
MAKING CONTINUING APPROPRIATIONS FOR THE FISCAL
YEAR 1985, AND FOR OTHER PURPOSES

OCTOBER 10, 1984.—Ordered to be printed

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

CONFERENCE REPORT

[To accompany H.J. Res. 648]

The Committee of Conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H.J. Res. 648) "making continuing appropriations for the fiscal year 1985, 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 1, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 20, 27, 28, 29, 30, 31, 33, 34, 35, 36, 44, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 70, 71, 72, 75, 77, 95, 96, 104, 111, 112, 113, 114, 115, 117, 120, and 123.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 22, 24, 39, 40, 41, 42, 43, 46, 47, 48, 50, 52, 69, 74, 76, 78, 79, 80, 81, 84, 86, 87, 88, 89, 90, 91, 92, 93, 94, 97, 98, 100, 101, 102, 103, 105, 106, 107, 109, 110, 116, 118, 119, 124, 125, 128, 129, 130, 131, 132, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, and 161, and 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 matter stricken and inserted by said amendment insert the following:

(b) Such sums as may be necessary for programs, projects, or activities provided for in the District of Columbia Appropriation Act, 1985 (H.R. 5899), to the extent and in the manner provided for in the conference report and joint explanatory statement of the Committee of Conference (House Report Numbered 98-1088), filed in the

House of Representatives on September 26, 1984, as if such Act had been enacted into law.

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 matter stricken and inserted by said amendment, insert the following:

"(c) Such amounts as may be necessary for programs, projects or activities provided for in the Department of the Interior and Related Agencies Appropriations Act, 1985, at a rate of operations and to the extent and in the manner provided as follows, to be effective as if it had been enacted into law as the regular appropriation Act:"

AN ACT Making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1985, and for other purposes

TITLE I—DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

For expenses necessary for protection, use, improvement, development, disposal, cadastral surveying, classification, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau of Land Management, \$393,849,000.

CONSTRUCTION AND ACCESS

For acquisition of lands and interests therein, and construction of buildings, recreation facilities, roads, trails, and appurtenant facilities, \$1,228,000, to remain available until expended.

PAYMENTS IN LIEU OF TAXES

For expenses necessary to implement the Act of October 20, 1976 (31 U.S.C. 6901-07), \$105,000,000, of which not to exceed \$400,000 shall be available for administrative expenses.

LAND ACQUISITION

For expenses necessary to carry out the provisions of sections 205, 206, and 318(d) of Public Law 94-579 including administrative expenses and acquisition of lands or waters, or interest therein, \$2,750,000, to be derived from the Land and Water Conservation Fund, to remain available until expended.

OREGON AND CALIFORNIA GRANT LANDS

For expenses necessary for management, protection, and development of resources and for construction, operation, and maintenance of access roads, reforestation, and other improvements on the revested Oregon and California Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon,

and on adjacent rights-of-way; and acquisition of lands or interests therein including existing connecting roads on or adjacent to such grant lands; \$55,397,000, to remain available until expended: Provided, That the amount appropriated herein for road construction shall be transferred to the Federal Highway Administration, Department of Transportation: Provided further, That 25 per centum of the aggregate of all receipts during the current fiscal year from the revested Oregon and California Railroad grant lands is hereby made a charge against the Oregon and California land grant fund and shall be transferred to the General Fund in the Treasury in accordance with the provisions of the second paragraph of subsection (b) of title II of the Act of August 28, 1937 (50 Stat. 876).

SPECIAL ACQUISITION OF LANDS AND MINERALS

For the purchase of non-Federal coal deposits and other mineral interests and rights pursuant to Public Law 97-466, \$15,000,000, to remain available until expended.

RANGE IMPROVEMENTS

For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal rangelands pursuant to section 401 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701), notwithstanding any other Act, sums equal to fifty per centum of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315, et seq.), but not less than \$10,000,000 (43 U.S.C. 1901), and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead-Jones lands transferred to the Department of the Interior pursuant to law, to remain available until expended: Provided, That not to exceed \$600,000 shall be available for administrative expenses: Provided further, That the dollar equivalent of value, in excess of the grazing fee established under law and paid to the United States Government, received by any permittee or lessee as compensation for an assignment or other conveyance of a grazing permit or lease, or any grazing privileges or rights thereunder, and in excess of the installation and maintenance cost of grazing improvements provided for by the permittee in the allotment management plan or amendments or otherwise approved by the Bureau of Land Management, shall be paid to the Bureau of Land Management and disposed of as provided for by section 401(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701): Provided further, That if the dollar value prescribed above is not paid to the Bureau of Land Management, the grazing permit or lease shall be canceled.

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

For administrative expenses and other costs related to processing application documents and other authorizations for use and disposal of public lands and resources, for monitoring construction, operation, and termination of facilities in conjunction with use authorizations, and for rehabilitation of damaged property, such amounts as may be collected under sections 209(b), 304(a), 304(b), 305(a), and 504(g) of the Act approved October 21, 1976 (43 U.S.C. 1701), and sec-

tions 101 and 203 of Public Law 93-153, to be immediately available until expended.

MISCELLANEOUS TRUST FUNDS

In addition to amounts authorized to be expended under existing law, there is hereby appropriated such amounts as may be contributed under section 307 of the Act of October 21, 1976 (43 U.S.C. 1701), and such amounts as may be advanced for administrative costs, surveys, appraisals, and costs of making conveyances of omitted lands under section 211(b) of that Act, to remain available until expended.

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Land Management shall be available for purchase, erection, and dismantlement of temporary structures and alteration and maintenance of necessary buildings and appurtenant facilities to which the United States has title; up to \$10,000 for payments, at the discretion of the Secretary, for information or evidence concerning violations of laws administered by the United States Bureau of Land Management; miscellaneous and emergency expenses of enforcement activities, authorized or approved by the Secretary and to be accounted for solely on his certificate, not to exceed \$10,000: Provided, That appropriations herein made for the Bureau of Land Management expenditures in connection with the revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands (other than expenditures made under the appropriation "Oregon and California grant lands") shall be reimbursed to the General Fund of the Treasury from the 25 per centum referred to in subsection (c), title II, of the Act approved August 28, 1937 (50 Stat. 876), of the special fund designated the "Oregon and California land grant fund" and section 4 of the Act approved May 24, 1939 (53 Stat. 754), of the special fund designated the "Coos Bay Wagon Road grant fund": Provided further, That appropriations herein made may be expended for surveys of Federal lands of the United States and on a reimbursable basis for protection of lands for the State of Alaska: Provided further, That an appeal of any reductions in grazing allotments on public rangelands must be taken within thirty days after receipt of a final grazing allotment decision. Reductions of up to 10 per centum in grazing allotments shall become effective when so designated by the Secretary of the Interior. Upon appeal any proposed reduction in excess of 10 per centum shall be suspended pending final action on the appeal, which shall be completed within two years after the appeal is filed: Provided further, That appropriations herein made shall be available for paying costs incidental to the utilization of services contributed by individuals who serve without compensation as volunteers in aid of work of the Bureau to protect, improve, develop, or manage the public lands; and that within appropriations herein provided, Bureau officials may authorize either direct procurement of or reimbursement for expenses incidental to the effective use of volunteers such as, but not limited to, training, transportation, lodging, subsistence, equipment, and supplies: Provided further, That provision for such expenses or services is in accord with volunteer or cooperative agreements made with such individuals, private organizations,

educational institutions, or State or local governments: Provided further, That the segregative effect of the Department of the Navy withdrawal application N 37171, covering approximately 181,323 acres of public lands in Churchill County, Nevada, shall continue until such withdrawal is acted upon by the Congress. Segregation shall not prevent compatible public land uses which would be allowed under the terms of the proposed withdrawal: Provided further, That no later than six months after the date of enactment of this act, the Secretary of the Interior shall conclude a land exchange between the Oregon International Port of Coos Bay and the United States. Lands to be offered by the United States are described in Federal Register Notice, May 10, 1984. Lands to be offered by the Port are described as lots 4 through 16 inclusive, block 30, Nasburg's Addition to Marshfield, Coos County, Oregon. The Secretary is authorized to execute such instruments as may be necessary to permit the grantee to use permanently and develop for public roadway purposes, a tract of land described in Department of the Army Easement Number DACW 57-2-84-4 on Coos Bay North Jetty Road. As otherwise provided pursuant to the Federal Land Policy and Management Act of 1976 (90 Stat. 2743, Public Law 94-579), the Secretary shall conclude the above mentioned land exchange.

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

For expenses necessary for scientific and economic studies, conservation, management, investigations, protection, and utilization of sport fishery and wildlife resources, except whales, seals, and sea lions, and for the performance of other authorized functions related to such resources; for the general administration of the Fish and Wildlife Service; for maintenance of the herd of long-horned cattle on the Wichita Mountains Wildlife Refuge, and not less than \$3,300,000 for high priority projects within the scope of the approved budget which shall be carried out by Youth Conservation Corps as if authorized by the Act of August 13, 1970, as amended by Public Law 93-408, \$311,365,000 of which \$4,000,000, to carry out the purposes of 16 U.S.C. 1535, shall remain available until expended; and, of which \$4,591,000 shall be for operation and maintenance of fishery mitigation facilities constructed by the Corps of Engineers under the Lower Snake River Compensation Plan, authorized by the Water Resources Development Act of 1976 (90 Stat. 2921), to compensate for loss of fishery resources from water development projects on the Lower Snake River, which will remain available until expended: Provided, That the only critical habitat hereafter to be designated under section 4(b)(2) of the Endangered Species Act of 1973 (Public Law 93-205), as amended, for the Northern Rocky Mountain Wolf in Idaho shall be coterminous with the boundaries of the Central Idaho Wilderness Areas, as established by Public Law 96-312.

CONSTRUCTION AND ANADROMOUS FISH

For construction and acquisition of buildings and other facilities required in the conservation, management, investigations, protection, and utilization of sport fishery and wildlife resources, and the

acquisition of lands and interests therein; \$24,794,000, to remain available until expended, of which \$4,100,000 shall be available for expenses necessary to carry out the Anadromous Fish Conservation Act (16 U.S.C. 757a-757g).

MIGRATORY BIRD CONSERVATION ACCOUNT

For an advance to the migratory bird conservation account, as authorized by the Act of October 4, 1971, as amended (16 U.S.C. 715k-3, 5), \$21,700,000, to remain available until expended.

LAND ACQUISITION

For expenses necessary to carry out the provisions of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460l-4-11), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the United States Fish and Wildlife Service, \$64,508,000, to be derived from the Land and Water Conservation Fund, to remain available until expended: Provided, That \$1,500,000 for the Connecticut Coastal National Wildlife Refuge shall become available for obligation only upon enactment of authorizing legislation.

NATIONAL WILDLIFE REFUGE FUND

For expenses necessary to implement the Act of October 17, 1978 (16 U.S.C. 715s), \$5,760,000.

ADMINISTRATIVE PROVISIONS

Appropriations and funds available to the United States Fish and Wildlife Service shall be available for purchase of not to exceed 206 passenger motor vehicles of which 172 are for replacement only (including 64 for police-type use); purchase of 2 new aircraft for replacement only; acceptance of one donated aircraft as an addition; not to exceed \$200,000 for payment, at the discretion of the Secretary, for information, rewards, or evidence concerning violations of laws administered by the United States Fish and Wildlife Service and miscellaneous and emergency expenses of enforcement activities, authorized or approved by the Secretary and to be accounted for solely on his certificate; repair of damage to public roads within and adjacent to reservation areas caused by operations of the United States Fish and Wildlife Service; options for the purchase of land at not to exceed \$1 for each option; facilities incident to such public recreational uses on conservation areas as are not inconsistent with their primary purpose; and the maintenance and improvement of aquaria, buildings, and other facilities under the jurisdiction of the United States Fish and Wildlife Service and to which the United States has title, and which are utilized pursuant to law in connection with management and investigation of fish and wildlife resources.

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

For expenses necessary for the management, operation, and maintenance of areas and facilities administered by the National Park Service (including special road maintenance service to trucking permittees on a reimbursable basis), and for the general administration of the National Park Service, including not to exceed \$418,000 for the Roosevelt Campobello International Park Commission, \$500,000 for the Volunteers-in-the-Park program, not less than \$3,400,000 for high priority projects within the scope of the approved budget which shall be carried out by Youth Conservation Corps as if authorized by the Act of August 13, 1970, as amended by Public Law 93-408, and \$350,000 for the National Capital Children's Museum and \$350,000 for the Arena Stage as if authorized by the Historic Sites Act of 1935 (16 U.S.C. 462(e)), \$625,365,000 without regard to the Act of August 24, 1912, as amended (16 U.S.C. 451): Provided, That the Park Service shall not enter into future concessionaire contracts, including renewals, that do not include a termination for cause clause that provides for possible extinguishment of possessory interests excluding depreciated book value of concessionaire investments without compensation: Provided further, That appropriations for maintenance and improvement of roads within the boundary of Indiana Dunes National Lakeshore shall be available for such purposes without regard to whether title to such road rights-of-way is in the United States: Provided further, That \$85,000 shall be available to assist the town of Harpers Ferry, West Virginia, for police force use.

NATIONAL RECREATION AND PRESERVATION

For expenses necessary to carry out recreation programs, natural programs, cultural programs, environmental compliance and review, and grant administration, not otherwise provided for, \$11,338,000.

HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the provisions of the Historic Preservation Act of 1966 (80 Stat. 915), as amended (16 U.S.C. 470), \$26,000,000 to be derived from the Historic Preservation Fund, established by section 108 of that Act, as amended, to remain available for obligation until September 30, 1986.

VISITOR FACILITIES FUND

For grants to the National Park Foundation for reconstruction, rehabilitation, replacement, improvement, relocation, or removal of visitor facilities within the National Park System, and related expenses, as authorized by Public Law 97-433, \$6,000,000 to remain available for obligation until September 30, 1989, to be derived from the National Park System Visitor Facilities Fund.

CONSTRUCTION

For construction, improvements, repair or replacement of physical facilities, without regard to the Act of August 24, 1912, as amended (16 U.S.C. 451), \$113,716,000, to remain available until expended, in-

cluding \$1,500,000 to carry out the provisions of sections 303 and 304 of Public Law 95-290, \$38,000 for a grant to the French Camp Academy: Provided, That for payment of obligations incurred for engineering services, road and bridge access, and twin main tunnel bore work for the Cumberland Gap Tunnel, as authorized by section 160 of Public Law 93-87, \$28,000,000, to be derived from the Highway Trust Fund and to remain available until expended to liquidate contract authority provided under section 104(a)(8) of Public Law 95-599, as amended, such contract authority to remain available until expended.

LAND ACQUISITION AND STATE ASSISTANCE

For expenses necessary to carry out the provisions of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601-4-11), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the National Park Service, \$150,220,000, to be derived from the Land and Water Conservation Fund, to remain available until expended, of which \$75,000,000 is for the State Assistance program including \$1,681,000 to administer the program: Provided, That State administrative expenses associated with the State grant portion of the State Assistance program shall not exceed 15 percent: Provided further, That none of the State Assistance funds may be used as a contingency fund: Provided further, That of the amounts previously appropriated to the Secretary's contingency fund for grants to States, \$318,000 shall be available in 1985 for administrative expenses of the State grant program.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

For expenses necessary for operating and maintaining the nonperforming arts functions of the John F. Kennedy Center for the Performing Arts, \$4,621,000.

NATIONAL CAPITAL REGION ARTS AND CULTURAL AFFAIRS

For the fiscal year ending September 30, 1986, for a program to support artistic and cultural programs in the National Capital region, \$5,000,000, to remain available until expended: Provided, That there is hereby established under the direction of the National Park Service a program to support and enhance artistic and cultural activities in the National Capital Region. Eligibility for grants shall be limited to organizations of demonstrated national significance which meet at least two of the additional following criteria:

- (1) an annual operating budget in excess of \$1,000,000;
- (2) an annual audience or visitation of at least 200,000 people;
- (3) a paid staff of at least one hundred persons; or
- (4) eligibility under the Historic Sites Act of 1935 (16 U.S.C. 462(e)).

Public or private colleges and universities are not eligible for grants under this program.

Grants awarded under this section may be used to support general operations and maintenance, security, or special projects. No organization may receive a grant in excess of \$500,000 in a single year.

The Director of the National Park Service shall establish an application process, appoint a review panel of five qualified persons, at least a majority of whom reside in the National Capital region, and develop other program guidelines and definitions as required.

The contractual amounts required for the support of Ford's Theater and Wolf Trap Farm Park for the Performing Arts shall be available within the amount herein provided without regard to any other provisions of this section.

**ILLINOIS AND MICHIGAN CANAL NATIONAL HERITAGE CORRIDOR
COMMISSION**

For the establishment and operation of the Illinois and Michigan Canal National Heritage Corridor Commission, \$250,000.

JEFFERSON NATIONAL EXPANSION MEMORIAL COMMISSION

For the establishment and operation of the Jefferson National Expansion Memorial Commission, \$75,000.

ADMINISTRATIVE PROVISIONS

Appropriations for the National Park Service shall be available for the purchase of not to exceed 1 aircraft for replacement only, 202 passenger motor vehicles of which 163 shall be for replacement only, including not to exceed 106 for police-type use and 4 buses; and to provide, notwithstanding any other provision of law, at a cost not exceeding \$100,000, transportation for children in nearby communities to and from any unit of the National Park System used in connection with organized recreation and interpretive programs of the National Park Service; options for the purchase of land at not to exceed \$1 for each option; and for the procurement and delivery of medical services within the jurisdiction of units of the National Park System: Provided, That any funds available to the National Park Service may be used, with the approval of the Secretary, to maintain law and order in emergency and other unforeseen law enforcement situations and conduct emergency search and rescue operations in the National Park System: Provided further, That none of the funds appropriated to the National Park Service may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: Provided further, That none of the funds appropriated to the National Park Service may be used to add industrial facilities to the list of National Historic Landmarks without the consent of the owner: Provided further, That the National Park Service may use helicopters and motorized equipment at Death Valley National Monument for removal of feral burros and horses: Provided further, That notwithstanding the requirements of section 6(e)(1) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-8(e)), the properties which were the subject to grant assistance from the Land and Water Conservation Fund and transferred by the City of Boise, Idaho, to the Bureau of Land Management for subsequent transfer to the Peregrine Fund shall be replaced, at no cost, with land administered by the Bureau of Land Management: Provided further, That such replacement land shall be provided in accordance with the existing statewide comprehen-

sive outdoor recreation plan, be of at least equal fair market value, and of reasonably equivalent usefulness and location.

GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For expenses necessary for the Geological Survey to perform surveys, investigations, and research covering topography, geology, and the mineral and water resources of the United States, its Territories and possessions, and other areas as authorized by law (43 U.S.C. 31, 1332 and 1340); classify lands as to their mineral and water resources; give engineering supervision to power permittees and Federal Energy Regulatory Commission licensees; administer the minerals exploration program (30 U.S.C. 641); and publish and disseminate data relative to the foregoing activities; \$420,664,000: Provided, That \$52,066,000 shall be available only for cooperation with States or municipalities for water resources investigations: Provided further, That no part of this appropriation shall be used to pay more than one-half the cost of any topographic mapping or water resources investigations carried on in cooperation with any State or municipality: Provided further, That the Geological Survey is authorized to accept lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, or private.

ADMINISTRATIVE PROVISIONS

The amount appropriated for the Geological Survey shall be available for purchase of not to exceed 12 passenger motor vehicles, for replacement only; reimbursement to the General Services Administration for security guard services; contracting for the furnishing of topographic maps and for the making of geophysical or other specialized surveys when it is administratively determined that such procedures are in the public interest; construction and maintenance of necessary buildings and appurtenant facilities; acquisition of lands for observation wells; expenses of the United States National Committee on Geology; and payment of compensation and expenses of persons on the rolls of the Geological Survey appointed, as authorized by law, to represent the United States in the negotiation and administration of interstate compacts.

MINERALS MANAGEMENT SERVICE

LEASING AND ROYALTY MANAGEMENT

For expenses necessary for minerals leasing and environmental studies, regulation of industry operations, and collection of royalties, as authorized by law; for enforcing laws and regulations applicable to oil, gas, and other minerals leases, permits, licenses and operating contracts; and for matching grants or cooperative agreements; including the purchase of not to exceed 8 passenger motor vehicles for replacement only; \$166,818,000 of which not less than \$39,890,000 shall be available for royalty management activities including general administration: Provided, That of the funds appropriated for the Minerals Management Service, \$50,000 shall be

available for administrative, travel, communications, per diem, and other necessary expenses incurred by a non-profit inter-industry organization in conducting meetings and workshops related to Outer Continental Shelf activities off Alaska.

BUREAU OF MINES

MINES AND MINERALS

For expenses necessary for conducting inquiries, technological investigations and research concerning the extraction, processing, use and disposal of mineral substances without objectionable social and environmental costs; to foster and encourage private enterprise in the development of mineral resources and the prevention of waste in the mining, minerals, metal and mineral reclamation industries; to inquire into the economic conditions affecting those industries; to promote health and safety in mines and the mineral industry through research; and for other related purposes as authorized by law, \$138,734,000, of which \$81,836,000 shall remain available until expended, together with \$1,667,000 to be derived from the amount appropriated in Public Law 97-257 to carry out the purposes of section 2(b) of Public Law 96-543.

ADMINISTRATIVE PROVISIONS

The Secretary is authorized to accept lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, or private: Provided, That the Bureau of Mines is authorized, during the current fiscal year, to sell directly or through any Government agency, including corporations, any metal or mineral product that may be manufactured in pilot plants operated by the Bureau of Mines, and the proceeds of such sales shall be covered into the Treasury as miscellaneous receipts.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

REGULATION AND TECHNOLOGY

For necessary expenses to carry out the provisions of the Surface Mining Control and Reclamation Act of 1977, Public Law 95-87, \$76,625,000, including the purchase of not to exceed 14 passenger motor vehicles, of which 9 shall be for replacement only; and uniform allowances of not to exceed \$400 for each uniformed employee of the Office of Surface Mining Reclamation and Enforcement.

ABANDONED MINE RECLAMATION FUND

For necessary expenses to carry out the provisions of title IV of the Surface Mining Control and Reclamation Act of 1977, Public Law 95-87, including the purchase of not more than 21 passenger motor vehicles, of which 15 shall be for replacement only, to remain available until expended, \$303,001,000 to be derived from receipts of the Abandoned Mine Reclamation Fund: Provided, That pursuant to Public Law 97-365, the Department of the Interior is authorized to utilize up to 20 percent from the recovery of the delinquent debt owed to the United States Government to pay for contracts to collect

these debts: Provided further, That of the funds made available to the States to contract for reclamation projects authorized in section 406(a) of Public Law 95-87, administrative expenses may not exceed 15 percent: Provided further, That none of these funds shall be used to increase over the fiscal year 1984 level a reclamation grant to any State which has no active program to review regulatory permits for those individuals who have outstanding fines or penalties related to past coal mining violations.

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

For operation of Indian programs by direct expenditure, contracts, cooperative agreements and grants including expenses necessary to provide education and welfare services for Indians, either directly or in cooperation with States and other organizations, including payment of care, tuition, assistance, and other expenses of Indians in boarding homes, institutions, or schools; grants and other assistance to needy Indians; maintenance of law and order; management, development, improvement, and protection of resources and appurtenant facilities under the jurisdiction of the Bureau of Indian Affairs, including payment of irrigation assessments and charges; acquisition of water rights; advances for Indian industrial and business enterprises; operation of Indian arts and crafts shops and museums; development of Indian arts and crafts, as authorized by law; for the general administration of the Bureau of Indian Affairs, including such expenses in field offices, \$895,834,000, of which not to exceed \$55,706,000 for higher education scholarships and assistance to public schools under the Act of April 16, 1934 (48 Stat. 596), as amended (25 U.S.C. 452 et seq.), shall remain available for obligation until September 30, 1986, and the funds made available to tribes and tribal organizations through contracts authorized by the Indian Self-Determination and Education Assistance Act of 1975 (88 Stat. 2203; 25 U.S.C. 450 et seq.) shall remain available until September 30, 1986: Provided, That this carryover authority does not extend to programs directly operated by the Bureau of Indian Affairs; and includes expenses necessary to carry out the provisions of section 19(a) of Public Law 93-531 (25 U.S.C. 640(d)-18(a)), \$2,830,000, to remain available until expended: Provided further, That none of these funds shall be expended as matching funds for programs funded under section 103(a)(1)(B)(iii) of the Vocational Education Act of 1963, as amended (20 U.S.C. 2303(a)(1)(B)(iii)): Provided further, That hereafter, funds appropriated under this or any other Act for the Bureau of Indian Affairs may be used for the payment in advance or from date of admission of care, tuition, assistance, and other expenses of Indians in boarding homes, institutions, or schools; and the payment of rewards for information or evidence concerning violations of law on Indian reservation lands or treaty fishing rights use areas: Provided further, That hereafter moneys received by grant to the Bureau of Indian Affairs from other Federal agencies to carry out various programs for elementary and secondary education, handicapped programs, bilingual education, and other specific programs shall be deposited into the appropriation account available for the operation of Bureau schools during the period cov-

ered by the grant and shall remain available as otherwise provided by law: Provided further, That hereafter any cost of providing lunches to nonboarding students in public schools from funds appropriated under this or any other Act for the Bureau of Indian Affairs shall be paid from the amount of such funds otherwise allocated for the schools involved without regard to the cost of providing lunches for such students: Provided further, That no part of any appropriations to the Bureau of Indian Affairs shall be available to provide general assistance payments for Alaska Natives in the State of Alaska unless and until otherwise specifically provided for by Congress: Provided further, That after September 30, 1985, no part of any appropriation (except trust funds) to the Bureau of Indian Affairs may be used directly or by contract for general or other welfare assistance (except child welfare assistance) payments (1) for other than essential needs (specifically identified in regulations of the Secretary or in regulations of the State public welfare agency pursuant to the Social Security Act adopted by reference in the Secretary's regulations) which could not be reasonably expected to be met from financial resources or income (including funds held in trust) available to the recipient individual which are not exempted under law from consideration in determining eligibility for or the amount of Federal financial assistance or (2) for individuals who are eligible for general public welfare assistance available from a State except to the extent the Secretary of the Interior determines that such payments are required under sections 6(b)(2), 6(i), and 9(b) of the Maine Indian Claims Settlement Act of 1980 (94 Stat. 1793, 1794, 1796; 25 U.S.C. 1725(b)(2), 1725(i), 1728(b)): Provided further, That for the fiscal year ending September 30, 1985, the Secretary may not contract for the establishment or operation of a school not currently operated by the Bureau or assisted by the Bureau under contract.

CONSTRUCTION

For construction, major repair and improvement of irrigation and power systems, buildings, utilities, and other facilities, including architectural and engineering services by contract; acquisition of lands and interests in lands; preparation of lands for farming; and construction, repair, and improvement of Indian housing, \$109,686,000, to remain available until expended: Provided, That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation.

ROAD CONSTRUCTION

For construction of roads and bridges pursuant to authority contained in 23 U.S.C. 203, the Act of November 2, 1921 (42 Stat. 208; 25 U.S.C. 13), and the Act of May 26, 1928 (45 Stat. 750; 25 U.S.C. 318a), \$6,000,000, to remain available until expended: Provided; That not to exceed 5 percent of contract authority available to the Bureau of Indian Affairs from the Federal Highway Trust Fund may be used to cover roads program management costs and construction supervision costs of the Bureau of Indian Affairs.

UTAH PAIUTE TRUST FUND

For deposit into the Economic Development and Tribal Government Fund established pursuant to Public Law 98-219, to be held in trust for the benefit of the Utah Paiute Tribe pursuant to that law, \$2,500,000.

TRIBAL TRUST FUNDS

In addition to the tribal funds authorized to be expended by existing law, there is hereby appropriated not to exceed \$4,000,000 from tribal funds not otherwise available for expenditure and in addition hereafter tribal funds may be advanced to Indian tribes during each fiscal year for such purposes as may be designated by the governing body of the particular tribe involved and approved by the Secretary including: expenditures for the benefit of Indians and Indian tribes; care, tuition, and other assistance to Indian children attending public and private schools (which may be paid in advance or from date of admission); purchase of land and improvements on land, title to which shall be taken in the name of the United States in trust for the tribe for which purchased; lease of lands and water rights; compensation and expenses of attorneys and other persons employed by Indian tribes under approved contracts; pay, travel, and other expenses of tribal officers, councils, committees, and employees thereof, or other tribal organizations, including mileage for use of privately owned automobiles and per diem in lieu of subsistence at rates established administratively but not to exceed those applicable to civilian employees of the Government; and relief of Indians, including cash grants.

REVOLVING FUND FOR LOANS

During fiscal year 1985, and within the resources and authority available, gross obligations for the principal amount of direct loans pursuant to the Indian Financing Act of 1974 (88 Stat. 77; 25 U.S.C. 1451 et seq.), shall not exceed \$18,600,000.

INDIAN LOAN GUARANTY AND INSURANCE FUND

During fiscal year 1985, total commitments to guarantee loans pursuant to the Indian Financing Act of 1974 (88 Stat. 77; 25 U.S.C. 1451 et seq.), may be made only to the extent that the total loan principal, any part of which is to be guaranteed, shall not exceed resources and authority available.

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Indian Affairs (except the revolving fund for loans and the Indian loan guarantee and insurance fund) shall be available for expenses of exhibits; purchase of not to exceed 275 passenger carrying motor vehicles of which 225 shall be for replacement only, and hereafter such appropriations under this or any other act shall be available for: the expenses of exhibits; advance payments for services (including services which may extend beyond the current fiscal year) under contracts executed pursuant to the Act of June 4, 1936 (48 Stat. 596), as amended (25 U.S.C. 452 et seq.), the Act of August 3, 1956 (70 Stat. 896), as

amended (25 U.S.C. 309 et seq.), and legislation terminating Federal supervision over certain tribes; and expenses required by continuing or permanent treaty provision: Provided, That hereafter passenger carrying motor vehicles of the Bureau may be used for the transportation of Indians: Provided further, That hereafter no part of any appropriations to the Bureau of Indian Affairs under this or any other Act shall be available to continue academic and residential programs of the Chilocco, Seneca, Concho, and Fort Sill boarding schools, Oklahoma; Mount Edgecumbe boarding school, Alaska; Intermountain boarding school, Utah; and Stewart boarding school, Nevada: Provided further, That hereafter no part of any appropriation to the Bureau of Indian Affairs under this or any other act shall be used to subject the transportation of school children to any limitation on travel or transportation expenditures for Federal employees: Provided further, That notwithstanding any other provision of law, within sixty days of enactment of this Act, the Secretary of the Interior shall employ in the Flathead Irrigation and Power Project of the Bureau of Indian Affairs twenty-eight employees of the Joint Board of Control of the Flathead, Mission, and Jocko Valley Irrigation Districts at appropriate rates of pay which shall not be less than their rates of pay as of September 27, 1984: Provided further, That none of the funds contained in this Act may be used to implement the provisions of sections 501 through 512 of Title V of S. 2496 as agreed to by the Senate on October 3, 1984 (legislative day of September 24, 1984).

TERRITORIAL AND INTERNATIONAL AFFAIRS

ADMINISTRATION OF TERRITORIES

For expenses necessary for the administration of Territories under the jurisdiction of the Department of the Interior, \$76,554,000, of which (1) not to exceed \$73,826,000 shall be available until expended for technical assistance; grants to the judiciary in American Samoa for compensation and expenses, as authorized by law (48 U.S.C. 1661(c)); grants to American Samoa, in addition to current local revenues, for support of governmental functions; grants to the Government of the Virgin Islands as authorized by law (Public Law 98-213); construction grants to Guam of \$5,725,000; direct grants to the Government of the Northern Mariana Islands as authorized by law (Public Law 94-241, 90 Stat. 272, and Public Law 96-205, 94 Stat. 86); and (2) not to exceed \$2,728,000 for fiscal year 1985 salaries and expenses of the Office of Territorial and International Affairs: Provided, That the Territorial and local governments herein provided for are authorized to make purchases through the General Services Administration: Provided further, That all financial transactions of the Territorial and local governments herein provided for, including such transactions of all agencies or instrumentalities established or utilized by such governments, shall be audited by the General Accounting Office, in accordance with the provisions of the Budget and Accounting Act, 1921 (42 Stat. 23), as amended, and the Accounting and Auditing Act of 1950 (64 Stat. 834): Provided further, That moneys heretofore appropriated by Public Law 97-394 and Public Law 98-146, or hereinafter appropriated for a direct grant or grants to the Northern Mariana Islands for the purpose of

building health care facilities, as authorized by section 202 of Public Law 96-205, were and shall be transferred directly to the Northern Mariana Islands without regard to, limitation of, or restriction under laws, regulations, Office of Management and Budget circulars, or policy directives, except in the discretion of the Secretary of the Interior.

TRUST TERRITORY OF THE PACIFIC ISLANDS

For expenses necessary for the Department of the Interior in administration of the Trust Territory of the Pacific Islands pursuant to the Trusteeship Agreement approved by joint resolution of July 18, 1947 (61 Stat. 397), and the Act of June 30, 1954 (68 Stat. 330), as amended (90 Stat. 299; 91 Stat. 1159; 92 Stat. 495), grants for the expenses of the High Commissioner of the Trust Territory of the Pacific Islands; grants for the compensation and expenses of the Judiciary of the Trust Territory of the Pacific Islands; grants to the Trust Territory of the Pacific Islands in addition to local revenues, for support of governmental functions; \$100,811,000, of which \$79,311,000 is for operations, and \$21,500,000 is for construction, to remain available until expended: Provided, That all financial transactions of the Trust Territory, including such transactions of all agencies or instrumentalities established or utilized by such Trust Territory, shall be audited by the General Accounting Office in accordance with the provisions of the Budget and Accounting Act, 1921 (42 Stat. 23), as amended, and the Accounting and Auditing Act of 1950 (64 Stat. 834): Provided further, That the government of the Trust Territory of the Pacific Islands is authorized to make purchases through the General Services Administration.

DEPARTMENTAL OFFICES

OFFICE OF THE SECRETARY

For necessary expenses of the Office of the Secretary of the Interior, \$45,544,000, of which not to exceed \$10,000 may be for official reception and representation expenses.

OFFICE OF THE SOLICITOR

For necessary expenses of the Office of the Solicitor, \$20,548,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, \$17,253,000.

CONSTRUCTION MANAGEMENT

For necessary expenses of the Office of Construction Management, \$750,000.

OFFICE OF THE SECRETARY

(SPECIAL FOREIGN CURRENCY PROGRAM)

For payment in foreign currencies which the Treasury Department shall determine to be excess to the normal requirements of the United States, for necessary expenses of the United States Fish and

Wildlife Service as authorized by law, \$2,000,000, to remain available until expended: Provided, That this appropriation shall be available, in addition to other appropriations, to such office for payments in the foregoing currencies (7 U.S.C. 1704).

ADMINISTRATIVE PROVISIONS

There is hereby authorized for acquisition from available resources within the Working Capital Fund, 10 additional aircraft, 4 of which shall be for replacement only: Provided, That no programs funded with appropriated funds in the "Office of the Secretary", "Office of the Solicitor", and "Office of Inspector General" may be augmented through the Working Capital Fund or the Consolidated Working Fund.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

SEC. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: Provided, That no funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted.

SEC. 102. The Secretary may authorize the expenditure or transfer of any no year appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of forest or range fires on or threatening lands under jurisdiction of the Department of the Interior; for the emergency rehabilitation of burned-over lands under its jurisdiction; for emergency actions related to potential or actual earthquakes or volcanoes; for emergency reclamation projects under section 410 of Public Law 95-87; and shall transfer, from any no year funds available to the Office of Surface Mining Reclamation and Enforcement, such funds as may be necessary to permit assumption of regulatory authority in the event a primacy State is not carrying out the regulatory provisions of the Surface Mining Act: Provided, That appropriations made in this title for fire suppression purposes shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft, or other equipment in connection with their use for fire suppression purposes, such reimbursement to be credited to appropriations currently available at the time of receipt thereof: Provided further, That funds transferred pursuant to this section must be replenished by a supplemental appropriation which must be requested as promptly as possible.

SEC. 103. Appropriations made in this title shall be available for operation of warehouses, garages, shops, and similar facilities, wherever consolidation of activities will contribute to efficiency or economy, and said appropriations shall be reimbursed for services rendered to any other activity in the same manner as authorized by sections 1535 and 1536 of title 31, U.S.C.: Provided, That reimbursements for costs and supplies, materials, equipment, and for services

rendered may be credited to the appropriation current at the time such reimbursements are received.

SEC. 104. Appropriations made to the Department of the Interior in this title shall be available for services as authorized by 5 U.S.C. 3109, when authorized by the Secretary, in total amount not to exceed \$300,000; hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary, and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members: Provided, That no funds available to the Department of the Interior are available for any expenses of the Great Hall of Commerce.

SEC. 105. Appropriations available to the Department of the Interior for salaries and expenses shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901-5902 and D.C. Code 4-204).

SEC. 106. Appropriations made in this title shall be available for obligation in connection with contracts issued by the General Services Administration for services or rentals for periods not in excess of twelve months beginning at any time during the fiscal year.

SEC. 107. No funds provided in this title may be expended by the Department of the Interior for the procurement, leasing, bidding, exploration, or development of lands within the Department of the Interior Central and Northern California Planning Area which lie north of the line between the row of blocks numbered N816 and the row of blocks numbered N817 of the Universal Transverse Mercator Grid System.

SEC. 108. No funds provided in this title may be expended by the Department of the Interior for the preparation for, or conduct of, pre-leasing and leasing activities (including but not limited to: calls for information, tract selection, notices of sale, receipt of bids and award of leases) of lands within:

(a) An area of the Outer Continental Shelf, as defined in section 2(a) of the Outer Continental Shelf Lands Act (43 U.S.C. 1331(a)), located in the Atlantic Ocean, bounded by the following line: from the intersection of the seaward limit of the Commonwealth of Massachusetts territorial sea and the 71 degree west longitude line south along that longitude line to its intersection with the line which passes between blocks 598 and 642 on Outer Continental Shelf protraction diagram NK 19-10; then along that line in an easterly direction to its intersection with the line between blocks 600 and 601 of protraction diagram NK 19-11; then in a northerly direction along that line to the intersection with the 60 meter isobath between blocks 204 and 205 of protraction diagram NK 19-11; then along the 60 meter isobath, starting in a roughly southeasterly direction; then turning roughly northeast, north, and west until such isobath intersects with the northern boundary of block 974 of protraction diagram NK 19-6; then along the line that lies between blocks 930 and 974 of protraction diagram NK 19-6 in a westerly direction to the first point of intersection with the seaward limit of the Commonwealth of Massachusetts territorial sea; then south-

westerly along the seaward limit of the territorial sea to the point of beginning at the intersection of the seaward limit of the territorial sea and the 71 degrees west longitude line.

(b) The following blocks are excluded from the described area: In protraction diagram NK 19-10, blocks numbered 474 through 478, 516 through 524, 560 through 568, and 604 through 612; in protraction diagram NK 19-6, blocks numbered 969 through 971; in protraction diagram NK 19-5, blocks numbered 1005 through 1008; and in protraction diagram NK 19-8, blocks numbered 37 through 40, 80 through 84, 124 through 127, and 168 through 169.

(c) The following blocks are included in the described area: In protraction diagram NK 19-11, blocks numbered 633 through 644, 677 through 686, 721 through 724, 765 through 767, 809 through 810, and 853; in protraction diagram NK 19-9, blocks numbered 106, 150, 194, 238, 239, and 283; and in protraction diagram NK 19-6, blocks numbered 854, 899, 929, 943, 944, and 987.

(d) Blocks in and at the head of submarine canyons: An area of the Outer Continental Shelf, as defined in section 2(a) of the Outer Continental Shelf Lands Act (45 U.S.C. 1331(a)), located in the Atlantic Ocean off the coastline of the Commonwealth of Massachusetts, lying at the head of, or within the submarine canyons known as Atlantis Canyon, Veatch Canyon, Hydrographer Canyon, Welker Canyon, Oceanographer Canyon, Gilbert Canyon, Lydonia Canyon, Alvin Canyon, Powell Canyon, Munson Canyon, and Corsair Canyon, and consisting of the following blocks, respectively:

(1) On Outer Continental Shelf protraction diagram NJ 19-1; blocks 36, 37, 38, 42-44, 80-82, 86-88, 124, 125, 130-132, 168, 169, 174-176, 212, 213.

(2) On Outer Continental Shelf protraction diagram NJ 19-2; blocks 8, 9, 17-19, 51-52, 53, 54, 61-63, 95-98, 139, 140.

(3) On Outer Continental Shelf protraction diagram NK 19-10; blocks 916, 917, 921, 922, 960, 961, 965, 966, 1003-1005, 1009-1011.

(4) On Outer Continental Shelf protraction diagram NK 19-11; blocks 521, 522, 565, 566, 609, 610, 653-655, 697-700, 734, 735, 741-744, 769, 778-781, 785-788, 813, 814, 822-826, 829-831, 857, 858, 866-869, 873-875, 901, 902, 910-913, 917, 945-947, 955, 956, 979, 980, 989-991, 999.

(5) On Outer Continental Shelf protraction diagram NK 19-12; blocks 155, 156, 198, 199, 280-282, 324-326, 369-371, 401, 413-416, 442-446, 450, 451, 489-490, 494, 495, 530, 531, 533-540, 574, 575, 577-583, 618, 619, 621-623, 626, 627, 662, 663, 665-667, 671, 672, 706, 707, 710, 711, 750, 751, 754, 755, 794, 795, 798, 799.

(6) On Outer Continental Shelf protraction diagram NK 19-9; blocks 559-561, 603-607, 647-651, 693-695, 737-739.

(7) On Outer Continental Shelf protraction diagram NK 20-7; blocks 706, 750, 662, 618, 574.

(e) Nothing in this section shall prohibit the lease of that portion of any blocks described in subsection (d) above which lies

outside the geographical boundaries of the submarine canyons and submarine canyon heads described in subsection (d) above: Provided, That for purposes of this subsection, the geographical boundaries of the submarine canyons and submarine canyon heads shall be those recognized by the National Oceanographic and Atmospheric Administration, Department of Commerce on the date of enactment of this Act.

(f) Nothing in this section shall prohibit the Secretary of the Interior from granting contracts for scientific study, the results of which could be used in making future leasing decisions in the planning area and in preparing environmental impact statements as required by the National Environmental Policy Act.

(g) References made to blocks, protraction diagrams, and isobaths are to such blocks, protraction diagrams, and isobaths as they appear on the map entitled Outer Continental Shelf of the North Atlantic from 39° to 45° North Latitude, (Map No. MMS-10), prepared by the United States Department of the Interior, Minerals Management Service, Atlantic OCS Region.

SEC. 109. None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to finance changing the name of the mountain located 63 degrees, 04 minutes, 15 seconds west, presently named and referred to as Mount McKinley.

SEC. 110. Notwithstanding any other provision of law, appropriations in this title shall be available to provide insurance on official motor vehicles, aircraft, and boats operated by the Department of the Interior in Canada and Mexico.

SEC. 111. No funds provided in this title may be expended by the Department of the Interior for the lease sale of tracts in Lease Sale numbered 80 within the following areas:

(1) an area of the Department of the Interior Southern California Planning Area bounded by the following line on the California (Lambert) Plane Coordinate System: From the point of intersection of the international boundary line between the United States and Mexico and the seaward boundary of the California State Tidelands west along said international boundary line to the point of intersection with the line between the row of blocks numbered 28 west and the row of blocks numbered 27 west; thence north to the northeast corner of block 20 north, 28 west; thence northwest to the southwest corner of block 29 north, 35 west; thence north along the line between the row of blocks numbered 36 west and the row of blocks numbered 35 west to its intersection with the seaward boundary of the California State Tidelands; thence easterly along the seaward boundary of the California State Tidelands to the point of beginning;

(2) a portion of the Department of the Interior Southern California Planning Area which lies both: (a) east of the line between the row of blocks numbered 53 west and the row of blocks numbered 52 west, and (b) north of the line between the row of blocks numbered 34 north and the row of blocks numbered 35 north, on the California (Lambert) Plane Coordinate System;

(3) the boundaries of the Channel Island National Marine Sanctuary, as defined by title 15, part 935.3 of the Code of Federal Regulations; and

(4) the boundaries of the Santa Barbara Channel Ecological Preserve and Buffer Zone, as defined by the Department of the Interior, Bureau of Land Management Public Land Order numbered 4587 (vol. 34, page 5655 Federal Register March 26, 1969). This section shall not affect the authority of the Secretary of the Interior to approve any plan, or to grant any license, or permit, which is restricted to scientific exploration or other scientific activities, or other preleasing activities necessary up to the point of sale.

SEC. 112. No funds provided in this title may be used to detail any employee to an organization unless such detail is in accordance with Office of Personnel Management regulations.

SEC. 113. Notwithstanding the provisions of Public Law 98-8, the deadline for outlaying Federal funds provided in that Act under the headings "Repairing and Restoring Parks and Recreational Facilities," "Historic Preservation Fund," and "Land and Water Conservation Fund" is extended to March 1, 1985.

TITLE II—RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

FOREST RESEARCH

For necessary expenses of forest research as authorized by law, \$123,433,000, of which \$8,000,000 shall remain available until expended for competitive research grants, as authorized by section 5 of Public Law 95-307.

STATE AND PRIVATE FORESTRY

For necessary expenses of cooperating with, and providing technical and financial assistance to States, Territories, possessions, and others; and for forest pest management activities, \$59,505,000, to remain available for obligation until expended, to carry out activities authorized in Public Law 95-313: Provided, That a grant of \$3,000,000 shall be made to the State of Minnesota for the purposes authorized by section 6 of Public Law 95-495: Provided further, That not less than \$35,000 in pest suppression funds shall be provided for suppression of oak wilt in the State of Texas: Provided further, That \$325,000 shall be made available to the Disabled Veterans Recreation, Inc. for construction of and other improvements to the Disabled Veterans Wilderness Retreat in Ely, Minnesota, for purposes authorized by section 18(d) of Public Law 95-495.

NATIONAL FOREST SYSTEM

For necessary expenses of the Forest Service, not otherwise provided for, for management, protection, improvement, and utilization of the National Forest System, and for liquidation of obligations incurred in the preceding fiscal year for forest fire protection and emergency rehabilitation, including administrative expenses associated with the management of funds provided under the heads

"Forest Research", "State and Private Forestry", "National Forest System", "Construction", and "Land Acquisition", and not less than \$3,300,000 for high priority projects within the scope of the approved budget which shall be carried out by Youth Conservation Corps as if authorized by the Act of August 13, 1970, as amended by Public Law 93-408, \$1,067,020,000 of which \$151,095,000, for reforestation and timber stand improvement, cooperative law enforcement, and maintenance of forest development roads and trails shall remain available for obligation until September 30, 1986.

CONSTRUCTION

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Forest Service, not otherwise provided for, for construction, \$268,635,000, of which \$226,290,000 shall be derived by transfer from the unused funds for timber purchaser road credits previously appropriated under the heading "Forest Roads" in Public Law 94-373, Public Law 95-74, and Public Law 95-465 and under the heading "Construction and Land Acquisition" in Public Law 96-196 and Public Law 96-514, to remain available until expended, of which \$26,922,000 is for construction and acquisition of buildings and other facilities; and \$241,713,000 is for construction of forest roads and trails by the Forest Service as authorized by 16 U.S.C. 532-538 and 23 U.S.C. 101 and 205: Provided, That funds becoming available in fiscal year 1985 under the Act of March 4, 1913 (16 U.S.C. 501), shall be transferred to the General Fund of the Treasury of the United States: Provided further, That no more than \$196,226,000, to remain available without fiscal year limitation, shall be obligated for the construction of forest roads by timber purchasers.

LAND ACQUISITION

For expenses necessary to carry out the provisions of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601-4-11), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the Forest Service, \$44,493,000, to be derived from the Land and Water Conservation Fund, to remain available until expended: Provided, That \$2,000,000 shall be available for the acquisition of oil, gas, and other mineral interests in the Allegheny National Forest: Provided further, That such funds shall be available for obligation only to the extent that the Secretary of Agriculture deems necessary to carry out the purposes of the Pennsylvania Wilderness Act of 1984.

ACQUISITION OF LANDS FOR NATIONAL FORESTS,

SPECIAL ACTS

For acquisition of land within the exterior boundaries of the Cache, Uinta, and Wasatch National Forests, Utah; the Toiyabe National Forest, Nevada; and the Angeles, San Bernardino, and Cleveland National Forests, California, as authorized by law, \$782,000, to be derived from forest receipts.

ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

For acquisition of lands in accordance with the Act of December 4, 1967 (16 U.S.C. 484a), all funds deposited by public school authorities pursuant to that Act, to remain available until expended.

RANGE BETTERMENT FUND

For necessary expenses of range rehabilitation, protection, and improvement in accordance with section 401(b)(1), of the Act of October 21, 1976, Public Law 94-579, as amended, 50 per centum of all moneys received during the prior fiscal year, as fees for grazing domestic livestock on lands in National Forests in the sixteen Western States, to remain available until expended.

MISCELLANEOUS TRUST FUNDS

For expenses authorized by 16 U.S.C. 1643(b), \$90,000, to remain available until expended, to be derived from the fund established pursuant to 16 U.S.C. 1643(b).

ADMINISTRATIVE PROVISIONS, FOREST SERVICE

Appropriations to the Forest Service for the current fiscal year shall be available for: (a) purchase of not to exceed 179 passenger motor vehicles of which 8 will be used primarily for law enforcement purposes and of which 163 shall be for replacement only, acquisition of 184 passenger motor vehicles from excess sources, and hire of such vehicles; operation and maintenance of aircraft, the purchase of not to exceed 4 for replacement only, and acquisition of 45 aircraft from excess sources; (b) services pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed \$100,000 for employment under 5 U.S.C. 3109; (c) uniform allowances for each uniformed employee of the United States Forest Service, not in excess of \$400 annually; (d) purchase, erection, and alteration of buildings and other public improvements (7 U.S.C. 2250); (e) acquisition of land, waters, and interests therein, pursuant to the Act of August 3, 1956 (7 U.S.C. 428a); and (f) for expenses pursuant to the Volunteers in the National Forest Act of 1972 (16 U.S.C. 558a, 558d, 558a note).

None of the funds made available under this Act shall be obligated or expended to adjust annual recreational residence fees to an amount greater than that annual fee in effect at the time of the next to last fee adjustment, plus 50 per centum. In those cases where the currently applicable annual recreational residence fee exceeds that adjusted amount, the Forest Service shall credit to the permittee that excess amount, times the number of years that that fee has been in effect, to offset future fees owed to the Forest Service.

Current permit holders who acquired their recreational residence permit after the next to last fee adjustment shall have their annual permit fee computed as if they had their permit prior to the next to last fee adjustment, except that no permittee shall receive an unearned credit.

None of the funds made available under this Act shall be obligated or expended to change the boundaries of any region, to abolish any region, to move or close any regional office for research, State

and private forestry, or National Forest System administration of the Forest Service, Department of Agriculture, without the consent of the House and Senate Committees on Appropriations and the Committee on Agriculture, Nutrition, and Forestry in the United States Senate and the Committee on Agriculture in the United States House of Representatives.

Any appropriations or funds available to the Forest Service may be advanced to the National Forest System appropriation for the emergency rehabilitation of burned-over lands under its jurisdiction.

Appropriations and funds available to the Forest Service shall be available to comply with the requirements of section 313(a) of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1323(a)).

The appropriation structure for the Forest Service may not be altered without advance approval of the House and Senate Committees on Appropriations.

Funds appropriated to the Forest Service shall be available for assistance to or through the Agency for International Development and the Office of International Cooperation and Development in connection with forest and rangeland research and technical information and assistance in foreign countries.

Funds previously appropriated for timber salvage sales may be recovered from receipts deposited for use by the applicable national forest and credited to the Forest Service Permanent Appropriations to be expended for timber salvage sales from any national forest.

Provisions of section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257) shall apply to appropriations available to the Forest Service only to the extent that the proposed transfer is approved by the House and Senate Committees on Appropriations in compliance with the reprogramming procedures contained in House Report 97-942.

No funds appropriated to the Forest Service shall be transferred to the Working Capital Fund of the Department of Agriculture without the approval of the Chief of the Forest Service.

Notwithstanding any delegations of authority provided for in the regulations of the Department of Agriculture or in the Forest Service manual, the Chief of the Forest Service shall, personally and without aid of mechanical devices or persons acting on his behalf, execute (1) all deeds conveying federally owned land which exceeds \$250,000 in value, (2) all acceptances of options on lands to be acquired which exceed \$250,000 in value, (3) all recommendations that condemnation be initiated, (4) all letters accepting donations of land, (5) all decisions on appeals of decisions related to land transactions made by regional foresters, and (6) land related transmittals to the House or Senate Committees on Appropriations, including all proposals for congressional action such as the acquisition of lands in excess of the approved appraised value, condemnation actions, and other items covered in reprogramming guidelines.

Not to exceed \$900,000 shall be available from National Forest System appropriations or permanent appropriations for the specific purpose of removing slash and cull logs from the Bull Run, Oregon, watershed to preserve water quality and reduce fire hazards.

DEPARTMENT OF THE TREASURY

ENERGY SECURITY RESERVE

(RESCISSION)

Of the funds appropriated to the Energy Security Reserve by the Department of the Interior and Related Agencies Appropriations Act, 1980 (Public Law 96-126) and subsequently made available to carry out Title I, Part B of the Energy Security Act (Public Law 96-294) by Public Laws 96-304 and 96-514, \$5,375,000,000 are rescinded: Provided, That of the remaining funds in the Energy Security Reserve for carrying out Title I, Part B of the Energy Security Act, the amount of \$5,700,000,000 shall be initially available only for obligation to projects with Letters of Intent authorized by the Board of Directors of the United States Synthetic Fuels Corporation on or before June 1, 1984; and, if by reason of Board determinations that the Corporation will not enter into financial assistance contracts with projects for which such Letters were authorized, or that lesser amounts of financial assistance than those specified in such authorizations shall be awarded, there remains a balance of such amount which is unobligated and uncommitted, 50 percent of said balance shall cease to be available for obligation and the remaining 50 percent of said balance shall thereafter be available for commitment or obligation by the Corporation pursuant to the Energy Security Act: Provided further, That until such time as the comprehensive strategy is approved pursuant to section 126(c) of the Energy Security Act, the Board of Directors shall solicit proposals and award financial assistance pursuant to applicable sections of the Energy Security Act without regard to the national synthetic fuel production goal established under section 125 of the Act: Provided further, That of the \$5,375,000,000 rescinded from the Energy Security Reserve, \$750,000,000 shall be deposited and retained in a separate account hereby established in the Treasury of the United States, entitled the "Clean Coal Technology Reserve," which account and the appropriations therefor, shall be available for the purpose of conducting cost-shared clean coal technology projects for the construction and operation of facilities to demonstrate the feasibility for future commercial application of such technology, including those identified in section 320 of the fiscal year 1985 Department of the Interior and Related Agencies Appropriations Act, as reported by the Senate Committee on Appropriations (H.R. 5973, Senate Report 98-578), without fiscal year limitation, subject to subsequent annual appropriation in the Department of the Interior and Related Agencies Appropriations Act.

Section 117 of the United States Synthetic Fuels Corporation Act of 1980 is amended by adding at the end thereof the following new subsection:

"(f) Subject to section 118, Directors, officers, and employees of the Corporation shall be subject to the same standards of ethical conduct and financial reporting as are set forth in Executive Order 11222. The Chairman shall promptly implement such standards."

(b) Section 168 of the United States Synthetic Fuels Corporation Act of 1980 is amended by—

(1) Redesignating section 168 as subsection 168(a); and

(2) Inserting at the end thereof the following new subsection:
 “(b) An aggrieved person may bring action in the district courts of the United States to enforce, and secure compliance with, the policies and guidelines of the Corporation implementing the requirements of subsections 121(a) and (b) for public disclosure of information and the requirements of subsection 116(f) for meetings of the Board of Directors to be open to the public and preceded by reasonable public notice.”.

DEPARTMENT OF ENERGY

FOSSIL ENERGY RESEARCH AND DEVELOPMENT

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses in carrying out fossil energy research and development activities, under the authority of the Department of Energy Organization Act (Public Law 95-91), including the acquisition of interest, including defeasible and equitable interests in any real property or any facility or for plant or facility acquisition or expansion, \$280,558,000, to remain available until expended, and \$39,196,000 to be derived by transfer from unobligated balances in the “fossil energy construction” account, \$5,800,000 to be derived by transfer from the account in Public Law 96-126 (93 Stat. 970 (1979)) entitled “Alternative Fuels Production”, \$2,500,000 to be derived by transfer from unobligated prior year balances in the energy production, demonstration, and distribution account, and \$3,000,000 is to be derived by transfer from amounts derived from fees for guarantees of obligations collected pursuant to section 19 of the Federal Nonnuclear Energy Research and Development Act of 1974, as amended (42 U.S.C. 5919), and deposited in the Energy Security Reserve established by Public Law 96-126: Provided, That no part of the sum herein made available shall be used for the field testing of nuclear explosives in the recovery of oil and gas: Provided further, That \$7,500,000 of the sum provided under this heading shall be available for demonstration of the Kilgas coal gasification process, with the provision that the United States Treasury shall be repaid up to double the total Federal expenditure for such process from proceeds to the participants from the commercial sale, lease, manufacture, or use of such process.

NAVAL PETROLEUM AND OIL SHALE RESERVES

For necessary expenses in carrying out naval petroleum and oil shale reserves activities, including the purchase of not to exceed 2 passenger motor vehicles, \$160,076,000 to remain available until expended.

ENERGY CONSERVATION

For necessary expenses in carrying out energy conservation activities, \$467,969,000 to remain available until expended: Provided, That for the base State Energy Conservation Program (part D of the Energy Policy and Conservation Act, sections 361 through 366), each State will hereafter match in cash or in kind not less than 20 percent of the Federal contribution: Provided further, That these funds

may be used for grants to the Commonwealth of the Northern Mariana Islands, the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau under part D of title III of the Energy Policy and Conservation Act (relating to primary and supplemental State energy conservation programs, 42 U.S.C. 6321-6327) and under the National Energy Extension Service Act (42 U.S.C. 7001-7011): Provided further, That pursuant to section 111(b)(1)(B) of the Energy Reorganization Act of 1974, as amended, 42 U.S.C. 5821(b)(1)(B), of the amount appropriated under this head, \$16,000,000 shall be available for a grant for basic industry research facilities located at Northwestern University without section 111(b)(2) of such Act being applicable.

ECONOMIC REGULATION

For necessary expenses in carrying out the activities of the Economic Regulatory Administration and the Office of Hearings and Appeals, \$25,247,000.

EMERGENCY PREPAREDNESS

For necessary expenses in carrying out emergency preparedness activities, \$6,220,000.

SPR PETROLEUM ACCOUNT

The aggregate amount that may be obligated under section 167 of the Energy Policy and Conservation Act of 1975 (Public Law 94-163), as amended by the Omnibus Budget Reconciliation Act of 1981 (Public Law 97-35), for the acquisition and transportation of petroleum, and for other necessary expenses, is \$2,049,550,000, in addition to authority provided in fiscal years 1982, 1983, and 1984, to remain available until expended: Provided, That the minimum required fill rate during fiscal year 1985 shall be not less than 159,000 barrels per day.

ENERGY INFORMATION ADMINISTRATION

For necessary expenses in carrying out the activities of the Energy Information Administration, \$61,657,000.

ADMINISTRATIVE PROVISIONS, DEPARTMENT OF ENERGY

Appropriations under this Act for the current fiscal year shall be available for hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; purchase, repair, and cleaning of uniforms; and reimbursement to the General Services Administration for security guard services.

From this appropriation, transfers of sums may be made to other agencies of the Government for the performance of work for which the appropriation is made.

None of the funds made available to the Department of Energy under this Act shall be used to implement or finance authorized price support or loan guarantee programs unless specific provision is made for such programs in an appropriations Act.

The Secretary is authorized to accept lands, buildings, equipment, and other contributions from public and private sources and to pros-

ecute projects in cooperation with other agencies, Federal, State, private, or foreign: Provided, That (1) revenues received from the sale of any products produced in facilities other than demonstration plants operated as part of Department of Energy programs appropriated under this Act shall be covered into the Treasury as miscellaneous receipts; and (2) revenues and other moneys received by or for the account of the Department of Energy or otherwise generated by sale of products in connection with demonstration plant projects of the Department appropriated under this Act may be retained by the Secretary of Energy, to be available until expended, and used only for plant construction, operation, costs, and payments to cost-sharing entities as provided in appropriate cost-sharing contracts or agreements: Provided further, That the remainder of revenues after the making of such payments shall be covered into the Treasury as miscellaneous receipts: Provided further, That any contract, agreement or provision thereof entered into by the Secretary pursuant to this authority shall be submitted to the Senate Committee on Appropriations and the House Committee on Appropriations and a period of thirty days shall elapse while Congress is in session (in computing the thirty days, there shall be excluded the days on which either the Senate or the House is not in session because of adjournment for more than three days) before the contract, agreement or provision thereof shall become effective, except that such committees, after having received the proposed contract, agreement or provision thereof, may, by separate resolutions in writing, waive the condition of all or any portion of such thirty-day period.

Where the Secretary has the legal authority under other provisions of law, including other provisions of this Act, to undertake projects for the design, construction, or operation of Government-owned facilities for developing or demonstrating the conversion of coal into gaseous, liquid, or solid hydrocarbon products, the Secretary may use the authority contained in Public Law 85-804 (50 U.S.C. 1431-1435), with respect to such contracts or agreements for or related to such projects: Provided, That any contract, agreement, or provision thereof entered into by the Secretary using the authority of Public Law 85-804 shall be submitted to the Senate Committee on Appropriations and the House Committee on Appropriations and a period of thirty days shall elapse while Congress is in session (in computing the thirty days, there shall be excluded the days on which either the Senate or the House is not in session because of adjournment for more than three days) before the contract, agreement or provision thereof shall become effective, except that such committees, after having received the proposed contract, agreement or provision thereof, may, by separate resolutions in writing, waive the condition of all or any portion of such thirty-day period. The notification required herein shall be in lieu of the notification requirements of Public Law 85-804.

The Secretary of Energy may transfer to the Emergency Preparedness appropriation such funds as are necessary to meet any unforeseen needs from any funds available to the Department of Energy from this Act.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH SERVICES ADMINISTRATION

INDIAN HEALTH SERVICES

For expenses necessary to carry out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination Act, the Indian Health Care Improvement Act, and titles III and V and section 338G of the Public Health Service Act with respect to the Indian Health Service, including hire of passenger motor vehicles and aircraft; purchase of reprints; purchase and erection of portable buildings; payments for telephone service in private residences in the field, when authorized under regulations approved by the Secretary, \$809,927,000: Provided, That funds made available to tribes and tribal organizations through grants and contracts authorized by the Indian Self-Determination and Education Assistance Act of 1975 (88 Stat. 2203; 25 U.S.C. 450), shall remain available until September 30, 1986. Funds provided in this Act may be used for one-year contracts and grants which are to be performed in two fiscal years, so long as the total obligation is recorded in the year for which the funds are appropriated: Provided further, That the amounts collected by the Secretary of Health and Human Services under the authority of title IV of the Indian Health Care Improvement Act shall be available until September 30, 1986, for the purpose of achieving compliance with the applicable conditions and requirements of titles XVIII and XIX of the Social Security Act (exclusive of planning, design, construction of new facilities, or major renovation of existing Indian Health Service facilities): Provided further, That funding contained herein, and in any earlier appropriations Act, for scholarship programs under section 103 of the Indian Health Care Improvement Act and section 757 of the Public Health Service Act shall remain available for expenditure until September 30, 1986.

INDIAN HEALTH FACILITIES

For construction, major repair, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites, purchase and erection of portable buildings, purchases of trailers and for provision of domestic and community sanitation facilities for Indians, as authorized by section 7 of the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian Self-Determination Act and the Indian Health Care Improvement Act, \$62,892,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS, HEALTH SERVICES ADMINISTRATION

Appropriations in this Act to the Health Services Administration, available for salaries and expenses, shall be available for services as authorized by 5 U.S.C. 3109 but at rates not to exceed the per diem equivalent to the rate for GS-18, and for uniforms or allowances therefor as authorized by law (5 U.S.C. 5901-5902), and for expenses of attendance at meetings which are concerned with the functions or activities for which the appropriation is made or which will contribute to improved conduct, supervision, or management of those

functions or activities: Provided, That none of the funds appropriated under this Act to the Indian Health Service shall be available for the initial lease of permanent structures without advance provision therefor in appropriations Acts: Provided further, That non-Indian patients may be extended health care at all Indian Health Service facilities, if such care can be extended without impairing the ability of the Indian Health Service to fulfill its responsibility to provide health care to Indians served by such facilities and subject to such reasonable charges as the Secretary of Health and Human Services shall prescribe, the proceeds of which shall be deposited in the fund established by sections 401 and 402 of the Indian Health Care Improvement Act: Provided further, That funds appropriated to the Indian Health Service in this Act, except those used for administrative and program direction purposes, shall not be subject to limitations directed at curtailing Federal travel and transportation: Provided further, That with the exception of service units which currently have a billing policy, the Indian Health Service shall not initiate any further action to bill Indians in order to collect from third-party payers nor to charge those Indians who may have the economic means to pay unless and until such time as Congress has agreed upon a specific policy to do so and has directed the IHS to implement such a policy: Provided further, That hereafter the Indian Health Service may seek subrogation of claims including but not limited to auto accident claims, including no-fault claims, personal injury, disease, or disability claims, and workman's compensation claims except as otherwise limited by the fourth proviso of this section: Provided further, That hereafter, notwithstanding any other law, an Indian tribe may acquire and expend funds, other than funds appropriated to the Service, for major renovation and modernization, including planning and design for such renovation and modernization of Service facilities, including facilities operated pursuant to contract under the Indian Self-Determination and Education Assistance Act (Public Law 93-638) subject to the following conditions:

(1) the implementation of such project shall not require or obligate the Service to provide any additional staff or equipment;

(2) the project shall be subject to the approval of the Area Director of the Service area office involved;

(3) the tribe shall have full authority to administer the project, but shall do so in accordance with applicable rules and regulations of the Secretary governing construction or renovation of Service health facilities; and

(4) no project of renovation or modernization shall be authorized herein if it would require the diversion of Service funds from meeting the needs of projects having a higher priority on the current health facilities priority system.

DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

INDIAN EDUCATION

For carrying out, to the extent not otherwise provided, Part A (\$51,350,000) and Parts B and C (\$15,000,000) of the Indian Education Act, and the General Education Provisions Act, \$68,780,000.

OTHER RELATED AGENCIES

NAVAJO AND HOPI INDIAN RELOCATION COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Navajo and Hopi Indian Relocation Commission as authorized by Public Law 93-531, \$20,736,000, to remain available until expended, for operating expenses of the Commission: Provided, That July 7, 1985, is hereby established as the deadline for receipt of applications for voluntary relocation.

SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

For necessary expenses of the Smithsonian Institution, including research in the fields of art, science, and history; development, preservation, and documentation of the National Collections; presentation of public exhibits and performances; collection, preparation, dissemination, and exchange of information and publications; conduct of education, training, and museum assistance programs; maintenance, alteration, operation, lease (for terms not to exceed ten years), and protection of buildings, facilities, and approaches; not to exceed \$100,000 for services as authorized by 5 U.S.C. 3109; up to 5 replacement passenger vehicles; purchase, rental, repair, and cleaning of uniforms for employees; \$165,730,000 including not less than \$789,000 to carry out the provisions of the National Museum Act, \$350,000 to be made available to the trustees of the John F. Kennedy Center for the Performing Arts for payment to the National Symphony Orchestra and \$350,000 for payment to the Washington Opera Society for activities related to their responsibilities as resident entities of the Center: Provided, That funds appropriated herein are available for advance payments to independent contractors performing research services or participating in official Smithsonian presentations: Provided further, That none of these funds shall be available to a Smithsonian Research Foundation.

MUSEUM PROGRAMS AND RELATED RESEARCH

(SPECIAL FOREIGN CURRENCY PROGRAM)

For payments in foreign currencies which the Treasury Department shall determine to be excess to the normal requirements of the United States, for necessary expenses for carrying out museum programs, scientific and cultural research, and related educational activities, as authorized by law, \$9,000,000, to remain available until expended and to be available only to United States institutions: Pro-

vided, That this appropriation shall be available, in addition to other appropriations to the Smithsonian Institution, for payments in the foregoing currencies: Provided further, That none of these funds shall be available to a Smithsonian Research Foundation: Provided further, That not to exceed \$500,000 may be used to make grant awards to employees of the Smithsonian Institution.

CONSTRUCTION AND IMPROVEMENTS, NATIONAL ZOOLOGICAL PARK

For necessary expenses of planning, construction, remodeling, and equipping of buildings and facilities at the National Zoological Park, by contract or otherwise, \$4,950,000 to remain available until expended.

RESTORATION AND RENOVATION OF BUILDINGS

For necessary expenses of restoration and renovation of buildings owned or occupied by the Smithsonian Institution, by contract or otherwise, as authorized by section 2 of the Act of August 22, 1949 (63 Stat. 623), including not to exceed \$10,000 for services as authorized by 5 U.S.C. 3109, \$13,750,000, to remain available until expended: Provided, That contracts awarded for environmental systems, protection systems, and exterior repair or renovation of buildings of the Smithsonian Institution may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price: Provided further, That notwithstanding any other provisions of law, the Secretary of the Smithsonian Institution is authorized to transfer to the county of Santa Cruz, Arizona, a sum not to exceed \$100,000 within available funds for the sole purpose of assisting in the funding of the construction of a permanent access to the Whipple Observatory near Amado, Arizona.

NATIONAL GALLERY OF ART, SALARIES AND EXPENSES

For the upkeep and operations of the National Gallery of Art, the protection and care of the works of art therein, and administrative expenses incident thereto, as authorized by the Act of March 24, 1937 (50 Stat. 51), as amended by the public resolution of April 13, 1939 (Public Resolution 9, Seventy-sixth Congress), including services as authorized by 5 U.S.C. 3109; payment in advance when authorized by the treasurer of the Gallery for membership in library, museum, and art associations or societies whose publications or services are available to members only, or to members at a price lower than to the general public; purchase, repair, and cleaning of uniforms for guards, and uniforms, or allowances therefor, for other employees as authorized by law (5 U.S.C. 5901-5902); purchase, or rental of devices and services for protecting buildings and contents thereof, and maintenance, alteration, improvement, and repair of buildings, approaches, and grounds; and purchase of services for restoration and repair of works of art for the National Gallery of Art by contracts made, without advertising, with individuals, firms, or organizations at such rates or prices and under such terms and conditions as the Gallery may deem proper, \$36,821,000, of which \$3,200,000 for the repair, renovation, and restoration program of the original West Building shall remain available until expended and of which \$3,992,000 for the special exhibition program (of which

\$2,000,000 is for the Treasure Houses of Britain exhibition) shall remain available until expended: Provided, That contracts awarded for environmental systems, protection systems, and exterior repair or renovation of buildings of the National Gallery of Art may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.

**WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS, SALARIES
AND EXPENSES**

For expenses necessary in carrying out the provisions of the Woodrow Wilson Memorial Act of 1968 (82 Stat. 1356), including hire of passenger vehicles and services as authorized by 5 U.S.C. 3109, \$2,712,000.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and Humanities Act of 1965, as amended, \$137,000,000 of which \$121,100,000 shall be available to the National Endowment for the Arts for the support of projects and productions in the arts through assistance to groups and individuals pursuant to section 5(c) of the Act, of which not less than 20 per centum of the funds provided for section 5(c) shall be available for assistance pursuant to section 5(g) of the Act, and \$15,900,000 shall be available for administering the functions of the Act.

MATCHING GRANTS

To carry out the provisions of section 10(a)(2) of the National Foundation on the Arts and the Humanities Act of 1965, as amended, \$30,000,000 to remain available until September 30, 1986, to the National Endowment for the Arts, of which \$21,000,000 shall be available for purposes of section 5(1): Provided, That this appropriation shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, and devises of money, and other property accepted by the Chairman or by grantees of the Endowment under the provisions of section 10(a)(2), subsections 11(a)(2)(A) and 11(a)(3)(A) during the current and preceding fiscal year for which equal amounts have not previously been appropriated.

NATIONAL ENDOWMENT FOR THE HUMANITIES

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, \$111,325,000 of which \$97,150,000 shall be available to the National Endowment for the Humanities for support of activities in the humanities, pursuant to section 7(c) of the Act, of which not less than 20 per centum shall be available for assistance pursuant to section 7(f) of the Act,

and \$14,175,000 shall be available for administering the functions of the Act.

MATCHING GRANTS

To carry out the provisions of section 10(a)(2) of the National Foundation on the Arts and the Humanities Act of 1965, as amended, \$31,000,000, to remain available until September 30, 1986, of which \$20,000,000 shall be available to the National Endowment for the Humanities for the purposes of section 7(h): Provided, That this appropriation shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, and devises of money, and other property accepted by the Chairman or by grantees of the Endowment under the provisions of subsections 11(a)(2)(B) and 11(a)(3)(B) during the current and preceding fiscal years, for which equal amounts have not previously been appropriated.

INSTITUTE OF MUSEUM SERVICES

GRANTS AND ADMINISTRATION

For carrying out title II of the Arts, Humanities, and Cultural Affairs Act of 1976, as amended, \$22,000,000: Provided, That none of these funds shall be available for the compensation of Executive Level V or higher positions.

ADMINISTRATIVE PROVISIONS

None of the funds appropriated to the National Foundation on the Arts and the Humanities may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: Provided, That none of the funds appropriated to the National Foundation on the Arts and the Humanities may be used for official reception and representation expenses.

COMMISSION OF FINE ARTS

SALARIES AND EXPENSES

For expenses made necessary by the Act establishing a Commission of Fine Arts (40 U.S.C. 104), \$380,000.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

SALARIES AND EXPENSES

For expenses made necessary by the Act establishing an Advisory Council on Historic Preservation, Public Law 89-665, as amended, \$1,578,000: Provided, That none of these funds shall be available for the compensation of Executive Level V or higher positions.

NATIONAL CAPITAL PLANNING COMMISSION

SALARIES AND EXPENSES

For necessary expenses, as authorized by the National Capital Planning Act of 1952 (40 U.S.C. 71-71i), including services as au-

thorized by 5 U.S.C. 3109; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901-5902), \$2,725,000.

FRANKLIN DELANO ROOSEVELT MEMORIAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Franklin Delano Roosevelt Memorial Commission, established by the Act of August 11, 1955 (69 Stat. 694), as amended by Public Law 92-332 (86 Stat. 401), \$21,000 to remain available for obligation until September 30, 1986.

PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION

SALARIES AND EXPENSES

For necessary expenses, as authorized by section 17(a) of Public Law 92-578, as amended, \$2,300,000 for operating and administrative expenses of the Corporation.

PUBLIC DEVELOPMENT

For public development activities and projects in accordance with the development plan as authorized by section 17(b) of Public Law 92-578, as amended, \$4,500,000 to remain available for obligation until expended.

FEDERAL INSPECTOR FOR THE ALASKA GAS PIPELINE

PERMITTING AND ENFORCEMENT

For necessary expenses of the Federal Inspector for the Alaska Gas Pipeline, \$1,430,000, of which not to exceed \$1,000 may be used for official reception and representation expenses.

UNITED STATES HOLOCAUST MEMORIAL COUNCIL

HOLOCAUST MEMORIAL COUNCIL

For expenses of the Holocaust Memorial Council, as authorized by Public Law 96-388, \$2,031,000.

TITLE III—GENERAL PROVISIONS

SEC. 301. *The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.*

SEC. 302. *No part of any appropriation under this Act shall be available to the Secretaries of the Interior and Agriculture for use for any sale hereafter made of unprocessed timber from Federal lands west of the 100th meridian in the contiguous 48 States which will be exported from the United States, or which will be used as a substitute for timber from private lands which is exported by the purchaser: Provided, That this limitation shall not apply to specific quantities of grades and species of timber which said Secretaries de-*

termine are surplus to domestic lumber and plywood manufacturing needs.

SEC. 303. No part of any appropriation under this Act shall be available to the Secretary of the Interior or the Secretary of Agriculture for the leasing of oil and natural gas by noncompetitive bidding on publicly owned lands within the boundaries of the Shawnee National Forest, Illinois: Provided, That nothing herein is intended to inhibit or otherwise affect the sale, lease, or right to access to minerals owned by private individuals.

SEC. 304. No part of any appropriation contained in this Act shall be available for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which congressional action is not complete.

SEC. 305. No funds appropriated by this Act shall be available for the implementation or enforcement of any rule or regulation of the United States Fish and Wildlife Service, Department of the Interior, requiring the use of steel shot in connection with the hunting of waterfowl in any State of the United States unless the appropriate State regulatory authority approves such implementation and enforcement.

SEC. 306. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 307. None of the funds provided in this Act to any department or agency shall be obligated or expended to provide a personal cook, chauffeur, or other personal servants to any officer or employee of such department or agency.

SEC. 308. Except for lands described by sections 105 and 106 of Public Law 96-560, section 103 of Public Law 96-550, section 5(d)(1) of Public Law 96-312, and except for land in the State of Alaska, and lands in the national forest system released to management for any use the Secretary of Agriculture deems appropriate through the land management planning process by any statement or other Act of Congress designating components of the National Wilderness Preservation System now in effect or hereinafter enacted, and except to carry out the obligations and responsibilities of the Secretary of the Interior under section 17(k)(1) (A) and (B) of the Mineral Leasing Act of 1920 (30 U.S.C. 226), none of the funds provided in this Act shall be obligated for any aspect of the processing or issuance of permits or leases pertaining to exploration for or development of coal, oil, gas, oil shale, phosphate, potassium, sulphur, gilsonite, or geothermal resources on Federal lands within any component of the National Wilderness Preservation System or within any Forest Service RARE II areas recommended for wilderness designation or allocated to further planning in Executive Communication 1504, Ninety-sixth Congress (House Document numbered 96-119); or within any lands designated by Congress as wilderness study areas or within Bureau of Land Management wilderness study areas: Provided, That nothing in this section shall prohibit the expenditure of funds for any aspect of the processing or issuance of permits pertaining to exploration for or development of the mineral resources described in this section, within any component of the National Wilderness Preservation System now in effect or hereinafter enacted,

any Forest Service RARE II areas recommended for wilderness designation or allocated to further planning, within any lands designated by Congress as wilderness study areas, or Bureau of Land Management wilderness study areas, under valid existing rights, or leases validly issued in accordance with all applicable Federal, State, and local laws or valid mineral rights in existence prior to October 1, 1982: Provided further, That funds provided in this Act may be used by the Secretary of Agriculture in any area of National Forest lands or the Secretary of the Interior to issue under their existing authority in any area of National Forest or public lands withdrawn pursuant to this Act such permits as may be necessary to conduct prospecting, seismic surveys, and core sampling conducted by helicopter or other means not requiring construction of roads or improvement of existing roads or ways, for the purpose of gathering information about and inventorying energy, mineral, and other resource values of such area, if such activity is carried out in a manner compatible with the preservation of the wilderness environment: Provided further, That seismic activities involving the use of explosives shall not be permitted in designated wilderness areas: Provided further, That funds provided in this Act may be used by the Secretary of the Interior to augment recurring surveys of the mineral values of wilderness areas pursuant to section 4(d)(2) of the Wilderness Act and acquire information on other national forest and public land areas withdrawn pursuant to this Act, by conducting, in conjunction with the Secretary of Energy, the national laboratories, or other Federal agencies, as appropriate, such mineral inventories of areas withdrawn pursuant to this Act as he deems appropriate. These inventories shall be conducted in a manner compatible with the preservation of the wilderness environment through the use of methods including core sampling conducted by helicopter; geophysical techniques such as induced polarization, synthetic aperture radar, magnetic and gravity surveys; geochemical techniques including stream sediment reconnaissance and X-ray diffraction analysis; land satellites; or any other methods he deems appropriate. The Secretary of the Interior is hereby authorized to conduct inventories or segments of inventories, such as data analysis activities, by contract with private entities deemed by him to be qualified to engage in such activities whenever he has determined that such contracts would decrease Federal expenditures and would produce comparable or superior results: Provided further, That in carrying out any such inventory or surveys, where National Forest System lands are involved, the Secretary of the Interior shall consult with the Secretary of Agriculture concerning any activities affecting surface resources: Provided further, That funds provided in this Act may be used by the Secretary of the Interior to issue oil and gas leases for the subsurface of any lands designated by Congress as wilderness study areas, that are immediately adjacent to producing oil and gas fields or areas that are prospectively valuable. Such leases shall allow no surface occupancy and may be entered only by directional drilling from outside the wilderness study area or other nonsurface disturbing methods.

SEC. 309. None of the funds provided in this Act shall be used to evaluate, consider, process, or award oil, gas, or geothermal leases on Federal lands in the Mount Baker-Snoqualmie National Forest,

State of Washington, within the hydrographic boundaries of the Cedar River municipal watershed upstream of river mile 21.6, the Green River municipal watershed upstream of river mile 61.0, the North Fork of the Tolt River proposed municipal watershed upstream of river mile 11.7, and the South Fork Tolt River municipal watershed upstream of river mile 8.4.

SEC. 310. No assessments may be levied against any program, budget activity, subactivity, or project funded by this Act unless such assessments and this basis therefor are presented to the Committees on Appropriations and are approved by such committees.

SEC. 311. Employment funded by this Act shall not be subject to any personnel ceiling or other personnel restriction for permanent or other than permanent employment except as provided by law.

SEC. 312. Funds provided for land acquisition in this Act may not be used to acquire lands for more than the approved appraised value (as addressed in section 301(3) of Public Law 91-646) except for condemnations and declarations of taking, without the written approval of the Committees on Appropriations.

SEC. 313. Notwithstanding any other provisions of law, the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Energy, and the Secretary of the Smithsonian Institution, are authorized to enter into contracts with State and local governmental entities, including local fire districts, for procurement of services in the presuppression, detection, and suppression of fires on any units within their jurisdiction. In addition, any contracts or agreements with the jurisdiction for fire management services listed above which are previously executed shall remain valid.

SEC. 314. None of the funds provided by this Act to the United States Fish and Wildlife Service may be obligated or expended to plan for, conduct, or supervise deer hunting on the Loxahatchee National Wildlife Refuge.

SEC. 315. Funds available to the Department of the Interior and the Forest Service in fiscal year 1985 for the purpose of contracting for services that require the utilization of privately owned aircraft for the carriage of cargo or freight shall be used only to contract for aircraft that are certified as air-worthy by the Administrator of the Federal Aviation Administration as standard category aircraft under 14 CFR 21.183 unless the Secretary of the contracting department determines that such aircraft are not reasonably available to conduct such services.

SEC. 316. None of the funds provided in this Act may be used for the augmentation of grizzly bear populations in currently occupied areas of Forest Service grizzly bear habitat or the preparation of specific augmentation proposals to establish new grizzly bear populations in areas identified as suitable grizzly bear habitat in any unit of the National Park System or National Forest System unless the appropriate General Management Plan or Forest Plan provides for such augmentation and has been adopted, including having been available for public comment and review: Provided, That such activities may be conducted only with funds specifically justified for such purpose in an agency budget justification and subsequently approved in a report accompanying an appropriation bill making appropriations for that agency, or with funds provided for through reprogramming procedures: Provided further, That this is not intend-

ed to prohibit the emergency relocation of nuisance bears into currently occupied areas of congressionally designated wilderness areas within Forest Service boundaries, or into other currently occupied situation one areas where conflict between bears and humans is not likely to occur: Provided further, That the Secretaries of Interior and Agriculture shall provide for a public meeting at each affected National Forest and National Park Headquarters and the subsequent publication of the "Guidelines for Management Involving Grizzly Bears in the Greater Yellowstone Area" in the Federal Register, reflecting the public comments: Provided further, That notwithstanding any other provision of law, agencies included in this Act are authorized to reimburse permittees for such reasonable expenses as may be incurred as a result of moving permitted animals from one location to another, as may be required by the permitting agency, in order to prevent harassment and attacks by grizzly bears. Such expenses are to be determined by the agency responsible for the permitted action.

SEC. 317. The Administrator of the General Services Administration shall transfer to the Secretary of the Interior, without reimbursement, for inclusion in the War in the Pacific National Historical Park the following parcels of land:

(1) Agat Bay, parcel 2, United States Naval Station, Guam (GSA control number 9-N-GU-426); and

(2) GLUP: Nimitz Hill, parcel 3, Nimitz Hill Annex Area "C", Municipality of Asan, Guam (GSA control number 9-N-GU-415).

SEC. 318. The Secretary of the Interior shall quantify, in cooperation with the Secretary of Agriculture and the Governor of North Dakota, and consistent with an agreement to be negotiated between the Secretary of the Interior and the Governor of North Dakota, the number of wetland acres, including a description by quarter section, subject to waterfowl production area easements in each county; and the Secretary and the Governor shall develop a plan for the purchase of additional easement acres previously authorized by the Governor.

SEC. 319. The primary term of any geothermal lease in effect as of July 27, 1984, issued pursuant to the Geothermal Act of 1970 (Public Law 91-581, 84 Stat. 1566, 30 U.S.C. 1001-1025) is hereby extended to December 31, 1986, if the Secretary of the Interior finds that—

(a) a bona fide sale of the geothermal resource, from a well capable of production, for delivery to or utilization by a facility or facilities, has not been completed (1) due to administrative delays by government entities, beyond the control of the lessee, or (2) such sale would be uneconomic;

(b) substantial investment in the development of or for the benefit of the lease has been made; and

(c) the lease would otherwise expire prior to December 31, 1986.

Notwithstanding any other provision of law, the Secretary shall not issue any geothermal lease pursuant to the Geothermal Steam Act of 1970 (Public Law 91-581, as amended) in the Island Park Known as Geothermal Resource Area adjacent to Yellowstone National Park.

SEC. 320. Notwithstanding title 5 of the United States Code or any other provision of law, after September 30, 1984, rents and charges collected by payroll deduction or otherwise for the use or occupancy of quarters of agencies funded by this Act shall thereafter be deposited in a special fund in each agency, to remain available until expended, for the maintenance and operation of the quarters of that agency: Provided, That for the fiscal year ending September 30, 1985, and each fiscal year thereafter, such amounts as may be collected may be expended in the agency unit or subunit (e.g. Park, refuge, hatchery, Forest, Agency office, School, Service unit, hospital, clinic, etc.) where the funds are collected: Provided further, That up to 10 per centum of funds collected in such unit may be transferred to another unit within the same agency.

SEC. 321. The Secretary of Energy pursuant to the Federal Nonnuclear Energy Research and Development Act of 1974 (Public Law 93-577), shall—

(1) no later than sixty days after the date of the enactment of this Act, publish in the Federal Register a notice soliciting statements of interest in, and proposals for projects employing emerging clean coal technologies, which statements and proposals are to be submitted to the Secretary within ninety days after the publication of such notice; and

(2) no later than April 15, 1985, submit to Congress a report that analyzes the information contained in such statements of interest and proposals, assesses the potential usefulness of each emerging clean coal technology for which a statement of interest or proposal has been received, and identifies the extent to which Federal incentives, including financial assistance, will accelerate the commercial availability of these technologies.

SEC. 322. Section 5542(b)(2)(B)(iv) of title 5, United States Code, is amended by inserting immediately before the period at the end thereof a comma and the following: "including travel by an employee to such an event and the return of such employee from such event to his or her official-duty station".

SEC. 323. It is the sense of the Congress that the Continental Scientific Drilling Program is an important national scientific endeavor, benefiting the commerce of the Nation, which should be vigorously pursued by Government and the private sector. The Continental Scientific Drilling Program is an important national scientific endeavor that is vital to the understanding of the geologic evolution of the Earth and the economic value of its resources; the most effective and efficient means of realizing the fullest potential in the Continental Scientific Drilling Program is through a cooperative effort by the Department of Energy, the National Science Foundation, and the United States Geological Survey; many important commercial and scientific advances may result from the Continental Scientific Drilling Program; and many foreign nations are engaged in a comparable deep drilling program, and cooperation and coordination would be beneficial to United States efforts. It is the sense of the Congress that—

(1) the Continental Scientific Drilling Program is an important national scientific endeavor by the United States which should be enthusiastically implemented through a joint cooperative effort among the United States Department of Energy, the

National Science Foundation, and the United States Geological Survey;

(2) the private sector should be encouraged to support the Continental Scientific Drilling Program and the participating agencies should solicit appropriate private sector participation in such program; and

(3) the United States Government should cooperate to the extent practicable with the international community in developing this important scientific and technical activity.

SEC. 324. Notwithstanding any other provision of this Joint Resolution or any other law, section 401(c)(1) of Public Law 95-87 is amended by striking the word "and" after the words "in situ;" and adding the following after the word "subsidence;": "and establishment of self-sustaining, individual State administered programs to insure private property against damages caused by land subsidence resulting from underground coal mining in those States which have reclamation plans approved in accordance with section 503 of this Act: Provided, That funds used for this purpose shall not exceed \$3,000,000 of the funds made available to any State under section 402(g)(2) of this Act;"

SEC. 325. None of the funds provided for in this joint resolution or hereafter provided shall be used to lease the mineral interest of the United States with respect to a tract of land in Payne County, Oklahoma, totalling nine hundred sixty acres located on the Indian Base Meridian; township 19 north; range 1 east, section 22 west half; section 26 northwest quarter; section 27 north half, southeast quarter; unless such lease prohibits the surface occupancy of the land for development of those interests.

SEC. 326. The land acquisition and relocation authorized for Centralia, Pennsylvania under Chapter IV of Public Law 98-181 shall not require any matching share of funding from the State of Pennsylvania under Section 407(e) of the "Surface Mining Control and Reclamation Act of 1977".

SEC. 327. Each amount of budget authority provided in this Act, for payments not required by law, is hereby reduced by 2 per centum: Provided, That such reductions shall be applied ratably to each account, program, activity, and project provided for in this Act.

This Act may be cited as the "Department of the Interior and Related Agencies Appropriations Act, 1985".

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 the following:

(d) Such amounts as may be necessary for programs, projects, or activities provided for in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriation Act, 1985 (H.R. 6028), to the extent and in the manner provided for in the conference report and joint explanatory statement of the Committee of Conference (House Report Numbered 98-1132), filed in the House of Representatives on October 3, 1984, as if such Act had been enacted into law: Provided, That sections 204 and 307 of

Public Law 98-139 shall apply to funds appropriated in this subsection: Provided further, That notwithstanding any other provision of this joint resolution, there is appropriated \$4,000,000 for the United States Institute of Peace as authorized in the United States Institute of Peace Act.

