the Central Intelligence Agency.

Amendment No. 143: Restores House language providing authority for DOD to exempt military technicians and medical personnel and programs from sequestration; and inserts Senate language requiring calculation of total costs for ship overhaul competition.

Amendment No. 144: Restores and amends House language restricting the expenditure of funds for specific Department of Defense consolidations or realignments without certain required certifications by the Department of Defense Comptroller.

The conferees specifically state that the provisions of this section only apply to the sites listed in the section. It is the conferees firm intention that none of the provisions of this section impact, in any way, the current Base Closure and Realignment Act or its 1993 implementation. However, the conferees direct the Department of Defense to follow the direction provided in House Report 103-254, pages 306-308, especially regarding the circumvention of Congressional oversight and the utilization of criteria for future consolidations or realignments below threshold. The conferees direct the Comptroller General to provide an analysis as to whether or not the Departments submission of the DOD Data Center consolidation to the Defense Base Closure and Realignment Commission violated the funding restrictions or reporting requirements of section 9047, P.L. 102-396 in effect at the time of the submission to the Commission. The conferees direct the Secretary of Defense to provide to the Appropriations Committees a cost comparison and feasibility analysis of having the Department of Agriculture National Finance Center provide financial management support services through cross servicing arrangements for Defense Department and service civilians and civilian systems.

Amendment No. 145: Inserts Senate language which requires any pay raise to be absorbed within amounts funded in the bill.

Amendment No. 146: Deletes House language and inserts Senate language to apply restrictions on bone trauma research to any Army research laboratory.

Amendment No. 147: Restores House language which limits funds for relocation of an organization, activity or function into or within the National Capital Region and inserts and amends Senate language regarding high unemployment in noncontiguous states.

Amendment No. 148: Deletes House language that provided a floor on medical personnel end strength overall and at a select location; and inserts and amends Senate language concerning Indian Tribal corporations and Alaska Native corporations.

medical personnel end strength

The conferees agree to remove a provision establishing a floor on medical personnel end strength levels. However, the conferees urge the Department to carefully monitor the level of all medical and medical support personnel to ensure that CHAMPUS costs do not escalate.

The conferees strongly support sound Graduate Medical Education (GME) for the Military Health Services System. Every effort should be made by the Department to maintain high quality and cost-effective GME programs. The size of individual GME programs (within accreditation constraints) should be reduced only to reflect the decline in the requirements for Interns-Residents-Fellows and be based on the Services demonstrated need for given types and numbers of specialists and subspecialists. Duplicative GME programs in close geographical proximity may be closed where the patient population clearly cannot support multiple programs and the Services cannot demonstrate requirements for the types and numbers of specialists to be trained.

tribal and alaska native corporations

The conference agreement on Indian Tribal corporations and Alaska Native corporations assures that they will not be precluded from having their offers considered for a contract opportunity being solicited and awarded pursuant to section 2323 of title X, United States Code, on the basis that the firm is offering the product as a regular dealer and will be supplying a product furnished by suppliers who are responsible small business manufacturers (or processors) of the product. The provision is designed to overcome obstacles erected by certain DOD buying organizations through unpublished deviations to published procurement regulations.

Amendment No. 149: Provides $11,679,000 as proposed by the House for Civil Air Patrol instead of $10,596,000 as proposed by the Senate.

Amendment No. 150: Restores House amount for operation and maintenance funding for the Civil Air Patrol.

Amendment No. 151: Restores House language on the National Drug Intelligence Center and inserts Senate language for environmental cleanup and remediation of Kahoolawe Island.

Amendment No. 152: Restores and amends House provision concerning multibeam sonar mapping systems and inserts and amends Senate provision concerning the Indian Financing Act.

The conference agreement on multibeam sonar mapping systems conforms the provision to last years legislation.

The conference agreement on the Indian Financing Act changes section number and makes clear that Indian subcontracting incentive payments are available under any prime contract or covered subcontract (those in excess of $500,000) which require the submission of a subcontracting plan pursuant to Section 8 (d) of the Small Business Act (15 U.S.C. 637 (d)).