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 named in said amendment insert: *\$3,500,000*; and the Senate agree to the same.

Amendment numbered 21:

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

In lieu of the sum named in said amendment insert: *\$2,500,000*; 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 the following:

(e) Such amounts as may be necessary for programs, projects or activities provided for in the Military Construction Appropriations Act, 1985, at a rate of operations and to the extent and in the manner provided as follows, to be effective as if it had been enacted into law as the regular appropriation Act:

AN ACT Making appropriations for military construction for the Department of Defense for the fiscal year ending September 30, 1985, and for other purposes

MILITARY CONSTRUCTION, ARMY

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, and for construction and operation of facilities in support of the functions of the Commander-in-Chief, \$1,593,137,000, to remain available until September 30, 1989: Provided, That of this amount, not to exceed \$153,500,000 shall be available for study, planning, design, architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor: Provided further, That none of the funds appropriated by this act may be used for construction of a chemical munitions demilitarization facility at Lexington-Blue Grass Army Depot, Kentucky.

MILITARY CONSTRUCTION, NAVY

For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities,

and real property for the Navy as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, \$1,534,592,000, to remain available until September 30, 1989: Provided, That of this amount, not to exceed \$140,900,000 shall be available for study, planning, design, architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR FORCE

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, \$1,572,655,000 to remain available until September 30, 1989: Provided, That of this amount, not to exceed \$143,900,000 shall be available for study, planning, design, architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor.

MILITARY CONSTRUCTION, DEFENSE AGENCIES

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, \$302,198,000 to remain available until September 30, 1989: Provided, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction as he may designate, 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: Provided further, That of the amount appropriated, not to exceed \$27,500,000 shall be available for study, planning, design, architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor.

NORTH ATLANTIC TREATY ORGANIZATION INFRASTRUCTURE

For the United States share of the cost of multilateral programs for the acquisition or construction of military facilities and installations (including international military headquarters) for the collective defense of the North Atlantic Treaty Area as authorized in military construction Acts and section 2806 of title 10, United States Code, \$107,200,000, to remain available until expended.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 133 of title 10, United States Code, and military construction authorization Acts, \$98,603,000, to remain available until September 30, 1989.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 133 of title 10, United States Code, and military construction authorization Acts, \$111,200,000, to remain available until September 30, 1989.

MILITARY CONSTRUCTION, ARMY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 133 of title 10, United States Code, and military construction authorization Acts, \$69,306,000, to remain available until September 30, 1989.

MILITARY CONSTRUCTION, NAVAL RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 133 of title 10, United States Code, and military construction authorization Acts, \$60,800,000, to remain available until September 30, 1989.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 133 of title 10, United States Code, and military construction authorization Acts, \$67,800,000, to remain available until September 30, 1989.

FAMILY HOUSING, ARMY

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension and alteration and for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, as follows: for Construction, \$143,215,000; for Operation and maintenance, \$1,183,300,000; for debt payment, \$21,917,000; in all \$1,348,432,000: Provided, That the amount provided for construction shall remain available until September 30, 1989.

FAMILY HOUSING, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension and alteration and for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, as follows: for Construction, \$117,027,000; for Operation and maintenance, \$538,602,000; for debt payment, \$25,446,000; in all \$681,075,000: Provided, That the amount provided for construction shall remain available until September 30, 1989.

FAMILY HOUSING, AIR FORCE

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension and alteration and for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, as follows: for Construction, \$181,123,000; for Operation and maintenance, \$700,940,000; for debt payment, \$29,980,000; in all \$912,043,000: Provided, That the amount provided for construction shall remain available until September 30, 1989.

FAMILY HOUSING, DEFENSE AGENCIES

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for construction, including acquisition, replacement, addition, expansion, extension and alteration and for operation and maintenance, leasing, and minor construction, as authorized by law, as follows: for Construction, \$707,000; for Operation and maintenance, \$16,730,000; in all \$17,437,000: Provided, That the amount provided for construction shall remain available until September 30, 1989.

GENERAL PROVISIONS

SEC. 101. Funds appropriated to the Department of Defense for construction in prior years are hereby made available for construction authorized for each such department by the authorizations enacted into law during the second session of the Ninety-eighth Congress.

SEC. 102. None of the funds appropriated in this Act shall be expended for payments under a cost-plus-a-fixed-fee contract for work, where cost estimates exceed \$25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.

SEC. 103. Funds herein appropriated to the Department of Defense for construction shall be available for hire of passenger motor vehicles.

SEC. 104. Funds appropriated to the Department of Defense for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

SEC. 105. None of the funds appropriated in this Act may be used to begin construction of new bases inside the continental United States for which specific appropriations have not been made.

SEC. 106. No part of the funds provided in this Act shall be used for purchase of land or land easements in excess of 100 per centum of the value as determined by the Corps of Engineers or the Naval Facilities Engineering Command, except: (a) where there is a determination of value by a Federal court, or (b) purchases negotiated by the Attorney General or his designee, or (c) where the estimated value is less than \$25,000, or (d) as otherwise determined by the Secretary of Defense to be in the public interest.

SEC. 107. None of the funds appropriated in this Act shall be used to (1) acquire land, (2) provide for site preparation, or (3) install utilities for any family housing, except housing for which funds have been made available in annual military construction appropriation Acts.

SEC. 108. None of the funds appropriated in this Act for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations.

SEC. 109. None of the funds appropriated or otherwise made available under this Act shall be obligated or expended in connection with any base realignment or closure activity, until all terms, conditions and requirements of the National Environmental Policy Act have been complied with, with respect to each such activity.

SEC. 110. No part of the funds appropriated in this Act may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

SEC. 111. No part of the funds appropriated in this Act for dredging in the Indian Ocean may be used for the performance of the work by foreign contractors: Provided, That the low responsive bid of a United States contractor does not exceed the lowest responsive bid of a foreign contractor by greater than twenty per centum.

SEC. 112. No part of the funds appropriated in this Act may be obligated for construction of any site-specific facilities for the MX missile system until all terms, conditions, and requirements of the National Environmental Policy Act (42 U.S.C. 4332) are met.

SEC. 113. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

SEC. 114. No part of the funds appropriated in this Act may be used to pay the compensation of an officer of the Government of the United States or to reimburse a contractor for the employment of a person for work in the continental United States by any such person if such person is an alien who has not been lawfully admitted to the United States.

SEC. 115. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection.

tion, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 116. Notwithstanding any other provision of law, any funds appropriated to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were appropriated if the funds obligated for such project (1) are obligated from funds available for military construction projects, and (2) do not exceed the amount appropriated for such projects, plus any amount by which the cost of such project is increased pursuant to law.

SEC. 117. None of the funds appropriated in this Act may be obligated or expended in any way for the express purpose of the sale, lease, or rental of any portion of land currently identified as Fort DeRussy, Honolulu, Hawaii.

SEC. 118. None of the funds in this Act may be used to initiate a new installation overseas without prior notification to the Committees on Appropriations.

SEC. 119. None of the funds appropriated in this Act for F-16 bed-down projects at Misawa, Japan, may be obligated or expended unless there has been notification to the Committees on Appropriations that the approved Government of Japan budget for fiscal year 1985 includes projects associated with the F-16 beddown as an additive over the level of funding provided in Japanese fiscal year 1984 for the facilities improvement program.

SEC. 120. None of the funds appropriated in this Act may be obligated for contracts estimated by the Government to exceed \$10,000,000 for military construction projects to be accomplished in Japan or in any NATO member country if that country has not increased its defense spending by at least 3 per centum in calendar year 1983, as certified by the Secretary of Defense, unless such contracts require that all installed equipment utilized in such projects have been manufactured in the United States.

SEC. 121. None of the funds appropriated in this Act may be obligated for architect and engineer contracts estimated by the Government to exceed \$1,000,000 for projects to be accomplished in Japan or in any NATO member country if that country has not increased its defense spending by at least 3 per centum in calendar year 1983, as certified by the Secretary of Defense, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

SEC. 122. None of the funds appropriated in this Act for military construction in the United States territories and possessions in the Pacific and on Kwajalein Island may be used to award any contract estimated by the Government to exceed \$5,000,000 to a foreign contractor: Provided, That this section shall not be applicable to contract awards for which the lowest responsive bid of a United States contractor exceeds the lowest responsive bid of a foreign contractor by greater than 20 per centum.

SEC. 123. The Secretary of Defense is to inform the Committees on Appropriations and Committees on Armed Services of the plans and scope of any proposed military exercise involving United States per-

sonnel prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed \$100,000.

SEC. 124. Unexpended balances in the Military Family Housing Management Account established pursuant to section 2831 of title 10, United States Code, as well as any additional amounts which would otherwise be transferred to the Military Family Housing Management Account during fiscal year 1985, shall be transferred to the appropriations for Family Housing provided in this Act, as determined by the Secretary of Defense, based on the sources from which the funds were derived, and shall be available for the same purposes, and for the same time period, as the appropriation to which they have been transferred.

SEC. 125. (a) None of the funds appropriated in this Act may be available for any country if the President determines that the government of such country is failing to take adequate measures to prevent narcotic drugs or other controlled substances cultivated or produced or processed illicitly, in whole or in part, in such country, or transported through such country, from being sold illegally within the jurisdiction of such country to United States personnel or their dependents, or from being smuggled into the United States. Such prohibition shall continue in force until the President determines and reports to the Congress in writing that—

(1) the government of such country has prepared and committed itself to a plan presented to the Secretary of State that would eliminate the cause or basis for the application to such country of the prohibition contained in the first sentence; and

(2) the government of such country has taken appropriate law enforcement measures to implement the plan presented to the Secretary of State.

(b) The provisions of subsection (a) shall not apply in the case of any country with respect to which the President determines that the application of the provisions of such subsection would be inconsistent with the national security interests of the United States.

SEC. 126. Of the total amount of budget authority provided for fiscal year 1985 by this Act that would otherwise be available for consulting services, management and professional services, and special studies and analyses, 10 per centum of the amount intended for such purposes in the President's budget for 1985, as amended, for any agency, department or entity subject to apportionment by the Executive shall be placed in reserve and not made available for obligation or expenditure: Provided, That this section shall not apply to any agency, department or entity whose budget request for 1985 for the purposes stated above did not amount to \$5,000,000.

SEC. 127. It is the sense of the Congress that the administration should call on the pertinent member nations of the North Atlantic Treaty Organization and on Japan to meet or exceed their pledges for at least a 3 per centum real increase in defense spending and furtherance of increased unity, equitable sharing of our common defense burden, and international stability.

This Act may be cited as the "Military Construction Appropriations Act, 1985".

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:

Delete the matter stricken by said amendment and delete the matter inserted by said amendment; and the Senate agree to the same.

Amendment numbered 26:

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

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

(1) Such amounts as may be necessary for projects or activities provided for in the Foreign Assistance and Related Programs Appropriations Act, 1985, at a rate for operations and to the extent in the following Act; this subsection shall be effective as if it had been enacted into law as the regular appropriation Act:

An Act making appropriations for foreign assistance and related programs for the fiscal year ending September 30, 1985, and for other purposes, namely:

TITLE I—MULTILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL FINANCIAL INSTITUTIONS

CONTRIBUTION TO THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

For payment to the International Bank for Reconstruction and Development by the Secretary of the Treasury, for the United States share of the paid-in share portion of the increase in capital stock as authorized by the International Financial Institutions Act, \$109,721,549 for the General Capital Increase, as authorized by section 39 of the Bretton Woods Agreements Act, as amended (Public Law 79-171), to remain available until expended: Provided, That no such payment may be made while the United States Executive Director to the Bank is compensated by the Bank at a rate in excess of the rate provided for an individual occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, or while the alternate United States Executive Director to the Bank is compensated by the Bank at a rate in excess of the rate provided for an individual occupying a position at level V of the Executive Schedule under section 5316 of title 5, United States Code.

Limitation on callable capital subscriptions

The United States Governor of the International Bank for Reconstruction and Development may subscribe without fiscal year limitation to the callable capital portion of the United States share of increases in capital stock in an amount not to exceed \$1,353,220,096.

CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION

For payment to the International Development Association by the Secretary of the Treasury, \$750,000,000, for the first installment of the United States contribution to the seventh replenishment, to remain available until expended, and \$150,000,000 for the United States contribution to the sixth replenishment, to remain available until expended: Provided, That no such payment may be made while the United States Executive Director to the International Bank for Reconstruction and Development is compensated by the Bank at a rate in excess of the rate provided for an individual occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, or while the alternate United States Executive Director to the Bank is compensated by the Bank at a rate in excess of the rate provided for an individual occupying a position of level V of the Executive Schedule under section 5316 of title 5, United States Code: Provided further, That there is hereby enacted into law the amendment made by section 901 of S. 2582, as reported by the Committee on Foreign Relations of the Senate on April 18, 1984, except for subsection (c) of the section enacted by this proviso: Provided further, That the Secretary of the Treasury shall instruct the United States Executive Director to undertake negotiations to ensure, to the maximum extent possible consistent with the effective use of resources, that the amount of development credits made available to sub-Saharan Africa through the seventh replenishment shall equal or exceed the amount of development credits made available to sub-Saharan Africa through the sixth replenishment.

CONTRIBUTION TO THE INTER-AMERICAN DEVELOPMENT BANK

For payment to the Inter-American Development Bank by the Secretary of the Treasury for the United States share of the increase in the resources of the Fund for Special Operations, as authorized by the Inter-American Development Bank Act, as amended (Public Law 86-147), \$72,500,000 to remain available until expended; and \$38,000,983 for the United States share of the increase in paid-in capital stock to remain available until expended; and \$10,000,000 for the United States share of the capital stock of the Inter-American Investment Corporation to remain available until expended: Provided, That there is hereby enacted into law title II of S. 2416, as introduced in the Senate on March 13, 1984: Provided further, That no such payment may be made while the United States Executive Director to the Bank is compensated by the Bank at a rate in excess of the rate provided for an individual occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, or while the alternate United States Executive Director for the Bank is compensated by the Bank at a rate in excess of the rate provided for an individual occupying a position at level V of the Executive Schedule under section 5316 of title 5, United States Code.

Limitation on callable capital subscriptions

The United States Governor of the Inter-American Development Bank may subscribe without fiscal year limitation to the callable capital portion of the United States share of such increase in capital stock in an amount not to exceed \$806,464,582.

CONTRIBUTION TO THE ASIAN DEVELOPMENT BANK

For payment to the Asian Development Bank by the Secretary of the Treasury, for the paid-in share portion of the United States share of the increase in capital stock, \$13,232,676 to remain available until expended; and for the United States contribution to the increases in resources of the Asian Development Fund, as authorized by the Asian Development Bank Act, as amended (Public Law 98-369), \$100,000,000, to remain available until expended: Provided, That no such payment may be made while the United States Director of the Bank is compensated by the Bank at a rate which, together with whatever compensation such Director receives from the United States, is in excess of the rate provided for an individual occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, or while any alternate United States Director to the Bank is compensated by the Bank in excess of the rate provided for an individual occupying a position at level V of the Executive Schedule under section 5316 of title 5, United States Code.

Limitation on callable capital subscriptions

The United States Governor of the Asian Development Bank may subscribe without fiscal year limitation to the callable capital portion of the United States share of such increase in capital stock in an amount not to exceed \$251,367,220.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

For payment to the African Development Fund by the Secretary of the Treasury, \$50,000,000, for the United States contribution to the third replenishment of the African Development Fund, to remain available until expended.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

For payment to the African Development Bank by the Secretary of the Treasury, for the paid-in share portion of the United States share of the increase in capital stock, \$17,987,678 to remain available until expended: Provided, That no such payment may be made while the United States Executive Director to the Bank is compensated by the Bank at a rate in excess of the rate provided for an individual occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, or while the alternate United States Executive Director to the Bank is compensated by the Bank at a rate in excess of the rate provided for an individual occupying a position at level V of the Executive Schedule under section 5316 of title 5, United States Code.

Limitation on callable capital subscriptions

The United States Governor of the African Development Bank may subscribe without fiscal year limitation to the callable capital portion of the United States share of such capital stock in an amount not to exceed \$53,960,036.

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

For necessary expenses to carry out the provisions of sections 301 and 103(g) of the Foreign Assistance Act of 1961, and of section 2 of the United Nations Environment Program Participation Act of 1983, \$358,676,500: Provided, That no funds shall be available for the United Nations Fund for Science and Technology: Provided further, That the total amount of funds made available by this paragraph shall be available only as follows: \$165,000,000 for the United Nations Development Program; \$53,500,000 for the United Nation's Children's Fund; \$2,000,000 for the World Food Program; \$2,000,000 for the United Nations Capital Development Fund; \$500,000 for the United Nations Voluntary Fund for the Decade for Women; \$2,000,000 for the World Meteorological Organization Voluntary Cooperation Program; \$14,814,000 for the International Atomic Energy Agency; \$10,000,000 for the United Nations Environment Program; \$1,000,000 for the United Nations Educational and Training Program for South Africa; \$500,000 for the United Nations Institute for Namibia; \$343,000 for the United Nations Trust Fund for South Africa; \$422,000 for the United Nations Institute for Training and Research; \$200,000 for the Convention on International Trade in Endangered Species; \$90,000,000 for the International Fund for Agricultural Development; \$449,000 for the United Nations Fellowship Program; \$100,000 for the UNIDO Investment Promotion Service; \$248,500 for the World Heritage Fund; \$100,000 for the United Nations Voluntary Fund for Victims of Torture; and \$15,500,000 for the Organization of American States.

**TITLE II—BILATERAL ECONOMIC ASSISTANCE FUNDS
APPROPRIATED TO THE PRESIDENT**

For expenses necessary to enable the President to carry out the provisions of the Central America Democracy, Peace and Development Initiative Act of 1984, the Foreign Assistance Act of 1961, and for other purposes, to remain available until September 30, 1985, unless otherwise specified herein, as follows:

AGENCY FOR INTERNATIONAL DEVELOPMENT

Agriculture, rural development and nutrition, Development Assistance: For necessary expenses to carry out the provisions of section 103, \$745,551,000: Provided, That of this amount the funds provided for loans shall remain available for obligation until September 30, 1986: Provided further, That notwithstanding any other provision of law, up to \$10,000,000 of the funds appropriated under this heading may be available for agricultural activities in Poland which are managed by the Polish Catholic Church or other nongovernmental organizations, which sum shall remain available until September

30, 1986, except that \$5,000,000 of the funds made available by this proviso may not be obligated or expended until October 1, 1985: Provided further, That of the funds made available under this paragraph not more than \$1,700,000 shall be available for Uganda except as provided through the regular notification process of the Committees on Appropriations: Provided further, That in addition to amounts otherwise appropriated by this Act to carry out the provisions of section 103, there is hereby appropriated \$10,000,000 which shall be used only for nutrition activities not previously justified to the Committees on Appropriations, with such assistance to be provided through private and voluntary organizations and international organizations wherever appropriate.

Population, Development Assistance: For necessary expenses to carry out the provisions of section 104(b), \$290,000,000: Provided, That of this amount the funds provided for loans shall remain available for obligation until September 30, 1986: Provided further, That none of the funds appropriated under this heading may be available for the World Health Organization's Special Program of Research, Development and Research Training in Human Reproduction: Provided further, That not less than \$46,000,000 or 16 percent of the amount appropriated under this paragraph, whichever is lower, shall be available only to support the United Nations Fund for Population Activities: Provided further, That none of the funds appropriated under this paragraph may be available to any country which includes as part of its population planning programs involuntary abortion: Provided further, That none of the funds appropriated under this paragraph may be available to any organization which includes as part of its population planning programs involuntary abortion: Provided further, that it is the sense of the House of Representatives to reaffirm its commitment to United States population assistance, as authorized by section 104 of the Foreign Assistance Act of 1961 and as appropriated by the Foreign Assistance and Related Programs Appropriations Act, 1982. It is further the sense of the House of Representatives that United States population assistance shall be administered in accordance with and faithful to these laws as interpreted by AID's 1982 "Policy Paper: Population Assistance" and that no funds shall be denied to multilateral as well as nongovernmental and private and voluntary organizations because of their participation, paid for by funds other than those appropriated by the Congress, in activities conducted in accordance with all applicable United States Federal laws and regulations.

Health, Development Assistance: For necessary expenses to carry out the provisions of section 104(c), \$173,138,000: Provided, That of this amount the funds provided for loans shall remain available for obligation until September 30, 1986: Provided further, That not less than \$42,000,000 of the funds appropriated under this paragraph shall be available only for Africa: Provided further, That in addition to amounts otherwise appropriated by this Act to carry out the provisions of section 104(c) there is hereby appropriated \$50,000,000, which shall be available only for the delivery of primary and related health care services, and basic health care education (primarily oral rehydration and immunization programs) activities not previously justified to the Committees on Appropriations, with such as-

assistance to be provided through private and voluntary organizations and international organizations wherever appropriate.

Child Survival Fund: For necessary expenses to carry out the provisions of the "Child Survival Fund", \$25,000,000.

Education and human resources development, Development Assistance: For necessary expenses to carry out the provisions of section 105, \$188,833,000: Provided, That of this amount the funds provided for loans shall remain available for obligation until September 30, 1986: Provided further, That \$4,000,000 of this amount shall be available only for scholarships for South African students in accordance with the last sentence of section 105(a) of the Foreign Assistance Act of 1961 (as added by title III of the International Security and Development Cooperation Act of 1981).

Energy and selected development activities, Development Assistance: For necessary expenses to carry out the provisions of section 106, \$190,000,000: Provided, That of this amount the funds provided for loans shall remain available for obligation until September 30, 1986: Provided further, That of the funds appropriated under this paragraph, \$2,000,000 shall be transferred to and made available for "Science and technology, Development Assistance", which sum shall be made available only for cooperative projects among the United States, Israel and developing countries.

Transfer of funds for Zimbabwe: Of the funds appropriated to carry out the provisions of sections 103 through 106, \$15,000,000 previously justified to the Committees on Appropriations shall be transferred to the Economic Support Fund for Zimbabwe.

Central America Development Assistance: Of the funds appropriated to carry out the provisions of sections 103 through 106, not more than \$225,000,000 shall be available for Central America except as provided through the regular notification process of the Committees on Appropriations.

Private and Voluntary Organizations: None of the funds appropriated or otherwise made available in this Act for development assistance may be made available after January 1, 1986, to any United States private and voluntary organization, except any cooperative development organization, which obtains less than 25 percent of its total annual funding for international activities from sources other than the United States Government, notwithstanding section 123(g) of the Foreign Assistance Act of 1961.

Science and technology, Development Assistance: For necessary expenses to carry out the provisions of section 106, \$10,000,000: Provided, That the amounts provided for loans to carry out the purposes of this paragraph shall remain available for obligation until September 30, 1986.

Private sector revolving fund: For necessary expenses to carry out the provisions of section 108 of the Foreign Assistance Act of 1961, as amended, not to exceed \$20,000,000 to be derived by transfer from funds appropriated to carry out the provisions of chapter 1 of part I of such Act, to remain available until expended. During 1985, obligations for assistance from amounts in the revolving fund account under section 108 shall not exceed \$20,000,000.

Loan allocation, Development Assistance: In order to carry out the provisions of part I, the Administrator of the Agency responsible for administering such part may furnish loan assistance pursuant to

existing law and on such terms and conditions as he may determine: *Provided, That to the maximum extent practicable, loans to private sector institutions, from funds made available to carry out the provisions of sections 103 through 106, shall be provided at or near the prevailing interest rate paid on Treasury obligations of similar maturity at the time of obligating such funds: Provided further, That loans made to countries whose annual per capita gross national product is greater than \$805 but less than \$1,301 shall be repayable within twenty-five years following the date on which funds are initially made available under such loans and loans to countries whose annual per capita gross national product is greater than or equal to \$1,301 shall be repayable within twenty years following the date on which funds are initially made available under such loans.*

American schools and hospitals abroad: For necessary expenses to carry out the provisions of section 214, \$30,000,000: Provided, That the Secretary of State shall conduct a study addressing what means would be most appropriate to continue financial assistance to the American University of Beirut and the American University of Cairo in future years in view of the value of the Universities to the interests of the United States in the Middle East, including the possibility of establishing a trust fund: Provided further, That the results of this study shall be provided to the chairmen of the Committee on Appropriations and the Committee on Foreign Affairs of the House of Representatives and the chairmen of the Committee on Appropriations and the Committee on Foreign Relations of the Senate no later than January 1, 1985: Provided further, That the Secretary is directed to consult with the Committees on Appropriations during the development of this study.

International disaster assistance: For necessary expenses to carry out the provisions of section 491, \$25,000,000, to remain available until expended.

Sahel development program: For necessary expenses to carry out the provisions of section 121, \$97,500,000, to remain available until expended: Provided, That no part of such appropriation may be available to make any contribution of the United States to the Sahel development program in excess of 10 percent of the total contributions to such program.

Overseas training and special development activities (foreign currency program): For necessary expenses as authorized by section 612, \$1,100,000 in foreign currencies which the Treasury Department declares to be excess to the normal requirements of the United States.

Payment to the Foreign Service Retirement and Disability Fund: For payment to the "Foreign Service Retirement and Disability Fund", as authorized by the Foreign Service Act of 1980, \$40,562,000.

Economic support fund: For necessary expenses to carry out the provisions of chapter 4 of part II, \$3,826,000,000: Provided, That of the funds appropriated under this paragraph, not less than \$1,200,000,000 shall be available only for Israel, which sum shall be available on a grant basis as a cash transfer and shall be provided before January 1, 1985: Provided further, That not less than \$815,000,000 shall be available only for Egypt, which sum shall be provided on a grant basis and of which \$100,000,000 shall be pro-

vided as cash transfer: Provided further, That it is the sense of the Congress that the recommended levels of assistance for Egypt are based in great measure upon the continued participation of Egypt in the Camp David Accords and upon the Egyptian-Israeli peace treaty; and that Egypt and Israel are urged to renew actively their efforts to restore a full diplomatic relationship and achieve realization of the Camp David Accords: Provided further, That \$75,000,000 of the funds appropriated under this paragraph shall be made available for programs or activities for sub-Saharan Africa not previously justified to the Committees on Appropriations: Provided further, That not more than \$195,000,000 of the funds appropriated under this paragraph shall be provided for El Salvador: Provided further, That any of the funds appropriated under this paragraph for El Salvador which are placed in the Central Reserve Bank of El Salvador shall be maintained in a separate account and not commingled with any other funds, except that such funds may be obligated and expended notwithstanding provisions of law, which are inconsistent with the cash transfer nature of this assistance, or which are referenced in the Joint Explanatory Statement of the Committee of Conference accompanying House Joint Resolution 648: Provided further, That notwithstanding section 660 of the Foreign Assistance Act of 1961, not less than \$6,000,000 shall be available for programs and projects in El Salvador to promote the creation of judicial investigative capabilities, protection for key participants in pending judicial cases, and modernization of penal and evidentiary codes: Provided further, That \$15,000,000 shall be available only for Cyprus, and that none of these funds shall be used to support refugee housing construction or rent subsidies: Provided further, That not less than \$20,000,000 shall be available only for Tunisia: Provided further, That not less than \$5,000,000 shall be available only to assist Central American countries to develop energy self-sufficiency, to identify and utilize indigenous resources to improve economic development, and to reduce reliance on imported energy: Provided further, That none of the funds appropriated under this paragraph shall be available for the Central American Regional Program except as provided through the regular notification process of the Committees on Appropriations: Provided further, That not more than \$12,500,000 of the funds appropriated under this paragraph shall be available for Guatemala, and that such funds may be made available only for development activities consistent with the objectives of sections 103 through 106 of the Foreign Assistance Act of 1961 that are aimed directly at improving the lives of the poor in that country, especially the indigenous population in the highlands: Provided further, That none of the funds appropriated under this paragraph shall be available for Guatemala except in accordance with the regular notification process of the Committees on Appropriations: Provided further, That not more than \$10,000,000 of the funds appropriated under this paragraph shall be available for Zaire.

Peacekeeping operations: For necessary expenses to carry out the provisions of section 551, \$44,000,000.

Operating expenses of the Agency for International Development: For necessary expenses to carry out the provisions of section 667, \$391,533,250: Provided, That not more than \$20,000,000 of this

amount shall be for Foreign Affairs Administrative Support: Provided further, That none of the funds appropriated or made available (other than funds appropriated or made available by this paragraph) pursuant to this Act for carrying out the Foreign Assistance Act of 1961, may be used for the operating expenses of the Agency for International Development: Provided further, That except to the extent that the Administrator of the Agency for International Development determines otherwise, not less than 10 percent of the aggregate of the funds made available for the fiscal year 1985 to carry out chapter 1 of part I of the Foreign Assistance Act of 1961 shall be made available only for activities of economically and socially disadvantaged enterprises (within the meaning of section 133(c)(5) of the International Development and Food Assistance Act of 1977), historically black colleges and universities, and private and voluntary organizations which are controlled by individuals who are black Americans, Hispanic Americans, or Native Americans, or who are economically and socially disadvantaged (within the meaning of section 133(c)(5) (B) and (C) of the International Development and Food Assistance Act of 1977). For purposes of this section, economically and socially disadvantaged individuals shall be deemed to include women.

Trade credit insurance program: During the fiscal year 1985, total commitments to guarantee or insure loans for the "Trade credit insurance program" shall not exceed \$300,000,000 of contingent liability for loan principal.

Trade and development: For necessary expenses to carry out the provisions of section 661, \$21,000,000.

Housing and other credit guaranty programs: For payment to the reserve fund established by section 223 of the Foreign Assistance Act of 1961, \$40,000,000, to remain available until expended: Provided, That such amounts shall be available for expenditure in discharge of guarantees extended prior to enactment of this Act. During the fiscal year 1985, total commitments to guarantee loans shall not exceed \$160,000,000 of contingent liability for loan principal.

AFRICAN DEVELOPMENT FOUNDATION

For necessary expenses to carry out the provisions of title V of the International Security and Development Cooperation Act of 1980, Public Law 96-533, and to make such contracts and commitments without regard to fiscal year limitations, as provided by section 9104, title 31, United States Code, \$1,000,000: Provided, That the unobligated balances as of September 30, 1984, of funds heretofore made available for the African Development Foundation are hereby continued available for the fiscal year 1985 for the use of the African Development Foundation.

INTER-AMERICAN FOUNDATION

For expenses necessary to carry out the functions of the Inter-American Foundation in accordance with the provisions of section 401 of the Foreign Assistance Act of 1969, and to make such contracts and commitments without regard to fiscal year limitations, as provided by section 9104, title 31, United States Code, \$11,992,000.

OVERSEAS PRIVATE INVESTMENT CORPORATION

The Overseas Private Investment Corporation is authorized to make such expenditures within the limits of funds available to it and in accordance with law (including not to exceed \$35,000 for official reception and representation expenses), and to make such contracts and commitments without regard to fiscal year limitations, as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the program set forth in the budget for the current fiscal year.

During the fiscal year 1985 and within the resources and authority available, gross obligations for the amount of direct loans shall not exceed \$15,000,000.

During the fiscal year 1985, total commitments to guarantee loans shall not exceed \$150,000,000 of contingent liability for loan principal.

INDEPENDENT AGENCY

PEACE CORPS

For expenses necessary to carry out the provisions of the Peace Corps Act (75 Stat. 612), \$128,600,000: Provided, That none of the funds appropriated in this paragraph shall be used to pay for abortions.

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL

For necessary expenses to carry out the provisions of section 481, \$50,217,000.

MIGRATION AND REFUGEE ASSISTANCE

For expenses, not otherwise provided for, necessary to enable the Secretary of State to provide, as authorized by law, a contribution to the International Committee of the Red Cross and assistance to refugees, including contributions to the Intergovernmental Committee for European Migration and the United Nations High Commissioner for Refugees; salaries and expenses of personnel and dependents as authorized by the Foreign Service Act of 1980, allowances as authorized by sections 5921 through 5925 of title 5, United States Code; hire of passenger motor vehicles; and services as authorized by section 3109 of title 5, United States Code; \$325,500,000: Provided, That not less than \$15,000,000 shall be available for Soviet, Eastern European and other refugees resettling in Israel, of which \$2,500,000 shall be available for Ethiopian Jews: Provided further, That these funds shall be administered in a manner that insures equity in the treatment of all refugees receiving Federal assistance: Provided further, That no funds herein appropriated shall be used to assist directly in the migration to any nation in the Western Hemisphere of any person not having a security clearance based on reasonable standards to insure against Communist infiltration in the Western Hemisphere: Provided further, That no more than \$8,150,396 of the funds appropriated under this heading shall be available for the

administrative expenses of the Office of Refugee Programs of the Department of State.

ANTI-TERRORISM ASSISTANCE

For necessary expenses to carry out the provisions of chapter 8 of part II, \$5,000,000.

TITLE III—MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

MILITARY ASSISTANCE

For necessary expenses to carry out the provisions of section 503 of the Foreign Assistance Act of 1961, including administrative expenses and purchase of passenger motor vehicles for replacement only for use outside of the United States, \$805,100,000: Provided, That of the funds appropriated under this paragraph, not more than \$111,750,000 shall be available for El Salvador and not more than \$215,000,000 shall be available for Turkey: Provided further, That of the funds appropriated under this paragraph, not more than \$4,000,000 shall be available for Zaire, except as provided through the regular notification process of the Committees on Appropriations: Provided further, That of the funds provided for El Salvador under this paragraph half the amount shall be available for obligation and expenditure October 1, 1984, and the remaining half March 1, 1985: Provided further, That in the event of an emergency certified by the President funds herein appropriated to be obligated for El Salvador after March 1, 1985, may be obligated in advance of that date, only if the Committees on Appropriations are notified at least fifteen days in advance: Provided further, That before the date of March 1, 1985, the administration shall consult with the Committees on Appropriations in regard to reduction and punishment of death squad activities, elimination of corruption and misuse of governmental funds, development of an El Salvadoran plan to improve the performance of the military, and progress toward discussions leading to a peaceful resolution of the conflict, with it being the direction of the Congress of the United States that military assistance funds available in the second half of fiscal year 1985 for El Salvador not be obligated until substantial progress has been made on each of the above points: Provided further, That \$5,000,000 of the amount made available by this Act for military assistance and financing for El Salvador under chapters 2 and 5 of part II of the Foreign Assistance Act of 1961 and under the Arms Export Control Act may not be expended until the Government of El Salvador has (1) substantially concluded all investigative action with respect to those responsible for the January, 1981 deaths of the two United States land reform consultants Michael Hammer and Mark Pearlman and the Salvadoran Land Reform Institute Director Jose Rodolfo Viera, and (2) brought the accused to trial and obtained a verdict: Provided further, That funds appropriated under this paragraph may be made available for Turkey only if the President certifies to the Congress (a) that the United States Government is acting with urgency and determination to oppose any actions

aimed at effecting a permanent bifurcation of Cyprus; and is calling upon the Government of Turkey to take without delay all necessary steps to reverse the illegal action declaring an independent state and to promote, pursuant to pertinent United Nations resolutions, the full political and economic unity of the Republic of Cyprus; and (b) that Turkey is making efforts to ensure that the Turkish Cypriot community is not taking any actions with regard to the region of Famagusta/Varosha which would prejudice the outcome or otherwise impede intercommunal talks on the future of Cyprus: Provided further, That none of the funds made available by this paragraph may be obligated or expended for the construction or operation of a Regional Military Training Center in Honduras except as provided through the regular notification process of the Committees on Appropriations and until the President provides to the Committees on Appropriations of the Senate and the House of Representatives (1) a report that the Government of Honduras has provided a site for such a Center and assumed responsibility for any competing claims to rights of use or ownership of such site, and has provided written assurances to make that site available on a long-term basis for training by the armed forces of other friendly countries in the region as well as those of Honduras; (2) a detailed plan, with specific cost estimates, for the construction of such a Center at the site provided by the Government of Honduras; and (3) a determination that the Government of Honduras recognizes the need to compensate as required by international law the United States citizen who claims injury from the establishment and operation of the existing Center, and that it is taking appropriate steps to discharge its obligations under international law, in particular the Treaty of Friendship, Commerce and Consular Rights with the United States, as well as its letter of December 14, 1983, to the United States Trade Representative: Provided further, That the President shall report to the Committees sixty days after the passage of this resolution and again in one hundred and twenty days on progress in resolving this claim; in one hundred and eighty days, the President shall report on the resolution of the claim or, if Honduras has failed to resolve the claim, on the actions which he proposes to take in response to the situation and in particular actions with respect to the granting of preferential trade benefits under the Caribbean Basin Initiative, disbursement of economic support funds or any other funds provided under this resolution and review of the status of Honduras under other, expropriation-related legislation.

SPECIAL DEFENSE ACQUISITION FUND

(LIMITATION ON OBLIGATIONS)

There are authorized to be made available for the Special Defense Acquisition Fund for the fiscal year 1985, \$325,000,000.

INTERNATIONAL MILITARY EDUCATION AND TRAINING

For necessary expenses to carry out the provisions of section 541, \$56,221,000.

FOREIGN MILITARY CREDIT SALES

For necessary expenses to enable the President to carry out the provisions of section 23 of the Arms Export Control Act, \$4,939,500,000, of which not less than \$1,400,000,000 shall be available only for Israel and not less than \$1,175,000,000 shall be available only for Egypt: Provided, That of the amount made available for Israel under this paragraph, up to \$150,000,000 shall be made available for research and development activities in the United States for the Lavi program, and not less than \$250,000,000 shall be for the procurement in Israel of defense articles and services, including research and development, for the Lavi program: Provided further, That during fiscal year 1985, gross obligations for the principal amount of direct loans, exclusive of loan guarantee defaults, shall not exceed \$4,939,500,000: Provided further, That section 102 of S. 2346, as introduced on February 27, 1984, is hereby enacted: Provided further, That credits (or participation in credits) extended under this Act for Greece for the fiscal year 1985 shall be at a rate of interest equal to the rate of interest charged on such credits extended for Turkey for the fiscal year 1985: Provided further, That no credits may be extended and no guarantees may be issued under this paragraph for Turkey for the fiscal year 1985 if the extension of such credits or the issuance of such guarantees would cause the sum of such credits and guarantees provided for Turkey for such fiscal year to exceed \$485,000,000: Provided further, That of the funds available in this paragraph not less than \$50,000,000 shall be available for Tunisia, not more than \$15,000,000 shall be available for the Philippines: Provided further, That none of the funds available in this paragraph shall be available for Guatemala: Provided further, That concessional interest rates available under this paragraph shall not be less than five percent: Provided further, That all country and funding level changes in requested concessional financing allocations shall be submitted through the regular notification process of the Committees on Appropriations: Provided further, That it is the sense of the Congress that no sales of sophisticated weaponry—specifically advanced aircraft, new air defense weapons systems or other new advanced military weapons systems be made to Jordan unless the Government of Jordan is publicly committed to the recognition of Israel and to prompt entry into serious peace negotiations with Israel.

GUARANTEE RESERVE FUND

For necessary expenses to carry out the provisions of section 24 of the Arms Export Control Act, \$109,000,000, to remain available until expended: Provided, That this sum is available only for the Guarantee Reserve Fund notwithstanding any other provision of the Foreign Assistance Act of 1961 or the Arms Export Control Act.

TITLE IV—EXPORT-IMPORT BANK OF THE UNITED STATES

The Export-Import Bank of the United States is authorized to make such expenditures within the limits of funds and borrowing authority available to such corporation, and in accordance with law, and to make such contracts and commitments without regard

to fiscal year limitations, as provided by section 104 of the Government Corporation Control Act, as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such corporation: Provided, That none of the funds available during the current fiscal year may be used to make expenditures, contracts, or commitments for the export of nuclear equipment, fuel, or technology to any country other than a nuclear-weapon State as defined in article IX of the Treaty on the Non-Proliferation of Nuclear Weapons eligible to receive economic or military assistance under this Act that has detonated a nuclear explosive after the date of enactment of this Act.

LIMITATION OF PROGRAM ACTIVITY

During the fiscal year 1985 and within the resources and authority available, gross obligations for the principal amount of direct loans shall not exceed \$3,865,000,000: Provided, That during the fiscal year 1985, total commitments to guarantee loans shall not exceed \$10,000,000,000 of contingent liability for loan principal.

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed \$18,900,000 (to be computed on an accrual basis) shall be available during the current fiscal year for administrative expenses, including hire of passenger motor vehicles and services as authorized by section 3109 of title 5, United States Code, and not to exceed \$16,000 for entertainment allowances for members of the Board of Directors: Provided, That (1) fees or dues to international organizations of credit institutions engaged in financing foreign trade, (2) necessary expenses (including special services performed on a contract or fee basis, but not including other personal services) in connection with the acquisition, operation, maintenance, improvement, or disposition of any real or personal property belonging to the Export-Import Bank or in which it has an interest, including expenses of collections of pledged collateral, or the investigation or appraisal of any property in respect to which an application for a loan has been made, and (3) expenses (other than internal expenses of the Export-Import Bank) incurred in connection with the issuance and servicing of guarantees, insurance, and reinsurance, shall be considered as nonadministrative expenses for the purposes of this paragraph.

TITLE V—GENERAL PROVISIONS

SEC. 501. None of the funds appropriated in this Act (other than funds appropriated for "International organizations and programs") shall be used to finance the construction of any new flood control, reclamation, or other water or related land resource project or program which has not met the standards and criteria used in determining the feasibility of flood control, reclamation, and other water and related land resource programs and projects proposed for construction within the United States of America under the principles, standards and procedures established pursuant to the Water Resources Planning Act (42 U.S.C. 1962, et seq.) or Acts amendatory or supplementary thereto.

SEC. 502. Except for the appropriations entitled "International disaster assistance", "United States emergency refugee and migration assistance fund" and the special requirements fund within the appropriation entitled "Economic support fund", not more than 15 per centum of any appropriation item made available by this Act for the current fiscal year shall be obligated or reserved during the last month of availability.

SEC. 503. None of the funds appropriated in this Act nor any of the counterpart funds generated as a result of assistance hereunder or any prior Act shall be used to pay pensions, annuities, retirement pay, or adjusted service compensation for any person heretofore or hereafter serving in the armed forces of any recipient country.

SEC. 504. None of the funds appropriated or made available pursuant to this Act for carrying out the Foreign Assistance Act of 1961, may be used for making payments on any contract for procurement to which the United States is a party entered into after the date of enactment of this Act which does not contain a provision authorizing the termination of such contract for the convenience of the United States.

SEC. 505. None of the funds appropriated or made available pursuant to this Act for carrying out the Foreign Assistance Act of 1961, may be used to pay in whole or in part any assessments, arrearages, or dues of any member of the United Nations.

SEC. 506. None of the funds contained in title II of this Act may be used to carry out the provisions of section 209(d) of the Foreign Assistance Act of 1961.

SEC. 507. Of the funds appropriated or made available pursuant to this Act, not to exceed \$110,000 shall be for official residence expenses of the Agency for International Development during the current fiscal year: Provided, That appropriate steps be taken to assure that, to the maximum extent possible, United States-owned foreign currencies are utilized in lieu of dollars.

SEC. 508. Of the funds appropriated or made available pursuant to this Act, not to exceed \$10,000 shall be for entertainment expenses of the Agency for International Development during the current fiscal year.

SEC. 509. Of the funds appropriated or made available pursuant to this Act, not to exceed \$100,000 shall be for representation allowances for the Agency for International Development during the current fiscal year: Provided, That appropriate steps shall be taken to assure that, to the maximum extent possible, United States-owned foreign currencies are utilized in lieu of dollars: Provided further, That of the total funds made available by this Act under the headings "Military assistance" and "Foreign military credit sales", not to exceed \$2,500 shall be available for entertainment expenses and not to exceed \$70,000 shall be available for representation allowances: Provided further, That of the funds made available by this Act under the heading "International military education and training", not to exceed \$125,000 shall be available for entertainment allowances: Provided further, That of the funds made available by this Act for the Inter-American Foundation, not to exceed \$2,500 shall be available for entertainment and representation allowances: Provided further, That of the funds made available by this Act for

the Peace Corps, not to exceed a total of \$4,000 shall be available for entertainment expenses.

SEC. 510. None of the funds appropriated or made available (other than funds for "International organizations and programs") pursuant to this Act for carrying out the Foreign Assistance Act of 1961, may be used to finance the export of nuclear equipment, fuel, technology or to provide assistance for the training of foreign nationals in nuclear fields.

SEC. 511. Funds appropriated by this Act may not be obligated or expended to provide assistance to any country for the purpose of aiding the efforts of the government of such country to repress the legitimate rights of the population of such country contrary to the Universal Declaration of Human Rights.

SEC. 512. None of the funds appropriated or made available pursuant to this Act shall be obligated or expended to finance directly any assistance to Mozambique, except that the President may waive this prohibition if he determines, and so reports to the Congress, that furnishing such assistance would further the foreign policy interests of the United States.

SEC. 513. None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to finance directly any assistance or reparations to Angola, Cambodia, Cuba, Iraq, Libya, Laos, the Socialist Republic of Vietnam, South Yemen, or Syria.

SEC. 514. None of the funds made available by this Act may be obligated under an appropriation account to which they were not appropriated without the written approval of the Appropriations Committees of both Houses of the Congress.

SEC. 515. Amounts certified pursuant to section 1311 of the Supplemental Appropriations Act, 1955, as having been obligated against appropriations heretofore made under the authority of the Foreign Assistance Act of 1961 for the same general purpose as any of the paragraphs under "Agency for International Development" are, if deobligated, hereby continued available for the same period as the respective appropriations in such paragraphs for the same general purpose and for the same country as originally obligated, or for activities in the Andean region: Provided, That the Appropriations Committees of both Houses of the Congress are notified fifteen days in advance of the deobligation or reobligation of such funds.

SEC. 516. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes within the United States not authorized before the date of enactment of this Act by Congress.

SEC. 517. No part of any appropriation contained in this Act shall remain available for obligation after the expiration of the current fiscal year unless expressly so provided in this Act.

SEC. 518. No part of any appropriation contained in this Act shall be used to furnish assistance to any country which is in default during a period in excess of one calendar year in payment to the United States of principal or interest on any loan made to such country by the United States pursuant to a program for which funds are appropriated under this Act.

SEC. 519. None of the funds appropriated or made available pursuant to this Act shall be available to any international financial

institution whose United States representative cannot upon request obtain the amounts and the names of borrowers for all loans of the international financial institution, including loans to employees of the institution, or the compensation and related benefits of employees of the institution.

SEC. 520. None of the funds appropriated or made available pursuant to this Act shall be available to any international financial institution whose United States representative cannot upon request obtain any document developed by the management of the international financial institution.

SEC. 521. None of the funds appropriated or otherwise made available by this Act to the Export-Import Bank and funds appropriated by this Act for direct foreign assistance may be obligated for any government which aids or abets, by granting sanctuary from prosecution to, any individual or group which has committed or is being sought by any other government for prosecution for any war crime or an act of international terrorism, unless the President finds that the national security requires otherwise.

SEC. 522. None of the funds appropriated or made available pursuant to this Act for direct assistance and none of the funds otherwise made available pursuant to this Act to the Export-Import Bank and the Overseas Private Investment Corporation shall be obligated or expended to finance any loan, any assistance or any other financial commitments for establishing or expanding production of any commodity for export by any country other than the United States, if the commodity is likely to be in surplus on world markets at the time the resulting productive capacity is expected to become operative and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity: Provided, That such prohibition shall not apply to the Export-Import Bank if in the judgment of its Board of Directors the benefits to industry and employment in the United States are likely to outweigh the injury to United States producers of the same, similar, or competing commodity.

SEC. 524. The Secretary of the Treasury shall instruct the United States Executive Directors of the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Inter-American Development Bank, the International Monetary Fund, the Asian Development Bank, the Inter-American Investment Corporation, the African Development Bank, and the African Development Fund to use the voice and vote of the United States to oppose any assistance by these institutions, using funds appropriated or made available pursuant to this Act, for the production of any commodity for export, if it is in surplus on world markets and if the assistance will cause substantial injury to the United States producers of the same, similar, or competing commodity.

SEC. 525. None of the funds made available under this Act for "Agriculture, rural development and nutrition, Development Assistance", "Population, Development Assistance", "Child Survival Fund", "Health, Development Assistance", "Education and human resources development, Development Assistance", "Energy, private voluntary organizations, and selected development activities, Development Assistance", "Science and technology, Development Assist-

ance", "International organizations and programs", "American schools and hospitals abroad", "Sahel development program", "Trade and development program", "International narcotics control", "Economic support fund", "Peacekeeping operations", "Operating Expenses of the Agency for International Development", "Anti-Terrorism Assistance", "Military assistance", "International military education and training", "Foreign military credit sales", "Inter-American Foundation", "African Development Foundation", "Peace Corps", or "Migration and refugee assistance", shall be available for obligation for activities, programs, projects, type of material assistance, countries, or other operation not justified or in excess of the amount justified to the Appropriations Committees for obligation under any of these specific headings for the current fiscal year unless the Appropriations Committees of both Houses of Congress are previously notified fifteen days in advance.

SEC. 526. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 527. None of the funds appropriated under this Act may be used to lobby for abortion.

SEC. 528. None of the funds appropriated or otherwise made available under this Act may be available for any country during any three-month period beginning on or after October 1, 1984, immediately following a certification by the President to the Congress that the government of such country is failing to take adequate measures to prevent narcotic drugs or other controlled substances (as listed in the schedules in section 202 of the Comprehensive Drug Abuse and Prevention Control Act of 1971 (21 U.S.C. 812)) which are cultivated, produced, or processed illicitly, in whole or in part, in such country, or transported through such country from being sold illegally within the jurisdiction of such country to United States Government personnel or their dependents or from entering the United States unlawfully.

SEC. 529. Notwithstanding any other provision of law or this Act, none of the funds provided for "International organizations and programs" shall be available for the United States' proportionate share for any programs for the Palestine Liberation Organization, the Southwest Africa Peoples Organization, Libya, Iran, or Cuba.

SEC. 530. (a) Not later than January 31 of each year, or at the time of the transmittal by the President to the Congress of the annual presentation materials on foreign assistance, whichever is earlier, the President shall transmit to the Speaker of the House of Representatives and the President of the Senate a full and complete report which assesses, with respect to each foreign country, the degree of support by the government of each such country during the preceding twelve-month period for the foreign policy of the United States. Such report shall include, with respect to each such country which is a member of the United Nations, information to be compiled and supplied by the Permanent Representative of the United States to the United Nations, consisting of a comparison of the overall voting practices in the principal bodies of the United Nations

during the preceding twelve-month period of such country and the United States, with special note of the voting and speaking records of such country on issues of major importance to the United States in the General Assembly and the Security Council, and shall also include a report on actions with regard to the United States in important related documents such as the Non-Aligned Communiqué. A full compilation of the information supplied by the Permanent Representative of the United States to the United Nations for inclusion in such report shall be provided as an addendum to such report.

(b) None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to finance directly any assistance to a country which the President finds, based on the contents of the report required to be transmitted under subsection (a), is engaged in a consistent pattern of opposition to the foreign policy of the United States.

SEC. 531. Notwithstanding any other provision of law, Israel may utilize any loan which is or was made available under the Arms Export Control Act and for which repayment is or was forgiven before utilizing any other loan made available under the Arms Export Control Act.

SEC. 532. Funds appropriated under this Act may be made available for the procurement of construction or engineering services from advanced developing countries, eligible under the Geographic Code 941, which have attained a competitive capability in international markets for construction services or engineering services and which are receiving direct assistance under chapter 1 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961, notwithstanding section 604(g) of the Foreign Assistance Act of 1961: Provided, That this provision shall apply only in the case of those advanced developing countries that permit United States firms to compete for construction or engineering services financed from assistance programs of such countries.

SEC. 533. (a) Not later than thirty days after the date of entry into force of any memorandum of understanding or other international agreement between the United States Government and the Government of El Salvador regarding the use of local currencies generated from assistance furnished to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 or generated from the sale of agricultural commodities under the Agricultural Trade Development and Assistance Act of 1954, with respect to El Salvador, the President shall prepare and transmit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a report setting forth for each such memorandum or agreement—

- (1) the text of each such memorandum or agreement;
- (2) the status and description of each such memorandum or agreement, including the period of time covered, the amount of funding involved, and the sources of funding involved;
- (3) an explanation of the manner in which funds are to be used in El Salvador to—
 - (A) eliminate the climate of violence and civil strife;
 - (B) develop democratic institutions and processes;
 - (C) develop strong and free economies with diversified production for both external and domestic markets;

(D) make sharp improvement in the social conditions of the poorest Salvadorans; and

(E) improve substantially the distribution of income and wealth; and

(4) the degree of compliance by the Government of El Salvador with the provisions of such memorandum or agreement.

(b) Not later than thirty days after the date of enactment of this Act, the President shall prepare and transmit to the committees referred to in subsection (a) a report providing the information described by paragraphs (1) through (4) of subsection (a) with respect to any memorandum of understanding or other international agreement described by such subsection which is in effect on the date of enactment of this Act.

(c) Not later than six months after the date of entry into force of each memorandum of understanding or other international agreement described in subsection (a), and upon the date of termination of each such memorandum or agreement, the President shall prepare and transmit to the committees referred to in subsection (a) a report describing the progress achieved in carrying out the provisions of such memorandum or agreement, including the progress achieved in carrying out the provisions of clauses (A) through (E) of subsection (a)(3).

SEC. 534. The Congress finds that progress on the peace process in the Middle East is vitally important to United States security interests in the region. The Congress recognizes that, in fulfilling its obligations under the Treaty of Peace Between the Arab Republic of Egypt and the State of Israel, done at Washington on March 26, 1979, Israel incurred severe economic burdens. Furthermore, the Congress recognizes that an economically and militarily secure Israel serves the security interests of the United States, for a secure Israel is an Israel which has the incentive and confidence to continue pursuing the peace process. Therefore, the Congress declares that it is the policy and the intention of the United States that the funds provided in annual appropriations for the Economic Support Fund which are allocated to Israel shall not be less than the annual debt repayment (interest and principal) from Israel to the United States Government in recognition that such a principle serves United States interests in the region.

SEC. 535. In reaffirmation of the 1975 memorandum of agreement between the United States and Israel, and in accordance with section 909 of the International Security and Development Cooperation Act of 1984 as passed by the House of Representatives on May 10, 1984, no employee of or individual acting on behalf of the United States Government shall recognize or negotiate with the Palestine Liberation Organization or representatives thereof, so long as the Palestine Liberation Organization does not recognize Israel's right to exist, does not accept Security Council Resolutions 242 and 338, and does not renounce the use of terrorism.

SEC. 536. None of the funds made available in this Act shall be restricted for obligation or disbursement solely as a result of the policies of any multilateral institution.

SEC. 537. Notwithstanding any other provision of law, if at any time following the appropriation of funds herein the duly elected President of El Salvador should be deposed by military coup or

decree all funds appropriated herein for El Salvador and not theretofore obligated or expended shall not thereafter be available for expenditure or obligation unless reappropriated by Congress.

SEC. 538. Ceilings and earmarks contained in this Act shall not be applicable to funds or authorities appropriated or otherwise made available by any subsequent act unless such act specifically so directs.

SEC. 539. The Secretary of the Treasury and the Secretary of State are directed to submit to the Committees on Foreign Affairs and the Committees on Appropriations by February 1, 1985, a report on the domestic economic policies of those nations receiving economic assistance, either directly or indirectly from the United States including, where appropriate, an analysis of the foreign assistance programs conducted by these recipient nations.

SEC. 540. (a) To the maximum extent practicable, assistance for Haiti under chapter 1 of part I and under chapter 4 of part II of the Foreign Assistance Act of 1961 should be provided through private and voluntary organizations.

(b) Funds available for fiscal year 1985 to carry out chapter 1 of part I or chapter 4 or chapter 5 of part II of the Foreign Assistance Act of 1961 may be obligated for Haiti only if the President determines that the Government of Haiti—

(1) is continuing to cooperate with the United States in halting illegal emigration to the United States from Haiti;

(2) is cooperating fully in implementing United States development, food, and other economic assistance programs in Haiti (including programs for prior fiscal years); and

(3) is making progress toward improving the human rights situation in Haiti and progress toward implementing political reforms which are essential to the development of democracy in Haiti, such as progress toward the establishment of political parties, free elections, and freedom of the press.

(c) Six months after the date of the enactment of this Act and six months thereafter, the President shall report to the Congress on the extent to which the actions of the Government of Haiti are consistent with each paragraph of subsection (b).

(d) Notwithstanding the limitations of section 660 of the Foreign Assistance Act of 1961, funds made available under such Act may be used for programs with Haiti, which shall be consistent with prevailing United States refugee policies, to assist in halting significant illegal emigration from Haiti to the United States.

(e) Assistance may not be provided for Haiti for the fiscal year 1985 under chapter 2 of part II of the Foreign Assistance Act of 1961 or under the Arms Export Control Act.

SEC. 541. (a) Sections 116, 303, 311, 312, 703 and 1011 of H.R. 5119 as passed by the House of Representatives on May 10, 1984, are hereby enacted.

(b) Section 102 of this joint resolution shall not apply with respect to the provisions enacted by this section and to those provisions of S. 2346, S. 2416, and S. 2582 enacted by this Act.

SEC. 542. (a) Of the amounts made available by this Act for "Foreign Military Credit Sales" which are provided to Israel, and Egypt, Israel and Egypt shall be released from their contractual liability to repay the United States Government with respect to such credits.

(b) Of the amounts made available by this Act for "Foreign Military Credit Sales", the principal amount of loans provided at non-concessional interest rates which are provided for Greece, Korea, Philippines, Portugal, Somalia, Spain (as long as Spain is a member of the North Atlantic Treaty Organization), Sudan, Tunisia, and Turkey shall (if and to the extent each country so desires) be repaid in not more than twenty years, following a grace period of ten years on repayment of principal.

SEC. 543. Section 10 of Public Law 91-672 and section 15(a) of the State Department Basic Authorities Act of 1956 shall not apply with respect to funds and authorities appropriated or otherwise made available by this Act.

This Act may be cited as the "Foreign Assistance and Related Programs Appropriations Act, 1985".

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 the following:

(h) Such amounts as may be necessary for programs, projects or activities provided for in the Department of Defense Appropriation Act, 1985, at a rate of operations and to the extent and in the manner provided as follows, to be effective as if it had been enacted into law as the regular appropriation Act:

AN ACT Making appropriations for the Department of Defense for the fiscal year ending September 30, 1985, and for other purposes

TITLE I

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund; \$21,020,344,000.

MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; and for payments pursuant to section 156 of Public Law 97-377, as amended (42

U.S.C. 402 note), and to the Department of Defense Military Retirement Fund; \$15,660,246,000.

MILITARY PERSONNEL, MARINE CORPS

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except members of the Reserve provided for elsewhere); and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund; \$4,803,366,000.

MILITARY PERSONNEL, AIR FORCE

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund; \$17,572,005,000.

RESERVE PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army Reserve on active duty under sections 265, 3019, and 3033 of title 10, United States Code, or while serving on active duty under section 672(d) of title 10, United States Code, in connection with performing duty specified in section 678(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and for members of the Reserve Officers' Training Corps, and expenses authorized by section 2131 of title 10, United States Code, as authorized by law; and for payments to the Department of Defense Military Retirement Fund; \$2,084,100,000.

RESERVE PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Naval Reserve on active duty under section 265 of title 10, United States Code, or personnel while serving on active duty under section 672(d) of title 10, United States Code, in connection with performing duty specified in section 678(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Reserve Officers' Training Corps, and expenses authorized by section 2131 of title 10, United States Code, as authorized by law; and for payments to the Department of Defense Military Retirement Fund; \$1,127,700,000.

RESERVE PERSONNEL, MARINE CORPS

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Marine Corps Reserve on active duty under section 265 of title 10, United States Code, or while serving on active duty under section 672(d) of title 10, United States Code, in connection with performing duty specified in section 678(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Marine Corps platoon leaders class, and expenses authorized by section 2131 of title 10, United States Code, as authorized by law; and for payments to the Department of Defense Military Retirement Fund; \$268,700,000.

RESERVE PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air Force Reserve on active duty under sections 265, 8019, and 8033 of title 10, United States Code, or while serving on active duty under section 672(d) of title 10, United States Code, in connection with performing duty specified in section 678(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and for members of the Air Reserve Officers' Training Corps, and expenses authorized by section 2131 of title 10, United States Code, as authorized by law; and for payments to the Department of Defense Military Retirement Fund; \$564,500,000.

NATIONAL GUARD PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard while on duty under sections 265, 3033, or 3496 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 672(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 678(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 2131 of title 10, United States Code, as authorized by law; and for payments to the Department of Defense Military Retirement Fund; \$2,926,100,000.

NATIONAL GUARD PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under sections 265, 8033, or 8496 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 672(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 678(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 2131 of title 10, United States Code, as authorized by law; and for payments to the Department of Defense Military Retirement Fund; \$868,578,000.

TITLE II

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, as authorized by law; and not to exceed \$11,602,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes; \$18,411,078,000, of which not less than \$1,429,000,000 shall be available only for the maintenance of real property facilities.

OPERATION AND MAINTENANCE, NAVY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, as authorized by law; and not to exceed \$2,823,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Navy, and payments may be made on his certificate of necessity for confidential military purposes; \$25,116,241,000, of which not less than \$764,000,000 shall be available only for the maintenance of real property facilities, and of which \$10,500,000 shall be transferred to U.S. Coast Guard operating expenses for fixed costs associated with the operation of the polar icebreaker program: Provided, That of the total amount of this appropriation made available for the alteration, overhaul, and repair of naval vessels, not more than \$3,700,000,000 shall be available for the performance of such work in Navy shipyards: Provided further, That from the amounts of this appropriation for the alteration, overhaul and repair of naval vessels, funds shall be available for a test program to acquire the overhaul of two or more vessels by competition between public and private shipyards. The Secretary of the Navy shall certify, prior to award of a contract under this test, that the successful bid includes comparable estimates of all direct and indirect costs for both public and private shipyards. Competition under such test program shall not be subject to section 502 of the Department of Defense Authorization Act, 1981, as amended, or Office of Management and Budget Circular A-76: Provided further, That funds herein provided shall be available for payments in support of the LEASAT program in accordance with the terms of the Aide Memoire, dated January 5, 1981: Provided further, That obligations incurred or to be incurred hereafter for termination liability and charter hire in connection with the TAKX and T-5 programs, for which the Navy has already entered into agreement for charter and time charters including conversion or construction related to such agreements or charters shall, for the purposes of title 31, United States Code, (1) in regard to and so long as the Government remains liable for termination costs, be considered as obligations in the current Operation and Maintenance, Navy, appropriation account, to be held in reserve in the event such termination liability is incurred, in an amount equal to 10 per centum of the outstanding termination liability, and (2) in regard to charter hire, be considered

obligations in the Navy Industrial Fund with an amount equal to the estimated charter hire for the then current fiscal year recorded as an obligation against such fund. Obligations of the Navy under such time charters are general obligations of the United States secured by its full faith and credit.

OPERATION AND MAINTENANCE, MARINE CORPS

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Marine Corps, as authorized by law; \$1,640,294,000, of which not less than \$220,000,000 shall be available only for the maintenance of real property facilities.

OPERATION AND MAINTENANCE, AIR FORCE

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Air Force, as authorized by law, including the lease and associated maintenance of replacement aircraft for the CT-39 aircraft to the same extent and manner as authorized for service contracts by section 2306(g), title 10, United States Code; and not to exceed \$4,682,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Air Force, and payments may be made on his certificate of necessity for confidential military purposes; \$19,093,265,000, of which not less than \$1,250,000,000 shall be available only for the maintenance of real property facilities.

OPERATION AND MAINTENANCE, DEFENSE AGENCIES

For expenses, not otherwise provided for, necessary for the operation and maintenance of activities and agencies of the Department of Defense (other than the military departments), as authorized by law; \$7,067,469,000, of which not to exceed \$9,956,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payments may be made on his certificate of necessity for confidential military purposes: Provided, That not less than \$95,548,000 shall be available only for the maintenance of real property facilities.

OPERATION AND MAINTENANCE, ARMY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Army Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications; \$724,400,000, of which not less than \$42,485,000 shall be available only for maintenance of real property facilities.

OPERATION AND MAINTENANCE, NAVY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Navy Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and

equipment; and communications; \$827,181,000, of which not less than \$37,000,000 shall be available only for the maintenance of real property facilities.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications; \$58,642,000, of which not less than \$2,765,000 shall be available only for the maintenance of real property facilities.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Air Force Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications; \$872,461,000, of which not less than \$20,200,000 shall be available only for the maintenance of real property facilities.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For expenses of training, organizing, and administering the Army National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; hire of passenger motor vehicles; personnel services in the National Guard Bureau; travel expenses (other than mileage), as authorized by law for Army personnel on active duty, for Army National Guard division, regimental, and battalion commanders while inspecting units in compliance with National Guard regulations when specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Army National Guard as authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment (including aircraft); \$1,424,293,000, of which not less than \$44,000,000 shall be available only for the maintenance of real property facilities: Provided, That \$1,650,000 shall be available for the upgrade of the runway at the Devil's Lake Municipal Airport, Devil's Lake, North Dakota, to accommodate military troop transport aircraft.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For operation and maintenance of the Air National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, repair, and other necessary expenses of facilities for the training and administration of the Air National Guard, including repair of facilities, maintenance, operation, and modification of aircraft; transportation of things; hire of passenger motor vehicles; supplies, materials, and equipment, as authorized by law for the Air National Guard; and

expenses incident to the maintenance and use of supplies, materials, and equipment, including such as may be furnished from stocks under the control of agencies of the Department of Defense; travel expenses (other than mileage) on the same basis as authorized by law for Air National Guard personnel on active Federal duty, for Air National Guard commanders while inspecting units in compliance with National Guard regulations when specifically authorized by the Chief, National Guard Bureau; \$1,810,348,000, of which not less than \$43,700,000 shall be available only for the maintenance of real property facilities.

NATIONAL BOARD FOR THE PROMOTION OF RIFLE PRACTICE, ARMY

For the necessary expenses, in accordance with law, for construction, equipment, and maintenance of rifle ranges; the instruction of citizens in marksmanship; the promotion of rifle practice; and the travel of rifle teams, military personnel, and individuals attending regional, national, and international competitions; \$914,000, of which not to exceed \$7,500 shall be available for incidental expenses of the National Board; and from other funds provided in this Act, not to exceed \$680,000 worth of ammunition may be issued under authority of title 10, United States Code, section 4311: Provided, That competitors at national matches under title 10, United States Code, section 4312, may be paid subsistence and travel allowances in excess of the amounts provided under title 10, United States Code, section 4313.

CLAIMS, DEFENSE

For payment, not otherwise provided for, of claims authorized by law to be paid by the Department of Defense (except for civil functions), including claims for damages arising under training contracts with carriers, and repayment of amounts determined by the Secretary concerned, or officers designated by him, to have been erroneously collected from military and civilian personnel of the Department of Defense, or from States, territories, or the District of Columbia, or members of the National Guard units thereof; \$157,900,000.

COURT OF MILITARY APPEALS, DEFENSE

For salaries and expenses necessary for the United States Court of Military Appeals; \$2,870,000, and not to exceed \$1,500 can be used for official representation purposes.

ENVIRONMENTAL RESTORATION, DEFENSE

For expenses, not otherwise provided for, for environmental restoration programs, including hazardous waste disposal operations and removal of unsafe or unsightly buildings and debris of the Department of Defense, and including programs and operations at sites formerly used by the Department of Defense; \$314,000,000, of which, not to exceed \$6,000,000 shall be available for payment to the Anchorage School District for a share of the cost of removal and treatment of asbestos and related facility rehabilitation at the Bart-

lett-Begich Junior/Senior High School located on Fort Richardson, Alaska.

TITLE III

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; \$3,940,900,000, of which \$642,600,000 shall be available for the purchase of UH-60/EH-60 Blackhawk/Quickfix helicopters under a multiyear contract and \$431,900,000 shall be available for the purchase of CH-47 Chinook helicopter modifications under a multiyear contract; to remain available for obligation until September 30, 1987: Provided, That appropriations available herein shall be used to procure no less than eighteen AH-64 Apache attack helicopters for assignment to the Army National Guard.

MISSILE PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of missiles, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, as follows: For the Chaparral program, \$32,000,000; for Other Missile Support, \$9,300,000; for the Patriot program, \$976,400,000; for the Stinger program, \$209,600,000; for the Laser Hellfire program, \$225,000,000; for the TOW program, \$201,700,000; for the Pershing II program, \$370,000,000; for the MLRS program, \$541,400,000; for modification of missiles, \$208,800,000; for spares and repair parts, \$270,300,000; for support equipment and facilities, \$122,500,000; in all: \$3,167,000,000; to remain available for obligation until September 30, 1987.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For construction, procurement, production, and modification of weapons and tracked combat vehicles, equipment, including ord-

nance, spare parts and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; \$4,548,100,000; to remain available for obligation until September 30, 1987: Provided, That notwithstanding any other provision of this Act, none of the funds appropriated may be expended for the Division Air Defense system until—

(1) Initial production testing and the fiscal year 1985 operational testing of such system have been completed;

(2) The Secretary of Defense has reported to the Armed Services and Appropriations Committees of the Congress the results of the testing and has certified to the Committees that (a) additional production of the Division Air Defense system is in the national interest to counter the present and projected Soviet threat, and (b) the system satisfactorily meets all design and performance requirements, and

(3) A period of at least thirty days has elapsed after the day on which the Committees have received the report and certification, such date to be not later than sixty days after the completion of initial production testing or the fiscal year 1985 operational testing, whichever is later.

PROCUREMENT OF AMMUNITION, ARMY

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities authorized in military construction authorization Acts or authorized by section 2854, title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; \$2,646,300,000; to remain available for obligation until September 30, 1987.

OTHER PROCUREMENT, ARMY

For construction, procurement, production, and modification of vehicles, including tactical, support, and nontracked combat vehicles; the purchase of not to exceed two thousand three hundred and sixty passenger motor vehicles for replacement only; communications and electronic equipment; other support equipment; spare parts, ordnance, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation

of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; \$5,122,450,000, of which \$347,200,000 shall be available for the purchase of five ton trucks under a multiyear contract; to remain available for obligation until September 30, 1987: Provided, That multiyear contracting authority provided in Public Law 98-212 for the Armored Combat Earthmover is rescinded.

AIRCRAFT PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of aircraft, equipment including ordnance, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; \$10,903,798,000, of which \$36,120,000 shall be available for the purchase of CH/MH-53E heavy lift helicopters under a multiyear contract; to remain available for obligation until September 30, 1987.

WEAPONS PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of missiles, torpedoes, other weapons, and related support equipment including spare parts, and accessories therefor; expansion of public and private plants, including the land necessary therefor, and such lands and interest therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, as follows: For missile programs, \$3,403,311,000; for the MK-48 torpedo program, \$89,000,000; for the MK-48 ADCAP torpedo program, \$105,600,000; for the MK-46 torpedo program, \$229,700,000; for the MK-60 captor mine program, \$122,000,000; for the MK-30 mobile target program, \$21,300,000; for the MK-38 mini mobile target program, \$2,500,000; for the antisubmarine rocket (ASROC) program, \$25,900,000; for modification of torpedoes, \$32,200,000; for the torpedo support equipment program, \$96,000,000; for the MK-15 close-in weapons system program, \$163,900,000; for the MK-75 gun mount, \$10,900,000; for the MK-19 machine gun program, \$2,000,000; for the 25mm gun mount, \$3,100,000; for small arms and weapons, \$3,500,000; for the modification of guns and gun mounts, \$46,300,000; for the guns and gun mounts support equipment program, \$13,400,000; in all: \$4,353,611,000; to remain available for obligation until September 30, 1987: Provided, That within the total amount appropriated, the subdivisions within this account shall be reduced by \$17,000,000, as follows: \$2,000,000 for contract support services, and \$15,000,000 for miscellaneous contract savings.

SHIPBUILDING AND CONVERSION, NAVY

For expenses necessary for the construction, acquisition, or conversion of vessels as authorized by law, including armor and armament thereof, plant equipment, appliances, and machine tools and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; procurement of critical, long leadtime components and designs for vessels to be constructed or converted in the future; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, as follows: for the Trident submarine program, \$1,748,200,000; for the SSN-688 nuclear attack submarine program, \$2,665,000,000; for the aircraft carrier service life extension program, \$714,500,000; for the CG-47 AEGIS cruiser program, \$2,883,000,000; for CG-47 AEGIS cruiser advance procurement, \$102,000,000, of which \$83,000,000 shall be solely for development of second production source(s) for SPY-1 radar and AEGIS combat system components and related integration for CG-47 and DDG-51 ship classes; for the DDG-51 guided missile destroyer program, \$1,050,000,000; for the LSD-41 landing ship dock program, \$489,500,000; for the LHD-1 amphibious assault ship program, \$39,200,000; for the LPD-4 service life extension program, \$15,000,000; for the MCM mine countermeasures ship program, \$344,500,000; for the T-AO fleet oiler ship program, \$522,600,000; for the T-AGOS ocean surveillance ship program, \$128,400,000; for the T-AGS ocean survey ship program, \$225,000,000; for the T-ACS auxiliary crane ship program, \$36,000,000; for the ARTB nuclear reactor training ship conversion program, \$30,000,000; for the T-AVB logistics support ship program, \$31,800,000; for the strategic sealift program, \$31,000,000; for the LCAC air cushion landing craft program, \$230,100,000; for craft, outfitting, post delivery, cost growth, and escalation on prior year programs, \$450,200,000; in all: \$11,736,000,000; to remain available for obligation until September 30, 1989: Provided, That additional obligations may be incurred after September 30, 1989, for engineering services, tests, evaluations, and other such budgeted work that must be performed in the final stage of ship construction; and each Shipbuilding and Conversion, Navy, appropriation that is currently available for such obligations may also hereafter be so obligated after the date of its expiration: Provided further, That none of the funds herein provided for the construction or conversion of any naval vessel to be constructed in shipyards in the United States shall be expended in foreign shipyards for the construction of major components of the hull or superstructure of such vessel: Provided further, That none of the funds herein provided shall be used for the construction of any naval vessel in foreign shipyards: Provided further, That notwithstanding any other provision of law, the Navy is not required to install a Phased Array Radar on the FFG-61 which was authorized and for which appropriations were provided in fiscal year 1984, provided that this ship be equipped with a MK-92 Upgrade Phase II (CORT) System, and in addition to funds previously provided for the fiscal year 1984 FFG-7 guided missile frigate program, \$36,300,000 shall

be available by transfer from the amount appropriated in "Shipbuilding and Conversion, Navy, 1983/1987".

OTHER PROCUREMENT, NAVY

For procurement, production, and modernization of support equipment and materials not otherwise provided for, Navy ordnance and ammunition (except ordnance for new aircraft, new ships, and ships authorized for conversion); the purchase of not to exceed three vehicles required for physical security of personnel notwithstanding price limitations applicable to passenger carrying vehicles but not to exceed \$100,000 per vehicle and the purchase of not to exceed four hundred and eighty-nine passenger motor vehicles which shall be for replacement only; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; as follows: For ship support equipment, \$775,100,000; for communications and electronics equipment, \$1,758,800,000; for aviation support equipment, \$990,328,000; for ordnance support equipment, \$1,126,500,000; for civil engineering support equipment, \$238,000,000; for supply support equipment, \$112,000,000; for personnel/command support equipment, \$391,886,000; in all: \$5,341,614,000; to remain available for obligation until September 30, 1987: Provided, That within the total amount appropriated, the subdivisions within this account shall be reduced by \$51,000,000, as follows: \$1,000,000 for contract support services; and \$50,000,000 for Trident facilities.

PROCUREMENT, MARINE CORPS

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, ammunition, military equipment, spare parts, and accessories therefor; plant equipment, appliances, and machine tools, and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; vehicles for the Marine Corps, including purchase of not to exceed two hundred and nineteen passenger motor vehicles for replacement only; and expansion of public and private plants, including land necessary therefor, and such lands, and interests therein, may be acquired and construction prosecuted thereon prior to approval of title; \$1,836,722,000; to remain available for obligation until September 30, 1987.

AIRCRAFT PROCUREMENT, AIR FORCE

For construction, procurement, and modification of aircraft and equipment, including armor and armament, specialized ground handling equipment, and training devices, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be ac-

quired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things; \$26,188,266,000, of which \$586,800,000 shall be available under a multiyear contract for procurement of seven hundred and twenty F-16 aircraft, of which seventy-two, shall be assigned to the Reserve Forces by 1991; to remain available for obligation until September 30, 1987: Provided, That none of the funds in this Act may be obligated on B-1B bomber production contracts if such contracts would cause the production portion of the Air Force's \$20,500,000,000 estimate for the B-1B bomber baseline costs expressed in fiscal year 1981 constant dollars to be exceeded: Provided further, That thirty of the F-16 aircraft for which funds are appropriated in this Act shall be provided to the Reserve Forces: Provided further, That of the C-130H aircraft for which funds are appropriated in this Act, eight shall be provided to the Air National Guard and eight shall be provided to the Air Force Reserve: Provided further, That \$144,800,000 appropriated in fiscal year 1983 for procurement of commercial wide body aircraft shall be available only for the Civil Reserve Air Fleet (CRAF) modification program.

MISSILE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of missiles, spacecraft, rockets, and related equipment, including spare parts and accessories therefor, ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things; \$6,909,245,000 of which \$251,200,000 shall be available for the phase III defense satellite communications system (DSCS III) under a multiyear contract; to remain available for obligation until September 30, 1987: Provided, That the funds appropriated or made available in this paragraph include not more than \$1,000,000,000 which may be obligated only for procurement related to the deployment of the 21 MX missiles for which funds were appropriated for fiscal year 1984, for advance procurement of parts and materials for the MX missile program and maintenance of the MX missile program contractor base, and for spare parts for the MX missile program. An additional \$1,500,000,000 of prior year unobligated balances is available from the following accounts and in the specified amounts:

Aircraft Procurement, Army—1984/86.....	\$30,000,000
Missile Procurement, Army—1984/86.....	25,000,000
Procurement of Weapons and Tracked Combat Vehicles, Army— 1983/85.....	58,100,000
Procurement of Weapons and Tracked Combat Vehicles, Army— 1984/86.....	214,600,000
Procurement of Ammunition, Army—1984/86.....	44,000,000
Other Procurement, Army—1984/86.....	47,500,000
Aircraft Procurement, Navy—1984/86.....	75,000,000

Weapons Procurement, Navy—1984/86.....	20,000,000
Shipbuilding and Conversion, Navy—1981/85.....	52,300,000
Shipbuilding and Conversion, Navy—1983/87.....	527,400,000
Shipbuilding and Conversion, Navy—1984/88.....	57,000,000
Other Procurement, Navy—1984/86.....	85,700,000
Procurement, Marine Corps—1984/86.....	7,500,000
Aircraft Procurement, Air Force—1983/85.....	50,000,000
Aircraft Procurement, Air Force—1984/86.....	176,400,000
Missile Procurement, Air Force—1984/86.....	15,000,000
Other Procurement, Air Force—1984/86.....	14,500,000

The foregoing prior year unobligated balances shall remain available only for obligation for transfers or reprogrammings or for the procurement of 21 additional operational MX missiles. These prior year unobligated balances may not be obligated or become available for the procurement of 21 additional operational MX missiles unless after March 1, 1985—

(a) the President submits to Congress a report described under section 110(e) of the Department of Defense Authorization Act, 1985;

(b) a joint resolution approving authorization of obligation of funds for additional MX missiles is enacted as provided in section 110(d)(1) of the Department of Defense Authorization Act, 1985; and

(c) a joint resolution further approving the obligation and availability of those prior year unobligated balances is enacted as provided for in this proviso:

(1) For the purposes of clause (c), “joint resolution” means only a joint resolution introduced after the date on which the report of the President described under section 110(e) of the Department of Defense Authorization Act, 1985, is received by Congress, the matter after the resolving clause of which is as follows: “That the Congress approves the obligation and availability of prior year unobligated balances made available for fiscal year 1985 for the procurement of additional operational MX missiles.”

(2) A resolution described in paragraph (1) introduced in the House of Representatives shall be referred to the Committee on Appropriations of the House of Representatives. A resolution described in paragraph (1) introduced in the Senate shall be referred to the Committee on Appropriations of the Senate.

(3) The committee to which is referred a resolution described in paragraph (1) may not report such resolution in less than eight calendar days after its introduction. If a committee to which is referred a resolution described in paragraph (1) has not reported such resolution (or an identical resolution) at the end of fifteen calendar days after its introduction or at the end of the second day after the House involved has voted on final passage of a joint resolution approving the further obligation of funds for the procurement of operational MX missiles as provided for in section 110(d)(1) of the Department of Defense Authorization Act, 1985, whichever is earlier, such committee shall be deemed to be discharged from further consideration of such

resolution and such resolution shall be placed on the appropriate calendar of the House involved.

(4)(A) Subject to subparagraph (B), when the committee to which a resolution is referred has reported, or has been deemed to be discharged (under paragraph (3)) from further consideration of, a resolution described in paragraph (1), it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for any Member of the respective House to move to proceed to the consideration of the resolution, and all points of order against the resolution (and against consideration of the resolution) are waived. The motion is highly privileged in the House of Representatives and is privileged in the Senate and is not debatable. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the resolution is agreed to, the resolution shall remain the unfinished business of the respective House until disposed of.

(B) Notwithstanding subparagraph (A), it is not in order to consider a resolution described in paragraph (1) unless a resolution has been agreed to in the House involved as provided in section 110(d)(1) of the Department of Defense Authorization Act, 1985.

(C) Debate on the resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the resolution. A motion further to limit debate is in order and not debatable but such motion shall not be in order in the Senate until after 5 hours of debate. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the resolution is not in order. A motion to reconsider the vote by which the resolution is agreed to or disagreed to is not in order.

(D) Immediately following the conclusion of the debate on a resolution described in paragraph (1), and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the appropriate House, the vote on final passage of the resolution shall occur.

(E) Appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to a resolution described in paragraph (1) shall be decided without debate.

(5) If, before the passage by the Senate of a resolution of the Senate described in paragraph (1), the Senate receives from the House of Representatives a resolution described in paragraph (1), then the following procedures shall apply:

(A) The resolution of the House of Representatives shall not be referred to a committee.

(B) *With respect to a resolution described in paragraph (1) of the Senate—*

(i) the procedure in the Senate shall be the same as if no resolution had been received from the House; but

(ii) the vote on final passage shall be on the resolution of the House.

(C) *Upon disposition of the resolution received from the House, it shall no longer be in order to consider the resolution originated in the Senate.*

(6) *If the Senate receives from the House of Representatives, a resolution described in paragraph (1) after the Senate has disposed of a Senate originated resolution, the action of the Senate with regard to the disposition of the Senate originated resolution shall be deemed to be the action of the Senate with regard to the House originated resolution.*

(7) *This proviso is enacted by Congress—*

(A) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a resolution described in paragraph (1), and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(B) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

(8) *Section 110(d)(1) of the Department of Defense Authorization Act, 1985, as approved by Congress on September 27, 1984, is amended by deleting the word "appropriated" and inserting in lieu thereof the word "available".*

OTHER PROCUREMENT, AIR FORCE

For procurement and modification of equipment (including ground guidance and electronic control equipment, and ground electronic and communication equipment), and supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of not to exceed one thousand eight hundred and ninety-eight passenger motor vehicles of which one thousand six hundred and forty-seven shall be for replacement only; and expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon, prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; \$8,861,697,000; to remain available for obligation until September 30, 1987.

National Guard and Reserve Equipment

For procurement of aircraft, missiles, tracked combat vehicles, and other procurement for the reserve components of the Armed Forces, not to exceed \$380,000,000 to remain available until September 30, 1987, distributed as follows: Army National Guard, not to exceed \$150,000,000; Air National Guard, not to exceed \$20,000,000; Naval Reserve, not to exceed \$20,000,000; Marine Corps Reserve, not to exceed \$30,000,000; Army Reserve, not to exceed \$150,000,000; and Air Force Reserve, not to exceed \$10,000,000.

PROCUREMENT, DEFENSE AGENCIES

For expenses of activities and agencies of the Department of Defense (other than the military departments) necessary for procurement, production, and modification of equipment, supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of not to exceed one hundred and thirty-two passenger motor vehicles of which one hundred and twenty-seven shall be for replacement only; expansion of public and private plants, equipment, and installation thereof in such plants, erection of structures, and acquisition of land for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; \$1,165,701,000, to remain available for obligation until September 30, 1987.

DEFENSE PRODUCTION ACT PURCHASES

For purchases or commitments to purchase metals, minerals, or other materials by the Department of Defense pursuant to section 303 of the Defense Production Act of 1950, as amended (50 U.S.C. App. 2093); \$10,000,000, to remain available for obligation until September 30, 1987.

TITLE IV

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, ARMY

For expenses necessary for basic and applied scientific research, development, test, and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law; \$4,349,015,000, of which \$13,338,000 is available only for activities relevant to approving the 120-millimeter mortar for service use, to remain available for obligation until September 30, 1986.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, NAVY

For expenses necessary for basic and applied scientific research, development, test, and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law; \$9,172,622,000, of which \$29,941,000 is available only for the Low Cost Anti-Radiation Seeker program, to remain available for obligation until September 30, 1986: Provided, That none of

the funds appropriated by this Act for the new design attack submarine may be obligated or expended unless and until the Secretary of the Navy provides to the Committees on Appropriations and Armed Services of the Senate and House of Representatives written certification that, based on current national intelligence estimates approved by the Director of Central Intelligence, the new design attack submarine will be capable under operational conditions of engaging the known Soviet submarine threat.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, AIR FORCE

For expenses necessary for basic and applied scientific research, development, test, and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law; \$13,424,147,000, of which \$82,698,000 is available only for the Engine Model Derivative Program, and \$3,000,000 is available only for the Low Cost Anti-Radiation Seeker Program, to remain available for obligation until September 30, 1986.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, DEFENSE AGENCIES

(INCLUDING TRANSFER OF FUNDS)

For expenses of activities and agencies of the Department of Defense (other than the military departments), necessary for basic and applied scientific research, development, test, and evaluation; advanced research projects as may be designated and determined by the Secretary of Defense, pursuant to law; maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law; \$4,182,287,000, of which \$10,000,000 is available only for the adapting of free electron laser technology to biomedical and materials science research, to remain available for obligation until September 30, 1986: Provided, That such amounts as may be determined by the Secretary of Defense to have been made available in other appropriations available to the Department of Defense during the current fiscal year for programs related to advanced research may be transferred to and merged with this appropriation to be available for the same purposes and time period: Provided further, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to carry out the purposes of advanced research to those appropriations for military functions under the Department of Defense which are being utilized for related programs to be merged with and to be available for the same time period as the appropriation to which transferred.

DIRECTOR OF TEST AND EVALUATION, DEFENSE

For expenses, not otherwise provided for, of independent activities of the Director of Defense Test and Evaluation in the direction and supervision of test and evaluation, including initial operational testing and evaluation; and performance of joint testing and evaluation; and administrative expenses in connection therewith; \$59,000,000, to remain available for obligation until September 30, 1986.

TITLE V

SPECIAL FOREIGN CURRENCY PROGRAM

For payment in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States for expenses in carrying out programs of the Department of Defense, as authorized by law; \$8,650,000, to remain available for obligation until September 30, 1986: Provided, That this appropriation shall be available in addition to other appropriations to such Department, for payments in the foregoing currencies.

TITLE VI

REVOLVING AND MANAGEMENT FUNDS

ARMY STOCK FUND

For the Army stock fund; \$366,448,000.

NAVY STOCK FUND

For the Navy stock fund; \$473,307,000.

MARINE CORPS STOCK FUND

For the Marine Corps stock fund; \$34,908,000.

AIR FORCE STOCK FUND

For the Air Force stock fund; \$548,593,000.

DEFENSE STOCK FUND

For the Defense stock fund; \$130,700,000.

TITLE VII

RELATED AGENCIES

INTELLIGENCE COMMUNITY STAFF

For necessary expenses of the Intelligence Community Staff; \$20,797,000.

CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM FUND

For payment to the Central Intelligence Agency Retirement and Disability System Fund, to maintain proper funding level for continuing the operation of the Central Intelligence Agency Retirement and Disability System; \$99,300,000.

TITLE VIII

GENERAL PROVISIONS

SEC. 8001. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to section 3109 of title 5, United States Code, shall be limited to

those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 8002. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 8003. During the current fiscal year, the Secretary of Defense and the Secretaries of the Army, Navy, and Air Force, respectively, if they should deem it advantageous to the national defense, and if in their opinions the existing facilities of the Department of Defense are inadequate, are authorized to procure services in accordance with section 3109 of title 5, United States Code, under regulations prescribed by the Secretary of Defense, and to pay in connection therewith travel expenses of individuals, including actual transportation and per diem in lieu of subsistence while traveling from their homes or places of business to official duty stations and return as may be authorized by law: Provided, That such contracts may be renewed annually.

SEC. 8004. During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense.

SEC. 8005. Appropriations for the Department of Defense for the current fiscal year shall be available for: (a) transportation to primary and secondary schools of minor dependents of military and civilian personnel of the Department of Defense as authorized for the Navy by section 7204 of title 10, United States Code; (b) expenses in connection with administration of occupied areas; (c) payment of rewards as authorized for the Navy by section 7209(a) of title 10, United States Code, for information leading to the discovery of missing naval property or the recovery thereof; (d) payment of deficiency judgments and interests thereon arising out of condemnation proceedings; (e) leasing of buildings and facilities including payment of rentals for special purpose space at the seat of government, and in the conduct of field exercises and maneuvers or, in administering the provisions of the Act of July 9, 1942 (56 Stat. 654; 43 U.S.C. 315q), rentals may be paid in advance; (f) payments under contracts for maintenance of tools and facilities for twelve months beginning at any time during the fiscal year; (g) maintenance of defense access roads certified as important to national defense in accordance with section 210 of title 23, United States Code; (h) the purchase of milk for enlisted personnel of the Department of Defense heretofore made available pursuant to section 202 of the Agricultural Act of 1949 (7 U.S.C. 1446a), and the cost of milk so purchased, as determined by the Secretary of Defense, shall be included in the value of the commuted ration; (i) transporting civilian clothing to the home of record of selective service inductees and recruits on entering the military services; (j) payments under leases for real or personal property, including maintenance thereof when contracted for as a part of the lease agreement, for twelve months beginning at any time during the fiscal year; (k) pay and allowances of not to exceed nine persons, including personnel detailed to International Military Headquarters and Organizations, at rates provided for

under section 625(d)(1) of the Foreign Assistance Act of 1961, as amended; (l) the purchase of right-hand-drive vehicles not to exceed \$12,000 per vehicle; (m) payment of unusual cost overruns incident to ship overhaul, maintenance, and repair for ships inducted into industrial fund activities or contracted for in prior fiscal years: Provided, That the Secretary of Defense shall notify the Congress promptly prior to obligation of any such payments; (n) payments from annual appropriations to industrial fund activities and/or under contract for changes in scope of ship overhaul, maintenance, and repair after expiration of such appropriations, for such work either inducted into the industrial fund activity or contracted for in that fiscal year; and (o) payments for depot maintenance contracts for twelve months beginning at any time during the fiscal year.