Amendment No. 153: Restores House language providing "appropriations as necessary" to continue CHAMPUS benefits for disabled care and deletes the Senate language.

champus benefits for the disabled

The conferees have been frustrated by the Departments inability to provide data on the economic impact of this provision. Therefore, the conferees agree to remove the spending cap on this fund. Thus, the Department is directed to specifically track the benefits paid as a result of this language and provide this data to the Committees on Appropriations of the House and Senate every six months, beginning March 1, 1994.

Amendment No. 154: Restores and amends Senate language concerning Federally Funded Research and Development Centers (FFRDCs). The conferees agree to place a ceiling on funds to finance FFRDCs at $1,352,650,000, a reduction of $200,000,000 of funds for FFRDCs in this Act to reflect the ceiling, and adds a reduction of $200,000,000 in titles III and IV to reflect savings from the decreased use of non-FFRDC consulting services by the Department of Defense.

Amendment No. 155: Restores House language on the procurement for carbon, alloy, or armor steel plate; deletes House language on sealift funds; inserts Senate language on the Common Airborne Instrumentation System; and restores Senate language on research grants from unobligated balances available in the National Defense Stockpile Transaction Fund.

Amendment No. 156: Restores and amends House language providing funds for the cleanup of hazardous waste contamination at Hamilton Air Force Base and provides for other requirements to complete the cleanup; and inserts Senate language on Defense Technology and Industrial Base Analyses.

Hamilton Air Force Base

The conferees have included bill language addressing the disposition of the real property at the Hamilton Air Force Base in California. The General Services Administration is still negotiating the sale of this property to a private concern, including the possible sale of the complete parcel at a renegotiated price.

The bill language permits transfer of the property to the City of Novato in the event that the private concern withdraws from its agreement to purchase the entire parcel. The conferees have considered this language carefully, particularly the terms permitting the city to sell portions of the property following improvement or development.

In the event the city of Novato sells a parcel of land for a price which exceeds the combined value of the unimproved property and the cost of improvements made by the city, the Army is to receive all proceeds less the demonstrated reasonable costs of conducting the sale and the actual cost of any improvements.

In the event the city of Novato sells a parcel of land for a price which is less than the combined value of the unimproved property and the cost of improvements, the Army still is to receive an amount equal to the full value of the unimproved, environmentally restored property.

According to the recommended provision, the full cost of improvements can only be deducted from the sale price if the improvements provide an increase in the value of the property which equals or exceeds the total cost of the improvements.

The recommended provision also requires the Defense Contract Audit Agency (DCAA) to complete a thorough, independent audit of all of the purchasers predevelopment costs and claims. To avoid undue delays in reimbursing valid purchaser claims, the conferees expect DCAA to expeditiously complete this audit and provide it to the congressional defense committees. DCAA may consider data obtained by other audit agencies in completing its review.

Amendment No. 157: Restores House provision concerning chromite ore and manganese ore in the National Defense Stockpile and inserts and amends Senate provision concerning chemical weapons studies.

The conference agreement on chemical weapons studies changes section number and provides that chemical weapon transportation studies requested of the General Accounting Office by a Member of Congress or a Congressional Committee are permitted.

Amendment No. 158: Inserts Senate language that restricts construction of the Pentagon facility and deletes House language.

Amendment No. 159: Deletes House language restricting construction of an integral part of the Pentagon facility.

Amendment No. 160: Restores House language prohibiting construction of Ground Wave Emergency Network sites in fiscal year 1994.

Amendment No. 161: Inserts Senate provision concerning participation of Naval shipyards in manufacturing extension programs and changes section number.

Amendment No. 162: Inserts Senate language to allow availability of funds for covering relocation costs from the Philippines to sites in the United States.

Amendments No. 163: Restores House language prohibiting the use of funds to relocate the 116th Fighter Wing from Dobbins Air Reserve Base or to convert that wing to B-1B aircraft and restores and amends Senate language regarding the relocation of headquarters functions from Charleston, South Carolina.

Amendment No. 164: Restores House language that allows the exchange of real estate property in Texas and deletes Senate language contained in FY 1993 Defense Appropriations Bill that permanently allows firms of NATO members or any major non-NATO ally to bid on any maintenance of equipment for the Department of Defense.

Amendment No. 165: Restores and amends House language concerning the procurement of aircraft fuel cells; and inserts and amends Senate language concerning B-2 maintenance support.

Amendment No. 166: Restores House language allowing the Department to conduct an ROTC demonstration project at the University of Indiana-Northwest and deletes Senate language regarding certain funds for university research grants.

Amendment No. 167: Inserts Senate amount of $25,000 limiting item unit cost that can be purchased with operation and maintenance funds instead of $50,000 as proposed by the House.

Amendment No. 168: Deletes House language prohibiting the use of funds for indirect support of the joint Department of Defense/Department of Energy Safeguard C program.Defense Nuclear Agency (DNA)

The conferees agree to realign funding for support of certain Johnston Atoll military operations, transferring all funds included in the DNA budget request for this program to the Army. Also, the conference agreement eliminates all Department of Defense funding for the Safeguard C program. The conferees recognize that Department of Defense/Department of Energy contractual arrangements on Johnston Atoll provide base support for other non-Safeguard C activities. These include a Defense Nuclear Agency plutonium cleanup and the Army Johnston Atoll Chemical Agent Demilitarization System (JACADS). The action directed here is not intended to affect the current support arrangements for non-Safeguard C activities on the Atoll. The conferees, however, direct the Department to include, in the fiscal year 1995 budget, the transition of Johnston Atoll base support functions from the current joint DOE/DNA arrangement to the Army.

Amendment No. 169: Restores House language which allows DOD to consider qualified bids from any eligible country under the Caribbean Basin Economic Recovery Act; and inserts Senate language which provides funding for the mitigation of environmental impacts resulting from military operations on Indian lands.

Amendment No. 170: Deletes House language regarding Senior Executive Service positions in the office of the Assistant Secretary of the Army for Civil Works; deletes Senate language which restricts the use of funds for the training of psychologists in the prescription of drugs; and inserts language that transfers funds to the National Park Service for various projects and programs.

Corps of Engineers

The conferences agree to delete section 8096 as proposed by the House concerning the Office of the Assistant Secretary of the Army for Civil Works. In doing so, the conferees remain very concerned about the lack of responsiveness in this Office to explicit Congressional direction. Not more than $530,000 of the funds appropriated in title II of this Act for the Office of the Assistant Secretary of the Army for Civil Works may be obligated or expended until the Secretary of Defense has submitted a report to the Committee on Appropriations outlining the mission of this Office and its responsiveness to Congressional statements of intent as written in statute and accompanying reports over the past ten years. The conferees direct that the Office of the Assistant Secretary of Civil Works respond to Congressional inquiries through the normal budget and policy liaison offices designated to work with the Congress.

National Park Service

The conferees agree to provide an additional $25,000,000 to be transferred to the National Park Service for these purposes: (1) $10,000,000 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 and, of this amount, $7,500,000 shall be provided for the repair and rehabilitation of military structures to be outleased after transfer to the National Park Service; (2) $10,000,000 to convert and rehabilitate military structures at Fort Wadsworth, New York, for National Park

Service purposes, but these funds shall not be used to mitigate any toxic hazards on the site; and (3) $5,000,000 for the National Park Services cultural cyclic resource system.

Amendment No. 171: Restores House provision concerning the use of the Defense Business Operations Fund for investment items and deletes Senate provision which keeps stock fund obligations-to-sales ratio at 70 percent.

dbof investment item prohibition

The conferees agree to restore the House provision restricting the introduction of procurement end-items into the supply system managed under the Defense Business Operations Fund (DBOF). This provision, however, does not restrict the introduction into the DBOF supply system of initial or replenishment spare parts that are now or were at one time purchased with procurement funds.

Amendment No. 172: Deletes House provision permitting the procurement of Apache and AHIP aircraft and inserts Senate provision limiting certain equipment modifications.

Amendment No. 173: Inserts and amends Senate language concerning the purchase of alcoholic beverages for resale by nonappropriated fund activities. The conferees deleted Senate language which included cigarettes in this provision.

Amendment No. 174: Restores House language on intelligence personnel compensation and reductions and inserts Senate language on National Defense Science and Engineering Graduate Fellowships.

Amendment No. 175: Restore House language making permanent a provision on Central Intelligence Agency construction projects.