SEC. 8006. Appropriations for the Department of Defense for the current fiscal year shall be available for: (a) donations of not to exceed \$25 to each prisoner upon each release from confinement in military or contract prison and to each person discharged for fraudulent enlistment; (b) authorized issues of articles to prisoners, applicants for enlistment and persons in military custody; (c) subsistence of selective service registrants called for induction, applicants for enlistment, prisoners, civilian employees as authorized by law, and supernumeraries when necessitated by emergent military circumstances; (d) reimbursement for subsistence of enlisted personnel while sick in hospitals; (e) expenses of prisoners confined in non-military facilities; (f) military courts, boards, and commissions; (g) utility services for buildings erected at private cost, as authorized by law, and buildings on military reservations authorized by regulations to be used for welfare and recreational purposes; (h) exchange fees, and losses in the accounts of disbursing officers or agents in accordance with law; (i) expenses of Latin American cooperation as authorized for the Navy by section 7208 of title 10, United States Code; (j) expenses of apprehension and delivery of deserters, prisoners, and members absent without leave, including payment of rewards of not to exceed \$75 in any one case; and (k) carrying out section 10 of the Act of September 23, 1950, as amended.

SEC. 8007. The Secretary of Defense and each purchasing and contracting agency of the Department of Defense shall assist American small and minority-owned business to participate equitably in the furnishing of commodities and services financed with funds appropriated under this Act by increasing, to an optimum level, the resources and number of personnel jointly assigned to promoting both small and minority business involvement in purchases financed with funds appropriated herein, and by making available or causing to be made available to such businesses, information, as far in advance as possible, with respect to purchases proposed to be financed with funds appropriated under this Act, and by assisting small and minority business concerns to participate equitably as subcontractors on contracts financed with funds appropriated herein, and by otherwise advocating and providing small and minority business opportunities to participate in the furnishing of commodities and services financed with funds appropriated by this Act.

SEC. 8008. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 8009. (a) During the current fiscal year, the President may exempt appropriations, funds, and contract authorizations, available for military functions under the Department of Defense, from the provisions of section 1512 of title 31, United States Code, whenever he deems such action to be necessary in the interest of national defense.

(b) Upon determination by the President that such action is necessary, the Secretary of Defense is authorized to provide for the cost of an airborne alert as an excepted expense in accordance with the provisions of section 3732 of the Revised Statutes (41 U.S.C. 11).

(c) Upon determination by the President that it is necessary to increase the number of military personnel on active duty subject to existing laws beyond the number for which funds are provided in this Act, the Secretary of Defense is authorized to provide for the cost of such increased military personnel, as an excepted expense in accordance with the provisions of section 3732 of the Revised Statutes (41 U.S.C. 11).

(d) The Secretary of Defense shall immediately advise Congress of the exercise of any authority granted in this section, and shall report monthly on the estimated obligations incurred pursuant to subsections (b) and (c).

SEC. 8010. No appropriation contained in this Act shall be available in connection with the operation of commissary stores of the agencies of the Department of Defense for the cost of purchase (including commercial transportation in the United States to the place of sale but excluding all transportation outside the United States) and maintenance of operating equipment and supplies, and for the actual or estimated cost of utilities as may be furnished by the Government and of shrinkage, spoilage, and pilferage of merchandise under the control of such commissary stores, except as authorized under regulations promulgated by the Secretaries of the military departments concerned with the approval of the Secretary of Defense, which regulations shall provide for reimbursement therefor to the appropriations concerned and, notwithstanding any other provision of law, shall provide for the adjustment of the sales prices in such commissary stores to the extent necessary to furnish sufficient gross revenues from sales of commissary stores to make such reimbursement: Provided, That under such regulations as may be issued pursuant to this section all utilities may be furnished without cost to the commissary stores outside the continental United States and in Alaska: Provided further, That no appropriation contained in this Act shall be available to pay any costs incurred by any commissary store or other entity acting on behalf of any commissary store in connection with obtaining the face value amount of manufacturer or vendor cents-off discount coupons unless all fees or moneys received for handling or processing such coupons are reimbursed to the appropriation charged with the incurred costs: Provided further, That no appropriation contained in this Act shall be available in connection with the operation of commissary stores within the continental United States unless the Secretary of Defense has certified that items normally procured from commissary stores are not otherwise available at a reasonable distance and a reasonable price in satisfactory quality and quantity to the military and civilian employees of the Department of Defense.

SEC. 8011. No part of the appropriations in this Act shall be available for any expense of operating aircraft under the jurisdiction of the armed forces for the purpose of proficiency flying, as defined in Department of Defense Directive 1340.4, except in accordance with regulations prescribed by the Secretary of Defense. Such regulations (1) may not require such flying except that required to maintain proficiency in anticipation of a member's assignment to combat operations and (2) such flying may not be permitted in cases of members who have been assigned to a course of instruction of ninety days or more.

SEC. 8012. No part of any appropriation contained in this Act shall be available for expense of transportation, packing, crating, temporary storage, drayage, and unpacking of household goods and personal effects in any one shipment having a net weight in excess of thirteen thousand five hundred pounds for military personnel.

SEC. 8013. Vessels under the jurisdiction of the Department of Transportation, the Department of the Army, the Department of the Air Force, or the Department of the Navy may be transferred or otherwise made available without reimbursement to any such agencies upon the request of the head of one agency and the approval of the agency having jurisdiction of the vessels concerned.

SEC. 8014. Not more than 20 per centum of the appropriations in this Act which are limited for obligation during the current fiscal year shall be obligated during the last two months of the fiscal year: Provided, That this section shall not apply to obligations for support of active duty training of civilian components or summer camp training of the Reserve Officers' Training Corps, or the National Board for the Promotion of Rifle Practice, Army, or to the appropriations provided in this Act for Claims, Defense, or for Environmental Restoration, Defense.

SEC. 8015. During the current fiscal year the agencies of the Department of Defense may accept the use of real property from foreign countries for the United States in accordance with mutual defense agreements or occupational arrangements and may accept services furnished by foreign countries as reciprocal international courtesies or as services customarily made available without charge; and such agencies may use the same for the support of the United States forces in such areas without specific appropriation therefor.

In addition to the foregoing, agencies of the Department of Defense may accept real property, services, and commodities from foreign countries for the use of the United States in accordance with mutual defense agreements or occupational arrangements and such agencies may use the same for the support of the United States forces in such areas, without specific appropriations therefor: Provided, That the foregoing authority shall not be available for the conversion of heating plants from coal to oil at defense facilities in Europe: Provided further, That within thirty days after the end of each quarter the Secretary of Defense shall render to Congress and to the Office of Management and Budget a full report of such property, supplies, and commodities received during such quarter.

SEC. 8016. During the current fiscal year, appropriations available to the Department of Defense for research and development may be used for the purposes of section 2353 of title 10, United States Code, and for purposes related to research and development for which ex-

penditures are specifically authorized in other appropriations of the Service concerned.

SEC. 8017. No appropriation contained in this Act shall be available for the payment of more than 75 per centum of charges of educational institutions for tuition or expenses of off-duty training of military personnel (except with regard to such charges of educational institutions (a) for enlisted personnel in the pay grade E-5 or higher with less than 14 years' service, for which payment of 90 per centum may be made or (b) for military personnel in off-duty high school completion programs, for which payment of 100 per centum may be made), nor for the payment of any part of tuition or expenses for such training for commissioned personnel who do not agree to remain on active duty for two years after completion of such training: Provided, That the foregoing limitation shall not apply to the Program for Afloat College Education.

SEC. 8018. No part of the funds appropriated herein shall be expended for the support of any formally enrolled student in basic courses of the senior division, Reserve Officers' Training Corps, who has not executed a certificate of loyalty or loyalty oath in such form as shall be prescribed by the Secretary of Defense.

SEC. 8019. No part of any appropriation contained in this Act, except for small purchases in amounts not exceeding \$10,000 shall be available for the procurement of any article of food, clothing, cotton, woven silk or woven silk blends, spun silk yarn for cartridge cloth, synthetic fabric or coated synthetic fabric, or wool (whether in the form of fiber or yarn or contained in fabrics, materials, or manufactured articles), or specialty metals including stainless steel flatware, or hand or measuring tools, not grown, reprocessed, reused, or produced in the United States or its possessions, except to the extent that the Secretary of the Department concerned shall determine that satisfactory quality and sufficient quantity of any articles of food or clothing or any form of cotton, woven silk and woven silk blends, spun silk yarn for cartridge cloth, synthetic fabric or coated synthetic fabric, wool, or specialty metals including stainless steel flatware, grown, reprocessed, reused, or produced in the United States or its possessions cannot be procured as and when needed at United States market prices and except procurements outside the United States in support of combat operations, procurements by vessels in foreign waters, and emergency procurements or procurements of perishable foods by establishments located outside the United States for the personnel attached thereto: Provided, That nothing herein shall preclude the procurement of specialty metals or chemical warfare protective clothing produced outside the United States or its possessions when such procurement is necessary to comply with agreements with foreign governments requiring the United States to purchase supplies from foreign sources for the purposes of offsetting sales made by the United States Government or United States firms under approved programs serving defense requirements or where such procurement is necessary in furtherance of the standardization and interoperability of equipment requirements within NATO so long as such agreements with foreign governments comply, where applicable, with the requirements of section 36 of the Arms Export Control Act and with section 2457 of title 10, United States Code: Provided further, That nothing herein shall preclude the procurement of foods

manufactured or processed in the United States or its possessions: Provided further, That no funds herein appropriated shall be used for the payment of a price differential on contracts hereafter made for the purpose of relieving economic dislocations other than certain contracts not involving fuel made on a test basis by the Defense Logistics Agency with a cumulative value not to exceed \$4,000,000,000, as may be determined by the Secretary of Defense pursuant to existing laws and regulations as not to be inappropriate therefor by reason of national security considerations: Provided further, That the Secretary specifically determines that there is a reasonable expectation that offers will be obtained from a sufficient number of eligible concerns so that awards of such contracts will be made at a reasonable price and that no award shall be made for such contracts if the price differential exceeds 2.2 per centum: Provided further, That none of the funds appropriated in this Act shall be used except that, so far as practicable, all contracts shall be awarded on a formally advertised competitive bid basis to the lowest responsible bidder.

SEC. 8020. None of the funds appropriated by this Act may be obligated under section 206 of title 37, United States Code, for inactive duty training pay of a member of the National Guard or a member of a reserve component of a uniformed service for more than four periods of equivalent training, instruction, duty or appropriate duties that are performed instead of that member's regular period of instruction or regular period appropriate duty.

SEC. 8021. During the current fiscal year, appropriations available to the Department of Defense for pay of civilian employees shall be available for uniforms, or allowances therefor, as authorized by section 5901 of title 5, United States Code.

SEC. 8022. Funds provided in this Act for legislative liaison activities of the Department of the Army, the Department of the Navy, the Department of the Air Force, and the Office of the Secretary of Defense shall not exceed \$12,700,000 for the current fiscal year: Provided, That this amount shall be available for apportionment to the Department of the Army, the Department of the Navy, the Department of the Air Force, and the Office of the Secretary of Defense as determined by the Secretary of Defense: Provided further, That costs for military retired pay accrual shall be included within this limitation.

SEC. 8023. Of the funds made available by this Act for the services of the Military Airlift Command, \$100,000,000 shall be available only for procurement of commercial transportation service from carriers participating in the civil reserve air fleet program; and the Secretary of Defense shall utilize the services of such carriers which qualify as small businesses to the fullest extent found practicable: Provided, That the Secretary of Defense shall specify in such procurement, performance characteristics for aircraft to be used based upon modern aircraft operated by the civil reserve air fleet.

SEC. 8024. During the current fiscal year, appropriations available to the Department of Defense for operation may be used for civilian clothing, not to exceed \$40 in cost for enlisted personnel: (1) discharged for misconduct, unsuitability, or otherwise than honorably; (2) sentenced by a civil court to confinement in a civil prison or interned or discharged as an alien enemy; or (3) discharged prior to

completion of recruit training under honorable conditions for dependency, hardship, minority, disability, or for the convenience of the Government.

(TRANSFER OF FUNDS)

SEC. 8025. Upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed \$1,200,000,000 of working capital funds of the Department of Defense or funds made available in this Act to the Department of Defense for military functions (except military construction) between such appropriations or funds or any subdivision thereof, 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: Provided, That such authority to transfer may not be used unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by Congress: Provided further, That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority.

(TRANSFER OF FUNDS)

SEC. 8026. During the current fiscal year, cash balances in working capital funds of the Department of Defense established pursuant to section 2208 of title 10, United States Code, may be maintained in only such amounts as are necessary at any time for cash disbursements to be made from such funds: Provided, That transfers may be made between such funds in such amounts as may be determined by the Secretary of Defense, with the approval of the Office of Management and Budget, except that transfers between a stock fund account and an industrial fund account may not be made unless the Secretary of Defense has notified the Congress of the proposed transfer. Except in amounts equal to the amounts appropriated to working capital funds in this Act, no obligations may be made against a working capital fund to procure war reserve material inventory, unless the Secretary of Defense has notified the Congress prior to any such obligation.

SEC. 8027. No part of the funds appropriated under this Act shall be used to provide a loan, guarantee of a loan, or a grant to any applicant who has been convicted by any court of general jurisdiction of any crime which involves the use of or the assistance to others in the use of force, trespass, or the seizure of property under control of an institution of higher education to prevent officials or students at such an institution from engaging in their duties or pursuing their studies.

SEC. 8028. None of the funds available to the Department of Defense shall be utilized for the conversion of heating plants from coal to oil at defense facilities in Europe.

SEC. 8029. None of the funds appropriated by this Act shall be available for any research involving uninformed or nonvoluntary human beings as experimental subjects: Provided, That this limitation shall not apply to measures intended to be beneficial to the re-

recipient and consent is obtained from the recipient or a legal representative acting on the recipient's behalf.

SEC. 8030. No part of the funds in this Act shall be available to prepare or present a request to the Committees on Appropriations for reprogramming of funds, unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which reprogramming is requested has been denied by the Congress.

SEC. 8031. No funds appropriated by this Act shall be available to pay claims for nonemergency inpatient hospital care provided under the Civilian Health and Medical Program of the Uniformed Services for services available at a facility of the uniformed services within a 40-mile radius of the patient's residence: Provided, That the foregoing limitation shall not apply to payments that supplement primary coverage provided by other insurance plans or programs for inpatient care.

SEC. 8032. None of the funds contained in this Act available for the Civilian Health and Medical Program of the Uniformed Services under the provisions of section 1079(a) of title 10, United States Code, shall be available for (a) services of pastoral counselors, or family and child counselors, or marital counselors unless the patient has been referred to such counselor by a medical doctor for treatment of a specific problem with results of that treatment to be communicated back to the physician who made such referral; (b) special education, except when provided as secondary to the active psychiatric treatment on an institutional inpatient basis; (c) therapy or counseling for sexual dysfunctions or sexual inadequacies; (d) treatment of obesity when obesity is the sole or major condition treated; (e) surgery which improves physical appearance but which is not expected to significantly restore functions including, but not limited to, mammary augmentation, face lifts and sex gender changes except that breast reconstructive surgery following mastectomy and reconstructive surgery to correct serious deformities caused by congenital anomalies, accidental injuries and neoplastic surgery are not excluded; (f) reimbursement of any physician or other authorized individual provider of medical care in excess of the eightieth percentile of the customary charges made for similar services in the same locality where the medical care was furnished, as determined for physicians in accordance with section 1079(h) of title 10, United States Code; or (g) any service or supply which is not medically or psychologically necessary to prevent, diagnose, or treat a mental or physical illness, injury, or bodily malfunction as assessed or diagnosed by a physician, dentist, clinical psychologist, optometrist, podiatrist, certified nurse-midwife, certified nurse practitioner, or certified clinical social worker, as appropriate, except as authorized by section 1079(a)(4) of title 10, United States Code: Provided, That any changes in availability of funds for the Program made in this Act from those in effect prior to its enactment shall be effective for care received following enactment of this Act.

SEC. 8033. Appropriations available to the Department of Defense for the current fiscal year shall be available to provide an individual entitled to health care under chapter 55 of title 10, United States Code, with one wig if the individual has alopecia that result-

ed from treatment of malignant disease: Provided, That the individual has not previously received a wig from the Government.

SEC. 8034. None of the funds appropriated by this Act may be used to support more than 300 enlisted aides for officers in the United States Armed Forces.

SEC. 8035. No appropriation contained in this Act may be used to pay for the cost of public affairs activities of the Department of Defense in excess of \$43,400,000: Provided, That costs for military retired pay accrual shall be included within this limitation.

SEC. 8036. None of the funds provided in this Act shall be available for the planning or execution of programs which utilize amounts credited to Department of Defense appropriations or funds pursuant to the provisions of section 37(a) of the Arms Export Control Act representing payment for the actual value of defense articles specified in section 21(a)(1) of that Act: Provided, That such amounts shall be credited to the Special Defense Acquisition Fund, as authorized by law, or, to the extent not so credited shall be deposited in the Treasury as miscellaneous receipts as provided in section 3302(b) of title 31, United States Code.

SEC. 8037. No appropriation contained in this Act shall be available to fund any costs of a Senior Reserve Officers' Training Corps unit—except to complete training of personnel enrolled in Military Science 4—which in its junior year class (Military Science 3) has for the four preceding academic years, and as of September 30, 1983, enrolled less than (a) seventeen students where the institution prescribes a four-year or a combination four- and two-year program; or (b) twelve students where the institution prescribes a two-year program: Provided, That, notwithstanding the foregoing limitation, funds shall be available to maintain one Senior Reserve Officers' Training Corps unit in each State and at each State-operated maritime academy: Provided further, That units under the consortium system shall be considered as a single unit for purposes of evaluation of productivity under this provision: Provided further, That enrollment standards contained in Department of Defense Directive 1215.8 for Senior Reserve Officers' Training Corps units, as revised during fiscal year 1981, may be used to determine compliance with this provision, in lieu of the standards cited above.

SEC. 8038. (a) None of the funds appropriated by this Act or available in any working capital fund of the Department of Defense shall be available to pay the expenses attributable to lodging of any person on official business away from his designated post of duty, or in the case of an individual described under section 5703 of title 5, United States Code, his home or regular place of duty, when adequate Government quarters are available, but are not occupied by such person.

(b) The limitation set forth in subsection (a) is not applicable to employees whose duties require official travel in excess of fifty percent of the total number of the basic administrative work weeks during the current fiscal year.

SEC. 8039. (a) During the current fiscal year and hereafter, none of the assets of the Department of Defense Military Retirement Fund shall be available to pay the retainer pay of any enlisted member of the Regular Navy, the Naval Reserve, the Regular Marine Corps, or the Marine Corps Reserve who is transferred to the

Fleet Reserve or the Fleet Marine Corps Reserve under section 6330 of title 10, United States Code, on or after December 31, 1977, if the provisions of section 6330(d) of title 10, are utilized in determining such member's eligibility for retirement under section 6330(b) of the title 10: Provided, That notwithstanding the foregoing, time creditable as active service for a completed minority enlistment, and an enlistment terminated within three months before the end of the term of enlistment under section 6330(d) of title 10, prior to December 31, 1977, may be utilized in determining eligibility for retirement: Provided further, That notwithstanding the foregoing, time may be credited as active service in determining a member's eligibility for retirement under section 6330(b) of title 10 pursuant to the provisions of the first sentence of section 6330(d) of title 10 for those members who had formally requested transfer to the Fleet Reserve or the Fleet Marine Corps Reserve on or before October 1, 1977.

(b) During the current fiscal year and hereafter, none of the assets of the Department of Defense Military Retirement Fund shall be available to pay that portion of the retainer pay of any enlisted member of the Regular Navy, the Naval Reserve, the Regular Marine Corps, or the Marine Corps Reserve who is transferred to the Fleet Reserve or the Fleet Marine Corps Reserve under section 6330 of title 10, United States Code, on or after December 31, 1977, which is attributable under the second sentence of section 6330(d) of title 10 to time which, after December 31, 1977, is not actually served by such member.

SEC. 8040. None of the funds appropriated by this Act for programs of the Central Intelligence Agency shall remain available for obligation beyond the current fiscal year, except for: (a) funds appropriated for the Reserve for Contingencies, which shall remain available until September 30, 1986; and (b) funds appropriated for Headquarters Construction, which shall remain available until September 30, 1989.

SEC. 8041. None of the funds provided by this Act may be used to pay the salaries of any person or persons who authorized the transfer of unobligated and deobligated appropriations into the Reserve for Contingencies of the Central Intelligence Agency.

SEC. 8042. None of the funds appropriated by this Act may be used to support more than 9,901 full-time and 2,603 part-time military personnel assigned to or used in the support of Morale, Welfare, and Recreation activities as described in Department of Defense Instruction 7000.12 and its enclosures, dated September 4, 1980.

SEC. 8043. All obligations incurred in anticipation of the appropriations and authority provided in this Act are hereby ratified and confirmed if otherwise in accordance with the provisions of this Act.

SEC. 8044. None of the funds provided by this Act shall be used to perform abortions except where the life of the mother would be endangered if the fetus were carried to term.

SEC. 8045. None of the funds appropriated by this Act shall be used for the provision, care or treatment to dependents of members or former members of the Armed Services or the Department of Defense for the elective correction of minor dermatological blemishes and marks or minor anatomical anomalies.

SEC. 8046. None of the funds appropriated by this Act or heretofore appropriated by any other Act shall be obligated or expended

for the payment of anticipatory possession compensation claims to the Federal Republic of Germany other than claims listed in the 1973 agreement (commonly referred to as the Global Agreement) between the United States and the Federal Republic of Germany.

SEC. 8047. During the current fiscal year the Department of Defense may enter into contracts to recover indebtedness to the United States pursuant to section 3718 of title 31, United States Code, and any such contract entered into by the Department of Defense may provide that appropriate fees charged by the contractor under the contract to recover indebtedness may be payable from amounts collected by the contractor to the extent and under the conditions provided under the contract.

SEC. 8048. None of the funds appropriated by this Act shall be available for a contract for studies, analyses, or consulting services entered into without competition on the basis of an unsolicited proposal unless the head of the activity responsible for the procurement determines:

(a) as a result of thorough technical evaluation, only one source is found fully qualified to perform the proposed work, or

(b) the purpose of the contract is to explore an unsolicited proposal which offers significant scientific or technological promise, represents the product of original thinking, and was submitted in confidence by one source, or

(c) where the purpose of the contract is to take advantage of unique and significant industrial accomplishment by a specific concern, or to insure that a new product or idea of a specific concern is given financial support:

Provided, That this limitation shall not apply to contracts in an amount of less than \$25,000, contracts related to improvements of equipment that is in development or production, or contracts as to which a civilian official of the Department of Defense, who has been confirmed by the Senate, determines that the award of such contract is in the interest of the national defense.

SEC. 8049. None of the funds appropriated by this Act shall be available to provide medical care in the United States on an inpatient basis to foreign military and diplomatic personnel or their dependents unless the Department of Defense is reimbursed for the costs of providing such care: Provided, That reimbursements for medical care covered by this section shall be credited to the appropriations against which charges have been made for providing such care, except that inpatient medical care may be provided in the United States without cost to military personnel and their dependents from a foreign country if comparable care is made available to a comparable number of United States military personnel in that foreign country.

SEC. 8050. None of the funds appropriated by this Act shall be obligated for the second career training program authorized by Public Law 96-347.

SEC. 8051. None of the funds appropriated or otherwise made available in this Act shall be obligated or expended for salaries or expenses during the current fiscal year for the purposes of demilitarization of surplus nonautomatic firearms less than .50 caliber.

SEC. 8052. None of the funds provided in this Act shall be available to initiate (1) a multiyear contract that employs economic order quantity procurement in excess of \$20,000,000 in any one year of the contract or that includes an unfunded contingent liability in excess of \$20,000,000, or (2) a contract for advance procurement leading to a multiyear contract that employs economic order quantity procurement in excess of \$20,000,000 in any one year, unless the Committees on Appropriations and Armed Services of the Senate and House of Representatives have been notified at least 30 days in advance of the proposed contract award: Provided, That no part of any appropriation contained in this Act shall be available to initiate a multiyear contract for which the economic order quantity advance procurement is not funded at least to the limits of the Government's liability: Provided further, That no part of any appropriation contained in this Act shall be available to initiate multiyear procurement contracts for major systems unless specifically provided herein. For purposes of this provision, a major system is defined as a system or major assembly thereof whose eventual total expenditure for research, development, test, and evaluation is more than \$200,000,000, or whose eventual total expenditure for procurement is more than \$1,000,000,000.

SEC. 8053. None of the funds appropriated by this Act which are available for payment of travel allowances for per diem in lieu of subsistence to enlisted personnel shall be used to pay such an allowance to any enlisted member in an amount that is more than the amount of per diem in lieu of subsistence that the enlisted member is otherwise entitled to receive minus the basic allowance for subsistence, or pro rata portion of such allowance, that the enlisted member is entitled to receive during any day, or portion of a day, that the enlisted member is also entitled to be paid a per diem in lieu of subsistence: Provided, That if an enlisted member is in a travel status and is not entitled to receive a per diem in lieu of subsistence because the member is furnished meals in a Government mess, funds available to pay the basic allowance for subsistence to such a member shall not be used to pay that allowance, or pro rata portion of that allowance, for each day, or portion of a day, that such enlisted member is furnished meals in a Government mess.

SEC. 8054. During the current fiscal year and hereafter, none of the assets of the Department of Defense Military Retirement Fund shall be available to pay the retired pay or retainer pay of a member of the Armed Forces for any month who, on or after January 1, 1982, becomes entitled to retired or retainer pay, in an amount that is greater than the amount otherwise determined to be payable after such reductions as may be necessary to reflect adjusting the computation of retired pay or retainer pay that includes credit for a part of a year of service to permit credit for a part of a year of service only for such month or months actually served: Provided, That the foregoing limitation shall not apply to any member who before January 1, 1982: (a) applied for retirement or transfer to the Fleet Reserve or Fleet Marine Corps Reserve; (b) is being processed for retirement under the provisions of chapter 61 of title 10 or who is on the temporary disability retired list and thereafter retired under the provisions of sections 1210 (c) or (d) of title 10; or (c) is retired or in an inactive status and would be eligible for retired pay under the

provisions of chapter 67 of title 10, but for the fact that the person is under 60 years of age.

SEC. 8055. None of the funds appropriated by this Act shall be available to approve a request for waiver of the costs otherwise required to be recovered under the provisions of section 21(e)(1)(C) of the Arms Export Control Act unless the Committees on Appropriations have been notified in advance of the proposed waiver.

SEC. 8056. None of the funds appropriated by this Act shall be available for the transportation of equipment or materiel designated as Prepositioned Materiel Configured in Unit Sets (POMCUS) in Europe in excess of four division sets: Provided, That the foregoing limitation shall not apply with respect to any item of equipment or materiel which is maintained in the inventories of the Active and Reserve Forces at levels of at least 70 per centum of the established requirements for such an item of equipment or materiel for the Active Forces and 50 per centum of the established requirement for the Reserve Forces for such an item of equipment or materiel: Provided further, That no additional commitments to the establishment of POMCUS sites shall be made without prior approval of Congress.

SEC. 8057. (a) None of the funds in this Act may be used to transfer any article of military equipment or data related to the manufacture of such equipment to a foreign country prior to the approval in writing of such transfer by the Secretary of the military service involved.

(b) No funds appropriated by this Act may be used for the transfer of a technical data package from any Government-owned and operated defense plant manufacturing large caliber cannons to any foreign government, nor for assisting any such government in producing any defense item currently being manufactured or developed in a United States Government-owned, Government-operated defense plant manufacturing large caliber cannons.

(TRANSFER OF FUNDS)

SEC. 8058. None of the funds appropriated in this Act may be made available through transfer, reprogramming, or other means for any intelligence or special activity different from that previously justified to the Congress unless the Director of Central Intelligence or the Secretary of Defense has notified the House and Senate Appropriations Committees of the intent to make such funds available for such activity.

SEC. 8059. Of the funds appropriated by this Act for strategic programs, the Secretary of Defense shall provide funds for the Advanced Technology Bomber program at a level at least equal to the amount provided by the committee of conference on this Act in order to maintain priority emphasis on this program.

SEC. 8060. None of the funds available to the Department of Defense during the current fiscal year 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.

SEC. 8061. None of the funds available to the Department of Defense shall be available for the procurement of manual typewriters

which were manufactured by facilities located within States which are Signatories to the Warsaw Pact.

SEC. 8062. None of the funds appropriated by this Act may be used to appoint or compensate more than 37 individuals in the Department of Defense in positions in the Executive Schedule (as provided in sections 5312-5316 of title 5, United States Code).

SEC. 8063. None of the funds appropriated by this Act shall be available to convert a position in support of the Army Reserve, Air Force Reserve, Army National Guard, and Air National Guard occupied by, or programed to be occupied by, a (civilian) military technician to a position to be held by a person in an active Guard or Reserve status if that conversion would reduce the total number of positions occupied by, or programed to be occupied by, (civilian) military technicians of the component concerned, below 62,410: Provided, That none of the funds appropriated by this Act shall be available to support more than 37,957 positions in support of the Army Reserve, Army National Guard or Air National Guard occupied by, or programed to be occupied by, persons in an active Guard or Reserve status: Provided further, That none of the funds appropriated by this Act may be used to include (civilian) military technicians in computing civilian personnel ceilings, including statutory or administratively imposed ceilings, on activities in support of the Army Reserve, Air Force Reserve, Army National Guard or Air National Guard.

SEC. 8064. (a) The provisions of section 138(c)(2) of title 10, United States Code, shall not apply with respect to fiscal year 1985 or with respect to the appropriation of funds for that year.

(b) During fiscal year 1985, the civilian personnel of the Department of Defense may not be managed on the basis of any end-strength, and the management of such personnel during that fiscal year shall not be subject to any constraint or limitation (known as an end-strength) on the number of such personnel who may be employed on the last day of such fiscal year.

(c) The fiscal year 1986 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 1986 Department of Defense budget request shall be prepared and submitted to the Congress as if sections (a) and (b) of this provision were effective with regard to fiscal year 1986.

(TRANSFER OF FUNDS)

SEC. 8065. Appropriations or funds available to the Department of Defense during the current fiscal year may be transferred to appropriations provided in this Act for research, development, test, and evaluation to the extent necessary to meet increased pay costs authorized by or pursuant to law, to be merged with and to be available for the same purposes, and the same time period, as the appropriation to which transferred.

SEC. 8066. (a) During fiscal year 1985, no funds available to the Central Intelligence Agency, the Department of Defense, or any other agency or entity of the United States involved in intelligence activities may be obligated or expended for the purpose or which would have the effect of supporting, directly or indirectly, military or para-

military operations in Nicaragua by any nation, group, organization, movement, or individual.

(b) The prohibition concerning Nicaragua contained in subsection (a) shall cease to apply if, after February 28, 1985—

(1) the President submits to Congress a report—

(A) stating that the Government of Nicaragua is providing materiel or monetary support to anti-government forces engaged in military or paramilitary operations in El Salvador or other Central American countries;

(B) analyzing the military significance of such support;

(C) stating that the President has determined that assistance for military or paramilitary operations prohibited by subsection (a) is necessary;

(D) justifying the amount and type of such assistance and describing its objectives; and

(E) explaining the goals of United States policy for the Central American region and how the proposed assistance would further such goals, including the achievement of peace and security in Central America through a comprehensive, verifiable and enforceable agreement based upon the Contadora Document of Objectives; and

(2) a joint resolution approving assistance for military or paramilitary operations in Nicaragua is enacted.

(c)(1) For the purpose of subsection (b)(2), "joint resolution" means only a joint resolution introduced after the date on which the report of the President under subsection (b)(1) is received by Congress, the matter after the resolving clause of which is as follows: "That the Congress approves the obligation and expenditure of funds available for Fiscal Year 1985 for supporting, directly or indirectly, military or paramilitary operations in Nicaragua."

(2) The report described in subsection (b)(1) shall be referred to the appropriate committee or committees of the House of Representatives and to the appropriate committee or committees of the Senate.

(3) A resolution described in paragraph (1) introduced in the House of Representatives shall be referred to the Committee on Appropriations of the House of Representatives. A resolution described in paragraph (1) introduced in the Senate shall be referred to the Committee on Appropriations of the Senate. Such a resolution may not be reported before the 8th day after its introduction.

(4) If the committee to which is referred a resolution described in paragraph (1) has not reported such resolution (or an identical resolution) at the end of 15 calendar days after its introduction, such committee shall be discharged from further consideration of such resolution and such resolution shall be placed on the appropriate calendar of the House involved.

(5)(A) When the committee to which a resolution is referred has reported, or has been deemed to be discharged (under paragraph (4)) from further consideration of, a resolution described in paragraph (1), notwithstanding any rule or precedent of the Senate, including Rule 22, it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for any Member of the respective House to move to proceed to the consideration of the resolution, and all points of order against the resolution (and against consideration of the resolution) are waived. The motion is

highly privileged in the House of Representatives and is privileged in the Senate and is not debatable. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the resolution is agreed to, the resolution shall remain the unfinished business of the respective House until disposed of.

(B) Debate on the resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the resolution. A motion further to limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the resolution is not in order. A motion to reconsider the vote by which the resolution is agreed to or disagreed to is not in order.

(C) Immediately following the conclusion of the debate on a resolution described in paragraph (1), and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the appropriate House, the vote on final passage of the resolution shall occur.

(D) Appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to a resolution described in paragraph (1) shall be decided without debate.

(6) If, before the passage by the Senate of a resolution of the Senate described in paragraph (1), the Senate receives from the House of Representatives a resolution described in paragraph (1), then the following procedures shall apply:

(A) The resolution of the House of Representatives shall not be referred to a committee.

(B) With respect to a resolution described in paragraph (1) of the Senate—

(i) the procedure in the Senate shall be the same as if no resolution had been received from the House; but

(ii) the vote on final passage shall be on the resolution of the House.

(C) Upon disposition of the resolution received from the House, it shall no longer be in order to consider the resolution originated in the Senate.

(7) If the Senate receives from the House of Representatives a resolution described in paragraph (1) after the Senate has disposed of a Senate originated resolution, the action of the Senate with regard to the disposition of the Senate originated resolution shall be deemed to be the action of the Senate with regard to the House originated resolution.

(8) This subsection is enacted by Congress—

(A) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a resolution described in paragraph (1), and it su-

persedes other rules only to the extent that it is inconsistent with such rules; and

(B) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

(d) During Fiscal Year 1985 funds approved by the resolution described in subsection (b)(2) for the purpose of supporting, directly or indirectly, military or paramilitary operations in Nicaragua, shall not exceed \$14,000,000.

SEC. 8067. So far as may be practicable, Indian labor shall be employed, and purchases of the products of Indian industry may be made in open market in the discretion of the Secretary of Defense: Provided, That the products must meet pre-set contract specifications.

SEC. 8068. None of the funds made available by this Act shall be used in any way for the leasing to non-Federal agencies in the United States aircraft or vehicles owned or operated by the Department of Defense when suitable aircraft or vehicles are commercially available in the private sector: Provided, That nothing in this section shall affect authorized and established procedures for the sale of surplus aircraft or vehicles: Provided further, That nothing in this section shall prohibit such leasing when specifically authorized in a subsequent Act of Congress.

SEC. 8069. None of the funds made available by this Act shall be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before the Congress.

SEC. 8070. No funds available to the Department of Defense during the current fiscal year may be used to enter into any contract with a term of 18 months or more, inclusive of any option for contract extension or renewal, for any vessels, aircraft or vehicles, through a lease, charter, or similar agreement without prior Congressional approval of appropriations. Further, any contractual agreement which imposes an estimated termination liability (excluding the estimated value of the leased item at the time of termination) on the Government exceeding 50 per centum of the original purchase value of the vessel, aircraft, or vehicle must have specific authority in an appropriation Act for the obligation of 10 per centum of such termination liability.

SEC. 8071. None of the funds appropriated by this Act may be obligated or expended on a Department of Defense contract for commercial or commercial-type products if the solicitation excludes any small business concern (as defined pursuant to section 3 of the Small Business Act) that cannot demonstrate that its product is accepted in the commercial market (except to the extent that may be required to evidence compliance with the Walsh-Healey Public Contracts Act).

SEC. 8072. None of the funds appropriated in this Act may be obligated or expended in any way for the purpose of the sale, lease, rental, or excessing of any portion of land currently identified as Fort DeRussy, Honolulu, Hawaii.

SEC. 8073. None of the funds made available by this Act shall be available to operate in excess of 247 commissaries in the contiguous United States.

SEC. 8074. None of the funds provided in this Act shall be used to procure aircraft ejection seats manufactured in any foreign nation that does not permit United States manufacturers to compete for ejection seat procurement requirements in that foreign nation. This limitation shall apply only to ejection seats procured for installation on aircraft produced or assembled in the United States.

SEC. 8075. No more than \$197,800,000 of the funds appropriated by this Act shall be available for the payment of unemployment compensation benefits.

SEC. 8076. None of the funds appropriated by this Act should be obligated for the pay of any individual who is initially employed after the date of enactment of this Act as a technician in the administration and training of the Army Reserve and the maintenance and repair of supplies issued to the Army Reserve unless such individual is also a military member of the Army Reserve troop program unit that he or she is employed to support. Those technicians employed by the Army Reserve in areas other than Army Reserve troop program units need only be members of the Selected Reserve.

SEC. 8077. None of the funds appropriated by this Act may be obligated or expended to adjust a base period under section 1079(h)(2) of title 10, United States Code, more frequently than the Secretary of Defense considers appropriate.

SEC. 8078. None of the funds hereafter available to the Department of Defense shall be used to adjust any contract price for amounts set forth in any shipbuilding claim, request for equitable adjustment, or demand for payment incurred due to the preparation, submission, or adjudication of any such shipbuilding claim, request, or demand under a contract entered into after the date of enactment of this Act arising out of events occurring more than eighteen months prior to the submission of such shipbuilding claim, request, or demand. For the purposes of this section, requirement for submission of a shipbuilding claim, request, or demand is met only when the certification required in section 6(c)(1) of the Contract Disputes Act of 1978 and supporting data are provided.

SEC. 8079. None of the funds appropriated by this Act shall be used for the transfer of the Department of Defense Dependents Schools (DODDS) to the Department of Education, as prohibited by section 1223 of the Department of Defense Authorization Act, 1984.

SEC. 8080. No part of the funds appropriated herein shall be available for the purchase of more than 50 per centum of the fiscal year requirements for aircraft power supply cable assemblies of each military facility from industries established pursuant to title 18, United States Code: Provided, That the restriction contained herein shall not apply to small purchases in amounts not exceeding \$10,000.

SEC. 8081. None of the funds appropriated by this Act shall be used to purchase dogs or cats or otherwise fund the use of dogs or cats for the purpose of training Department of Defense students or other personnel in surgical or other medical treatment of wounds produced by any type of weapon: Provided, That the standards of such training with respect to the treatment of animals shall adhere

to the Federal Animal Welfare Law and to those prevailing in the civilian medical community.

SEC. 8082. None of the funds appropriated by this Act shall be obligated under the competitive rate program of the Department of Defense for the transportation of household goods to or from Alaska and Hawaii.

SEC. 8083. None of the funds made available by this Act shall be used to initiate full-scale engineering development of any major defense acquisition program until the Secretary of Defense has provided to the Committees on Appropriations of the House and Senate—

(a) a certification that the system or subsystem being developed will be procured in quantities that are not sufficient to warrant development of two or more production sources, or

(b) a plan for the development of two or more sources for the production of the system or subsystem being developed.

SEC. 8084. None of the funds appropriated by this Act shall be available to pay any member of the uniformed service for unused accrued leave pursuant to section 501 of title 37, United States Code, for more than sixty days of such leave, less the number of days for which payment was previously made under section 501 after February 9, 1976.

SEC. 8085. Within the funds made available under title II of this Act, the military departments may use such funds as necessary, but not to exceed \$4,700,000, to carry out the provisions of section 430 of title 37, United States Code: Provided, That none of the funds appropriated to the Department of Defense for the travel and transportation of dependent students of military personnel stationed overseas shall be obligated for a transportation allowance for travel within or between the contiguous United States.

SEC. 8086. Within funds available under title II of this Act, but not to exceed \$100,000, and under such regulations as the Secretary of Defense may prescribe, the Department of Defense may, in addition to allowances currently available, make payments for travel and transportation expenses of the surviving spouse, children, parents, and brothers and sisters of any member of the Armed Forces of the United States, who dies as the result of an injury or disease incurred in line of duty to attend the funeral of such member in any case in which the funeral of such member is more than 200 miles from the residence of the surviving spouse, children, parents or brothers and sisters, if such spouse, children, parents or brothers and sisters, as the case may be, are financially unable to pay their own travel and transportation expenses to attend the funeral of such member.

SEC. 8087. Notwithstanding any other provision of this Act, no funds appropriated by this Act shall be expended for the research, development, test, evaluation or procurement for integration of a nuclear warhead into the Joint Tactical Missile System (JTACMS).

SEC. 8088. None of the funds available to the Department of Defense may be used for the floating storage of petroleum or petroleum products except in vessels of or belonging to the United States.

SEC. 8089. Of the funds made available to the Department of the Air Force in this Act, not less than \$3,000,000 shall be available for the Civil Air Patrol.

SEC. 8090. Funds appropriated by this Act may be used by the Department of the Navy for the use of helicopters and motorized equipment at China Lake Naval Weapons Center for removal of feral burros and horses.

SEC. 8091. On or after June 30, 1985, none of the funds appropriated by this Act shall be available to execute an agreement for continuation pay authorized under section 311 of title 37, United States Code, with an officer of the Army or Navy in the Dental Corps or an officer of the Air Force designated as a dental officer who is serving in a dental specialty which is manned in excess of 95 percent of the authorized strength for that specialty: Provided, That an agreement for such continuation pay may be executed with such an officer if the agreement provides that such officer will receive only 50 percent of the amount of the continuation pay to which the officer would otherwise be entitled under section 311 of title 37: Provided further, That the foregoing limitation shall cease to be applicable upon the enactment of legislation repealing or amending the continuation pay provisions currently authorized by section 311 of title 37.

(TRANSFER OF FUNDS)

SEC. 8092. Not to exceed \$100,000,000 may be transferred from the appropriation "Operation and Maintenance, Defense Agencies" to operation and maintenance appropriations under the military departments in connection with demonstration projects authorized by section 1092 of title 10, United States Code: Provided, That the Secretary of Defense shall promptly notify the Congress of any such transfer of funds under this provision: Provided further, That the authority to make transfers pursuant to this section is in addition to the authority to make transfers under other provisions of this Act.

SEC. 8093. The eleven sets of excess Navy quarters and related facilities on a six-acre site at the former Brooklyn Naval Shipyard shall be transferred at no cost to the Secretary of the Army for use by the Army National Guard.

SEC. 8094. None of the funds available for Defense installations in Europe shall be used for the consolidation or conversion of heating facilities to district heating distribution systems in Europe: Provided, That those facilities identified by the Department of the Army as of September 24, 1984, as being in advanced stages of negotiations shall be exempt from such provision upon written notification to the Committees on Appropriations of the House of Representatives and the Senate from the Department justifying the conversion for each facility.

SEC. 8095. Section 7309(a) of title 10, United States Code, is amended—

(1) by inserting "and no vessel of any other military department," after "no naval vessel,"; and

(2) by striking out "a naval" and inserting in lieu thereof "any such".

SEC. 8096. It is the sense of the Congress that the Secretary of Defense should formulate and carry out a program under which contracts awarded by the Department of Defense in fiscal year 1985 would, to the maximum extent practicable and consistent with exist-

ing law, be awarded to contractors who agree to carry out such contracts in labor surplus areas (as defined and identified by the Department of Labor).

SEC. 8097. None of the funds appropriated or otherwise made available under this Act may be available for any country during any three-month period beginning on or after November 1, 1983, immediately following a certification by the President to the Congress that the government of such country is failing to take adequate measures to prevent narcotic drugs or other controlled substances (as listed in the schedules in section 202 of the Comprehensive Drug Abuse and Prevention Control Act of 1971 (21 U.S.C. 812), which are cultivated, produced, or processed illicitly, in whole or in part, in such country, or transported through such country from being sold illegally within the jurisdiction of such country to United States Government personnel or their dependents or from entering the United States unlawfully.

SEC. 8098. It is the sense of the Congress that competition, which is necessary to enhance innovation, effectiveness, and efficiency, and which has served our Nation so well in other spheres of political and economic endeavor, should be expanded and increased in the provision of our national defense.

SEC. 8099. None of the funds available to the Department of Defense shall be obligated or expended to contract out any activity currently performed by the Defense Personnel Support Center in Philadelphia, Pennsylvania: Provided, That this provision shall not apply after notification to the Committees on Appropriations of the House of Representatives and the Senate of the results of the cost analysis of contracting out any such activity.

SEC. 8100. (a) Notwithstanding any other provision of law, none of the funds appropriated or made available in this or any other Act may be obligated or expended to test against an object in space the miniature homing vehicle (MHV) anti-satellite warhead launched from an F-15 aircraft unless the President determines and certifies to Congress—

(1) that the United States is endeavoring, in good faith, to negotiate with the Soviet Union a mutual and verifiable agreement with the strictest possible limitations on anti-satellite weapons consistent with the national security interests of the United States;

(2) that, pending agreement on such strict limitations, testing against objects in space of the F-15 launched miniature homing vehicle anti-satellite warhead by the United States is necessary to avert clear and irrevocable harm to the national security;

(3) that such testing would not constitute an irreversible step that would gravely impair prospects for negotiations on antisatellite weapons; and

(4) that such testing is fully consistent with the rights and obligations of the United States under the Anti-Ballistic Missile Treaty of 1972 as those rights and obligations exist at the time of such testing.

(b) During fiscal year 1985, funds appropriated for the purpose of testing the F-15 launched miniature homing vehicle anti-satellite warhead may not be used to conduct more than three tests of that warhead against objects in space.

(c) *The limitation on the expenditure of funds provided by subsection (a) of this section shall cease to apply 15 calendar days after the date of the receipt by Congress of the certification referred to in subsection (a) or March 1, 1985, whichever occurs later.*

SEC. 8101. (a) *The Congress makes the following findings:*

(1) *The President has stated that there is no need to introduce United States Armed Forces into Central America for combat and that he has no intention of doing so.*

(2) *The President of El Salvador has stated that there is no need for United States Armed Forces to conduct combat operations in El Salvador and that he has no intention of asking that they do so.*

(3) *The possibility of the introduction of United States Armed Forces into Central America for combat raises very grave concern in the Congress and the American people.*

(b) *It is the sense of Congress that—*

(1) *United States Armed Forces should not be introduced into or over the countries of Central America for combat; and*

(2) *if circumstances change from those present on the date of the enactment of this Act and the President believes that those changed circumstances require the introduction of United States Armed Forces into or over a country of Central America for combat, the President should consult with Congress before any decision to so introduce United States Armed Forces and any such introduction of United States Armed Forces must comply with the War Powers Resolution.*

SEC. 8102. *None of the funds appropriated by this Act shall be available to compensate foreign selling costs as described in Federal Acquisition Regulation 31.205-38(b) as in effect on April 1, 1984.*

SEC. 8103. *Of the funds appropriated for the operation and maintenance of the Armed Forces, obligations may be incurred for humanitarian and civic assistance costs incidental to authorized operations, and these obligations shall be reported to Congress on September 30, 1985: Provided, That funds available for operation and maintenance shall be available for providing humanitarian and similar assistance in the Trust Territories of the Pacific Islands by using Civic Action Teams.*

SEC. 8104. *It is the sense of the Congress that—(a) the President shall inform and make every effort to consult with other member nations of the North Atlantic Treaty Organization, Japan, and other appropriate allies concerning the research being conducted in the Strategic Defense Initiative program. (b) The Secretary of Defense, in coordination with the Secretary of State and the Director of the Arms Control and Disarmament Agency, shall at the time of the submission of the annual budget presentation materials for each fiscal year beginning after September 30, 1984, report to the Committees on Appropriations, Armed Services, and Foreign Relations of the Senate and the Committees on Appropriations, Armed Services, and Foreign Affairs of the House of Representatives on the status of the consultations referred to under subsection (a).*

SEC. 8105. *It is the sense of Congress that the President should insist that the pertinent member nations of the North Atlantic Treaty Organization meet or exceed their pledges for an annual increase in defense spending during fiscal years 1984 and 1985 of at*

least 3 percent real growth and should insist that Japan further increase its defense spending during fiscal years 1984 and 1985 in furtherance of increased unity, equitable sharing of our common defense burden, and international stability.

SEC. 8106. Notwithstanding any other provision of law, the Secretaries of the Army and Air Force may authorize the retention in an active status until age 60 of any officer who would otherwise be removed from an active status and who is employed as a National Guard or Reserve technician in a position in which active status in a reserve component of the Army or Air Force is required as a condition of that employment.

SEC. 8107. None of the funds available to the Department of Defense may be used to transport any chemical munitions into the Lexington-Blue Grass Army Depot for purposes of future demilitarization.

SEC. 8108. Notwithstanding any other provision of law, including any amendments to section 405 of title 37, United States Code, enacted into law between September 26, 1984, and November 25, 1984, a station housing allowance ("rent plus") may be prescribed for a member of the uniformed services on duty in Alaska or Hawaii pursuant to the provisions of section 405 of title 37, United States Code, in effect on September 1, 1984: Provided, That a member of the uniformed services on duty in Alaska or Hawaii who receives such allowance shall not be entitled to a variable housing allowance.

SEC. 8109. Notwithstanding any other provision of law, in addition to the contracts authorized by paragraph (7) of section 2828(g) of title 10, United States Code, and section 806 of Public Law 98-407, the Secretary of the Army may enter into contracts for not more than 1,200 family housing units at Fort Drum, New York; Fort Wainwright, Alaska; and Fort Benning, Georgia; if the contracts are necessary in order to provide sufficient family housing to accommodate the restationing of the light infantry divisions.

SEC. 8110. Notwithstanding any other provision of law, none of the funds appropriated in title II of this Act shall be available to meet the unforeseen and contingent requirement of the unified and specified commands of the Armed Forces: Provided, That this provision shall not apply to unforeseen and contingent requirements of the unified and specified commands of the Armed Forces which may be funded under the terms and conditions of this bill governing title II obligations and expenditures.

SEC. 8111. None of the funds appropriated by this Act may be obligated or expended for the purposes delineated in section 1002(e)(2)(A) of the Department of Defense Authorization Act, 1985, without the prior notification to the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 8112. (a) Notwithstanding any other provision of this joint resolution, of the total amount appropriated by this joint resolution, or any other Act appropriating funds for the Department of Defense for fiscal year 1985, for programs and activities subject to the reporting requirements of the Federal Procurement Data System Individual Contract Action Report (SF-279), an amount not less than \$1,000,000,000 may not be apportioned or utilized for the costs of consultants, studies, analyses, management support services or other

advisory and assistance services which are included in such reported programs and activities.

(b) Not later than September 1, 1985, the Secretary of Defense shall submit a report to the Congress indicating the manner in which compliance with subsection (a) has been achieved.

SEC. 8113. The Secretaries concerned (as defined in section 101(5) of title 37, United States Code), under uniform regulations prescribed by them and to the extent that funds are available within the permanent change of station travel account, may increase the rate per mile for mileage allowance under section 404(d)(2) of title 37, United States Code, to 15 cents per mile.

SEC. 8114. (a) The Secretary of Defense shall provide for an objective study to supplement and update the report entitled "Military Spouse and Family Issues, Europe, 1982."

(b) The study shall include within its scope all areas in which members of the uniformed services are assigned to permanent duty stations and to which the dependents of members of the uniformed services are permitted to travel at Government expense.

(c) The Secretary shall select an independent organization to conduct the study referred to in subsection (a) with such administrative support and technical advice as may be necessary for such organization to carry out the study. Such support and advice may be provided by the Secretary on an in-house basis and to reduce contractual expenditures to include collating, tabulating, computer, word processor, printing, and similar routine services.

(d) A report containing the results of the study carried out under this section shall be submitted to the Committees on Appropriations and Armed Services of the Senate and the House of Representatives not later than May 1, 1985.

(e) For the purpose of contracting out the study called for by this section, the Secretary of Defense may utilize not more than \$250,000 out of any funds available to the Department of Defense.

This Act may be cited as the "Department of Defense Appropriations Act, 1985".

And the Senate agree to the same.

Amendment numbered 37:

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

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

(i) Such amounts as may be necessary for projects or activities provided for in the Department of Transportation and Related Agencies Appropriations Act, 1985, at a rate for operations and to the extent in the following Act; this subsection shall be effective as if it had been enacted into law as the regular appropriation Act:

TITLE I—DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary of Transportation, including not to exceed \$36,500 for allocation within the Department of official reception and representation expenses as the Secretary may determine, \$50,000,000, of which \$4,000,000 shall remain available until expended and shall be available for the purposes of the Minority Business Resource Center as authorized by 49 U.S.C. 332: Provided, That, notwithstanding any other provision of law, funds available for the purposes of the Minority Business Resource Center in this or any other Act, may be used for business opportunities related to any mode of transportation.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

For necessary expenses for conducting transportation planning, research, and development activities, including the collection of national transportation statistics, and university research and internships, to remain available until expended, \$5,700,000: Provided, That the Secretary is directed to make simultaneous competitive study awards for the Phase I proposals, as submitted by the two technically qualified finalists in the competition to perform a methane conversion study, as authorized by section 152 of the Surface Transportation Assistance Act of 1982.

LIMITATION ON WORKING CAPITAL FUND

Necessary expenses for operating costs and capital outlays of the Department of Transportation Working Capital Fund not to exceed \$65,500,000 shall be paid, in accordance with law, from appropriations made available by this Act and prior appropriation Acts to the Department of Transportation, together with advances and reimbursements received by the Department of Transportation.

COAST GUARD

OPERATING EXPENSES

For necessary expenses for the operation and maintenance of the Coast Guard, not otherwise provided for; purchase of not to exceed eight passenger motor vehicles for replacement only; and recreation and welfare, \$1,740,000,000, of which \$202,861 shall be applied to Capehart Housing debt reduction: Provided, That the number of aircraft on hand at any one time shall not exceed two hundred and ten exclusive of planes and parts stored to meet future attrition: Provided further, That none of the funds appropriated in this or any other Act shall be available for pay or administrative expenses in connection with shipping commissioners in the United States: Provided further, That none of the funds provided in this Act shall be available for expenses incurred for yacht documentation under 46 U.S.C.

103 except to the extent fees are collected from yacht owners and credited to this appropriation.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of acquisition, construction, rebuilding, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto; to remain available until September 30, 1989, \$344,500,000: Provided, That the Secretary of Transportation shall issue regulations requiring that written warranties shall be included in all contracts with prime contractors for major systems acquisitions of the Coast Guard: Provided further, That any such written warranty shall not apply in the case of any system or component thereof which has been furnished by the Government to a contractor: Provided further, That the Secretary of Transportation may provide for a waiver of the requirements for a warranty where: (1) the waiver is necessary in the interest of the national defense or the warranty would not be cost effective; and (2) the Committees on Appropriations of the Senate and the House of Representatives are notified in writing of the Secretary's intention to waive and reasons for waiving such requirements: Provided further, That the requirements for such written warranties shall not cover combat damage.

ALTERATION OF BRIDGES

For necessary expenses for alteration or removal of obstructive bridges, \$5,200,000, to remain available until expended.

RETIRED PAY

For retired pay including the payment of obligations therefor otherwise chargeable to lapsed appropriations for this purpose, and payments under the Retired Serviceman's Family Protection and Survivor Benefit Plans, and for payments for medical care of retired personnel and their dependents under the Dependents Medical Care Act (10 U.S.C., ch. 55), \$330,800,000.

RESERVE TRAINING

For all necessary expenses for the Coast Guard Reserve, as authorized by law; maintenance and operation of facilities; and supplies, equipment, and services, \$58,833,000.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

For necessary expenses, not otherwise provided for, for basic and applied scientific research, development, test, and evaluation; maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law, \$23,000,000, to remain available until expended: Provided, That there may be credited to this appropriation funds received from State and local governments, other public authorities, private sources and foreign countries for expenses incurred for research, development, testing, and evaluation.

OFFSHORE OIL POLLUTION COMPENSATION FUND

For necessary expenses to carry out the provisions of title III of the Outer Continental Shelf Lands Act Amendments of 1978 (Public Law 95-372), \$1,000,000, to be derived from the Offshore Oil Pollution Compensation Fund and to remain available until expended. In addition, to the extent that available appropriations are not adequate to meet the obligations of the Fund, the Secretary of Transportation is authorized to issue to the Secretary of the Treasury notes or other obligations in such amounts and at such times as may be necessary: Provided, That none of the funds in this Act shall be available for the implementation or execution of programs the obligations for which are in excess of \$60,000,000 in fiscal year 1985 for the "Offshore Oil Pollution Compensation Fund".

DEEPWATER PORT LIABILITY FUND

For necessary expenses to carry out the provisions of section 18 of the Deepwater Port Act of 1974 (Public Law 93-627), \$1,000,000, to be derived from the Deepwater Port Liability Fund and to remain available until expended. In addition, to the extent that available appropriations are not adequate to meet the obligations of the Fund, the Secretary of Transportation is authorized to issue, and the Secretary of the Treasury is authorized to purchase, without fiscal year limitation, notes or other obligations in such amounts and at such times as may be necessary: Provided, That none of the funds in this Act shall be available for the implementation or execution of programs, the obligations for which are in excess of \$50,000,000 in fiscal year 1985 for the "Deepwater Port Liability Fund".

NATIONAL RECREATIONAL BOATING SAFETY AND FACILITIES IMPROVEMENT FUND

(LIQUIDATION OF CONTRACT AUTHORIZATION)

For payment of obligations incurred for recreational boating safety assistance under Public Law 92-75, as amended, \$13,625,000, to be derived from the National Recreational Boating Safety and Facilities Improvement Fund and to remain available until expended: Provided, That none of the funds in this Act shall be available for the planning or execution of programs, the obligations for which are in excess of \$13,750,000 in fiscal year 1985 for recreational boating safety assistance: Provided further, That no obligations may be incurred for the improvement of recreational boating facilities.

FEDERAL AVIATION ADMINISTRATION

HEADQUARTERS ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses, not otherwise provided for, of providing administrative services at the headquarters location of the Federal Aviation Administration, including but not limited to accounting, budgeting, personnel, legal, public affairs, and executive direction for the Federal Aviation Administration, \$66,900,000: Provided, That

the Secretary of Transportation is authorized to transfer appropriated funds between this appropriation and the Federal Aviation Administration appropriation for Operations: Provided further, That this appropriation shall be neither increased nor decreased by more than 7.5 per centum by any such transfers: Provided further, That any such transfers shall be reported to the Committees on Appropriations.

OPERATIONS

For necessary expenses of the Federal Aviation Administration, not otherwise provided for, including administrative expenses for research and development, and for establishment of air navigation facilities, and carrying out the provisions of the Airport and Airway Development Act, as amended, or other provisions of law authorizing obligation of funds for similar programs of airport and airway development or improvement; purchase of four passenger motor vehicles for replacement only and purchase and repair of skis and snowshoes, \$2,622,600,000, of which not to exceed \$1,110,000,000 shall be derived from the Airport and Airway Trust Fund, notwithstanding any other provision of law: Provided, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the maintenance and operation of air navigation facilities: Provided further, That none of these funds shall be available for new applicants for the second career training program.

FACILITIES AND EQUIPMENT (AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for acquisition, establishment, and improvement by contract or purchase, and hire of air navigation and experimental facilities, including initial acquisition of necessary sites by lease or grant; engineering and service testing including construction of test facilities and acquisition of necessary sites by lease or grant; construction and furnishing of quarters and related accommodations of officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available, and the lease or purchase of one aircraft; to be derived from the Airport and Airway Trust Fund and to remain available until September 30, 1989, \$1,370,000,000: Provided, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the establishment and modernization of air navigation facilities: Provided further, That of the funds available under this heading, \$5,000,000 shall be available for the Secretary of Transportation to enter into grant agreements with universities or colleges to conduct demonstration projects in the development, advancement, or expansion of an airway science curriculum and such money, which shall remain available until expended, shall be made available under such terms and conditions as the Secretary of Transportation may prescribe, to such universities or colleges for the purchase or lease of buildings and associated facilities, instructional materials, or equipment to be used in conjunction with the airway science curriculum.

RESEARCH, ENGINEERING AND DEVELOPMENT (AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for research, engineering, and development, in accordance with the provisions of the Federal Aviation Act (49 U.S.C. 1301-1542), including construction of experimental facilities and acquisition of necessary sites by lease or grant, \$265,000,000 to be derived from the Airport and Airway Trust Fund and to remain available until expended: Provided, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred for research, engineering and development.

GRANTS-IN-AID FOR AIRPORTS (LIQUIDATION OF CONTRACT AUTHORIZATION) (AIRPORT AND AIRWAY TRUST FUND)

For liquidation of obligations incurred for airport planning and development under section 14 of Public Law 91-258, as amended, and under other law authorizing such obligations, and obligations for noise compatibility planning and programs, \$810,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended: Provided, That none of the funds in this Act shall be available for the planning or execution of programs the commitments for which are in excess of \$925,000,000 in fiscal year 1985 for grants-in-aid for airport planning and development, and noise planning and programs, notwithstanding section 506(e)(4) of the Airport and Airway Improvement Act of 1982.

OPERATION AND MAINTENANCE, METROPOLITAN WASHINGTON AIRPORTS

For expenses incident to the care, operation, maintenance, improvement, and protection of the federally owned civil airports in the vicinity of the District of Columbia, including purchase of ten passenger motor vehicles for police use, for replacement only; purchase, cleaning, and repair of uniforms; and arms and ammunition, \$35,931,500: Provided, That there may be credited to this appropriation funds received from air carriers, concessionaires, and non-Federal tenants sufficient to cover utility and fuel costs which are in excess of \$6,970,000: Provided further, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, or private sources, for expenses incurred in the maintenance and operation of the federally owned civil airports.

CONSTRUCTION, METROPOLITAN WASHINGTON AIRPORTS

For necessary expenses for construction at the federally owned civil airports in the vicinity of the District of Columbia, \$13,000,000, to remain available until September 30, 1987.

AVIATION INSURANCE REVOLVING FUND

The Secretary of Transportation is hereby authorized to make such expenditures and investments, within the limits of funds available pursuant to section 1306 of the Act of August 23, 1958, as amended (49 U.S.C. 1536), and in accordance with section 104 of the Government Corporation Control Act, as amended (31 U.S.C. 9104), as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for aviation insurance activities under said Act.

AIRCRAFT PURCHASE LOAN GUARANTEE PROGRAM

The Secretary of Transportation may hereafter issue notes or other obligations to the Secretary of the Treasury, in such forms and denominations, bearing such maturities, and subject to such terms and conditions as the Secretary of the Treasury may prescribe. Such obligations may be issued to pay any necessary expenses required pursuant to any guarantee issued under the Act of September 7, 1957, Public Law 85-307, as amended (49 U.S.C. 1324 note.) The aggregate amount of such obligations during fiscal year 1985 shall not exceed \$125,000,000. Such obligations shall be redeemed by the Secretary from appropriations authorized by this action. The Secretary of the Treasury shall purchase any such obligations, and for such purpose he may use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as now or hereafter in force. The purposes for which securities may be issued under such Act are extended to include any purchase of notes or other obligations issued under the subsection. The Secretary of the Treasury may sell any such obligations at such times and price and upon such terms and conditions as he shall determine in his discretion. All purchase, redemptions, and sales of such obligations by such Secretary shall be treated as public debt transactions of the United States.

FEDERAL HIGHWAY ADMINISTRATION

LIMITATION ON GENERAL OPERATING EXPENSES

Necessary expenses for administration, operation, and research of the Federal Highway Administration, not to exceed \$204,891,000, shall be paid, in accordance with law, from appropriations made available by this Act to the Federal Highway Administration together with advances and reimbursements received by the Federal Highway Administration: Provided, That not to exceed \$57,750,000 of the amount provided herein shall remain available until expended: Provided further, That, of the funds available under this limitation, \$5,000,000 shall be made available only for the establishment and implementation of a Demonstration Bonding Program for economically and socially disadvantaged businesses: Provided further, That, notwithstanding any other provision of law, there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities and private sources, for training expenses incurred for non-Federal employees.

HIGHWAY SAFETY RESEARCH AND DEVELOPMENT

For necessary expenses in carrying out provisions of sections 307(a) and 403 of title 23, United States Code, to be derived from the Highway Trust Fund and to remain available until expended, \$8,500,000.

HIGHWAY-RELATED SAFETY GRANTS (LIQUIDATION OF CONTRACT AUTHORIZATION) (TRUST FUND)

For payment of obligations incurred in carrying out the provisions of title 23, United States Code, section 402, administered by the Federal Highway Administration, to remain available until expended, \$5,000,000 to be derived from the Highway Trust Fund: Provided, That not to exceed \$100,000 of the amount appropriated herein shall be available for "Limitation on general operating expenses": Provided further, That none of the funds in this Act shall be available for the planning or execution of programs, the obligations for which are in excess of \$10,000,000 in fiscal year 1985 for "Highway-related safety grants".

RAILROAD-HIGHWAY CROSSINGS DEMONSTRATION PROJECTS

For necessary expenses of certain railroad-highway crossings demonstration projects as authorized by section 163 of the Federal-Aid Highway Act of 1973, as amended, to remain available until expended, \$15,000,000, of which \$10,000,000 shall be derived from the Highway Trust Fund.

INTERMODAL URBAN DEMONSTRATION PROJECT

For necessary expenses to carry out the provisions of section 124 of the Federal-Aid Highway Amendments of 1974, \$2,750,000, to be derived from the Highway Trust Fund and to remain available until September 30, 1987.

AUTO-PEDESTRIAN SEPARATION DEMONSTRATION PROJECT

For necessary expenses to carry out a demonstration project in Fargo, North Dakota, which demonstrates a cost-effective method for enhancing pedestrian safety, \$1,750,000, to remain available until expended.

FEDERAL-AID HIGHWAYS (LIQUIDATION OF CONTRACT AUTHORIZATION) (TRUST FUND)

For carrying out the provisions of title 23, United States Code, which are attributable to Federal-aid highways, including the National Scenic and Recreational Highway as authorized by 23 U.S.C. 148, not otherwise provided, including reimbursements for sums expended pursuant to the provisions of 23 U.S.C. 308, \$12,800,000,000 or so much thereof as may be available in and derived from the Highway Trust Fund, to remain available until expended: Provided, That none of the funds in this Act shall be available for the implementation or execution of programs the obligations for which are in excess of \$13,250,000,000 for Federal-aid highways and highway safety construction programs for fiscal year 1985, except that this limitation shall not apply to obligations for emergency relief under

section 125 of title 23, United States Code, obligations under section 157 of title 23, United States Code, projects covered under section 147 of the Surface Transportation Assistance Act of 1978, section 9 of the Federal-Aid Highway Act of 1981, subsections 131 (b) and (j) of Public Law 97-424, section 118 of the National Visitors Center Facilities Act of 1968, section 320 of title 23, United States Code, or completion of the Zilwaukee Bridge required because of construction failure.

***RIGHT-OF-WAY REVOLVING FUND (LIMITATION ON DIRECT LOANS)
(TRUST FUND)***

During fiscal year 1985 and with the resources and authority available, gross obligations for the principal amount of direct loans shall not exceed \$50,000,000.

MOTOR CARRIER SAFETY

For necessary expenses to carry out motor carrier safety functions of the Secretary, as authorized by the Department of Transportation Act (80 Stat. 939-940), \$14,066,000, of which \$1,162,000 shall remain available until expended, and not to exceed \$1,601,000 shall be available for "Limitation on general operating expenses".

MOTOR CARRIER SAFETY GRANTS

For necessary expenses to carry out the provisions of section 402 of Public Law 97-424, \$14,000,000, to be derived from the Highway Trust Fund and to remain available until September 30, 1988.

***ACCESS HIGHWAYS TO PUBLIC RECREATION AREAS ON CERTAIN
LAKES***

For necessary expenses of certain Access Highway Projects, as authorized by section 155, title 23, U.S.C., \$5,000,000.

WASTE ISOLATION PILOT PROJECT ROADS

For necessary expenses in connection with the upgrading of certain highways for the transportation of nuclear waste generated during defense-related activities, not otherwise provided for, \$16,400,000 to remain available until expended.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

OPERATIONS AND RESEARCH

For expenses necessary to discharge the functions of the Secretary with respect to traffic and highway safety and functions under the Motor Vehicle Information and Cost Savings Act (Public Law 92-513, as amended), \$82,350,000, of which \$23,831,000 shall be derived from the Highway Trust Fund: Provided, That not to exceed \$34,128,000 shall remain available until expended, of which \$10,000,000 shall be derived from the Highway Trust Fund.

**HIGHWAY TRAFFIC SAFETY GRANTS (LIQUIDATION OF CONTRACT
AUTHORIZATION) (TRUST FUND)**

(INCLUDING TRANSFERS OF UNEXPENDED BALANCES)

For payment of obligations incurred in carrying out the provisions of 23 U.S.C. 402, 406, and 408, and section 209 of Public Law 95-599, as amended, to remain available until expended, \$125,000,000, to be derived from the Highway Trust Fund: Provided, That none of the funds in this Act shall be available for the planning or execution of programs, the total obligations for which are in excess of \$100,000,000 in fiscal year 1985 for "State and community highway safety" authorized under 23 U.S.C. 402: Provided further, That none of these funds shall be used for construction, rehabilitation or remodeling costs or for office furnishings and fixtures for State, local, or private buildings or structures: Provided further, That none of the funds in this Act shall be available for the planning or execution of programs, the total obligations for which are in excess of \$50,000,000 for "Alcohol safety incentive grants" authorized under 23 U.S.C. 408: Provided further, That none of the funds in this Act shall be available for planning or execution of programs authorized by section 209 of Public Law 95-599, as amended, the total obligations for which are in excess of \$5,000,000 in fiscal years 1983, 1984 and 1985: Provided further, That not to exceed \$4,900,000 shall be available for administering the provisions of 23 U.S.C. 402: Provided further, That, for fiscal year 1985, no State shall obligate less than 8 per centum of the amount distributed to such State for State and Community Highway Safety grants authorized under 23 U.S.C. 402 for the purposes of developing and implementing comprehensive programs approved by the Secretary of Transportation concerning the use of child restraint systems in motor vehicles: Provided further, That the unexpended balances of the appropriations "State and Community Highway Safety" and "Miscellaneous Safety Programs" exclusive of the General Fund amounts appropriated to cover unexpended Territorial obligations and unexpended Transportation Systems Management obligations shall be transferred to this appropriation and remain available until expended.

FEDERAL RAILROAD ADMINISTRATION

OFFICE OF THE ADMINISTRATOR

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, \$10,700,000.

RAILROAD SAFETY

For necessary expenses in connection with railroad safety, not otherwise provided for, \$26,061,000.

RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses for railroad research and development, \$15,525,000, to remain available until expended.

RAIL SERVICE ASSISTANCE

For necessary expenses for rail service assistance authorized by section 5 of the Department of Transportation Act, as amended, for Washington Union Station, as authorized by Public Law 97-125, and for necessary administrative expenses in connection with Federal rail assistance programs not otherwise provided for, to remain available until expended, \$23,200,000: Provided, That none of the funds provided under this Act shall be available for the planning or execution of a program making commitments to guarantee new loans under the Emergency Rail Services Act of 1970, as amended, and that no new commitments to guarantee loans under section 211(a) or 211(h) of the Regional Rail Reorganization Act of 1973, as amended, shall be made: Provided further, That none of the funds in this Act shall be available for the acquisition, sale or transference of Washington Union Station without the prior approval of the House and Senate Committees on Appropriations: Provided further, That, of the funds available under this head, \$15,000,000 shall be available for allocation to the States under section 5(h)(2) of the Department of Transportation Act, as amended: Provided further, That, notwithstanding any other provision of law, a State may not apply for fiscal year 1985 funds available under section 5(h)(2) until such State has expended all funds granted to it in the fiscal years prior to the beginning of fiscal year 1980, other than funds not expended due to pending litigation: Provided further, That a State denied funding by reason of the immediately preceding proviso may still apply for and receive funds for planning purposes: Provided further, That, notwithstanding any other provision of law, of the funds available under section 5(h)(2), \$10,000,000 shall be made available for use under sections 5(h)(3)(B)(ii) and 5(h)(3)(C) of the Department of Transportation Act, as amended, notwithstanding the limitations set forth in section 5(h)(3)(B)(ii).

CONRAIL LABOR PROTECTION

For labor protection as authorized by section 713 of the Regional Rail Reorganization Act of 1973 as added by section 1143 of the Northeast Rail Service Act of 1981, to remain available until expended, \$15,000,000: Provided, That such sum shall be considered to have been appropriated to the Secretary under said section 713 for transfer to the Railroad Retirement Board for the payment of benefits under section 701 of the Regional Rail Reorganization Act of 1973, as amended: Provided further, That, for the purposes of section 710 of the Regional Rail Reorganization Act of 1973, as added by section 1143 of the Northeast Rail Service Act of 1981, such sum shall be considered to have been appropriated under section 713 of the Regional Rail Reorganization Act of 1973 and counted against the limitation on the total liability of the United States: Provided further, That such sums as may be necessary shall be made available for necessary expenses of administration of section 701 of the Regional Rail Reorganization Act of 1973 by the Railroad Retirement Board.

NORTHEAST CORRIDOR IMPROVEMENT PROGRAM

For necessary expenses related to Northeast Corridor improvements authorized by title VII of the Railroad Revitalization and Regulatory Reform Act of 1976, as amended (45 U.S.C. 851 et seq.), \$27,800,000, to remain available until expended: Provided, That, notwithstanding any other provision of law, the provisions of Public Law 85-804 shall apply to the Northeast Corridor Improvement Program: Provided further, That the Secretary may waive the provisions of 23 U.S.C. 322 (c) and (d) if such action would serve a public purpose: Provided further, That all public at grade-level crossings remaining along the Northeast Corridor upon completion of the project shall be equipped with protective devices including gates and lights.

GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation for operating losses incurred by the Corporation, capital improvements, and labor protection costs authorized by 45 U.S.C. 565, to remain available until expended, \$684,000,000: Provided, That none of the funds herein appropriated shall be used for lease or purchase of passenger motor vehicles or for the hire of vehicle operators for any officer or employee, other than the president of the Corporation, excluding the lease of passenger motor vehicles for those officers or employees while in official travel status: Provided further, That the Secretary shall make no commitments to guarantee new loans or loans for new purposes under 45 U.S.C. 602 in fiscal year 1985: Provided further, That the incurring of any obligation or commitment by the Corporation for the purchase of capital improvements not expressly provided for in an appropriation Act or prohibited by this Act shall be deemed a violation of 31 U.S.C. 1341: Provided further, That no funds are required to be expended or reserved for expenditure pursuant to 45 U.S.C. 601(e): Provided further, That none of the funds in this Act shall be made available to finance the rehabilitation and other improvements (including upgrading track and the signal system, ensuring safety at public and private highway and pedestrian crossings by improving signals or eliminating such crossings, and the improvement of operational portions of stations related to intercity rail passenger service) on the main line track between Atlantic City, New Jersey, and the main line of the Northeast Corridor, unless the Secretary of Transportation certifies that not less than 40 per centum of the costs of such improvements shall be derived from non-Federal sources: Provided further, That, notwithstanding any other provision of law, the National Railroad Passenger Corporation shall not operate rail passenger service between Atlantic City, New Jersey, and the Northeast Corridor main line unless the Corporation's Board of Directors determines that revenues from such service have covered or exceeded 80 per centum of the short term avoidable costs of operating such service in the first year of operation and 100 per centum of the short term avoidable operating costs for each year thereafter: Provided further, That none of the funds provided in this or any other Act shall be made available to finance the acquisition and rehabilitation of a line, and construction necessary to fa-

ilitate improved rail passenger service, between Spuyten Duyvil, New York, and the main line of the Northeast Corridor unless the Secretary of Transportation certifies that not less than 40 per centum of the costs of such improvement shall be derived from non-Amtrak sources.

ALASKA RAILROAD REVOLVING FUND

The Alaska Railroad Revolving Fund shall continue available until expended for the work authorized by law, including operation and maintenance of oceangoing or coastwise vessels by ownership, charter, or arrangement with other branches of the Government service, for the purpose of providing additional facilities for transportation of freight, passengers, or mail, when deemed necessary for the benefit and development of industries or travel in the area served and payment of compensation and expenses as authorized by 5 U.S.C. 8146, to be reimbursed as therein provided: Provided, That no employee shall be paid an annual salary out of said fund in excess of the salaries prescribed by the Classification Act of 1949, as amended, for grade GS-15, except the general manager of said railroad, one assistant general manager and five officers at not to exceed the salaries prescribed for members of the Senior Executive Service.

RAILROAD REHABILITATION AND IMPROVEMENT FINANCING FUNDS

The total commitments to guarantee new loans pursuant to sections 511 through 513 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94-210), as amended, shall not exceed \$2,500,000 of contingent liabilities for loan principal during fiscal year 1985: Provided, That the Secretary of Transportation is authorized to issue to the Secretary of the Treasury notes or other obligations pursuant to section 512 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94-210), as amended, in such amounts and at such times as may be necessary to pay any amounts required pursuant to the guarantee of the principal amount of obligations under sections 511 through 513 of such Act, such authority to exist as long as any such guaranteed obligation is outstanding: Provided further, That the aggregate amount of such notes or other obligations during fiscal year 1985 shall not exceed \$100,000,000.

REDEEMABLE PREFERENCE SHARES

The Secretary of Transportation is hereby authorized to expend proceeds from the sale of fund anticipation notes to the Secretary of the Treasury and any other moneys deposited in the Railroad Rehabilitation and Improvement Fund pursuant to sections 502, 505-507, and 509 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94-210), as amended, and section 803 of Public Law 95-620, for uses authorized for the Fund.

URBAN MASS TRANSPORTATION ADMINISTRATION

ADMINISTRATIVE EXPENSES

For necessary administrative expenses of the urban mass transportation program authorized by the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1601 et seq.), 23 U.S.C. chapter 1, in connection with these activities, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109, \$31,000,000.

RESEARCH, TRAINING, AND HUMAN RESOURCES

For necessary expenses for research, training, and human resources as authorized by the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1601 et seq.), to remain available until expended, \$51,000,000: Provided, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred for training.

FORMULA GRANTS

For necessary expenses to carry out the provisions of sections 9 and 18 of the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1601 et seq.), \$2,449,500,000 to remain available until expended: Provided, That funds shall not be made available for planning, preliminary engineering and design, or construction of the proposed light rail line or subway in the Detroit, Michigan area until a source of operating funds has been approved in accordance with Michigan law.

DISCRETIONARY GRANTS (LIMITATION ON OBLIGATIONS)

None of the funds in this Act shall be available for the implementation or execution of programs in excess of \$1,120,000,000 in fiscal year 1985 for grants under the contract authority authorized in section 21(a)(2)(B) of the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1601 et seq.): Provided, That this limitation shall not apply to any authority for section 21(a)(2)(B) previously made available for obligation: Provided further, That no funds shall be made available for the proposed Woodward light rail line in the Detroit, Michigan area until a source of operating funds has been approved in accordance with Michigan law: Provided further, That the Woodward line restriction shall not apply to alternatives analysis studies.

LIQUIDATION OF CONTRACT AUTHORIZATION

For payment of obligations incurred in carrying out section 21(a)(2) of the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1601 et seq.), administered by the Urban Mass Transportation Administration, \$450,000,000, to be derived from the Highway Trust Fund and to remain available until expended.

INTERSTATE TRANSFER GRANTS—TRANSIT

For necessary expenses to carry out the provisions of 23 U.S.C. 103(e)(4) related to transit projects, \$250,000,000, to remain available until expended.

WASHINGTON METRO

For necessary expenses to carry out the provisions of section 14 of Public Law 96-184, authorizing completion of the 101-mile Adopted Regional System of rapid rail transit, \$250,000,000, to remain available until expended: Provided, That in obligating and expending funds appropriated under this section, the Secretary may not withhold approval of any construction grant request solely on the basis of any mileage limitation.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The Saint Lawrence Seaway Development Corporation is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to such Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for the Corporation except as hereinafter provided.

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed \$1,822,000 shall be available for administrative expenses which shall be computed on an accrual basis, including not to exceed \$3,000 for official entertainment expenses to be expended upon the approval or authority of the Secretary of Transportation: Provided, That Corporation funds shall be available for the hire of passenger motor vehicles and aircraft, operation and maintenance of aircraft, uniforms or allowances therefor for operation and maintenance personnel, as authorized by law (5 U.S.C. 5901-5902), and \$15,000 for services as authorized by 5 U.S.C. 3109.

RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION

RESEARCH AND SPECIAL PROGRAMS

For expenses necessary to discharge the functions of the Research and Special Programs Administration, for expenses for conducting research and development and for grants-in-aid to carry out a pipeline safety program, as authorized by section 5 of the Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. 1674), \$18,900,000, of which \$6,975,000 shall remain available until expended: Provided, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training.

OFFICE OF THE INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, \$27,900,000.

TITLE II—RELATED AGENCIES

ARCHITECTURAL AND TRANSPORTATION BARRIERS
COMPLIANCE BOARD

SALARIES AND EXPENSES

For expenses necessary for the Architectural and Transportation Barriers Compliance Board, as authorized by section 502 of the Rehabilitation Act of 1973, as amended, \$2,000,000.

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the National Transportation Safety Board, including hire of passenger motor vehicles and aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS-18; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901-5902), \$21,700,000, of which not to exceed \$300 may be used for official reception and representation expenses.

CIVIL AERONAUTICS BOARD

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF UNEXPENDED BALANCES)

For necessary expenses of the Civil Aeronautics Board, including hire of aircraft; hire of passenger motor vehicles; services as authorized by 5 U.S.C. 3109; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901-5902); and not to exceed \$1,250 for official reception and representation expenses, \$5,600,000: Provided, That of the foregoing amounts any unexpended balances available on January 1, 1985, shall be transferred to agencies receiving transferred functions.

PAYMENTS TO AIR CARRIERS

(INCLUDING TRANSFER OF UNEXPENDED BALANCES)

For payments to air carriers of so much of the compensation fixed and determined by the Civil Aeronautics Board under section 419 of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1389), as is payable by the Board, \$52,000,000, to remain available until expended and such amounts as may be necessary to liquidate obligations incurred prior to September 30, 1984, under 49 U.S.C. 1376 and 1389 and under Public Law 97-369, "Payments to air carriers": Provided, That of the foregoing amount, any unexpended balances available

on January 1, 1985, shall be transferred to the Department of Transportation: Provided further, That the Board shall expend not to exceed \$102,597 per year to restore guaranteed essential air transportation at Hazelton, Pennsylvania, to the minimum level of service of two round trip flights per day, five days per week, to either Philadelphia, Pennsylvania, or New York, New York, as determined by the community.

INTERSTATE COMMERCE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Interstate Commerce Commission, including services as authorized by 5 U.S.C. 3109, and not to exceed \$1,500 for official reception and representation expenses, \$48,000,000: Provided, That joint board members and cooperating State commissioners may use Government transportation requests when traveling in connection with their official duties as such.

PAYMENTS FOR DIRECTED RAIL SERVICE

None of the funds provided in this Act shall be available for the execution of programs the obligations for which can reasonably be expected to exceed \$1,000,000 for directed rail service authorized under 49 U.S.C. 11125 or any other legislation.

PANAMA CANAL COMMISSION

OPERATING EXPENSES

For operating expenses necessary for the Panama Canal Commission, including hire of passenger motor vehicles and aircraft; uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901-5902); not to exceed \$8,000 for official reception and representation expenses of the Board; operation of guide services; residence for the Administrator; disbursements by the Administrator for employee and community projects; not to exceed \$25,000 for official reception and representation expenses of the Administrator; and to employ services as authorized by law (5 U.S.C. 3109); \$406,346,000, to be derived from the Panama Canal Commission Fund: Provided, That there may be credited to this appropriation funds received from the Panama Canal Commission's capital outlay account for expenses incurred for supplies and services provided for capital projects and funds received from officers and employees of the Commission and/or commercial insurers of Commission employees for payment to other United States Government agencies for expenditures made for services provided to Commission employees and their dependents by such other agencies.

CAPITAL OUTLAY

For acquisition, construction, replacement, and improvements of facilities, structures, and equipment required by the Panama Canal Commission, including the purchase of not to exceed forty-four passenger motor vehicles for replacement only; to employ services authorized by law (5 U.S.C. 3109); \$23,500,000, to be derived from the

Panama Canal Commission Fund and to remain available until expended.

UNITED STATES RAILWAY ASSOCIATION

ADMINISTRATIVE EXPENSES

For necessary administrative expenses to enable the United States Railway Association to carry out its functions under the Regional Rail Reorganization Act of 1973, as amended, to remain available until expended, \$2,100,000, of which not to exceed \$500 may be available for official reception and representation expenses.

WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

INTEREST PAYMENTS

For necessary expenses for interest payments, to remain available until expended, \$46,175,945: Provided, That these funds shall be disbursed pursuant to terms and conditions established by Public Law 96-184 and the Initial Bond Repayment Participation Agreement.

TITLE III—GENERAL PROVISIONS

SEC. 301. During the current fiscal year applicable appropriations to the Department of Transportation shall be available for maintenance and operation of aircraft; hire of passenger motor vehicles and aircraft; purchase of liability insurance for motor vehicles operating in foreign countries on official departmental business; and uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901-5902).

SEC. 302. Funds appropriated for the Panama Canal Commission may be apportioned notwithstanding section 3679 of the Revised Statutes, as amended (31 U.S.C. 1341), to the extent necessary to permit payment of such pay increases for officers or employees as may be authorized by administrative action pursuant to law which are not in excess of statutory increases granted for the same period in corresponding rates of compensation for other employees of the Government in comparable positions.

SEC. 303. Funds appropriated under this Act for expenditures by the Federal Aviation Administration shall be available (1) except as otherwise authorized by the Act of September 30, 1950 (20 U.S.C. 236-244), for expenses of primary and secondary schooling for dependents of Federal Aviation Administration personnel stationed outside the continental United States at costs for any given area not in excess of those of the Department of Defense for the same area, when it is determined by the Secretary that the schools, if any, available in the locality are unable to provide adequately for the education of such dependents and (2) for transportation of said dependents between schools serving the area which they attend and their places of residence when the Secretary, under such regulations as may be prescribed, determines that such schools are not accessible by public means of transportation on a regular basis.

SEC. 304. Appropriations contained in this Act for the Department of Transportation shall be available for services as authorized by 5

U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS-18.

SEC. 305. None of the funds provided under this Act for urban formula grants shall be made available to support mass transit facilities, equipment, or operating expenses unless the applicant for such assistance has given satisfactory assurances in such manner and forms as the Secretary may require, and in accordance with such terms and conditions as the Secretary may prescribe, that the rates charged elderly and handicapped persons during nonpeak hours shall not exceed one-half of the rates generally applicable to other persons at peak hours: Provided, That the Secretary, in prescribing the terms and conditions for the provision of such assistance shall permit an applicant whose existing fare collection system does not reasonably permit the collection of half fares to continue to use a preferential fare system for elderly and handicapped persons which was in effect on or before November 26, 1974, and which incorporates the offering of a free return ride upon payment of the generally applicable full fare, except that such a system may be used after October 1, 1984, only if such system is available for use by all elderly and handicapped persons.

SEC. 306. None of the funds appropriated in this Act for the Panama Canal Commission may be expended unless in conformance with the Panama Canal Treaties of 1977 and any law implementing those treaties.

SEC. 307. None of the funds provided in this Act may be used for planning or construction of rail-highway crossings under section 322(a) of title 23, United States Code, or under section 701(a)(5) or section 703(1)(A) of the Railroad Revitalization and Regulatory Reform Act of 1976 at the—

(1) School street crossing in Groton, Connecticut; and

(2) Broadway Extension crossing in Stonington, Connecticut.

SEC. 308. None of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings funded in this Act.

SEC. 309. None of the funds in this Act shall be used to assist, directly or indirectly, any State in imposing mandatory State inspection fees or sticker requirements on vehicles which are lawfully registered in another State, including vehicles engaged in interstate commercial transportation which are in compliance with Part 396—Inspection and Maintenance of the Federal Motor Carrier Safety Regulations of the U.S. Department of Transportation.

SEC. 310. None of the funds contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 311. Notwithstanding any other provision of law, total amounts of contract authority authorized for fiscal year 1985 in section 21(a)(2)(B) of the Urban Mass Transportation Act of 1964, as amended, shall be available for obligation through fiscal year 1988.

SEC. 312. None of the funds in this or any other Act shall be available for the planning or implementation of any change in the current Federal status of the Transportation Systems Center.

SEC. 313. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to

section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive Order issued pursuant to existing law.

SEC. 314. None of the funds in this Act may be used to implement a rulemaking which would lower the annual passenger ceiling at Washington National Airport.

SEC. 315. (a) For fiscal year 1985 the Secretary of Transportation shall distribute the obligation limitation for Federal-aid highways by allocation in the ratio which sums authorized to be appropriated for Federal-aid highways and highway safety construction which are apportioned or allocated to each State for such fiscal year bear to the total of the sums authorized to be appropriated for Federal-aid highways and highway safety construction which are apportioned or allocated to all the States for such fiscal year.

(b) During the period October 1 through December 31, 1984, no State shall obligate more than 40 per centum of the amount distributed to such State under subsection (a), and the total of all State obligations during such period shall not exceed 25 per centum of the total amount distributed to all States under such subsection.