Amendment No. 176: Restore House language making permanent the provision that waives monetary limitation on the purchase price of passenger vehicles for intelligence activities.

Amendment No. 177: Restore House language making permanent a provision on transfer of funds between the Central Intelligence Agency and the Department of Defense.

Amendment No. 178: Restores House language concerning the General Defense Intelligence Program; deletes House language concerning the National Foreign Intelligence Program; restores House language concerning the Defense Mapping Agency; restores House language providing a pay raise for the United States Coast Guard; deletes House language on depot-level maintenance; restores House language concerning Letterkenny Army Depot; deletes House language concerning the USH-42 Mission Recorder program; restores and amends House language concerning the Marine Corps Air Ground Combat Center; restores House language concerning the DDG-51 destroyer program; restores House language concerning the Mine Warfare Center of Excellence; deletes House language placing an outlay ceiling on funds in the Act; inserts Senate language concerning military treatment facilities; deletes Senate language concerning summer school operations at DODDS schools; inserts Senate language extending obligations on funds for international sporting competitions; inserts Senate language concerning the Airborne Warning and Control System (AWACS) Radar System Improvement Program; inserts Senate language concerning the transportation of chemical munitions to Johnston Atoll; inserts Senate language concerning the Naval Air Station at Barbers Point; deletes Senate language restricting B-1B funding; inserts and amends Senate language concerning Italian air defense agreements; deletes Senate language concerning the 52 caliber-variant of the M109 howitzer; and inserts Senate language concerning high frequency satellites. Also, amends section numbers.

Amendments No. 179-189: Amends Senate language which makes transfers of funds required to finance prior year shipbuilding program.

Amendment No. 190: Deletes House language defining the membership of intelligence requirements boards, deletes House provision directing obligation of $55,500,000 provided in fiscal year 1993 solely for the Space Nuclear Thermal Propulsion (SNTP) program, and inserts a provision deleting the statutory requirement reserving the funds exclusively for the SNTP program; the conferees agree to transfer the fiscal year 1993 SNTP funds to the Navy to help meet ship cost adjustment funding needs. Inserts and amends Senate language on the High Performance Computing Modernization program, and inserts Senate language on the National Science Center for Communications and Electronics.

Amendment No. 191: Restores and amends House provision concerning procurement of enclosed lifeboat systems (changing percentages from 75 to 50), restores House provision concerning a United Nations peacekeeping facility, deletes Senate provision concerning sale of tanks and infantry fighting vehicles, and deletes Senate provision concerning the Small Business Innovation Research Program and the Small Business Technology Transfer Pilot Program.

Amendment No. 192: Inserts and amends House language to consolidate four Buy American provisions into one provision; deletes Senate language on the Electro-magnetic Pulse Radiation Environment Simulator for Ships (EMPRESS II) program; inserts and amends Senate language on Separation Benefits; inserts Senate language on the Assistive Technology Center at the National Rehabilitation Hospital; deletes Senate language on the Marshall Center, and inserts language on the purchase of United States coal or coke. Also, amends section numbers.

Amendment No. 193: Deletes Senate language which extends obligational authority for funds provided for disaster relief efforts.

Amendment No. 194: Inserts Senate language expanding existing authority to allow funds from the Defense Emergency Response Fund to cover disaster relief operations costs.

Amendment No. 195: Deletes Senate language that sets a ceiling on U.S. funding of the NATO headquarters.

The conferees agree to remove the NATO headquarters obligation limitation included in the Senate bill. Nonetheless, the conferees remain concerned about the apparent lack of fiscal restraint exhibited by NATO budget managers in the face of continuing allied force reductions and constrained economic conditions. As such, the conferees urged the Department, in cooperation with the other NATO allies, to reduce administrative overhead and other management costs. The conferees intend to review the Departments progress in this regard. Should adequate fiscal constraint not be obtained, the conferees will consider proposing remedies in future legislative actions.

Amendment No. 196: Inserts Senate language on contracts for studies, analyses, or consulting services, and amends section number.

Amendment No. 197: Inserts Senate language which transfers a tract of land at Charleston Naval Base to the Secretary of State.

Amendment No. 198: Inserts and amends Senate language which provides $5,300,000 in additional funds for a death gratuity to a beneficiary of a deceased service member who died after October 28, 1992 and before December 1, 1992.