(c) Notwithstanding subsections (a) and (b), the Secretary shall—

(1) provide all States with authority sufficient to prevent lapses of sums authorized to be appropriated for Federal-aid highways and highway safety construction which have been apportioned to a State, except in those instances in which a State indicates its intention to lapse sums apportioned under section 104(b)(5)(A) of title 23, United States Code.

(2) after August 1, 1985, revise a distribution of the funds made available under subsection (a) if a State will not obligate the amount distributed during that fiscal year and redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year giving priority to those States having large unobligated balances of funds apportioned under section 104 of title 23, United States Code, and giving priority to those States which, because of statutory changes made by the Surface Transportation Assistance Act of 1982 and the Federal-Aid Highway Act of 1981, have experienced substantial proportional reductions in their apportionments and allocations.

(3) not distribute amounts authorized for administrative expenses and the Federal Lands Highway Programs.

This Act may be cited as the "Department of Transportation and Related Agencies Appropriation Act, 1985".

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 matter stricken and inserted by said amendment, insert the following:

(j) Such sums as may be necessary for programs, projects, or activities provided for in the Treasury, Postal Service and General Government Appropriations Act, 1985 (H.R. 5798) to the extent and in

the manner provided for in the conference report and joint explanatory statement of the committee of conference as passed by the House of Representatives on September 12, 1984, as if enacted into law (with the exception of the provisions involved in amendments numbered 24 and 26 which shall be effective as if enacted into law): Provided, That, notwithstanding section 102 of this joint resolution, the Department of the Treasury shall consolidate the operations of the Bureau of Government Financial Operations in accordance with the language concerning amendment numbered 9 in the joint explanatory statement of the committee of conference (H. Rept. 98-993).

And the Senate agree to the same.

Amendment numbered 45:

That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment, as follows:

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

Foster care and adoption assistance activities under title IV-E of the Social Security Act under the terms and conditions established by sections 474(b) and 474(c) of that Act, and sections 102(a)(1) and 102(c) of Public Law 96-272, as those sections were in effect for fiscal year 1984;

Emergency immigrant education activities authorized by section 101(g) of Public Law 98-151; and

Activities under the Follow Through Act, except that the annual rate for such activities shall not exceed \$10,000,000.

And the Senate agree to the same.

Amendment numbered 49:

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

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

In the House engrossed Continuing Resolution strike out all beginning on page 11, line 19 through page 13, line 14, all inclusive.

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 matter stricken and inserted by said amendment insert the following:

In the House engrossed Continuing Resolution strike out all beginning on page 13, line 15 through 22, all inclusive.

And the Senate agree to the same.

Amendment numbered 53:

That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment, as follows:

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

In the House engrossed Continuing Resolution strike out all beginning on page 16, lines 3 through 7, all inclusive.

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:

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

And the Senate agree to the same.

Amendment numbered 73:

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

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

In the House engrossed Continuing Resolution strike out all beginning on page 20, line 10 through 17 all inclusive.

And the Senate agree to the same.

Amendment numbered 82:

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

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

SEC. 111A. (a) The Small Business Act is amended by adding the following new section:

"SEC. 23. Notwithstanding any other provision of law, rule, or regulations, for purposes of section 7(b) of this Act (15 U.S.C. 636(b)), the Administrator shall, with respect to small business concerns involved in the fishing industry, treat the recent El Nino-related ocean conditions as a disaster under such subsection:

"(1) disaster loan assistance shall be provided to the fishing industry pursuant to paragraph (2) of such section—

"(A) the term "recent El Nino-related ocean conditions" means the ocean conditions (including high water temperatures, scarcity of prey, and absence of normal upwellings) which occurred in the eastern Pacific Ocean off the west coast of the North American Continent during the period beginning with June 1982 and ending at the close of December 1983, and which resulted from the climatic conditions occurring in the Equatorial Pacific during 1982 and 1983;

"(B) the term "fishing industry" means any trade or business involved in (i) the catching, taking, or harvesting of fish (whether or not sold on a commercial basis), (ii) any operation at sea or on land, in preparation for, or substantially dependent upon, the catching, taking, or harvesting of fish, and (iii) the processing or canning of fish (including storage, refrigeration and transportation of fish before processing or canning); and

"(C) the term "fish" means finfish, mollusks, crustaceans, and all other forms of marine animal and plant life other than marine mammals and birds; and

"(2) for purposes of paragraphs (2) through (4) of subsection 7(b) of this Act, eligibility of individual applicants shall not in

any way be dependent upon the number of disaster victims in any county or other political subdivision.”; and

(b) Section 3(j) of such Act is amended by striking all of such subsection after the word “association” in the second sentence thereof and by inserting in lieu thereof “as a business concern and shall not include the income or employees of any member shareholder of such cooperative.”.

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 matter proposed by said amendment insert:

SEC. 112. The limitation otherwise applicable to the maximum payments that may be required in any fiscal year by all contracts entered into under section 236 of the National Housing Act, as amended (12 U.S.C. 1715z-1), reduced in fiscal year 1985 by not more than \$7,631,000 in uncommitted balances of authorizations provided for this purpose in appropriation acts pursuant to the paragraph under the heading “Rental housing assistance” in the Department of Housing and Urban Development-Independent Agencies Appropriation Act, 1985 (Public Law 98-371, 98 Stat. 1213, 1215), shall not be reduced by more than \$4,331,000 in fiscal year 1985: Provided, That \$3,300,000 in such uncommitted balances shall be made available in fiscal year 1985 and remain available thereafter until used as needed to replace amounts pooled for interest reduction payments for State-aided, noninsured rental housing projects under such section 236, but used during fiscal year 1982 for amendments to contracts for rental assistance payments.

And the Senate agree to the same.

Amendment numbered 85:

That the House recede from its disagreement to the amendment of the Senate numbered 85, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment insert:

SEC. 113A. Notwithstanding any other provision of this joint resolution, there is appropriated to the Treasury \$300,000,000, to be made available to cover the additional interest expenses incurred on borrowings by the Secretary of Housing and Urban Development from the Treasury that are necessary to extend direct loans to local public housing agencies as authorized under section 4(a) of the United States Housing Act of 1937, for the purposes of financing public housing projects as authorized under section 5(c) of the United States Housing Act of 1937: Provided, That the foregoing appropriation shall be available only in connection with additional interest expenses incurred on Treasury borrowings having maturities not in excess of seven months from the date that such borrowings occur: Provided further, That no such Treasury borrowings in connection with the foregoing appropriation shall take place after April 3, 1985: Provided further, That the foregoing \$300,000,000 shall be available until expended on interest incurred pursuant to the Treasury borrowings: Provided further, That direct loan proceeds shall be made available for new loan commitments and contract executions for public housing development, modernization and Indian housing,

and for financing of existing contracts: Provided further, That notwithstanding section 4 of the United States Housing Act of 1937, or any other provision of law, loans made pursuant to section 4(a) of the United States Housing Act of 1937 by the Secretary of Housing and Urban Development (and Treasury borrowing under section 4(b) of such Act), which are necessary due to the failure to publicly sell tax-exempt public housing agency obligations, shall be at interest rates comparable to the interest rates on such obligations issued by public housing agencies.

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 matter proposed by said amendment insert:

SEC. 124. Notwithstanding any other provision of this joint resolution, the Secretary of the Department of Transportation shall grant an exemption from the January 1, 1985 deadline for compliance with the provisions of Public Law 96-193, if an applicant for such exemption submits to the Secretary prior to January 1, 1985 an application for exemption which complies with the provisions of subsections (b) or (c) of this section.

(b) The Secretary shall specify the form and manner in which any application shall be made. Any such application from a person operating aircraft for which equipment to assure compliance with the provisions of Public Law 96-193 ("hush kits") is currently under development shall include a copy of a contract entered into by the applicant and a known supplier of equipment which would bring the applicant into compliance with the provisions of Public Law 96-193.

(c) Applicants currently operating aircraft obtained prior to January 1, 1980 for which no such compliance equipment is currently under development shall accompany their application with a sworn commitment to enter into a contract not later than June 1, 1985 for aircraft which will comply with the provisions of Public Law 96-193.

(d) Nothing in this section shall be construed to limit the power of the Secretary to deny any application or revoke any exemption granted under this section if, after examining any contract submitted under Subsection (b) or (c) of this section, the Secretary determines that the applicant or holder of such exemption will not be able to comply with the requirements of Public Law 96-193 within the timeframe set forth in such exemption. No exemptions shall be issued to any applicant pursuant to this section unless the Secretary determines that the contract required under subsection (b) or (c) of this section is with a bona fide supplier of equipment to assure compliance in the case of subsection (b) of this section, or complying aircraft in the case of subsection (c) of this section; that such equipment or aircraft can reasonably be expected to achieve compliance; that such contract provides for non-refundable deposits sufficient to assure good faith compliance by such applicant; and that the contract provides for compliance at the earliest possible date.

(e) Any exemption granted under this section shall expire not later than December 31, 1985 except that, if the Secretary determines that equipment to insure compliance with the provisions of Public Law

96-193 which has been certified by the Department for that purpose will not be available to the holder of the exemption by that date, the Secretary may extend such exemption for such period as the Secretary determines is necessary to insure compliance with such provisions.

(f) No person receiving an exemption under the provisions of this section may increase either the frequency of operations into the place for which the exemption was granted, or increase the number of non-compliant aircraft operated at the place for which the exemption was granted beyond that existing in the 12 months prior to the date of enactment of this section.

(g) No exemption granted pursuant to this section shall (i) permit flights at any airport in the United States, as the term United States is defined in 49 U.S.C. 1301, other than Miami International Airport, in Miami, Florida, and Bangor International Airport, in Bangor, Maine, or (ii) permit the operation of flights which serve both Miami International Airport and Bangor International Airport.

And the Senate agree to the same.

Amendment numbered 108:

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

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

SEC. 127. Notwithstanding any other provision of this joint resolution, and in addition to amounts appropriated elsewhere, there are appropriated \$3,200,000 for fiscal year 1985 for Salaries and Expenses of the Food and Drug Administration to carry out the Drug Price Competition and Patent Term Restoration Act of 1984; and \$8,350,000 for fiscal year 1985 for the Food and Drug Administration for activities (including construction) related to acquired immune deficiency syndrome, which shall be available only to the extent an official budget request is transmitted to the Congress.

And the Senate agree to the same.

Amendment numbered 121:

That the House recede from its disagreement to the amendment of the Senate numbered 121, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment insert:

SEC. 139. Notwithstanding any other provision of this joint resolution, the following additional amounts are hereby appropriated for the Department of State, Administration of Foreign Affairs, and all to remain available until September 30, 1986; \$81,200,000 for "Salaries and expenses"; \$28,000,000 for "Acquisition, operation, and maintenance of buildings abroad"; and \$1,000,000 for "Emergencies in the diplomatic and consular service" to pay rewards for information concerning terrorist acts: Provided, That these funds shall be available notwithstanding section 15(a) of the State Department Basic Authorities Act of 1956: Provided further, That The Department shall report to the appropriate committees in Congress on the obligation of funds every thirty days from the date of enactment.

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 matter inserted by said amendment, insert the following:

SEC. 140. The Central Intelligence Agency Act of 1949 (50 U.S.C. 403a et seq.) is amended by adding at the end thereof the following new section:

SECURITY PERSONNEL AT AGENCY INSTALLATIONS

SEC. 15. (a) The Director may authorize Agency personnel within the United States to perform the same functions as special policemen of the General Services Administration perform under the first section of the Act entitled "An Act to authorize the Federal Works Administrator or officials of the Federal Works Agency duly authorized by him to appoint special policemen for duty upon Federal property under the jurisdiction of the Federal Works Agency, and for other purposes" (40 U.S.C. 318), with the powers set forth in that section, except that such personnel shall perform such functions and exercise such powers only within Agency installations and the rules and regulations enforced by such personnel shall be rules and regulations promulgated by the Director.

(b) The Director is authorized to establish penalties for violations of the rules or regulations promulgated by the Director under subsection (a) of this section. Such penalties shall not exceed those specified in the fourth section of the Act referred to in subsection (a) of this section (40 U.S.C. 318c).

(c) Agency personnel designated by the Director under subsection (a) of this section shall be clearly identifiable as United States Government security personnel while engaged in the performance of the functions to which subsection (a) of this section refers.

And the Senate agree to the same.

Amendment numbered 126:

That the House recede from its disagreement to the amendment of the Senate numbered 126, and agree to the same with an amendment, as follows:

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

SEC. 122. (a) Federal employees furloughed as a result of the lapse of appropriations from midnight October 3, 1984, until the enactment of this Act, will be compensated at their standard rate of compensation for the period during which there was a lapse of appropriations.

(b) All obligations incurred in anticipation of the appropriations and authority provided in this joint resolution for the purposes of maintaining the minimum level of essential activities necessary to protect life and property and bringing about orderly termination of other functions are hereby ratified and confirmed if otherwise in accordance with the provisions of this joint resolution.

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:

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

SEC. 131. (a) Section 466(b) of the District of Columbia Self-Government and Governmental Reorganization Act (D.C. Code, sec. 47-246) is amended by striking out "sold before October 1, 1984," and inserting in lieu thereof "sold before October 1, 1985,".

(b) Section 303(b) of the District of Columbia Self-Government and Governmental Reorganization Act is amended to read as follows:

"(b) An amendment to the charter ratified by the registered electors shall take effect upon the expiration of the 35-calendar day period (excluding Saturdays, Sundays, holidays, and days on which either House of Congress is not in session) following the date such amendment was submitted to the Congress, or upon the date prescribed by such amendment, whichever is later, unless during such 35-day period, there has been enacted into law a joint resolution, in accordance with the procedures specified in section 604 of this Act, disapproving such amendment. In any case in which any such joint resolution disapproving such an amendment has, within such 35-day period, passed both Houses of Congress and has been transmitted to the President, such resolution, upon becoming law subsequent to the expiration of such 35-day period, shall be deemed to have repealed such amendment, as of the date such resolution becomes law."

(c)(1) The second sentence of section 412(a) of such Act is amended to read as follows: "Except as provided in the last sentence of this subsection, the Council shall use acts for all legislative purposes."

(2) The last sentence of section 412(a) of such Act is amended to read as follows: "Resolutions shall be used (1) to express simple determinations, decisions, or directions of the Council of a special or temporary character; and (2) to approve or disapprove proposed actions of a kind historically or traditionally transmitted by the Mayor, the Board of Elections, Public Service Commission, Armory Board, Board of Education, the Board of Trustees of the University of the District of Columbia, or the Convention Center Board of Directors to the Council pursuant to an act. Such resolutions must be specifically authorized by that act and must be designed to implement that act."

(d) The second sentence of section 602(c)(1) of such Act is amended to read as follows: "Except as provided in paragraph (2), such act shall take effect upon the expiration of the 30-calendar day period (excluding Saturdays, Sundays, and holidays, and any day on which neither House is in session because of an adjournment sine die, a recess of more than three days, or an adjournment of more than three days) beginning on the day such act is transmitted by the Chairman to the Speaker of the House of Representatives and the President of the Senate, or upon the date prescribed by such act, whichever is later, unless during such 30-day period, there has been enacted into law a joint resolution disapproving such act. In any case in which any such joint resolution disapproving such an act has, within such 30-day period, passed both Houses of Congress and has been transmitted to the President, such resolution, upon becom-

ing law, subsequent to the expiration of such 30-day period, shall be deemed to have repealed such act, as of the date such resolution becomes law.”.

(e) The third sentence of section 602(c)(1) of such Act is amended by deleting “concurrent” and inserting in lieu thereof “joint”.

(f) The first sentence of section 602(c)(2) of such Act is amended to read as follows: “In the case of any such Act transmitted by the Chairman with respect to any Act codified in title 22, 23, or 24 of the District of Columbia Code, such act shall take effect at the end of the 60-day period beginning on the day such act is transmitted by the Chairman to the Speaker of the House of Representatives and the President of the Senate unless, during such 60-day period, there has been enacted into law a joint resolution disapproving such act. In any case in which any such joint resolution disapproving such an act has, within such 60-day period, passed both Houses of Congress and has been transmitted to the President, such resolution, upon becoming law subsequent to the expiration of such 60-day period shall be deemed to have repealed such act, as of the date such resolution becomes law.”.

(g) The second sentence of section 602(c)(2) is amended to read as follows: “The provisions of section 604, relating to an expedited procedure for consideration of joint resolutions, shall apply to a joint resolution disapproving such act as specified in this paragraph.”.

(h) Section 604(b) of such Act is amended by deleting “concurrent” and inserting in lieu thereof “joint”.

(i) Subsections (b) and (c) of section 740 of such Act are amended by deleting in each such subsection the words “adoption of a resolution by either the Senate or the House of Representatives” and inserting in lieu thereof “enactment into law of a joint resolution by the Congress”.

(j) Section 740(d) of such Act is amended by deleting “approve a concurrent” and inserting in lieu thereof “enact into law a joint”.

(k) The amendments made by the preceding subsections of this section shall not be applicable with respect to any law, which was passed by the Council of the District of Columbia prior to the date of the enactment of this Act, and such laws are hereby deemed valid, in accordance with the provisions thereof notwithstanding such amendments. Any previous act of the Council of the District of Columbia which has been disapproved by the Congress pursuant to section 602(c)(1) or section 602(c)(2) is hereby deemed null and void.

(l) Part F of title VII of such Act is amended by adding at the end thereof the following new section:

“SEVERABILITY

“SEC. 762. If any particular provision of this Act, or the application thereof to any person or circumstance, is held invalid, the remainder of this Act and the application of such provision to other persons or circumstances shall not be affected thereby.”.

(m) Section 164(a)(3) of the District of Columbia Retirement Reform Act is amended to read as follows:

“(3)(A) The Congress may reject any filing under this section within thirty days of such filing by enacting into law a joint resolution stating that the Congress has determined—

“(i) that such filing is incomplete for purposes of this part, or
 “(ii) that there is any material qualification by an accountant or actuary contained in an opinion submitted pursuant to section 162(a)(3)(A) or section 162(a)(4)(B).

“(B) If the Congress rejects a filing under subparagraph (A) and if either a revised filing is not submitted within forty-five days after the enactment under subparagraph (A) rejecting the initial filing or such revised filing is rejected by the Congress by enactment into law of a joint resolution within thirty days after submission of the revised filing, then the Congress may, if it deems it is in the best interests of the participants, take any one or more of the following actions:

“(i) Retain an independent qualified public accountant on behalf of the participants to perform an audit.

“(ii) Retain an enrolled actuary on behalf of the participants to prepare an actuarial statement.

The Board and the Mayor shall permit any accountant or actuary so retained to inspect whatever books and records of the Fund and the retirement program are necessary for performing such audit or preparing such statement.

“(C) If a revised filing is rejected under subparagraph (B) or if a filing required under this title is not made by the date specified, no funds appropriated for the Fund with respect to which such filing was required as part of the Federal payment may be paid to the Fund until such time as an acceptable filing is made. For purposes of this subparagraph, a filing is unacceptable if, within thirty days of its submission, the Congress enacts into law a joint resolution disapproving such filing.”

(n) The provisions of this section shall be effective hereafter without limitation as to fiscal year, notwithstanding any other provision of this joint resolution.

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 matter stricken and inserted, insert the following:

SEC. 506. (a) This part may be cited as the “Dangerous Drug Diversion Control Act of 1984”.

(b) Whenever in sections 507 through 519 an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the controlled Substances Act, and whenever in sections 520 through 525 an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Controlled Substances Import and Export Act.

SEC. 507. (a) Section 102 (21 U.S.C. 802) is amended by redesignating paragraphs (14) through (29) as paragraphs (15) through (30), respectively, and by adding after paragraph (13) the following:

“(14) The term ‘isomer’ means the optical isomer, except as used in schedule I(c) and schedule II(a)(4). As used in schedule I(c), the

term 'isomer' means the optical, positional, or geometric isomer. As used in schedule II(a)(4), the term 'isomer' means the optical or geometric isomer."

(b) Paragraph (17) (as so redesignated) of section 102 is amended to read as follows:

"(17) The term 'narcotic drug' means any of the following whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

"(A) Opium, opiates, derivatives of opium and opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designation. Such term does not include the isoquinoline alkaloids of opium.

"(B) Poppy straw and concentrate of poppy straw.

"(C) Coca leaves, except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed.

"(D) Cocaine, its salts, optical and geometric isomers, and salts of isomers.

"(E) Ecgonine, its derivatives, their salts, isomers, and salts of isomers.

"(F) Any compound, mixture, or preparation which contains any quantity of any of the substances referred to in subparagraphs (A) through (E)."

(c) Paragraph (a)(4) of schedule II is amended by inserting after "coca leaves" the first time it appears the following: "(including cocaine and ecgonine and their salts, isomers, derivatives, and salts of isomers and derivatives)".

SEC. 508. Section 201 (21 U.S.C. 811) is amended by adding a new subsection (h) as follows:

"(h)(1) If the Attorney General finds that the scheduling of a substance in schedule I on a temporary basis is necessary to avoid an imminent hazard to the public safety, he may, by order and without regard to the requirements of subsection (b) relating to the Secretary of Health and Human Services, schedule such substance in schedule I if the substance is not listed in any other schedule in section 202 or if no exemption or approval is in effect for the substance under section 505 of the Federal Food, Drug, and Cosmetic Act. Such an order may not be issued before the expiration of 30 days from—

"(A) the date of the publication by the Attorney General of a notice in the Federal Register of the intention to issue such order and the grounds upon which such order is to be issued, and

"(3) the date the Attorney General has transmitted the notice required by paragraph (4).

"(2) The scheduling of a substance under this subsection shall expire at the end of one year from the date of the issuance of the order scheduling such substance, except that the Attorney General may, during the pendency of proceedings under subsection (a)(1) with respect to the substance, extend the temporary scheduling for up to six months.

“(3) When issuing an order under paragraph (1), the Attorney General shall be required to consider, with respect to the finding of an imminent hazard to the public safety, only those factors set forth in paragraphs (4), (5), and (6) of subsection (c), including actual abuse, diversion from legitimate channels, and clandestine importation, manufacture, or distribution.

“(4) The Attorney General shall transmit notice of an order proposed to be issued under paragraph (1) to the Secretary of Health and Human Services. In issuing an order under paragraph (1), the Attorney General shall take into consideration any comments submitted by the Secretary in response to a notice transmitted pursuant to this paragraph.

“(5) An order issued under paragraph (1) with respect to a substance shall be vacated upon the conclusion of a subsequent rule-making proceeding initiated under subsection (a) with respect to such substance.

“(6) An order issued under paragraph (1) is not subject to judicial review.”

SEC. 509. (a) Section 201(g) (21 U.S.C. 811(g)) is amended by adding at the end the following:

“(3) The Attorney General may, by regulation, exempt any compound, mixture, or preparation containing a controlled substance from the application of all or any part of this title if he finds such compound, mixture, or preparation meets the requirements of one of the following categories:

“(A) A mixture, or preparation containing a nonnarcotic controlled substance, which mixture or preparation is approved for prescription use, and which contains one or more other active ingredients which are not listed in any schedule and which are included therein in such combinations, quantity, proportion, or concentration as to vitiate the potential for abuse.

“(B) A compound, mixture, or preparation which contains any controlled substance, which is not for administration to a human being or animal, and which is packaged in such form or concentration, or with adulterants or denaturants, so that as packaged it does not present any significant potential for abuse.”

(b) Section 202(d) (21 U.S.C. 812(d)) is repealed.

SEC. 510. Section 302(a) (21 U.S.C. 822(a)) is amended to read as follows:

“(a)(1) Every person who manufactures or distributes any controlled substance, or who proposes to engage in the manufacture or distribution of any controlled substance, shall obtain annually a registration issued by the Attorney General in accordance with the rules and regulations promulgated by him.

“(2) Every person who dispenses, or who proposes to dispense, any controlled substance, shall obtain from the Attorney General a registration issued in accordance with the rules and regulations promulgated by him. The Attorney General shall, by regulation, determine the period of such registrations. In no event, however, shall such registrations be issued for less than one year nor for more than three years.”

SEC. 511. Section 303(f) (21 U.S.C. 823(f)) is amended to read as follows:

“(f) The Attorney General shall register practitioners (including pharmacies, as distinguished from pharmacists) to dispense, or conduct research with, controlled substances in schedules II, III, IV, or V, if the applicant is authorized to dispense, or conduct research with respect to, controlled substances under the laws of the State in which he practices. The Attorney General may deny an application for such registration if he determines that the issuance of such registration would be inconsistent with the public interest. In determining the public interest, the following factors shall be considered:

“(1) The recommendation of the appropriate State licensing board or professional disciplinary authority.

“(2) The applicant’s experience in dispensing, or conducting research with respect to controlled substances.

“(3) The applicant’s conviction record under Federal or State laws relating to the manufacture, distribution, or dispensing of controlled substances.

“(4) Compliance with applicable State, Federal, or local laws relating to controlled substances.

“(5) Such other conduct which may threaten the public health and safety.

Separate registration under this part for practitioners engaging in research with controlled substances in schedules II, III, IV, or V, who are already registered under this part in another capacity, shall not be required. Registration applications by practitioners wishing to conduct research with controlled substances in schedule I shall be referred to the Secretary, who shall determine the qualifications and competency of each practitioner requesting registration, as well as the merits of the research protocol. The Secretary, in determining the merits of each research protocol, shall consult with the Attorney General as to effective procedures to adequately safeguard against diversion of such controlled substances from legitimate medical or scientific use. Registration for the purpose of bona fide research with controlled substances in schedule I by a practitioner deemed qualified by the Secretary may be denied by the Attorney General only on a ground specified in section 304(a). Article 7 of the Convention on Psychotropic Substances shall not be construed to prohibit, or impose additional restrictions upon, research involving drugs or other substances scheduled under the convention which is conducted in conformity with this subsection and other applicable provisions of this title.”

SEC. 512. Section 304(a) (21 U.S.C. 824(a)) is amended—

(1) by inserting before the period in paragraph (3) the following: “or has had the suspension, revocation, or denial of his registration recommended by competent State authority”; and

(2) by striking out “or” at the end of paragraph (2), by striking out the period at the end of paragraph (3) and inserting in lieu thereof “; or”, and by adding after paragraph (3) the following:

“(4) has committed such acts as would render his registration under section 303 inconsistent with the public interest as determined under such section.”

SEC. 513. Section 304 (21 U.S.C. 824) is amended by adding at the end the following:

“(g) The Attorney General may, in this discretion, seize or place under seal any controlled substances owned or possessed by a registrant whose registration has expired or who has ceased to practice or do business in the manner contemplated by his registration. Such controlled substances shall be held for the benefit of the registrant, or his successor in interest. The Attorney General shall notify a registrant, or his successor in interest, who has any controlled substance seized or placed under seal of the procedures to be followed to secure the return of the controlled substance and the conditions under which it will be returned. The Attorney General may not dispose of any controlled substance seized or placed under seal under this subsection until the expiration of one hundred and eighty days from the date such substance was seized or placed under seal.”.

SEC. 514. (a) Section 307(c)(1)(A) (21 U.S.C. 827(c)(1)(A)) is amended to read as follows:

“(A) to the prescribing of controlled substances in schedule II, III, IV, or V by practitioners acting in the lawful course of their professional practice unless such substance is prescribed in the course of maintenance or detoxification treatment of an individual; or”.

(d) Section 307(c)(1)(B) (21 U.S.C. 827(c)(1)(B)) is amended to read as follows:

“(B) to the administering of a controlled substance in schedule II, III, IV, or V unless the practitioner regularly engages in the dispensing or administering of controlled substances and charges his patients, either separately or together with charges for other professional services, for substances so dispensed or administered or unless such substance is administered in the course of maintenance treatment or detoxification treatment of an individual.”.

SEC. 515. Section 307 (21 U.S.C. 827) is further amended by adding at the end a new subsection (g) as follows:

“(g) Every registrant under this title shall be required to report any change of professional or business address in such manner as the Attorney General shall by regulation require.”.

SEC. 516. Section 403(a)(2) (21 U.S.C. 843(a)(2)) is amended to read as follows:

“(2) to use in the course of the manufacture, distribution, or dispensing of a controlled substance, or to use for the purpose of acquiring or obtaining a controlled substance, a registration number which is fictitious, revoked, suspended, expired, or issued to another person.”.

SEC. 517. (a) Section 503(a) (21 U.S.C. 873(a)) is amended by striking out “and” at the end of paragraph (4), by striking out the period at the end of paragraph (5) and inserting in lieu thereof “; and” and by adding at the end the following:

“(6) assist State and local governments in suppressing the diversion of controlled substances from legitimate medical, scientific, and commercial channels by—

“(A) making periodic assessments of the capabilities of State and local governments to adequately control the diversion of controlled substances;

“(B) providing advice and counsel to State and local governments on the methods by which such governments may strengthen their controls against diversion; and

“(C) establishing cooperative investigative efforts to control diversion.”

(b) Section 503 is amended by adding at the end the following:

“(d)(1) The Attorney General may make grants, in accordance with paragraph (2), to State and local governments to assist in meeting the costs of—

“(A) collecting and analyzing data on the diversion of controlled substances,

“(B) conducting investigations and prosecutions of such diversions,

“(C) improving regulatory controls and other authorities to control such diversions,

“(D) programs to prevent such diversions,

“(E) preventing and detecting forged prescriptions, and

“(F) training law enforcement and regulatory personnel to improve the control of such diversions.

“(2) No grant may be made under paragraph (1) unless an application therefor is submitted to the Attorney General in such form and manner as the Attorney General may prescribe. No grant may exceed 80 per centum of the costs for which the grant is made, and no grant may be made unless the recipient of the grant provides assurances satisfactory to the Attorney General that it will obligate funds to meet the remaining 20 per centum of such costs. The Attorney General shall review the activities carried out with grants under paragraph (1) and shall report annually to Congress on such activities.

“(3) To carry out this subsection there is authorized to be appropriated \$6,000,000 for fiscal year 1985 and \$6,000,000 for fiscal year 1986.”

SEC. 518. Section 511(a) (21 U.S.C. 881(a)) is amended by inserting the following new paragraph:

“(8) All controlled substances which have been possessed in violation of this title.”

SEC. 519. Section 1002(a)(1) (21 U.S.C. 952(a)(1)) is amended to read as follows:

“(1) such amounts of crude opium, poppy straw, concentrate of poppy straw, and coca leaves as the Attorney General finds to be necessary to provide for medical, scientific, or other legitimate purposes, and”.

SEC. 520. Section 1002(a)(2) (21 U.S.C. 952(a)(2)) is amended by striking out “or” at the end of subparagraph (A), by adding “or” at the end of subparagraph (B), and by adding the following after subparagraph (B):

“(C) in any case in which the Attorney General finds that such controlled substance is in limited quantities exclusively for scientific, analytical, or research uses.”.

SEC. 521. Section 1002(b)(2) (21 U.S.C. 952(b)(2)) is amended to read as follows:

“(2) is imported pursuant to such notification, or declaration, or in the case of any nonnarcotic controlled substance in schedule III, such import permit, notification, or declaration, as the

Attorney General may by regulation prescribe, except that if a nonnarcotic controlled substance in schedule IV or V is also listed in schedule I or II of the Convention on Psychotropic Substances it shall be imported pursuant to such import permit requirements, prescribed by regulation of the Attorney General, as are required by the Convention.”

SEC. 522. Section 1003(e) (21 U.S.C. 953(e)) is amended to read as follows:

“(e) It shall be unlawful to export from the United States to any other country any nonnarcotic controlled substance in schedule III or IV or any controlled substances in schedule V unless—

“(1) there is furnished (before export) to the Attorney General documentary proof that importation is not contrary to the laws or regulations of the country of destination for consumption for medical, scientific, or other legitimate purposes;

“(2) it is exported pursuant to such notification or declaration, or in the case of any nonnarcotic controlled substance in schedule III, such export permit, notification, or declaration as the Attorney General may by regulation prescribe; and

“(3) in the case of a nonnarcotic controlled substance in schedule IV or V which is also listed in schedule I or II of the Convention on Psychotropic Substances, it is exported pursuant to such export permit requirements, prescribed by regulation of the Attorney General, as are required by the Convention.”

SEC. 523. Section 1007(a)(2) (21 U.S.C. 957(a)(2)) is amended to read as follows:

“(2) export from the United States any controlled substance in schedule I, II, III, IV, or V.”

SEC. 524. Section 1008(b) (21 U.S.C. 958(b)) is amended to read as follows:

“(b) Registration granted under this section shall not entitle a registrant to import or export controlled substances other than specified in the registration.”

SEC. 525. Section 1008 (21 U.S.C. 958) is further amended by redesignating subsections (d), (e), (f), (g), and (h) as subsections (e), (f), (g), (h), and (i), respectively, and—

(1) by inserting after subsection (c) the following new subsection (d):

“(d)(1) The Attorney General may deny an application for registration under subsection (a) if he is unable to determine that such registration is consistent with the public interest (as defined in subsection (a)) and with the United States obligations under international treaties, conventions, or protocols in effect on the effective date of this part.

“(2) The Attorney General may deny an application for registration under subsection (c), or revoke or suspend a registration under subsection (a) or (c), if he determines that such registration is inconsistent with the public interest (as defined in subsection (a) or (c)) or with the United States obligations under international treaties, conventions, or protocols in effect on the effective date of this part.

“(3) The Attorney General may limit the revocation or suspension of a registration to the particular controlled substance, or substances, with respect to which grounds for revocation or suspension exist.

"(4) Before taking action pursuant to this subsection, the Attorney General shall serve upon the applicant or registrant an order to show cause as to why the registration should not be denied, revoked, or suspended. The order to show cause shall contain a statement of the basis thereof and shall call upon the applicant or registrant to appear before the Attorney General, or his designee, at a time and place stated in the order, but in no event less than thirty days after the date of receipt of the order. Proceedings to deny, revoke, or suspend shall be conducted pursuant to this subsection in accordance with subchapter II of chapter 5 of title 5 of the United States Code. Such proceedings shall be independent of, and not in lieu of, criminal prosecutions or other proceedings under this title or any other law of the United States.

"(5) The Attorney General may, in his discretion, suspend any registration simultaneously with the institution of proceedings under this subsection, in cases where he finds that there is an imminent danger to the public health and safety. Such suspension shall continue in effect until the conclusion of such proceedings, including judicial review thereof, unless sooner withdrawn by the Attorney General or dissolved by a court of competent jurisdiction.

"(6) In the event that the Attorney General suspends or revokes a registration granted under this section, all controlled substances owned or possessed by the registrant pursuant to such registration at the time of suspension or the effective date of the revocation order, as the case may be, may, in the discretion of the Attorney General, be seized or placed under seal. No disposition may be made of any controlled substances under seal until the time for taking an appeal has elapsed or until all appeals have been concluded, except that a court, upon application therefor, may at any time order the sale of perishable controlled substances. Any such order shall require the deposit of the proceeds of the sale with the court. Upon a revocation order becoming final, all such controlled substances (or proceeds of the sale thereof which have been deposited with the court) shall be forfeited to the United States; and the Attorney General shall dispose of such controlled substances in accordance with section 511(e) of the Controlled Substances Act."; and

(2) by striking our "304," in the second sentence of redesignated subsection (e).

And the Senate agree to the same.

Amendment numbered 134.

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

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

CHAPTER VI— DIVISION I, JUSTICE ASSISTANCE

SUBDIVISION A—AMENDMENTS TO OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968

SHORT TITLE

SEC. 601. This division may be cited as the "Justice Assistance Act of 1984".

DECLARATION AND PURPOSE

SEC. 602. Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3701-3799) is amended in the matter preceding part A by striking out the declaration and purpose.

OFFICE OF JUSTICE PROGRAMS

SEC. 603. (a) Part A of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711-3713) is amended to read as follows—

“PART A—OFFICE OF JUSTICE PROGRAMS

“ESTABLISHMENT OF OFFICE OF JUSTICE PROGRAMS

“SEC. 101. There is hereby established an Office of Justice Programs within the Department of Justice under the general authority of the Attorney General. The Office of Justice Programs (hereinafter referred to in this title as the ‘Office’) shall be headed by an Assistant Attorney General (hereinafter in this title referred to as the ‘Assistant Attorney General’) appointed by the President, by and with the advice and consent of the Senate.

“DUTIES AND FUNCTIONS OF ASSISTANT ATTORNEY GENERAL

“SEC. 102. (a) The Assistant Attorney General shall—

“(1) publish and disseminate information on the conditions and progress of the criminal justice systems;

“(2) maintain liaison with the executive and judicial branches of the Federal and State Governments in matters relating to criminal justice;

“(3) provide information to the President, the Congress, the judiciary, State and local governments, and the general public relating to criminal justice;

“(4) maintain liaison with public and private educational and research institutions, State and local governments, and governments of other nations relating to criminal justice;

“(5) provide staff support to coordinate the activities of the Office and the Bureau of Justice Assistance, the National Institute of Justice, the Bureau of Justice Statistics, and the Office of Juvenile Justice and Delinquency Prevention; and

“(6) exercise such other powers and functions as may be vested in the Assistant Attorney General pursuant to this title or by delegation of the Attorney General.

“(b) The Assistant Attorney General shall submit an annual report to the President and to the Congress not later than March 31 of each year.”.

NATIONAL INSTITUTE OF JUSTICE

SEC. 604. (a) Section 201 of part B of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3721) is amended—

(1) in paragraph (3) by inserting “and” at the end thereof,

(2) by striking out paragraph (4),

(3) by redesignating paragraph (5) as paragraph (4),

(4) by striking out "to develop alternatives to judicial resolution of disputes," and

(5) by inserting "and demonstrate" after "to develop".

(b) Section 202 of part B of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3722) is amended—

(1) in subsection (b) by inserting after the second sentence the following: "The Director shall report to the Attorney General through the Assistant Attorney General.", and

(2) in subsection (c)—

(A) in paragraph (2)—

(i) in subparagraph (A) by striking out ", including programs authorized by section 103 of this title", and

(ii) in subparagraph (E) by striking out "the prevention and reduction of parental kidnapping", and

(B) in paragraph (3) by striking out "part" and inserting in lieu thereof "title",

(C) by striking out paragraph (4),

(D) in paragraph (10)—

(i) by striking out "national priority grants under part E and ", and

(ii) by striking out "part F" and inserting in lieu thereof "part E",

(E) by striking out paragraph (9), and

(F) by redesignating paragraphs (5), (6), (7), (8), (10), and (11) as paragraphs (4), (5), (6), (7), (8), and (9), respectively.

(c) Part B of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3721-3724) is amended by striking out section 204.

BUREAU OF JUSTICE STATISTICS

SEC. 605. (a) The first sentence of section 301 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3731) is amended—

(1) by striking out "(including white-collar crime and public corruption)", and

(2) by striking out "(including crimes against the elderly, white-collar crime, and public corruption)".

(b) Section 302 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3732) is amended—

(1) in subsection (b) by inserting after the third sentence the following: "The Director shall report to the Attorney General through the Assistant Attorney General.",

(2) in subsection (c)—

(A) by striking out paragraphs (13) and (16),

(B) by redesignating paragraphs (14), (15), and (17) as paragraphs (16), (17), and (19), respectively,

(C) by inserting after paragraph (12) the following new paragraphs:

"(13) provide for the development of justice information systems programs and assistance to the States and units of local government relating to collection, analysis, or dissemination of justice statistics;

“(14) develop and maintain a data processing capability to support the collection, aggregation, analysis and dissemination of information on the incidence of crime and the operation of the criminal justice system;

“(15) collect, analyze and disseminate comprehensive Federal justice transaction statistics (including statistics on issues of Federal justice interest such as public fraud and high technology crime) and to provide technical assistance to and work jointly with other Federal agencies to improve the availability and quality of Federal justice data;”, and

(D) by inserting after paragraph (17), as so redesignated, the following new paragraph:

“(18) insure conformance with security and privacy requirement of section 812 and identify, analyze and participate in the development and implementation of privacy, security and information policies which impact on Federal and State criminal justice operations and related statistical activities; and”, and

(3) in subsection (d)—

(A) in paragraph (1) by inserting “, and to enter into agreements with such agencies and instrumentalities for purposes of data collection and analysis” before the semicolon,

(B) in paragraph (3) by striking out “and” at the end thereof,

(C) in paragraph (4) by striking out the period at the end thereof and inserting in lieu thereof a “, and”, and

(D) by inserting after paragraph (4) the following new paragraph:

“(5) encourage replication, coordination and sharing among justice agencies regarding information systems, information policy, and data.

(c) Part C of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3731-3735) is amended by striking out section 304.

(d) Part C of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3731-3735) is amended by redesignating section 305 as section 304.

BLOCK GRANTS

SEC. 606. Part D of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3741-3745) is amended to read as follows:

“PART D—BLOCK GRANTS

“ESTABLISHMENT OF BUREAU OF JUSTICE ASSISTANCE

“SEC. 401. (a) There is established within the Department of Justice, under the general authority of the Attorney General, a Bureau of Justice Assistance (hereinafter in this part and part E referred to as the ‘Bureau’).

“(b) The Bureau shall be headed by a Director (hereinafter in this part and part E referred to as the ‘Director’) who shall be appointed by the Attorney General. The Director shall report to the Attorney

General through the Assistant Attorney General. The Director shall have final authority for all grants, cooperative agreements, and contracts awarded by the Bureau. The Director shall not engage in any employment other than that of serving as the Director, nor shall the Director hold any office in, or act in any capacity for, any organization, agency, or institution with which the Bureau makes any contract or other arrangement under this title.

“DUTIES AND FUNCTIONS OF DIRECTOR

“SEC. 402. The Director shall—

“(1) provide funds to eligible States, units of local government and private nonprofit organizations pursuant to this part and part E;

“(2) establish priorities for programs in accordance with part E and, following public announcement of such priorities, award and allocate funds and technical assistance in accordance with the criteria of part E and on terms and conditions determined by the Director to be consistent with part E;

“(3) cooperate with and provide technical assistance to States, units of local government, and other public and private organizations or international agencies involved in criminal justice activities;

“(4) provide for the development of technical assistance and training programs for State and local criminal justice agencies and foster local participation in such activities;

“(5) encourage the targeting of State and local resources on efforts to reduce the incidence of violent crime and on programs relating to the apprehension and prosecution of repeat offenders;

“(6) establish and carry on a specific and continuing program of cooperation with the States and units of local government designed to encourage and promote consultation and coordination concerning decisions made by the Bureau affecting State and local criminal justice priorities; and

“(7) exercise such other powers and functions as may be vested in the Director pursuant to this title.

“DESCRIPTION OF PROGRAM

“SEC. 403. (a) It is the purpose of this part to assist States and units of local government in carrying out specific programs which offer a high probability of improving the functioning of the criminal justice system, with special emphasis on violent crime and serious offenders. The Bureau is authorized to make grants under this part to States for the purpose of—

“(1) providing community and neighborhood programs that enable citizens and police to undertake initiatives to prevent and control neighborhood crime;

“(2) disrupting illicit commerce in stolen goods and property;

“(3) combating arson;

“(4) effectively investigating and bringing to trial white-collar crime, organized crime, public corruption crimes, and fraud against the Government;

"(5) indentifying criminal cases involving persons (including juvenile offenders) with a history of serious criminal conduct in order to expedite the processing of such cases and to improve court system management and sentencing practices and procedures in such cases;

"(6) developing and implementing programs which provide assistance to jurors and witnesses, and assistance (other than compensation) to victims of crimes;

"(7) providing alternatives to pretrial detention, jail, and prison for persons who pose no danger to the community;

"(8) providing programs which identify and meet the needs of drug-dependent offenders;

"(9) providing programs which alleviate prison and jail overcrowding and programs which identify existing State and Federal buildings suitable for prison use;

"(10) providing training, management, and technical assistance to criminal justice personnel and determining appropriate prosecutorial and judicial personnel needs;

"(11) providing prison industry projects designed to place inmates in a realistic working and training environment in which they will be enabled to acquire marketable skills and to make financial payments for restitution to their victims, for support of their own families, and for support of themselves in the institution;

"(12) providing for operational information systems and workload management systems which improve the effectiveness of criminal justice agencies;

"(13) providing programs of the same types as programs described in section 501(a)(4)—

"(A) which the Director establishes, under section 503(a), as discretionary programs for financial assistance under part E; and

"(B) which are innovative and have been deemed by the Director as likely to prove successful;

"(14) implement programs which address critical problems of crime, such as drug trafficking, which have been certified by the Director, after consultation with the Director of the National Institute of Justice, Director of the Bureau of Justice Statistics, and Administrator of the Office of Juvenile Justice and Delinquency Prevention, as having proved successful;

"(15) providing programs which address the problem of serious offenses committed by juveniles;

"(16) addressing the problem of crime committed against the elderly;

"(17) providing training, technical assistance, and programs to assist State and local law enforcement authorities in rural areas in combating crime, with particular emphasis on violent crime, juvenile delinquency, and crime prevention; and

"(18) improving the operational effectiveness of law enforcement by integrating and maximizing the effectiveness of police field operations and the use of crime analysis techniques.

"(b)(1) For any fiscal year ending after September 30, 1984, the Federal portion of any grant made under this part shall be 50 percent of the cost of programs and projects specified in the applica-

tion for such grant, except that in the case of funds distributed to an Indian tribe which performs law enforcement functions (as determined by the Secretary of the Interior) for any program or project described in subsection (a), the Federal portion shall be 100 per centum of such cost.

“(2) The non-Federal portion of the cost of such program or project shall be in cash.

“(c) No funds may be given under this title to a grant recipient for a program or project for which funds have been given under this title for 4 years (in the aggregate), including any period occurring before the effective date of this subsection.

“ELIGIBILITY

“SEC. 404. The Bureau is authorized to make financial assistance under this part available to a State to enable it to carry out all or a substantial part of a program or project submitted and approved in accordance with the provisions of this part.

“APPLICATIONS

“SEC. 405. No grant may be made by the Bureau to a State, or by a State to an eligible recipient pursuant to this part, unless the application for such grant sets forth criminal justice programs and projects covering a 2-year period which meet the purposes of section 403(a) of this title, designates which purpose specified in section 403(a) each such program or project is intended to achieve, and identifies the State agency or unit of local government which will implement each such program or project. This application must be amended annually if new programs are to be added to the application or if the programs contained in the original application are not implemented. The application must include—

“(1) an assurance that following the first fiscal year covered by an application and each fiscal year thereafter, the applicant shall submit to the Bureau or to the State, as the case may be—

“(A) a performance report concerning the activities carried out pursuant to this part and part E; and

“(B) an assessment by the applicant of the impact of those activities on the purposes of this part and the needs and objectives identified in the applicant's statement;

“(2) a certification that Federal funds made available under this title will not be used to supplant State or local funds, but will be used to increase the amounts of such funds that would, in the absence of Federal funds, be made available for criminal justice activities;

“(3) an assurance that fund accounting, auditing, monitoring, and such evaluation procedures as may be necessary to keep such records as the Bureau shall prescribe shall be provided to assure fiscal control, proper management, and efficient disbursement of funds received under this title;

“(4) an assurance that the applicant shall maintain such data and information and submit such reports in such form, at such times, and containing such data and information as the Bureau may reasonably require to administer other provisions of this title;

“(5) a certification that its programs meet all the requirements of this section, that all the information contained in the application is correct, that there has been appropriate coordination with affected agencies, and that the applicant will comply with all provisions of this title and all other applicable Federal laws (such certification shall be made in a form acceptable to the Bureau and shall be executed by the chief executive or such other officer of the applicant qualified under regulations promulgated by the Office);

“(6) if the applicant is a State, an assurance that not more than 10 per centum of the aggregate amount of funds received by a State under this part for a fiscal year will be distributed for programs and projects designated as intended to achieve the purpose specified in section 403(a)(13);

“(7) an assurance that the State will take into account the needs and requests of units of general local government in the State and encourage local initiative in the development of programs which meet the purposes of section 403(a);

“(8) an assurance that the State application described in this section, and any amendment to such application, has been submitted for review to the State legislature or its designated body (for purposes of this section, such application or amendment shall be deemed to be reviewed if the State legislature or such body does not review such application or amendment within the 60-day period beginning on the date such application or amendment is so submitted); and

“(9) an assurance that the State application and any amendment thereto was made public before submission to the Bureau and, to the extent provided under State law or established procedure, an opportunity to comment thereon was provided to citizens and to neighborhood and community groups.”

“REVIEW OF APPLICATIONS

“SEC. 406. (a) The Bureau shall provide financial assistance to each State applicant under this part to carry out the programs or projects submitted by such applicant upon determining that—

“(1) the application or amendment thereto is consistent with the requirements of this title; and

“(2) before the approval of the application and any amendment thereto the Bureau has made an affirmative finding in writing that the program or project has been reviewed in accordance with section 405.

Each application or amendment made and submitted for approval to the Bureau pursuant to section 405 of this title shall be deemed approved, in whole or in part, by the Bureau not later than 60 days after first received unless the Bureau informs the applicant of specific reasons for disapproval.

“(b) The Bureau shall suspend funding for an approved application in whole or in part if such application contains a program or project which has failed to conform to the requirements of this part or purposes of section 403(a) of this title. The Bureau may make appropriate adjustments in the amounts of grants in accordance with its findings pursuant to this subsection.

“(c) Grant funds awarded under this part shall not be used for—

“(1) the purchase of equipment or hardware, or the payment of personnel costs, unless the cost of such purchases and payments is incurred as an incidental and necessary part of a program under section 403(a) of this title;

“(2) programs which have as their primary purpose general salary payments for employees or classes of employees within an eligible jurisdiction, except for the compensation of personnel for time engaged in conducting or undergoing training programs or the compensation of personnel engaged in research, development, demonstration, or short-term programs;

“(3) land acquisition or construction projects; or

“(4) programs or projects which, based upon evaluations by the National Institute of Justice, Bureau of Justice Assistance, Bureau of Justice Statistics, State or local agencies, and other public or private organizations, have been demonstrated to offer a low probability of improving the functioning of the criminal justice system. Such programs must be formally identified by a notice in the Federal Register after opportunity for comment.

“(d) The Bureau shall not finally disapprove any application, or any amendment thereto, submitted to the Director under this part without first affording the applicant reasonable notice and opportunity for reconsideration.

“ALLOCATION AND DISTRIBUTION OF FUNDS

“SEC. 407. (a) Of the total amount appropriated for this part and part E in any fiscal year, 80 per centum shall be set aside for this part and allocated to States as follows:

“(1) \$250,000 shall be allocated to each of the participating States.

“(2) Of the total funds remaining after the allocation under paragraph (1), there shall be allocated to each State an amount which bears the same ratio to the amount of remaining funds described in this paragraph as the population of such State bears to the population of all the States.

“(b)(1) Each State which receives funds under subsection (a) in a fiscal year shall distribute among units of local government, or combinations of units of local government, in such State for the purposes specified in section 403(a) of this title that portion of such funds which bears the same ratio to the aggregate amount of such funds as the amount of funds expended by all units of local government for criminal justice in the preceding fiscal year bears to the aggregate amount of funds expended by the State and all units of local government in such State for criminal justice in such preceding fiscal year.

“(2) In distributing funds received under this part among urban, rural and suburban units of local government and combinations thereof, the State shall give priority to those jurisdictions with the greatest need.

“(3) Any funds not distributed to units of local government under paragraph (1) shall be available for expenditure by the State involved.

“(4) For purposes of determining the distribution of funds under paragraph (1), the most accurate and complete data available for the fiscal year involved shall be used. If data for such fiscal year are not available, then the most accurate and complete data available for the most recent fiscal year preceding such fiscal year shall be used.

“(c) No funds allocated to a State under subsection (a) or received by a State for distribution under subsection (b) may be distributed by the Director or by the State involved for any program other than a program contained in an approved application.

“(d) If the Director determines, on the basis of information available to it during any fiscal year, that a portion of the funds allocated to a State for that fiscal year will not be required or that a State will be unable to qualify or receive funds under this part, or that a State chooses not to participate in the program established by this part, then such portion shall be awarded by the Director to urban, rural, and suburban units of local government or combinations thereof within such State giving priority to those jurisdictions with greatest need.

“(e) Any funds not distributed under subsections (b) and (d) shall be available for obligation under part E.

“STATE OFFICE

“Sec. 408. (a) The chief executive of each participating State shall designate a State office for purposes of—

“(1) preparing an application to obtain funds under this part; and

“(2) administering funds received from the Bureau of Justice Assistance, including receipt, review, processing, monitoring, progress and financial report review, technical assistance, grant adjustments, accounting, auditing, and fund disbursements.

“(b) An office or agency performing other functions within the executive branch of a State may be designated to carry out the functions specified in subsection (a).”

NATIONAL PRIORITY GRANTS

SEC. 607. Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3701 et seq.) is amended by striking out part E.

DISCRETIONARY GRANTS

SEC. 608. (a) Sections 601, 602, and 603 of part F of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3761-3762) are amended to read as follows:

“PURPOSE

“SEC. 501. (a) The purpose of this part is to provide additional Federal financial assistance to public agencies and private nonprofit organizations for purposes of—

“(1) undertaking educational and training programs for criminal justice personnel;

“(2) providing technical assistance to States and local units of governments;

“(3) undertaking projects which are national or multi-State in scope and which address the purposes specified in section 403(a) of this title; and

“(4) providing financial assistance to public agencies and private nonprofit organizations for demonstration programs which, in view of previous research or experience, are likely to be a success in more than one jurisdiction and are not likely to be funded with moneys from other sources.

“(b) In carrying out this part, the Bureau is authorized to make grants, and enter into cooperative agreements and contracts with, public agencies and private nonprofit organizations.

“PERCENTAGE OF APPROPRIATION FOR DISCRETIONARY GRANT PROGRAM

“SEC. 502. Of the total amount appropriated for part D and this part in any fiscal year, 20 per centum shall be reserved and set aside for this part in a special discretionary fund for use by the Bureau in carrying out the purposes specified in section 501 of this title. Grants under this part may be made for amounts up to 100 per centum under this part may be made for amounts up to 100 per centum of the costs of the programs or projects contained in the approved application.

“PROCEDURE FOR ESTABLISHING DISCRETIONARY PROGRAMS

“SEC. 503. (a) The Director of the Bureau shall periodically establish discretionary programs and projects for financial assistance under this part. Such programs and projects shall be considered priorities for a period of time not to exceed 3 years from the time of such determination.

“(b) The Director shall annually request the National Institute of Justice, the Bureau of Justice Statistics, the Office of Justice Programs, State and local governments, and other appropriate public and private agencies to suggest discretionary programs and projects. The Director shall then, pursuant to regulations, annually publish the proposed priorities pursuant to this part and invite and encourage public comment concerning such priorities. Priorities shall not be established or modified until the Director has provided at least 60-days advance notice for such public comment and the Director shall encourage and invite recommendations and opinions concerning such priorities from appropriate agencies and officials of State and units of local government. After considering any comments submitted during such period of time and after consultation with appropriate agencies and officials of State and units of local government, the Director shall determine whether existing established priorities should be modified. The Director shall publish in the Federal Register the priorities established pursuant to this part before the beginning of fiscal year 1985 and each fiscal year thereafter for which appropriations will be available to carry out the program”.

(b) Section 604 of part F of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3764) is amended by striking

out "Administration" each place it appears and inserting in lieu thereof "Bureau".

(c) Section 605 of part F of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3765) is amended to read as follows:

"CRITERIA FOR AWARD

"SEC. 505. *The Bureau shall, in its discretion and according to the criteria, and on the terms and conditions it determines consistent with this part, provide financial assistance to those programs or projects which most clearly satisfy the priorities established under section 503 of this title. In providing such assistance pursuant to this part, the Bureau shall consider whether certain segments and components of the criminal justice system have received a disproportionate allocation of financial aid and assistance pursuant to other parts of this title, and, if such a finding is made, shall assure the funding of such other segments and components of the criminal justice system as to correct inequities resulting from such disproportionate allocations.*"

(d) Section 606 of part F of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3766) is amended to read as follows:

"PERIOD FOR AWARD

"SEC. 506. *The Bureau may provide financial aid and assistance to programs or projects under this part for a period not to exceed three years. Grants made pursuant to this part may be extended or renewed by the Bureau for an additional period of up to two years if—*

"(1) an evaluation of the program or project indicates that it has been effective in achieving the stated goals or offers the potential for improving the functioning of the criminal justice system; and

"(2) the public agency or private nonprofit organization within which the program or project has been conducted agrees to provide at least one-half of the total cost of such program or project from any source of funds, including Federal grants, available to the eligible jurisdiction."

(e) The heading for part F of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3761-3766) is amended by striking out "Part F" and inserting in lieu thereof "Part E".

(f) Part E, as so redesignated, of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3701-3766) is amended by redesignating section 604 as section 504.

PILOT PROGRAMS FOR CONSTRUCTION OF CRIMINAL JUSTICE FACILITIES

SEC. 609. *Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3701-3799) is amended by inserting after part E, as so redesignated, the following new part:*

"PART F—CRIMINAL JUSTICE FACILITY CONSTRUCTION: PILOT PROGRAM

"AUTHORITY FOR PAYMENTS

"SEC. 601. *In order to relieve overcrowding and substandard conditions at State and local correctional facilities, the Director of the Bureau of Justice Assistance (hereinafter in this part referred to as the 'Director')* is authorized to make grants to States, units of local government, and combinations of such units to assist in construction of correctional facility projects approved under this part, and in planning to relieve overcrowding and substandard conditions in correctional facilities.

"ELIGIBILITY

"SEC. 602. (a) *A State, unit of local government, or combination of such units shall be eligible for assistance under this part for a correctional facility project only—*

"(1) if the Director, with the concurrence of the Director of the National Institute of Corrections established in chapter 315 of title 18, United States Code, has made a determination that such project represents a prototype of new and innovative methods and advanced design that will stand as examples of technology for avoiding delay and reducing costs in correctional facility design, construction, and improvement; and

"(2) for not more than one such project in any State per fiscal year.

"(b) A State, a unit of local government, or a combination of such units shall be eligible for assistance under this part for the development of a plan for relieving overcrowding or substandard conditions in correctional facilities operated by the State, a unit of local government, or a combination of such units. Such assistance shall not exceed 50 percent of the cost of developing the plan.

"APPLICATION; APPROVAL; PAYMENT

"SEC. 603. (a) *A State, unit of local government, or combination of such units desiring to receive assistance under this part for a correctional facility project shall submit to the Director an application which shall include—*

"(1) reasonable assurance that the applicant has developed an acceptable plan for reducing overcrowding and improving conditions of confinement in its correctional facilities and has implemented, or is in the process of implementing, such plan through legislative, executive, or judicial initiatives;

"(2) a detailed description of the correctional facility to be constructed, altered, or expanded, including a description of the site of such facility;

"(3) an estimate of the total cost of the construction of such project, including the amount of assistance requested for such project;

"(4) reasonable assurance that title to such site is or will be vested solely in the applicant, or another agency or instrumentality of the applicant;

"(5) reasonable assurance that adequate financial support will be available for the construction of the project and for its maintenance and operation when complete; and

"(6) reasonable assurance that the applicant will comply with the standards and recommendations of the clearinghouse on the construction and modernization of correctional facilities established under section 605.

"(b)(1) The Director may approve any such application only if the Director finds that—

"(A) there are sufficient funds available to provide the assistance requested;

"(B) such assistance does not exceed 20 percent of the estimated total cost of construction;

"(C) the application contains such reasonable assurances as may be required under subsection (a); and

"(D) the eligibility criteria of section 602 are met.

"(2) In approving applications under this subsection, the Director shall consider the numbers and general characteristics of the inmate population (to include factors such as offenders' ages, offenses, average term of incarceration, and custody status), and the degree to which the applicant has implemented an inmate classification system which addresses the need for appropriate security assignment.

"(c) Upon approving an application under this section, the Director shall award the amount of assistance so approved, but in no event an amount greater than 20 percent of the cost of construction of the approved correctional facility project, and shall provide for payment to the applicant or, if designated by the applicant, any agency or instrumentality of the applicant. Such amount shall be paid, in advance or by way of reimbursement, and in such installments consistent with the progress of construction as the Director may determine. Funds paid under this subsection for the construction of an approved project shall be used solely for carrying out such project as so approved.

"(d) An amendment of any application shall be subject to approval in the same manner as an original application.

"RECAPTURE PROVISIONS

"SEC. 605. If, within 20 years after completion of any correctional facility project with respect to which assistance has been provided under this section, such facility ceases to be operated as a correctional facility, the United States may recover from the recipient of such assistance any amount not to exceed 20 percent of the then current value of such project (but in no event an amount greater than the amount of assistance provided under this part for such project), as determined by agreement with the parties or by action brought in the district court of the United States for the district in which such facility is situated.

"CLEARINGHOUSE ON THE CONSTRUCTION AND MODERNIZATION OF CRIMINAL JUSTICE FACILITIES

"SEC. 606. (a) The Director shall provide for the operation of a clearinghouse on the construction and modernization of correctional

facilities, which shall collect, prepare, and disseminate to the public and to interested State and local public agencies information, including recommendations, pertaining to the construction and modernization of correctional facilities. Such information shall include information regarding—

“(1) new and innovative methods and advanced design that will stand as examples of technology for avoiding delay and reducing costs in correctional facility design, construction, and improvement;

“(2) ways in which a construction planning program may be used to improve the administration of the criminal justice system within each State;

“(3) recommended minimum standards concerning construction materials and methods, to be updated from time to time to reflect technological advances;

“(4) the cost-effectiveness of available construction materials, methods, and design technologies;

“(5) the training of correctional facility personnel; and

“(6) health and safety considerations in construction planning.

“(b) The Director is authorized to enter into contracts with private organizations and interagency agreements with the National Institute of Corrections, the National Institute of Justice, the Bureau of Justice and Statistics, and other appropriate public agencies, to operate the clearinghouse required under this section.”

TRAINING AND MANPOWER DEVELOPMENT

SEC. 609A. (a) Part G of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3771-3775) is amended to read as follows:

“PART G—FBI TRAINING OF STATE AND LOCAL CRIMINAL JUSTICE PERSONNEL

“TRAINING AND MANPOWER DEVELOPMENT

“SEC. 701. (a) The Director of the Federal Bureau of Investigation is authorized to—

“(1) establish and conduct training programs at the Federal Bureau of Investigation National Academy at Quantico, Virginia, to provide, at the request of a State or unit of local government, training for State and local criminal justice personnel;

“(2) develop new or improved approaches, techniques, systems, equipment, and devices to improve and strengthen criminal justice; and

“(3) assist in conducting, at the request of a State or unit of local government, local and regional training programs for the training of State and local criminal justice personnel engaged in the investigation of crime and the apprehension of criminals. Training for rural criminal justice personnel shall include, when appropriate, effective use of regional resources and methods to improve coordination among criminal justice personnel in different areas and in different levels of government. Such training shall be provided only for persons actually employed as

State police or highway patrol, police of a unit of local government, sheriffs, and their deputies, and other persons as the State or such unit may nominate for police training while such persons are actually employed as officers of such State or unit.

“(b) In the exercise of the functions, powers, and duties established under this section, the Director of the Federal Bureau of Investigation shall be under the general authority of the Attorney General.

“(c) Notwithstanding the provisions of subsection (a), the Secretary of the Treasury is authorized to establish, develop, and conduct training programs at the Federal Law Enforcement Training Center at Glynco, Georgia, to provide, at the request of a State or unit of local government, training for State and local criminal justice personnel provided that such training does not interfere with the Center’s mission to train Federal law enforcement personnel.”

ADMINISTRATIVE PROVISIONS

SEC. 609B. (a) Part H of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3781 et seq.) is amended by striking out section 801.

(b) Sections 802 and 803 of part H of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3782) are amended to read as follows:

“CONSULTATION; ESTABLISHMENT OF RULES AND REGULATIONS

“SEC. 801. (a) The Office of Justice Programs, the Bureau of Justice Assistance, the Office of Juvenile Justice and Delinquency Prevention, the Bureau of Justice Statistics, and the National Institute of Justice are authorized, after appropriate consultation with representatives of States and units of local government, to establish such rules, regulations, and procedures as are necessary to the exercise of their functions, and as are consistent with the stated purposes of this title.

“(b) The Bureau of Justice Assistance shall, after consultation with the National Institute of Justice, the Bureau of Justice Statistics, the Office of Juvenile Justice and Delinquency Prevention, State and local governments, and the appropriate public and private agencies, establish such rules and regulations as are necessary to assure the continuing evaluation of selected programs or projects conducted pursuant to parts D and E, in order to determine—

“(1) whether such programs or projects have achieved the performance goals stated in the original application, are of proven effectiveness, have a record of proven success, or offer a high probability of improving the criminal justice system;

“(2) whether such programs or projects have contributed or are likely to contribute to the improvement of the criminal justice system and the reduction and prevention of crime;

“(3) their cost in relation to their effectiveness in achieving stated goals;

“(4) their impact on communities and participants; and

“(5) their implication for related programs.

In conducting evaluations described in this subsection, the Bureau of Justice Assistance shall, when practical, compare the effective-

ness of programs conducted by similar applicants and different applicants. The Bureau of Justice Assistance shall also require applicants under part D to submit an annual performance report concerning activities carried out pursuant to part D together with an assessment by the applicant of the effectiveness of those activities in achieving the purposes of section 403(a) of this title and the relationships of those activities to the needs and objectives specified by the applicant in the application submitted pursuant to section 403 of this title. The Bureau shall suspend funding for an approved application under part D if an applicant fails to submit such an annual performance report.

“(c) The procedures established to implement the provisions of this title shall minimize paperwork and prevent needless duplication and unnecessary delays in award and expenditure of funds at all levels of government.

“NOTICE AND HEARING ON DENIAL OR TERMINATION OF GRANT

“SEC. 802. (a) Whenever, after reasonable notice and opportunity for a hearing on the record in accordance with section 554 of title 5, United States Code, the Bureau of Justice Assistance, the National Institute of Justice, and the Bureau of Justice Statistics finds that a recipient of assistance under this title has failed to comply substantially with—

“(1) any provisions of this title;

“(2) any regulations or guidelines promulgated under this title; or

“(3) any application submitted in accordance with the provisions of this title, or the provisions of any other applicable Federal Act;

the Director involved shall, until satisfied that there is no longer any such failure to comply, terminate payments to the recipient under this title, reduce payments to the recipient under this title by an amount equal to the amount of such payments which were not expended in accordance with this title, or limit the availability of payments under this title to programs, projects, or activities not affected by such failure to comply.

“(b) If any grant application submitted under part D of this title has been denied, or any grant under this title has been terminated, then the Bureau of Justice Assistance, the National Institute of Justice, or the Bureau of Justice Statistics, as appropriate, shall notify the applicant of its action and set forth the reason for the action taken. Whenever such an applicant requests a hearing, the Bureau of Justice Assistance, the National Institute of Justice, or the Bureau of Justice Statistics, or any authorized officer thereof, is authorized and directed to hold such hearings or investigations, including hearings on the record in accordance with section 554 of title 5, United States Code, at such times and places as necessary, following appropriate and adequate notice to such applicant; and the findings of fact and determinations made with respect thereto shall be final and conclusive, except as otherwise provided herein. The Bureau of Justice Assistance, the National Institute of Justice, or the Bureau of Justice Statistics is authorized to take final action without a hearing if, after an administrative review of the denial of

such application or termination of such grant, it is determined that the basis for the appeal, if substantiated, would not establish a basis for awarding or continuing of the grant involved. Under such circumstances, a more detailed statement of reasons for the agency action should be made available, upon request, to the applicant.

"(c) If the applicant involved is dissatisfied with the findings and determinations of the Bureau of Justice Assistance, the National Institute of Justice, or the Bureau of Justice Statistics following notice and hearing provided for in subsection (a) of this section, a request may be made for rehearing, under such regulations and procedure as the Bureau of Justice Assistance, the National Institute of Justice, or the Bureau of Justice Statistics may establish, and such applicant shall be afforded an opportunity to present such additional information as may be deemed appropriate and pertinent to the matter involved."

(c) Section 804 of part H of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3784) is amended by striking out "Law Enforcement Assistance Administration" and inserting in lieu thereof "Bureau of Justice Assistance".

(d) Section 805 of part H of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3785) is amended—

(1) by striking out "Office of Justice Assistance, Research, and Statistics, the Law Enforcement Assistance Administration," each place it appears and inserting in lieu thereof "Office of Justice Programs, Bureau of Justice Assistance,"

(2) by inserting "the Office of Juvenile Justice and Delinquency Prevention," before "or the National Institute of Justice" each place it appears,

(3) in subsection (a) by striking out "section 803, 804, or 815(c)(2)(G)" and inserting in lieu thereof "section 802, 803, or 809(c)(2)(G)", and

(4) in subsection (b) by inserting "the Office of Juvenile Justice and Delinquency Prevention" before "or the Bureau of Justice Statistics".

(e) Part H of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3781 et seq.) is amended by striking out sections 806, 807, 808, 809, 810, 811, 812, 813, 814, 819, and 826.

(f) Part H of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3781-3789o) is amended by redesignating sections 804, 805, 815, 816, 817, 818, 820, 821, 822, 823, 824, 825, and 827 as sections 803, 804, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, and 819, respectively.

(g) Part H of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3781-3789o) is amended by inserting after section 804, as so redesignated, the following new sections:

"DELEGATION OF FUNCTIONS

"SEC. 805. The Attorney General, the Assistant Attorney General, the Director of the National Institute of Justice, the Director of the Bureau of Justice Statistics, the Administrator of the Office of Juvenile Justice and Delinquency Prevention, and the Director of the Bureau of Justice Assistance may delegate to any of their respective

officers or employees such functions under this title as they deem appropriate.”.

“SUBPOENA POWER; EMPLOYMENT OF HEARING OFFICERS; AUTHORITY TO HOLD HEARINGS

“SEC. 806. *The Bureau of Justice Assistance, the National Institute of Justice, and the Bureau of Justice Statistics may appoint such hearing examiners or administrative law judges or request the use of such administrative law judges selected by the Office of Personnel Management pursuant to section 3344 of title 5, United States Code, as shall be necessary to carry out their respective powers and duties under this title. The Bureau of Justice Assistance, the National Institute of Justice, and the Bureau of Justice Statistics or upon authorization, any member thereof or any hearing examiner or administrative law judge assigned to or employed thereby shall have the power to hold hearings and issue subpoenas, administer oaths, examine witnesses, and receive evidence at any place in the United States they respectively may designate.*”.

“PERSONNEL AND ADMINISTRATIVE AUTHORITY

“SEC. 807. (a) *The Assistant Attorney General, the Director of the Bureau of Justice Assistance, the Director of the Institute, and the Director of the Bureau of Justice Statistics are authorized to select, appoint, employ, and fix compensation of such officers and employees as shall be necessary to carry out the powers and duties of the Office, the Bureau of Justice Assistance, the National Institute of Justice, and the Bureau of Justice Statistics, respectively, under this title.*

“(b) *The Office, the Bureau of Justice Assistance, the National Institute of Justice, and the Bureau of Justice Statistics are authorized, on a reimbursable basis when appropriate, to use the available services, equipment, personnel, and facilities of Federal, State, and local agencies to the extent deemed appropriate after giving due consideration to the effectiveness of such existing services, equipment, personnel, and facilities.*

“(c) *The Office, the Bureau of Justice Assistance, the National Institute of Justice, and the Bureau of Justice Statistics may arrange with and reimburse the heads of other Federal departments and agencies for the performance of any of the functions under this title.*

“(d) *The Office, the Bureau of Justice Assistance, the National Institute of Justice, and the Bureau of Justice Statistics may procure the services of experts and consultants in accordance with section 3109 of title 5, United States Code, relating to appointments in the Federal service, at rates of compensation for individuals not to exceed the daily equivalent of the rate of pay payable from time to time for GS-18 of the General Schedule under section 5332 of title 5, United States Code.*

“(e) *The Office, the Bureau of Justice Assistance, the National Institute of Justice, and the Bureau of Justice Statistics are authorized to appoint, without regard to the provisions of title 5, United States Code, advisory committees to advise them with respect to the administration of this title as they deem necessary. Such committees shall be subject to the Federal Advisory Committee Act (5 U.S.C.*

App.). Members of such committees not otherwise in the employ of the United States, while engaged in advising or attending meetings of such committees, shall be compensated at rates to be fixed by the Office but not to exceed the daily equivalent of the rate of pay payable from time to time for GS-18 of the General Schedule under section 5332 of title 5 of the United States Code, and while away from home or regular place of business they may be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as authorized by section 5703 of such title 5 for persons in the Government service employed intermittently.

“(f) Payments under this title may be made in installments, and in advance or by way of reimbursement, as may be determined by the Office, the Bureau of Justice Assistance, the National Institute of Justice, or the Bureau of Justice Statistics, and may be used to pay the transportation and subsistence expenses of persons attending conferences or other assemblages notwithstanding 1345 of title 31, United States Code.

“(g) The Office, the Bureau of Justice Assistance, the National Institute of Justice, and the Bureau of Justice Statistics are authorized to accept and employ, in carrying out the provisions of this title, voluntary and uncompensated services notwithstanding section 1342 of title 31, United States Code. Such individuals shall not be considered Federal employees except for purposes of chapter 81 of title 5, United States Code, with respect to job-incurred disability and title 28, United States Code, with respect to tort claims.

“TITLE TO PERSONAL PROPERTY

“SEC. 808. Notwithstanding any other provision of law, title to all expendable and nonexpendable personal property purchased with funds made available under this title, including such property with funds made available under this title as in effect before the effective date of the Justice Assistance Act of 1984, shall vest in the criminal justice agency or nonprofit organization that purchased the property if it certifies to the State office described in section 408 of this title that it will use the property for criminal justice purposes. If such certification is not made, title to the property shall vest in the State office, which shall seek to have the property used for criminal justice purposes elsewhere in the State prior to using it or disposing of it in any other manner.”

(h) Section 809, as so redesignated, of part H of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3789d) is amended—

(1) by amending the heading to read as follows: “Prohibition of Federal Control Over State and Local Criminal Justice Agencies; Prohibition of Discrimination”,

(2) by amending subsection (a) to read as follows:

“(a) Nothing in this title or any other Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over any police force or any other criminal justice agency of any state or any political subdivision thereof.”, and

(3) in subsection (c) by striking out "Office of Justice Assistance, Research, and Statistics" each place it appears and inserting in lieu thereof "Office of Justice Programs".

(i) Section 810, as so redesignated, of part H of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3789e) is amended to read as follows:

"REPORT TO PRESIDENT AND CONGRESS

"SEC. 810. Not later than April 1 of each year, the Assistant Attorney General, the Director of the Bureau of Justice Assistance, the Director of the Bureau of Justice Statistics, and the Director of the National Institute of Justice shall each submit a report to the President and to the Speaker of the House of Representatives and the President of the Senate, on their activities under this title during the fiscal year next preceding such date."

(j) Section 811, as so redesignated, of part H of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3789f) is amended—

(1) by striking out "Office of Justice Assistance, Research, and Statistics" each place it appears and inserting in lieu thereof "Office of Justice Programs",

(2) by striking out subsection (d), and

(3) by redesignating subsections (e) and (f) as subsections (d) and (e), respectively.

(k) Section 812, as so redesignated, of part H of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3789g) is amended by striking out "Office of Justice Assistance, Research, and Statistics" each place it appears and inserting in lieu thereof "Office of Justice Programs".

(l) Part H of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3781-3789o) is amended by striking out section 819.

(m) Section 813, as so redesignated, of part H of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3789i) is amended—

(1) by striking out subsection (a), and

(2) in subsection (b) by striking out "(b)".

(n) Section 816, as so redesignated, of part H of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3789l) is amended by striking out "Administration" and inserting in lieu thereof "Assistant Attorney General".

(o) Section 819(c), as so redesignated, of part H of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (18 U.S.C. 1761 note) is amended—

(1) by striking out "this section" and inserting in lieu thereof "section 1761 of title 18, United States Code, and of the first section of the Act of June 30, 1936 (49 Stat. 2036; 41 U.S.C. 35), commonly known as the Walsh-Healey Act," and

(2) by inserting " , as amended from time to time," after "goods".

DEFINITIONS

SEC. 609c. (a) Section 901 of part I of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3791) is amended by striking out "Administration" each place it appears and inserting in lieu thereof "Office".

(b) Section 901(a) of part I of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3791(a)) is amended—

(1) in paragraph (2)—

(A) by inserting "and" after "Puerto Rico," and

(B) by striking out " , Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Commonwealth of the Northern Mariana Islands",

(2) in paragraph (3) by inserting " , Guam, American Samoa, the Trust Territory of the Pacific Islands, or the Commonwealth of the Northern Mariana Islands" after "District of Columbia" before the semicolon,

(3) in paragraph (4)—

(A) by inserting "renovation, repairs, remodeling," after "acquisition," and

(B) by striking out " , but does not include renovation, repairs, or remodeling",

(4) in paragraph (7) by striking out "institution or",

(5) by amending paragraph (8) to read as follows:

"(8) 'correctional facility project' means a project for the construction, replacement, alteration or expansion of a prison or jail for the purpose of relieving overcrowding or substandard conditions;" and

(6) by amending paragraph (13) to read as follows:

"(13) 'cost of construction' means all expenses found by the Director to be necessary for the construction of the project, including architect and engineering fees, but excluding land acquisition costs;"

FUNDING

SEC. 609D. (a) Section 1001 of part J of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793) is amended to read as follows:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 1001. (a)(1) There are authorized to be appropriated for fiscal years 1984, 1985, 1986, 1987, and 1988 such sums as may be necessary to carry out the functions of the Bureau of Justice Statistics.

"(2) There are authorized to be appropriated for fiscal years 1984, 1985, 1986, 1987, and 1988 such sums as may be necessary to carry out the functions of the National Institute of Justice.

"(3) There is authorized to be appropriated such sums as may be necessary for each of the fiscal years 1984, 1985, 1986, 1987, and 1988 to carry out the remaining functions of the Office of Justice Programs and the Bureau of Justice Assistance, other than functions under parts F, G, and L of this title.

"(4) There is authorized to be appropriated \$25,000,000 for each of the fiscal years 1984, 1985, 1986, 1987, and 1988 to carry out part F.

"(5) There are authorized to be appropriated for each fiscal year such sums as may be necessary to carry out part L.

"(6) Funds appropriated for any fiscal year may remain available for obligation until expended."

"(b) Notwithstanding any other provision of law, no funds appropriated under this section for parts D and E of this title may be transferred or reprogramed for carrying out any activity which is not authorized under such parts."

(b) Part J of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793-3793b) is amended by striking out sections 1002 and 1003.

CRIMINAL PENALTIES

SEC. 609E. (a) Section 1101 of part K of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3795) is amended by striking out "Law Enforcement Assistance Administration" and inserting in lieu thereof "Office of Justice Programs, Bureau of Justice Assistance".

(b) Section 1103 of part K of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3795-3795b) is amended by striking out "Law Enforcement Assistance Administration" and inserting in lieu thereof "Office of Justice Programs, Bureau of Justice Assistance".

PUBLIC SAFETY OFFICERS' DEATH BENEFITS

SEC. 609F. Part L of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796-3796c) is amended to read as follows:

"PART L—PUBLIC SAFETY OFFICERS' DEATH BENEFITS

"PAYMENTS

SEC. 1201. (a) In any case in which the Bureau of Justice Assistance (hereinafter in this part referred to as the 'Bureau') determines, under regulations issued pursuant to this part, that a public safety officer has died as the direct and proximate result of a personal injury sustained in the line of duty, the Bureau shall pay a benefit of \$50,000 as follows:

"(1) if there is no surviving child of such officer, to the surviving spouse of such officer;

"(2) if there is a surviving child or children and a surviving spouse, one-half to the surviving child or children of such officer in equal shares and one-half to the surviving spouse;

"(3) if there is no surviving spouse, to the child or children of such officer in equal shares; or

"(4) if none of the above, to the dependent parent or parents of such officer in equal shares.

"(b) Whenever the Bureau determines upon showing of need and prior to final action that the death of a public safety officer is one with respect to which a benefit will probably be paid, the Bureau may make an interim benefit payment not exceeding \$3,000 to the

individual entitled to receive a benefit under subsection (a) of this section.

“(c) The amount of an interim payment under subsection (b) shall be deducted from the amount of any final benefit paid to such individual.

“(d) Where there is no final benefit paid, the recipient of any interim payment under subsection (b) shall be liable for repayment of such amount. The Bureau may waive all or part of such repayment, considering for this purpose the hardship which would result from such repayment.

“(e) The benefit payable under this part shall be in addition to any other benefit that may be due from any other source, except—

“(1) payments authorized by section 12(k) of the Act of September 1, 1916, as amended (D.C. Code, sec. 4-622); or

“(2) benefits authorized by section 8191 of title 5, United States Code. Such beneficiaries shall only receive benefits under such section 8191 that are in excess of the benefits received under this part.

“(f) No benefit paid under this part shall be subject to execution or attachment.

“LIMITATIONS

“SEC. 1202. No benefit shall be paid under this part—

“(1) if the death was caused by the intentional misconduct of the public safety officer or by such officer's intention to bring about his death;

“(2) if the public safety officer was voluntarily intoxicated at the time of his death;

“(3) if the public safety officer was performing his duties in a grossly negligent manner at the time of his death;

“(4) to any individual who would otherwise be entitled to a benefit under this part if such individual's actions were a substantial contributing factor to the death of the public safety officer; or

“(5) to any individual employed in a capacity other than a civilian capacity.

“DEFINITIONS

“SEC. 1203. As used in this part—

“(1) ‘child’ means any natural, illegitimate, adopted, or posthumous child or stepchild of a deceased public safety officer who, at the time of the public safety officer's death, is—

“(i) 18 years of age or under;

“(ii) over 18 years of age and a student as defined in section 8101 of title 5, United States Code; or

“(iii) over 18 years of age and incapable of self-support because of physical or mental disability;

“(2) ‘dependent’ means any individual who was substantially reliant for support upon the income of the deceased public safety officer;

“(3) ‘firefighter’ includes an individual serving as an officially recognized or designated member of a legally organized volunteer fire department;

"(4) 'intoxication' means a disturbance of mental or physical faculties resulting from the introduction of alcohol into the body as evidenced by—

"(i) a post-mortem blood alcohol level of .20 per centum or greater; or

"(ii) a post-mortem blood alcohol level of at least .10 per centum but less than .20 per centum unless the Bureau receives convincing evidence that the public safety officer was not acting in an intoxicated manner immediately prior to his death;

or resulting from drugs or other substances in the body;

"(5) 'law enforcement officer' means an individual involved in crime and juvenile delinquency control or reduction, or enforcement of the laws, including, but not limited to, police, corrections, probation, parole, and judicial officers;

"(6) 'public agency' means the United States, any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands of the United States, Guam, American Samoa, the Trust Territory of the Pacific Islands, the Commonwealth of the Northern Mariana Islands, and any territory or possession of the United States, or any unit of local government, department, agency, or instrumentality of any of the foregoing; and

"(7) 'public safety officer' means an individual serving a public agency in an official capacity, with or without compensation, as a law enforcement officer or a firefighter.

"ADMINISTRATIVE PROVISIONS

"SEC. 1204. (a) The Bureau is authorized to establish such rules, regulations, and procedures as may be necessary to carry out the purposes of this part. Such rules, regulations, and procedures will be determinative of conflict of laws issues arising under this part. Rules, regulations, and procedures issued under this part may include regulations governing the recognition of agents or other persons representing claimants under this part before the Bureau. The Bureau may prescribe the maximum fees which may be charged for services performed in connection with any claim under this part before the Bureau, and any agreement in violation of such rules and regulations shall be void.

"(b) In making determinations under section 1201, the Bureau may utilize such administrative and investigative assistance as may be available from State and local agencies. Responsibility for making final determinations shall rest with the Bureau."

TRANSITION

SEC. 609G. Section 1301 of part M of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3799) is amended—

"(1) in subsection (a)—

(A) by inserting "(1)" after "(a)", and

(B) by adding at the end thereof the following new paragraph:

"(2) All orders, determinations, rules, regulations, and instructions issued under this title which are in effect on the date of the

enactment of the Justice Assistance Act of 1984 shall continue in effect according to their terms until modified, terminated, superseded, set aside, or revoked by the President, the Attorney General, the Assistant Attorney General, the Director of the Bureau of Justice Statistics, the Director of the National Institute of Justice, the Administrator of the Office of Juvenile Justice and Delinquency Prevention, or the Director of the Bureau of Justice Assistance with respect to their functions under this title or by operation of law.”

“(2) by striking out subsection (j), and

“(3) by redesignating subsection (k) as subsection (j).

TABLE OF CONTENTS

SEC. 609H. The table of contents of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3701-3799) is amended to read as follows:

“TABLE OF CONTENTS

“PART A—OFFICE OF JUSTICE PROGRAMS

“Sec. 101. Establishment of Office of Justice Programs.

“Sec. 102. Duties and functions of Assistant Attorney General.

“PART B—NATIONAL INSTITUTE OF JUSTICE

“Sec. 201. National Institute of Justice.

“Sec. 202. Establishment, duties, and functions.

“Sec. 203. Authority for 100 per centum grants.

“PART C—BUREAU OF JUSTICE STATISTICS

“Sec. 301. Bureau of Justice Statistics.

“Sec. 302. Establishment, duties, and functions.

“Sec. 303. Authority for 100 per centum grants.

“Sec. 304. Use of data.

“PART D—BLOCK GRANTS

“Sec. 401. Establishment of Bureau of Justice Assistance.

“Sec. 402. Duties and functions of Director.

“Sec. 403. Description of program.

“Sec. 404. Eligibility.

“Sec. 405. Applications.

“Sec. 406. Review of applications.

“Sec. 407. Allocation and distribution of funds.

“Sec. 408. State office.

“PART E—DISCRETIONARY GRANTS

“Sec. 501. Purpose.

“Sec. 502. Percentage of appropriation for discretionary grant program.

“Sec. 503. Procedure for establishing discretionary programs.

“Sec. 504. Application requirements.

“Sec. 505. Criteria for award.

“Sec. 506. Period for award.

“PART F—CRIMINAL JUSTICE FACILITY CONSTRUCTION: PILOT PROGRAM

“Sec. 601. Authority for payments.

“Sec. 602. Eligibility.

“Sec. 603. Application; approval; payment.

“Sec. 604. Recapture provisions.

“Sec. 605. Clearinghouse on the construction and modernization of criminal justice facilities.

“PART G—FBI TRAINING OF STATE AND LOCAL CRIMINAL JUSTICE PERSONNEL

“Sec. 701. Training and manpower development.

"PART H—ADMINISTRATIVE PROVISIONS

- "Sec. 801. Consultation; establishment of rules and regulations.*
"Sec. 802. Notice and hearing on denial or termination of grant.
"Sec. 803. Finality of determinations.
"Sec. 804. Appellate court review.
"Sec. 805. Delegation of functions.
"Sec. 806. Subpoena power; employment of hearing officers; authority to hold hearings.
"Sec. 807. Personnel and administrative authority.
"Sec. 808. Title to personal property.
"Sec. 809. Prohibition of Federal control over State and local criminal justice agencies; prohibition of discrimination.
"Sec. 810. Report to President and Congress.
"Sec. 811. Recordkeeping requirement.
"Sec. 812. Confidentiality of information.
"Sec. 813. Administration of juvenile delinquency programs.
"Sec. 814. Prohibition of land acquisition.
"Sec. 815. Prohibition on use of CIA services.
"Sec. 816. Indian liability waiver.
"Sec. 817. District of Columbia matching fund source.
"Sec. 818. Limitation on civil justice matters.
"Sec. 819. Prison industry enhancement.

"PART I—DEFINITIONS

- "Sec. 901. Definitions.*

"PART J—FUNDING

- "Sec. 1001. Authorization of appropriations.*

"PART K—CRIMINAL PENALTIES

- "Sec. 1101. Misuse of Federal assistance.*
"Sec. 1102. Falsification or concealment of facts.
"Sec. 1103. Conspiracy to commit offense against United States.

"PART L—PUBLIC SAFETY OFFICERS' DEATH BENEFITS

- "Sec. 1201. Payments.*
"Sec. 1202. Limitations.
"Sec. 1203. Definitions.
"Sec. 1204. Administrative provisions.

"PART M—TRANSITION—EFFECTIVE DATE—REPEALER

- "Sec. 1301. Continuation of rules, authorities, and proceedings."*

REFERENCES IN OTHER LAWS

SEC. 609I. (a) Any reference to the Law Enforcement Assistance Administration, or to the Administrator of the Law Enforcement Assistance Administration, in any law other than this Act and the Omnibus Crime Control and Safe Streets Act of 1968, applicable to activities, functions, powers, and duties that after the date of the enactment of this Act are carried out by the Bureau of Justice Assistance shall be deemed to be a reference to the Bureau of Justice Assistance, or to the Director of the Bureau of Justice Assistance, as the case may be.

(b) Any reference to the Office of Justice Assistance, Research, and Statistics, or to the Director of the Office of Justice Assistance, Research, and Statistics, in any law other than this Act and the Omnibus Crime Control and Safe Streets Act of 1968, applicable to activities, functions, powers, and duties that after the date of the enactment of this Act are carried out by the Office of Justice Programs, the Bureau of Justice Assistance, the Bureau of Justice Sta-

tistics, the National Institute of Justice, or the Office of Juvenile Justice Delinquency Prevention shall be deemed to be a reference to the Office of Justice Programs, the Bureau of Justice Assistance, the Bureau of Justice Statistics, National Institute of Justice, or Office of Juvenile Justice Delinquency Prevention, or to the Director of the Office of Justice Programs, the Director of the Bureau of Justice Assistance, the Director of the Bureau of Justice Statistics, the Director of the National Institute of Justice, or the Administrator of the Office of Juvenile Justice and Delinquency Prevention, as the case may be.

TECHNICAL AMENDMENTS TO OTHER LAWS

SEC. 609J. (a) Section 5314 of title 5, United States Code, is amended by striking out "Director, Office of Justice Assistance, Research, and Statistics."

(b) Section 5315 of title 5, United States Code, is amended by striking out "Administrator of Law Enforcement Assistance."

OFFENSES INVOLVING PRISON-MADE GOODS

SEC. 609K. (a) Section 1761(c) of title 18, United States Code, is amended—

(1) by striking out "seven" and inserting in lieu thereof "twenty", and

(2) by striking out "Administrator of the Law Enforcement Assistance Administration" and inserting in lieu thereof "Director of the Bureau of Justice Assistance".

(b) Section 1761 of title 18, United States Code, is amended by adding at the end thereof the following new subsection:

"(d) Notwithstanding any law to the contrary, materials produced by convict labor may be used in the construction of any highways or portion of highways located on Federal-aid systems, as described in section 103 of title 23, United States Code."