Amendment No. 199: Deletes Senate language regarding transfer from the National Defense Stockpile Transaction Fund.

Amendment No. 200: Deletes Senate language regarding managed health care at Homestead Air Force Base, Florida, since this provision is addressed under Amendment No. 140.

Amendment No. 201: Inserts and amends Senate language which provides for the rescission of certain fiscal year 1992 and fiscal year 1993 funds.

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --

155mm lightweight howitzer program

The Conferees agree not to rescind the $13,100,000 provided in fiscal year 1993 for the development of the 155mm Lightweight Howitzer as proposed by the Senate. The Conferees, however, do direct that no more than 50 percent of these funds may be obligated until a Joint Operational Requirements Document (JORD) is signed by the Army and Marine Corps and provided to the defense committees.

Amendment No. 202: Deletes Senate provision appropriating $25,000,000 for a loan guarantee subsidy program.

Amendment No. 203: Inserts and amends Senate language concerning the Defense Nuclear Agency.

Amendment No. 204: Deletes Senate language which prohibited funds to be expended for the purpose of establishing the Antler Military Operations Area in Pennsylvania.

antler military operations area

The conferees are aware of recent aircraft conversions and modernization programs in the Air National Guard and the effect these conversions will have on training requirements in existing military training airspace in the Northeastern United States. The expansion of an existing training route in Pennsylvania, Antler MOA, is proposed to permit low altitude intercept training. The conferees agree the Air National Guard should not obligate or expend any funds for the implementation of Antler MOA until the Department provides all the information requested, the defense Committees have determined that no additional information is needed, and the Congress has had an opportunity to hold hearings on this issue.

Amendment No. 205: Inserts Senate language which provides for the modification and transfer of certain vessels to the government of American Samoa.

Amendment No. 206: Deletes Senate language which placed a cap on Seawolf attack submarine procurement costs.

Amendment No. 207: Deletes Senate language which directed the Comptroller General to study the cost effectiveness of nuclear powered aircraft carriers and submarines.

Amendment No. 208: Inserts Senate language which permits military installations scheduled to be closed to compete for overhaul and depot maintenance workload.

Amendment No. 209: Inserts Senate language which permits operators of industrial facilities at military installations scheduled to be closed to compete for overhaul and depot maintenance workload.

Amendment No. 210: Deletes Senate language which prohibits funds to carry out a test program for determining the cost effectiveness of transferring to the private sector the operation of the Academy preparatory schools.

Amendment No. 211: Inserts Senate language regarding unresolved commercial disputes in Saudi Arabia.

Amendment No. 212: Inserts and amends Senate language that the Secretary of the Air Force consider the interests of the representatives of the Duck Valley Reservation of the Shoshone-Paiute Tribes involving decisions on the use of airspace above the Reservation.

Amendment No. 213: Deletes Senate language which clarifies the eligibility for assistance for certain levees affected by the flooding in the Midwest during 1993.

The conferees believe that the Army Corps of Engineers should develop a plan to rebuild all primary levees located in the area affected by major, widespread flooding in the Midwest during 1993. The plan should cover levees designed for a 5-year flood or higher, regardless of the status of participation (or lack of participation) of the public sponsor in the levee rehabilitation assistance program. Not later than 45 days after enactment of this Act, the Chief of the Army Corps of Engineers shall submit to the House and Senate Committees on Appropriations a report detailing how he plans to address the need to repair these primary levees.

Amendment No. 214: Inserts Senate language that the President should declare for purposes of section 112 of the Internal Revenue Code of 1986 that service in Somalia should be treated as service in a combat zone.

Amendment No. 215: Deletes Senate language expressing the sense of the Senate concerning hearings on the commitment of combat troops in Somalia.

Amendment No. 216: Inserts and amends Senate language regarding the obligation of funds for the USH-42 mission recorder within sixty days.

Amendment No. 217: Inserts and amends State language which requires a report on the cost of cargo preference laws.

Amendment No. 218: Inserts Senate provision concerning progress payments for C-17 aircraft and changes section number.

Amendment No. 219: Deletes Senate language providing limitations on certain research and development programs.

Amendment No. 220: Inserts Senate language expressing the sense of the Congress on funding for U.S. forces in Bosnia-Herzegovina.