FRAUD AND RELATED ACTIVITY IN CONNECTION WITH IDENTIFICATION DOCUMENTS

SEC. 609L. (a) For purposes of section 1028 of title 18, United States Code, to the maximum extent feasible, personal descriptors or identifiers utilized in identification documents, as defined in such section, shall utilize common descriptive terms and formats designed to—

(1) reduce the redundancy and duplication of identification systems by providing information which can be utilized by the maximum number of authorities, and

(2) facilitate positive identification of bona fide holders of identification documents.

(b) The President shall, no later than 3 years after the date of enactment of this Act, and after consultation with Federal, State, local, and international issuing authorities, and concerned groups make recommendations to the Congress for the enactment of comprehensive legislation on Federal identification systems. Such legislation shall—

(1) give due consideration to protecting the privacy of persons who are the subject of any identification system,

(2) recommend appropriate civil and criminal sanctions for the misuse or unauthorized disclosure of personal identification information, and

(3) make recommendations providing for the exchange of personal identification information as authorized by Federal or State law or Executive order of the President or the chief executive officer of any of the several States.

SUBTITLE B—EMERGENCY FEDERAL LAW ENFORCEMENT ASSISTANCE APPLICATION

SEC. 609M. (a) In the event that a law enforcement emergency exists throughout a State or a part of a State, a State (on behalf of itself or another appropriate unit of government) may submit an application under this section for Federal law enforcement assistance.

(b) An application for assistance under this section shall be submitted in writing by the chief executive officer of a State to the Attorney General, in a form prescribed by rules issued by the Attorney General. The Attorney General shall, after consultation with the Director of the Office of Justice Assistance and appropriate members of the Federal law enforcement community, approve or disapprove such application not later than 10 days after receiving such application.

(c) Federal law enforcement assistance may be provided if such assistance is necessary to provide an adequate response to a law enforcement emergency. In determining whether to approve or disapprove an application for assistance under this section, the Attorney General shall consider—

(1) the nature and extent of such emergency throughout a State or in any part of a State,

(2) the situation or extraordinary circumstances which produced such emergency,

(3) the availability of State and local criminal justice resources to resolve the problem,

(4) the cost associated with the increased Federal presence,

(5) the need to avoid unnecessary Federal involvement and intervention in matters primarily of State and local concern, and

(6) any assistance which the State or other appropriate unit of government has received, or could receive, under any provision of title I of the Omnibus Crime Control and Safe Street Act of 1968.

DEFINITIONS

SEC. 609N. For purposes of this subdivision—

(1) the term "Federal law enforcement assistance" means funds, equipment, training, intelligence information, and personnel,

(2) the term "Federal law enforcement community" means the heads of the following departments or agencies:

(A) the Federal Bureau of Investigation,

(B) the Drug Enforcement Administration,

- (C) the Criminal Division of the Department of Justice,
- (D) the Internal Revenue Service,
- (E) the Customs Service,
- (F) the Immigration and Naturalization Service,
- (G) the United States Marshals Service,
- (H) the National Park Service,
- (I) the United States Postal Service,
- (J) the Secret Service,
- (K) the Coast Guard,
- (L) the Bureau of Alcohol, Tobacco, and Firearms, and
- (M) other Federal agencies with specific statutory authority to investigate violations of Federal criminal laws,

(3) the term "law enforcement emergency" means an uncommon situation which requires law enforcement, which is or threatens to become of serious or epidemic proportions, and with respect to which State and local resources are inadequate to protect the lives and property of citizens or to enforce the criminal law, except that such term does not include—

(A) the perceived need for planning or other activities related to crowd control for general public safety projects, or

(B) a situation requiring the enforcement of laws associated with scheduled public events, including political conventions and sports events, and

(4) the term "State" means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Trust Territory of the Pacific Islands, or the Commonwealth of the Northern Mariana Islands.

LIMITATION ON AUTHORITY

SEC. 6090. (a) Nothing in this subdivision authorizes the use of Federal law enforcement personnel to investigate violations of criminal law other than violations with respect to which investigation is authorized by other provisions of law.

(b) Nothing in this subdivision shall be construed to authorize the Attorney General or the Federal law enforcement community to exercise any direction, supervision, or control over any police force or other criminal justice agency of an applicant for Federal law enforcement assistance.

(c) Nothing in this subdivision shall be construed to authorize the Attorney General or the Federal law enforcement community—

(1) to condition the availability or amount of Federal law enforcement assistance upon the adoption by an applicant for such assistance of, or

(2) to deny or discontinue such assistance upon the failure of such applicant to adopt,

a percentage ratio, quota system, or other program to achieve racial balance in any criminal justice agency of such applicant.

(d) No funds provided under this subdivision may be used to supplant State or local funds that would otherwise be made available for such purposes.

(e) Nothing in this subdivision shall be construed to limit any authority to provide emergency assistance otherwise provided by law.

PROHIBITION OF DISCRIMINATION

SEC. 609P. (a) No person in any State shall, on the ground of race, color, religion, national origin, or sex, be excluded from participation in, be denied the benefits of, be subjected to discrimination under, or be denied employment in connection with any activity for which Federal law enforcement assistance is provided under this subdivision.

(b) Paragraph (3) and paragraph (4) of section 809(c) of part H of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (as so redesignated by section 511(f) of this Act) shall apply with respect to a violation of subsection (a), except that the terms "this section" and "paragraph (1)", as such terms appear in such paragraphs, shall be deemed to be references to subsection (a) of this section, and a reference to the Office of Justice Programs in such paragraphs shall be deemed to be a reference to the Attorney General.

CONFIDENTIALITY OF INFORMATION

SEC. 609Q. Section 812 of part H of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (as so redesignated by section 511(f) of this Act) shall apply with respect to—

(1) information furnished under this subdivision,

(2) criminal history information collected, stored, or disseminated with the support of Federal law enforcement assistance provided under this subdivision, and

(3) criminal intelligence systems operating with the support of Federal law enforcement assistance provided under this subdivision,

except that terms "this title" and "this section", as such terms appear in such section 812, shall be deemed to be references to this subdivision and this section, respectively, of this Act, and a reference to the Office of Justice Programs in such section 812 shall be deemed to be a reference to the Attorney General.

PROHIBITION OF LAND ACQUISITION

SEC. 609R. No funds provided under this subdivision shall be used for land acquisition.

REPAYMENT

SEC. 609S. (a) If Federal law enforcement assistance provided under this subdivision is used by the recipient of such assistance in violation of section 554 or for any purpose other than the purpose for which it is provided, then such recipient shall promptly repay to the Attorney General an amount equal to the value of such assistance.

(b) The Attorney General may bring a civil action in an appropriate United States district court to recover any amount required to be repaid under subsection (a).

RECORDKEEPING REQUIREMENT

SEC. 609T. (a) Each recipient of Federal law enforcement assistance provided under this subdivision shall keep such records as the Attorney General may prescribe to facilitate an effective audit.

(b) The Attorney General and the Comptroller General of the United States shall have access, for the purpose of audit and examination, to any books, documents, and records of recipients of Federal law enforcement assistance provided under this subdivision which, in the opinion of the Attorney General or the Comptroller General, are related to the receipt or use of such assistance.

REPORT TO CONGRESS

SEC. 609U. Not later than April 1 of each year, the Attorney General shall submit to the President, to the Speaker of the House of Representatives, and to the President of the Senate a report describing Federal law enforcement assistance provided under this subdivision during the calendar year preceding the date such report is made.

BUREAU OF JUSTICE ASSISTANCE

SEC. 609V. The Director of the Bureau of Justice Assistance may assist the Attorney General in providing Federal law enforcement assistance under this subdivision and in coordinating the activities authorized under this subdivision.

LIMITATION ON CIVIL JUSTICE MATTERS

SEC. 609W. Federal law enforcement assistance provided under this subdivision may not be used with respect to civil justice matters except to the extent that such civil justice matters bear directly and substantially upon criminal justice matters or are inextricably intertwined with criminal justice matters.

ISSUANCE OF RULES

SEC. 609X. The Attorney General, after consultation with appropriate members of the law enforcement community and with State and local officials, shall issue rules to carry out this subdivision

AUTHORIZATION OF APPROPRIATIONS

SEC. 609Y.(a) There is authorized to be appropriated \$20,000,000 for each fiscal year ending after September 30, 1984, to provide under this subdivision Federal law enforcement assistance in the form of funds.

(b) There are authorized to be appropriated for each fiscal year ending after September 30, 1984, such sums as may be necessary to provide under this subdivision Federal law enforcement assistance other than funds.

SUBTITLE C—CONFORMING AMENDMENT; EFFECTIVE DATES REPEALER

SEC. 609Z. Section 204 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act (Public Law 98-411) is repealed.

EFFECTIVE DATES

SEC. 609AA. (a) Except as provided in subsection (b), this division and the amendments made by this title shall take effect on the date of the enactment of this joint resolution or October 1, 1984, whichever is later.

(b)(1) The amendment made by section 609F shall take effect on October 1, 1984, and shall not apply with respect to injuries sustained before October 1, 1984.

(2) Section 609Z shall take effect on October 1, 1984.

DIVISION II—AMENDMENTS TO THE JUVENILE JUSTICE
AND DELINQUENCY PREVENTION ACT OF 1974

SUBDIVISION A—GENERAL PROVISIONS

SHORT TITLE

SEC. 610. This Division may be cited as the “Juvenile Justice, Runaway Youth, and Missing Children’s Act Amendments of 1984”.

FINDINGS

SEC. 611. Section 101(a) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601(a)) is amended—

(1) in paragraph (1)—

(A) by striking out “account” and inserting in lieu thereof “accounted”, and

(B) by striking out “today” and inserting in lieu thereof “in 1974 and for less than one-third of such arrests in 1983”,

(2) in paragraph (2) by inserting “and inadequately trained staff in such courts, services, and facilities” after “facilities”,

(3) in paragraph (3) by striking out “the countless, abandoned, and dependent”, and

(4) in paragraph (5) by striking out “prevented” and inserting in lieu thereof “reduced”.

PURPOSE

SEC. 612. Section 102(a) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5602(a)) is amended—

(1) in paragraph (1) by striking out “prompt” and inserting in lieu thereof “ongoing”,

(2) in paragraph (4) by striking out “an information clearing-house to disseminate” and inserting in lieu thereof “the dissemination of”, and

(3) in paragraph (7) by inserting “and homeless” after “runaway”.

DEFINITIONS

SEC. 613. Section 103 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5603) is amended—

(1) in paragraph (3)—

(A) by striking out “for neglected, abandoned, or dependent youth and other youth”, and

(B) by inserting “juvenile” after “prevent”,

(2) in paragraph (4) by amending subparagraphs (A) and (B) to read as follows:

"(A) the term 'Bureau of Justice Assistance' means the bureau established by section 401 of the Omnibus Crime Control and Safe Streets Act of 1968;

"(B) the term 'Office of Justice Programs' means the office established by section 101 of the Omnibus Crime Control and Safe Streets Act of 1968;";

(3) in paragraph (6) by striking out "services," and inserting in lieu thereof "services);",

(4) in paragraph (14)—

(A) by inserting "or other sex offenses punishable as a felony" after "rape", and

(B) by striking out "and" at the end thereof,

(5) in paragraph (15) by striking out the period at the end thereof and inserting in lieu thereof "; and", and

(6) by adding at the end thereof the following new paragraph:

"(16) the term 'valid court order' means a court order given by a juvenile court judge to a juvenile who has been brought before the court and made subject to a court order. The use of the word 'valid' permits the incarceration of juveniles for violation of a valid court order only if they received their full due process rights as guaranteed by the Constitution of the United States."

SUBDIVISION B—JUVENILE JUSTICE AND DELINQUENCY PREVENTION

OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION

SEC. 620. Section 201 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5611) is amended to read:

"ESTABLISHMENT OF OFFICE

"SEC. 201. (a) There is hereby established an Office of Juvenile Justice and Delinquency Prevention (hereinafter in this division referred to as the 'Office') within the Department of Justice under the general authority of the Attorney General.

"(b) The Office shall be headed by an Administrator (hereinafter in this title referred to as the 'Administrator') appointed by the President, by and with the advice and consent of the Senate, from among individuals who have had experience in juvenile justice programs. The Administrator is authorized to prescribe regulations consistent with this Act to award, administer, modify, extend, terminate, monitor, evaluate, reject, or deny all grants and contracts from, and applications for, funds made available under this title. The Administrator shall report to the Attorney General through the Assistant Attorney General who heads the Office of Justice Programs under part A of title I of the Omnibus Crime Control and Safe Streets Act of 1968.

"(c) There shall be in the Office a Deputy Administrator who shall be appointed by the Attorney General and whose function shall be to supervise and direct the National Institute for Juvenile Justice and Delinquency Prevention established by section 241 of this Act. The Deputy Administrator shall also perform such functions as the Administrator may from time to time assign or delegate

and shall act as the Administrator during the absence or disability of the Administrator.”.

TECHNICAL AMENDMENTS

SEC. 621. (a) Section 202(a) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5612(a)) is amended by striking out “him” and inserting in lieu thereof “the Administrator”.

(b) Section 202(c) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5612(c)) is amended—

(1) by striking out “him” and inserting in lieu thereof “the Administrator”, and

(2) by striking out “his functions” and inserting in lieu thereof “the functions of the Administrator”.

CONCENTRATION OF FEDERAL EFFORTS

SEC. 622. (a) Section 204(a) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5614(a)) is amended by striking out “his functions” and inserting in lieu thereof “the functions of the Administrator”.

(b) Section 204(b) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5614(b)) is amended—

(1) in paragraph (2) by striking out “he” and inserting in lieu thereof “the Administrator”,

(2) in paragraph (4) by striking out “he” and inserting in lieu thereof “the Administrator”,

(3) in paragraph (5) by striking out “and”,

(4) in paragraph (6) by striking out the period and inserting in lieu thereof “; and”, and

(5) by inserting after paragraph (6) the following new paragraph:

“(7) provide for the auditing of monitoring systems required under section 223(a)(15) to review the adequacy of such systems.”.

(c) Section 204(e) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5614(e)) is amended by striking out “subsection (l)” and inserting in lieu thereof “subsection (l)”.

(d) Section 204(f) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5614(f)) is amended—

(1) by striking out “him” and inserting in lieu thereof “the Administrator”, and

(2) by striking out “he” and inserting in lieu thereof “the Administrator”.

(e) Section 204(g) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5614(g)) is amended by striking out “his functions” and inserting in lieu thereof “the functions of the Administrator”.

(f) Section 204(i) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5614(i)) is amended—

(1) by striking out “title” and inserting in lieu thereof “section”, and

(2) by striking out “he” and inserting in lieu thereof “the Administrator”.

(g) Section 204(l) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5614(l)) is amended—

(1) in paragraph (1)—

(A) by striking out “section 204(d)(1)” and inserting in lieu thereof “subsection (d)(1)”, and

(B) by striking out “section 204(f)” and inserting in lieu thereof “subsection (f)”,

(2) in paragraph (2)—

(A) by striking out “subsection (l)” and inserting in lieu thereof “paragraph (1)”, and

(B) by striking out “section 204(e)” each place it appears and inserting in lieu thereof “subsection (e)”, and

(3) in paragraph (3)—

(A) by striking out “him” and inserting in lieu thereof “the Administrator”, and

(B) by striking out “subsection (l)” and inserting in lieu thereof “paragraph (1)”.

COORDINATING COUNCIL ON JUVENILE JUSTICE AND DELINQUENCY PREVENTION

SEC. 623. (a) Section 206(a)(1) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5616(a)(1)) is amended—

(1) by striking out “Community Services Administration” and inserting in lieu thereof “Office of Community Services”,

(2) by striking out “Director of the Office of Justice Assistance, Research, and Statistics,” and inserting in lieu thereof “Assistant Attorney General who heads the Office of Justice Programs,” and

(3) by striking out “Administrator of the Law Enforcement Assistance Administration” and inserting in lieu thereof “Director of the Bureau of Justice Assistance”.

(b) Section 206(c) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5616(c)) is amended by striking out “delinquency programs” and inserting in lieu thereof “delinquency programs and, in consultation with the Advisory Board on Missing Children, all Federal programs relating to missing and exploited children”.

(c) Section 206(e) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5616(e)) is amended by striking out “he” and inserting in lieu thereof “the Administrator”.

(d) Section 206(g) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5616(g)) is amended by striking out “\$500,000” and insert in lieu thereof; “\$200,000”.

NATIONAL ADVISORY COMMITTEE FOR JUVENILE JUSTICE AND DELINQUENCY PREVENTION

SEC. 624. Section 207 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5617(a)) is repealed.

TECHNICAL AMENDMENTS

SEC. 625. (a) The Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.) is amended by inserting after the

heading for subpart I of part B of title II the following new heading for section 221:

"AUTHORITY TO MAKE GRANTS"

(b) Section 222(b) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5632(b)) is amended—

(1) by striking out "and the Trust Territory" and inserting in lieu thereof "the Trust Territory"; and

(2) by inserting ", and the Commonwealth of the Northern Mariana Islands" after "Pacific Islands".

STATE PLANS

SEC. 626. (a) Section 223(a) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5633(a)) is amended—

(1) by amending paragraph (1) to read as follows:

"(1) designate the State agency described in section 261(c)(1) as the sole agency for supervising the preparation and administration of the plan;"

(2) in paragraph (2) by striking out "(hereafter referred to in this part as the 'State criminal justice council')";

(3) in paragraph (3)—

(A) by amending subparagraph (C) to read as follows: "(C) which shall include (i) representatives of private organizations, including those with a special focus on maintaining and strengthening the family unit, those representing parents or parent groups, those concerned with delinquency prevention and treatment and with neglected or dependent children, and those concerned with the quality of juvenile justice, education, or social services for children; (ii) representatives of organizations which utilize volunteers to work with delinquents or potential delinquents; (iii) representatives of community based delinquency prevention or treatment programs; (iv) representatives of business groups or businesses employing youth; (v) youth workers involved with alternative youth programs; and (vi) persons with special experience and competence in addressing the problems of the family, school violence and vandalism, and learning disabilities," and

(B) in subparagraph (F)—

(i) by striking out "State criminal justice council" each place it appears and inserting in lieu thereof "State agency designated under paragraph (1)";

(ii) in clause (ii) by striking out "paragraph (12)(A) and paragraph (13)" and inserting in lieu thereof "paragraphs (12), (13), and (14)", and

(iii) in clause (iv)—

(I) by striking out "paragraph (12)(A) and paragraph (13)" and inserting in lieu thereof "paragraphs (12), (13), and (14)", and

(II) by striking out "in advising on the State's maintenance of effort under section 1002 of the Omnibus Crime Control and Safe Streets Act of 1968, as amended,"

(4) in paragraph (9) by inserting "special education," after "education,"

(5) In paragraph (10)—

(A) in the matter preceding subparagraph (A)—

(i) by striking out "programs for juveniles" and inserting in lieu thereof "programs for juveniles, including those processed in the criminal justice system," and

(ii) by striking out "and provide for effective rehabilitation" and inserting in lieu thereof "provide for effective rehabilitation, and facilitate the coordination of services between the juvenile justice and criminal justice systems";

(B) in subparagraph (E) by inserting ", including programs to counsel delinquent youth and other youth regarding the opportunities which education provides" before the semicolon at the end thereof,

(C) in subparagraph (F) by inserting "and their families" before the semicolon at the end thereof,

(D) in subparagraph (H)—

(i) by amending clause (iii) to read as follows:

"(iii) establish and adopt, based on the recommendations of the National Advisory Committee for Juvenile Justice and Delinquency Prevention made before the date of the enactment of the Juvenile Justice, Runaway Youth, and Missing Children's Act Amendments of 1984, standards for the improvement of juvenile justice within the State;"

(ii) in clause (iv) by inserting "or" at the end thereof, and

(iii) by adding at the end thereof the following new clause:

"(v) involve parents and other family members in addressing the delinquency-related problems of juveniles;"

(E) in subparagraph (I) by striking out "and" at the end thereof,

(F) in subparagraph (J) by striking out "juvenile gangs and their members" and inserting in lieu thereof "gangs whose membership is substantially composed of juveniles", and

(G) by adding at the end thereof the following new subparagraphs:

"(K) programs and projects designed to provide for the treatment of juveniles' dependence on or abuse of alcohol or other addictive or nonaddictive drugs; and

"(L) law-related education programs and projects designed to prevent juvenile delinquency;"

(6) by amending paragraph (14) to read as follows:

"(14) provide that, beginning after the five-year period following December 8, 1980, no juvenile shall be detained or confined in any jail or lockup for adults, except that the Administrator shall, through 1989, promulgate regulations which make exceptions with regard to the detention of juveniles accused of non-

status offenses who are awaiting an initial court appearance pursuant to an enforceable State law requiring such appearances within 24 hours after being taken into custody (excluding weekends and holidays) provided that such exceptions are limited to areas which—

“(i) are outside a Standard Metropolitan Statistical Area,
“(ii) have no existing acceptable alternative placement available, and

“(iii) are in compliance with the provisions of paragraph (13).”

(7) in paragraph (18)—

(A) by striking out “arrangements are made” and inserting in lieu thereof “arrangements shall be made”,

(B) by striking out “Act. Such” and inserting in lieu thereof “Act and shall provide for the terms and conditions of such protective arrangements established pursuant to this section, and such”,

(C) in subparagraph (D) by inserting “and” at the end thereof,

(D) in subparagraph (E) by striking out the period at the end thereof and inserting in lieu thereof a semicolon, and

(E) by striking out the last sentence of such paragraph, (8) in paragraph (21) by striking out “State criminal justice council” and inserting in lieu thereof “State agency designated under paragraph (1)”,

(9) in the matter following paragraph (22) by striking out the first sentence,

(10) by striking out the last sentence thereof,

(11) by redesignating paragraphs (17), (18), (19), (20), (21), and (22) as paragraphs (18), (19), (20), (21), (22), and (23), respectively, and

(12) by inserting after paragraph (16) the following new paragraph:

“(17) provide assurance that consideration will be given to and that assistance will be available for approaches designed to strengthen and maintain the family units of delinquent and other youth to prevent juvenile delinquency. Such approaches should include the involvement of grandparents or other extended family members when possible and appropriate.”

(b) Section 223(b) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5633(b)) is amended—

(1) by striking out “State criminal justice council designated pursuant to section 223(a)” and inserting in lieu thereof “State agency designated under subsection (a)(1)”, and

(2) by striking out “section 223(a)” and inserting in lieu thereof “subsection (a)”.

(c) The last sentence of section 223(c) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5633(c)) is amended by striking out “not to exceed 2 additional years” and inserting in lieu thereof “not to exceed 3 additional years”.

(d) Section 223(d) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5633(d)) is amended by striking out “sections 803, 804, and 805” and inserting in lieu thereof “sections 802, 803, and 804”.

GRANTS AND CONTRACTS

SEC. 627. Section 224 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5634) is amended to read as follows:

“AUTHORITY TO MAKE GRANTS AND CONTRACTS

“SEC. 224. (a) From not less than 15 percent, but not more than 25 percent, of the funds appropriated for a fiscal year to carry out this part, the Administrator shall, by making grants to and entering into contracts with public and private nonprofit agencies, organizations, institutions, or individuals provide for each of the following during each fiscal year:

“(1) developing and maintaining community-based alternatives to traditional forms of institutionalization of juvenile offenders;

“(2) developing and implementing effective means of diverting juveniles from the traditional juvenile justice and correctional system, including restitution and reconciliation projects which test and validate selected arbitration models, such as neighborhood courts or panels, and increase victim satisfaction while providing alternatives to incarceration for detained or adjudicated delinquents;

“(3) developing and supporting programs stressing advocacy activities aimed at improving services to youth impacted by the juvenile justice system, including services which encourage the improvement of due process available to juveniles in the juvenile justice system;

“(4) developing model programs to strengthen and maintain the family unit in order to prevent or treat juvenile delinquency;

“(5) developing and implementing special emphasis prevention and treatment programs relating to juveniles who commit serious crimes (including such crimes committed in schools), including programs designed to deter involvement in illegal activities or to promote involvement in lawful activities on the part of gangs whose membership is substantially composed of juveniles; and

“(6) developing and implementing further a coordinated, national law-related education program of delinquency prevention, including training programs for persons responsible for the implementation of law-related education programs in elementary and secondary schools.

“(b) From any special emphasis funds remaining available after grants and contracts are made under subsection (a), but not to exceed 10 percent of the funds appropriated for a fiscal year to carry out this part, the Administrator is authorized, by making grants to and entering into contracts with public and private nonprofit agencies, organizations, institutions, or individuals, to develop and implement new approaches, techniques, and methods designed to—

“(1) improve the capability of public and private agencies and organizations to provide services for delinquents and other youth to help prevent juvenile delinquency;

“(2) develop and implement, in coordination with the Secretary of Education, model programs and methods to keep stu-

dents in elementary and secondary schools, to prevent unwarranted and arbitrary suspensions and expulsions, and to encourage new approaches and techniques with respect to the prevention of school violence and vandalism;

“(3) develop, implement, and support, in conjunction with the Secretary of Labor, other public and private agencies and organizations and business and industry programs for youth employment;

“(4) develop and support programs designed to encourage and enable State legislatures to consider and further the purposes of this title, both by amending State laws if necessary, and devoting greater resources to those purposes;

“(5) develop and implement programs relating to juvenile delinquency and learning disabilities, including on-the-job training programs to assist law enforcement personnel and juvenile justice personnel to more effectively recognize and provide for learning disabled and other handicapped juveniles;

“(6) develop statewide programs through the use of subsidies or other financial incentives designed to—

“(A) remove juveniles from jails and lockups for adults;

“(B) replicate juvenile programs designated as exemplary by the National Institute of Justice; or

“(C) establish and adopt, based upon the recommendations of the National Advisory Committee for Juvenile Justice and Delinquency Prevention made before the date of the enactment of the Juvenile Justice, Runaway Youth, and Missing Children’s Act Amendments of 1984, standards for the improvement of juvenile justice within each State involved;

“(7) develop and implement model programs, relating to the special education needs of delinquent and other youth, which develop locally coordinated policies and programs among education, juvenile justice, and social service agencies.

“(c) Not less than 30 percent of the funds available for grants and contracts under this section shall be available for grants to and contracts with private nonprofit agencies, organizations, or institutions which have had experience in dealing with youth.

“(d) Assistance provided under this section shall be available on an equitable basis to deal with female, minority, and disadvantaged youth, including mentally, emotionally, or physically handicapped youth.

“(e) Not less than 5 percent of the funds available for grants and contracts under this section shall be available for grants and contracts designed to address the special needs and problems of juvenile delinquency in the Virgin Islands, Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Commonwealth of the Northern Mariana Islands.”

APPROVAL OF APPLICATIONS

SEC. 628. (a) Section 225(b) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5635(b)) is amended—

(1) in paragraph (2) by inserting "(such purpose or purposes shall be specifically identified in such application)" before the semicolon,

(2) in paragraph (5) by striking out ", when appropriate," and inserting in lieu thereof "(if such State or local agency exists)",

(3) in paragraph (6) by striking out ", when appropriate", and

(4) in paragraph (8) by striking out "indicate" and inserting in lieu thereof "attach a copy of".

(b) Section 225(c) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5635(c)) is amended—

(1) by inserting "and for contracts" after "for grants",

(2) in paragraph (4) by striking out "delinquents and other youth to help prevent delinquency" and inserting in lieu thereof "address juvenile delinquency and juvenile delinquency prevention",

(3) in paragraph (5) by inserting "and" at the end thereof,

(4) by striking out paragraph (6), and

(5) by redesignating paragraph (7) as paragraph (6).

(c) Section 225 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5635) is amended—

(1) by redesignating subsection (d) as subsection (e), and

(2) inserting after subsection (c) the following new subsection:

"(d)(1)(A) Except as provided in subparagraph (B) new programs selected after the effective date of the Juvenile Justice, Runaway Youth, and Missing Children's Act Amendments of 1984 for assistance through grants or contracts under section 224 or part C of this title shall be selected through a competitive process to be established by rule by the Administrator. As part of such process, the Administrator shall announce in the Federal Register the availability of funds for such assistance, the general criteria applicable to the selection of applicants to receive such assistance, and a description of the procedures applicable to submitting and reviewing applications for such assistance.

"(B) The competitive process described in subparagraph (A) shall not be required if—

"(i) the Administrator has made a written determination that the proposed program is not within the scope of any program announcement or any announcement expected to be issued, but can otherwise be supported by a grant or contract in accordance with section 224 or part C of this title, and if the proposed program is of such outstanding merit, as determined through peer review conducted under paragraph (2), that the award of a grant or contract without competition is justified; or

"(ii) the Administrator makes a written determination, which shall include the factual and other bases thereof, that the applicant is uniquely qualified to provide proposed training services as provided in section 244, and other qualified sources are not capable of carrying out the proposed program.

"(C) In each case where a program is selected for assistance without competition pursuant to the exception provided in subparagraph (B), the Administrator shall promptly so notify the chairman of the Committee on Education and Labor of the House of Representatives and the chairman of the Committee on the Judiciary of the Senate. Such notification shall include copies of the Administrator's deter-

mination under clause (i) or clause (ii) of such subparagraph and the peer review determination required under paragraph (2).

"(2) New programs selected after the effective date of the Juvenile Justice, Runaway Youth, and Missing Children's Act Amendments of 1984 for assistance through grants or contracts under section 224 shall be reviewed before selection and thereafter as appropriate through a formal peer review process utilizing experts (other than officers and employees of the Department of Justice) in fields related to the subject matter of the proposed program. Such process shall be established by the Administrator in consultation with the Directors and other appropriate officials of the National Science Foundation and the National Institute of Mental Health. Before implementation, the Administrator shall submit such process to such Directors, each of whom shall prepare and furnish to the chairman of the Committee on Education and Labor of the House of Representatives and the chairman of the Committee on the Judiciary of the Senate a final report containing their comments on such process as proposed to be established.

"(3) The Administrator, in establishing the processes required under paragraphs (1) and (2), shall provide for emergency expedited consideration of program proposals when necessary to avoid any delay which would preclude carrying out the program."

(d) Section 225 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5035) is amended by adding at the end thereof the following new subsection:

"(f) Notification of grants and contracts made under section 224 (and the applications submitted for such grants and contracts) shall, upon being made, be transmitted by the Administrator, to the chairman of the Committee on Education and Labor of the House of Representatives and the chairman of the Committee on the Judiciary of the Senate."

USE OF FUNDS

SEC. 629. Section 227(c) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5637(c)) is amended by striking out "section 224(a)(7)" each place it appears and inserting in lieu thereof "section 224(a)(3)".

PAYMENTS

SEC. 630. (a) Section 228(a) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5638(a)) is amended by striking out "he" and inserting in lieu thereof "the Administrator".

(b) Section 228(d) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5638(d)) is amended by striking out "he" and inserting in lieu thereof "the Administrator".

(c) Section 228(e) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5638(e)) is amended—

(1) by striking out "him" and inserting in lieu thereof "the Administrator",

(2) by striking out "section 803" and inserting in lieu thereof "section 802", and

(3) by striking out "section 224(a)(5)" and inserting in lieu thereof "section 224(b)(6)".

NATIONAL INSTITUTE FOR JUVENILE JUSTICE AND DELINQUENCY
PREVENTION

SEC. 631. (a) *The Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.) is amended by inserting after the heading for part C of title II the following new heading for section 241:*

“ESTABLISHMENT OF NATIONAL INSTITUTE FOR JUVENILE JUSTICE AND DELINQUENCY PREVENTION”.

(b) *Section 241(b) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5651(b)) is amended by striking out “section 201(f)” and inserting in lieu thereof “section 201(c)”.*

(c) *Section 241(d) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5651(d)) is amended to read as follows:*

“(d) It shall be the purpose of the Institute to provide—

“(1) a coordinating center for the collection, preparation, and dissemination of useful data regarding the prevention, treatment, and control of juvenile delinquency; and

“(2) appropriate training (including training designed to strengthen and maintain the family unit) for representatives of Federal, State, local law enforcement officers, teachers and special education personnel, family counselors, child welfare workers, juvenile judges and judicial personnel, probation personnel, correctional personnel (including volunteer lay personnel), persons associated with law-related education, youth workers, and representatives of private agencies and organizations with specific experience in the prevention, treatment, and control of juvenile delinquency.”.

(d) *Section 241 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5651) is amended—*

(1) by redesignating subsection (f) as subsection (g),

(2) by inserting after subsection (e) the following new subsection:

“(f) The Administrator, acting through the Institute, shall provide, not less frequently than once every 2 years, for a national conference of member representatives from State advisory groups for the purpose of—

“(1) disseminating information, data, standards, advanced techniques, and program models developed through the Institute and through programs funded under section 224;

“(2) reviewing Federal policies regarding juvenile justice and delinquency prevention;

“(3) advising the Administrator with respect to particular functions or aspects of the work of the Office; and

“(4) advising the President and Congress with regard to State perspectives on the operation of the Office and Federal legislation pertaining to juvenile justice and delinquency prevention.”,
and

(3) by adding at the end thereof the following new subsection:

“(h) The authorities of the Institute under this part shall be subject to the terms and conditions of section 225(d).”.

RESEARCH, DEMONSTRATION, AND EVALUATION FUNCTIONS

SEC. 632. Section 243 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5653) is amended—

(1) in paragraph (1) by inserting “which seek to strengthen and maintain the family unit or” after “methods”;

(2) in paragraph (4) by striking “Associate” and inserting in lieu thereof “Deputy”;

(3) by amending paragraph (5) to read as follows:

“(5) prepare, in cooperation with educational institutions, with Federal, State, and local agencies, and with appropriate individuals and private agencies, such studies as it considers to be necessary with respect to the prevention and treatment of juvenile delinquency and related matters, including—

“(A) recommendations designed to promote effective prevention and treatment, particularly by strengthening and maintaining the family unit; and

“(B) assessments regarding the role of family violence, sexual abuse or exploitation, media violence, the improper handling of youth placed in one State by another State, the possible ameliorating roles of familial relationships, special education, remedial education, and recreation, and the extent to which youth in the juvenile system are treated differently on the basis of sex, race, or family income and the ramifications of such treatment;

“(C) examinations of the treatment of juveniles processed in the criminal justice system; and

“(D) recommendations as to effective means for deterring involvement in illegal activities or promoting involvement in lawful activities on the part of gangs whose membership is substantially composed of juveniles.”; and

(4) in paragraph (7) by striking out “(including a periodic journal)”.

TRAINING FUNCTIONS

SEC. 633. Section 244 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5654) is amended—

(1) in paragraph (1)—

(A) by striking out “or who are” and inserting in lieu thereof “working with or”; and

(B) by striking out “and juvenile offenders” and inserting in lieu thereof “, juvenile offenders, and their families”;

(2) in paragraph (2) by striking out “workshop” and inserting in lieu thereof “workshops”; and

(3) in paragraph (3) by striking out “teachers” and all that follows through the end thereof and inserting in lieu thereof the following: “teachers and special education personnel, family counselors, child welfare workers, juvenile judges and judicial personnel, probation personnel (including volunteer lay personnel), persons associated with law-related education, youth workers, and organizations with specific experience in the prevention and treatment of juvenile delinquency; and”.

REPEALER

SEC. 634. Section 245 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5655) is repealed.

ANNUAL REPORT

SEC. 635. Section 246 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5656) is amended by striking out "SEC. 246." and inserting in lieu thereof "SEC. 245."

DEVELOPMENT OF STANDARDS FOR JUVENILE JUSTICE

SEC. 636. Section 247 of the Juvenile Justice and Delinquency Act of 1974 (42 U.S.C. 5657) is amended to read as follows:

"ADDITIONAL FUNCTIONS OF THE INSTITUTE

"SEC. 246. (a) The National Institute for Juvenile Justice and Delinquency Prevention shall review existing reports, data, and standards, relating to the juvenile justice system in the United States.

"(b) The National Institute for Juvenile Justice and Delinquency Prevention is authorized to develop and support model State legislation consistent with the mandates of this title and the standards developed by National Advisory Committee for Juvenile Justice and Delinquency Prevention before the date of the enactment of the Juvenile Justice, Runaway Youth, and Missing Children's Act Amendments of 1984."

ESTABLISHMENT OF TRAINING PROGRAM

SEC. 637. (a) Section 248(b) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5659(b)) is amended to read as follows:

"(b) Enrollees in the training program established under this section shall be drawn from law enforcement and correctional personnel (including volunteer lay personnel), teachers and special education personnel, family counselors, child welfare workers, juvenile judges and judicial personnel, persons associated with law-related education, youth workers, and representatives of private agencies and organizations with specific experience in the prevention and treatment of juvenile delinquency."

(b) Section 248 of the Juvenile Justice and Delinquency Act of 1974 (42 U.S.C. 5659) is amended by striking out "SEC. 248." and inserting in lieu thereof "SEC. 247."

TECHNICAL AMENDMENT

SEC. 638. Section 249 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5660) is amended by striking out "SEC. 249." and inserting in lieu thereof "SEC. 248."

TRAINING PROGRAM

SEC. 639. (a) The heading for section 250 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5661) is amended to read as follows:

**"PARTICIPATION IN TRAINING PROGRAM AND STATE
ADVISORY GROUP CONFERENCES"**

(b) Section 250(c) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5661(c)) is amended to read as follows:

"(c) While participating as a trainee in the program established under section 246 or while participating in any conference held under section 241(f), and while traveling in connection with such participation, each person so participating shall be allowed travel expenses, including a per diem allowance in lieu of subsistence, in the same manner as persons employed intermittently in Government service are allowed travel expenses under section 5703 of title 5, United States Code. No consultation fee may be paid to such person for such participation."

(c) Section 250 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5661) is amended by striking out "SEC. 250." and inserting in lieu thereof "SEC. 249."

AUTHORIZATION OF APPROPRIATIONS

SEC. 640. Section 261 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5671) is amended to read as follows:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 261. (a) To carry out the purposes of this title there is authorized to be appropriated such sums as may be necessary for fiscal years 1985, 1986, 1987, and 1988. Funds appropriated for any fiscal year may remain available for obligation until expended.

"(b) Of such sums as are appropriated to carry out the purposes of this title—

"(1) not to exceed 7.5 percent shall be available to carry out part A;

"(2) not less than 81.5 percent shall be available to carry out part B; and

"(3) 11 percent shall be available to carry out part C.

"(c) Notwithstanding any other provision of law, the Administrator shall—

"(1) establish appropriate administrative and supervisory board membership requirements for a State agency responsible for supervising the preparation and administration of the State plan submitted under section 223 and permit the State advisory group appointed under section 223(a)(3) to operate as the supervisory board for such agency, at the discretion of the Governor; and

"(2) approve any appropriate State agency designated by the Governor of the State involved in accordance with paragraph (1).

"(d) No funds appropriated to carry out the purposes of this title may be used for any bio-medical or behavior control experimentation on individuals or any research involving such experimentation. For the purpose of this subsection, the term 'behavior control' refers to experimentation or research employing methods which involve a substantial risk of physical or psychological harm to the individual subject and which are intended to modify or alter criminal and other anti-social behavior, including aversive conditioning therapy,

drug therapy or chemotherapy (except as part of routine clinical care), physical therapy of mental disorders, electroconvulsive therapy, or physical punishment. The term does not apply to a limited class of programs generally recognized as involving no such risk, including methadone maintenance and certain alcohol treatment programs, psychological counseling, parent training, behavior contracting, survival skills training, restitution, or community service, if safeguards are established for the informed consent of subjects (including parents or guardians of minors).”

APPLICATION OF OTHER ADMINISTRATIVE AUTHORITY

SEC. 641. Section 262 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5672) is amended to read as follows:

“ADMINISTRATIVE AUTHORITY

“SEC. 262. (a) The Office shall be administered by the Administrator under the general authority of the Attorney General.

“(b) Sections 809(c), 811(a), 811(b), 811(c), 812(a), 812(b), and 812(d) of the Omnibus Crime Control and Safe Streets Act of 1968, as so designated by the operation of the amendments made by the Justice Assistance Act of 1984, shall apply with respect to the administration of and compliance with this Act, except that for purposes of this Act—

“(1) any reference to the Office of Justice Programs in such sections shall be deemed to be a reference to the Assistant Attorney General who heads the Office of Justice Programs; and

“(2) the term ‘this title’ as it appears in such sections shall be deemed to be a reference to this Act.

“(c) Sections 801(a), 801(c), and 806 of the Omnibus Crime Control and Safe Streets Act of 1968, as so designated by the operation of the amendments made by the Justice Assistance Act of 1984, shall apply with respect to the administration of and compliance with this Act, except that for purposes of this Act—

“(1) any reference to the Attorney General, the Assistant Attorney General who heads the Office of Justice Programs, the Director of the National Institute of Justice, the Director of the Bureau of Justice Statistics, or the Director of the Bureau of Justice Assistance shall be deemed to be a reference to the Administrator;

“(2) any reference to the Office of Justice Programs, the Bureau of Justice Assistance, the National Institute of Justice, or the Bureau of Justice Statistics shall be deemed to be a reference to the Office of Juvenile Justice and Delinquency Prevention; and

“(3) the term ‘this title’ as it appears in such sections shall be deemed to be a reference to this Act.

“(d) The Administrator is authorized, after appropriate consultation with representatives of States and units of local government, to establish such rules, regulations, and procedures as are necessary for the exercise of the functions of the Office and as are consistent with the purpose of this Act.”

SUBDIVISION C—RUNAWAY AND HOMELESS YOUTH

RULES

SEC. 650. Section 303 of the Runaway and Homeless Youth Act (42 U.S.C. 5702) is amended to read as follows:

“RULES

“SEC. 303. The Secretary of Health and Human Services (hereinafter in this title referred to as the ‘Secretary’) may issue such rules as the Secretary considers necessary or appropriate to carry out the purposes of this title.”.

PURPOSES OF GRANT PROGRAM

SEC. 651. (a) The first sentence of section 311(a) of the Runaway and Homeless Youth Act (42 U.S.C. 5711(a)) is amended—

(1) by inserting “and assistance to their families” before the period at the end thereof; and

(2) by striking, in the first sentence, “nonprofit private agencies and coordinated networks of such agencies” and inserting in lieu thereof “private entities and coordinated networks of such entities”.

(b) Section 311(b) of the Runaway and Homeless Youth Act (42 U.S.C. 5711(b)) is amended by inserting “and to the families of such juveniles” before the period at the end thereof.

ELIGIBILITY

SEC. 652. Section 312(b) of the Runaway and Homeless Youth Act (42 U.S.C. 5712) is amended—

(1) in paragraph (2) by striking out “portion” and inserting in lieu thereof “proportion”;

(2) in paragraph (3) by striking out “(if such action is required by State law)”;

(3) in paragraph (4) by inserting “school system personnel,” after “social service personnel,”;

(4) in paragraph (5) by striking out “parents” and inserting in lieu thereof “families”; and

(5) in paragraph (6) by striking out “parents” and inserting in lieu thereof “family members”.

APPROVAL BY SECRETARY

SEC. 653. The first sentence in section 313 of the Runaway and Homeless Youth Act (42 U.S.C. 5713) is amended by striking out “nonprofit private agency” and inserting in lieu thereof “private entity”.

GRANTS TO PRIVATE AGENCIES, STAFFING

SEC. 654. Section 314 of the Runaway and Homeless Youth Act (42 U.S.C. 5714) is amended—

(1) by amending the heading to read as follows: “GRANTS TO PRIVATE ENTITIES; STAFFING”, and

(2) in the first sentence—

- (A) by striking out "nonprofit private agencies" and inserting in lieu thereof "private entities", and
 (B) by striking out "house" and inserting in lieu thereof "center".

ADDITIONAL ASSISTANCE

SEC. 655. *The Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.) is amended—*

- (1) by redesignating sections 315 and 316 as sections 317 and 318, respectively, and
 (2) by inserting after section 314 the following new sections:

"ASSISTANCE TO POTENTIAL GRANTEEES

"SEC. 315. *The Secretary shall provide informational assistance to potential grantees interested in establishing runaway and homeless youth centers. Such assistance shall consist of information on—*

- "(1) steps necessary to establish a runaway and homeless youth center, including information on securing space for such center, obtaining insurance, staffing, and establishing operating procedures;
 "(2) securing local private or public financial support for the operation of such center, including information on procedures utilized by grantees under this title; and
 "(3) the need for the establishment of additional runaway youth centers in the geographical area identified by the potential grantee involved.

"LEASE OF SURPLUS FEDERAL FACILITIES FOR USE AS RUNAWAY AND HOMELESS YOUTH CENTERS

"SEC. 316. (a) *The Secretary may enter into cooperative lease arrangements with States, localities, and nonprofit private agencies to provide for the use of appropriate surplus Federal facilities transferred by the General Services Administration to the Department of Health and Human Services for use as runaway and homeless youth centers if the Secretary determines that—*

- "(1) the applicant involved has suitable financial support necessary to operate a runaway and homeless youth center;
 "(2) the applicant is able to demonstrate the program expertise required to operate such center in compliance with this title, whether or not the applicant is receiving a grant under this part; and
 "(3) the applicant has consulted with and obtained the approval of the chief executive officer of the unit of general local government in which the facility is located.

"(b)(1) *Each facility made available under this section shall be made available for a period of not less than 2 years, and no rent or fee shall be charged to the applicant in connection with use of such facility.*

"(2) *Any structural modifications or additions to facilities made available under this section shall become the property of the United States. All such modifications or additions may be made only after receiving the prior written consent of the Secretary or other appropriate officer of the Department of Health and Human Services."*

REORGANIZATION

SEC. 656. Part C of the Runaway and Homeless Youth Act (42 U.S.C. 5741) is repealed.

AUTHORIZATION OF APPROPRIATIONS

SEC. 657. (a) The Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.) is amended by inserting after the heading for part D the following new heading for section 341:

"AUTHORIZATION OF APPROPRIATIONS"

(b) Section 341(a) is amended by striking out "for each of the fiscal years" and all that follows through the period at the end thereof and inserting in lieu thereof "such sums as may be necessary for fiscal years 1985, 1986, 1987, and 1988."

(c) Section 341(b) of the Runaway and Homeless Youth Act (42 U.S.C. 5751(b)) is amended by striking out "Associate".

(d) Section 341 of the Runaway and Homeless Youth Act (42 U.S.C. 5751) is amended by adding at the end thereof the following new subsection:

"(c) No funds appropriated to carry out the purposes of this title—

"(1) may be used for any program or activity which is not specifically authorized by this title; or

"(2) may be combined with funds appropriated under any other Act if the purpose of combining such funds is to make a single discretionary grant or a single discretionary payment unless such funds are separately identified in all grants and contracts and are used for the purposes specified in this title."

(e) Part D of the Runaway and Homeless Youth Act (42 U.S.C. 5751) is redesignated as part C.

(f) Section 341 of the Runaway and Homeless Youth Act (42 U.S.C. 5757) is redesignated as section 331.

SUBDIVISION D—MISSING CHILDREN'S ASSISTANCE

ASSISTANCE RELATING TO MISSING CHILDREN

SEC. 660. The Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.) is amended by adding at the end thereof the following new title:

"TITLE IV—MISSING CHILDREN

"SHORT TITLE

"SEC. 401. This title may be cited as the Missing Children's Assistance Act.

"FINDINGS

"SEC. 402. The Congress hereby finds that—

"(1) each year thousands of children are abducted or removed from the control of a parent having legal custody without such parent's consent, under circumstances which immediately place them in grave danger;

"(2) many of these children are never reunited with their families;

"(3) often there are no clues to the whereabouts of these children;

"(4) many missing children are at great risk of both physical harm and sexual exploitation;

"(5) in many cases, parents and local law enforcement officials have neither the resources nor the expertise to mount expanded search efforts;

"(6) abducted children are frequently moved from one locality to another, requiring the cooperation and coordination of local, State, and Federal law enforcement efforts;

"(7) on frequent occasions, law enforcement authorities quickly exhaust all leads in missing children cases, and require assistance from distant communities where the child may be located; and

"(8) Federal assistance is urgently needed to coordinate and assist in this interstate problem.

"DEFINITIONS

"SEC. 403. For the purpose of this title—

"(1) the term 'missing child' means any individual less than 18 years of age whose whereabouts are unknown to such individual's legal custodian if—

"(A) the circumstances surrounding such individual's disappearance indicate that such individual may possibly have been removed by another from the control of such individual's legal custodian without such custodian's consent; or

"(B) the circumstances of the case strongly indicate that such individual is likely to be abused or sexually exploited; and

"(2) the term 'Administrator' means the Administrator of the Office of Juvenile Justice and Delinquency Prevention.

"DUTIES AND FUNCTIONS OF THE ADMINISTRATOR

"SEC. 404. (a) The Administrator shall—

"(1) issue such rules as the Administrator considers necessary or appropriate to carry out this title;

"(2) make such arrangements as may be necessary and appropriate to facilitate effective coordination among all federally funded programs relating to missing children (including the preparation of an annual comprehensive plan for facilitating such coordination);

"(3) provide for the furnishing of information derived from the national toll-free telephone line, established under subsection (b)(1), to appropriate law enforcement entities;

"(4) provide adequate staff and agency resources which are necessary to properly carry out the responsibilities pursuant to this title;

"(5) analyze, compile, publish, and disseminate an annual summary of recently completed research, research being con-

ducted, and Federal, State, and local demonstration projects relating to missing children with particular emphasis on—

“(A) effective models of local, State, and Federal coordination and cooperation in locating missing children;

“(B) effective programs designed to promote community awareness of the problem of missing children;

“(C) effective programs to prevent the abduction and sexual exploitation of children (including parent, child, and community education); and

“(D) effective program models which provide treatment, counseling, or other aid to parents of missing children or to children who have been the victims of abduction or sexual exploitation; and

“(6) prepare, in conjunction with and with the final approval of the Advisory Board on Missing Children, an annual comprehensive plan for facilitating cooperation and coordination among all agencies and organizations with responsibilities related to missing children.

“(b) The Administrator, either by making grants to or entering into contracts with public agencies or nonprofit private agencies, shall—

“(1) establish and operate a national toll-free telephone line by which individuals may report information regarding the location of any missing child, or other child 13 years of age or younger whose whereabouts are unknown to such child's legal custodian, and request information pertaining to procedures necessary to reunite such child with such child's legal custodian;

“(2) establish and operate a national resource center and clearinghouse designed—

“(A) to provide technical assistance to local and State governments, public and private nonprofit agencies, and individuals in locating and recovering missing children;

“(B) to coordinate public and private programs which locate, recover, or reunite missing children with their legal custodians;

“(C) to disseminate nationally information about innovative and model missing children's programs, services, and legislation; and

“(D) to provide technical assistance to law enforcement agencies, State and local governments, elements of the criminal justice system, public and private nonprofit agencies, and individuals in the prevention, investigation, prosecution, and treatment of the missing and exploited child case; and

“(3) periodically conduct national incidence studies to determine for a given year the actual number of children reported missing each year, the number of children who are victims of abduction by strangers, the number of children who are the victims of parental kidnappings, and the number of children who are recovered each year.

“(c) Nothing contained in this title shall be construed to grant to the Administrator any law enforcement responsibility or supervisory authority over any other Federal agency.

"ADVISORY BOARD

"SEC. 405. (a) *There is hereby established the Advisory Board on Missing Children (hereinafter in this title referred to as the 'Advisory Board') which shall be composed of 9 members as follows:*

"(1) *a law enforcement officer;*

"(2) *an individual whose official duty is to prosecute violations of the criminal law of a State;*

"(3) *the chief executive officer of a unit of local government within a State;*

"(4) *a statewide elected officer of a State;*

"(5) *the Director of the Federal Bureau of Investigation or the Director's designee from within the Federal Bureau of Investigation; and*

"(6) *4 members of the public who have experience or expertise relating to missing children (including members representing parent groups).*

"(b) *The Attorney General shall make the initial appointments to the Advisory Board not later than 90 days after the effective date of this title. The Advisory Board shall meet periodically and at the call of the Attorney General, but not less frequently than annually. The Chairman of the Advisory Board shall be designated by the Attorney General.*

"(c) *The Advisory Board shall—*

"(1) *advise the Administrator and the Attorney General in coordinating programs and activities relating to missing children which are planned, administered, or assisted by any Federal program;*

"(2) *advise the Administrator with regard to the establishment of priorities for making grants or contracts under section 406; and*

"(3) *approve the annual comprehensive plan for facilitating cooperation and coordination among all agencies and organizations with responsibilities relating to missing children and submit the first such annual plan to the President and the Congress not later than 18 months after the effective date of this title.*

"(d) *Members of the Advisory Board, while serving away from their places of residence or regular places of business, shall be entitled to reimbursement for travel expenses, including per diem in lieu of subsistence, in the same manner as is authorized by section 5703 of title 5, United States Code, for persons employed intermittently in the Government service.*

"GRANTS

"SEC. 406. (a) *The Administrator is authorized to make grants to and enter into contracts with public agencies or nonprofit private organizations, or combinations thereof, for research, demonstration projects, or service programs designed—*

"(1) *to educate parents, children, and community agencies and organizations in ways to prevent the abduction and sexual exploitation of children;*

"(2) *to provide information to assist in the locating and return of missing children;*

“(3) to aid communities in the collection of materials which would be useful to parents in assisting others in the identification of missing children;

“(4) to increase knowledge of and develop effective treatment pertaining to the psychological consequences, on both parents and children, of—

“(A) the abduction of a child, both during the period of disappearance and after the child is recovered; and

“(B) the sexual exploitation of a missing child;

“(5) to collect detailed data from selected States or localities on the actual investigative practices utilized by law enforcement agencies in missing children’s cases; and

“(6) to address the particular needs of missing children by minimizing the negative impact of judicial and law enforcement procedures on children who are victims of abuse or sexual exploitation and by promoting the active participation of children and their families in cases involving abuse or sexual exploitation of children.

“(b) In considering grant applications under this title, the Administrator shall give priority to applicants who—

“(1) have demonstrated or demonstrate ability in—

“(A) locating missing children or locating and reuniting missing children with their legal custodians;

“(B) providing other services to missing children or their families; or

“(C) conducting research relating to missing children; and

“(2) with respect to subparagraphs (A) and (B) of paragraph (1), substantially utilize volunteer assistance.

The Administrator shall give first priority to applicants qualifying under subparagraphs (A) and (B) of paragraph (1).

“(c) In order to receive assistance under this title for a fiscal year, applicants shall give assurance that they will expend, to the greatest extent practicable, for such fiscal year an amount of funds (without regard to any funds received under any Federal law) that is not less than the amount of funds they received in the preceding fiscal year from State, local, and private sources.

“CRITERIA FOR GRANTS

“SEC. 407. The Administrator, in consultation with the Advisory Board, shall establish annual research, demonstration, and service program priorities for making grants and contracts pursuant to section 406 and, not less than 60 days before establishing such priorities, shall publish in the Federal Register for public comment a statement of such proposed priorities.

“AUTHORIZATION OF APPROPRIATIONS

“SEC. 408. To carry out the provisions of this title, there are authorized to be appropriated \$10,000,000 for fiscal year 1985, and such sums as may be necessary for fiscal years 1986, 1987, and 1988.”

SUBDIVISION E—EFFECTIVE DATES

EFFECTIVE DATES

SEC. 670. (a) Except as provided in subsection (b), this division and the amendments made by this division shall take effect on the date of the enactment of this joint resolution or October 1, 1984, whichever occurs later.

(b) Paragraph (2) of section 331(c) of the Runaway and Homeless Youth Act, as added by section 657(d) of this division, shall not apply with respect to any grant or payment made before the effective date of this joint resolution.

And the Senate agree to the same.

Amendment numbered 159:

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

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

CHAPTER XIII—NATIONAL NARCOTICS ACT

SEC. 1301. This chapter may be cited as the "National Narcotics Act of 1984".

SEC. 1302. (a) The Congress hereby makes the following findings:

(1) The flow of illegal narcotics into the United States is a major and growing problem.

(2) The problem of illegal drug activity falls across the entire spectrum of Federal activities both nationally and internationally.

(3) Illegal drug trafficking is estimated by the General Accounting Office to be an \$80,000,000,000 per annum industry in the United States.

(4) The annual consumption of drugs has reached epidemic proportions.

(5) Despite the efforts of the United States Government and other nations, the mechanisms for smuggling opium and other hard drugs into the United States remain virtually intact and United States agencies estimate that they are able to interdict no more than 5 to 15 percent of all hard drugs flowing into the country.

(6) Such significant indicators of the drug problem as drug-related deaths, emergency room visits, hospital admissions due to drug-related incidents, and addiction rates are soaring.

(7) Increased drug trafficking is strongly linked to violent, addiction-related crime and recent studies have shown that over 90 percent of heroin users rely upon criminal activity as a means of income.

(8) Much of the drug trafficking is handled by syndicates, a situation which results in increased violence and criminal activity because of the competitive struggle for control of the domestic drug market.

(9) Controlling the supply of illicit drugs is a key to reducing the crime epidemic confronting every region of the country.

(10) *The magnitude and scope of the problem requires the establishment of a National Drug Enforcement Policy Board, chaired by the Attorney General, to facilitate coordination of all Federal efforts by relevant agencies.*

(11) *Such a Board must have responsibility for coordinating the operations of Federal agencies involved in attacking this problem through the development of policy and resources, so that a unified and efficient effort can be undertaken.*

(b) *It is the purpose of this Act to insure—*

(1) *the maintenance of a national and international effort against illegal drugs;*

(2) *that the activities of the Federal agencies involved are fully coordinated; and*

(3) *that a single, competent, and responsible high-level Board of the United States Government, chaired by the Attorney General, will be charged with this responsibility of coordinating United States policy with respect to national and international drug law enforcement.*

SEC. 1303. There is established in the executive branch of the Government a Board to be known as the "National Drug Enforcement Policy Board" (hereinafter in this Act referred to as the "Board"). There shall be at the head of the Board a Chairman who shall be the Attorney General (hereinafter in this Act referred to as the "Chairman"). In addition to the Chairman, the Board shall be comprised of the Secretaries of State, Treasury, Defense, Transportation, Health and Human Services, the Director of the Office of Management and Budget, and the Director of Central Intelligence and such other officials as may be appointed by the President. Decisions made by the Board pursuant to section 4(a) of this Act shall be acknowledged by each member thereof in writing.

SEC. 1304. (a) The Board shall facilitate coordination of United States operations and policy on illegal drug law enforcement. In the furtherance of that responsibility, the Board shall have the responsibility, and is authorized to—

(1) *review, evaluate and develop United States Government policy, strategy and resources with respect to illegal drug law enforcement efforts, including budgetary priorities and a National and International Drug Law Enforcement Strategy;*

(2) *facilitate coordination of all United States Government efforts to halt national and international trafficking in illegal drugs; and*

(3) *coordinate the collection and evaluation of information necessary to implement United States policy with respect to illegal drug law enforcement.*

(b) *For the purpose of coordinating the activities of the several departments and agencies with responsibility for drug law enforcement and implementing the determinations of the Board, it shall be the duty of the Chairman—*

(1) *to advise the Board in matters concerning drug law enforcement;*

(2) *to make recommendations to the Board for the coordination of drug enforcement activities;*

(3) to correlate and evaluate intelligence and other information on drug law enforcement to support the activities of the Board;

(4) to act as primary adviser to the President and Congress on national and international illegal drug law enforcement programs and policies developed by the Board under subsection (a) of this section and the implementation thereof; and

(5) to perform such other duties as the President may direct.

(c) In carrying out responsibilities under this section, the Chairman, on behalf of the Board, is authorized to—

(1) direct, with the concurrence of the head of the agency employing such personnel, the assignment of Government personnel within the United States Government in order to implement United States policy with respect to illegal drug law enforcement;

(2) provide guidance in the implementation and maintenance of policy, strategy, and resources developed under subsection (a) of this section;

(3) review and approve the reprogramming of funds relating to budgetary priorities developed under subsection (a) of this section;

(4) procure temporary and intermittent services under section 3109(b) of title 5 of the United States Code, but at rates for individuals not to exceed the daily equivalent of the maximum annual rate of basic pay payable for the grade of GS-18 of the General Schedule;

(5) accept and use donations of property from all Government agencies; and

(6) use the mails in the same manner as any other department or agency of the executive branch.

(d) Notwithstanding the authority granted in this section, the Board and the Chairman shall not interfere with routine law enforcement or intelligence decisions of any agency and shall undertake no activity inconsistent with the authorities and responsibilities of the Director of Central Intelligence under the provisions of the National Security Act of 1947, as amended, or Executive Order 12333.

(e) The Administrator of the General Services Administration shall provide to the Board on a reimbursable basis such administrative support services as the Chairman may request.

SEC. 1305. The Chairman shall submit to the Congress, within nine months after enactment of this Act, and biannually thereafter, a full and complete report reflecting United States policy with respect to illegal drug law enforcement, plans proposed for the implementation of such policy, and, commencing with the submission of the second report, a full and complete report reflecting accomplishments with respect to the United States policy and plans theretofore submitted to the Congress.

SEC. 1306. Title II of the Drug Abuse Prevention, Treatment and Rehabilitation Act (21 U.S.C. 1112) is amended by adding at the end of section 201 (21 U.S.C. 1111) a new subsection (d) as follows:

“(d) Support to National Drug Enforcement Policy Board. One of the duties of the White House Office of Drug Abuse Policy shall be

to insure coordination between the National Drug Enforcement Policy Board and the health issues associated with drug abuse.”

SEC. 1307. This chapter and the amendments made by this chapter shall take effect January 20, 1985.

CHAPTER TITLE XIV—VICTIM COMPENSATION AND ASSISTANCE

SEC. 1401. This chapter may be cited as the “Victims of Crime Act of 1984”.

CRIME VICTIMS FUND

SEC. 1402. (a) There is created in the Treasury a separate account to be known as the Crime Victims Fund (hereinafter in this chapter referred to as the “Fund”).

(b) Except as limited by subsection (c), there shall be deposited in the Fund—

(1) all fines that are collected from persons convicted of offenses against the United States except—

(A) fines available for use by the Secretary of the Treasury pursuant to—

(i) section 11(d) of the Endangered Species Act (16 U.S.C. 1540(d)); and

(ii) section 6(d) of the Lacey Act Amendments of 1981 (16 U.S.C. 3375(d)); and

(B) fines to be paid into—

(i) the railroad unemployment insurance account pursuant to the Railroad Unemployment Insurance Act (45 U.S.C. 351 et seq.);

(ii) the Postal Service Fund pursuant to sections 2601(a)(2) and 2003 of title 39 of the United States Code and for the purposes set forth in section 404(a)(8) of such title 39;

(iii) the navigable waters revolving fund pursuant to section 311 of the Federal Water Pollution Control Act (33 U.S.C. 1321); and

(iv) county public school funds pursuant to section 3613 of title 18 of the United States Code;

(2) penalty assessments collected under section 3013 of title 18 of the United States Code;

(3) the proceeds of forfeited appearance bonds, bail bonds, and collateral collected under section 3146 of title 18 of the United States Code; and

(4) any money ordered to be paid into the Fund under section 3671(c)(2) of title 18 of the United States Code.

(c)(1) If the total deposited in the Fund during a particular fiscal year reaches the sum of \$100 million, the excess over that sum shall be deposited in the general fund of the Treasury and shall not be a part of the Fund.

(2) No deposits shall be made in the Fund after September 30, 1988.

(d)(1) Sums deposited in the Fund shall remain in the Fund and be available for expenditure under this subsection for grants under this title without fiscal year limitation.

(2) Fifty percent of the total deposited in the Fund during a particular fiscal year shall be available for grants under section 1403 and fifty percent shall be available for grants under section 1404.

(e) Any sums awarded as part of a grant under this chapter that remain unspent at the end of a fiscal year in which such grant is made may be expended for the purpose for which such grant is made at any time during the next succeeding fiscal year, at the end of which year any remaining unobligated sums shall be returned to the general fund of the Treasury.

(f) As used in this section, the term "offenses against the United States" does not include—

(1) a criminal violation of the Uniform Code of Military Justice (10 U.S.C. 801 et seq.);

(2) an offense against the laws of the District of Columbia; and

(3) an offense triable by an Indian tribal court or Court of Indian Offenses.

CRIME VICTIM COMPENSATION

SEC. 1403. (a)(1) Except as provided in paragraph (2), the Attorney General shall make an annual grant from the Fund to an eligible crime victim compensation program of 35 percent of the amounts awarded during the preceding fiscal year, other than amounts awarded for property damage. A grant under this section shall be used by such program only for awards of compensation.

(2) If the sums available in the Fund for grants under this section are insufficient to provide grants of 35 percent as provided in paragraph (1), the Attorney General shall make, from the sums available, a grant to each eligible crime victim compensation program so that all such programs receive the same percentage of the amounts awarded by such program during the preceding fiscal year, other than amounts awarded for property damage.

(b) A crime victim compensation program is an eligible crime victim compensation program for the purposes of this section if—

(1) such program is operated by a State and offers compensation to victims of crime and survivors of victims of crime for—

(A) medical expenses attributable to a physical injury resulting from compensable crime, including expenses for mental health counseling and care;

(B) loss of wages attributable to a physical injury resulting from a compensable crime; and

(C) funeral expenses attributable to a death resulting from a compensable crime;

(2) such program promotes victim cooperation with the reasonable requests of law enforcement authorities;

(3) such State certifies that grants received under this section will not be used to supplant State funds otherwise available to provide crime victim compensation;

(4) such program, as to compensable crimes occurring within the State, makes compensation awards to victims who are non-residents of the State on the basis of the same criteria used to make awards to victims who are residents of such State;

(5) such program provides compensation to victims of crimes occurring within such State that would be compensable crimes, but for the fact that such crimes are subject to Federal jurisdiction, on the same basis that such program provides compensation to victims of compensable crimes; and

(6) such program provides such other information and assurances related to the purposes of this section as the Attorney General may reasonably require.

(c) A State crime victim compensation program in effect on the date grants may first be made under this section shall be deemed an eligible crime victim compensation program for the purposes of this section until the day after the close of the first regular session of the legislature of that State that begins after such date.

(d) As used in this section—

(1) the term “property damage” does not include damage to prosthetic devices or dental devices;

(2) the term “medical expenses” includes, to the extent provided under the eligible crime victim compensation program, expenses for dental services and devices and prosthetic devices and for services rendered in accordance with a method of healing recognized by the law of the State;

(3) the term “compensable crime” means a crime the victims of which are eligible for compensation under the eligible crime victim compensation program; and

(4) the term “State” includes the District of Columbia, the Commonwealth of Puerto Rico, and any other possession or territory of the United States.

CRIME VICTIM ASSISTANCE

SEC. 1404. (a)(1) Subject to the availability of money in the Fund, the Attorney General shall make an annual grant from any portion of the Fund not used for grants under section 1403 with respect to a particular fiscal year, and after any deduction under subsection (c), to the chief executive of each State for the financial support of eligible crime victim assistance programs.

(2) Such chief executive shall—

(A) certify that priority shall be given to eligible crime victim assistance programs providing assistance to victims of sexual assault, spousal abuse, or child abuse;

(B) certify that funds awarded to eligible crime victim assistance programs will not be used to supplant State and local funds otherwise available for crime victim assistance; and

(C) provide such other information and assurances related to the purposes of this section as the Attorney General may reasonably require.

(3) The amounts of grants under paragraph (1) shall be—

(A) \$100,000 to each State; and

(B) that portion of the then remaining available money to each State that results from a distribution among the States on the basis of each State’s population in relation to the population of all States.

(4) If the amount available for grants under paragraph (1) is insufficient to provide \$100,000 to each State, the funds available shall be distributed equally among the States.

(b)(1) A victim assistance program is an eligible crime victim assistance program for the purposes of this section if such program—

(A) is operated by a public agency or a nonprofit organization, or a combination of such agencies or organizations or of both such agencies and organizations, and provides services to victims of crime;

(B) demonstrates—

(i) a record of providing effective services to victims of crime and financial support from sources other than the Fund; or

(ii) substantial financial support from sources other than the Fund;

(C) utilizes volunteers in providing such services, unless and to the extent the chief executive determines that compelling reasons exist to waive this requirement;

(D) promotes within the community served coordinated public and private efforts to aid crime victims; and

(E) assists potential recipients in seeking crime victim compensation benefits.

(2) An eligible crime victim assistance program shall expend sums received under subsection (a) only for providing services to victims of crime.

(c)(1) The Attorney General may in any fiscal year deduct from amounts available under section 1404 an amount not to exceed 5 percent of the amount in the Fund, and may expend the amount so deducted to provide services to victims of Federal crimes by the Department of Justice, or reimburse other instrumentalities of the Federal Government otherwise authorized to provide such services.

(2) The Attorney General shall appoint or designate an official of the Department of Justice to be the Federal Crime Victim Assistance Administrator (hereinafter in this chapter referred to as the "Federal Administrator") to exercise the responsibilities of the Attorney General under this subsection.

(3) The Federal Administrator shall—

(A) be responsible for monitoring compliance with guidelines for fair treatment of crime victims and witnesses issued under section 6 of the Victim and Witness Protection Act of 1982 (Public Law 97-291);

(B) consult with the heads of Federal law enforcement agencies that have responsibilities affecting victims of Federal crimes;

(C) coordinate victim services provided by the Federal Government with victim services offered by other public agencies and nonprofit organizations; and

(D) perform such other functions related to the purposes of this title as the Attorney General may assign.

(4) The Attorney General may reimburse other instrumentalities of the Federal Government and contract for the performance of functions authorized under this subsection.

(d) As used in this section—

(1) the term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, and, except for the purposes of paragraphs (3)(A) and (4) of subsection (a) of this section, any other territory or possession of the United States; and

(2) the term "services to victims of crime" includes—

(A) crisis intervention services;

(B) providing, in an emergency, transportation to court, short-term child care services, and temporary housing and security measures;

(C) assistance in participating in criminal justice proceedings; and

(D) payment of all reasonable costs for a forensic medical examination of a crime victim, to the extent that such costs are otherwise not reimbursed or paid;

(3) the term "services to victims of Federal crime" means services to victims of crime with respect to Federal crime, and includes—

(A) training of law enforcement personnel in the delivery of services to victims of Federal crime;

(B) preparation, publication, and distribution of informational materials—

(i) setting forth services offered to victims of crime; and

(ii) concerning services to victims of Federal crime for use by Federal law enforcement personnel; and

(C) salaries of personnel who provide services to victims of crime, to the extent that such personnel provide such services;

(4) the term "crisis intervention services" means counseling to provide emotional support in crises arising from the occurrence of crime; and

(5) the term "chief executive" includes a person designated by a chief executive to perform the functions of the chief executive under this section.

PENALTY ASSESSMENT

SEC. 1405. (a) Chapter 201 of title 18 of the United States Code is amended by adding at the end the following:

"§ 3013. Special assessment on convicted persons

"(a) The court shall assess on any person convicted of an offense against the United States—

"(1) in the case of a misdemeanor—

"(A) the amount of \$25 if the defendant is an individual; and

"(B) the amount of \$100 if the defendant is a person other than an individual; and

"(2) in the case of a felony—

"(A) the amount of \$50 if the defendant is an individual; and

"(B) the amount of \$200 if the defendant is a person other than an individual.

“(b) Such amount so assessed shall be collected in the manner that fines are collected in criminal cases.”

(b) The table of sections for chapter 201 of title 18 of the United States Code is amended by adding at the end the following:

“3013. Special assessment on convicted persons.”

SPECIAL FORFEITURE OF COLLATERAL PROFITS OF CRIME

SEC. 1406. (a) Title 18 of the United States Code is amended by adding after chapter 231 the following:

“CHAPTER 232—SPECIAL FORFEITURE OF COLLATERAL PROFITS OF CRIME

“Sec.

“§ 3671. Order of special forfeiture.

“§ 3672. Notice to victims of order of special forfeiture.

“§ 3671. Order of special forfeiture

“(a) Upon the motion of the United States attorney made at any time after conviction of a defendant for an offense against the United States resulting in physical harm to an individual, and after notice to any interested party, the court shall, if the court determines that the interest of justice or an order of restitution under chapter 227 or 231 of this title so requires, order such defendant to forfeit all or any part of proceeds received or to be received by that defendant, or a transferee of that defendant, from a contract relating to a depiction of such crime in a movie, book, newspaper, magazine, radio or television production, or live entertainment of any kind, or an expression of that defendant’s thoughts, opinions, or emotions regarding such crime.

“(b) An order issued under subsection (a) of this section shall require that the person with whom the defendant contracts pay to the Attorney General any proceeds due the defendant under such contract.

“(c)(1) Proceeds paid to the Attorney General under this section shall be retained in escrow in the Crime Victims Fund in the Treasury by the Attorney General for five years after the date of an order under this section, but during that five year period may—

“(A) be levied upon to satisfy—

“(i) a money judgment rendered by a United States district court in favor of a victim of an offense for which such defendant has been convicted, or a legal representative of such victim; and

“(ii) a fine imposed by a court of the United States; and

“(B) if ordered by the court in the interest of justice, be used to—

“(i) satisfy a money judgment rendered in any court in favor of a victim of any offense for which such defendant has been convicted, or a legal representative of such victim; and

“(ii) pay for legal representation of the defendant in matters arising from the offense for which such defendant has been convicted, but no more than 20 percent of the total proceeds may be so used.

"(2) The court shall direct the disposition of all such proceeds in the possession of the Attorney General at the end of such five years and may require that all or any part of such proceeds be released from escrow and paid into the Crime Victims Fund in the Treasury.

"(d) As used in this section, the term 'interested party' includes the defendant and any transferee of proceeds due the defendant under the contract, the person with whom the defendant has contracted, and any person physically harmed as a result of the offense for which the defendant has been convicted.

"§ 3672. Notice to victims of order of special forfeiture

"The United States attorney shall, within 30 days after the imposition of an order under this chapter and at such other times as the Attorney General may require, publish in a newspaper of general circulation in the district in which the offense for which a defendant was convicted occurred, a notice that states—

"(1) the name of, and other identifying information about, the defendant;

"(2) the offense for which the defendant was convicted; and

"(3) that the court has ordered a special forfeiture of certain proceeds that may be used to satisfy a judgment obtained against the defendant by a victim of an offense for which the defendant has been convicted."

(b) The table of chapters for part II of title 18 of the United States Code is amended by adding after the item for chapter 231 the following:

"232. Special forfeiture of collateral profits of crime."

ADMINISTRATIVE PROVISIONS

SEC. 1407. (a) The Attorney General may establish such rules, regulations, guidelines, and procedures as are necessary to carry out any function of the Attorney General under this chapter and may delegate to any officer or employee of the Department of Justice any such function as the Attorney General deems appropriate.

(b) Each recipient of sums under this chapter shall keep such records as the Attorney General shall prescribe, including records that fully disclose the amount and disposition by such recipient of such sums, the total cost of the undertaking for which such sums are used, and that portion of the cost of the undertaking supplied by other sources, and such other records as will facilitate an effective audit.

(c) The Attorney General or any duly authorized representative of the Attorney General shall have access, for purpose of audit and examination, to any books, documents, papers, and records of the recipient of sums under this chapter that, in the opinion of the Attorney General or any duly authorized representative of the Attorney General, may be related to the expenditure of funds received under this chapter.

(d) Except as otherwise provided by Federal law, no officer or employee of the Federal Government, and no recipient of sums under this chapter, shall use or reveal any research or statistical information furnished under this chapter by any person and identifiable to any specific private person for any purpose other than the purpose

for which such information was obtained in accordance with this chapter. Such information, and any copy of such information, shall be immune from legal process and shall not, without the consent of the person furnishing such information, be admitted as evidence or used for any purpose in any action, suit, or other judicial, legislative, or administrative proceeding.

(f) No person shall on the ground of race, color, religion, national origin, handicap, or sex be excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in connection with, any undertaking funded in whole or in part with sums made available under this chapter.

(g) If, after reasonable notice and opportunity for a hearing on the record, the Attorney General finds that a State has failed to comply substantially with any provision of this chapter or a rule, regulation, guideline, or procedure issued under this chapter, or an application submitted in accordance with this chapter or the provisions of any other applicable law, the Attorney General shall—

(1) terminate payments to such State;

(2) suspend payments to such State until the Attorney General is satisfied that such noncompliance has ended; or

(3) take such other action as the Attorney General deems appropriate.

(h) The Attorney General shall, no later than December 31, 1987, report to the President and to the Congress on the revenue derived from each source described in section 1002 and on the effectiveness of the activities supported under this chapter. The Attorney General may include in such report recommendations for legislation to improve this chapter.

PAROLE PROCEEDING AMENDMENTS

SEC. 1408. (a) Section 4207 of title 19 of the United States Code is amended—

(1) by striking out “and” at the end of paragraph (4); and

(2) by inserting after paragraph (4) the following new paragraph:

“(5) a statement, which may be presented orally or otherwise, by any victim of the offense for which the prisoner is imprisoned about the financial, social, psychological, and emotional harm done to, or loss suffered by such victim; and”.

(b) Section 6(a) of the Victim and Witness Protection Act of 1982 is amended—

(1) in the catchline of paragraph (4), by striking out “Major”;

(2) in paragraph (4), by striking out “if possible, of judicial proceedings relating to their case, including—” and inserting in lieu thereof “if possible, of—”; and

(3) in subparagraph (D) of paragraph (4)—

(A) by inserting “and punishment” after “prosecution”; and

(B) by inserting “a hearing to determine a parole release date and” after “imposed,”.

(c) Section 4215 of title 18 of the United States Code is amended—

(1) so that the heading of such section reads as follows:

“§ 4215. Appeal”;

(2) in subsection (a)—

(A) in the first sentence—

(i) by striking out “have the decision reconsidered” and inserting in lieu thereof “appeal such decision”; and

(ii) by striking out “regional commissioner” and inserting in lieu thereof “National Appeal Board”; and
(B) by striking out the second sentence; and

(3) in subsection (b), by striking out the first sentence.

(d) The table of sections at the beginning of chapter 311 of title 18 of the United States Code is amended so that the item relating to section 4215 reads as follows:

“§ 4215. Appeal.”

EFFECTIVE DATES**SEC. 1409.** (a) Except as provided in subsection (b), this chapter and the amendments made by this chapter shall take effect 30 days after the date of enactment of this joint resolution.

(b) Sections 1402, 1403, 1404, and 1407 of this chapter shall take effect on October 1, 1984.

CONFORMING AMENDMENT

Section 1410.

Section 3150(a) of title 18 U.S.C. is amended by striking out “the general fund of”.

CHAPTER XV—TRADEMARK COUNTERFEITING**SEC. 1501.** This chapter may be cited as the “Trademark Counterfeiting Act of 1984”.**TITLE 18 AMENDMENT****SEC. 1502.** (a) Chapter 113 of title 18 of the United States Code is amended by adding at the end the following:**“§ 2320. Trafficking in counterfeit goods or services****“(a)** Whoever intentionally traffics or attempts to traffic in goods or services and knowingly uses a counterfeit mark on or in connection with such goods or services shall, if an individual, be fined not more than \$250,000 or imprisoned not more than five years, or both, and, if a person other than an individual, be fined not more than \$1,000,000. In the case of an offense by a person under this section that occurs after that person is convicted of another offense under this section, the person convicted, if an individual, shall be fined not more than \$1,000,000 or imprisoned not more than fifteen years, or both, and if other than an individual, shall be fined not more than \$5,000,000.**“(b)** Upon a determination by a preponderance of the evidence that any articles in the possession of a defendant in a prosecution under this section bear counterfeit marks, the United States may obtain an order for the destruction of such articles.

“(c) All defenses, affirmative defenses, and limitations on remedies that would be applicable in an action under the Lanham Act shall be applicable in a prosecution under this section. In a prosecution under this section, the defendant shall have the burden of proof, by a preponderance of the evidence, of any such affirmative defense.

“(d) For the purposes of this section—

“(1) the term ‘counterfeit mark’ means—

“(A) a spurious mark—

“(i) that is used in connection with trafficking in goods or services;

“(ii) that is identical with, or substantially indistinguishable from, a mark registered for those goods or services on the principal register in the United States Patent and Trademark Office and in use, whether or not the defendant knew such mark was so registered; and

“(iii) the use of which is likely to cause confusion, to cause mistake, or to deceive; or

“(B) a spurious designation that is identical with, or substantially indistinguishable from, a designation as to which the remedies of the Lanham Act are made available by reason of section 110 of the Olympic Charter Act;

but such term does not include any mark or designation used in connection with goods or services of which the manufacturer or producer was, at the time of the manufacture or production in question authorized to use the mark or designation for the type of goods or services so manufactured or produced, by the holder of the right to use such mark or designation;

“(2) the term ‘traffic’ means transport, transfer, or otherwise dispose of, to another, as consideration for anything of value, or make or obtain control of with intent so to transport, transfer, or dispose of;

“(3) the term ‘Lanham Act’ means the Act entitled ‘An Act to provide for the registration and protection of trademarks used in commerce, to carry out the provisions of certain international conventions, and for other purposes’, approved July 5, 1946 (15 U.S.C. 1051 et seq.); and

“(4) the term ‘Olympic Charter Act’ means the Act entitled ‘An Act to incorporate the United States Olympic Association’, approved September 21, 1950 (36 U.S.C. 371 et seq.).”

(b) The table of sections at the beginning of chapter 113 of title 18 of the United States Code is amended by adding at the end the following new item:

“2320. Trafficking in counterfeit goods or services.”

LANHAM ACT AMENDMENT

SEC. 1503. The Act entitled “An Act to provide for the registration and protection of trademarks used in commerce, to carry out the provisions of certain international conventions, and for other purposes”, approved July 5, 1946 (15 U.S.C. 1051 et seq.) is amended—

(1) in section 34 (15 U.S.C. 1116)—

(A) by designating the first paragraph as subsection (a);

(B) by designating the second paragraph as subsection (b);
 (C) by designating the third paragraph as subsection (c);
 and

(D) by adding at the end the following:

“(d)(1)(A) In the case of a civil action arising under section 32(1)(a) of this Act (15 U.S.C. 1114) or section 110 of the Act entitled ‘An Act to incorporate the United States Olympic Association’, approved September 21, 1950 (36 U.S.C. 380) with respect to a violation that consists of using a counterfeit mark in connection with the sale, offering for sale, or distribution of goods or services, the court may, upon *ex parte* application, grant an order under subsection (a) of this section pursuant to this subsection providing for the seizure of goods and counterfeit marks involved in such violation and the means of making such marks, and records documenting the manufacture, sale, or receipt of things involved in such violation.

“(B) As used in this subsection the term ‘counterfeit mark’ means—

“(i) a counterfeit of a mark that is registered on the principal register in the United States Patent and Trademark Office for such goods or services sold, offered for sale, or distributed and that is in use, whether or not the person against whom relief is sought knew such mark was so registered; or

“(ii) a spurious designation that is identical with, or substantially indistinguishable from, a designation as to which the remedies of this Act are made available by reason of section 110 of the Act entitled ‘An Act to incorporate the United States Olympic Association’, approved September 21, 1950 (36 U.S.C. 380);

but such term does not include any mark or designation used in connection with goods or services of which the manufacturer or producer was, at the time of the manufacture or production in question authorized to use the mark or designation for the type of goods or services so manufactured or produced, by the holder of the right to use such mark or designation.

“(2) The court shall not receive an application under this subsection unless the applicant has given such notice of the application as is reasonable under the circumstances to the United States attorney for the judicial district in which such order is sought. Such attorney may participate in the proceedings arising under such application if such proceedings may affect evidence of an offense against the United States. The court may deny such application if the court determines that the public interest in a potential prosecution so requires.

“(3) The application for an order under this subsection shall—

“(A) be based on an affidavit or the verified complaint establishing facts sufficient to support the findings of fact and conclusions of law required for such order; and

“(B) contain the additional information required by paragraph (5) of this subsection to be set forth in such order.

“(4) The court shall not grant such an application unless—

“(A) the person obtaining an order under this subsection provides the security determined adequate by the court for the payment of such damages as any person may be entitled to recover

as a result of a wrongful seizure or wrongful attempted seizure under this subsection; and

“(B) the court finds that it clearly appears from specific facts that—

“(i) an order other than an *ex parte* seizure order is not adequate to achieve the purposes of section 32 of this Act (15 U.S.C. 1114);

“(ii) the applicant has not publicized the requested seizure;

“(iii) the applicant is likely to succeed in showing that the person against whom seizure would be ordered used a counterfeit mark in connection with the sale, offering for sale, or distribution of goods or services;

“(iv) an immediate and irreparable injury will occur if such seizure is not ordered;

“(v) the matter to be seized will be located at the place identified in the application;

“(vi) the harm to the applicant of denying the application outweighs the harm to the legitimate interests of the person against whom seizure would be ordered of granting the application; and

“(vii) the person against whom seizure would be ordered, or persons acting in concert with such person, would destroy, move, hide, or otherwise make such matter inaccessible to the court, if the applicant were to proceed on notice to such person.

“(5) An order under this subsection shall set forth—

“(A) the findings of fact and conclusions of law required for the order;

“(B) a particular description of the matter to be seized, and a description of each place at which such matter is to be seized;

“(C) the time period, which shall end not later than seven days after the date on which such order is issued, during which the seizure is to be made;

“(D) the amount of security required to be provided under this subsection; and

“(E) a date for the hearing required under paragraph (10) of this subsection.

“(6) The court shall take appropriate action to protect the person against whom an order under this subsection is directed from publicity, by or at the behest of the plaintiff, about such order and any seizure under such order.

“(7) Any materials seized under this subsection shall be taken into the custody of the court. The court shall enter an appropriate protective order with respect to discovery by the applicant of any records that have been seized. The protective order shall provide for appropriate procedures to assure that confidential information contained in such records is not improperly disclosed to the applicant.

“(8) An order under this subsection, together with the supporting documents, shall be sealed until the person against whom the order is directed has an opportunity to contest such order, except that any person against whom such order is issued shall have access to such order and supporting documents after the seizure has been carried out.

"(9) The court shall order that a United States marshal or other law enforcement officer is to serve a copy of the order under this subsection and then is to carry out the seizure under such order. The court shall issue orders, when appropriate, to protect the defendant from undue damage from the disclosure of trade secrets or other confidential information during the course of the seizure, including, when appropriate, orders restricting the access of the applicant (or any agent or employee of the applicant) to such secrets or information.

"(10)(A) The court shall hold a hearing, unless waived by all the parties, on the date set by the court in the order of seizure. That date shall be not sooner than ten days after the order is issued and not later than fifteen days after the order is issued, unless the applicant for the order shows good cause for another date or unless the party against whom such order is directed consents to another date for such hearing. At such hearing the party obtaining the order shall have the burden to prove that the facts supporting findings of fact and conclusions of law necessary to support such order are still in effect. If that party fails to meet that burden, the seizure order shall be dissolved or modified appropriately.

"(B) In connection with a hearing under this paragraph, the court may make such orders modifying the time limits for discovery under the Rules of Civil Procedure as may be necessary to prevent the frustration of the purposes of such hearing.

"(11) A person who suffers damage by reason of a wrongful seizure under this subsection has a course of action against the applicant for the order under which such seizure was made, and shall be entitled to recover such relief as may be appropriate, including damages for lost profits, cost of materials, loss of good will, and punitive damages in instances where the seizure was sought in bad faith, and, unless the court finds extenuating circumstances, to recover a reasonable attorney's fee. The court in its discretion may award prejudgment interest on relief recovered under this paragraph, at an annual interest rate established under section 6621 of the Internal Revenue Code of 1954, commencing on the date of service of the claimant's pleading setting forth the claim under this paragraph and ending on the date such recovery is granted, or for such shorter time as the court deems appropriate.";

(2) in section 35 (15 U.S.C. 1117)—

(A) by inserting "(a)" before "When"; and

(B) by adding at the end the following new subsection:

"(b) In assessing damages under subsection (a), the court shall, unless the court finds extenuating circumstances, enter judgment for three times such profits or damages, whichever is greater, together with a reasonable attorney's fee, in the case of any violation of section 32(1)(a) of this Act (15 U.S.C. 1114(1)(a)) or section 110 of the Act entitled 'An Act to incorporate the United States Olympic Association', approved September 21, 1950 (36 U.S.C. 380) that consists of intentionally using a mark or designation, knowing such mark or designation is a counterfeit mark (as defined in section 34(d) of this Act (15 U.S.C. 1116(d))), in connection with the sale, offering for sale, or distribution of goods or services. In such cases, the court may in its discretion award prejudgment interest on such amount at an annual interest rate established under section 6621 of the Internal

Revenue Code of 1954, commencing on the date of the service of the claimant's pleadings setting forth the claim for such entry and ending on the date such entry is made, or for such shorter time as the court deems appropriate," and

(3) in section 36 (15 U.S.C. 1118), by adding at the end of such section "The party seeking an order under this section for destruction of articles seized under section 34(d) (15 U.S.C. 1116(d)) shall give ten days' notice to the United States attorney for the judicial district in which such order is sought (unless good cause is shown for lesser notice) and such United States attorney may, if such destruction may affect evidence of an offense against the United States, seek a hearing on such destruction or participate in any hearing otherwise to be held with respect to such destruction."

CHAPTER XVI—CREDIT CARD FRAUD

SEC. 1601. This chapter may be cited as the "Credit Card Fraud Act of 1984".

SEC. 1602. (a) Chapter 47 of title 18 of the United States Code is amended by adding at the end thereof the following:

"§ 1029. Fraud and related activity in connection with access devices

"(a) Whoever—

"(1) knowingly and with intent to defraud produces, uses, or traffics in one or more counterfeit access devices;

"(2) knowingly and with intent to defraud traffics in or uses one or more unauthorized access devices during any one-year period, and by such conduct obtains anything of value aggregating \$1,000 or more during that period;

"(3) knowingly and with intent to defraud possesses fifteen or more devices which are counterfeit or unauthorized access devices; or

"(4) knowingly, and with intent to defraud, produces, traffics in, has control or custody of, or possesses device-making equipment;

shall, if the offense affects interstate or foreign commerce, be punished as provided in subsection (c) of this section.

"(b)(1) Whoever attempts to commit an offense under subsection (a) of this section shall be punished as provided in subsection (c) of this section.

"(2) Whoever is a party to a conspiracy of two or more persons to commit an offense under subsection (a) of this section, if any of the parties engages in any conduct in furtherance of such offense, shall be fined an amount not greater than the amount provided as the maximum fine for such offense under subsection (c) of this section or imprisoned not longer than one-half the period provided as the maximum imprisonment for such offense under subsection (c) of this section, or both.