Amendment No. 221: Inserts Senate language expressing the sense of the Congress on the use of funds for military operations in Haiti.

Amendment No. 222: Inserts and amends Senate provision concerning the Department of Defense Mentor-Protege program, and inserts eight new provisions: a provision to provide authority to transfer energy savings to various accounts; a provision to transfer the U.S.S. Blueback; a provision regarding U.S. operations in Somalia; a provision regarding funds for intelligence and intelligence-related activities; a sense of the Congress provision requiring the President to consult with Congress when U.S. armed forces are used for peacekeeping or peace-enforcement operations; a provision on A-6 rewing program; a provision which will lower progress payments based on costs to 75 percent for large businesses; and a provision on payment of logistical support costs for Somalia operations.

mentor-protege program

The conference agreement changes section number and provides flexibility so that funds for the Mentor-Protege program may be used for programs funded by research and development and operation and maintenance appropriations.

a-6 cancellation

The Navy has recently moved to terminate contracts associated with the rewinging of A-6 aircraft. At the time of the Presidents budget submission, it was fully expected that these contracts would be completed in their entirety. Thus, CBO and OMB scoring of prior year program outlays occurring in fiscal year 1994 included outlays associated with these efforts. Since the funds associated with the terminated contracts are expired and no longer available for new obligation, the resultant contractual actions should result in real outlay savings in fiscal year 1994. It is estimated that the Defense Department will recoup at least $460 million in termination costs and that approximately $260 million in outlays will be avoided in fiscal year 1994 that were originally expected to occur.

The conferees have included a general provision to ensure that the Defense Department proceeds on its present course of action and that the funds recouped are not used for any other purpose. This will ensure that actual outlay savings are realized during this fiscal year.

progress payments

The conferees agree to a general provision which will lower progress payments based on costs to 75% for large businesses. This action is recommended because DoD has failed to reduce progress payment rates in accordance with its own regulations. Progress payments are supposed to be adjusted when interest rates change. While DoD has proposed lowering the progress payment rate provided to large businesses from 85 to 80 percent, this is not sufficient to account for the precipitous drop in interest rates.

Based on calendar 1992 and 1993 short-term commercial borrowing rates, DoD regulations require that fiscal year 1993 and 1994 progress payment rates to large business concerns be made at the rate of 75%. DoD ignored this policy in fiscal year 1993. Additionally, government regulations allow for five and ten percent increases above this rate to be used for small businesses and small disadvantaged businesses respectively. The DoD is expected to maintain these percentage differences.

The conferees take this action recognizing that it will reduce government outlays by $358,000,000 during fiscal year 1994. By making this appropriate policy adjustment, the conferees are thus able to provide for additional worthy programs to be funded and still live within the restrictive budget caps.

somalia logistical support

The conferees have included a general provision which allows the Defense Department to use up to $100,000,000 of the funds provided in this Act to pay the costs of logistical support of non-U.S. forces in Somalia. By March 31, 1994, U.S. forces will have left Somalia. At that time, the provision of logistical support to maintain essential services will become the responsibility of others. There is a concern that the U.N. will be unable to meet this responsibility by that date. This provision would allow for the U.S. to contract with an independent entity to perform these functions. The conferees understand that the United Nations plans to sign a Letter of Agreement with the United States to reimburse the U.S. for any such costs.

The conferees insist that any funds transferred for this purpose be subject to a prior approval reprogramming in accordance with the policy agreed to by the conferees regarding any such transfer.

Amendment No. 223: Deletes Senate language urging the Department of Justice to investigate certain actions during riots in Crown Heights.

Amendment No. 224: Inserts Senate Title IX on operational control of U.S. armed forces during peacekeeping operations.

Amendment No. 225: Inserts and amends Senate Title X on the conveyance of Kahoolawe Island, Hawaii to the State of Hawaii.

Conference Total With Comparisons

The total new budget (obligational) authority for the fiscal year 1994 recommended by the Committee of Conference, with comparisons to the fiscal year 1993 amount, the 1994 budget estimates, and the House and Senate bills for 1994 follow:

-- (PLEASE REFER TO ORIGINAL SOURCE FOR TABLE) --