"(c) The punishment for an offense under subsection (a) or (b)(1) of this section is—

"(1) a fine of not more than the greater of \$10,000 or twice the value obtained by the offense or imprisonment for not more than ten years, or both, in the case of an offense under subsec-

tion (a)(2) or (a)(3) of this section which does not occur after a conviction for another offense under either such subsection, or an attempt to commit an offense punishable under this paragraph;

"(2) a fine of not more than the greater of \$50,000 or twice the value obtained by the offense or imprisonment for not more than fifteen years, or both, in the case of an offense under subsection (a)(1) or (a)(4) of this section which does not occur after a conviction for another offense under either such subsection, or an attempt to commit an offense punishable under this paragraph; and

"(3) a fine of not more than the greater of \$100,000 or twice the value obtained by the offense or imprisonment for not more than twenty years, or both, in the case of an offense under subsection (a) of this section which occurs after a conviction for another offense under such subsection, or an attempt to commit an offense punishable under this paragraph.

"(d) The United States Secret Service shall, in addition to any other agency having such authority, have the authority to investigate offenses under this section. Such authority of the United States Secret Service shall be exercised in accordance with an agreement which shall be entered into by the Secretary of the Treasury and the Attorney General.

"(e) As used in this section—

"(1) the term 'access device' means any card, plate, code, account number, or other means of account access that can be used, alone or in conjunction with another access device, to obtain money, goods, services, or any other thing of value, or that can be used to initiate a transfer of funds (other than a transfer originated solely by paper instrument);

"(2) the term 'counterfeit access device' means any access device that is counterfeit, fictitious, altered, or forged, or an identifiable component of an access device or a counterfeit access device;

"(3) the term 'unauthorized access device' means any access device that is lost, stolen, expired, revoked, canceled, or obtained with intent to defraud;

"(4) the term 'produce' includes design, alter, authenticate, duplicate, or assemble;

"(5) the term 'traffic' means transfer, or otherwise dispose of, to another, or obtain control of with intent to transfer or dispose of; and

"(6) the term 'device-making equipment' means any equipment, mechanism, or impression designed or primarily used for making an access device or a counterfeit access device.

"(f) This section does not prohibit any lawfully authorized investigative, protective, or intelligence activity of a law enforcement agency of the United States, a State, or a political subdivision of a State, or of an intelligence agency of the United States, or any activity authorized under title V of the Organized Crime Control Act of 1970 (18 U.S.C. note perc. 3481)."

(b) The table of sections at the beginning of chapter 47 of title 18 of the United States Code is amended by adding at the end the following new items:

"1029. Fraud and related activity in connection with access devices."

SEC. 1603. The Attorney General shall report to the Congress annually, during the first three years following the date of the enactment of this joint resolution, concerning prosecutions under the section of title 18 of the United States Code added by this chapter.

CHAPTER XVII—SALARIES OF UNITED STATES ATTORNEYS

SEC. 1701. (a) Section 548 of title 28, United States Code, is amended to read as follows:

"§ 548. Salaries

"Subject to sections 5315 through 5317 of title 5, the Attorney General shall fix the annual salaries of United States attorneys, assistant United States attorneys, and attorneys appointed under section 543 of this title at rates of compensation not in excess of the rate of basic compensation provided for Executive Level IV of the Executive Schedule set forth in section 5315 of title 5, United States Code."

(b) Section 5315 of title 5, United States Code, is amended by striking out the items relating to the United States Attorney for the Southern District of New York, the United States Attorney for the District of Columbia, the United States Attorney for the Northern District of Illinois, and the United States Attorney for the Central District of California.

CHAPTER XVIII—ARMED CAREER CRIMINAL

SEC. 1801. This chapter may be cited as the "Armed Career Criminal Act of 1984".

SEC. 1802. Section 1202(a) of title VII of the Omnibus Crime Control and Safe Streets Act of 1968 (18 U.S.C. App. 1202(a)) is amended by adding at the end "In the case of a person who receives, possesses, or transports in commerce or affecting commerce any firearm and who has three previous convictions by any court referred to in paragraph (1) of this subsection for robbery or burglary, or both, such person shall be fined not more than \$25,000 and imprisoned not less than fifteen years, and, notwithstanding any other provision of law, the court shall not suspend the sentence of, or grant a probationary sentence to, such person with respect to the conviction under this subsection, and such person shall not be eligible for parole with respect to the sentence imposed under this subsection."

SEC. 1803. Section 1202(c) of title VII of the Omnibus Crime Control and Safe Streets Act of 1968 (18 U.S.C. App. 1202(c)) is amended—

(1) by striking out the period at the end of paragraph (7) and inserting a semicolon in lieu thereof; and

(2) by adding at the end the following:

"(8) 'robbery' means any felony consisting of the taking of the property of another from the person or presence of another by force or violence, or by threatening or placing another person in fear that any person will imminently be subjected to bodily injury; and

“(9) ‘burglary’ means any felony consisting of entering or remaining surreptitiously within a building that is property of another with intent to engage in conduct constituting a Federal or State offense.”.

CHAPTER XIX—CRIMINAL JUSTICE ACT REVISION

SEC. 1901. This chapter may be cited as the “Criminal Justice Act Revision of 1984”.

Subsection (d) of section 3006A of title 18, United States Code, is amended—

(1) by striking out “\$30” in paragraph (1) and inserting in lieu thereof “\$60”;

(2) by striking out “\$20” in paragraph (1) and inserting in lieu thereof “\$40”;

(3) by striking out “, or such other hourly rate, fixed by the Judicial Council of the Circuit, not to exceed the minimum hourly scale established by a bar association for similar services rendered in the district” in paragraph (1);

(4) by striking out “\$1,000” each place it appears in paragraph (2) and inserting in lieu thereof “\$2,000”;

(5) by striking out “\$400” in paragraph (2) and inserting in lieu thereof “\$800”; and

(6) by striking out “\$250” in paragraph (2) and inserting in lieu thereof “\$500”.

CHAPTER XX—TERRORISM

PART A—HOSTAGE TAKING

SEC. 2001. This part may be cited as the “Act for the Prevention and Punishment of the Crime of Hostage-Taking”.

SEC. 2002. (a) Chapter 55 of title 18 of the United States Code is amended by adding at the end the following new section:

“§1203. Hostage taking

“(a) Except as provided in subsection (b) of this section, whoever, whether inside or outside the United States, seizes or detains and threatens to kill, to injure, or to continue to detain another person in order to compel a third person or a governmental organization to do or abstain from doing any act as an explicit or implicit condition for the release of the person detained, or attempts to do so, shall be punished by imprisonment for any term of years or for life.

“(b)(1) It is not an offense under this section if the conduct required for the offense occurred outside the United States unless—

“(A) the offender or the person seized or detained is a national of the United States;

“(B) the offender is found in the United States; or

“(C) the governmental organization sought to be compelled is the Government of the United States.

“(2) It is not an offense under this section if the conduct required for the offense occurred inside the United States, each alleged offender and each person seized or detained are nationals of the United States, and each alleged offender is found in the United

States, unless the governmental organization sought to be compelled is the Government of the United States.

“(c) As used in this section, the term ‘national of the United States’ has the meaning given such term in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22)).”

(b) The table of sections at the beginning of chapter 55 of title 18 of the United States Code is amended by adding at the end the following new item:

“1203. Hostage taking.”

SEC. 2003. This part and the amendments made by this part shall take effect on the later of—

(1) the date of the enactment of this joint resolution; or

(2) the date the International Convention Against the Taking of Hostages has come into force and the United States has become a party to that convention.

PART B—AIRCRAFT SABOTAGE

SHORT TITLE

SEC. 2011. This part may be cited as the “Aircraft Sabotage Act”.

STATEMENT OF FINDINGS AND PURPOSE

SEC. 2012. The Congress hereby finds that—

(1) the Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation (ratified by the United States on November 1, 1972) requires each contracting State to establish its jurisdiction over certain offenses affecting the safety of civil aviation;

(2) such offenses place innocent lives in jeopardy, endanger national security, affect domestic tranquility, gravely affect interstate and foreign commerce, and are offenses against the law of nations; and

(3) the purpose of this subtitle is to implement fully the Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation and to expand the protection accorded to aircraft and related facilities.

SEC. 2013. (a) Section 31 of title 18, United States Code, is amended—

(1) in the first paragraph by—

(A) striking out “and” before the term “spare part” and inserting “and ‘special aircraft jurisdiction of the United States’” after the term “spare part”; and

(B) striking out “Civil Aeronautics Act of 1938” and inserting in lieu thereof “Federal Aviation Act of 1958”;

(2) by striking out “and” at the end of the third undesignated paragraph thereof;

(3) by striking the period at the end thereof and inserting in lieu thereof “;” ; and

(4) by adding at the end thereof the following new paragraphs:

“‘In flight’ means any time from the moment all the external doors of an aircraft are closed following embarkation until the moment when any such door is opened for disembarkation. In the

case of a forced landing the flight shall be deemed to continue until competent authorities take over the responsibility for the aircraft and the persons and property on board; and

"In service' means any time from the beginning of preflight preparation of the aircraft by ground personnel or by the crew for a specific flight until twenty-four hours after any landing; the period of service shall, in any event, extend for the entire period during which the aircraft is in flight."

(b) Section 32 of title 18, United States Code, is amended to read as follows:

"§ 32. Destruction of aircraft or aircraft facilities

"(a) Whoever willfully—

"(1) sets fire to, damages, destroys, disables, or wrecks any aircraft in the special aircraft jurisdiction of the United States or any civil aircraft used, operated, or employed in interstate, overseas, or foreign air commerce;

"(2) places or causes to be placed a destructive device or substance in, upon, or in proximity to, or otherwise makes or causes to be made unworkable or unusable or hazardous to work or use, any such aircraft, or any part or other materials used or intended to be used in connection with the operation of such aircraft, if such placing or causing to be placed or such making or causing to be made is likely to endanger the safety of any such aircraft;

"(3) sets fire to, damages, destroys, or disables any air navigation facility, or interferes by force or violence with the operation of such facility, if such fire, damaging, destroying, disabling, or interfering is likely to endanger the safety of any such aircraft in flight;

"(4) with the intent to damage, destroy, or disable any such aircraft, sets fire to, damages, destroys, or disables or places a destructive device or substance in, upon, or in proximity to, any appliance or structure, ramp, landing area, property, machine, or apparatus, or any facility or other material used, or intended to be used, in connection with the operation, maintenance, loading, unloading or storage of any such aircraft or any cargo carried or intended to be carried on any such aircraft;

"(5) performs an act of violence against or incapacitates any individual on any such aircraft, if such act of violence or incapacitation is likely to endanger the safety of such aircraft;

"(6) communicates information, knowing the information to be false and under circumstances in which such information may reasonably be believed, thereby endangering the safety of any such aircraft in flight; or

"(7) attempts to do anything prohibited under paragraphs (1) through (6) of this subsection;

shall be fined not more than \$100,000 or imprisoned not more than twenty years or both.

"(b) Whoever willfully—

"(1) performs an act of violence against any individual on board any civil aircraft registered in a country other than the

United States while such aircraft is in flight, if such act is likely to endanger the safety of that aircraft;

"(2) destroys a civil aircraft registered in a country other than the United States while such aircraft is in service or causes damage to such an aircraft which renders that aircraft incapable of flight or which is likely to endanger that aircraft's safety in flight;

"(3) places or causes to be placed on a civil aircraft registered in a country other than the United States while such aircraft is in service, a device or substance which is likely to destroy that aircraft, or to cause damage to that aircraft which renders that aircraft incapable of flight or which is likely to endanger that aircraft's safety in flight; or

"(4) attempts to commit an offense described in paragraphs (1) through (3) of this subsection;

shall, if the offender is later found in the United States, be fined not more than \$100,000 or imprisoned not more than twenty years, or both.

"(c) Whoever willfully imparts or conveys any threat to do an act which would violate any of paragraphs (1) through (5) of subsection (a) or any of paragraphs (1) through (3) of subsection (b) of this section, with an apparent determination and will to carry the threat into execution shall be fined not more than \$25,000 or imprisoned not more than five years, or both."

(c) Section 101(38)(d) of the Federal Aviation Act of 1958 (49 U.S.C. 1301(38)(d)), relating to the definition of the term "special aircraft jurisdiction of the United States", is amended—

(1) in clause (i), by striking out "; or" and inserting in lieu thereof a semicolon;

(2) at the end of clause (ii), by striking out "and" and inserting in lieu thereof "or;" and

(3) by adding at the end thereof the following new clause:

"(iii) regarding which an offense as defined in subsection (d) or (e) of article I, section I of the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (Montreal, September 23, 1971) is committed if the aircraft lands in the United States with an alleged offender still on board; and"

SEC. 2014. (a)(1) Section 901 of the Federal Aviation Act of 1958 (49 U.S.C. 1471) is amended by adding at the end thereof the following new subsections:

"(c) Whoever imparts or conveys or causes to be imparted or conveyed false information, knowing the information to be false and under circumstances in which such information may reasonably be believed, concerning an attempt or alleged attempt being made or to be made, to do any act which would be a crime prohibited by subsection (i), (j), (k), or (l) of section 902 of this Act, shall be subject to a civil penalty of not more than \$10,000 which shall be recoverable in a civil action brought in the name of the United States.

"(d) Except for law enforcement officers of any municipal or State government or officers or employees of the Federal Government, who are authorized or required within their official capacities to carry arms, or other persons who may be so authorized under regulations

issued by the Administrator, whoever while aboard, or while attempting to board, any aircraft in, or intended for operation in, air transportation or intrastate air transportation, has on or about his person or his property a concealed deadly or dangerous weapon, which is, or would be, accessible to such person in flight shall be subject to a civil penalty of not more than \$10,000 which shall be recoverable in a civil action brought in the name of the United States."

(2) That portion of the table of contents contained in the first section of the Federal Aviation Act of 1958 which appears under the side heading

"Sec 901. Civil penalties."

is amended by inserting at the end thereof:

"(c) Conveying false information.

"(d) Concealed weapons."

(b) Section 901(a)(2) of the Federal Aviation Act of 1958 (49 U.S.C. 1471(a)(2)) is amended by inserting "penalties provided for in subsections (c) and (d) of this section or" after "Secretary of Transportation in the case of".

(c)(1) Section 902(l)(1) of the Federal Aviation Act of 1958 (49 U.S.C. 1472(l)(1)) is amended by striking out "\$1,000" and inserting in lieu thereof "\$10,000".

(2) Section 902(l)(2) of the Federal Aviation Act of 1958 (49 U.S.C. 1472(l)(2)) is amended by striking out "\$5,000" and inserting in lieu thereof "\$25,000".

(d)(1) Section 902(m) of the Federal Aviation Act of 1958 (49 U.S.C. 1472(m)) is amended to read as follows:

"FALSE INFORMATION AND THREATS

"(m)(1) Whoever willfully and maliciously, or with reckless disregard for the safety of human life, imparts or conveys or causes to be imparted or conveyed false information, knowing the information to be false and under circumstances in which such information may reasonably be believed, concerning an attempt or alleged attempt being made or to be made, to do any act which would be a felony prohibited by subsection (i), (j), (k), or (l) of this section, shall be fined not more than \$25,000 or imprisoned not more than five years, or both.

"(2) Whoever imparts or conveys or causes to be imparted or conveyed any threat to do an act which would be a felony prohibited by subsection (i), (j), (k), or (l) of this section with an apparent determination and will to carry the threat into execution shall be fined not more than \$25,000 or imprisoned not more than five years, or both."

(2) That portion of the table of contents contained in the first section of the Federal Aviation Act of 1958 which appears under the side heading

"Sec. 902. Criminal penalties."

is amended by striking out

"(m) False information."

and inserting in lieu thereof

"(m) False information and threats."

SEC. 2015. This part shall become effective on the date of the enactment of this joint resolution.

CHAPTER XXI—ACCESS DEVICES AND COMPUTERS

SEC. 2101. This chapter may be cited as the "Counterfeit Access Device and Computer Fraud and Abuse Act of 1984".

SEC. 2102. (a) Chapter 47 of title 18 of the United States Code as amended by chapter XVI of this joint resolution, is further amended by adding at the end thereof the following:

"§ 1030. Fraud and related activity in connection with computers

"(a) Whoever—

"(1) knowingly accesses a computer without authorization, or having accessed a computer with authorization, uses the opportunity such access provides for purposes to which such authorization does not extend, and by means of such conduct obtains information that has been determined by the United States Government pursuant to an Executive order or statute to require protection against unauthorized disclosure for reasons of national defense or foreign relations, or any restricted data, as defined in paragraph r. of section 11 of the Atomic Energy Act of 1954, with the intent or reason to believe that such information so obtained is to be used to the injury of the United States, or to the advantage of any foreign nation;

"(2) knowingly accesses a computer without authorization, or having accessed a computer with authorization, uses the opportunity such access provides for purposes to which such authorization does not extend, and thereby obtains information contained in a financial record of a financial institution, as such terms are defined in the Right to Financial Privacy Act of 1978 (12 U.S.C. 3401 et seq.), or contained in a file of a consumer reporting agency on a consumer, as such terms are defined in the Fair Credit Reporting Act (15 U.S.C. 1681 et seq.); or

"(3) knowingly accesses a computer without authorization, or having accessed a computer with authorization, uses the opportunity such access provides for purposes to which such authorization does not extend, and by means of such conduct knowingly uses, modifies, destroys, or discloses information in, or prevents authorized use of, such computer, if such computer is operated for or on behalf of the Government of the United States and such conduct affects such operation;

shall be punished as provided in subsection (c) of this section. It is not an offense under paragraph (2) or (3) of this subsection in the case of a person having accessed a computer with authorization and using the opportunity such access provides for purposes to which such access does not extend, if the using of such opportunity consists only of the use of the computer.

"(b)(1) Whoever attempts to commit an offense under subsection (a) of this section shall be punished as provided in subsection (c) of this section.

"(2) Whoever is a party to a conspiracy of two or more persons to commit an offense under subsection (a) of this section, if any of the parties engages in any conduct in furtherance of such offense, shall be fined an amount not greater than the amount provided as the maximum fine for such offense under subsection (c) of this section or imprisoned not longer than one-half the period provided as the

maximum imprisonment for such offense under subsection (c) of this section, or both.

“(c) The punishment for an offense under subsection (a) or (b)(1) of this section is—

“(1)(A) a fine of not more than the greater of \$10,000 or twice the value obtained by the offense or imprisonment for not more than ten years, or both, in the case of an offense under subsection (a)(1) of this section which does not occur after a conviction for another offense under such subsection, or an attempt to commit an offense punishable under this subparagraph; and

“(B) a fine of not more than the greater of \$100,000 or twice the value obtained by the offense or imprisonment for not more than twenty years, or both, in the case of an offense under subsection (a)(1) of this section which occurs after a conviction for another offense under such subsection, or an attempt to commit an offense punishable under this subparagraph; and

“(2)(A) a fine of not more than the greater of \$5,000 or twice the value obtained or loss created by the offense or imprisonment for not more than one year, or both, in the case of an offense under subsection (a)(2) or (a)(3), of this section which does not occur after a conviction for another offense under such subsection, or an attempt to commit an offense punishable under this subparagraph; and

“(B) a fine of not more than the greater of \$10,000 or twice the value obtained or loss created by the offense or imprisonment for not more than ten years, or both, in the case of an offense under subsection (a)(2) or (a)(3) of this section which occurs after a conviction for another offense under such subsection, or an attempt to commit an offense punishable under this subparagraph.

“(d) The United States Secret Service shall, in addition to any other agency having such authority, have the authority to investigate offenses under this section. Such authority of the United States Secret Service shall be exercised in accordance with an agreement which shall be entered into by the Secretary of the Treasury and the Attorney General.

“(e) As used in this section, the term ‘computer’ means an electronic, magnetic, optical, electrochemical, or other high speed data processing device performing logical, arithmetic, or storage functions, and includes any data storage facility or communications facility directly related to or operating in conjunction with such device, but such term does not include an automated typewriter or typesetter, a portable hand held calculator, or other similar device.”

(b) The table of sections at the beginning of chapter 47 of title 18 of the United States Code is amended by adding at the end the following new items:

“1030. Fraud and related activity in connection with computers.”.

SEC. 2103. The Attorney General shall report to the Congress annually, during the first three years following the date of the enactment of this joint resolution, concerning prosecutions under the sections of title 18 of the United States Code added by this chapter.

CHAPTER XXII

SEC. 2201. Notwithstanding this or any other Act regulating labor-management relations, each State shall have the authority to enact and enforce, as part of a comprehensive statutory system to eliminate the threat of pervasive racketeering activity in an industry that is, or over time has been, affected by such activity, a provision of law that applies equally to employers, employees, and collective bargaining representatives, which provision of law governs service in any position in a local labor organization which acts or seeks to act in that State as a collective bargaining representative pursuant to the National Labor Relations Act, in the industry that is subject to that program.

CHAPTER XXIII

SEC. 2301. (a) Subsection (a) of section 1963 of title 18 of the United States Code, as amended by chapter III of this title, is further amended by adding at the end the following: "In lieu of a fine otherwise authorized by this section, a defendant who derives profits or other proceeds from an offense may be fined not more than twice the gross profits or other proceeds."

(b) Section 1963 of title 18 of the United States Code, as amended by chapter III of this title, is further amended by striking out subsection (d).

(c) Section 1963(m)(1) of title 18 of the United States Code, as amended by chapter III of this title, is further amended by striking out "for at least seven successive court days".

(d) Section 413(a) of title II of the Comprehensive Drug Abuse Prevention and Control Act of 1970, as amended by chapter III of this title, is further amended by adding at the end the following: "In lieu of a fine otherwise authorized by this part, a defendant who derives profits or other proceeds from an offense may be fined not more than twice the gross profits or other proceeds."

(e) Section 413 of title II of the Comprehensive Drug Abuse Prevention and Control Act of 1970, as amended by chapter III of this title, is further amended—

(1) by striking out subsection (d); and

(2) by redesignating subsections (e), (f), (g), (h), (i), (l), (m), (n), (o), and (p) as subsections (d), (e), (f), (g), (h), (i), (j), (h), (l), (m), (n), and (o) respectively.

(f) Section 413(n) of title II of the Comprehensive Drug Abuse Prevention and Control Act of 1970, as amended by chapter III of this title, and as so redesignated by this chapter, is further amended by striking out "for at least seven successive court days".

SEC. 2302. Part D of title II of the Comprehensive Drug Abuse Prevention and Control Act of 1970, as amended by chapter III of this title and this chapter, is further amended by adding at the end the following new section:

"ALTERNATIVE FINE

"SEC. 415. In lieu of a fine otherwise authorized by this part, a defendant who derives profits or other proceeds from an offense may be fined not more than twice the gross profits or other proceeds."

SEC. 2303. (a) Section 524 of title 28 of the United States Code, as amended by chapter III of this title, is further amended in subsection (c)(1)—

- (1) by striking out "and" at the end of subparagraph (c);*
- (2) by striking out the period at the end of subparagraph (1) and inserting a semicolon in lieu thereof; and*
- (3) by inserting after subparagraph (D) the following:*

"(E) for equipping for law enforcement functions of forfeited vessels, vehicles, and aircraft retained as provided by law for official use by the Drug Enforcement Administration or the Immigration and Naturalization Service; and

"(F) for purchase of evidence of any violation of the Controlled Substances Act of the Controlled Substances Import and Export Act."

(b) Section 524 of title 28 of the United States Code, as amended by chapter III of this title, is further amended in subsection (c)—

- (1) by inserting after paragraph (2) the following new paragraph:*

"(3) Any amount under subparagraph (F) of subsection (c)(1) of this section shall be paid at the discretion of the Attorney General or his delegate, except that the authority to pay \$100,000 or more may be delegated only to the respective head of the agency involved."; and

- (2) by redesignating paragraphs (3) through (8) as (4) through (9) respectively.*

SEC. 2304. Section 613(a) of the Tariff Act of 1930, as amended by chapter III of this title, is further amended—

- (1) by striking out "and" at the end of subsection (a)(1);*
- (2) by striking out the period at the end of subsection (a)(2) and inserting a semicolon in lieu thereof;*
- (3) by inserting after paragraph (2) of subsection (a) the following:*

"(3) for equipping for law enforcement functions of forfeited vessels, vehicles, and aircraft retained as provided by law for official use by the United States Customs Service; and

"(4) purchases by the United States Customs Service for evidence (A) of smuggling of controlled substances, and (B) of violations of the currency and foreign transaction reporting requirements of chapter 53 of title 31, United States Code, if there is a substantial probability that the violation of these requirements are related to the smuggling of controlled substances";

- (4) by inserting after subsection (a) the following:*

"(b) If the expense of keeping the vessel, vehicle, aircraft, merchandise, or baggage is disproportionate to the value thereof, and such value is less than \$1,000, such officer may proceed forthwith to order destruction or other appropriate disposition of such property, under regulations prescribed by the Secretary of the Treasury.

"(c) Amounts under subsection (a) of this section shall be available, at the discretion of the Commissioner of Customs, to reimburse the applicable appropriation for ex-

penses incurred by the Coast Guard for a purpose specified in such subsection.”; and

(5) by redesignating subsections (b) through (f) as subsections (d) through (h) respectively.

And the Senate agree to the same.

Amendment Numbered 160:

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

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

TITLE III—PRESIDENT’S EMERGENCY FOOD ASSISTANCE ACT OF 1984

SHORT TITLE

SEC. 301. *This title may be cited as the “President’s Emergency Food Assistance Act of 1984”.*

PART A—PRESIDENT’S EMERGENCY FUND

FINDINGS

SEC. 302. *The Congress finds that—*

(1) *acute food crises continue to cause loss of life, severe malnutrition, and general human suffering in many areas of the Third World, especially in sub-Saharan Africa;*

(2) *the United States continues to respond to these needs, as a reflection of its humanitarian concern for the people of the Third World, with emergency food and other necessary assistance to alleviate the suffering of those affected by severe food shortages;*

(3) *the timely provision of food and other necessary assistance to those in need is of paramount importance if the worst effects of such food crises are to be mitigated; and*

(4) *the ability of the United States to provide food and other necessary assistance on a timely basis, and to ensure that such assistance is distributed to those in need, should be enhanced in order to better enable the United States to help those affected by severe food shortages.*

ESTABLISHMENT OF THE FUND

SEC. 303. (a) *There is hereby established the President’s Emergency Food Assistance Fund (hereafter in this title referred to as the “Fund”). Whenever the President determines it to be in the national interest of the United States, he is authorized to furnish, in accordance with the provisions of this part, and on such terms and conditions as he may determine, assistance from the Fund for the purpose of alleviating the human suffering of peoples outside the United States caused by acute food shortages. Such assistance may be provided through such governments or other entities, private or public, including intergovernmental and multilateral organizations, as the President deems appropriate.*

(b) *Because the effects of severe food shortages will vary with the country or region, assistance to alleviate human suffering may include the provision of food assistance or such activities as the provision of seed, animal fodder, animal vaccines, and transportation (including inland transportation) and distribution services.*

(c) *There are authorized to be appropriated to the President \$50,000,000 each for fiscal year 1985 and fiscal year 1986 to carry out the purposes of this title, to remain available until expended.*

(d) *The President may make loans, advances, and grants to, make and perform agreements and contracts with, or enter into transactions with, any individual, corporation, or other body of persons, government or government agency, whether within or without the United States, and international and intergovernmental organizations in furtherance of the purposes and within the limitations of this title.*

REPORTS

SEC. 304. Not later than December 31 of each year, the President shall submit a comprehensive report to the appropriate committees of Congress detailing all activities carried out under the authority of this title during the previous fiscal year.

PART B—FOOD FOR PEACE PROGRAM

TRANSPORTATION AND STORAGE

SEC. 305. Section 203 of the Agricultural Trade Development and Assistance Act of 1954 is amended by inserting after the semicolon at the end of clause (4) the following: "in the case of commodities for urgent and extraordinary relief requirements, including repositioned commodities, transportation costs from designated points of entry or ports of entry abroad to storage and distribution sites and associated storage and distribution costs;"

And the Senate agree to the same.

The committee of conference report in disagreement amendment numbered 14.

JAMIE L. WHITTEN,
EDWARD P. BOLAND,
WILLIAM H. NATCHER,
NEAL SMITH
(except amendments Nos. 54,
66, etc.),
JOSEPH P. ADDABBO,
CLARENCE D. LONG,
SIDNEY R. YATES
(except amendments Nos. 32
and 38 relating to gun
purchase),
EDWARD R. ROYBAL,
TOM BEVILL,
WILLIAM LEHMAN,
JULIAN C. DIXON,
VIC FAZIO,
W.G. HEFNER,

SILVIO O. CONTE
 (except amendment No. 113),
 JOSEPH M. McDADE,
 JACK EDWARDS,
 JOHN T. MYERS
 (except amendment No. 14),
 J.K. ROBINSON,
 LAWRENCE COUGHLIN,
Managers on the Part of the House.

TED STEVENS,
 LOWELL P. WEICKER, Jr.,
 JAMES A. McCLURE,
 JAKE GARN,
 THAD COCHRAN
 (except amendments Nos. 25,
 64, and 70),
 MARK ANDREWS,
 JAMES ABDNOR,
 ROBERT W. KASTEN, Jr.,
 ALFONSE M. D'AMATO,
 MACK MATTINGLY,
 WARREN RUDMAN,
 PETE V. DOMENICI,
 JOHN C. STENNIS
 (except amendments Nos. 25,
 64, and 70),
 ROBERT C. BYRD
 (except amendment No. 25),
 DANIEL K. INOUYE,
 ERNEST F. HOLLINGS,
 TOM EAGLETON,
 LAWTON CHILES,
 J. BENNETT JOHNSTON
 (except amendment No. 25),
 WALTER D. HUDDLESTON
 (except amendments Nos. 25,
 61, and 68),
 QUENTIN N. BURDICK,
 PATRICK J. LEAHY,
 JIM SASSER,
 DENNIS DECONCINI,
 DALE BUMPERS,
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 joint resolution (H.J. Res. 648) making continuing appropriations for the fiscal year 1985, 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.

Amendment No. 1: Restores heading of "Title I".

AGRICULTURE, RURAL DEVELOPMENT AND RELATED AGENCIES

Amendment No. 2: Provides that programs, projects, or activities provided for in the Agriculture, Rural Development, and Related Agencies Appropriation Act of 1985 (H.R. 5743) shall be available to the extent and in the manner provided for in the conference report and joint explanatory statement of the managers (H. Rept. 98-1071), filed in the House of Representatives on September 25, 1984, as if such Act had been enacted into law as proposed by the Senate. The House bill provided for a rate of operations based on the House passed bill.

The conferees point out that in connection with wood utilization research the word "center", which appears in the statement of the managers on the Agriculture Appropriation Bill, is a printing error and should be deleted from both House Report No. 98-1071 (p. 12) and Vol. 130 No. 122 of the Congressional Record (dated 9/25/84, p. H10020).

The conferees feel that labeling requirements for fruit or juice beverages should specifically address the need for separate consideration of beverages such as cranberry juice-based products. The proposed exemption to 21 CFR 102.33 for cranberry juice cocktail should be extended to include all cranberry juice-based beverages containing more than 15 percent cranberry juice.

The conferees have been advised that the Department of Agriculture acknowledges responsibility in connection with the second depopulation of a flock infected with avian flu located in the State of Pennsylvania. The conferees will expect the Department to proceed with the payment of this claim.

DISTRICT OF COLUMBIA

Amendment No. 3: Provides continuing authority for programs under the District of Columbia Appropriation Act at the rate of the conference agreement instead of the rate in the House-passed bill as proposed by the House or the rate in the Senate-passed bill as proposed by the Senate.

APPROPRIATIONS FOR THE DEPARTMENT OF THE INTERIOR AND
RELATED AGENCIES

Amendment No. 4: Section 101(c) of House Joint Resolution 648 provides appropriations for programs, projects, and activities provided for in the Department of the Interior and Related Agencies Appropriation Act, 1985. The House version of the joint resolution provides appropriations for programs, projects, or activities at a rate for operations and to the extent and in the manner provided for in H.R. 5973 as passed the House of Representatives on August 2, 1984. The Senate version of the joint resolution provides appropriations for these programs, projects, and activities at a rate for operations and to the extent and in the manner provided for in H.R. 5973 as passed by, or deemed as having been passed by, the Senate as of October 1, 1984.

The conference agreement on House Joint Resolution 648 incorporates some of the provisions of both the House and Senate versions of the Department of the Interior and Related Agencies Appropriation Act, 1985, and has the effect of enacting the Act into law. The language and allocations set forth in House Report 98-886 and Senate Report 98-578 shall be complied with unless specifically addressed to the contrary in this joint resolution and accompanying statement of the managers. The Department of the Interior and Related Agencies Appropriation Act, 1985, put in place by this joint resolution, incorporates the following agreements of the managers:

TITLE I—DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

Appropriates \$393,849,000 instead of \$364,444,000 as proposed by the House and \$399,645,000 as proposed by the Senate.

The net decrease from the amount proposed by the Senate includes: increases of \$1,000,000 for coal, for drilling and data-gathering; \$500,000 for wilderness management; \$1,150,000 for recreation resources; \$1,000,000 for planning; \$1,200,000 for cadastral survey—other states; \$500,000 for recreation maintenance; and \$404,000 for general administration—personnel and training; and decreases of \$300,000 for oil shale and tar sands; \$500,000 for desert land entries; \$100,000 for support of Alaska cadastral survey; \$1,500,000 for forest management (public domain); \$8,000,000 for wild horses and burros; and \$1,150,000 for Alaska cadastral survey.

The increases over the budget of \$1,000,000 for reforestation and \$500,000 for timber stand improvement on public domain lands will allow for start-up of this effort. The Committees intend to address further needs in this area next year. Within the amount provided for wildlife habitat, an increase of \$1,000,000 is provided for threatened and endangered species. This restores the program to the 1984 level. The increase over the budget for soil and water includes \$2,900,000 for water inventory and rights activities, \$190,000 for two air quality studies, and \$910,000 for improvements. The increase in the recreation program includes \$150,000 for safety improvements in the Yaquina Head recreation area.

The \$500,000 in oil and gas which had been proposed for reduction by the House and which has been restored, should be used for additional KGS determinations.

The managers have agreed to a wild horse and burro program level of \$17,081,000. An increase of \$11,000,000 over the budget has been provided to increase the FY1985 removal rate to 11,000 excess animals and to remove the approximately 6,142 excess animals budgeted for but not removed in fiscal years 1983 and 1984. The managers recognize that this is a controversial program and that, in spite of spending over \$2,000,000 for studies over the past several years, there is still significant disagreement concerning how many animals are excess, what historic-levels were, and what is the current rate of reproduction. The managers have, therefore, included \$1,000,000 for studies for the Bureau, through the National Academy of Sciences, to continue to develop data to answer these and other pertinent questions.

LAND ACQUISITION

Appropriates \$2,750,000 instead of \$4,500,000 as proposed by the House. The following table shows the allocation agreed to by the managers:

Acquisition management	\$300,000
King Range National Conservation Area, CA	1,000,000
Upper Sacramento River, CA	1,000,000
Upper Missouri Wild and Scenic River, MT	300,000
Rio Grande Wild and Scenic River, NM	150,000
Total	2,750,000

The Second Supplemental Appropriations Act for fiscal year 1984 (Public Law 98-396) requires BLM to propose that a willing seller of more than 40 acres accept lands of comparable value and utility in exchange for lands proposed for acquisition. If the seller rejects such an exchange, the BLM may then purchase the lands. The managers expect that the BLM will be able to acquire more land using this process than through purchase only. If, using the process, the BLM does not need to use all of the funds allocated to each project shown above, the balances may be used to acquire additional lands in any of the projects listed above. Further, the managers have no objection to using excess balances to acquire areas for the Upper Colorado Wild and Scenic River. The funds provided may also be used for cash equalization payments as authorized by Sections 205 and 206 of FLPMA.

OREGON AND CALIFORNIA GRANT LANDS

Appropriates \$55,397,000 instead of \$55,147,000 as proposed by the House and \$55,647,000 as proposed by the Senate.

The increase over the amount proposed by the House is \$250,000 for project survey and design of fish habitat improvement projects in western Oregon. The managers have agreed to consider additional fish habitat improvement project funding next year.

SPECIAL ACQUISITION OF LANDS AND MINERALS

Appropriates \$15,000,000 as proposed by the Senate to purchase non-Federal coal deposits and other mineral interests and rights in the Cranberry Wilderness Area, West Virginia, as authorized by Public Law 97-466.

RANGE IMPROVEMENTS

Appropriates \$10,000,000 as proposed by the Senate instead of \$7,330,000 as proposed by the House. The managers have agreed to retain bill language concerning the grazing provisions. The managers agree that only the costs incurred by the permittees for the installation or maintenance of improvements on public land as called for or agreed to by BLM are to be used in the calculation.

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

Bill language proposed by the House that would have required BLM to collect reasonable costs of rights of way studies has been deleted.

ADMINISTRATIVE PROVISIONS

The managers have modified language directing the BLM to complete a land exchange between the Oregon International Port of Coos Bay and the United States before the end of December 1984. Language is included to continue the withdrawal of 18,323 acres of public land in Churchill County, Nevada for use by the Navy.

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

Appropriates \$311,365,000 instead of \$305,964,000 as proposed by the House and \$307,119,000 as proposed by the Senate.

The net increase above the amount proposed by the House includes: increases of \$500,000 for Chesapeake Bay cleanup activities; \$5,000,000 for refuge resource threat mitigation; \$500,000 for public use improvement programs; \$1,000,000 for management of Alaska refuges; \$385,000 to begin staffing and management at Tensas NWR; \$325,000 to continue blackbird research at North Dakota State University; \$200,000 to support research needs for the Lower Snake River Compensation Plan at the Hagerman research field station; \$300,000 for the Peregrine falcon recovery program through the Peregrine Fund, Inc.; \$50,000 for the Hawaiian forest bird recovery program; \$400,000 to initiate operations at the Cape Charles NWR, Va.; \$536,000 for the Fish and Wildlife Service to plan and monitor wildlife effects of the Des Plaines River, Illinois wetlands demonstration project; \$100,000, to be matched by non-Federal funds, for the Service to develop a habitat conservation plan for North Key Largo, Florida, in conjunction with the Governor's Office; \$250,000 to finance the fishery study described later, addressing hatchery needs and the appropriate Federal role; and \$75,000 for Woodland Caribou recovery programs; and decreases of \$500,000 for project investigations; \$550,000 for the special wetland inventory study; \$2,500,000 for acceleration of refuge rehabilitation

projects; \$300,000 in savings anticipated to occur as a result of shifting from an open fish feed diet to a closed diet as directed by the Senate; \$120,000 for an evaluation of the Makah NFH; and \$250,000 for endangered species law enforcement.

The managers agree that \$250,000 is available for a wetlands inventory study, that earmarkings within each report are agreed to, unless countermanded by the conference report, that the LaCrosse research laboratory should conduct work beneficial to the Pacific Northwest, and that full-time equivalents ceiling needed to administer the programs for which funds are appropriated should be provided to the Service. This ceiling should not be provided at the expense of other ongoing programs administered by the Department. No funds are provided to continue operation of the Bend, Oregon and Olympia, Washington ADC research facilities. If beneficial to the Forest Service, those stations should be funded through the Forest Service. The managers agree that blackbird depredation of sunflower and rice crops is growing and expect the Service to include a proposal in the fiscal year 1986 request to develop direct control programs that will not be harmful to other populations and are effective in reducing blackbird populations. This program should be reviewed by the advisory commission established by the managers as proposed in the Senate report. The managers agree that the Service should not deduct overhead for ADC reimbursable work and that the Service should address the toxic waste problem at Crab Orchard NWR as proposed by the Senate.

The managers agree to continue operation of hatcheries funded in fiscal year 1984. The House Committee on Merchant Marine and Fisheries plans to hold hearings on legislation establishing a national fish production policy. The Service, whether in connection with those hearings or otherwise, should prepare a report on additional fish rearing plans and include in that report a comparative analysis of the costs of Service production to private or commercial production. In addition, the report should provide a list of potential new hatchery sites including an evaluation of the Nisqually Tribe hatchery, plans for the future production outputs from the Makah NFH, and an analysis of the effect of the *Boldt* case decisions, and the Salmon and Steelhead Enhancement Act on those hatcheries. In addition, the study should address other fishery issues including Atlantic salmon and striped bass recovery including the appropriate Federal role. That report should reflect public comment and be provided to the Committees in time for the fiscal year 1986 appropriation hearings.

Funds in the amount of \$1,250,000 have been included for the international endangered species law enforcement and port inspection program. The managers are concerned that only 36 wildlife port inspectors are available for service at custom entry stations throughout the United States. At least twenty (20) additional law enforcement officers are needed to alleviate that problem and eliminate delays due to lack of staff. At least one additional FTE should be assigned to Puerto Rico and two assigned to O'Hare International Airport. No additional custom entry stations should be established if staffing at existing custom entry stations would be reduced as a result.

No funds are earmarked in the bill for refuge operation and maintenance, as was provided in the House bill language. The budget justifications for fiscal year 1986 and subsequent years should show, for each program, how much is included for regional and Washington office expenses, by function. The exact details are to be worked out with the Appropriations Committees. Language is continued permitting designation of critical habitat for Northern Rocky Mountain Wolf in Idaho only if coterminous with the boundaries of the Central Idaho Wilderness Areas, as established by Public Law 96-312.

The managers have included \$50,000 for each of the following grizzly bear projects: the development of a state of the art compendium on research; a determination of the best grizzly bear habitat; an analysis of road access needs and the development of closure criteria; and an analysis of the impact of backcountry recreation on the grizzly. Revised bill language has been included concerning augmentation of bear populations and appropriate budget information to be provided. There is no need for the Service to provide further consideration this year of the issue of emergency supplemental feeding.

The amounts budgeted for grizzly bear programs in fiscal year 1985 are approved. The managers direct that each agency, bureau or organization funded by this Act shall submit a list of grizzly bear activities and the estimated fiscal year 1985 cost to the Committees on Appropriations no later than November 30, 1984.

The managers agree that not less than \$3,300,000 for high priority projects within the scope of the approved budget shall be carried out by the Youth Conservation Corps as if authorized by the Act of August 13, 1970, as amended by Public Law 93-408. The managers agree that, within available funds, \$150,000 is to be provided to complete the Metropolitan River Corridor study and that the \$390,000 provided for participation in the Western Hemisphere Convention is available for training and technical assistance projects.

CONSTRUCTION AND ANADROMOUS FISH

Appropriates \$24,794,000 instead of \$17,342,000 as proposed by the House and \$23,329,000 as proposed by the Senate. The net increase above the amount proposed by the House includes: increases of \$6,746,000 for Alaskan refuge construction, \$3,000,000 for refuge resource threat mitigation, \$450,000 for Bogue Chitto NWR, \$2,500,000 for Tensas NWR, \$406,000 for Ruby Lake NWR, and \$950,000 for a wet laboratory replacement at Hagerman NFH; and decreases of \$6,000,000 for the Nisqually Tribe hatchery, and \$600,000 for facility design at Minnesota Valley NWR.

The managers direct the Service, using \$430,000 available from planning and design funds provided in fiscal year 1981, to proceed expeditiously to complete the final engineering drawings and other preliminary activities required before funds can be obligated for construction of the Nisqually hatchery. The managers will consider additional appropriations together with the findings and conclusions of the hatchery production and fishery policy study provided for in the resource management account.

The \$500,000 provided for an anadromous fish research center includes a minimum of \$400,000 to complete the planning and design of the facility. If available, there is no objection to using up to \$50,000 of funds provided for an assessment of East Coast anadromous fish research needs and \$50,000 for site evaluation and selection for the anadromous fish research center on the Connecticut River in Massachusetts.

The managers also include language to permit use of funds to continue the striped bass study.

MIGRATORY BIRD CONSERVATION ACCOUNT

Appropriates \$21,700,000 as an advance to this account instead of \$9,000,000 as proposed by the House and \$20,000,000 as proposed by the Senate.

The increase above the amount proposed by the House is \$2,200,000 for Humboldt Bay, Calif., \$3,000,000 for Ridgefield, Washington, and \$7,500,000 for Anderson-Tully, Tenn. and Ark. The managers deleted bill language proposed by the Senate prohibiting condemnations in the Cache River, Ark. project.

LAND ACQUISITION

Appropriates \$64,508,000 instead of \$60,658,000 as proposed by the House and \$58,308,000 as proposed by the Senate. The following table shows the allocation agreed to by the managers:

American Crocodile, FL	\$5,000,000
Ash Meadows, NV	600,000
Bear Valley, OR	800,000
Karl Mundt, SD	300,000
Banks Lake, GA	608,000
Bogue Chitto, LA	3,000,000
Bon Secour, AL	3,000,000
California Condor, CA	4,000,000
Connecticut Coastal NWR, CT	1,500,000
Clear Creek Gambia, TX	20,000
Coachella Valley, CA	5,000,000
Currituck NWR, NC	3,500,000
Florida Panther, FL	4,000,000
Great Dismal Swamp, NC and VA	1,500,000
Hawaii forest birds, HI	4,500,000
Key Deer, FL	2,500,000
Kirtland Warbler, MI	750,000
Kofa NWR, AZ	350,000
Lower Rio Grande Valley, NWR, TX	7,500,000
Lower Suwanee, FL	3,450,000
Masked Bobwhite, AZ	4,000,000
Moapa Dace, NV	800,000
Ozark big-eared bat, OK	100,000
Pahrump Killfish, NV	180,000
Parker River, MA (administrative site)	400,000
Cartegena and Tortuguero Lagoons, Puerto Rico	5,000,000
Trustom Pond, RI	650,000
Acquisition management	1,500,000
Total	\$64,508,000

The managers agree that no conditions are attached to obligation of funds for acquisition of Nature Conservancy lands at Currituck NWR. This leaves current legal rights of access along the beach at the Monkey Island and Swan Island tracts and retains the

ability of the Fish and Wildlife Service to designate an emergency upland vehicle access corridor across the same tracts. The managers also approve exceeding the appraised value of each tract at Protection Island NWR by \$225. The Service should consider the possibility of filing a Declaration of Taking of the Beach Club as a means of resolving that controversy at the earliest appropriate time. The bill also earmarks funds for acquisition at Connecticut Coastal NWR and provides that those funds will be available for obligation only upon enactment of authorizing legislation.

The managers expect that funds provided for acquisition of the two properties in Puerto Rico will be made available for acquisition for the Cartegena property first and that both properties will be staffed by Fish and Wildlife Service employees.

ADMINISTRATIVE PROVISIONS

The managers agree that the Service may acquire an aircraft by donation. The managers agree to not provide language regarding hunting on the Bosque del Apache NWR while Whooping Cranes are on the refuge. The Service and the state are expected to continue their efforts to provide adequate protection to the endangered Whooping Crane.

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

Appropriates \$625,365,000 instead of \$629,344,000 as proposed by the House and \$621,098,000 as proposed by the Senate.

The net decrease below the amount recommended by the House includes the following: increases of \$500,000 for Apostle Island NL, \$130,000 for Jean Lafitte NHP, \$171,000 for the Anchorage and Fairbanks interagency visitor centers, \$20,000 for the International Council of Monuments and Sites, and \$350,000 for a cooperative maintenance agreement with the National Capital Children's Museum; and decreases of \$1,150,000 for a cooperative maintenance agreement with the National Building Museum, \$750,000 provided for the Park Police rookie class, \$250,000 for Park Police operations at Gateway NRA, NY, to be funded, however, within available appropriations and \$3,000,000 for unemployment compensation payments. The managers agree that a study of Park Police operations in Gateway and Golden Gate NRAs should be done. This study should evaluate the impact on park management of replacing the Park Police with park rangers with law enforcement certification, primarily addressing the safety and protection of park visitors and use and enjoyment of park resources, and on the comparative costs of providing the current level of protection by the Park Police and by park rangers with law enforcement certification. The managers agree that, of the \$400,000 returned to the U.S. Park Police from the office of the Secretary protection activity, \$250,000 shall be available for the budgeted request for Gateway NRA, NY, and that the remaining \$150,000 shall be retained by the National Capital Region unit of the Park Police. Within available funds, \$85,000 is to be made available to the town of Harpers Ferry, West Virginia for law enforcement assistance in accordance with the current or

any future agreements signed by the National Park Service, and the towns of Harpers Ferry and Boliver.

Funds provided for maintenance at Delaware Water Gap NRA are for site restoration (\$100,000) and fire and intrusion alarms (\$50,000) and feasibility study and specifications for the Milford bicycle trail (\$50,000).

The managers agree that further funding for the Mary McLeod Bethune NHS requires additional authorization and await additional authorization before providing additional funding.

The managers agree that not less than \$3,400,000 for high priority projects within the scope of the approved budget shall be carried out by the Youth Conservation Corps as if authorized by the Act of August 13, 1970, as amended by Public Law 93-408.

NATIONAL RECREATION AND PRESERVATION

Appropriates \$11,338,000 instead of \$11,690,000 as proposed by the House and \$10,276,000 as proposed by the Senate. Reductions below the House amount are \$102,000 for rivers and trails studies and \$250,000 in grant administration.

HISTORIC PRESERVATION FUND

Appropriates \$26,000,000 as proposed by the Senate instead of \$27,000,000 as proposed by the House. The managers expect the National Park Service, in cooperation with the maritime preservation community and the National Trust for Historic Preservation, to conduct a survey of historic maritime resources, including those of the Service; recommend standards and priorities for the preservation of those resources; and recommend the appropriate Federal and private sector roles in addressing those priorities.

VISITOR FACILITY FUND

Appropriates \$6,000,000 as proposed by the Senate instead of \$6,400,000 as proposed by the House. The managers expect the Service to provide the National Park Foundation with adequate funds for the assistance provided to the Service in this program. The managers are hopeful that the Foundation can provide construction supervision and other services at a savings for the Service.

CONSTRUCTION

Appropriates \$113,716,000 instead of \$109,375,000 as proposed by the House and \$98,908,000 as proposed by the Senate.

The net increase above the amount proposed by the House includes decreases of \$67,000 for Voyageurs NP, \$142,000 for Cuyahoga Valley NRA, and \$3,500,000 for Gulf Island NS, and increases of \$1,530,000 for Buffalo NR, \$3,500,000 for Cape Hatteras NS lighthouse rehabilitation and protection, \$650,000 for Fort Jefferson NM utility systems, \$825,000 for Harpers Ferry NHS water system, \$530,000 for Jean Lafitte NHS, and project planning of \$690,000 for Buffalo NR, of \$75,000 for Fort Jefferson, and of \$250,000 for New River Gorge NR. Within available planning funds, \$600,000 is to be provided for design of a hotel replacement at Denali NP. The managers also recommend \$28,000,000 to liquidate contract authority

provided from the Highway trust fund to continue work on the Cumberland Gap NHS bypass tunnel.

The managers deleted the \$8,500,000 proposed by the Senate to pave the Burr Trail and upgrade it into an all-weather, scenic highway linking the Utah towns of Boulder and Bullfrog. Construction funds were deleted in response to strenuous objections raised about potentially serious environmental problems.

Project proponents point to potentially significant benefits and the long history associated with proposals to upgrade the road. The managers are extremely sensitive to the environmental consequences of such construction.

To date, the National Park Service has not conducted an Environmental Assessment on this project. Therefore, in order to provide adequate information respecting environmental concerns, the managers have included \$200,000, within available funds, for the National Park Service to conduct an Environmental Assessment. Public meetings are to be held, as appropriate. The National Park Service should transmit such an assessment, together with its recommendation, to the Committee by July 1, 1985.

LAND ACQUISITION AND STATE ASSISTANCE

Appropriates \$150,220,000 instead of \$175,000,000 as proposed by the House and \$151,410,000 as proposed by the Senate. The following table shows the allocation agreed to by the managers.

Assistance to States:	
Matching grants	\$73,319,000
Administrative expenses.....	1,681,000
Total, assistance to States	75,000,000
Federal acquisition:	
Acquisition management.....	7,060,000
Alaskan areas	500,000
Antietam NB.....	500,000
Big Cypress N. Pres	2,000,000
Biscayne NP.....	1,000,000
Chaco Culture NHP.....	1,000,000
Channel Islands NP.....	15,000,000
Chattahoochee River NRA.....	1,000,000
Chesapeake & Ohio Canal NHP.....	500,000
Cuyahoga Valley NRA.....	2,000,000
Delaware Water Gap NRA.....	1,800,000
Fort Frederica NM.....	300,000
FDR NHS.....	270,000
Golden Gate NRA	1,000,000
Gunnison NM (Black Canyon).....	1,300,000
Indiana Dunes NL.....	1,375,000
Jean Lafitte NHP.....	3,000,000
Lower St. Croix WSR.....	500,000
Manassas NBP.....	3,000,000
Martin Luther King, Jr. NHS.....	500,000
Monocacy NB.....	1,500,000
New River Gorge NR.....	4,000,000
Obed WSR.....	500,000
Petersburg NB.....	1,550,000
Point Reyes NS.....	2,500,000
Rocky Mountain NP.....	1,000,000
St. Croix NSR.....	1,000,000
Salinas NM.....	500,000
Santa Monica Mountains NRA.....	8,165,000

Saratoga NHP.....	200,000
Theodore Roosevelt NHS (Sagamore Hill).....	250,000
Valley Forge NHP.....	1,500,000
Voyageurs NP.....	1,000,000
War in the Pacific NHP.....	1,200,000
Deficiencies and relocations.....	1,750,000
Inholdings, emergency, recently authorized, and hardship acquisitions.....	5,000,000
	<hr/>
Total, Federal acquisition.....	75,220,000
	<hr/>
Total, land acquisition and State assistance.....	150,220,000

Funds provided for Golden Gate NRA are for areas in Marin County. The managers agree that the reduction from the House level for Cuyahoga Valley NRA is made without prejudice. Approximately \$3,800,000 remains available from prior year appropriations which, when combined with the \$2,000,000 provided herein, will be sufficient to maintain the acquisition schedule for fiscal year 1985.

The managers have deleted language proposed by the Senate changing acquisition priorities at Channel Islands NP, California, and agree that the Santa Rosa Island acquisition project shall receive priority.

NATIONAL CAPITAL REGIONAL ARTS AND CULTURAL AFFAIRS

Appropriates \$5,000,000 as proposed by the Senate instead of zero as proposed by the House.

Language proposed by the Senate establishing a grant program in support of artistic and cultural activities in the National Capital Region has been placed within the National Park Service rather than the Institute of Museum Services as proposed by the Senate.

The managers have agreed to forward fund this program, for a one-time, temporary, trial, so that eligible organizations will be able to submit applications and have such applications reviewed in the fiscal year prior to the year for which the grant funds are available. If effective, this trial may provide for a smooth transition from the existing funding method to this new program.

The managers agree that the amounts required for the contracts with Wolf Trap Farm Park and Ford's Theater shall be available from this account without regard to any other provisions which establish criteria for eligibility and requirements for an application and review process.

For fiscal year 1985, the managers have agreed to continue the practice of earmarking funds for specific organizations through the National Park Service and the Smithsonian Institution.

ILLINOIS AND MICHIGAN CANAL NATIONAL HERITAGE CORRIDOR

Appropriates \$250,000 as proposed by the House.

JEFFERSON NATIONAL EXPANSION MEMORIAL COMMISSION

Appropriates \$75,000 as proposed by the House.

ADMINISTRATIVE PROVISIONS

Deletes additional police type vehicles provided by the House for Park Police rookie class and permits BLM to provide the city of Boise, Idaho with land to replace land the city provided to the Peregrine Fund.

GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

Appropriates \$420,664,000 instead of \$417,448,000 as proposed by the House and \$412,230,000 as proposed by the Senate.

The net increase above the amount proposed by the House includes: decreases of \$500,000 for printing and distribution of maps, \$700,000 for modernization of mapping technology, \$500,000 for cartographic and geographic information, \$2,000,000 for side-looking airborne radar, \$1,779,000 for volcano hazard assessment, \$1,443,000 for geologic framework, \$750,000 for the world energy assessment program, \$1,212,000 for the regional aquifer study, and \$1,500,000 for the energy hydrology (coal) program; and increases of \$600,000 for expenses related to recent volcano activity in Hawaii, \$1,000,000 for ground failure and construction hazards, \$2,500,000 for offshore geologic surveys, \$9,000,000 for water resource research programs, and \$500,000 in additional map receipts.

The managers recommend the following allocation of the funds provided for water resource research programs:

Water resource research institutes (sec. 104).....	\$6,210,000
Water research grants (sec. 105).....	2,600,000
Administration.....	190,000
Total	9,000,000

The managers also recommend that the Federal coal hydrology program be budgeted in the Office of Surface Mining in subsequent fiscal years. It is also expected that the SLAR funds will be allocated within priority areas in a geographically balanced manner.

MINERALS MANAGEMENT SERVICE

Appropriates \$166,818,000 for leasing and royalty management instead of \$167,207,000 as proposed by the House and \$166,992,000 as proposed by the Senate.

The decrease of \$389,000 below the amount proposed by the House represents a reduction in General Support Services for special building and communications costs.

The managers agree that, within available funds, a grant of \$50,000 shall be made to the Oil/Fisheries Group of Alaska, Inc., a non-profit corporation based in Anchorage, Alaska to assist in the mitigation of potential Outer Continental Shelf leasing conflicts between the petroleum and fisheries industries. The managers will monitor this effort to determine if it is a viable approach to resolving such conflicts well in advance of leasing activities.

The managers agree that no funds shall be deducted from Federal onshore mineral leasing receipts prior to their division and distribution pursuant to 30 U.S.C. 191, to offset the costs expended in the collection of Federal onshore mineral leasing receipts.

BUREAU OF MINES

Appropriates \$138,734,000 for Mines and Minerals instead of \$123,049,000 as proposed by the House and \$138,184,000 as proposed by the Senate. Changes to the Senate amount include increases of \$2,500,000 for respirable dust research to be carried on as part of the existing respirable dust program including the generic center program, \$400,000 for research to mitigate the effects of subsidence on prime farmland in Illinois to be matched by non-Federal funds and \$500,000 for general administration. Reductions to the Senate amount include \$500,000 for strategic and critical materials research; \$700,000 for mineral assessment work in Alaska and \$1,650,000 in the Mineral Institute program.

The \$8,000,000 provided for the Mineral Institute program includes \$4,650,000 to be divided equally among the 31 institutes; \$350,000 for administration and \$3,000,000 for a competitive research program among the institutes in the manner of the University Coal Research program administered by the Department of Energy's fossil research program. It is the managers' expectation that the research will be focused on the highest priority minerals problems.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

REGULATION AND TECHNOLOGY

Appropriates \$76,625,000 for regulation and technology instead of \$75,039,000 as proposed by the House and \$76,025,000 as proposed by the Senate. Changes to the Senate amount include increases of \$300,000 for inspector training and \$300,000 for better management information systems.

ABANDONED MINE RECLAMATION FUND

Appropriates \$303,001,000 for the abandoned mine reclamation fund instead of \$307,031,000 as proposed by the House and \$296,701,000 as proposed by the Senate. Changes to the House amount include reductions of \$330,000 for staff at the Wilkes-Barre, Pennsylvania office and \$3,700,000 for the Rural Abandoned Mine Program. The managers expect the Wilkes-Barre, Pa. office to be maintained at a level of 40 full-time equivalents. The amount provided for RAMP includes \$6,300,000 for new starts.

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

Appropriates \$895,834,000 instead of \$895,687,000 as proposed by the House and \$875,117,000 as proposed by the Senate.

The net increase over the amount proposed by the Senate includes the following: increases of \$200,000 for vocational education at the Phoenix Indian Boarding School; \$150,000 for the school transportation formula; \$1,550,000 for the Indian School equalization formula; \$100,000 for equipment and program upgrading at the Southwestern Indian Polytechnic Institute; \$500,000 for tribal courts; \$410,000 for child welfare assistance, including \$300,000 for

Indian Child Welfare Act grants and \$110,000 for the Solo Parent program; \$302,000 for self-determination grants; \$2,830,000 for the Navajo-Hopi settlement program; \$146,000 for the Papago Skills Center; \$73,000 for economic development; \$61,000 related to the ADP transfer from Economic Development; \$3,500,000 for forest development; \$1,597,000 for wildlife and parks; \$413,000 related to the ADP transfer from natural resources; \$700,000 for litigation support; \$500,000 for attorneys' fees; \$798,000 for hunting and fishing rights; \$100,000 for real estate services for the Miccosukee Tribe; \$308,000 related to the ADP transfer from Trust Responsibilities; \$2,169,000 for facilities management, including \$180,000 for the Navajo Mountain school, \$43,000 for the Sanostee School, \$1,850,000 to restore the A-76 related reduction, and \$96,000 related to the ADP transfer; \$8,541,000 for ADP; \$159,000 for program transfers related to ADP; and \$500,000 for improvements to the finance system; and decreases of \$13,000 for Johnson-O'Malley assistance; \$1,037,000 related to the ADP transfer from Indian Services; \$2,127,000 for forest inventories; and \$1,713,000 for general administration.

The managers agree that the plan for gifted and talented students in BIA schools should be submitted to the Committees as soon as it is completed, with a budget request for its implementation. While the budget has not been decreased in relation to services for students of less than $\frac{1}{4}$ blood quantum, the managers agree that BIA must establish regulations to determine adequacy of service, and must also work with affected schools to resolve this situation, including establishment of cooperative schools, where appropriate. The budget request for fiscal year 1986 should be based only on those students eligible under current law. The allowance for ISEF includes \$750,000 related to continued operation of a portion of the Sanostee School, including lump sum leave and severance pay. The managers agree that the established school attendance boundaries should be enforced beginning with the 1984-85 school year.

The increase of \$500,000 for tribal courts is to meet the most pressing needs; however, BIA should ensure completion of the Court Improvement Plan, and include the necessary funds in its budget to implement the plan. The increase of \$7,000,000 for law enforcement is to be distributed so as to bring all programs, including that proposed to be operated by the Nez Perce tribe, at least halfway to the "exemplary" level, while maintaining the program on the tribal priority system. The increase of \$73,000 for economic development is to be combined with the increase of \$212,000 in the budget under credit and financing, to allow a Buy-Indian contract for services to tribes who are developing business ventures which qualify for assistance under the Indian Finance Act and who request such services. No funds are provided for the economic development facilitators unit.

The increase over the budget for wildlife and parks is to be distributed as follows:

<i>Tribe or group</i>	<i>Increase</i>
Red Cliff, WI.....	+\$203,000
Colville, WA	+110,000
Columbia River Intertribal Fish Commission.....	+522,000

<i>Tribe or group</i>	<i>Increase</i>
Metlakatla, AK	+312,000
Lac du Flambeau, WI	+250,000
Quinault, WA	+100,000
Mescalero, AZ	+15,000
Nez Perce	+162,000
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Western Washington tribes:	
Fisheries:	
Hoh	+8,000
Makah	+11,000
Muckleshoot	+6,000
Nooksack	+12,000
NWIFC	+35,000
Point-No-Point	+19,000
Puyallup	+37,000
Quileute	+23,000
Quinault	+21,000
Skagit System Coop	+41,000
Squaxin Island	+27,000
Stilliquamish	+57,000
Tulalip	+86,000
Hatchery O&M:	
Lummi	+24,000
Makah	+15,000
Muckleshoot	+2,000
Quileute	+4,000
Quinault	+17,000
Skagit System Coop	+9,000
Suquamish	+17,000
Tulalip	+29,000
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Subtotal, Western Washington	+500,000
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Total, wildlife and parks	+2,174,000

The increase for litigation support shall include, but not necessarily be limited to, the San Juan River and Little Colorado River cases. In the hunting and fishing rights activity, total increases of \$148,000 for the Klamath, OR tribal conservation program and \$1,000,000 for the Great Lakes Indian Fish Commission are included, to include \$350,000 from the undistributed funds in Central Office.

In the road maintenance activity, \$360,000 should be provided for seal coating of Bureau roads paved with Highway Trust Funds (HTF). Future budget requests should include the amount required to seal roads constructed in the past with BIA funds as well as those built with HTF monies. Within forestry, \$370,000 should be provided for rehabilitation of the Menominee Forest. No funds beyond those specifically identified in the budget should be used for P.L. 93-638 contract oversight or monitoring costs.

The managers agree that \$20,000,000 shall be available for the Bureau's automatic data processing system (ADP). The funds shall be derived as follows:

Budget request for ADP Services	\$3,115,000
Education MIS	790,000
Transfers from programs (as detailed in appeal statement)	4,995,000
Finance/payroll system	1,000,000
Indian priority system	100,000
Congressional increase	10,000,000
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Total	20,000,000

The managers have agreed to bill language which provides permanent authority for a number of activities routinely included in annual appropriations bills.

\$55,706,000 is earmarked for higher education and Johnson-O'Malley funds instead of \$55,693,000 as proposed by the House and \$55,719,000 as proposed by the Senate. The increase over the amount proposed by the House is for the Johnson-O'Malley program.

\$2,830,000 is earmarked for the Navajo and Hopi Settlement program rather than \$3,830,000 as proposed by the House and zero as proposed by the Senate.

Language proposed by the House limiting automatic data processing (ADP) expenditures has been deleted. The managers, however, expect expenditures for ADP to remain within the \$20,000,000 provided for this purpose. Any additional expenditures shall require Committee approval. The Bureau shall also report to the Committees on indirect ADP expenditures (those costs covered through Bureau contracts), so that the total cost of the ADP program is available for review. The managers direct that the BIA continue to provide quarterly reports on ADP operations.

Language is included terminating general assistance payments in Alaska; and establishing standards for all Bureau general assistance programs beginning September 30, 1985.

Language is included establishing a one year moratorium on new contract school starts. The managers agree that the current Bureau position of having to enter into a contract for a new school whenever so requested by a tribe is unacceptable. Standards must be established and regulations adopted to address the concerns which have been expressed in this area.

Language proposed by the Senate regarding the Mt. Edgecumbe Boarding School has been deleted as this provision was included in the fiscal year 1984 supplemental appropriation bill.

CONSTRUCTION

Appropriates \$109,686,000 instead of \$103,124,000 as proposed by the House and \$104,243,000 as proposed by the Senate.

The increase over the amount provided by the Senate includes: \$5,000,000 for facilities improvement and repair and \$443,000 for the La Push Ocean Park Resort, WA.

The managers agree with the directives regarding the facilities improvement and repair program in the House and Senate reports, with the following clarification: no funds in excess of \$1,500,000 may be spent on a single repair project without the consent of the Committees on Appropriations. Smaller projects grouped together which exceed this amount do not require Committee approval.

No funds are to be used for a feasibility study on the proposed Ganado II dam.

Within available unobligated balances, up to \$200,000 should be used to continue design of the next schools on the construction priority list.

To assist with an equitable distribution of HIP funds, \$160,000 is earmarked to obtain a workable, valid and consistent Indian housing inventory. Resident training counseling funds available to the

University of Wisconsin through a BIA contract may be used to support HUD funded trainers as well as HIP coordinators.

The managers agree that facility improvement and repair funds may be used to demolish buildings at the Sanostee school which are eventually found to be unsafe, but only after negotiations with the tribe are completed.

ROAD CONSTRUCTION

Appropriates \$6,000,000 instead of \$1,000,000 as proposed by the House and \$5,000,000 as proposed by the Senate. The increase over the amount proposed by the Senate is for the Pushmataha Indian Road, OK.

WHITE EARTH BAND OF CHIPPEWA INDIANS TRUST FUND

Appropriates no money for deposit into the White Earth Band Economic Development Fund instead of \$3,500,000 as proposed by the Senate.

TRIBAL TRUST FUNDS

Language proposed by the Senate to provide permanent authority for tribal trust funds has been included.

REVOLVING FUND FOR LOANS

\$18,600,000 is provided for direct loans as proposed by the Senate instead of \$16,100,000 as proposed by the House.

ADMINISTRATIVE PROVISIONS

Language has been included making permanent a number of provisions routinely carried in previous annual Interior appropriation bills.

Language proposed by the House requiring forward funding of educational programs has been deleted. The managers understand that the Bureau has established an earlier date for the official "count week" so that funds should be made available to schools in a more timely manner. Language proposed by the Senate regarding employees not subject to Indian preference has been deleted. Language proposed by the Senate regarding the use of funds collected for quarters rental has been deleted from this section and included under Title III, General Provisions.

Language proposed by the Senate requiring the Secretary to hire 28 employees of the Flathead Irrigation Project has been included. The managers agree that there is no budgetary impact of this provision as the employees will be paid from collections of the project.

Language proposed by the Senate prohibiting the use of funds to implement new legislative provisions in education has been included. The managers agree that the budget is based on current law and time is required to review the impact of legislative changes made after the beginning of the school year.

TERRITORIAL AND INTERNATIONAL AFFAIRS

ADMINISTRATION OF TERRITORIES

Appropriates \$76,554,000 instead of \$76,954,000 as proposed by the House and \$77,170,000 as proposed by the Senate.

The net decrease from the amount proposed by the Senate consists of increases of \$484,000 for American Samoa, and \$1,000,000 for technical assistance; and decreases of \$500,000 for the Northern Marianas hospital; \$1,500,000 for Virgin Islands financial planning assistance; and \$100,000 for the Office of Territorial and International Affairs.

The increase provided for American Samoa includes \$800,000 for the cost of living increase, \$2,000,000 for the marine railway, \$1,500,000 for relocation of government offices, and \$1,000,000 for home mortgage loans.

A total of \$5,000,000 has been provided for technical assistance. The managers are aware of a number of needs that have been identified which can be funded within this increased level. These include, but are not limited to, planning assistance for the St. Croix, V.I., airport runway; financial planning assistance for the Virgin Islands; hospital staffing, training, and planning assistance for the Northern Marianas and Marshall Islands; power plant maintenance for Palau; boundary surveys in Palau; additional costs for financial management systems; and outside expert review of the Enewetak planting program.

The managers agree that the \$500,000 grant to the College of the Virgin Islands must be matched by \$250,000 from other, non-Federal funds.

Bill language proposed by the Senate regarding the use of funds for the Northern Marianas hospital is included.

TRUST TERRITORY OF THE PACIFIC ISLANDS

Appropriates \$100,811,000 instead of \$118,225,000 as proposed by the House and \$97,611,000 as proposed by the Senate.

The net increase from the amount proposed by the Senate includes: increases of \$850,000 for pre-1982 medical referral liabilities; \$55,000 for cost-of-living increase for the Marshall Islands; \$900,000 for a fuel tank farm in Kosrae; \$4,000,000 for capitol relocation, Federated States of Micronesia (FSM); \$1,914,000 for Bikini cleanup studies; and decreases of \$1,683,000 for FSM cost-of-living; \$156,000 for Palau cost-of-living; \$180,000 for Palau sewer system; and \$2,500,000 for prior service benefits.

The \$4,000,000 provided for FSM capitol relocation is for the first year of phased funding of a total estimated cost of \$13,400,000. The managers remain committed to providing funds for capitol relocation for the Marshall Islands and Palau, pending review of the plans for these facilities. The managers will also consider funding for the new hospital in Palau, after review of the plans.

Instead of providing funds for prior service benefits at this time, the managers reiterate the request contained in the House report that a study be conducted of various options for the program post-Compact, including establishing a trust fund, or a one-time lump

sum payment, and the cost thereof, to be submitted to the Committees by March 1, 1985.

\$1,914,000 is included for studies related to the cleanup of Bikini Atoll. These studies will provide information that will be necessary if an eventual decision is made to clean up Bikini Island, including costs and the feasibility of various methodologies. The final decision on whether to proceed with clean up, and the details and responsibilities related thereto, will be made at a later time, when the required information is available.

DEPARTMENTAL OFFICES

OFFICE OF THE SECRETARY

Appropriates \$45,544,000 instead of \$44,131,000 as proposed by the House and \$47,360,000 as proposed by the Senate.

The net increase above the amount proposed by the House consists of: increases of \$179,000 for Congressional and Legislative Affairs, \$23,000 for public affairs, \$57,000 for A/S for Water and Science, \$159,000 for A/S for Land and Minerals Management, \$10,000 for A/S for Fish and Wildlife and Parks, \$9,000 for A/S Indian Affairs, \$148,000 for A/S Territorial and International Affairs, \$17,000 for A/S Policy, Budget, and Administration, \$50,000 for A-76 coordination, \$500,000 for Office of ADP Management, \$413,000 for Policy Analysis, and \$309,000 for the Office of Hearings and Appeals; and decreases of \$309,000 for the Office of Historically Black College and University Programs, \$112,000 for the Departmental library, and \$40,000 for an audit response coordinator.

The managers agree to provide no funds to reimburse the Park Police for protective services in this account. Funds requested for that purpose, with the concurrence of the Secretary, have been appropriated to the Park Police in the National Park Service appropriation. The managers have not included a bill-wide provision regarding OMB Circular A-76 contract studies which will be addressed elsewhere in this statement. As a result, funds are included for the departmental A-76 coordinator. The managers have also agreed to provide funds to the Office of ADP Management. The Secretary is expected to inform the Committees of actions he proposes to take so that the concerns addressed in the House report are met.

No funds are provided to establish or participate in a Federal-State working group to find some way to reconcile conflicts between the application of the Endangered Species Act in the Upper Colorado River system and the interstate system of laws within that system. The Secretary is, however, expected to work with the appropriate states to mitigate and reconcile the many conflicts which have developed under the Act.

OFFICE OF THE SOLICITOR

Appropriates \$20,548,000 instead of \$19,463,000 as proposed by the House and \$21,242,000 as proposed by the Senate.

The increase over the amount proposed by the House includes \$1,035,000 to accommodate the workload generated by the Office of Surface Mining's assumption of regulatory functions in Oklahoma

and Tennessee and \$50,000 for an additional attorney for Indian cases.

Bill language proposing a transfer of the Associate Solicitor for Indian Affairs to the Bureau of Indian Affairs has been deleted. The managers remain concerned, however, with the issue of conflict of interest within the Department, when Indian interests are in conflict with other interests of the Department. This issue has become particularly acute in recent years in the area of Indian water rights. The position taken by a previous Solicitor of the Department, which relegated the Federal government's trust responsibility to the same level as other competing interests which do not carry the same requirements as the trust responsibility, is not acceptable. The managers expect the Department to carry out the Federal government's trust responsibility to the fullest extent, including the protection and enhancement of Indian rights. The Committees will continue to monitor closely the conduct of the Solicitor's Office in this area.

CONSTRUCTION MANAGEMENT

Appropriates \$750,000 as proposed by the House instead of \$916,000 as proposed by the Senate.

OFFICE OF THE SECRETARY

(SPECIAL FOREIGN CURRENCY PROGRAM)

Appropriates \$2,000,000 for U.S. Fish and Wildlife Service research in India and Pakistan with excess foreign currency funds instead of \$5,500,000 as proposed by the Senate.

ADMINISTRATIVE PROVISIONS

Language is recommended which authorizes acquisition of four aircraft for replacement only and prohibits augmentation of programs funded by appropriations in the Office of the Secretary, Solicitor, and Inspector General through the Working Capital Fund or the Consolidated Working Fund.

DEPARTMENT-WIDE PROVISIONS

Sec. 102. Continues authority to transfer no-year funds for emergency actions (e.g. fires, earthquakes, subsidence, etc.) with provision that such amounts transferred are to be replenished by a supplemental appropriation.

Sec. 104. Prohibits use of funds in this title for expenses of the Great Hall of Commerce.

Sec. 107. Continues moratorium on OCS leasing in the Central and Northern California planning area north of Morro Bay.

Sec. 108. Continues moratorium on OCS leasing in Georges Bank area of the North Atlantic planning area.

Sec. 109. Prohibits changing the name of Mount McKinley.

Sec. 110. Provides that appropriations in this title shall be available to provide insurance in Canada and Mexico.

Sec. 111. Continues moratorium on OCS leasing in the Southern California planning area.

The managers note that this is the fourth year in which OCS moratoria have been included in this bill. The managers will not continue such blanket moratoria in future years unless a case can be made that the pre-lease negotiation process with the Department of the Interior is inadequate to ensure that all resource values and Department of Defense needs are provided proper consideration and protection in specific areas, and then such moratoria will not exceed the geographic limit of such areas. The Department is urged to pursue a resolution of the long-term leasing status of these areas through continuing negotiations with the appropriate Congressional, state, and local officials, and it is expected that adequate consultation with these officials will occur pursuant to the Outer Continental Shelf Lands Act, as amended.

The managers agree to delete House provisions prohibiting exchanges in Alaska conservation areas and in National Wildlife Refuges and National Park Units. The managers expect the appropriate committees of jurisdiction to be consulted before exchanges in these areas are proposed.

Sec. 112. Prohibits nonreimbursable details unless consistent with the Office of Personnel Management regulations.

Sec. 113. Extends the obligation deadline for Urban Park, Land and Water Conservation Fund, and Historic Preservation Fund funds provided in Public Law 98-8 from September 30, 1984 to March 1, 1985.

Bill language concerning the transfer of power facilities on Guam has not been included at this time in lieu of the following directive of the managers:

On October 5, 1972, the Department of the Navy and the Guam Power Authority (GPA) entered into an agreement which provided for the pooling of power production and transmission systems and for an equitable sharing of costs. The ultimate objective of this agreement was to transfer the control of the islandwide power production and transmission systems to the Guam Power Authority after GPA had demonstrated the capability to successfully operate the system. The Department of the Navy then would become a customer of GPA.

Because GPA's financial viability has been tenuous, primarily caused by the Guam legislature's interference in rate setting, the military has been reluctant to terminate the existing arrangement. It is essential that the military operations on Guam have an assured adequate supply of electric power. Therefore, the managers believe that an independent rate-setting body needs to be established in Guam before the power pool agreement is terminated, and the financial condition of GPA must be monitored carefully.

There is no intent on the part of the managers to transfer military base distribution assets or assets which are necessary to supply emergency power for military operations or which are needed in a reserve capacity for national defense. However, the managers would anticipate that military-owned power generating and transmission facilities and easements, which are not needed solely for these purposes, be transferred to GPA, or be made available for use, at no cost to GPA. GPA shall operate and maintain the power facilities that are not reserved exclusively for military

base distribution or stand-by purposes, in accordance with electric utility standards for similar areas and situations.

It is the intent of the managers to see the customer-supplier relationship established. The Secretaries of Interior and Navy shall commission an independent third party in coordination with GPA to identify financial, management, and service criteria for GPA, and recommend a plan, with performance standards and milestones, for takeover by GPA of island-wide power responsibilities. In addition, the Independent third party shall insure that the plan addresses adequately the specific minimum power required now and for the next twenty years by any Department of Defense Agency or facility currently sited on Guam. The Independent third party will judge when the plan's performance standards and milestones are met, and shall complete the plan and present it to the House and Senate Committees on Appropriations within 12 months of the enactment of this Act.

The plan shall approach the transfer in a phased manner, with the following objectives: (1) developing a contract whereby GPA will operate and maintain Tanguisson power plant; (2) transferring maintenance responsibilities to GPA for the transmission (and distribution) system; and (3) developing a contract for GPA to provide reliable electric service to the military in accordance with electric utility standards including the levels of cold reserve and spinning reserve for similar island areas and stable year-long weather situations.

A critical first step is the joint manning of GPA's dispatch control center. The managers expect that Navy and GPA will establish together a training program which will promptly provide for joint manning not later than July 1985 or as soon thereafter as any necessary additional operating equipment can be procured by GPA, installed and tested.

The aforementioned plan presupposes that (1) the legislature of Guam will establish an independent rate setting body and (2) the GPA will attain a level of financial stability, both of which must be acceptable to the Secretary of the Interior. The Secretary will certify his acceptance to the Committees on Appropriations after consultation with the Secretary of the Navy. When both criteria have been met, and the plan has been completed and reported to the Committees, the Secretaries of both Departments will insure that it is implemented promptly, but in any event, not later than 12 months following completion of the plan or the certification, whichever comes later. Should GPA's financial situation deteriorate following certification, the period for implementing the plan will be extended for the period of time necessary for financial health to be restored, as determined by the Secretary of the Interior. Moreover, the independent third party, with the approval of the House and Senate Committees on Appropriations, may also extend the period for implementation whenever, in its discretion, a particular performance standard or milestone is not being met.

TITLE II—RELATED AGENCIES
DEPARTMENT OF AGRICULTURE

FOREST SERVICE

FOREST RESEARCH

Appropriates \$123,433,000 instead of \$123,710,000 as proposed by the House and \$124,395,000 as proposed by the Senate.

The amount provided over the budget estimate of \$103,070,000 includes the following: fire and atmospheric sciences—\$500,000 for acid deposition research; insect and disease research—\$100,000 at Fairbanks, AK, \$640,000 at Morgantown, WV for gypsy moth research, \$100,000 at Berkeley, CA, \$60,000 for acid deposition research; inventory and analysis—\$3,600,000 to increase frequency of inventory cycle in all regions, and \$2,300,000 for acid deposition research; trees and timber management—\$150,000 for FIR, \$250,000 at Columbia, MO, \$100,000 at Lincoln, NE, \$100,000 at Fairbanks, AK, \$100,000 at Moscow, ID, \$300,000 at Sewanee, TN, and \$1,350,000 for acid deposition research; watershed management and rehabilitation—\$173,000 at Fairbanks, AK, and \$1,250,000 for acid deposition; wildlife, range, and fish habitat—\$150,000 at La Grande, OR, \$40,000 for Skagit River eagles, \$100,000 for anadromous fish habitat at Arcata, Ca, \$100,000 at Boise, ID, \$50,000 at Columbia, MO, \$100,000 at Fairbanks, AK, and \$150,000 at Juneau, AK; recreation research—\$100,000 at Chicago, IL; forest products and harvesting—\$500,000 for the Forest Products Laboratory; competitive grants program—\$8,000,000, divided equally between improved harvesting, processing, and utilization research, and basic forestry biology including biotechnology.

The managers expect the Forest Service to work with the Fish and Wildlife Service, the Bureau of Land Management, and other interested groups to develop a comprehensive research proposal for timber management practices in the interactive zone between coastal and upstream waters for California, Oregon, Washington, and Alaska, and to devote appropriate research attention in 1985 to address resource conflicts in high yield forest areas threatened by landslides and other problems.

STATE AND PRIVATE FORESTRY

Appropriates \$59,505,000 instead of \$61,810,000 as proposed by the House and \$56,835,000 as proposed by the Senate.

The amount under the House consists of decreases of \$90,000 for cooperative lands pest suppression; \$65,000 for fire protection; \$530,000 for wood utilization; \$1,600,000 for urban forestry; and \$20,000 for management improvement.

House language is retained which provides a grant of \$325,000 for the Disabled American Veterans resort in Minnesota; and earmarks \$35,000 for oak wilt suppression in Texas.

The managers direct the Forest Service, working with State Foresters and other interested groups, to develop, analyze, and report the advantages and disadvantages of various targeting procedures for State and private grant funding to the Committees prior to the

FY1986 appropriation hearings. If no substantive progress has been made, the managers have agreed to consider this approach again next year.

NATIONAL FOREST SYSTEM

Appropriates \$1,067,020,000 instead of \$1,041,459,000 as proposed by the House and \$1,064,710,000 as proposed by the Senate.

The net increase over the amount provided by the Senate consists of increases of \$2,200,000 for advanced sales-preparation for 200 mbf of new timber sales; \$914,000 for maintenance of facilities; \$3,500,000 for budgeted costs for processing and handling defaulted volumes and re-purchased volumes; \$1,000,000 for trail maintenance; \$400,000 for a timber cost-accounting system; \$2,800,000 for tree improvement; \$6,000,000 for recreation use; \$500,000 for cultural resources; \$500,000 for soil, water, and air administration, and \$1,300,000 for inventories; and decreases of \$1,000,000 for leaseable minerals; \$500,000 for timber related road maintenance support; \$2,000,000 for nursery operations; \$1,600,000 for timber related recreation support; \$400,000 for timber related wildlife support; \$400,000 for timber related soil, water, and air support; \$5,500,000 for the preparation and offer of 500 mbf for new timber sales; \$1,904,000 for noxious weed control; \$1,000,000 for anadromous fish habitat; and \$2,500,000 for the Forest Level Information Processing System (FLIPS).

In developing the expanded timber cost accounting system, in line with concerns expressed in the House and Senate report, the Forest Service should develop proposals for a reasonable but complete system and should work with the accounting systems division of GAO in developing the system. At a minimum, the system should allow for identification of the costs of the timber sale program by component, and allow for a comparison of actual costs and benefits. The system should also allow for identifying other aspects of the timber program, such as firewood and non-convertible products. The Committees expect to be kept fully informed of the progress on this effort, including an initial report to the Committee within 60 days of enactment of this act.

The increase for the land line location program is for the base program, not an increase in support of the timber program.

The managers support the Forest Service efforts to install distributed data processing throughout the organization. However, a reduction of \$2,500,000 has been applied to the FLIPS program, to be taken from appropriate sources within this account, in order to encourage more cost conscious management of this project than has been shown to date. The managers are also concerned that the Forest Service has not yet fully analyzed the costs and benefits associated with the FLIPS procurement. Therefore, the managers direct that the Forest Service withhold orders for the acquisition of any additional FLIPS hardware until the following directives are addressed by the Forest Service, reported to and approved by the Committees on Appropriations. The Forest Service response should be submitted to the Committees by no later than December 31, 1984, and address the following recommendations:

- Centralize the management of FLIPS in an organization under the direct supervision of the highest management officials of the Forest Service having sufficient authority, staff and other resources to plan and control its implementation at all organizational levels;
 - Establish systems and procedures to closely monitor and manage all FLIPS costs and benefits in an acceptable cost accounting manner, periodically reporting on any changes in planned and actual numbers to the Committees on Appropriations as requested in several prior reports;
 - Strengthen central management control over software acquisition, development, maintenance and use, establishing and enforcing agency-wide policy, procedures and standards to ensure compatibility and software sharing;
 - In conjunction with software management, establish a data base administrator to develop uniform data dictionaries and directories;
 - Perform an agency-wide analysis of ADP technical skills needed to operate and maintain FLIPS, measuring any possible skills gap at each site, and staffing and training needed to close any such gap;
 - Analyze, plan for and implement the security requirements of all automated systems, concentrating especially on FLIPS because of its widely distributed nature; and
 - Establish a comprehensive information resource planning and evaluation process to establish requirements, set priorities, allocate resources, and assess progress in the above activities.
- The managers agree that not less than \$3,300,000 for high priority projects within the scope of the approved budget shall be carried out by the Youth Conservation Corps as if authorized by the Act of August 13, 1970, as amended by Public Law 93-408.

CONSTRUCTION

Appropriates \$268,635,000 instead of \$260,798,000 as proposed by the House and \$281,235,000 as proposed by the Senate.

The decrease from the amount proposed by the Senate includes decreases of \$500,000 from the FS high priority recreation construction list, leaving an increase of \$4,500,000; \$325,000 for the Sunny Dene Resort, and \$14,500,000 for timber roads; and increases of \$165,000 for roads and \$560,000 for recreation facilities in the Bankhead NF, AL, and \$2,000,000 for trail construction.

The managers will consider additional funds for the Mt. St. Helens Visitors Center in the FY 1985 supplemental if the plans and bids indicate an additional need.

Unexpended timber purchaser credits in the amount of \$226,290,000 have been transferred to offset appropriations in this account, instead of a rescission of \$226,348,000 as proposed by the Senate and a rescission of \$226,290,000 as proposed by the House. The managers also reduced the 1985 allowance for timber purchaser road credits by \$90,000,000, to reflect unobligated balances carried forward.

LAND ACQUISITION

Appropriates \$44,493,000 instead of \$64,000,000 as proposed by the House and \$32,295,000 as proposed by the Senate. The following table shows the allocation agreed to by the managers:

Acquisition management	\$3,565,000
Allegheny NF, PA	2,000,000
Appalachian Trail	1,000,000
Cascade Head SRA, OR	773,000
Flathead WSR, MT	1,000,000
Green Mountain NF, VT	3,400,000
Lake Tahoe Basin, CA and NV	10,000,000
Monongahela NF, WV	450,000
Mount St. Helens NVM, WA	310,000
Nantahala NF, NC	1,250,000
Pisgah NF, NC	375,000
Salmon WSR (Main Stem), ID	1,500,000
Santa Fe NF, NM	1,000,000
Sawtooth NRA, ID	4,000,000
Spruce Knob-Seneca Rocks NRA, WV	1,000,000
Toiyabe NF, NV	4,000,000
Wayne NF, Ohio	1,200,000
White Mountain NF, NH and ME	4,000,000
White River NF, CO	1,000,000
Endangered Species Habitat, CA (condor)	1,600,000
Cash equalization-exchanges	1,070,000
Total	44,493,000

The managers agree that the Service is to use available funds to acquire the Hamilton Wedge tract in the Monongahela NF. No funds are provided for "Weeks Act" acquisitions in the Wayne NF.

With respect to the funds provided for the Allegheny NF, the managers have agreed to include bill language providing for obligation of funds only to the extent that the Secretary deems necessary to carry out the purposes of the Pennsylvania Wilderness Act of 1984.

Funds are provided for acquisition of the Mingus, Palomino Ranch, and Peabody tracts in the Wayne NF, Ohio.

YOUTH CONSERVATION CORPS

The managers have agreed to continue the program within available funds in the U.S. Fish and Wildlife Service, the National Park Service, and the Forest Service.

RANGE BETTERMENT FUND

The managers have deleted Senate language providing for a minimum level of appropriations from the Range Betterment Fund.

ADMINISTRATIVE PROVISIONS

Bill language prohibiting abolishing or changing regions without Committee approval is included.

Language is included requiring advance approval of the House and Senate Appropriations Committees before altering the appropriation structure.

Language is included requiring the personal approval of the Chief of the Forest Service on certain specific documents and instruments.

Language is included regarding adjustment of recreation residence fees. The Forest Service is expected to complete action to resolve this issue as quickly as possible.

DEPARTMENT OF THE TREASURY

ENERGY SECURITY RESERVE

The managers agree to rescind \$5,375,000,000 of funds in the Energy Security Reserve previously available to the Synthetic Fuels Corporation. This reduction is in addition to a \$2 billion rescission of SFC funds in June, 1984. Of the \$8,025,000,000 which remains available for the original purposes of the Corporation, \$5,700,000,000 is to be applied to projects which presently have an authorized letter of intent with the SFC on or before June 1, 1984. Eight projects totaling nearly \$6,800,000,000 in earmarked assistance are eligible for funding from this \$5,700,000,000 set-aside. The agreement provides that if any of these set-aside funds remain available, due to cancellation of projects or for other reason, one half of these funds will be retained to assist other projects which may be supported by the Corporation. The remaining fifty percent of such funds would remain among the assets of the Corporation but shall not be available for obligation. They will, however, remain available for further appropriation by the Congress.

The managers have designated that \$750,000,000 of the \$5,375,000,000 rescission noted previously is to be placed in a funding reserve entitled the Clean Coal Technology Reserve, solely for the purpose of conducting clean coal demonstration activities such as those eligible for consideration under section 320 of the Senate reported version of H.R. 5973. Annual funding for such activities is subject to appropriation by the Congress. The managers agree that the \$750 million placed in reserve for clean coal technology demonstration activities should be used to demonstrate commercial feasibility of technologies and not for ongoing research and development on a small scale. Extensive industrial support would be necessary for this, and the managers have included a cost-sharing requirement in the bill language so that industrial financial commitment is considered as one of the important project evaluation criteria.

The agreement further stipulates that when considering projects for assistance, the Board of Directors are to ignore the national synthetic fuel production goals established in section 125 of the Energy Security Act until the recommended comprehensive strategy for the future of the synthetic fuels program has been completed, adopted by the Board, submitted to and approved by the Congress as required by section 126 of the Act. And, certain changes with respect to public access to information, conduct of board meetings in public, and personal conduct have been incorporated in the bill.

The managers on the part of the House have most reluctantly agreed to delete language prohibiting the use of funds for the Union II and Cathedral Bluffs oil shale projects which it considered to be extravagant and not consistent with the statutory mandate that such projects reflect technological diversity. The House, when

it considered the synthetic fuels program, included the prohibition out of concern for the substantial potential outlays with only a limited increase in technological diversity. The managers agree, however, that it is more appropriate for a reconstituted Board of Directors to review these projects rather than have Congressional action preclude further consideration in view of the substantial investment made by the companies to advance the projects this far. The review should consider the extent to which the projects meet the technological diversity goal and the suspension of the production goals of the Energy Security Act.

DEPARTMENT OF ENERGY

FOSSIL ENERGY RESEARCH AND DEVELOPMENT

Appropriates \$280,558,000 for fossil energy research and development instead of \$267,558,000 as proposed by the House and \$275,633,000 as proposed by the Senate. Changes to the House proposal include increases of \$1,000,000 for gas stream cleanup; \$1,000,000 for coal liquefaction infratechnology and generic technology development; \$500,000 for a study of an integrated coal-fired power train for locomotive applications; \$1,250,000 for a high-temperature, high-pressure bench scale research unit for study of composite sorbents; \$1,500,000 for operation at higher pressures of the U-Gas agglomerating fluidized bed gasification technique; \$1,000,000 for eastern oil shale; \$450,000 for western tight gas sands research; \$1,000,000 for strategic and critical materials research in conjunction with the Bureau of Mines program; \$7,500,000 for the kilngas demonstration and \$400,000 for reservoir property measurement. The managers have also provided an additional \$2,000,000 for the increased and accelerated 11 Mw full height stack test incorporating the most advanced technology available.

Decreases to the House proposal include \$1,000,000 for advanced technology development of the phosphoric acid fuel cell; \$400,000 for 7.5 megawatt fuel cell technology development; \$1,500,000 for magnetohydrodynamics; \$1,500,000 for methanol overfiring over coal and \$200,000 in the amount provided for tube replacement at an existing DOE atmospheric fluidized bed demonstration in the nation's capital.

The managers agree that there is \$1,000,000 each for Carbondale and the Ames Laboratory in the amount provided for coal preparation and \$1,000,000 for a laboratory scale demonstration of purged carbon. The amount for Carbondale covers an eight month period. There is a total increase over the budget request of \$3,000,000 for eastern oil shale for specific eastern shale research in such areas as expanding the data base, increasing the utilization of fines, for moving bed hydroretorting, to study beneficiation, chemical composition of kerogen, primary and secondary reaction products of eastern oil shale retorting, and for the gasification characteristics of eastern oil shale.

The managers agree that continuation of Congressional support for magnetohydrodynamics can continue only if the private sector moves aggressively to provide significant cost sharing. Although

the managers understand that cost sharing would normally be more heavily weighted toward the outyears of the program, cost sharing early in the program's planned schedule must serve to indicate the commitment of the private sector toward development of this technology and set the pace for technology development.

The managers expect that future budget justifications for advanced research and technology development will include only those activities which are truly program cross-cutting. Gasification and liquefaction items, for example, should be budgeted in their respective programs rather than as part of advanced research and technology development.

The managers expect the study of an integrated coal-fired power train for locomotive applications to involve industry, a national laboratory and university participants. No money is available for a slagging combustor test at the Pittsburgh Energy Technology Center.

NAVAL PETROLEUM AND OIL SHALE RESERVES

Appropriates \$160,076,000 for Naval Petroleum and Oil Shale Reserves instead of \$159,855,000 as proposed by the House and \$164,216,000 as proposed by the Senate. Changes from the House level include reductions of \$43,000 in headquarters program direction and \$96,000 in NPR-3 program direction and an increase of \$360,000 for one of the gas wells being drilled on Naval Oil Shale Reserve 3 in order to provide an opportunity to incorporate the Western tight sands research with the well.

ENERGY CONSERVATION

Appropriates \$467,969,000 for energy conservation instead of \$485,494,000 as proposed by the House and \$449,844,000 as proposed by the Senate. In buildings and community systems there is a reduction of \$600,000 from the House position for thermally activated heat pumps and \$3,500,000 in the amount provided for a district heating retrofit. For industrial programs, the changes to the House position include an increase of \$1,000,000 for research and development of sensors and controls, including further research on in-situ analysis of molten metals and separations, an increase of \$2,200,000 for capital equipment, and a decrease of \$800,000 for organic rankine cycle fluids for bottoming cycle applications. The House level for Direct Strip Casting research and development includes \$1,000,000 for a second multi-year effort which the department should prepare to cost share through the pilot plant stage if the process proves to be technically feasible.

The transportation programs include a \$500,000 increase for lead acid and nickel iron batteries, and \$1,000,000 for increased dynamometer and in-vehicle testing of new batteries and vehicle system technologies, and a \$1,500,000 decrease for a methanol vehicle demonstration.

There are decreases from the House position in the state and local programs of \$5,000,000 for the low income weatherization program and \$2,000,000 in the schools and hospitals program. No funds are provided for a pilot fellowship program, a reduction of \$1,000,000 from the House position.

In the multi-sector program, there is an increase of \$1,925,000 for the energy conversion and utilization technology activity. Program direction is also increased by \$250,000 over the House position. There is a reduction of \$10,000,000 in the amount made available to establish an energy conservation applied research laboratory at Northwestern University. The \$16,000,000 remaining available will provide for design and initial construction of the facility. Presently, there is no research center devoted exclusively to energy conservation like other programs within the Department of Energy. The laboratory will serve as a focus to the energy conservation research programs of the Department, improve their effectiveness and reemphasize the vital role energy conservation must have in our overall energy program. The center will also serve as a focus for technology transfer.

The \$1,500,000 made available for district heating is to use the Scranton, PA system as a laboratory for developing ways to modernize old district heating systems. The \$14,000,000 provided for the automotive Stirling engine is for further MOD II design and actual engine fabrication of hardware for the engine.

Language is included as proposed by the Senate to permit state energy office grants and energy extension grants to the Commonwealth of the Northern Mariana Islands, the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau.

The methanol vehicle demonstration program provided in the Department of Energy is to be closely coordinated with that begun in the Department of Defense so that the maximum benefit may be derived.

ECONOMIC REGULATION

Appropriates \$25,247,000 for Economic Regulation instead of \$31,037,000 as proposed by the House and \$23,397,000 as proposed by the Senate. There are two decreases to the amount provided by the House; one of \$20,000 for the Office of Hearings and Appeals and \$5,770,000 for emergency preparedness. Emergency preparedness is being provided for in a new separate appropriation account.

EMERGENCY PREPAREDNESS

Appropriates \$6,220,000 for emergency preparedness as proposed by the Senate. A new appropriation account is established for emergency preparedness apart from Economic Regulation and apart from the Strategic Petroleum Reserve. The Secretary is provided with authority to transfer funds to emergency preparedness from other accounts available to the Department of Energy from this bill. Prior notification before any such transfer is expected in keeping with existing reprogramming guidelines.

SPR PETROLEUM ACCOUNT

Appropriates \$2,049,550,000 for the SPR Petroleum Account instead of \$2,349,550,000 as proposed by the Senate and \$2,351,400,000 as proposed by the House. This amount will provide for a fill rate of approximately 159,000 barrels per day.

ENERGY INFORMATION ADMINISTRATION

Appropriates \$61,657,000 for the Energy Information Administration instead of \$62,057,000 as proposed by the House and \$61,563,000 as proposed by the Senate. Changes to the Senate position include a decrease of \$1,000,000 for quality maintenance and increases of \$644,000 for additional staffing requirements and \$200,000 for state heating oil grants. There is also an increase of \$250,000 above the Senate amount to design a survey which would gather information for research purposes from industrial sources of emissions of sulfur and nitrogen oxides. EIA is to report to the Congress upon the completion of the survey design on any additional resources which may be required for the conduct of the survey.

The managers agree that the manufacturing energy consumption survey (previously referred to as the industrial consumption survey) shall be conducted in a manner that will protect confidential energy information and will not be overly burdensome on respondents. EIA should continue to work with the Bureau of the Census and others to find the best method to conduct the survey.

The managers also concur that it is important for EIA to be able to continue to collect essential energy information including natural gas data comparable to that included in the "Natural Gas Annual," and insist that the Department and other officials allow EIA to carry out its statutory duties. The managers intend that EIA continue to analyze the data it collects, and to issue timely reports like those it has issued in the past two years on current developments in the natural gas industry.

The managers agree that enhanced monitoring of No. 2 distillate within the Petroleum Allocation for Defense District I-A and I-B shall be for each state that is participating in the state heating oil grant program.

In addition to the information called for in the House Report, regarding enhanced monitoring, the managers agree that EIA shall include the latest information available to it concerning national, regional, and state distillate production, imports and stocks.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH SERVICES ADMINISTRATION

INDIAN HEALTH SERVICES

Appropriates \$809,927,000 instead of \$817,992,000 as proposed by the House and \$796,243,000 as proposed by the Senate.

The net increase over the amount proposed by the Senate includes the following: decreases of \$80,000 for the model diabetes program, \$180,000 for the village-based clinic program in Alaska, and \$2,840,000 general program restoration; and increases of \$4,000,000 for emergency medical services, \$7,482,000 for mandatory cost increases, \$357,000 for hospital and health clinic staff, \$125,000 for alcoholism programs, \$1,700,000 for contract care, \$1,079,000 for preventive health staff, \$632,000 for Indian health manpower, and \$1,409,000 for program management.

The managers direct that \$10,000,000 of the carryover balances in the Medicare/Medicaid fund be used to fund mandatory cost in-

creases in the hospitals and clinics program. The managers agree that the additional staffing funds provided under hospitals and health clinics and preventive health are sufficient to support the number of positions identified in the House report. \$125,000 of the increase for the alcoholism program shall be directed to the Warm Springs tribe, making a total of \$200,000 for a demonstration program. The managers direct that the contracts for alcoholism research at the Universities of Washington and Oklahoma be continued at the 1984 level.

The managers agree that up to \$500,000 shall be made available to develop mental health and substance abuse programs at the Sherman and Phoenix boarding schools. The managers agree that the expanded contract with the Mid-Dakota hospital shall not include any reimbursement for claims submitted in past years which have been denied. The contract shall cover current and future services only.

The managers agree that at least \$500,000 shall be available for the Poarch Band of Creek Indians. The service area shall include Mobile County, Alabama in addition to the counties named in the House report.

At the discretion of the Director of the Indian Health Service, such funds as are deemed necessary may be provided to the Seattle Urban Indian Health program from the amounts available for the hepatitis-B program, to meet the health needs of Alaskan Natives residing in that area.

The managers agree that \$220,000 of the funds available for Indian health manpower shall be provided for the administrative expenses of the masters in public health program.

Of the increase over the budget estimate provided for program management, \$1,000,000 shall be used to initiate a training program and \$1,409,000 is provided in partial restoration of the 1984 base level of funding.

The managers direct that no charges for personnel costs associated with the regional operations for facilities engineering and construction be assessed to IHS without prior approval of the House and Senate Appropriations Committees.

INDIAN HEALTH FACILITIES

Appropriates \$62,892,000 for Indian health facilities instead of \$96,137,000 as proposed by the House and \$43,535,000 as proposed by the Senate. The increase over the amount proposed by the Senate consists of \$1,027,000 for site work for the Rosebud hospital, \$9,910,000 for construction of outpatient care facilities at Kyle, SD, Wolf Point, MT, and Ft. Thompson, SD, \$5,000,000 for sanitation facilities, and \$3,420,000 for construction of personnel quarters at Crownpoint, NM.

The managers agree that \$3,500,000 of the sanitation construction funds shall be used in cooperation with the Navajo and Hopi Indian Relocation Commission program.

The managers remain concerned with the delays in initiating construction projects once funds have been appropriated. The Department is directed to prepare planning information documents annually on the top five construction priority projects and to report

to the Committees by February 1, 1985 on other steps which can be taken to streamline the facilities planning and design process. The managers expect timely notification of any adverse impact on the facilities construction program caused by the reorganization of the regional offices of facilities engineering and construction.

ADMINISTRATIVE PROVISIONS

Bill language proposed by the House establishing a floor for full-time equivalent positions has been deleted. The managers have taken this action on the assurance of the Department that no ceilings will be imposed on the Indian Health Service which would impede carrying out the IHS program as funded by the Congress. The Committees will monitor this situation closely to determine if additional action is required .

Bill language proposed by the Senate establishing a limit on contract care payments has been deleted.

Bill language proposed by the Senate allowing Indian Health Service to seek subrogation of claims has been modified to ensure that such action may not be taken if it involves billing of individual beneficiaries.

Bill language proposed by the Senate to allow the use of other than IHS funds for facilities improvements has been included.

DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

INDIAN EDUCATION

The managers agree, that to the maximum extent possible, Indian Parent Committees are to be allowed to participate in curriculum decisions. The managers also agree that responsibilities between Indian Parent Committees and Local Educational Agencies should be delineated as in prior years.

OTHER RELATED AGENCIES

NAVAJO AND HOPI INDIAN RELOCATION COMMISSION

Appropriates \$20,736,000, for salaries and expenses as proposed by the Senate instead of \$16,986,000 as proposed by the House.

The net increase of \$3,750,000 above the House includes an increase of \$3,575,000 for Relocation Operations and \$175,000 to be transferred from the requested level for Operation of the Commission to the Discretionary Fund.

Language is included in the bill to establish July 7, 1985 as the deadline for receipt of applications for voluntary relocation instead of June 30, 1985 as proposed by the Senate.

The managers agree that benefits for voluntary relocation shall be available only to those households or individuals who have filed an application with the Commission on or prior to July 7, 1985.

With respect to "involuntary relocatees," the managers believe that it is the responsibility of the Commission to notify those individuals eligible for relocation of the change in the date for applications. After July 7, 1985, those people who have not applied cannot

be considered uninformed and therefore are "involuntary relocations" if they have not made the effort to apply for relocation with the Commission.

SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

Appropriates \$165,730,000 instead of \$171,699,000 as proposed by the House and \$160,271,000 as proposed by the Senate.

The net decrease below the amount proposed by the House consists of the following: increases of \$800,000 for computer equipment for the Smithsonian Astrophysical Observatory, and \$100,000 for a curator of aquatic habitats; and decreases of \$160,000 for Evans Hall exhibitions, \$150,000 for tropical reforestation research, \$150,000 for vehicle and equipment replacement for the National Zoo, \$43,000 for asbestos removal at the Silver Hill site, \$80,000 for conservation equipment and staff for the National Museum of American Art, \$87,000 for conservation equipment and staff for the National Portrait Gallery, \$149,000 for the Hirshhorn Museum and Sculpture Garden, \$100,000 for Sackler Gallery acquisitions, \$37,000 for the Anacostia Neighborhood Museum, \$28,000 for library equipment, \$211,000 for the National Museum Act, \$831,000 for programs and staffing at the Museum Support Center, \$4,414,000 for equipment for the Museum Support Center, \$154,000 for equipment for the Office of Protection Services, and \$275,000 for personnel costs for the Office of Plant Services.

Three additional positions have been provided for a five year project to remove asbestos from objects stored at Silver Hill. The managers agree that the other three positions required shall be reallocated from base resources. Unbudgeted funds provided for research projects at the National Museum of Natural History include one-time equipment and start-up costs. These one-time costs are not to be reflected in the fiscal year 1986 request. Although no additional funds have been provided for equipping the new Anacostia Neighborhood Museum, the managers expect that these requirements will be met within the amount currently available for construction and the base equipment resources of the Museum.

Bill language earmarks \$789,000 to carry out the provisions of the National Museum Act, and \$350,000 for the National Symphony and \$350,000 for the Washington Opera in connection with their responsibilities as resident companies of the Kennedy Center, an independent bureau of the Smithsonian.

A total of \$3,325,000 has been provided for equipment at the Museum Support Center. The estimated costs for collections storage equipment at the MSC have trebled since the initial estimates were provided in fiscal year 1981; and even though staffing, program, equipment, and move costs have been fully funded for the past four years, the scheduled move of the collections to the Center has fallen two years behind schedule. Furthermore, the existing resources which the Smithsonian had previously identified as being available to absorb some of these additional expenses have not yet been proposed for reallocation to the Center. The managers expect to be informed in a timely manner of any further revisions to the

estimates for equipment costs and the scheduled collections move to the MSC.

The managers are greatly concerned by the Institution's seeming inability to accurately estimate costs associated with major construction and equipment programs, especially in view of the aggressive building program the Smithsonian hopes to pursue. For example, the January 1984 5-year plan included estimates of \$35,000,000 to rehabilitate the old general post office building and \$12,000,000 for each pod of the proposed Dulles facility. Two months later, the Smithsonian testified that \$40,000,000 and \$20,000,000 were the amounts needed for those facilities. The Committees expect to be informed as to what actions the Regents will propose to alleviate concerns generated by estimates such as those and for the MSC equipment.

The managers state their continued adherence to the plan presented by the Smithsonian to the Congress when construction of the Quadrangle Building was presented joining the Sackler Gallery with the Freer Gallery as the center for Asian and Near East art and culture; and the National Museum of African Art as the center for sub-Saharan African art and culture, and expect the Smithsonian to adhere also to that plan.

The Smithsonian requested funds for operation of organizations expected to occupy the Quadrangle structure as a separate budget activity. The managers have agreed to provide funds for these programs in the appropriate budget activity and expect that future justifications will reflect costs associated with programs to be justified within the justification for the proper organization.

CONSTRUCTION AND IMPROVEMENTS, NATIONAL ZOOLOGICAL PARK

Appropriates \$4,950,000 as proposed by the Senate instead of \$4,150,000 as proposed by the House. The managers agree that none of the available funds should be used for renovations to the Holt House.

RESTORATION AND RENOVATION OF BUILDINGS

Bill language is included under restoration and renovation of buildings allowing the transfer of up to \$100,000 to Santa Cruz County, Arizona for repairing of the bridge and rerouting of the access road to the Whipple Observatory as proposed by the Senate.

The managers agree that none of the restoration and renovation funds, or any other funds, may be used for developing the master plan for the proposed construction at Dulles Airport until such construction has been authorized. Funds budgeted in the 1985 request (\$135,000) should be reallocated to the next priority renovation project.

NATIONAL GALLERY OF ART

Appropriates \$36,821,000 for salaries and expenses as proposed by the Senate instead of \$35,603,000 as proposed by the House.

The net increase of \$1,218,000 above the House-passed level includes increases of an additional \$2,000,000 to support the Treasure Houses of Britain exhibition and \$218,000 for utilities, which re-

duces the budget request for utilities by \$300,000, and a decrease of \$1,000,000 for renovation of the West building.

The managers have included bill language earmarking \$2,000,000 for the Treasure Houses of Britain exhibition.

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

The managers request that the Board of Trustees of the Woodrow Wilson International Center for Scholars and the Board of Regents of the Smithsonian at their next meeting consider whether the Woodrow Wilson Center should be a part of Smithsonian's proposed international center and under what terms and conditions. The managers request that the two boards report their decision to the Congress. The title of the account for the Woodrow Wilson International Center for Scholars is changed to "Woodrow Wilson International Center for Scholars, Salaries and Expenses".

The bill does not include language and additional funding to establish an Endowment Challenge Fund as proposed by the Senate. The managers agree that before such a fund is established, specific authorization should be enacted.

NATIONAL FOUNDATION ON THE ARTS AND HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS

GRANTS AND ADMINISTRATION

Appropriates \$137,000,000 instead of \$144,118,000 as proposed by the House and \$132,000,000 as proposed by the Senate. This includes \$121,100,000 for program and state grants instead of \$127,750,000 as proposed by the House and \$118,300,000 as proposed by the Senate; and \$15,900,000 for administrative programs instead of \$16,368,000 as proposed by the House and \$13,700,000 as proposed by the Senate.

The managers agree on the following allocation of funds:

Program grants:	
Artists-in-Schools.....	\$5,450,000
Educational program.....	100,000
Dance.....	9,000,000
Design Arts.....	4,400,000
Expansion Arts.....	6,850,000
Folk Arts.....	3,200,000
Inter Arts.....	4,250,000
Literature.....	5,250,000
Media Arts.....	9,250,000
Museums.....	11,500,000
Music.....	12,450,000
Opera/Musical Theatre.....	4,200,000
Locals Test.....	2,300,000
Theatre.....	11,000,000
Visual Arts.....	6,400,000
Advancement.....	700,000
Subtotal, program grants.....	96,800,000
State Programs.....	24,800,000
Subtotal, grants.....	121,100,000
Administrative area:	
Policy Planning and Research.....	1,000,000

Regional Representatives	700,000
Administration	14,200,000
	<hr/>
Subtotal, administrative area	15,900,000
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Total, grants and administration	137,000,000

MATCHING GRANTS

Appropriates \$30,000,000 as proposed by the Senate instead of \$30,882,000 as proposed by the House. This includes \$9,000,000 for Treasury funds and \$21,000,000 for challenge grants.

NATIONAL ENDOWMENT FOR THE HUMANITIES

GRANTS AND ADMINISTRATION

Appropriates \$111,325,000 instead of \$114,964,000 as proposed by the House and \$107,975,000 as proposed by the Senate. This includes \$97,150,000 for program and state grants instead of \$100,982,000 as proposed by the House and \$94,500,000 as proposed by the Senate; and \$14,175,000 for administrative programs instead of \$13,982,000 as proposed by the House and \$13,475,000 as proposed by the Senate.

The managers agree on the following allocation of funds:

Program grants:	
Media Grants	\$9,100,000
Museums and Historical Organizations.....	9,000,000
Humanities programs for youth.....	750,000
Humanities programs for adults.....	1,450,000
Humanities projects in libraries	3,000,000
Education programs	18,500,000
Fellowships and seminars	14,500,000
Research grants.....	19,000,000
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Subtotal, program grants.....	75,300,000
State programs	21,850,000
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Subtotal, grants	97,150,000
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Administrative area:	
Administration	13,475,000
Planning and assessment	700,000
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Subtotal, administrative areas.....	14,175,000
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Total, grants and administration	111,325,000

MATCHING GRANTS

Appropriates \$31,000,000 instead of \$30,036,000 as proposed by the House and \$32,000,000 as proposed by the Senate. This includes \$11,000,000 for Treasury funds and \$20,000,000 for challenge grants.

INSTITUTE OF MUSEUM SERVICES

GRANTS AND ADMINISTRATION

Appropriates \$22,000,000 instead of \$27,000,000 as proposed by the House and \$14,387,000 as proposed by the Senate. The managers agree on the following allocation of funds:

General operating support grants	\$17,574,000
Conservation grants	3,500,000
Museum Service Board	76,000
Program administration	850,000
Total	22,000,000

No funds are provided for a "National Capital Region Arts and Cultural Affairs Program." The managers are concerned that the Director of the Institute and staff, as part of an effort to discredit the concept, took numerous actions that appear to violate Section 304 of Public Law 98-146 and the provisions of 18 U.S.C. 1913. Before referring this to the Attorney General, the managers want a full explanation of the actions of the IMS Director and staff in connection with this matter.

COMMISSION OF FINE ARTS

Appropriates \$380,000 for salaries and expenses as proposed by the Senate instead of \$379,000 as proposed by the House.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

Appropriates \$1,578,000 for salaries and expenses as proposed by the House instead of \$1,611,000 as proposed by the Senate.

NATIONAL CAPITAL PLANNING COMMISSION

Appropriates \$2,725,000 for salaries and expenses as proposed by the House instead of \$2,735,000 as proposed by the Senate.

PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION

Appropriates \$2,300,000 for salaries and expenses instead of \$2,229,000 as proposed by the House and \$2,330,000 as proposed by the Senate.

The increase of \$71,000 above the amount proposed by the House is for one-time relocation expenses.

UNITED STATES HOLOCAUST MEMORIAL COUNCIL

Appropriates \$2,031,000 for the Holocaust Memorial Council instead of \$1,976,000 as proposed by the House and \$2,051,000 as proposed by the Senate.

The net increase of \$55,000 above the amount provided by the House is to be utilized for the Museum Education Development Component (\$160,000) and maintains the Museum Archives and Research Development component at the requested level (\$245,000).

TITLE III—GENERAL PROVISIONS

The managers have agreed to delete the House provision which prohibited use of funds for additional A-76 contracting unless funds for studies had been specifically budgeted and approved for such studies. The managers have been assured by the Office of Management and Budget and the Department of the Interior that studies will look only at activities involving more than 10 full-time

equivalents and that studies underway on activities involving fewer than 10 full-time equivalents must show savings significantly greater than the cost of completing the study. No new studies of activities involving less than 10 full-time equivalents will be initiated. The managers agree that the study related to road maintenance at Glacier National Park (which involves 10.2 full-time equivalents) should be discontinued.

Sec. 305. Provides for a continued prohibition on the enforcement of steel shot regulations by the Department of the Interior in any State without such states' approval until state and flyway specific base-line criteria are promulgated by the Department. The managers hope that the Department of the Interior's ongoing consultative process, involving states, flyway groups, sportsmen and wildlife groups and others, will produce a consensus proposal, reflecting the public comment and the value of scientific data.

Sec. 308. Provides for a continuation of the prohibition on the use of funds to process or issue leases for coal, oil, gas, oil shale, phosphate, potassium, sulfur, gilsonate, or geothermal resources on wilderness lands and Forest Service RARE II further planning and Bureau of Land Management wilderness study areas.

Sec. 314. Provides no deer hunting on Loxahatchee NWR.

Sec. 315. Provides that the Department of the Interior and the Forest Service, when contracting for private air services, must use FAA certified aircraft unless the Secretary determines such aircraft are not available.

Sec. 316. Provides certain restrictions on the use of funds for the designation, management, or enhancement of grizzly bear habitat on National Park System or National Forest System lands.

Sec. 317. Provides for the transfer of certain lands on Guam from the General Services Administration to the Department of the Interior.

Sec. 318. Provides for the development of an inventory of waterfowl production areas in North Dakota under easement. The managers will review progress on the North Dakota waterfowl production area easement quantification project in conjunction with the fiscal year 1986 budget process, and will consider necessary funding and staffing requirements at that time.

Sec. 319. Provides for the extension of certain leases under the Geothermal Steam Act of 1970 and prohibits geothermal leasing in the Island Park area.

Sec. 320. Establishes funds within various agencies funded by the Act for deposit of collections from quarters rentals to be used for operation and maintenance of such quarters.

Sec. 321. Provides for the Secretary of Energy to solicit private sector interest in the cost-shared construction of facilities employing clean coal technologies.

The managers have deleted language proposed by the Senate which amended the Indian Elementary and Secondary School Assistance Act. This provision was included in Public Law 98-396, the Second Supplemental for FY 1984.

Sec. 322. Provides for travel payments to firefighters from their official duty station to the fire event and return to their official duty station.

Sec. 323. Expresses the sense of the Congress that the Continental Scientific Drilling Program is an important national scientific endeavor benefiting the Commerce of the Nation.

Sec. 324. Amends the Surface Mining Reclamation and Control Act to include a subsidence insurance program as one of the purposes for which funds in the Abandoned Mine Reclamation program may be used. The managers agree that a subsidence insurance program shall not increase the liability of the United States or subsidence.

Sec. 325. Provides certain leasing restrictions on a 960 acre tract in Payne County, Oklahoma.

Sec. 326. Eliminates matching share requirements under Section 107(e) of the Surface Mining and Control and Reclamation Act of 1977 for acquisition and relocation in Centralia, Pennsylvania.

Sec. 327. Provides for a two percent reduction in new budget authority, to be applied ratably to every account program, activity, and project funded in this Act.

Amendment No. 5: Agrees to the House level for the Mary McLeod Bethune "Council House." This matter is addressed in Amendment No. 4.

Amendment No. 6: Provides travel costs for Forest Service fire fighters to and from official duty stations. This matter is addressed in Amendment No. 4.

Amendment No. 7: Prohibits geothermal leasing in the Island Park area west of Yellowstone National Park. This matter is addressed in Amendment No. 4.

Amendment No. 8: Provides \$100,000, on a matching basis, to develop a habitat preservation plan for North Key Largo in cooperation with the State of Florida and private landowners. This matter is addressed in Amendment No. 4.

Amendment No. 9: Adds \$536,000 for a wetlands demonstration project on the Des Plaines River. This matter is addressed in Amendment No. 4.

Amendment No. 10: Deletes additional \$300,000 earmarking to accelerate renovation and rehabilitation of the William Howard Taft home proposed by the Senate. \$200,000 is provided for this work under Amendment No. 4.

Amendment No. 11: Agrees to the House level of \$1,000,000 for the Milk River Irrigation Project. This matter is addressed in Amendment No. 4.

Amendment No. 12: Agrees to language setting forth requirements to be met prior to establishing new grizzly bear habitats; requiring public participation; and requiring detailed budget information. This matter is addressed in Amendment No. 4.

Amendment No. 13: Extends the time for the Bureau of Land Management to complete land segregation until the Department of the Navy withdrawal application is acted upon by the Congress. This matter is addressed in Amendment No. 4.

Amendment No. 14: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which forgives interest payments and establishes a bond repayment fund for the John F. Kennedy Center. Such payments will be made from parking revenues.

Amendment No. 15: Deletes the additional \$250,000 proposed by the Senate to be earmarked for a study of Pacific Northwest salmon stock production. Amendment No. 4 provides \$250,000 and requires the study to be conducted within six months.

Amendment No. 16: Agrees to the House level of \$2,000,000 for land acquisition within the Allegheny National Forest. This matter is addressed in Amendment No. 4.

Amendment No. 17: Exempts the State of Pennsylvania from the matching requirements for the Centralia fire relocation program. This matter is addressed in Amendment No. 4.

LABOR/HHS/EDUCATION RATE OF OPERATION

Amendment No. 18: Inserts language providing for funding of programs, projects or activities provided for in the Departments of Labor, Health and Human Services and Education and Related Agencies Appropriation Act, 1985 (H.R. 6028), to the extent and in the manner provided for in the conference report and joint explanatory statement of the Committee of Conference (House Report Numbered 98-1132), filed in the House of Representatives on October 3, 1984, as if such Act had been enacted into law, and continues the language of the 1984 appropriation Act with respect to voluntary school prayer and payments for abortions, which is identical to the language in sections 204 and 307 of H.R. 6028 as passed the House. The House resolution contained language which provided for funding for Labor, Health and Human Services, and Education programs at the rate provided in H.R. 6028 as passed the House. The Senate resolution contained language which provided for funding at the rate of the Senate-passed bill. In addition, an appropriation of \$4,000,000 is provided, as proposed by the Senate, for the United States Institute for Peace recently authorized in the Department of Defense Authorization Act for 1985. The House resolution contained no provision with regard to the Institute.

NATIONAL LIBRARY OF MEDICINE

Amendment No. 19: Appropriates \$3,500,000 for the National Library of Medicine instead of \$7,400,000 as proposed by the Senate. The House resolution contained no similar provision.

SUMMIT CONFERENCE ON EDUCATION

Amendment No. 20: Deletes \$500,000 proposed by the Senate for expenses related to a national summit conference on education. The House resolution contained no similar provision.

ALCOHOL, DRUG ABUSE AND MENTAL HEALTH

Amendment No. 21: Appropriates \$2,500,000 for alcohol, drug abuse and mental health instead of \$9,000,000 as proposed by the Senate. The House resolution included no similar provision. The conferees are agreed that the additional funds provided are for state planning grants authorized by the Alcohol, Drug Abuse and Mental Health Amendments of 1984.

REFUGEE RESETTLEMENT SYSTEMS

Amendment No. 22: Inserts language proposed by the Senate which authorizes demonstration projects to test alternative refugee resettlement systems. No similar provision was included in the House resolution.

MILITARY CONSTRUCTION

Amendment No. 23: Appropriates \$8,405,206,000 for military construction for the Department of Defense for the fiscal year ending September 30, 1985, instead of \$8,258,471,037 as proposed by the House and \$8,535,946,000 as proposed by the Senate.

ITEMS OF GENERAL INTEREST

Alternate construction methods.—The House and Senate both included language urging the Department to continue to explore various alternate construction methods. The conferees reiterate that the Department is to continue to explore all areas mentioned in both the House and Senate reports. Each Service is to identify and report on at least one project to be performed under performance specification and turnkey methods in both fiscal year 1985 and fiscal year 1986. A report on all initiatives to explore alternate construction methods, which includes estimates of potential cost savings and specific recommendations on legislative actions, should be submitted by January 31, 1985.

Architect and engineer liability.—The conferees urge the continued vigorous pursuit by the Department of instances of potential architect and engineer liability. Although the amounts actually obtained have increased, they remain small in relation to the amounts sought. The Department is to devote all the legal resources necessary to fully pursue all instances of potential architect and engineer liability.

Reprogramming criteria.—The conferees have agreed to continue all existing reprogramming criteria for military construction projects. The conferees agree that the existing reprogramming criteria apply to all military construction projects, including those estimated to cost less than \$1,000,000. The Fiscal Year 1985 Military Construction Authorization Act (P.L. 98-407, Section 802) authorizes the Services to pay any deficiency judgement awarded by a court for land condemnations from funds available for military construction without regard to limitations on the agreed price for the land. The conferees direct that all land acquisition projects shall continue to be governed by existing reprogramming criteria, which require that prior approval be obtained before any payments above existing thresholds are made.

New family housing construction projects are to be governed by the same rules that govern military construction projects. The family housing improvement projects over \$3,000,000 are to be governed by the same criteria as military construction projects. The operation and maintenance accounts continue to be governed by the same rule established last year. The conferees are also agreed that the clarification of this rule relating to cumulative transfers as outlined in the House report is to be put into effect. In addition

to these requirements, the conferees have added a new rule on transferring funds between or among the subaccounts of the operations accounts as follows: The transfer of any amount in excess of 25 percent or \$3,000,000, whichever is less, shall be reported to the Committees within 30 days of such action.

Energy.—The conferees are concerned that the Air Force is ignoring the requirement to review all construction projects for potential solar energy applications and direct that they submit a report by January 31, 1985, detailing efforts made to pursue solar energy applications on military construction projects. The conferees urge the Navy to expeditiously complete ongoing studies of potential sites for development of geothermal energy and also expect that the NWS China Lake, California, project will be on line by September of 1985 and that the NAS Fallon, Nevada, project will be on line by late 1986. In addition, the Department should follow the direction of the Senate report concerning ceiling fans.

Dependents overseas.—The conferees are concerned about the growing number of dependents at overseas locations, not only because of the high cost of supporting them, but also because of inability of the United States to evacuate them in a contingency situation. The conferees direct that a report on this subject as outlined in the Senate report be submitted not later than January 31, 1985. The conferees further direct that the preparation of this study not be contracted out to a private firm.

U.S. construction in Europe.—The conferees agree with the House position that not enough has been done by the U.S. Government to stimulate U.S. business participation in NATO infrastructure and unilaterally funded military construction projects in Europe. The conferees direct that an ombudsman-type office be established immediately to facilitate U.S. business participation in these projects. The conferees have taken additional steps to promote U.S. business participation in European construction projects, which are outlined in other sections of this report.

Commerce Business Daily notification.—The conferees direct that, effective immediately, all U.S. funded military construction projects throughout the world over \$5,000,000 are to be advertised in the Commerce Business Daily. In addition, all internationally bid NATO infrastructure projects and clustered projects over \$5,000,000 are to be advertised in the Commerce Business Daily. These notifications are to contain a contact point with U.S. Government personnel familiar with the project in addition to other pertinent information.

Persian Gulf construction program.—The conferees direct that contracts on all approved military construction projects over \$5,000,000 in fiscal year 1984 and fiscal year 1985, including Morocco, are to be let under the existing American preference policy. In addition, the conferees direct the Department to submit by January 31, 1985, a report detailing all known and anticipated operation and maintenance costs to the U.S. for our facilities in Diego Garcia, Egypt, Kenya, Morocco, Oman, and Somalia.

Family housing construction improvements.—The conferees have agreed to retain the \$30,000 limit on improvements to foreign source units. The conferees have also agreed that all future requests for improvement projects are to clearly indicate the

amounts spent on the given units in the previous three years and the amounts planned in the following three years. The conferees also note the application of existing criteria for reprogramming to construction improvement projects over \$3,000,000. This will allow for close monitoring of actual costs. The conferees also note that both House and Senate reports contained similar restrictions on the approval of projects within this lump sum account which are to be followed. Existing rules on classification of expenditures between the maintenance and improvements accounts are to continue in effect. The Services should strive for an 85% execution rate in this account. Funds for a given project should not be requested if it is deemed unexecutable in the budget year at the time of the budget submission.

Family housing maintenance.—The conferees are agreed that the details of any proposed expenditure which would exceed \$15,000 per unit per year for maintenance and repair is to be identified as part of the justification material for this account. The conferees direct that a report be submitted no later than January 31, 1985, detailing all actual expenditures in the fiscal years 1983 and 1984 from the maintenance account where more than \$15,000 per unit has been expended on general or flag officer quarters. In addition, the conferees direct that operations and maintenance expenditures on all general or flag officer quarters are limited to \$25,000 per year unless specifically approved by the Committees on Appropriations. A list of affected units where expenditures are anticipated to exceed \$25,000 in fiscal year 1985 should be submitted no later than January 31, 1985. The Services' cooperation in implementing these new restrictions will determine whether additional restrictions are required next year.

The conferees also direct the Department to submit an initial plan on historic structures called for in the House report by March 1, 1985.

Power generation.—If the military establishes a generation facility or goes outside the local public utility system for power, the military is encouraged to take into account the impact upon the remaining electric consumers and to therefore coordinate with the current local provider of electric services to mitigate the adverse rate impact to those remaining consumers.

Matters addressed by only one committee.—The reports of both the House and the Senate contain items addressed by only one committee. Unless otherwise indicated in this conference report, those items are approved by the committee of conference.

MILITARY CONSTRUCTION, ARMY

The conferees agreed to the appropriation of \$1,593,137,000 for Military construction, Army, instead of \$1,606,350,000 as proposed by the House and \$1,640,177,000 as proposed by the Senate. The amount of \$153,500,000 is earmarked for planning and design purposes. The conferees have agreed to the following additions and deletions to the amounts and line items as proposed by the House:

Alaska—Fort Richardson: Dining facilities modernization	+ \$1,700,000
Arizona—Fort Huachuca: General instruction building	+ 500,000
California—Fort Irwin: Cold storage facility	+ 1,850,000
Colorado—Fort Carson: Range roads	+ 250,000

Georgia—Fort Stewart/Hunter AAF: Physical fitness training center.....	+ 1,363,000
Indiana—Fort Benjamin Harrison: Barracks.....	+ 13,400,000
New York—Fort Drum: Physical fitness training center.....	+ 968,000
North Carolina—Fort Bragg: Security operations training facility....	+ 38,000,000
Oklahoma—Fort Sill: Physical fitness training center.....	+ 800,000
Pennsylvania—New Cumberland Army Depot: Site acquisition and preparation.....	+ 6,550,000
South Carolina—Fort Jackson: Applied instruction facility.....	+ 10,200,000
CONUS Classified.....	+ 1,000,000
Germany:	
Ansbach:	
Aircraft maintenance facility (Katterbach Kaserne).....	+ 19,000,000
Ammunition storage.....	— 730,000
Europe Various: Ammunition storage Phase 1.....	¹ — 670,000
Fulda: Military clothing sales store.....	— 360,000
Giessen:	
Barracks.....	+ 12,000,000
Utilities.....	+ 3,900,000
Hanau: Physical fitness training center.....	— 884,000
Mainz: Ammunition storage.....	¹ — 870,000
Nuernberg: Ammunition storage.....	¹ — 1,150,000
Wuerzburg: Ammunition storage.....	¹ — 530,000
General reduction.....	— 130,000,000
Exigent minor construction.....	+ 4,000,000
Planning and design.....	+ 6,500,000
Total.....	— 13,213,000

¹ Failed authorization.

The conferees agreed to fund all other items in conference at the level proposed by the House, as shown below:

California—Fort Ord: Military operations in urbanized terrain.....	\$4,500,000
Maryland:	
Aberdeen Proving Ground: Unaccompanied enlisted personnel housing.....	17,800,000
Fort Detrick: Medical logistics building addition.....	3,100,000
New York—Fort Drum: Central heating plant.....	13,000,000
Pennsylvania—Fort Indiantown Gap: Electric substation.....	2,500,000
Texas—Corpus Christi Army Depot: Composite blade test facility....	2,200,000
Virginia:	
Fort Belvoir:	
Communications facility.....	17,200,000
Computer systems development facility.....	0
Fort Pickett: Heating plant.....	2,400,000
Germany:	
Ansbach:	
Aircraft parking apron (Storks Barracks).....	0
Ammunition storage.....	1,500,000
Barracks.....	0
Dining facility.....	0
Tactical equipment shop.....	0
Utilities.....	0
Aschaffenburg: Ammunition storage.....	780,000
Fulda: Ammunition storage.....	1,850,000
Giessen:	
Battalion headquarters.....	0
Tactical equipment shop.....	0
Rheinberg: Purchase of support facilities.....	0
Schweinfurt: Ammunition storage.....	930,000
Wuerzburg: Ammunition storage.....	510,000

Kentucky—Lexington-Blue Grass Army Depot: Demilitarization facility.—The conferees have agreed to include language in the bill preventing use of funds in this Act for construction of a chemical munitions demilitarization facility at this location.

New York—Fort Drum: Central heating plant.—The conferees agreed to fund the \$13,000,000 heating plant proposed by the House. However, the Army is to assure the Committees on Appropriations that the facility will be constructed in a manner to use the most fuel efficient heating methods.

Virginia—Fort Belvoir: Computer systems development facility.—The conferees have deferred funding for the \$31,200,000 computer facility planned at Fort Belvoir, Virginia. The Army is to reexamine the scope of this project and come forward with a less costly facility.

Germany—Ansbach (Katterbach Kaserne): Aircraft maintenance facility.—The conferees have provided \$19,000,000 for a maintenance facility at Katterbach Kaserne in Ansbach, Germany, as a prefinanced NATO infrastructure project. The conferees understand that this project will become eligible in the next NATO infrastructure program and expect the Department to immediately pursue recoupment. Prefinancing this project was deemed necessary due to the need to free up space for other relocations associated with force modernization in Germany.

Germany—Ansbach (Storks Barracks): Aircraft parking apron.—The conferees have not recommended fiscal year 1985 appropriations for the \$12,000,000 aircraft parking apron at Storks Barracks in Ansbach, Germany. It appears that funding for army airfields will be included in the next NATO infrastructure program. The conferees endorse the use of NATO infrastructure funds for this project; however, if the project does not become NATO eligible, a future appropriations request would be considered.

Germany—Fulda: Military clothing sales store.—The conferees have agreed to fund the \$360,000 requested for a military clothing sales store at Fulda, Germany, through minor construction funds, as indicated in the Senate report.

Germany—Giessen: Various projects.—The conferees have agreed to fund a \$12,000,000 barracks and a \$3,900,000 utility heating plant at Giessen, Germany. These projects were in question because of the Army's plan to deploy DIVAD at Giessen. However, the Army has now stated that these projects are needed regardless of the type of air defense system deployed. The conferees have not funded the proposed \$1,550,000 battalion headquarters and \$11,600,000 tactical equipment shop. These projects should be submitted following decisions on DIVAD deployment.

Germany—Rheinberg: Purchase of support facilities.—The conferees have agreed to defer without prejudice the \$13,100,000 authorized to purchase a former rug factory for a support facility at Rheinberg, Germany. The Department is to seek funding for this project at the highest level of the Government of the Federal Republic of Germany. Additionally, further review of this project in terms of NATO infrastructure funding is to be considered. Although the initial phase requested for this project is only \$13 million, the project initiates a new army base in Europe that will involve 6,000 U.S. active duty personnel and dependents. Additionally, the Army envisions hiring more than 1,000 German nationals to work on the base. Although the conferees recognize the merits of the administrative functions of this facility, there is a need to

share the U.S. burden for its costs. The conferees agreed that the Army may proceed with design related to this project.

Germany—Vilseck: Master restationing program.—The conferees agreed to release \$23,500,000 in prior-year funds for the construction of facilities at Vilseck, Germany. The conferees further agreed that the funds were released in order to support force modernization in Europe and should not be seen as a weakening in the House/Senate feeling that funds should be sought from the Republic of Germany for the master restationing plan. The conferees feel that the Government of Germany should help share the costs of moving U.S. troops forward in Germany. The Vilseck projects were released in order to complete construction of the first phase of a force modernization program, which would be delayed and more costly if undertaken at other locations. The conferees direct the Army to continue its efforts to obtain funding from Germany for the master restationing plan.

Indoor swimming pools.—The conferees have agreed to fund indoor swimming pools at Fort Steward, Georgia (\$1,363,000); Fort Drum, New York (\$968,000); and Fort Sill, Oklahoma (\$800,000). However, the Army is to first examine each of these projects to determine whether alternate construction methods could be used to enclose existing pools or to construct the pools proposed in fiscal year 1985. The funding for the indoor pools was provided based on the Army's claim that they were needed for training purposes. The conferees agreed that the construction of indoor pools should not become a part of the military construction program unless they are absolutely necessary for training.

Planning and design.—The conferees have agreed to fund Army planning and design at a level of \$153,500,000 instead of the \$147,000,000 proposed by the House and the \$160,000,000 proposed by the Senate. The funds above the House amount have been provided to meet requirements associated with the stationing of the new light infantry divisions. The additional funds are not to be used to develop full design for mobilization projects, as discussed in the House report.

MILITARY CONSTRUCTION, NAVY

The conferees agreed to the appropriation of \$1,534,592,000 for Military construction, Navy, instead of \$1,449,442,000 as proposed by the House and \$1,550,242,000 as proposed by the Senate. The amount of \$140,900,000 is earmarked for planning and design purposes. The conferees have agreed to the following additions and deletions to the amounts and line items as proposed by the House:

Arizona—MCAS Yuma: Unaccompanied enlisted personnel housing	+ \$900,000
California:	
MCAGCC Twentynine Palms: Battalion headquarters	+ 1,900,000
MCAS El Toro: Land acquisition	+ 3,500,000
MCB Camp Pendelton: Unaccompanied enlisted personnel housing	+ 1,000,000
MCRD San Diego: Unaccompanied enlisted personnel housing ..	+ 500,000
NAS North Island: Maintenance hangar	+ 5,190,000
NH San Diego: Access road	+ 2,200,000
NS Mare Island: Unaccompanied enlisted personnel housing	- 600,000
NS Treasure Island: Brig	¹ - 13,600,000
NSB San Diego: Pier extension	+ 19,500,000

PMTC Point Mugu: Electrical & electronics systems lab.....	+1,700,000
Connecticut—NH Groton: Hospital expansion	¹ -8,900,000
District of Columbia—CND Washington: Administrative office	¹ -2,000,000
Hawaii—NSB Pearl Harbor:	
Unaccompanied enlisted personnel housing	+1,000,000
Unaccompanied officer personnel housing.....	+640,000
Maine—NAS Brunswick: Land acquisition	+2,170,000
Maryland—NAVACAD Annapolis: Boat repair facility moderniza- tion.....	+200,000
Michigan—NRTF Republic: Access road.....	+1,000,000
Mississippi—NAS Meridian:	
Arm/dearm pads.....	+1,300,000
Air operations building addition.....	+820,000
Roads	+750,000
Nevada—NAS Fallon:	
Unaccompanied enlisted personnel housing.....	+12,900,000
Unaccompanied officer personnel housing.....	+8,100,000
South Carolina:	
NSY Charleston:	
Logistics support facility.....	+5,800,000
Waterfront services support building.....	+1,830,000
NSC Charleston: Data processing center.....	+2,700,000
Virginia—LANTFLT HQ Support Activity Norfolk: Operations command center addition.....	+3,000,000
Virginia—Naval Safety Center Norfolk: Naval safety center	+3,000,000
Iceland:	
NF Keflavik: Terminal equipment building addition.....	+2,620,000
NS Keflavik: Fuel facilities.....	+7,000,000
Italy—NAS Sigonella: Unaccompanied officer personnel housing	+500,000
Spain:	
NH Rota: Hospital	+15,000,000
NS Rota: Unaccompanied officer personnel housing	+910,000
United Kingdom—FOCCE London: Fleet command center	+2,620,000
Total.....	+85,150,000

¹ Failed authorization.

The conferees agreed to fund all other items in conference at the level proposed by the House, as shown below:

California—PMTC Point Mugu: Unaccompanied personnel housing (San Nicholas Island).....	\$4,500,000
Connecticut—NSB New London: Operational trainer facility	4,250,000
Florida—NAS Whiting Field: Parking apron.....	2,100,000
Maine—NSY Portsmouth: Engineering management building.....	0
Nevada—NAS Fallon:	
Maintenance hangar.....	0
Aircraft direct fueling station.....	0
North Carolina—MCAS Cherry Point: Engine test cell	9,700,000
Pennsylvania—NSY Philadelphia: Electrical distribution system.....	12,600,000
South Carolina—NS Charleston: Fleet support center.....	0
Guam—NAVCAMSWESTPAC Guam: Theater	0
Iceland—NS Keflavik: Combined operations center	4,000,000
Italy—NAS Sigonella: Automotive vehicle maintenance shop.....	1,340,000
Spain—NS Rota:	
Engine test cell.....	5,000,000
Pier extension.....	0
United Kingdom—NAVACT London: Fleet hospital facilities (RAF Lock- ing).....	¹ 0
Overseas various—NATO infrastructure support.....	0

¹ Failed authorization.

Access roads.—The conferees have agreed to fund the three requested access road projects as separate projects. The funds approved for these projects are provided under the same reprogramming rules as separate military construction projects.

California—MCAS El Toro: Land acquisition.—The conferees have agreed to provide \$3,500,000 for this land acquisition. This amount represents a more equitable appraisal of the land's actual value. The Marine Corps is to seek to purchase this land within the funds available.

California—NWS Concord: Access road.—The conferees direct the Navy to fund this project at \$500,000 with minor construction funds.

Maine—NSY Portsmouth: Engineering management building.—The conferees have not provided funds for this project as it is unexecutable in fiscal year 1985 due to lack of design. The Navy is to put this project under design so that it may be funded in a future construction program.

Nevada—NAS Fallon: Air Strike University.—The conferees have agreed to fund \$21,000,000 for projects associated with the establishment of Air Strike University at NAS Fallon, Nevada. The Committees have always been responsive to urgent requirements that occur after the budget submission. However, the initiation of a major program through additions to the budget at the congressional level is highly unusual. The Committees will entertain reprogramming requests for the two unfunded projects when they are ready for execution.

Virginia—LANTFLT HQ Support Activity Norfolk: Operations command center addition.—The conferees have approved \$21,000,000 for this project. The Navy should either reduce the scope of this facility or seek additional NATO funds, as the amount provided is a ceiling.

Guam—NAVCOMSWESTPAC Guam: Theater.—The conferees have not provided funds for the theater, but direct that it be constructed using nonappropriated funds.

Spain—NH Rota: Hospital.—The conferees have agreed to provide \$15,000,000 for this project. The Navy is to do whatever is necessary to construct this facility within the amount provided.

NATO infrastructure support.—The conferees have not provided the \$2,790,000 requested for this purpose and direct the Navy to submit a reprogramming request for these projects.

SANTA MARGARITA WATER PROJECT

The conferees have not provided any of the funds requested for the Santa Margarita water project due to the lack of authorization. The conferees direct that no funds to initiate design be obligated unless legislation is enacted to fully authorize this project.

MILITARY CONSTRUCTION, AIR FORCE

The conferees agreed to the appropriation of \$1,572,655,000 for Military construction, Air Force, instead of \$1,543,225,000 as proposed by the House and \$1,635,818,000 as proposed by the Senate. The amount of \$143,900,000 is earmarked for planning and design purposes. The conferees have agreed to the following additions and deletions to the amounts and line items as proposed by the House:

California:

Edwards AFB: Add/alter headquarters center command post	1 — \$980,000
George AFB: ECIP-Install radiant heaters	1 — 480,000

Vandenberg AFB: STS-Launch support facilities	+2,450,000
Colorado—US Air Force Academy: Add/alter cadet dining hall	+7,500,000
Florida—MacDill AFB: Satellite communication ground terminal....	+2,600,000
Georgia—Robins AFB: Hazardous materials storage facility	+9,000,000
Indiana—Grissom AFB:	
Aircraft maintenance shop.....	-400,000
Base Civil Engineer complex	-100,000
Kansas—McConnell AFB: Visiting officer quarters	¹ -3,500,000
Louisiana—England AFB:	
Aircraft maintenance area lighting	-600,000
Base Civil Engineer administrative facility.....	¹ -1,700,000
Maine—Loring AFB: Composite medical facility	+2,500,000
Michigan:	
K.I. Sawyer AFB: ALCM-Igloo	+2,500,000
Wurtsmith AFB:	
ALCM-Igloo.....	+2,500,000
Library.....	-700,000
Mississippi:	
Columbus AFB: Aircraft maintenance dock.....	+5,000,000
Keesler AFB: Electrical distribution	+3,000,000
Nebraska—Offutt AFB: Unaccompanied enlisted personnel housing	+5,400,000
New Mexico:	
Cannon AFB: Weapons maintenance facility	+1,700,000
Holloman AFB: Water lines-Boles wells.....	+3,200,000
North Dakota:	
Grand Forks AFB: Small arms range	¹ -1,300,000
Minot AFB:	
Add/alter gymnasium	¹ -560,000
Alter unaccompanied enlisted personnel housing	¹ -4,350,000
Hospital	+27,500,000
South Carolina—Shaw AFB: Add/alter gymnasium	+2,100,000
South Dakota—Ellsworth AFB: Security police facility	-650,000
Texas:	
Bergstrom AFB: ECIP-Alter lighting/mechanical systems.....	¹ -1,100,000
Brooks AFB: Directed energy laboratory	+500,000
Randolph AFB: Unaccompanied officer personnel housing.....	-300,000
Washington—Fairchild AFB:	
Security police facility.....	¹ -2,600,000
Squadron operations facility	¹ -4,000,000
Wyoming—F.E. Warren AFB:	
MX-Launch facilities site work	+2,000,000
MX-Launch facility trainer (silo)	+3,900,000
MX-Real estate acquisition	+700,000
MX-Upgrade roads and highways.....	+10,000,000
Italy—Comiso:	
GLCM-Child care center	-700,000
GLCM-Clothing sales.....	-510,000
GLCM-Library	¹ -210,000
Japan—Misawa AB: F16-Jet fuel storage	+4,400,000
Philippines—Clark AB: Add/alter passenger terminal.....	-4,200,000
United Kingdom—RAF Greenham Common: GLCM-Library	-600,000
Overseas Various—Chemical warfare protection.....	+8,520,000
General reduction	-50,000,000
Minor construction	+2,000,000
Total.....	+29,430,000

¹ Failed authorization.

The conferees agreed to fund all other items in conference at the level proposed by the House, as shown below:

Alabama—Maxwell AFB: Alter dormitories.....	\$1,800,000
Arkansas—Blytheville AFB: Alert taxiway barrier	960,000
California:	
Mather AFB: Vehicle maintenance building	5,800,000
Vandenberg AFB: STS-South Base power plant.....	0
Colorado:	
Peterson AFB: NORAD and Space Command headquarters	19,000,000

US Air Force Academy: Add/alter cadet gymnasium.....	0
Florida:	
Eglin AFB Auxiliary Field 9: Consolidated support center	5,750,000
Eglin AFB: High explosive research center	4,500,000
Tyndall AFB: Aircraft general purpose shop.....	3,450,000
Michigan:	
K.I. Sawyer AFB: Aircraft parking.....	10
Wurtsmith AFB: Aircraft parking	10
Missouri—Whiteman AFB:	
Missile operations facility	2,200,000
Recreation center.....	1,650,000
Montana—Malmstrom AFB: Add/alter gymnasium.....	1,500,000
New York:	
Griffiss AFB: Range	750,000
Plattsburgh AFB: Alter unaccompanied enlisted personnel housing....	2,900,000
Ohio—Wright-Patterson AFB: Add to Air Force Museum.....	5,400,000
Virginia—Langley AFB:	
Antisatellite-Administrative building.....	0
Antisatellite-Control center	0
Antisatellite-Cryogen storage and processing facility	0
Antisatellite-Hydrazine storage	0
Antisatellite-Integrated maintenance facility	0
Antisatellite-Missile and motor storage facility	0
Wyoming—F.E. Warren AFB: MX-Impact assistance funds	0
CONUS Unspecified—Real estate for GWEN facilities.....	0
Guam—Andersen AFB:	
Alter unaccompanied enlisted personnel housing	6,900,000
Small parts corrosion control facility.....	892,000
Italy—Comiso: GLCM-Armed Forces Radio & TV Service.....	1,155,000
Japan—Misawa AB: F16—Upgrade apron pavement.....	0
Turkey:	
Incirlik AB: Second echelon medical storage facility	10
Mus AB:	
Air cargo ramp	0
Ammunition igloos	0
Ammunition maintenance and inspection	0
Arrestor gear	0
Dispersed aprons/taxitracks/paralled taxiways	0
Hangar	0
POL storage/distribution.....	0
Water supply and distribution	0
Minor land.....	130,000

¹ Failed authorization.

California—Vandenberg AFB: South Base power plant.—The conferees have denied \$15,950,000 requested for the new power plant for Vandenberg AFB. The Air Force is to reevaluate this project and investigate the feasibility of using private company power capabilities and/or the updating of the current backup power generators.

Colorado—US Air Force Academy: Add/alter cadet dining hall and gymnasium.—The conferees have agreed to fund the cadet dining hall project at the US Air Force Academy at a level of \$7,500,000 instead of the \$13,100,000 requested. The conferees believe that this is sufficient funding to take care of the warehouse and cold storage needs included in the original request. No funding has been provided for the requested \$10,000,000 gymnasium project. The Air Force is to follow the House guidance and reduce the scope and costs of this project.

Maine—Loring AFB: Composite medical facility.—The conferees have agreed to fund the Loring AFB hospital at the amount of \$22,500,000 instead of the \$20,000,000 proposed by the House or the

\$24,900,000 proposed by the Senate. The Air Force is to reexamine the number of acute care beds planned for this hospital and make reductions as recommended in the House report.

Michigan—K.I. Sawyer AFB: Aircraft parking.—The conferees agreed that the \$600,000 aircraft parking project at K.I. Sawyer AFB should be funded through the Air Force minor construction program.

Michigan—Wurtsmith AFB: Aircraft parking and library.—The conferees agreed that the \$600,000 aircraft parking project and the \$700,000 library project are to be funded under the Air Force minor construction program.

North Dakota—Minot AFB: Hospital.—The conferees have agreed to provide funding in the amount of \$27,500,000 for a new hospital at Minot AFB. The conferees agree that funds appropriated for this project are not to be used to relocate the golf course.

Ohio—Wright-Patterson AFB: Addition to Air Force Museum.—The conferees have recommended \$5,400,000, the amount requested, for an addition to the Wright-Patterson Museum, but none of these funds are to be obligated until a matching amount has been raised in the private sector. The conferees have also agreed that private funds—not nonappropriated funds—are to be used as matching funds for this project.

Virginia—Langley AFB: Antisatellite facilities.—The conferees have deferred funding for facilities associated with the deployment of antisatellite weaponry at Langley AFB, Virginia. This action was taken because of the current schedule for deployment and uncertainties regarding procurement decisions. It appears that more than sufficient construction time is available if the projects requested this year are funded in a future appropriations bill.

Wyoming—F.E. Warren AFB: MX facilities.—The conferees have agreed to partially restore MX-related construction funds reduced by the House. The funds provided will permit the Air Force to proceed with all construction elements at F.E. Warren AFB associated with deploying the first 10 MX missiles. These 10 missiles have been designated to meet the initial operating capability in 1986 and were funded in the fiscal year 1984 Defense Appropriations Act.

Prior to obligating any of the MX-related funds approved in fiscal year 1985, the Air Force is to verify to the Committees on Appropriations that (1) the deployment of these missiles will not be in conflict with fiscal year 1985 authorization and appropriations decisions on the procurement of the MX missile and (2) sufficient testing of silo modifications has taken place to assure that construction is not preceding complete and successful testing.

The MX projects considered in conference and the amounts recommended follow:

Project	Budget request	Conference recommendation
Launch facilities site work	\$3,200,000	\$2,000,000
Launch facility trainer (silo)	3,900,000	3,900,000
Real estate acquisition	1,200,000	700,000

Project	Budget request	Conference recommendation
Upgrade roads and highways.....	21,000,000	10,000,000
Total.....	29,300,000	16,600,000

The Air Force had included a \$2,000,000 request for planning and design funds under the roads and highways portion of the MX request. The conferees agree that this should be funded under the Air Force planning and design account.

Wyoming—F.E. Warren AFB: MX impact assistance funds.—The conferees have agreed to defer without prejudice the \$5,940,000 added by the Senate for MX impact assistance funds. It was agreed that a formal Executive Branch request and justification was needed prior to appropriating the assistance funds. However, should this occur during the year, the conferees concurred that a reprogramming or a supplemental request would be considered.

CONUS Unspecified—Real estate for GWEN facilities.—The conferees have agreed to defer the \$1,200,000 requested for the site acquisition associated with the GWEN program. It is agreed that funding should not be approved until specific sites are identified.

Italy—Comiso: GLCM support facilities.—The conferees have agreed to fund facilities associated with the establishment of accompanied tours at the GLCM base at Comiso, Italy. Funds for the Armed Forces Radio and TV Service facility have been approved. The child care center is to be included in the school approved in the Defense Agencies account. Funds for these projects are not to be obligated until the Military Construction Subcommittees are satisfied that family housing construction is proceeding as outlined in the Air Force family housing section of this report.

Japan—Misawa AB: F-16 facilities.—The conferees have agreed to provide \$4,400,000, the amount requested, for a jet fuel storage facility at Misawa AB, Japan. However, the conferees felt that the \$2,830,000 project to upgrade the apron pavement should be funded under the Japanese cost sharing program. This project meets the criteria for Japanese cost sharing, and the Department should make a better effort to assure that projects meeting criteria are included in the cost sharing program.

Philippines—Clark AB: Add/alter passenger terminal.—The conferees have not recommended the \$4,200,000 requested for the Clark AB passenger terminal. The conferees agreed with the Senate position that the facility was overscoped.

Turkey—Mus AB: Collocated operating base facilities.—The conferees have not provided the \$24,500,000 requested for facilities proposed for the NATO collocated operating base at Mus, Turkey. These projects are to be funded through the NATO infrastructure program. The first stage of construction has been delayed to the point that inclusion in the next slice of the NATO infrastructure program should not delay the overall construction program. The base is fully eligible for NATO infrastructure funding and should be funded as a top priority.

United Kingdom—RAF Greenham Common: GLCM-Library.—The conferees agreed to fund the \$600,000 library proposed at RAF

Greenham Common under the Air Force minor construction account.

United Kingdom—RAF Molesworth: GLCM facilities.—Both the House and the Senate approved the funds requested for GLCM facilities at RAF Molesworth, United Kingdom. However, the conferees have agreed with the House position on the obligation of these funds. The Military Construction Appropriations Subcommittees are to be informed on the status of United Kingdom costs associated with the construction at RAF Molesworth.

Overseas Various—Chemical warfare protection facilities.—The conferees have agreed to fund chemical warfare protection facilities in the amount of \$8,520,000 instead of the \$13,400,000 recommended by the Senate and no funding recommended by the House. Only chemical facilities at U.S. bases have been recommended. The conferees believe that the Department should continue its efforts to establish both NATO and DOD guidelines for chemical protective facilities. The Department is to submit a report on these efforts to the Military Construction Appropriations Subcommittees by January 31, 1985. Projects funded in fiscal year 1985 follow:

Germany—Zweibrücken: Avionics workshop	\$2,420,000
Italy—Aviano: Photo interpretation facility	1,220,000
Turkey—Inçirlik: Squadron operations	1,220,000
United Kingdom:	
Greenham Common:	
Central security control	1,220,000
Wing command post	1,220,000
Upper Heyford: Squadron operations	1,220,000
Total	8,520,000

MILITARY CONSTRUCTION, DEFENSE AGENCIES

The conferees agreed to the appropriations of \$302,198,000 for Military construction, Defense Agencies, instead of \$309,108,000 as proposed by the House and \$351,010,000 as proposed by the Senate. The amount of \$27,500,000 is earmarked for planning and design purposes. The conferees have also agreed to include the transfer authority in the bill as proposed by the Senate. The conferees have agreed to the following additions and deletions to the amounts and line items as proposed by the House:

Georgia—Robins AFB: Relocate Defense Property Disposal Office....	+ \$2,500,000
New Mexico—White Sands Missile Range: High energy systems test fac.....	+9,000,000
Italy—Comiso: Elementary/high school.....	-2,310,000
Japan—Zukeran (Okinawa): Elementary school addition	+2,250,000
General reduction	-21,350,000
Exigent minor construction	+500,000
Planning and design.....	+2,500,000
Total	-6,910,000

The conferees agreed to fund all other items in conference at the level proposed by the House, as shown below:

California:	
Defense Language Institute Monterey:	
Physical fitness center	\$7,800,000
Recreation center	1,400,000
Defense Property Disposal Office San Diego:	
Hazardous material/waste facility.....	10

District of Columbia: Fort McNair: Land acquisition.....	10
Maryland:	
Baltimore: Appraiser's store	10
Fort Meade: SAB 3 expansion	10
Japan—Camp McTureous: Elementary school	0
Korea—Defense Fuel Support Point Pohang: Fuel tankage.....	0

¹ Failed authorization.

New Mexico—White Sands Missile Range: High energy laser systems test facility.—The conferees agreed to appropriate \$9,000,000 for the White Sands Missile Range high energy laser facility in New Mexico. However, funds are to be obligated only under a competitively bid contracting procedure.

Italy—Comiso: Elementary/high school.—The conferees agreed to fund the \$11,290,000 elementary/high school and child care center at Comiso, Italy. However, funds are not to be obligated until requirements indicated in the Air Force family housing section of this report have been met.

Japan—Camps McTureous and Zukeran: DOD dependent schools.—The conferees agreed to appropriate funds only for the Camp Zukeran project and to defer funding of the Camp McTureous project until the question of Japanese cost sharing has been resolved. The conferees agreed that if Japanese cost sharing is not forthcoming, a reprogramming action or supplemental request would be considered.

Korea—Defense Fuel Support Point Pohang: Fuel tankage.—The conferees agreed not to fund the \$15,800,000 requested for a fuel tank at DFSP Pohang, Korea. The Department is to seek Korean host nation support for this project.

General reduction.—The conferees have agreed to a general reduction of \$65,600,000 to Military construction, Defense Agencies. A reduction of \$13,100,000 has been made to the DOD dependent schools account in addition to the \$52,500,000 reduction made to other accounts to conform with specific project reductions made in the fiscal year 1985 authorization bill.

NORTH ATLANTIC TREATY ORGANIZATION INFRASTRUCTURE

The conferees agreed to appropriate \$107,200,000 for NATO infrastructure as proposed by the Senate instead of \$131,700,000 as proposed by the House. The amount provided is sufficient to meet the U.S. commitment to this program. The reduction from the amount proposed by the President is not to be taken as an offset for proposed projects at Mus Air Base, Turkey.

The appropriation is \$189,500,000 below the original Departmental request of \$296,700,000 for NATO infrastructure funding. The conferees feel that the Department is doing a poor job of providing accurate NATO infrastructure estimates, as it appears that the 63.9% reduction to this account made by Congress will have no negative effect on carrying out the NATO infrastructure program. Using better budget planning, the Department could have used the unneeded \$189,500,000 for other programs.

The conferees strongly support the U.S. effort to expand the 1985 through 1990 NATO infrastructure program to \$10 billion. In view of the expanded program, the conferees feel there should be no problem in programming the remaining \$260,000,000 in prefin-

anced projects for recoupment in the next six years. The conferees expect that no additional requests for prefinanced projects will be received until the recoupment program has achieved positive results.

The conferees are also concerned that international competitive bidding requirements are waived on many NATO infrastructure projects. Because of this concern, the conferees direct that the Committees on Appropriations are to be notified within 30 days of the granting of any waiver of international competitive bidding procedures on NATO infrastructure projects over \$5,000,000. These notifications should contain an explanation of the reasons for these waivers.

The conferees have agreed to add under the amendment numbered 24 a general provision requiring the recoupment of one dollar in prefinanced NATO projects for every four dollars obligated.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

The conferees agreed to the appropriation of \$98,603,000 for Military construction, Army National Guard, instead of \$92,117,000 as proposed by the House and \$96,900,000 as proposed by the Senate. The conferees have agreed to the following additions and deletions to the amounts and line items as proposed by the House:

Massachusetts—Dorchester: Armory.....	¹ —\$1,600,000
Minor construction.....	+8,086,000
Total.....	+6,486,000

¹ Failed authorization.

The conferees agreed to fund all other items in conference at the level proposed by the House, as shown below:

Ohio—Akron/Canton Airfield: Army aviation support facility.....	\$3,770,000
Oklahoma—Holdenville: Armory.....	900,000

Minor construction.—The conferees have provided \$16,086,000 of the \$19,053,000 requested for minor construction and direct that the following projects be accomplished with these funds:

Alabama:	
Dothan: Organizational maintenance shop addition/alteration.....	\$140,000
Eglin AFB, Florida: Tank ranges.....	173,000
Northport: Organizational maintenance shop No. 9.....	301,000
Alaska:	
Alakanuk: Scout armory expansion.....	122,000
Camp Denali:	
U.S. property and fiscal officer's office improvements.....	117,000
Contingency storage site.....	163,000
Kipnuk: Scout armory expansion.....	127,000
Kwethluk: Scout armory expansion.....	122,000
Noatak: Scout armory expansion.....	127,000
Nome: Armory unit storage building.....	262,000
Point Hope: Scout armory expansion.....	127,000
Tununak: Scout armory expansion.....	122,000
Arkansas:	
Camp Robinson:	
Academic building (classrooms).....	322,000
Activity center, National Guard Professional Education Center ..	352,000
Combined support maintenance shop/vault.....	87,000
Professional Education Center learning center.....	369,000
Scaled range target system.....	64,000

Training facility pistol range phase 2.....	27,000
California:	
Barstow: Organizational maintenance shop.....	273,000
National City: Organizational maintenance shop addition.....	89,000
Riverside: Organizational maintenance shop miscellaneous work.....	184,000
San Lorenzo: Organizational maintenance shop alterations/adds.....	101,000
Santa Ana: Organizational maintenance shop miscellaneous work.....	165,000
Georgia:	
Atlanta: U.S. Property and Fiscal Officer's Office addition.....	318,000
Baxley: Armory unit storage building.....	23,000
Hawkinsville: Armory unit storage building.....	65,000
Hunter: Armory unit storage building.....	223,000
Louisville: Armory unit storage building.....	70,000
Lyons: Armory unit storage building.....	152,000
Macon: Military academy rehabilitation.....	151,000
Quitman: Armory unit storage building.....	33,000
Reidsville: Armory unit storage building.....	33,000
Illinois:	
Camp Lincoln: Upgrade existing baffled range rifle/pistol.....	103,000
Quincy: Armory unit storage addition.....	33,000
Springfield: Combined support maintenance shop rehabilitation paint shop ventilation.....	98,000
Hawaii:	
Hilo: Ammunition storage.....	114,000
Pearl City: Contingency storage site.....	107,000
Wheeler: Ammunition storage.....	59,000
Kentucky:	
Ashland: Armory parking.....	77,000
East Kentucky Training Site: 25 meter/field fire range.....	186,000
Louisiana:	
Camp Beauregard:	
Combined support maintenance shop renovation.....	289,000
NCO education system barracks.....	329,000
Organizational maintenance shop expansion No. 4.....	193,000
Winterize barracks.....	328,000
Fort Polk: Crane facility.....	110,000
Maryland:	
Edgewood:	
Organizational maintenance shop.....	265,000
Rehabilitate administration building.....	36,000
Havre de Grace: Contingency storage site.....	153,000
Mississippi:	
Camp Shelby:	
Rehabilitate bachelor officer quarters.....	39,000
Range infantry remote engagement target.....	370,000
Greenwood: Organizational maintenance shop.....	273,000
Nevada:	
Carson City: Contingency storage site.....	61,000
Indian Springs: Tank table No. 7 range.....	189,000
New York:	
Camp Smith:	
Contingency storage site.....	180,000
25 meter range.....	189,000
Guilderland: Training area.....	336,000
Newark Training Site: Combat pistol range/M-16 25 meter.....	160,000
Rochester:	
Combined support maintenance shop modernization.....	45,000
Contingency storage site.....	140,000
Youngstown Training Site: Combat pistol range.....	68,000
North Carolina:	
Ahoskie: Armory addition.....	85,000
Asheville: Armory addition.....	100,000
Camp Butler:	
Combat pistol.....	67,000
Night firing range.....	150,000
Record fire range.....	113,000
25 meter zero/M79.....	66,000

Fayetteville: Armory unit storage building.....	43,000
Fort Bragg:	
Mobilization and training equipment site apron.....	26,000
Mobilization and training equipment site POV parking.....	273,000
Monroe: Armory unit storage building.....	24,000
Raeford: Armory unit storage building.....	21,000
Rockingham: Armory unit storage building.....	82,000
Southern Pines: Armory unit storage building.....	24,000
Ohio:	
Camp Perry:	
Barracks latrine/company administration Phase IV.....	363,000
Battalion dispensary.....	147,000
Contingency storage site.....	75,000
Oklahoma:	
Norman: Direct support logistics facility/spare parts supply fac.....	86,000
Stillwater: Organizational maintenance shop No. 4.....	272,000
Oregon—Camp Rilea: Ammunition bunkers (2).....	200,000
Pennsylvania:	
Butler: Organizational maintenance shop renovation.....	113,000
Clearfield: Armory alteration.....	142,000
Connellsville: Organizational maintenance shop modernization.....	75,000
Fort Indiantown Gap:	
Aircraft fuel storage facility addition.....	140,000
Army aviation support facility security fence.....	58,000
Unit training and equipment site alteration.....	261,000
Lebanon: Motor vehicle storage building expansion.....	54,000
New Castle: Organizational maintenance shop No. 9 alteration.....	70,000
Philadelphia: Organizational maintenance shop—admin area.....	56,000
South Carolina:	
Fort Jackson:	
NCO Academy (Primary NCO course).....	290,000
Upgrade water system.....	270,000
Tennessee:	
Camden: Organizational maintenance shop subshop.....	240,000
Smyrna: Vault and supply battalion.....	103,000
Texas:	
Austin: Army aviation support facility expansion hangar and air- craft parking.....	210,000
Columbus: Armory rehabilitation/addition.....	400,000
Denison: Armory rehabilitation.....	277,000
Henderson: Armory rehabilitation/addition.....	400,000
Utah:	
Beaver: Organizational maintenance shop No. 10.....	282,000
Camp Williams:	
Dispensary.....	175,000
Training facility.....	149,000
Ogden: Organizational maintenance shop No. 2 rehabilitation.....	176,000
Washington:	
Camp Murray: Contingency storage site.....	144,000
Ephrata: Organizational maintenance shop (2 bay).....	250,000
Total.....	16,086,000

The conferees agreed that changes from this project listing are to be reported to the Military Construction Appropriations Subcommittees.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

The conferees agreed to the appropriation of \$111,200,000 for Military construction, Air National Guard, as proposed by the House instead of \$110,700,000 as proposed by the Senate. The conferees have agreed to fund all items in conference at the level proposed by the House, as shown below:

New York—Stewart Airport: Phase IV construction.....	\$10,500,000
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General reduction.....	- 10,000,000
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MILITARY CONSTRUCTION, ARMY RESERVE

The conferees agreed to the appropriation of \$69,306,000 for Military construction, Army Reserve, instead of \$67,306,000 as proposed by the House and \$70,400,000 as proposed by the Senate. The conferees have agreed to the following addition to the amounts and line items as proposed by the House:

American Samoa—150 member Army Reserve Center.....	+ \$2,000,000
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MILITARY CONSTRUCTION, NAVAL RESERVE

The conferees agreed to the appropriation of \$60,800,000 for Military construction, Naval Reserve, as proposed by the Senate instead of \$63,800,000 as proposed by the House. The conferees have agreed to the following deletion to the amounts and line items as proposed by the House:

Illinois—NAS Glenview: Runway overlay	¹ - \$3,000,000
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¹ Failed authorization.

FAMILY HOUSING, ARMY

The conferees agree to an appropriation of \$1,348,432,000 for Family housing, Army, instead of \$1,338,752,000 as proposed by the House and \$1,340,412,000 as proposed by the Senate. The conferees are agreed that \$143,215,000 is appropriated for construction, \$1,183,300,000 is appropriated for operations and maintenance, and \$21,917,000 is appropriated for debt payment. The conferees have agreed to the following additions and deletions to the amounts and line items as proposed by the House:

California—Sierra Army Depot: Family housing units.....	- \$520,000
Operations: Management	+ 2,200,000
Maintenance	+ 8,000,000
Total.....	+ 9,680,000

The conferees agreed to fund all other items in conference at the level proposed by the House, as shown below:

Texas—Fort Hood: 20 family housing units	\$1,950,000
Germany:	
Babenhausen: 106 family housing units	7,620,000
Mainz: 186 family housing units	14,200,000
Construction improvements.....	100,000,000
General reduction	0
Operations:	
Services	44,500,000
Utilities	285,000,000
Furnishings	112,800,000
Miscellaneous	1,000,000
Leasing.....	105,000,000

California—Fort Ord: Trailer pads.—The conferees agreed that the Army is to construct 70 trailer pads estimated to cost \$1,081,000 out of funds available in the family housing construction account.

California—Sierra Army Depot: Family housing units.—The conferees have agreed to provide \$400,000 to acquire title to 125 units

of Wherry housing at this location and \$5,130,000 to construct 80 units of new housing.

Maryland—Aberdeen Proving Ground: 439 family housing units.—The conferees endorse the authorization of \$30,792,000 for 439 new family housing units at Aberdeen Proving Ground, Maryland. The conferees direct the Army to use the \$7,746,000 requested in the improvements account for this installation and available savings to construct these new units. This project should be submitted as a reprogramming when it is ready for execution.

Texas—Fort Hood: 20 family housing units.—The conferees have agreed to provide \$1,950,000 for 20 units of new housing at Fort Hood. The conferees direct that 20 units be built with the funds provided.

Construction improvements.—The conferees have agreed that the Army is to accomplish the \$4,800,000 improvement project at Fort Monmouth, New Jersey, out of the \$100,000,000 provided for this account.

FAMILY HOUSING, NAVY

The conferees agreed to an appropriation of \$681,075,000 for Family housing, Navy, instead of \$674,368,000 as proposed by the House and \$686,897,000 as proposed by the Senate. The conferees are agreed that \$117,027,000 is appropriated for construction, \$538,602,000 is appropriated for operation and maintenance, and \$25,446,000 is appropriated for debt payment. The conferees have agreed to the following addition to the amounts and line items as proposed by the House:

Alaska—NS Adak: 405 family housing units	+\$6,707,000
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The conferees agreed to fund all other items in conference at the level proposed by the House, as shown below:

California—MCB Camp Pendleton: 360 family housing units	\$20,000,000
Virginia—AEGIS Combat Systems Center Wallops Island: 28 family housing units.....	2,170,000
Cuba—NS Guantanamo Bay: 100 family housing units.....	9,350,000
Operations:	
Management	38,200,000
Services	28,000,000
Utilities	160,000,000
Furnishings	13,000,000
Leasing.....	19,000,000
Maintenance	280,000,000

Alaska—NS Adak: 405 family housing units.—The conferees have approved \$53,107,000 for this project. The Navy is not to use additional savings for this project unless its is specifically approved in a reprogramming request.

California—MCB Camp Pendleton: 360 family housing units.—The conferees have agreed to provide \$20,000,000 for the 360 new units requested. In addition, the amount of \$15,000,000 has been provided towards the construction of 647 new units for E-4s and below. These funds along with the proceeds of the sale of the existing complex will be used to fund this project. The Navy is to submit this project for approval via a reprogramming prior to contract award.

FAMILY HOUSING, AIR FORCE

The conferees agreed to an appropriation of \$912,043,000 for Family housing, Air Force, instead of \$882,134,000 as proposed by the House and \$868,080,000 as proposed by the Senate. The conferees are agreed that \$181,123,000 is appropriated for construction, \$700,940,000 is appropriated for operations and maintenance, and \$29,980,000 is appropriated for debt payment. The conferees have agreed to the following additions and deletions to the amounts and line items as proposed by the House:

California—Fort MacArthur: 140 family housing units.....	+ \$11,800,000
Germany—Classified location: 180 family housing units.....	+ 13,500,000
Italy—Comiso: 460 family housing units.....	- 8,100,000
Korea—Osan AB: Utilities.....	+ 2,700,000
Construction improvements.....	+ 10,009,000
Total.....	+ 29,909,000

The conferees agreed to fund all other items in conference at the level proposed by the House, as shown below:

Montana—Conrad AFS: 40 family housing units.....	\$2,950,000
Wyoming—F.E. Warren AFB: 265 family housing units.....	16,300,000
United Kingdom:	
RAF Bentwaters: 200 family housing units.....	16,200,000
RAF Greenham Common: 250 family housing units.....	17,800,000
General reduction.....	0
Operations:	
Management.....	25,300,000
Services.....	22,000,000
Utilities.....	230,000,000
Furnishings.....	40,000,000
Miscellaneous.....	1,380,000
Leasing.....	53,000,000
Maintenance.....	329,260,000

California—Fort MacArthur: 140 family housing units.—The conferees have agreed to provide \$11,800,000 for 140 housing units in support of the Air Force Space Division personnel in Los Angeles, California. However, funds have not been approved for land acquisition, and appropriated funds are not to be used for this purpose. The conferees endorse the position outlined in the fiscal year 1985 Military Construction Authorization Act which prohibited the use of appropriated funds to pay for land transfers. The conferees do not concur with the Executive Branch policy of requiring one federal agency to pay another for federal land. If the Air Force is unable to resolve the issue regarding the proposed site, they should work with the city to find an alternative site. None of the funds appropriated for construction are to be obligated until the Committees on Appropriations have been notified concerning the disposition of the site.

Italy—Comiso: 460 family housing units.—The conferees have agreed to provide \$32,200,000 for 460 units of housing at Comiso AB, Italy. Obligation of these funds is contingent upon submission of the signed agreement on the use of U.S. manufactured housing. Any future proposed lease/construct agreements for housing at this location must meet the cost effectiveness test as required by law.

Korea—Osan AB: Utilities.—The conferees have agreed to fund the utility extension at Osan but caution that it is not to be construed as an endorsement of accompanied tours at this location.

Construction improvements.—The conferees have approved the \$62,173,000 requested for construction improvements. The conferees have approved the funding for the five improvement projects denied by the House on the condition that all future requests for improvement projects clearly indicate the amounts spent on the given units in the previous three years and the amounts planned for the units in the following three years. This will allow for a coherent review of the total improvement planned for all units.

FAMILY HOUSING, DEFENSE AGENCIES

The conferees have agreed to the appropriation of \$17,437,000 for Family housing, Defense Agencies, instead of \$17,291,000 as proposed by the House and \$19,300,000 as proposed by the Senate. The amount of \$707,000 is appropriated for construction and \$16,730,000 is appropriated for operation and maintenance. The conferees have agreed to the following additions to the amounts and line items as proposed by the House:

Classified location—NSA: 6 family housing units.....	+\$60,000
Maintenance	+86,000
	<hr/>
Total.....	+146,000

The conferees agreed to fund all other items in conference at the level proposed by the House, as shown below:

Operations:	
Furnishings	\$1,800,000
Miscellaneous.....	470,000
Leasing.....	13,700,000

GENERAL PROVISIONS

Section 120.—The conferees agreed to amend the House provision to change the construction floor to \$10,000,000 for projects requiring U.S. contracts for installed equipment in NATO and Japan for countries not meeting a 3% increase in defense spending in 1983. The amended section reads as follows:

“SEC. 120. None of the funds appropriated in this Act may be obligated for contracts estimated by the Government to exceed \$10,000,000 for military construction projects to be accomplished in Japan or in any NATO member country if that country has not increased its defense spending by at least 3 per centum in calendar year 1983, as certified by the Secretary of Defense, unless such contracts require that all installed equipment utilized in such projects have been manufactured in the United States.”

Section 121.—The conferees agreed to retain the House provision restricting A&E contracts exceeding \$1,000,000 in NATO countries and Japan not meeting a 3% defense increase in 1983 to U.S. companies or joint ventures with U.S. companies.

Section 122.—The conferees agreed to delete the House Section 122 restricting the use of funds for the master restationing plan in Germany. The recommendations on the master restationing plan are discussed under the Army section earlier in this conference report.

Section 123.—The conferees agreed to amend Section 123 as proposed by the Senate. The section, as amended and renumbered, reads as follows:

“SEC. 122. None of the funds appropriated in this Act for military construction in the United States territories and possessions in the Pacific and on Kwajalein Island may be used to award any contract estimated by the Government to exceed \$5,000,000 to a foreign contractor: *Provided*, That this section shall not be applicable to contract awards for which the lowest responsive bid of a United States contractor exceeds the lowest responsive bid of a foreign contractor by greater than 20 per centum.”

Section 124.—The conferees have agreed to delete House Section 124 and Senate new Section 121. During action on the fiscal year 1984 military construction supplemental, funds were released to initiate the design of a new hospital at Fort Sam Houston, Texas. This action and language included the fiscal year 1985 military construction authorization bill support the need for proceeding quickly with the Brooke Army Medical Center replacement.

Section 125.—The conferees have agreed to the same provision on prior notification on military exercises as provided in the House and Senate bills but with a new section number 123.

Section 126.—The conferees agreed to delete the language included by the House calling for a general reduction of .003%. The conferees have made general reductions which take into account savings from the use of alternate construction methods.

Senate new Section 123.—The conferees agreed to the language proposed by the Senate concerning the transfer of receipts from the family housing management account. The provision, as amended by a new section number, reads as follows:

“SEC. 124. Unexpended balances in the Military Family Housing Management Account established pursuant to section 2831 of title 10, United States Code, as well as any additional amounts which would otherwise be transferred to the Military Family Housing Management Account during fiscal year 1985, shall be transferred to the appropriations for Family Housing provided in this Act, as determined by the Secretary of Defense, based on the sources from which the funds were derived, and shall be available for the same purposes, and for the same time period, as the appropriation to which they have been transferred.”

Senate new section 124.—The conferees agreed to the language proposed by the Senate concerning narcotics control. The provision, as amended by a new section number, reads as follows:

“SEC. 125. (a) None of the funds appropriated in this Act may be available for any country if the President determines that the government of such country is failing to take adequate measures to prevent narcotic drugs or other controlled substances cultivated or produced or processed illicitly, in whole or in part, in such country, or transported through such country, from being sold illegally within the jurisdiction of such country to United States personnel or their dependents, or from being smuggled into the United States. Such prohibition shall continue in force until the President determines and reports to the Congress in writing that—

“(1) the government of such country has prepared and committed itself to a plan presented to the Secretary of State that

would eliminate the cause or basis for the application to such country of the prohibition contained in the first sentence; and
 "(2) the government of such country has taken appropriate law enforcement measures to implement the plan presented to the Secretary of State.

"(b) The provisions of subsection (a) shall not apply in the case of any country with respect to which the President determines that the application of the provisions of such subsection would be inconsistent with the national security interests of the United States."

Senate new section 125.—The conferees agreed to amend the language proposed by the Senate concerning consultants and consultant services. The provision, as amended and renumbered, reads as follows:

"SEC. 126. Of the total amount of budget authority provided for fiscal year 1985 by this Act that would otherwise be available for consulting services, management and professional services, and special studies and analyses, 10 per centum of the amount intended for such purposes in the President's budget for 1985, as amended, for any agency, department or entity subject to apportionment by the Executive shall be placed in reserve and not made available for obligation or expenditure: *Provided*, That this section shall not apply to any agency, department or entity whose budget request for 1985 for the purposes stated above did not amount to \$5,000,000."

Senate new section 126.—The conferees agreed to the Senate language calling for NATO and Japan to increase their defense spending by 3% per year. The provision, as amended by a new section number, reads as follows:

"SEC. 127. It is the sense of the Congress that the administration should call on the pertinent member nations of the North Atlantic Treaty Organization and on Japan to meet or exceed their pledges for at least a 3 per centum real increase in defense spending and furtherance of increased unity, equitable sharing of our common defense burden, and international stability."

Amendment No. 24: Adds language as proposed by the Senate requiring that \$1 be recouped for prefinanced U.S. NATO infrastructure projects for every \$4 to be obligated. The conferees agreed that the Department is to tie the obligations to the funds appropriated in the fiscal year 1985 Military Construction Appropriations Act. The conferees felt that it was necessary to include this provision in order to highlight the need to increase the recoupment of the large sums owed the United States for prefinanced NATO infrastructure projects.

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

Amendment No. 25: Deletes language proposed by the House and stricken by the Senate and deletes language proposed by the Senate.

FOREIGN ASSISTANCE APPROPRIATIONS

Amendment No. 26: Provides for funding for foreign assistance programs for fiscal year 1985. The House language would have provided for foreign assistance programs at the level and terms and conditions of H.R. 6237, the Foreign Assistance and Related Programs Appropriations Act, 1985 as reported to the House of Representatives on September 13, 1984. The Senate language would have provided for similar programs contained in S. 2793 as reported to the Senate on June 26, 1984.

NEW HEALTH INITIATIVE

The managers are providing a total of \$85,000,000 in new health care initiatives with \$10,000,000 to be used for nutrition, \$50,000,000 for the delivery of primary and related health care services and health care education, and \$25,000,000 for a new program entitled "Child Survival Fund."

JOHNS HOPKINS UNIVERSITY

The managers on the part of the House and Senate direct that \$1,000,000 of the funds provided for the Child Survival Fund be utilized to support a new international health program at Johns Hopkins University for applied research, development and training in immunization, and other health programs. It is the intention of the conferees that \$1,000,000 be provided each year for up to five years.

CEILING ON CENTRAL AMERICA DEVELOPMENT ASSISTANCE

The managers have placed a ceiling on the level of development assistance for Central America at \$225,000,000. This ceiling provides a substantial increase in development assistance for Central America while also freeing funds for poorer areas of the world. Additional funds may be provided to Central America through the regular notification process of the Committees on Appropriations.

PRIVATE VOLUNTARY ORGANIZATIONS

The managers are providing that funds in this Act may not be made available after January 1, 1986 to any United States voluntary organization, other than a cooperative development organization, which obtains less than 25 percent of its funds from sources other than the United States Government.

The Committees on Appropriations will hold hearings on this proposal before it is implemented in January 1986 and will determine if any modifications or changes should be made to the legislation.

The managers recognize that the test of non-governmental participation may include financial donations from the private sector which may be applied directly to PVO program activities without flowing through a PVO headquarters or national budget. These local financial contributions shall be eligible to be counted as part of the total annual funding of a PVO for international activities.

DEVELOPMENT LOAN TERMS

The managers have agreed not to include an arbitrary percentage on the amount of development assistance that should be used for loans, but rather to permit the Administrator of AID to fix such amount and such terms based on existing law. It is the expectation of the managers that AID will realistically manage its loan portfolio in a manner that reflects prudent financial judgment, the objectives of the foreign assistance program, and the financial conditions in developing countries. The managers expect AID to take such steps as are necessary to negotiate loans on more realistic terms than have been negotiated in the past, particularly for those countries with a greater ability to repay. The managers have included a provision stating that, to the extent practicable, any AID loans to private sector institutions should be made at rates at or near the cost of borrowing money for the U.S. Treasury. The managers direct that AID submit a report that explains how this section will be carried out within 30 days of enactment of this bill.

ECONOMIC SUPPORT FUNDS FOR AFRICA

The managers are providing an additional \$75,000,000 for Africa, subject to regular notification procedures. This action is being taken in place of the \$75,000,000 requested by the Administration for the Economic Policy Initiative for Africa.

CASH TRANSFER FOR EGYPT

The managers are providing \$100,000,000 in economic support funds for Egypt as a cash transfer. The managers direct that the Agency for International Development administer these funds in a manner similar to that contained in program assistance approval document number 263-K-608, dated September 19, 1984 which required that Egyptian pounds, equivalent to the amount of the cash grant, be used for development purposes.

AID DEOBLIGATION/REOBLIGATION AUTHORITY

The managers on the part of the House and the Senate support deobligation reobligation authority for AID. This authority has been provided in the past and is an excellent management tool for ending poor projects and reallocating funds for new priorities. Unfortunately, the Administration in fiscal year 1985 was unwilling either to continue its support for this improved management authority or to allocate funds for this purpose.

The managers have included deobligation reobligation authority for AID for fiscal year 1985 in this Act and have broadened that authority to allow additional disaster or development assistance funding for Andean countries, which are still recovering from weather related disaster and economic difficulties. Nevertheless, in the next fiscal year, the managers will not continue to support this management authority for the AID programs unless the Administration also recognizes its importance, requests the authority, and allocates funds for this purpose in the fiscal year 1986 budget documents.

SEPARATE ECONOMIC SUPPORT FUND FOR EL SALVADOR

The managers have included language which requires that economic support funds provided for El Salvador that are maintained in the Central Reserve Bank be placed in a separate account.

It is not the managers' intention to change the nature of the assistance provided to El Salvador as cash transfer assistance. Because the funds are provided as cash assistance, statutory and regulatory requirements that would normally attach to the procurement or transportation of commodities financed by AID would not have to be applied to the use of funds maintained in the separate account. Such statutory requirements include: section 604 of the Foreign Assistance Act of 1961, as amended; section 901(b)(1) of the Merchant Marine Act of 1936, as amended; section 5 of the International Air Transportation Fair Competitive Practice Act of 1974; section 644 of the Small Business Act; section 2711 of the Competition in Contracting Act of 1984; and the provisions of the Federal Property and Administrative Services Act of 1949, as amended.

REGIONAL MILITARY TRAINING CENTER IN HONDURAS

The managers on the part of the House and the Senate are particularly concerned about the resolution of issues addressing the Regional Military Training Center in Honduras. The managers note that several recent events raise questions about the possibility of maintaining a Regional Military Training Center in Honduras. These events include (1) the recent failure to reach agreement with the Government of Panama on the continued use of the regional military training schools in that country; (2) the statements of those countries involved in the Contadora peace plan and their proposals for the elimination of military training schools in Central America; (3) the continuing border disputes between El Salvador and Honduras; and (4) recent decisions of the military high command in Honduras refusing to allow El Salvadoran military training at the existing Regional Military Training Center.

Nevertheless, the managers support the concept of such a Center and believe that the President should have maximum flexibility to continue negotiating cost effective methods of providing necessary military training to Central American armed forces. Consequently, the managers have provided funds for such a Center subject to the regular notification process of the Committees on Appropriations. Additionally, the managers have included a provision to ensure adequate, effective and prompt determination and settlement of a claim by a United States citizen for compensation arising from, or relating to, the establishment and operation of the existing Regional Military Training Center on private property in Honduras. The managers believe that it is essential that the U.S. Department of State and the Honduran government work together immediately to resolve this claim promptly and amicably under international law. The managers expect that these same conditions will be applied to funds contained in Public Law 98-396, the Supplemental Appropriations Act.

While the managers stress the above points, they do emphasize as a general principle that the Congress should involve itself in ex-

propriation cases only after all other reasonable legal remedies have been pursued and failed.

FAILURE TO REPAY U.S. LOAN ASSISTANCE

Severe debt problems faced by U.S. assistance recipient countries have increased the likelihood that some of these countries will be unable to repay their foreign assistance loans owed to the U.S. Government. Section 517 of the Appropriations Act requires that no additional assistance be furnished to any country which is in default on its United States foreign assistance program loans for a period in excess of one calendar year, unless an official debt re-scheduling is completed. After one year has passed without timely payment of a loan, the relevant agency has eight additional months to obligate funds solely for the purpose of ending activities in a country.

The conferees are concerned that U.S. agencies providing foreign assistance have not developed and implemented plans to carry out the intent of Section 517. Accordingly, the conferees are providing the following guidelines concerning Section 517 and the conferees expect that all agencies covered in this Act will develop procedures to implement these guidelines.

The conferees expect the relevant agencies to have in place a system to implement Section 517 and to begin concluding activities in a country as soon as possible after Section 517 becomes effective.

The implementing system should include at least the following: (1) cable notifications to field missions six months before the one year deadline; (2) initiation of assessments, prior to the one year deadline, of necessary requirements to end the program; (3) negotiations with the delinquent government, for the purpose of both encouraging repayment and making the government aware of the consequences of non-payment as soon as it appears likely that the one year deadline will be exceeded; and (4) obligation of funds only for purposes necessary for the rapid conclusion of current activities as soon as possible after the one year deadline has been passed. The conferees intend that a very narrow interpretation be given to what constitutes activities necessary for concluding existing programs as quickly as possible.

EXPORT-IMPORT BANK

The managers direct that the Export-Import Bank take all necessary steps to carry out an expansion of its small business program. The conferees further direct that the Bank conduct a study as to the feasibility of relocating its headquarters to less expensive office space. This study should be completed by March 31, 1985.

AMERICAN UNIVERSITY OF BEIRUT AND THE AMERICAN UNIVERSITY IN CAIRO

The managers on the part of the House and the Senate are strongly committed to the future of the American University of Beirut and the American University in Cairo. They are directing that the Secretary of State conduct a study to determine the most

appropriate manner by which to provide continuing financial assistance to these institutions.

Amendment No. 27. Deletes Senate Amendment No. 27 concerning the United Nations Fund for Victims of Torture. This amendment is addressed in Amendment No. 26.

Amendment No. 28. Deletes Senate Amendment No. 28 concerning a separate account for United States assistance funds deposited in the Central Reserve Bank of El Salvador. This amendment is addressed in Amendment No. 26.

Amendment No. 29. Deletes Senate Amendment No. 29 concerning the Regional Military Training Center in Honduras. This amendment is addressed in Amendment No. 26.

Amendment No. 30. Deletes Senate Amendment No. 30 concerning the extension of concessional foreign military sales credit to Turkey. This amendment is addressed in Amendment No. 26.

Amendment No. 31. Deletes Senate Amendment No. 31 concerning policy setting the level of Economic Support Funds for Israel. This amendment is addressed in Amendment No. 26.

DEPARTMENT OF DEFENSE APPROPRIATION ACT

Amendment No. 32: Section 101(h) of House Joint Resolution 648 provides appropriations for programs, projects and activities provided for in the Department of Defense Appropriation Act, 1985. The House version of the joint resolution provides appropriations for programs, projects and activities at a rate of operations and to the extent and in the manner provided for in H.R. 6329 as reported to the House of Representatives on September 26, 1984. The Senate version of the joint resolution provides appropriations for these programs, projects and activities at the rate and in the manner provided for in S. 3026 as reported to the Senate on September 26, 1984, with certain additional provisions and exceptions provided for in the joint resolution.

The conference agreement on House Joint Resolution 648 incorporates some of the provisions of both the House and Senate versions of the Department of Defense Appropriation Act, 1985, and has the effect of enacting the Act into law. The language and allocations set forth in House Report 98-1086 and Senate Report 98-636 should be complied with unless specifically addressed in this joint resolution and statement of the managers to the contrary. The Department of Defense Appropriation Act, 1985, put in place by this joint resolution incorporates the following agreements of the managers.

TITLE I—MILITARY PERSONNEL

The conferees agree to the following amounts for the Military Personnel accounts:

(In thousands of dollars)

	Budget	House	Senate	Conference
SUMMARY				
Military personnel, Army	21,172,900	21,020,244	21,049,200	21,020,344

[In thousands of dollars]

	Budget	House	Senate	Conference
Military personnel, Navy.....	15,897,500	15,660,134	15,695,358	15,660,246
Military personnel, Marine Corps.....	4,845,900	4,802,100	4,812,066	4,803,366
Military personnel, Air Force.....	17,799,900	17,607,825	17,567,780	17,572,005
Reserve personnel, Army.....	2,184,300	2,090,500	2,109,700	2,084,100
Reserve personnel, Navy.....	1,131,600	1,131,600	1,127,300	1,127,700
Reserve personnel, Marine Corps.....	269,500	268,700	269,500	268,700
Reserve personnel, Air Force.....	565,800	564,500	565,800	564,500
National Guard personnel, Army.....	3,075,000	2,969,210	2,935,500	2,926,100
National Guard personnel, Air Force.....	889,200	874,878	882,900	868,578
Total, military personnel.....	67,831,600	66,989,691	67,015,104	66,895,639

The following items represent language as agreed to by the conferees:

ACTIVE DUTY FORCES

The conferees agree to a reduction of \$208,800,000 from requested amounts resulting from Authorization reductions in end strengths and associated man-years. The following table summarizes strength levels as agreed to by the conferees.

FISCAL YEAR 1985 ACTIVE DUTY END STRENGTHS

	Budget	Authoriza- tion	Conference
Army.....	780,800	780,800	780,800
Navy.....	575,300	571,300	571,300
Marine Corps.....	199,500	198,300	198,300
Air Force.....	610,200	602,070	602,070
Total.....	2,165,800	2,152,470	2,152,470

GUARD/RESERVE FORCES

The conferees agree to a reduction of \$240,600,000 from requested amounts resulting from authorization reductions in selected reserve average strengths and full-time reserve end strengths. Additionally, the conferees agree to a reduction of 555 Active/Guard Reserve (AGR) personnel and \$9,022,000 from the Air National Guard personnel accounts, and an increase of 555 (civilian) military technicians and \$8,083,000 to the Air Guard O&M accounts. The conferees further agree that the 762 in Air Guard selected reserve average strengths and full-time end strengths reduced by the 1985 Defense Authorization Bill should be spread in proportion across all Air Guard programs and not solely against new programs.

The following table summarizes strength levels as agreed to by the conferees.

FISCAL YEAR 1985 GUARD/RESERVE STRENGTHS

	Budget	Authoriza- tion	Conferees
Selected Reserve (average strength):			
Army Reserve.....	288,400	284,073	284,073
Navy Reserve.....	124,200	124,100	124,100
Marine Corps Reserve.....	44,300	44,300	44,300
Air Force Reserve.....	72,900	72,900	72,900
Army National Guard.....	440,100	435,117	435,117
Air National Guard.....	106,200	105,438	105,438
Total.....	1,076,100	1,065,928	1,065,928
Full-Time Reserve (end strength):			
Army Reserve.....	15,027	10,700	10,700
Navy Reserve.....	15,410	15,210	15,210
Marine Corps Reserve.....	1,129	1,129	1,129
Air Force Reserve.....	623	623	623
Army National Guard.....	26,583	20,583	20,583
Air National Guard.....	7,224	7,024	6,469
Total.....	65,996	55,269	54,714

RETIRED PAY ACCRUAL

It has come to the attention of the conferees that the Department of Defense Retirement Board of Actuaries has recently met and completed action on determining the value of the normal cost percentage for military retired pay for fiscal year 1985. The conferees direct that any funds appropriated for Military Retired Pay, which are subsequently determined to be excess to requirements due to the revaluation of the normal cost percentage, shall be used as an offset to costs associated with the January 1, 1985 military pay raise and shall not be used for any other purposes.

SURVIVORS' BENEFITS

The conferees agree that the individual Service's military personnel appropriations should make funds available, up to \$7,000,000, in order to fund payments for survivors' benefits as authorized in section 941 of the 1984 Defense Authorization.

NAVY MANPOWER

The Senate directed the Navy to accommodate the requirement for the 9th Mobile Construction Battalion (NMCB No. 9) within the fiscal year 1985 authorized and appropriated strengths. The House did not address the issue. The conferees agree with the Senate position.

COMMISSARY TESTS

The Senate included language directing the Department of Defense to test contracting out of military commissaries in three metropolitan areas. The House included no such language. The Senate recedes.

INDEPENDENT NATIONAL GUARD BRIGADES

The conferees agree that the Department of the Army must quickly resolve the uncertainty surrounding the roles, missions, training and administrative support of the 41st Infantry Brigade in Oregon and the 79th Infantry Brigade, Hawaii. These brigades will lose active Army unit affiliation when the Army converts the 7th and 25th Divisions to light divisions. The Army is directed to report to the House and Senate Committees on Appropriations, by February 1, 1985, what its plans are for these brigades. The report should address all alternatives considered, the pros and cons of each alternative, and the Army's preferred alternative. The report should specifically address the recommendations made by both the House and Senate Appropriations Committees in their respective reports.

WINTER CLOTHING

The conferees agree that \$500,000 shall be available for purchase of winter clothing and gear for the Vermont Army National Guard, unless such purchase would deny clothing or equipment to higher priority or earlier deploying National Guard units.

MILITARY PERSONNEL, ARMY

The conferees agree to the following amounts for Military Personnel, Army:

(In thousands of dollars)

	Budget	House	Senate	Conference
MILITARY PERSONNEL, ARMY				
Enlisted grade growth/man-years	15,798,297	15,773,297	15,778,297	15,773,297
SEL reenlistment bonus	139,604	113,604	114,604	113,604
Army fiscal year 84 surpluses		- 11,900		- 4,600
Retired pay overestimate		- 581		- 581
Retention assumptions	52,689	42,689	52,689	42,689
BAQ/VHA	1,577,904	1,544,904	1,537,704	1,537,704
Unemployment compensation	74,900	68,300	74,900	68,300
Dental officer pay	11,339	10,264	11,339	10,264
Items not in conference	3,518,167	3,479,667	3,479,667	3,479,667
Total, military personnel, Army	21,172,900	21,020,244	21,049,200	21,020,344

MILITARY PERSONNEL, NAVY

The conferees agree to the following amounts for Military Personnel, Navy:

(In thousands of dollars)

	Budget	House	Senate	Conference
MILITARY PERSONNEL, NAVY				
Active Navy end strength/man-years	11,373,958	11,261,228	11,326,458	11,302,258
Selective reenlistment bonus	290,912	258,212	250,912	254,500
Retention assumptions	108,659	93,659	108,659	98,659

[In thousands of dollars]

	Budget	House	Senate	Conference
Navy PCS moves.....	613,361	608,361	578,119	578,119
BAQ/VHA.....	1,422,183	1,382,183	1,366,383	1,366,383
Unemployment compensation.....	40,927	37,327	40,927	37,327
Dental officer pay.....	8,691	7,791	8,691	7,791
Aviation officer continuation pay (new).....	25,600	20,764	24,600	24,600
Items not in conference.....	2,013,209	1,990,609	1,990,609	1,990,609
Total, military personnel, Navy.....	15,897,500	15,660,134	15,695,358	15,660,246

MILITARY PERSONNEL, MARINE CORPS

The conferees agree to the following amounts for Military Personnel, Marine Corps:

[In thousands of dollars]

	Budget	House	Senate	Conference
MILITARY PERSONNEL, MARINE CORPS				
Active personnel end strengths.....	3,570,022	3,548,122	3,561,022	3,556,222
Beirut operations.....	40,369	38,569	40,369	38,569
BAQ/VHA.....	361,282	352,282	347,682	347,682
PCS initiatives.....	9,000	.....	-34	-34
Unemployment compensation.....	23,759	21,659	23,759	21,659
Subsistence-in-kind (MRE).....	35,508	35,508	33,308	33,308
Items not in conference.....	805,960	805,960	805,960	805,960
Total, military personnel, Marine Corps.....	4,845,900	4,802,100	4,812,066	4,803,366

MILITARY PERSONNEL, AIR FORCE

The conferees agree to the following amounts for Military Personnel, Air Force:

[In thousands of dollars]

	Budget	House	Senate	Conference
MILITARY PERSONNEL, AIR FORCE				
Active personnel end strengths.....	13,256,448	13,143,348	13,123,748	13,133,148
SEL reenlistment bonus.....	92,973	88,973	90,973	88,973
Overseas end strengths.....	26,000	20,800	12,486	12,486
PCS moves.....	838,224	830,224	829,618	829,618
BAQ/VHA.....	1,480,982	1,446,982	1,434,582	1,434,582
Unemployment compensation.....	42,169	38,469	40,869	38,469
Dental officer pay.....	8,766	7,991	8,766	7,991
Special and incentive pay.....	164,446	164,446	160,446	160,446
Subsistence-in-kind (MRE).....	4,484	4,484	4,184	4,184
Items not in conference.....	1,885,408	1,862,108	1,862,108	1,862,108
Total, military personnel, Air Force.....	17,799,900	17,607,825	17,567,780	17,572,005

RESERVE PERSONNEL, ARMY

The conferees agree to the following amounts for Reserve Personnel, Army:

[In thousands of dollars]

	Budget	House	Senate	Conference
RESERVE PERSONNEL, ARMY				
Drilling Reserve, average strength	1,274,432	1,274,432	1,268,032	1,268,032
AGR end strength	526,937	442,437	458,737	442,437
Revised clothing prices	45,051	35,751	45,051	35,751
Items not in conference	337,880	337,880	337,880	337,880
Total, Reserve personnel, Army	2,184,300	2,090,500	2,109,700	2,084,100

RESERVE PERSONNEL, NAVY

The conferees agree to the following amounts for Reserve Personnel, Navy:

[In thousands of dollars]

	Budget	House	Senate	Conference
RESERVE PERSONNEL, NAVY				
Full-time support end strength	468,460	468,460	464,560	464,560
Revised clothing prices	16,176	13,876	16,176	13,876
Drill participation rates	442,005	444,305	442,005	444,305
Drilling Reserve, avg. strength	23,793	23,793	23,393	23,793
Items not in conference	181,166	181,166	181,166	181,166
Total, Reserve personnel, Navy	1,131,600	1,131,600	1,127,300	1,127,700

RESERVE PERSONNEL, MARINE CORPS

The conferees agree to the following amounts for Reserve Personnel, Marine Corps:

[In thousands of dollars]

	Budget	House	Senate	Conference
RESERVE PERSONNEL, MARINE CORPS				
Revised clothing prices	7,435	6,635	7,435	6,635
Items not in conference	262,065	262,065	262,065	262,065
Total, Reserve personnel, Marine Corps	269,500	268,700	269,500	268,700

RESERVE PERSONNEL, AIR FORCE

The conferees agree to the following amounts for Reserve Personnel, Air Force:

[In thousands of dollars]

	Budget	House	Senate	Conference
RESERVE PERSONNEL, AIR FORCE				
Revised clothing prices	5,445	4,145	5,445	4,145
Item not in conference	560,355	560,355	560,355	560,355
Total, Reserve personnel, Air Force	565,800	564,500	565,800	564,500

NATIONAL GUARD PERSONNEL, ARMY

The conferees agree to the following amounts for National Guard Personnel, Army:

[In thousands of dollars]

	Budget	House	Senate	Conference
NATIONAL GUARD PERSONNEL, ARMY				
Drilling Reserve average, strength	1,924,935	1,924,935	1,903,835	1,903,835
AGR end strength	890,190	793,800	771,790	771,790
Revised clothing	82,008	72,608	82,008	72,608
Items not in conference	177,867	177,867	177,867	177,867
Total, National Guard personnel, Army	3,075,000	2,969,210	2,935,500	2,926,100

NATIONAL GUARD PERSONNEL, AIR FORCE

The conferees agree to the following amounts for National Guard Personnel, Air Force:

[In thousands of dollars]

	Budget	House	Senate	Conference
NATIONAL GUARD PERSONNEL, AIR FORCE				
Selected Reserve strengths	6,300	6,300		
Air Guard fiscal year 1984 surpluses		-4,000		-4,000
AGR/technician MIX—AGR pay	20,300	10,140	20,300	10,140
AGR-technician MIX—drill pay	108,505	109,643	108,505	109,643
Revised clothing prices	166,473	165,173	166,473	165,173
Items not in conference	587,622	587,622	587,622	587,622
Total, National Guard personnel, Air Force	889,200	874,878	882,900	868,578

TITLE II—OPERATION AND MAINTENANCE

The conferees agree to the following amounts for the Operation and Maintenance accounts:

	Fiscal year 1985 estimates	House	Senate	Conference
Operation and maintenance, Army	19,486,518,000	18,093,539,000	18,574,318,000	18,411,078,000
Operation and maintenance, Navy	26,248,426,000	24,688,941,000	25,390,326,000	25,116,241,000

	Fiscal year 1985 estimates	House	Senate	Conference
Operation and maintenance, Marine Corps.....	1,683,069,000	1,640,294,000	1,633,469,000	1,640,294,000
Operation and maintenance, Air Force	20,234,500,000	19,156,315,000	19,336,639,000	19,093,265,000
Operation and maintenance, Defense agencies.....	7,338,370,000	7,037,898,000	7,126,470,000	7,067,469,000
Operation and maintenance, Army Reserve	715,450,000	724,400,000	713,150,000	724,400,000
Operation and maintenance, Navy Reserve	829,531,000	827,181,000	812,431,000	827,181,000
Operation and maintenance, Marine Corps Reserve..	58,642,000	58,642,000	58,642,000	58,642,000
Operation and maintenance, Air Force Reserve	883,461,000	928,661,000	872,461,000	872,461,000
Operation and maintenance, Army National Guard...	1,404,643,000	1,437,043,000	1,397,243,000	1,424,293,000
Operation and maintenance, Air National Guard.....	1,862,148,000	1,844,531,000	1,810,348,000	1,810,348,000
National Board for the Promotion of Rifle Prac- tice, Army.....	914,000	914,000	914,000	914,000
Claims, Defense.....	177,900,000	157,900,000	157,900,000	157,900,000
Court of Military Appeals, Defense.....	3,470,000	2,870,000	3,416,000	2,870,000
Summer Olympics				
Environmental Restoration fund, Defense			314,000,000	314,000,000
Total, title II, new budget (obligational) authority, operation and maintenance.....	80,927,042,000	76,599,129,000	78,201,727,000	77,521,356,000

The following items represent language as agreed to by the conferees:

BASE OPERATIONS TRANSFER

The managers on the part of the Senate agree to recede to the House on the transfer of \$108,900,000 base operations support funds from Air Force Research and Development to the operating account. The conferees agree that the Department of Defense should budget for R&D related base operations costs using the same criteria for each military service. Currently, the budgeting procedures range widely even though the types of expenses involved are virtually identical. The conferees recognize that the transfer of only a portion of Air Force base operations funds would merely add to the disparate DoD budget policy.

The conferees direct the Secretary of Defense to submit a plan to accompany the fiscal year 1986 budget request which provides for the implementation of a uniform budgeting system for base operations by fiscal year 1987. The primary objective must be to remove normal operating expenses attendant to the operation of military bases from the R&D accounts and reflect such costs in the operating account requests.

COOPERATIVE EDUCATION

The conferees agree with the Senate position to lift the ceiling on the Defense Department Cooperative Education (Coop Ed) program. However, the conferees remain concerned the Defense Department might abuse the expanded Coop Ed authority, as it has in the past. Therefore, the conferees agree that the program should be devoted predominantly, but not exclusively, to recruitment of students pursuing scientific and technical career fields. The conferees will closely monitor the program to ensure the intent of the conferees is being followed.

Further, the conferees believe the use of Coop Ed students should not exclude recruitment of other individuals by the Defense Department such as college graduates who were not undergraduate

Coop Ed students. To aid in recruiting these college graduates, the conferees direct that individuals who have received a baccalaureate degree and are attending accredited colleges and universities in advanced degree programs either full-time or in their off-duty hours should be eligible for this program.

The conferees understand these expansions of authority are consistent with existing personnel regulations as part of the Coop Ed program within the general appointments in the excepted service. The conferees expect the Defense Department to implement these recommendations.

PARTIAL HOSPITALIZATION

The Senate report included for the second year a directive that CHAMPUS begin a partial hospitalization mental health benefit. The conferees remain concerned that nearly 80 percent of all mental health expenditures under CHAMPUS are for in-patient care and accordingly, direct the Department to actively explore less costly alternatives such as partial hospitalization. The conferees intend that this approach shall expressly be targeted to reduce the use of inpatient hospitalization, rather than be viewed as an expansion of the overall mental health benefit. The conferees also agree that the Department should ensure that any partial hospitalization program approved for a patient is based upon medical or psychological necessity for the benefit solely of that patient and which could otherwise not be provided on an outpatient basis.

DRUG INTERDICTION

The conferees agree to the Senate allowance of \$9,500,000 to modify three P-3A aircraft to be turned over to the U.S. Customs Service by the end of the fiscal year. Further, the Navy is expected to fund the flying hour program in support of Department of Treasury drug interdiction missions commensurate with the level of operations supported in fiscal year 1984.

OPERATION AND MAINTENANCE, ARMY

The conferees agree to provide \$18,411,078,000 instead of \$18,093,539,000 as recommended by the House and \$18,574,318,000 as recommended by the Senate. Details of the adjustments are as follows:

[In thousands of dollars]

	House	Senate	Conference
Stock fund fuel refund.....	-421,700	-33,000	-421,700
Stock fund price reestimate.....	-172,800	-322,800	-322,800
Former Public Health hospital.....	-3,000		-3,000
Classified programs.....	-6,345		-4,895
Northern Army Group (rug factory).....	-10,700		-10,700
Master planning.....	-4,000		-4,000
Other engineering support.....	-23,000		-23,000
9th Infantry Division support.....	-3,000		-3,000
Force structure.....	-2,000		-2,000
Combat development activities.....	-5,000		-5,000
Army Development and Employment Agency.....	-4,000		-4,000

	House	Senate	Conference
Total package/unit material fielding	-5,000		
Office of Secretary of the Army.....	-600		-600
Military Personnel Center	-3,000		
Service-wide support	-30,000	-10,000	-15,000
Real estate leases	-2,000		-2,000
Base operating support	-30,000		-12,600
Support to other nations	-9,200	-3,000	-9,200
Force modernization	-65,000	-87,000	-87,000
Environmental restoration	-75,000	-107,400	-107,400
Command, control, and communications	-50,000		
ADP leasing	-50,000		-25,000
Improper use of O&M funds.....	-10,000		
Health services command (TRIMIS)	-5,000		-5,000
Year end spending	-5,000		
Improved management of fast pay	-10,000		
Support of small clubs.....	-2,000		-2,000
Consultants and contract support.....	-20,000	-2,000	-20,000
Non-readiness related travel.....	-10,000		
Excess material and equipment.....	-20,000		
Management of telephone usage.....	-10,000		
Minor construction	-18,000		
Care of supplies in storage.....	-18,400		
Depot maintenance backlog reduction.....	-113,000	+15,000	+15,000
Maintenance and logistics support.....	-29,100	-6,900	-6,900
Administration	-20,000	-10,000	-10,000
Industrial Fund decapitalization	-6,300		-6,300
Asset capitalization program	-22,700		
Ammunition demilitarization	-23,000	-8,000	-8,000
Southern Command Army Headquarters	-4,595		-4,595
Foreign national salaries/allowances	-34,000	-12,000	-34,000
Arlington Hall Station.....	-650		-650
Project PENWORTH.....	-300		-300
National Science Ctr for Comm and Electronics.....	-689		
Civilian end strength		-46,800	
Recruiting/advertising	+8,000		+8,000
Readiness improvement package.....	+300,000		+300,000
AMA Physician fee freeze	-1,000		-1,000
Civilian environmental differential pay savings.....	-2,100		-2,100
Specialized training	-10,000		-10,000
Flying hours support		+29,000	+29,000
Operating tempo.....		-16,600	
Flying hours		+21,100	+21,100
GSA lease rates.....		+18,000	+18,000
Items not in conference	-329,800	-329,800	-329,800
Total, Operaton and Maintenance—Army	-1,392,979	-912,200	-1,075,440

The following items represent language as agreed to by the conferees:

NATIONAL SCIENCE CENTER FOR COMMUNICATIONS AND ELECTRONICS

The conferees agree to provide the full \$689,000 requested for the National Science Center for Communications and Electronics as recommended by the Senate. However, because of the inaccurate and often contradictory information provided by the Army on this matter, the conferees agree that these funds are not to be expended without the submission of a prior approval reprogramming request which clearly documents the total cost of the Center to the Army; the direct benefits to be obtained by the Army; the extent to which Army students will use and benefit from the Center; a clearly de-

financed set of reimbursable procedures which ensure the Army will pay only for costs related to its own mission; and the extent to which any additional legislation is necessary to permit establishment or operation of such a Center with Army participation. The conferees are concerned that without such documentation, this diversion of limited operation and maintenance resources might unnecessarily decrement higher priority Army readiness programs.

ARMY DEVELOPMENT AND EMPLOYMENT AGENCY (ADEA)

The conferees agree to provide \$38,473,000 for the Army Development and Employment Agency, ADEA. In order to clarify the Army-wide application of ADEA activities, in particular for the new light division initiative, the conferees direct the Army to provide a report, by March 1, 1985, on the ADEA mission and current and planned accomplishments. The conferees address this issue further in the Research and Development portion of this report.

OPERATION AND MAINTENANCE, NAVY

The conferees agree to provide \$25,116,241,000 instead of \$24,688,941,000 as recommended by the House and \$25,390,326,000 as recommended by the Senate. Details of the adjustments are as follows:

[In thousands of dollars]

	House	Senate	Conference
Military end strength reduction tail.....	-53,000		-8,000
Stock fund fuel refund.....	-347,500	-352,700	-352,700
Former Public Health Hospitals.....	-3,000		-3,000
Classified programs.....	-12,760		-11,660
Trident.....	-20,000		
Fleet commands and staff.....	-7,000		-7,000
Engineering and support services.....	-9,000		-9,000
Logistics support services.....	-7,000		
ASW support.....	-20,000		
Other communications.....	-8,000		
Specialized skill training.....	-15,000		
Other training support.....	-40,000		-10,000
CNO staff offices.....	-3,000		-3,000
Military Personnel Command.....	-12,000		
Other depot maintenance.....	-55,000		-20,000
Ship modernization.....	-75,000		
Environmental restoration.....	-8,900	-40,200	-40,200
Excess material and equipment.....	-45,000		-20,000
ADP leasing.....	-50,000		-35,000
Improper use of O&M funds.....	-35,000		-20,000
Consultants and contract support.....	-30,000	-21,000	-30,000
Improved timekeeping and payroll practices.....	-10,000		-10,000
FMS pricing.....	-10,000		-10,000
Management of telephone usage.....	-5,000		-5,000
Excessive/unjustified civilian overtime.....	-10,000		-10,000
Improved vehicle utilization.....	-8,000		-5,000
Improved financial management.....	-10,000		-10,000
Public works operations.....	-20,000		-10,000
Teleprocessing expenses.....	-5,000		
Excess audio-visual assets.....	-5,000		-5,000
Maintenance work measurement standards.....	-15,000		-10,000
Improved management of fast pay.....	-5,000		-5,000
Military Sealift Command transportation costs.....	-3,000	-25,000	-25,000

	House	Senate	Conference
Number of ship overhauls	+71,000		+63,100
Ship overhaul savings	-100,000	-45,000	-45,000
Lexington overhaul		-43,600	-43,600
Real property maintenance/minor construction	-58,100		
Flying hours	-18,400		-18,400
Other logistics support	-52,000	-27,000	-52,000
Commander, Naval Surface Force, Atlantic	-15,000		-15,000
Pacific Command Systems Architecture	-790		-790
Overseas Banking Subsidy	-1,438		-1,438
Unobligated balances lapsing	-50,000		-25,000
Administrative and associated activities	-20,000		-10,000
Victory Ship Hull inspections	+4,200		+4,200
Foreign national salaries/allowances	-5,000	-6,300	-6,300
AMA Physician fee freeze	-784		-784
Civilian environmental differential pay savings	-5,700		-5,700
Professional military education	-130		-130
Flight training	-1,000		-1,000
Citation II insurance	-400		-400
Training carrier operations	-500		-500
Ship operations		-25,000	-25,000
TAFS modifications		-7,500	-7,500
T-AGOS operations/SURTASS	-20,583	-14,000	-20,583
P-3A aircraft mods		+4,900	+4,900
TAKX Termination Liability		+72,000	+72,000
Ready Reserve Fleet (RRF) dispersal	+5,000		+5,000
Items not in conference	-327,700	-327,700	-327,700
Total, Operation and Maintenance—Navy	-1,559,485	-858,100	-1,132,185

The following items represent language as agreed to by the conferees:

OVERHAUL COMPETITION

The Senate recommended bill language instructing the Navy to test the concept of competition between public and private shipyards for ship overhauls. The conferees agree the Navy should proceed with the test in fiscal year 1985 in accordance with the procedures outlined by the Senate.

TAKX SHIP CHARTERS

The conferees agree to Senate bill language modifying existing statutes pertaining to TAKX ship leases to include recording of obligations for charter costs on an annual basis.

SHIP MAINTENANCE RESERVED FOR HOMEPORTS

The House included detailed report language addressing the Navy practice of reserving certain ship repair, alteration, and overhaul work for homeport private shipyards.

The conferees agree that current Navy policy with regard to homeport reservation does not recognize that ship maintenance and repair workload has, over the past several years, gradually increased the proportion being accomplished during Selected Restricted Availabilities (SRA) as opposed to during major overhauls. While this change toward SRAs is beneficial for operational requirements, and is cost-effective, the practice of allocating 100% of SRA workload to homeport areas and also continuing to reserve a

minimum of 30% of the ship overhauls for these same homeports ignores the long-term adverse impact on the mobilization capability of critical non-homeport private shipyards. The conferees therefore agree that the Navy may reserve SRAs for homeport areas, but direct that the reservation of an arbitrary 30% of ship overhauls be terminated. However, to minimize the disruptive impact on Navy families associated with overhauls, up to 2 overhauls may be reserved for a single homeport during any one fiscal year. Inasmuch as this is an item of congressional interest, no funds are available to deviate from this policy without submission of a prior approval reprogramming to the Committees on Appropriations.

CERTIFICATION OF PRIVATE YARDS

The conferees agree that private shipyards without access to non-Navy piers and drydocks are disruptive to Navy operational requirements, contribute little to the industrial mobilization capability of the United States, and should therefore be immediately decertified from receiving further Navy ship repair, alteration, and overhaul work.

BIDDING PROCEDURES FOR SHIP REPAIR CONTRACTORS

The House directed the Navy to use Request For Proposal (RFP) instead of Invitation For Bid (IFB) contracting procedures to eliminate what appears to be a trend toward private shipyard "low-balling" to win contracts. This practice benefits neither the Navy nor the private yards because of the inevitable claims and delays, and has occasionally resulted in the Navy being required to tow the ship out of the "winning" bidders yard because it is unable to complete the overhaul.

The conferees agree that the Navy will not be required to use RFP procedures in all contracts. However, the Navy is directed to take appropriate action to prevent keen competition from becoming low-balling, and provide to the Committees on Appropriations an analysis of the extent to which such activity is taking place and the adverse impact, if any, which results.

OPERATION AND MAINTENANCE, MARINE CORPS

The conferees agree to provide \$1,640,294,000 as recommended by the House instead of \$1,633,469,000 as recommended by the Senate. Details of the adjustments are as follows:

[In thousands of dollars]

	House	Senate	Conference
Stock fund fuel refund.....	-1,900	-40,400	-26,500
Military end strength reduction tail.....	-15,000		-2,400
Base operations.....	-12,000		
45 cal handgun repair.....	-2,075		-2,075
Foreign national salaries/allowances.....	-6,000	-3,400	-6,000
Items not in conference.....	-5,800	-5,800	-5,800
Total, Operation and Maintenance, Marine Corps.....	-42,775	-49,600	-42,775

OPERATION AND MAINTENANCE, AIR FORCE

The conferees agree to provide \$19,093,265,000 instead of \$19,156,315,000 as recommended by the House and \$19,336,639,000 as recommended by the Senate. Details of the adjustments are as follows:

[In thousands of dollars]

	House	Senate	Conference
Military end strength reduction tail.....	-78,200	-1,000	-17,900
Civilian pay repricing.....	-37,000		
Civilian Workyears.....		-93,400	-37,000
Civilian End Strength.....		-109,200	
Leased long-line communications.....	-10,000		
Satellite control facility.....	-5,000		
Space boosters.....	-3,000		-3,000
Space launch support.....	-20,000		
Inventory control point purchased services.....	-5,000		-5,000
First destination transportation.....	-5,000		
Transportation.....	-14,000	-4,000	-4,000
Logistics automatic data processing.....	-5,000		
Command readiness exercise system.....	-1,000		
Command ADP modernization program.....	-1,000		-1,000
PCS for civilian career management.....	-1,700		-1,700
B-52 logistic support.....	-1,000		
Increased contractor interim support.....	-9,000		-9,000
Minuteman upgrade.....	-5,000		-5,000
Environmental restoration.....	-39,000	-97,300	-97,300
Travel, training and exercises.....	-6,500		
Base operations—Space Command.....	-1,000		-1,000
Range utilization.....	-2,000		-2,000
Precision location strike system.....	-1,000	-2,300	-2,300
Special tactical unit detachments.....	-4,000		
Survivability measures.....	-5,000		
Classified Programs.....	-19,981	-5,200	-19,031
Defense-wide mission support.....		-15,500	
Interservice agency automated processing.....	-51,300	-21,000	-21,000
Eliminating foil pack preparation facility.....	-1,000		
Consultants.....	-20,000	-4,000	-20,000
Non-readiness related travel.....	-5,000		-5,000
Management of telephone usage.....	-10,000		-10,000
Teleprocessing expenses.....	-1,700		-1,700
Purchasing base telephones vs leasing.....	-2,283		-2,283
Management of fast pay deliveries.....	-8,000		-4,000
ADP leasing.....	-25,000		-25,000
Stock fund fuel refund.....	-173,700	-374,400	-374,400
Medical war readiness.....	-200		
Flying hours.....	-47,000		-47,000
Former Public Health Hospital.....	-3,000		-3,000
AMA Physician fee freeze.....	-1,000		-1,000
Special recon system.....	-3,000		
MAC industrial fund profits.....	-91,400	-50,000	-91,400
CONUS OTH-B radar.....		-1,900	
Air base ground defense.....		-5,800	
Component repair.....		+100,000	+25,000
P-3A aircraft mods.....		-9,500	
Facility tone down out of cycle.....	-150		-150
State-of-the-art graphics and slides.....	-143		-143
Rental of word processors.....	-924		-924
Artificial intelligence research.....	-750		-750
Overhaul of J79-17 (F-4) engine.....	-5,000		-5,000
Heating plant conversion.....	-2,468		-2,468
AFSC transfer from R & D.....		+108,900	

[In thousands of dollars]

	House	Senate	Conference
Stock Fund price re-estimate	-173,900	-150,000	-173,900
Foreign national salaries/allowances	-10,000	-3,800	-10,000
Civilian environmental differential pay savings	-1,125		-1,125
Recruiting support	-1,300		-1,300
Overseas military end strengths	-1,000		-1,000
Items not in conference	-158,461	-158,461	-158,461
Total, operation and maintenance—Air Force	-1,078,185	-897,861	1,141,235

The following item represents language as agreed to by the conferees:

CT-39 REPLACEMENT AIRCRAFT OPERATIONS

The Senate included report language establishing a budgeting procedure to account for CT-39 replacement executive aircraft flying hours by Air Force user activities. Currently, the Air Force centrally budgets for these costs through the Military Airlift Command. The conferees agree to the budget procedure outlined by the Senate which will lend a degree of accountability and assign fiscal responsibility to the operating commands which benefit from these valuable training assets. As the operations of the CT-39 aircraft are dedicated to pilot training and proficiency objectives independent of transportation services, the Air Force should reserve not less than 50 percent of such flying hours for the priority cargo and personnel airlift needs of other Defense Department components.

OPERATION AND MAINTENANCE, DEFENSE AGENCIES

The conferees agree to provide \$7,067,469,000 instead of \$7,037,898,000 as recommended by the House and \$7,126,470,000 as recommended by the Senate. Details of the adjustments are as follows:

[In thousands of dollars]

	House	Senate	Conference
Fuel	-99		-99
Sealift rates	-57		-57
Civilian personnel pricing	-804		-804
Consultant contracts	-1,584	-5,575	-5,575
General reduction	-8,491		-3,991
General reduction	-400		-400
Management HQ	-3,700	-1,400	-1,400
JCS exercises	-10,000	-1,000	-10,000
DCA—year end spending	-2,000		
Management of telephone usage	-1,000		-1,000
DLA—Travel	-400		-400
Other logistics support	-24,210	-4,200	-24,210
Excess material on order	-2,000		-2,000
Fuel transportation	-400		-400
General reduction	-7,590		
Civilian differential pay savings	-75		-75
General reduction	-200		
Washington Headquarters Services—ADP systems	-4,000	-1,900	-4,000

	House	Senate	Conference
Dental program.....		+ 5,000	
General reduction.....	- 5,200		
TRIMIS.....	- 16,062	- 1,800	- 8,000
DCAA general reduction.....	- 1,100		
Classified activities.....	- 80,075	- 29,800	- 50,265
Civilian end strength reduction.....		- 13,000	
Environmental Restoration.....		- 31,700	- 31,700
Family Advocacy.....		+ 4,500	+ 4,500
Items not in conference.....	- 131,025	- 131,025	- 131,025
Total, operation and maintenance—Defense agencies.....	- 300,472	- 211,900	- 270,901

The following item represents language as agreed to by the conferees:

TRI-SERVICE MEDICAL INFORMATION SYSTEMS (TRIMIS)

The conferees agree that the Defense Department should proceed with the TRIMIS program. However, before the Request for Proposals (RFP) is released DOD must:

Develop a common TRIMIS data dictionary;

Validate and prioritize the TRIMIS functional requirements, ensuring that the concerns and requirements of the service surgeons general have been identified, addressed, and resolved by the Assistant Secretary of Defense for Health Affairs;

Delete the Automated Medical Record functional description from the RFP;

Adopt an extended "benchmarking" evaluation acquisition strategy between at least two competing vendors including a mandatory requirement that one of the vendors use and adapt existing Veterans Administration software for TRIMIS use;

Proceed with the testing of the VA software at March Air Force Base to determine the feasibility and cost-effectiveness of using the VA software;

Ensure that any system ultimately implemented will be compatible across all DOD large and small hospitals, combat medical support units, and VA hospitals; and

Demonstrate to the House and Senate Committees on Appropriations compliance with the guidance listed above.

The General Accounting Office should continue its review of the TRIMIS program and specifically monitor the functional requirement validation process and the testing of the VA software at March Air Force Base. Moreover, the Department should acquire an independent evaluation of the benchmarking process by a qualified outside technical firm not involved in the TRIMIS competition.

With the decision to acquire TRIMIS under the strategy outlined above, the conferees direct that there is to be no further obligation of funds for operation, test, evaluation, or expansion of existing HIS (Hospital Information System) or IOC (Initial Operating Capability) medical systems except where necessary to meet the day-to-day needs of DOD medical facilities. Any resulting savings should be made available to the Assistant Secretary of Health Affairs for accelerating the TRIMIS contract. The conferees agree that fund-

ing should be centralized for the first several phases of system implementation to ensure compliance with the above guidance.

In order to fund the interim quality assurance system and necessary support for accelerating TRIMIS contract award, the conferees agree to restore \$8,062,000 of the \$16,062,000 deleted by the House.

OPERATION AND MAINTENANCE, ARMY RESERVE

The conferees agree to provide \$724,400,000 as recommended by the House instead of \$713,150,000 as recommended by the Senate. Details of the adjustments are as follows:

[In thousands of dollars]

	House	Senate	Conference
Organizational clothing and equipment.....	+3,750		+3,750
Medical equipment.....	+4,500		+4,500
Storage leases.....	+2,300		+2,300
Communications and automation upgrades.....	+1,200		+1,200
Shelter for the homeless.....	+500		+500
ADP leases.....	-1,000		-1,000
Items not in conference.....	-2,300	-2,300	-2,300
Total, operation and maintenance—Army Reserve.....	+8,950	-2,300	+8,950

OPERATION AND MAINTENANCE, NAVY RESERVE

The conferees agree to provide \$827,181,000 as recommended by the House instead of \$812,431,000 as recommended by the Senate. Details of the adjustments are as follows:

[In thousands of dollars]

	House	Senate	Conference
Stock fund fuel refund.....	-7,100	-17,100	-7,100
Marine Reserve flying hours.....	+2,800		+2,800
Reserve cargo handling battalion.....	+200		+200
Aircraft rework.....	+2,550		+2,550
Civilian support.....	+1,200		+1,200
ADP leases.....	-2,000		-2,000
Items not in conference.....			
Total, operation and maintenance—Navy Reserve.....	-2,350	-17,100	-2,350

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

The conferees agreed to provide \$872,461,000 as recommended by the Senate instead of \$928,661,000 as recommended by the House. Details of the adjustments are as follows:

[In thousands of dollars]

	House	Senate	Conference
Stock fund fuel refund.....	-6,800	-64,000	-64,000
F-4D upgrade.....		+1,000	+1,000

[In thousands of dollars]

	House	Senate	Conference
Items not in conference	+ 52,000	+ 52,000	+ 52,000
Total, operation and maintenance—Air Force Reserve	+ 45,200	- 11,000	- 11,000

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

The conferees agree to provide \$1,424,293,000 instead of \$1,437,043,000 as recommended by the House and \$1,395,593,000 as recommended by the Senate. Details of the adjustments are as follows:

[In thousands of dollars]

	House	Senate	Conference
Stock fund fuel refund	- 3,300	- 6,300	- 6,300
Real property maintenance	+ 2,000		+ 2,000
Repair parts	+ 3,000		+ 3,000
Training support	+ 3,000		+ 3,000
Organizational clothing and equipment	+ 3,000		+ 3,000
Medical equipment	+ 3,000		+ 3,000
UH-60 Transfer	+ 15,800	+ 3,000	+ 4,000
AH-64 Apache support	+ 7,200		+ 7,200
CHAPARRAL support	+ 10,200		+ 10,200
ADP leasing	- 3,700		- 3,700
Devil's Lake runway improvement		+ 1,650	+ 1,650
Environmental projects		+ 400	+ 400
Items not in conference	- 7,800	- 7,800	- 7,800
Total, operation and maintenance—Army National Guard	+ 32,400	- 9,050	+ 19,650

The following item represents language as agreed to by the conferees:

ENVIRONMENTAL PROJECTS

The conferees agree to the increase of \$400,000 as recommended by the Senate for a one year test program to conduct engineering projects coordinated with state and other federal agencies at national or state parks and forests. To amplify on the parameters of the test, the conferees agree that such projects must be restricted within the United States and territories. The test projects selected must enhance military related training and must not compete with projects which would otherwise be performed by private concerns.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

The conferees agree to provide \$1,810,348,000 as recommended by the Senate instead of \$1,844,531,000 as recommended by the House. Details of the adjustments are as follows:

[In thousands of dollars]

	House	Senate	Conference
Stock fund fuel refund.....	-21,600	-69,000	-55,783
C-19 (747) support.....	-30,300		-30,300
C-5 support.....	+9,000		+9,000
Civilian technicians.....	+8,083		+8,083
Items not in conference.....	+17,200	+17,200	+17,200
Total, operation and maintenance—Air National Guard.....	-17,617	-51,800	-51,800

COURT OF MILITARY APPEALS

The conferees agree to provide \$2,870,000 as recommended by the House instead of \$3,416,000 as recommended by the Senate.

ENVIRONMENTAL RESTORATION, DEFENSE

The conferees agree to provide \$314,000,000 as recommended by the Senate instead of no appropriation as recommended by the House.

TITLE III—PROCUREMENT

The conferees agree to the following amounts for the Procurement accounts:

	Fiscal year 1985 estimates	House	Senate	Conference
TITLE III—PROCUREMENT				
Aircraft procurement, Army.....	4,008,300,000	3,725,300,000	3,950,100,000	3,940,900,000
(Transfer from other accounts).....		(30,000,000)	(30,000,000)	
Missile procurement, Army.....	3,442,400,000	3,183,500,000	3,150,400,000	3,167,000,000
(Transfer from other accounts).....		(25,000,000)		
Procurement of weapons and tracked combat vehicles, Army.....	5,092,700,000	4,673,100,000	4,421,735,000	4,548,100,000
(Transfer from other accounts).....		(239,800,000)	(213,100,000)	
Procurement of ammunition, Army.....	2,494,000,000	2,011,700,000	2,625,050,000	2,646,300,000
(Transfer from other accounts).....		(44,000,000)	(44,000,000)	
Other procurement, Army.....	6,022,400,000	4,989,510,000	5,256,850,000	5,122,450,000
(Transfer from other accounts).....		(47,800,000)		
Aircraft procurement, Navy.....	11,474,200,000	10,808,198,000	10,818,295,000	10,903,798,000
(Transfer from other accounts).....		(75,000,000)		
Weapons procurement, Navy.....	4,650,860,000	4,246,460,000	4,395,960,000	4,353,611,000
(Transfer from other accounts).....		(50,000,000)	(20,000,000)	
Shipbuilding and conversion, Navy.....	13,141,900,000	10,708,000,000	11,558,300,000	11,736,000,000
(Transfer from other accounts).....		(588,000,000)	(347,400,000)	
Other procurement, Navy.....	5,953,900,000	5,063,667,000	5,533,376,000	5,341,614,000
(Transfer from other accounts).....		(85,700,000)		
Procurement, Marine Corps.....	1,978,581,000	1,791,247,000	1,860,796,000	1,836,722,000
(Transfer from other accounts).....		(7,500,000)		
Aircraft procurement, Air Force.....	28,676,500,000	24,906,866,000	26,376,700,000	26,188,266,000
(Transfer from other accounts).....		(549,500,000)	(111,000,000)	
Missile procurement, Air Force.....	9,820,600,000	7,361,749,000	8,581,862,000	6,909,245,000
(Transfer from other accounts).....		(15,000,000)		
Other procurement, Air Force.....	9,561,500,000	8,533,785,000	9,149,020,000	8,861,697,000
(Transfer from other accounts).....		(14,500,000)	(14,500,000)	
National Guard and Reserve Equipment.....		20,000,000	431,000,000	380,000,000
Acquisition & Construction, Coast Guard.....				
Procurement, Defense agencies.....	1,243,500,000	1,134,789,000	1,179,860,000	1,165,701,000
Defense Production Act Purchases.....	25,000,000	10,000,000	25,000,000	10,000,000
Total, title III, Procurement: New budget (obligational) au- thority.....	107,586,341,000	93,167,871,000	99,314,304,000	97,111,404,000
(Transfer from other accounts).....		(1,771,800,000)	(780,000,000)	

AIRCRAFT PROCUREMENT, ARMY

The conferees agree to the following amounts for the Aircraft Procurement, Army account:

[In thousands of dollars]

	Budget	House	Senate	Conference
AIRCRAFT PROCUREMENT, ARMY				
Aircraft				
Fixed wing:				
Airplane, cargo, C-12.....		24,000	12,000	24,000
Airplane, recon, RC-12D (GR PIP BUY).....	79,300	79,300	62,200	79,300
Rotary:				
Helicopter, cargo, CH-47D (Chinook).....	110,000	110,000	110,000	110,000
Helicopter elec EH-60A (Quickfix) (MYP).....	173,100	165,100	155,300	155,300
Helicopter elec EH-60A (Quickfix) (MYP) (AP-CY).....	27,200	27,200	27,200	27,200
AH-64 attack helicopter.....	1,199,200	1,119,200	1,199,200	1,159,200
AH-64 attack helicopter (AP-CY).....	91,000	84,200	91,000	87,600
UH-60A (Black Hawk) (MYP).....	333,000	291,000	288,300	288,300
UH-60A (Black Hawk) (MYP) (AP-CY).....	171,800	132,700	171,800	171,800
Total, aircraft.....	2,184,600	2,032,700	2,117,000	2,102,700
Modification of aircraft:				
Airplane, surveillance, OV-1 (Mohawk).....	21,800	21,800	20,300	20,300
Airplane, recon, RC12D (GR PIP MOD).....	7,800	7,800	7,800	7,800
Airplane, reconnaissance, RV-1 (MOD).....	6,500	6,500	6,500	6,500
Helicopter, attack AH1S (Cobra-TOW).....	45,900	105,900	75,900	90,000
AH-1 trng device (Hitmore).....	3,000	3,000	3,000	3,000
Helicopter, cargo, CH-47 (Chinook) (MYP).....	287,000	272,000	272,000	272,000
Helicopter, cargo, CH-47 (Chinook) (MYP) (AP-CY).....	159,900	159,900	159,900	159,900
Helicopter, electronic, EH-1 (Q-FIX MOD).....	2,200	2,200	2,200	2,200
Helicopter, observation, OH-58 (Kiowa).....	4,000	4,000	4,000	4,000
Helicopter, utility, UH-1 (Iroquois).....	1,900	1,900	1,900	1,900
UH-60A (Black Hawk) MODS.....	5,900	5,900	5,900	5,900
Army Helicopter Improvement Program (AHIP).....	157,200	157,200	157,200	157,200
Army Helicopter Improvement Program (AHIP) (AP-CY).....	60,100	47,200	60,100	47,200
Airborne avionics.....	7,000	7,000	7,000	7,000
Joint surveillance target attack radar (JSTAR).....	17,000			
Modifications under \$900,000 (Aircraft).....	100	100	100	100
ACFT 9WW.....	59,500	59,500	59,500	59,500
Total, modification of aircraft.....	846,800	861,900	843,300	844,500
Spares and repair parts.....	633,400	554,400	702,000	675,900
Support equipment and facilities				
Other support:				
Avionics support equipment.....	51,600	51,600	63,100	63,100
Common ground equipment.....	31,900	31,900	31,900	31,900
Air traffic control.....	8,900	8,900	8,900	8,900
Synthetic flight training systems.....	175,200	158,000	158,000	158,000
Industrial facilities.....	72,300	52,300	52,300	52,300
War consumables.....	3,600	3,600	3,600	3,600
Total, support equipment and facilities.....	343,500	306,300	317,800	317,800
Reduction, prior year transfer.....		- 30,000	- 30,000	
Prior year transfer.....		(30,000)	(30,000)	
Total, aircraft procurement, Army.....	4,008,300	3,725,300	3,950,100	3,940,900
Transfer from other accounts.....		(30,000)	(30,000)	
Total funding available.....	4,008,300	3,755,300	3,980,100	3,940,900

AH-64 APACHE ATTACK HELICOPTER

The conference agreement for the AH-64 Apache attack helicopter is \$1,159,200,000 for 144 aircraft instead of \$1,119,200,000 as proposed by the House and \$1,199,200,000 as proposed by the Senate. If additional resources are required to procure 144 aircraft, a reprogramming will be considered. The conferees agree to provide \$87,600,000 in advance procurement for 144 aircraft.

The conferees also direct that eighteen of the AH-64 Apache helicopters funded in the bill be assigned to the Army National Guard in conformance with report direction of both the Senate and House Committees. Bill language has been included to effect this assignment.

UH-60A BLACKHAWK HELICOPTER

The conferees agree to provide \$288,300,000, funding an additional eight UH-60's out of program savings and direct that out of the total buy of 86, 8 helicopters shall be provided to the Army National Guard as proposed by the House. Four of those UH-60's shall be provided to the Alaska National Guard. Four of the eight additional helicopters are intended as replacement for aircraft previously provided to the Treasury Department as proposed by the Senate. The conferees further agree that 2 more helicopters should be loaned to the Treasury Department subject to later replacement.

C-12 AIRCRAFT

The House proposed \$24,000,000 for 12 C-12s. The Senate proposed \$12,000,000 for 6 aircraft. The conferees agree to \$24,000,000 for 12 C-12s, 6 of which shall be for the Army National Guard, and 6 for replacement aircraft provided to the Treasury Department's drug control program.

AIRCRAFT SPARES

The House allowance was \$554,400,000 compared to a Senate allowance of \$702,000,000. The conferees agree to an allowance of \$675,900,000 including \$302,000,000 for initial spares, \$280,600,000 for replenishment spares, and \$93,300,000 for war reserve spares. This increase in replenishment spares is to support increases in the Army flying hour program.

MISSILE PROCUREMENT, ARMY

The conferees agree to the following amounts for Missile Procurement, Army:

[In thousand of dollars]

	Budget	House	Senate	Conference
MISSILE PROCUREMENT, ARMY				
Other missiles				
Surface-to-air-missile system:				
Chaparral		32,000	32,000	32,000
Other missile support	17,300	17,300	9,300	9,300

[In thousand of dollars]

	Budget	House	Senate	Conference
Patriot.....	1,096,400	976,400	970,600	976,400
Stinger.....	209,600	209,600	209,600	209,600
Air-to-surface missile system:				
Laser hellfire system.....	235,000	214,500	225,000	225,000
Anti-tank/assault missile system:				
TOW 2 (MYP).....	240,300	200,300	120,300	132,300
TOW 2—AN/TAS-4A.....		53,200	53,200	53,200
Reduction, TOW 2.....		—12,000		
Transfer, TOW 2.....		(12,000)		
TOW 2 (MYP) (AP-CY).....	25,000	16,200		16,200
Pershing II.....	456,000	356,000	387,000	370,000
Multiple launch rocket system (MYP).....	404,000	404,000	404,000	404,000
Multiple launch rocket system (MYP) (AP-CY).....	137,400	137,400	137,400	137,400
Total, other missiles.....	2,821,000	2,604,900	2,548,400	2,565,400
Modification of missiles				
Modifications:				
Patriot.....	11,800	11,800	11,800	11,800
Chaparral.....	106,200	86,200	106,200	96,200
Hawk.....	58,100	58,100	58,100	58,100
TOW.....	17,900	27,500	17,900	27,500
LCSS.....	3,800	3,800	3,800	3,800
AN/TSQ 73.....	11,400	11,400	11,400	11,400
Total, modification of missiles.....	209,200	198,800	209,200	208,800
Spares and repair parts.....	289,700	270,300	270,300	270,300
Support equipment and facilities:				
Air defense targets.....	20,800	20,800	20,800	20,800
Items less than \$900,000 (missiles).....	6,600	6,600	6,600	6,600
Production base spt.....	56,500	56,500	56,500	56,500
Other production charges.....	38,600	38,600	38,600	38,600
Total, support equipment and facilities.....	122,500	122,500	122,500	122,500
Reduction, prior year transfer.....		—13,000		
Prior year transfer.....		(13,000)		
Total, missile procurement, Army.....	3,442,400	3,183,500	3,150,400	3,167,000
Transfer from other accounts.....		(25,000)		
Total funding available.....	3,442,400	3,208,500	3,150,400	3,167,000

TOW-II MISSILE

The conferees agree to provide \$132,300,000 for at least 6,000 TOW-II missiles. The conferees expect the Army to combine these 6,000 missiles with the 18,000 funded last year to level production at 12,000 per year for the 1984-1985 program as proposed in the May budget revision.

In addition, the conferees provide \$16,200,000 to support the first production surge program on a test basis but do not approve the multiyear procurement of the missile. The surge funds are provided only for increased levels of long lead materials and not for increased levels of tooling and test equipment. The conferees ask to be notified of the Department's plans to apply these extra long lead

materials to a production program now that the program is being stretched out.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

The conferees agree to the following amounts for Procurement of Weapons and Tracked Combat Vehicles, Army:

[In thousands of dollars]

	Budget	House	Senate	Conference
PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEH				
Tracked combat vehicles:				
Carrier, command post light, FT, M577A2.....	33,400	33,400	33,400	33,400
Carrier, personnel, FT, ARM, M113.....	8,900		8,900	8,900
Bradley fighting vehicles (MYP).....	997,400	923,900	951,500	937,200
Prior year transfer.....		(13,300)		
Bradley fighting vehicles (MYP) (AP-CY).....	59,000	17,900	18,900	24,900
Prior year transfer.....		(7,000)		
Bradley FVS training devices.....	56,500	52,400	56,500	56,500
Field artillery ammunition support vehicles.....	84,200	74,200	84,200	78,200
Prior year transfer.....		(4,000)		
Howitzer, med SP, FT, 155MM, M109A2.....	52,400	52,400	52,400	52,400
Recovery vehicle, med, FT, M88A1.....	159,400	150,000	159,400	155,000
Tank M1 series (MYP).....	1,469,400	1,373,600	1,386,635	1,545,000
Prior year transfer.....		(173,800)	(171,400)	
Tank M1 series (MYP) (AP-CY).....	289,400	313,600	334,400	313,600
M60 series tank training devices.....	25,700	12,900	18,700	16,000
M1 series tank training devices.....	37,100	37,100	37,100	37,100
Modification of tracked combat vehicles:				
Carrier, MOD.....	34,800	34,800	44,800	34,800
Improved TOW vehicle (ITV) (MOD).....		27,000	27,000	27,000
Fist vehicle (MOD).....	79,500	72,800	79,500	72,800
BFVS series (MOD).....	3,900	3,900	3,900	3,900
Howitzer, med SP FT 155MM M109 SER (MOD).....	33,800	33,800	33,800	33,800
Armored veh launch bridge (AVLB) (MOD).....	15,400	15,400	15,400	15,400
Tank, combat, FT, 105mm gun, M60SER (MOD) (MYP).....	215,100	215,100	215,100	215,100
105mm tank gun (MOD).....	3,000		3,000	
Tank, M1 series (MOD).....	8,000			
General reduction.....		-15,000		-7,100
Support equipment and facilities:				
Spares and repair parts.....	430,100	426,100	426,100	426,100
Value engineering.....	1,000	1,000	1,000	1,000
Items less than \$900,000 (TCV-WTCV).....	900	900	900	900
Production base support (TCV-WTCV).....	58,300	58,300	58,300	58,300
Total, tracked combat vehicles.....	4,156,600	3,915,500	4,050,835	4,140,200
Weapons and other combat vehicles:				
Sergeant York divad gun.....	515,800	430,200	17,000	100,000
Prior year transfer.....		(30,200)	(33,000)	
Sergeant York divad gun (AP-CY).....	12,900	6,600		
Prior year transfer.....		(2,800)		
Armor machine gun, 7.62mm M240.....	25,400	25,400	25,400	25,400
Squad automatic weapon (SAW) 5.56mm.....	12,900	12,900	12,900	12,900
Grenade launcher, auto, 40mm, MK19-3.....	4,500	4,500	4,500	4,500
Launcher, smoke grenade.....	4,800	4,800	4,800	4,800
Mortar, 81mm, XM252.....	11,300		11,300	11,300
M16A2 rifle.....	39,600	39,600	36,600	36,600
Personal defense weapon, 9MM.....	5,000	10,000		10,000
Veh rapid fire wpn sys-Bushmaster (MYP).....	48,000	37,100	43,800	40,000
Veh rapid fire wpn sys-Bushmaster (MYP) (AP-CY).....	8,100			
Tank muzzle boresight device.....	3,800	3,800	3,800	3,800

[In thousands of dollars]

	Budget	House	Senate	Conference
Modification of weapons and other combat vehicles:				
Product improved vulcan ads (PIVADS)	33,200			
Modifications under \$900,000 (WOCV-WTCV)	1,000	1,000	1,000	1,000
Support equipment and facilities:				
Spares and repair parts	119,300	91,200	119,300	67,100
Prior year transfer		(8,700)	(8,700)	
Items less than \$900,000 (WOCV-WTCV)	2,700	2,700	2,700	2,700
Production base support (WOCV-WTCV)	87,800	87,800	87,800	87,800
Total, weapons and other combat vehicles	936,100	757,600	370,900	407,900
Total, procurement of weapons and tracked combat veh.....	5,092,700	4,673,100	4,421,735	4,548,100
Transfer from other accounts.....		(239,800)	(213,100)	
Total funding available.....	5,092,700	4,912,900	4,634,835	4,548,100

DIVISION AIR DEFENSE GUN SYSTEM (DIVAD)

The conferees agree that, due to the continuing lack of proven performance and the absence of conclusive operational test and evaluation, no funding is provided for the fiscal year 1985 procurement of DIVAD fire units. Instead, \$100,000,000 is provided in fiscal year 1985 for the DIVAD program, the revised amount proposed by the Secretary of Defense. These funds may be obligated only for long lead materials needed to protect the option of a potential fiscal year 1986 procurement. The conferees also agree to reductions of \$32,800,000 for DIVAD spares and \$31,200,000 for DIVAD ammunition below the revised May budget requests, the balance of these funds to be used solely for building the inventories for previously funded DIVAD fire units. The conferees further agree to bill language, similar to that proposed by the Senate, stating that no funds may be expended for the Division Air Defense system until—

1. Initial production testing and the fiscal year 1985 operational testing of such system have been completed;

2. The Secretary of Defense has reported to the Armed Services and Appropriations Committees of the Congress the results of the testing and has certified to the Committees that (a) additional production of the Division Air Defense system is in the national interest to counter the present and projected Soviet threat, and (b) the system satisfactorily meets all design and performance requirements, and

3. A period of at least thirty days has elapsed after the day on which the Committees have received the report and certification, such date to be not later than sixty days after the completion of either initial production testing or the fiscal year 1985 operational testing, whichever is later.

The conferees hereby express their strong concern over the scope and nature of the DIVAD tests conducted to date and will accordingly take an avid interest in the conduct and evaluation of forthcoming tests. Future support for the DIVAD system is contingent upon a determination by the Secretary of Defense that, after having examined all available alternatives, the DIVAD system is

the most cost-effective response to our forward air defense requirements.

9MM PERSONAL DEFENSE WEAPON

The conferees support the 9mm Personal Defense Weapon program as presented to the Congress by the Department of Defense for the fiscal year 1985 budget. Expedited transition to this new standard handgun will ease the logistics burden and accelerate standardization among U.S. services and our NATO allies. To help accomplish this objective, the technical data package for the selected handgun should be qualified as soon as possible so that the Army can consider an overlapping second multiyear procurement from a competitive contractor. The Army should consider designating ammunition for handguns and submachine guns as a mobilization-base item.

MORTARS

The conference agreement includes the \$11,300,000 budgeted for the second procurement of the Improved 81mm mortar. This is based on the Army's decision to include this mortar in its new force structure. The Army has also decided to introduce a 120mm mortar to replace the 4.2 inch mortar as a heavy mortar. The conferees expect the Army to report expeditiously on plans to phase-in the new force structure, including milestones and budget requirements for both mortars and ammunition.

The conference agreement also includes \$13,338,000 earmarked in Research, Development, Test and Evaluation, Army to approve a 120mm mortar for service use. The conferees further agree that when such approval is achieved, a portion of these funds may be transferred to the procurement appropriation to initiate procurement using normal reprogramming procedures.

105MM TANK GUN MODS

The conferees deny the \$3,000,000 budgeted to initiate procurement for the 105mm tank gun modifications without prejudice. The conferees support this program, but procurement in fiscal year 1985 appears premature.

PROCUREMENT OF AMMUNITION, ARMY

The conferees agree to the following amounts for Procurement of Ammunition, Army:

[In thousands of dollars]

	Budget	House	Senate	Conference
PROCUREMENT OF AMMUNITION, ARMY				
Cartridge, 5.56mm, ball.....	57,200	35,100	57,200	57,200
Cartridge 9mm ball (hand gun)	1,400	1,400	.....	1,400
Cartridge, 5.56mm plastic.....	1,300	.....	1,300	.....
Ctg, cal, 50 plastic training W/tracer	6,700	.....	6,700	3,400
Ctg cal, 50 ball LKD + CTN	3,100	3,100	4,100	4,100
Ctg, cal, 50 blk, M1A1, LKD F/M2MG(MYP)	13,900	13,900	17,300	17,300
Ctg, cal, .50 tracer, linked	1,700	1,700	2,800	2,800

	Budget	House	Senate	Conference
Cartridge, 20mm, TP-T Vulcan (MYP)			12,400	8,000
Cartridge, 30mm, HE-DP	17,700	17,700	34,200	17,700
Cartridge, Heit for Divad Gun, Sgt. York	14,800	14,800	7,400	8,500
CTG, TP-T for Divad Gun, Sgt. York	29,300	13,800	11,500	7,900
CTG, 40mm HE W/prox fuze for Divad gun	48,000	44,500	27,250	25,500
Cartridge, 40mm HEDP HI VEL launched	15,100	15,100	25,100	15,100
CTG, 81mm, (improved) illum XM853	2,200		2,200	
Cartridge, 81mm, (improved) HE, (XM821)	29,400		29,400	
CTG, 81mm, (improved) smoke XM819	3,300		3,300	
Cartridge, 4.2-inch, HE			33,000	
Mortar ammo		34,900		67,900
Cartridge, 105mm, TP-T, M490 F/tank gun	72,500	62,200	63,100	63,100
Cartridge, 105mm, TPCSDS-T(XM901)	48,000		48,000	33,000
Cartridge, 120mm, APFSDS-T XM829	20,900	20,900	40,900	20,900
Cartridge, 120mm, heat-MP-T, XM830	31,900	31,900	39,400	31,900
Cartridge, 120mm, TP-T, XM831	30,500	30,500	40,500	30,500
Cartridge, 120mm, TPCSDS-T, XM865 (KE-TP)	52,700	52,700	77,700	52,700
Projectile, 155mm, HE, ICM(DP), M483 (MYP)	252,000	212,000	312,000	230,000
Projectile, 155mm, HE, Adam M692 (MYP)	32,300	19,800	32,300	25,000
Projectile, 155mm, HE, Adam M731 (MYP)	32,500	19,900	32,500	25,000
Projectile, 155mm, HE, Copperhead (ea)	102,800	130,900	132,800	130,900
Projectile, 155mm, SMK, WP, M825	12,500	25,000	24,500	25,000
Charge, propelling, 155mm RFD bag M203	9,500		9,500	
Charge, propelling, 155mm white bag M119	113,200	113,200	123,200	113,200
Projectile, 8-inch, HE, ICM(DP), M509 (MYP)	146,500	103,400	191,500	120,000
Charge, propelling, 8-inch W B, M188	30,400	30,400	39,400	30,400
Fuze, Proximity, M732	47,700	19,800		
Fuze, pt, det, M739			11,100	11,100
Fuze, mechanical, time M577	40,400	40,400	59,400	40,400
Ground emp mine scat sys AP M74	10,500	10,500	20,500	10,500
Ground emp mine scat sys AT M75	19,800	19,800	29,000	19,800
Light antitank weapon: Tactical	33,800	23,800	71,100	41,600
Hand grenades, all types	14,100	12,700	14,100	12,700
Simulators, all types	14,100	14,100	12,700	14,100
War reserve stockpile (expl/propellants)	33,900		33,900	
War reserve ammunition				401,900
Provision of industrial facilities	282,200	196,200	265,200	256,200
(RDX/HMX facilities)	(55,000)		(80,000)	(60,000)
(PBX loading facilities)		(13,200)		(13,200)
(High-speed freeze assembly)	(2,200)		(2,200)	
Items not in conference	764,200	669,600	669,600	669,600
Total, procurement of ammunition, Army	2,494,000	2,011,700	2,625,050	2,646,300
Transfer from other accounts		(44,000)	(44,000)	
Total funding available	2,494,000	2,055,700	2,669,050	2,646,300

MORTAR AMMUNITION

The conference agreement includes \$67,900,000 in a general line for procurement of mortar ammunition. This approach is being used because of the uncertainty of mortar ammunition requirements resulting from recent decisions concerning the Army's mortar force structure. The conferees direct the Army to submit to the Committees on Appropriations for approval its allocation of this budget line. The conferees expect that future budget submissions will include P-1 lines for specific end-items as in the past.

As explained under "Procurement of Weapons and Tracked Combat Vehicles", the conferees expect the Army to report soon on its plans to phase-in the new mortar force structure. A portion of

the funds included on the mortar ammunition line may be used to initiate procurement of 120mm mortar ammunition if such a procurement can be executed in fiscal year 1985.

WAR RESERVE AMMUNITION

The conference agreement provides \$401,900,000 in an unallocated line for war reserve ammunition. This Congressional initiative is intended to enhance Army readiness and sustainability. The conferees disapprove the reprogramming of \$48,600,000 within "Procurement of Ammunition, Army 1984/1986" proposed in request FY 84-36PA to initiate the RDX/HMX modernization program, but provide that \$19,500,000 may be reprogrammed for initial design efforts at the lead RDX plant. The conferees direct the application of the remaining funds to procure war reserve ammunition to begin this initiative. The conferees direct the Army to present to the Committees, for approval, its allocation of these additional funds.

With respect to the budget proposal to stockpile explosives and propellants, the conferees note that neither the effects of the improved production capacity at Holston AAP nor the use of the proveout product from the new facilities had been considered in the RDX/HMX master plan. When these are considered, the stockpile requirement is less than stated in the plan. The conferees direct that the stockpile plan be revised to take into consideration those two considerations and the Congressionally funded RDX/HMX master plan. In the interim, the proposed stockpiling program is deferred.

RDX/HMX PRODUCTION FACILITIES

The House bill included no funding for RDX/HMX facilities; the Senate bill included \$80,000,000. The conference agreement provides \$60,000,000 for the following:

	Budget	Conference
Holston Modernization.....	\$24,000	\$24,000
HMX Musall Pilot Plant.....	0	4,000
RDX Production Facilities (Design).....	0	32,000
Total.....		60,000

The conference agreement recognizes that \$20,000,000 proposed by the Senate for the RDX to HMX conversion projects at Holston Army Ammunition Plant (AAP) cannot be executed because of incomplete design work making 1985 funding premature. This project now slips to 1986 pending completion of necessary design work.

The conferees recommend full funding for the Holston AAP modernization projects as proposed by the Senate, but stipulate that these activities shall be carried out only under fixed price contracts.

The conferees direct that the \$3,000,000 HMX Musall process demonstration project at Longhorn AAP be started as soon as possible, and hereby approve the fiscal year 1983 reprogramming needed for that purpose. Based upon that initiation of the demonstration, the conferees recommend \$4,000,000 to initiate final

design efforts for the "scale pilot HMX" plant at Longhorn AAP needed before construction of the pilot plant or initiation of work on the proposed full scale HMX Musall manufacturing facility. This recommendation is in lieu of the Senate's allocation of \$4,000,000 for the HMX manufacturing facility for which \$11,000,000 was requested in the budget.

Finally, the conferees recommend a total of \$32,000,000 for design and engineering work on the mobilization base RDX manufacturing facilities. This funding is needed to ensure completion of the necessary design work to support future budget requests and construction through fixed price contracts. The conferees understand that this level of funding is all that can be effectively used in 1985.

The conferees direct that one plant, Louisiana AAP, be designated as the lead plant in the multiple RDX production plant program authorized by Congress this year. The \$32,000,000 for RDX facilities shall be allocated for design efforts as follows: \$10,000,000 for Louisiana AAP, \$10,000,000 for Joliet AAP, \$10,000,000 for Alabama AAP, \$1,000,000 for Indiana AAP, and \$1,000,000 for Iowa AAP. The conferees expect that construction of the lead facility should be started first if adequate funding is not available for concurrent construction of more than one plant. Further, the conferees direct the Army to study the cost effectiveness of multiple RDX manufacturing sites, and report to the Committees on Appropriations of the House and Senate before additional site specific work is undertaken.

The conferees reiterate the House's expectations that all construction will be budgeted and executed under fully funded fixed price contracts, and direct the Army to respond to questions and concerns raised in the House report and reprogramming letter before obligating any fiscal year 1985 funds.

OTHER PROCUREMENT, ARMY

The conferees agree to the following amounts for Other Procurement, Army:

[In thousands of dollars]

	Budget	House	Senate	Conference
OTHER PROCUREMENT, ARMY				
Semitrailer, low bed, 40T M870 (C/S)	8,200	6,700	8,200	6,700
Semitrailer, low bed het, XM1000	7,000		7,000	
Semitrailer, Tank, 500GG	40,900		40,900	
HI Mob multi-purp whld veh (HMMWV) (MYP)	311,100	310,200	311,100	311,100
Fast attack vehicle, ABT	12,800			5,400
Prior year transfer		(5,400)		
Truck, 5T, 6X6, ABT (MYP)	397,200	347,200	356,600	347,200
Passenger carrying vehicles	32,300	25,000	32,300	25,000
General purpose vehicles	40,400	32,700	40,400	40,400
Special purpose vehicles	10,700	8,200	10,700	10,700
Production base support (TAC)	3,300	200	3,300	3,300
MOB subscriber eqp	110,000	55,000		63,250
Tactical area communication system			63,250	
Sincgars (roll)	135,500	135,500	136,900	136,900
EUCOM C3 (NWS)	81,300	51,000	48,000	48,000
Speech secur equip, KYV-4/Tsec	12,900	12,900		

[In thousands of dollars]

	Budget	House	Senate	Conference
Base comm (EUCOM)	24,500	19,300	19,500	19,300
TMDE modernization	26,600	20,000	26,600	20,000
Trailblazer	105,500	58,600		58,600
Softcopy imagery training device	7,100		7,100	
Items less than \$900,000 (GDIP-C-E)	5,000	2,810	5,000	5,000
Digital message device	14,600	12,000	14,600	12,000
WW mil com & cont sys adp.	15,100	8,800	14,200	14,200
MOD in-svc equip (EW)	13,100	7,400	6,600	6,600
Night vision goggles AN/PVS-5	3,400	40,700	3,400	40,700
TA/design aerial recon sys (Tadars)	144,500		44,500	
Spares and repair parts (Telecom)	201,400	175,000	195,100	182,000
Spares and repair parts (other)	191,900	157,400	174,600	158,000
Bridge, float-ribbon, transporter	28,000	14,500	14,000	14,000
Dispenser, mine, XM128 (GEMSS)	17,200	6,100	17,200	10,000
Detection set, mine, AN/PSS-12	6,700		6,700	
M-9 armored combat earthmover (transfer)		(24,400)		
Air-conditioners various size/capacities	14,100	12,900	14,100	12,900
Firetrucks	7,100	4,800	7,100	4,800
Laundry unit/TRL MTD	4,500	2,300	4,500	2,300
Halon recharge service kit	5,200	600	5,200	3,000
Arapaho spt kits		5,000		
Items less than \$900,000 (CSS-EQ)	14,800	8,300	9,800	9,800
Tank assembly fab collapsible pol 10000G	5,800	2,200	5,800	5,800
Pump centrifugal 4X4 ded	7,600	3,800	7,600	7,600
Pipeline outfit, petroleum	4,700	2,400	4,700	4,700
RDF pol dist	22,800		22,800	
Tanker mooring system multi-leg	5,500	2,800	5,500	5,500
WTR pur unit rev os 150K GPD (ROWPU)	1,600	800	1,600	1,600
Water stor and dist sys 20,000 gal	1,000	500	1,000	1,000
Water stor and dist sys 40,000 gal	2,000	1,000	2,000	2,000
Water stor and dist sys 800,000 gal	4,400	2,200	4,400	4,400
Water stor dist sys 1,000,000 gal	1,600	800	1,600	1,600
Tactical water distr sys	13,100	11,000	13,100	13,100
Fwd area wtr point sup system	8,300	4,200	8,300	8,300
Tank, fabric, coll, wtr, semi-trlr MTD	4,100	2,100	4,100	4,100
Small mobile water chiller (SMWC)	5,200	2,600	5,200	5,200
Drill mach well rty trl	1,500	800	1,500	1,500
Deployable medical system (DMS)	88,400	44,400	88,400	44,400
Cbt sop equip medical	70,900	40,900	70,900	40,900
Welding shop, trailer MTD	16,800	8,400	16,800	10,000
Shop eq elect repair semi-trl MTD	8,900	4,500	8,900	6,000
Calibration set support	13,900	8,100	13,900	10,000
Items less than \$900,000 (main equip)	8,700	8,700	8,500	8,700
Landing, craft, utility	28,200	14,100	28,200	14,100
B-DeLong pier barge	5,300	3,500	5,300	5,300
RO/RO discharge platform	9,000	4,500	9,000	9,000
Causeway systems	8,200	5,500	8,200	8,200
Railway car, flat, 140 ton	16,500	13,000	16,500	13,000
Shipping container	3,500	1,800	3,500	3,500
Modifications of in-serv eq (float/rail)	7,600	5,300	7,600	7,600
Truck, fork lift, GE, PT, 4000 lb	12,400	7,600	12,400	7,600
Truck, fork lift, GE, PT, 6000 lb	5,300	3,500	5,300	3,500
Truck, fork lift, DE, PT, RT, 6000 lb	25,900	21,200	25,900	21,200
Trk fork lift ec srt frt/side ldr	2,300	1,600	2,300	1,600
Items less than \$900,000 (MHE)	5,100	3,200	5,100	3,200
Spares and repair parts	42,400	39,400	42,400	39,400
Prod enhancing capital invest prgm	12,700	5,000		2,500
Production base support (oth)	17,500	6,200	17,500	6,200
Special equipment for user testing	15,800	14,100	15,800	14,100
Training devices, nonsystem	143,100	127,000	143,100	143,100
Undistributed reduction			-74,000	
Reduction, PY transfer		-18,000		

[In thousands of dollars]

	Budget	House	Senate	Conference
Prior year transfer		(18,000)		
Items not in conference	3,229,800	3,037,700	3,037,700	3,037,700
Total, other procurement, Army	6,022,400	4,989,510	5,256,850	5,122,450
Transfer, from other accounts		(47,800)		
Total funding available	6,022,400	5,037,310	5,256,850	5,122,450

MOBILE SUBSCRIBER EQUIPMENT (MSE)

The Mobile Subscriber Equipment (MSE) program is a communications system to provide mobile and stationary users at corps and division levels with automatic, secure communications. The Army budgeted \$110,000,000 to initiate procurement of the MSE program as a non-developmental item (NDI)—i.e., there would be no government funding for RDT&E.

The conferees note that an RFP (request for proposal) for this program was recently issued, and the response to that RFP will help to clarify various issues including whether (1) MSE is fully interoperable with other U.S. communications equipment, (2) MSE will be used on light weight U.S. vehicles for mobility, and (3) MSE capacity will be adequate for both voice and data for the modern automated battlefield. The conferees also note that the MSE request for proposal has a long list of priced options and desired features which include such things as interoperability, mobility, and anti-jamming. The response to the RFP will enable the cognizant Congressional Committees to accurately assess the ultimate cost effectiveness of the program.

The conferees recommend a total of \$63,250,000, as proposed by the Senate, none of which may be obligated until Congress is provided the details of the specific equipment to be included in the program, the associated testing results of that equipment, and the proposed funding schedule. It is further agreed that future funding commitments to this program not be made until the scheduled user evaluation is completed.

ARMORED COMBAT EARTHMOVER

The conference agreement provides \$24,100,000 the amount appropriated in fiscal year 1984. The conference agreement also rescinds fiscal year 1984 authority to enter a multiyear contract using fiscal year 1984 funds, as proposed by the Senate. These actions are taken in recognition of program slippage. The conferees urge the Army to expedite testing so that results can be known in time for deliberations on the fiscal year 1986 budget. Additional multiyear authority will be considered if the Army can demonstrate that the program meets the criteria, and has the firm support of the Army.

REMOTELY PILOTED VEHICLE

The conferees deny procurement funding for the remotely piloted vehicle without prejudice. Based on the current program plan, it does not appear that even advance procurement can be obligated in fiscal year 1985. If future testing is completely successful, and if the Army can demonstrate that advance procurement is necessary and justified, in fiscal year 1985 the Committees will consider a re-programming.

AIRCRAFT PROCUREMENT, NAVY

The conferees agree to the following amounts for Aircraft Procurement, Navy:

(In thousands of dollars)

	Budget	House	Senate	Conference
AIRCRAFT PROCUREMENT, NAVY				
BA-1 Combat aircraft:				
A-6E (Attack) Intruder (MYP)	214,580	199,480	198,080	199,480
A-6E (Attack) Intruder (MYP) (AP-CY)		15,100		15,100
EA-6B (Electronic warfare) Prowler	361,000	361,000	359,000	361,000
EA-6B (Electronic warfare) Prowler (AP-CY)	18,600	18,600	18,600	18,600
AV-8B (V/Stol)	742,233	736,233	736,733	736,733
AV-8B (V/Stol) (AP-CY)	80,400	60,000	59,400	60,000
F-14A (Fighter) Tomcat	786,900	786,900	742,400	771,300
F-14A (Fighter) Tomcat (AP-CY)	190,000	190,000	170,800	185,000
F/A-18 (Strike fighter) Hornet	2,348,130	2,255,530	2,348,130	2,293,530
F/A-18 (Strike fighter) Hornet (AP-CY)	337,854	207,654	207,654	207,654
CH-53 (Helicopter) Super Stallion (MYP)	223,277	196,977	209,777	196,977
CH-53 (Helicopter) Super Stallion (MYP) (AP-CY)	69,620	36,120	36,120	36,120
AH-1T (Helicopter) Sea Cobra	178,000	178,000	178,000	178,000
AH-1T (Helicopter) Sea Cobra (AP-CY)	15,000	15,000	15,000	15,000
SH-60B (ASW Helo) Seahawk	333,185	375,000	400,585	375,000
SH-60B (ASW Helo) Seahawk (AP-CY)	52,400	57,900	57,900	57,900
P-3C (Patrol) Orion	378,880	321,580	321,580	321,580
P-3C (Patrol) Orion (AP-CY)	86,100	50,000	50,000	50,000
E-2C (Early warning) Hawkeye	312,200	306,200	306,200	306,200
E-2C (Early warning) Hawkeye (AP-CY)	29,600	29,600	29,600	29,600
SH-2F (ASW Helo) Seasprite	65,860	65,860	65,860	65,860
Total, BA-1 combat aircraft.....	6,823,819	6,462,734	6,511,419	6,480,634
BA-2 Airlift aircraft:				
C-9 Skytrain II	33,900	33,900	13,900	33,900
UC-12B	32,005	26,900		26,900
C-2 (MYP)	144,206	144,206	144,206	144,206
C-2 (MYP) (AP-CY)	41,200	41,200	41,200	41,200
Total, BA-2 airlift aircraft.....	251,311	246,206	199,306	246,206
BA-3 Trainer aircraft:				
Adversary	66,800	116,800	116,800	116,800
TH-57	24,355	24,355	24,355	24,355
Total, BA-3 trainer aircraft.....	91,155	141,155	141,155	141,155
BA-4 Other aircraft:				
KC-130T (Tanker) Hercules		48,000		48,000
UH-60		12,000		12,000
Total, BA-4 other aircraft.....		60,000		60,000

[In thousands of dollars]

	Budget	House	Senate	Conference
BA-5 Modification of aircraft:				
A-3 Series.....	5,701	5,701	5,701	5,701
A-4 Series.....	21,865	21,865	21,865	21,865
A-6 Series (MYP).....	149,395	149,395	149,395	149,395
EA-6 Series.....	79,635	79,635	79,635	79,635
A-7 Series.....	74,993	74,993	74,993	74,993
AV-8 Series.....	15,382	15,382	15,382	15,382
F-4 Series.....	5,035	5,035	5,035	5,035
RF-4 Series.....	6,246	6,246	6,246	6,246
F-14A.....	203,283	271,283	203,283	271,283
F-8 Series.....	175	175	175	175
F-5 Series.....	3,627	3,627	3,627	3,627
OV-10A.....	47,030	47,030	47,030	47,030
F-18 MODS.....	40,219	33,280	40,219	33,280
H-46 Series.....	157,534	157,534	157,534	157,534
H-53 Series.....	44,444	44,444	44,444	44,444
Penguin.....		11,700		11,700
H-1 Series.....	96,684	96,684	96,684	96,684
H-2 Series.....	15,796	15,796	15,796	15,796
H-3 Series.....	110,653	110,653	110,653	110,653
P-3 Series.....	165,377	165,377	177,477	177,477
S-3.....	163,606	155,553	163,606	155,553
US-3A COD.....	2,447	2,447	2,447	2,447
E-2 Series.....	74,746	74,312	74,746	74,312
Trainer A/C Series.....	7,883	7,883	7,883	7,883
TH-57.....	745	745	745	745
EC-130 Series.....	33,978	30,118	33,978	30,118
C-130 Series.....	19,881	19,881	19,881	19,881
FEWSG.....	34,548	34,548	34,548	34,548
Cargo/Transport A/C Series.....	4,386	4,386	4,386	4,386
Various.....	24,199	13,173	24,199	13,173
Power plant changes.....	13,054	13,054	13,054	13,054
Misc FLT Safety/Oper necessity changes.....	6,955	6,955	6,955	6,955
Common ECM equipment.....	264,817	264,817	214,217	214,217
Common avionics changes.....	25,187	25,187	25,187	25,187
Undistributed reduction.....		-200,000	-200,000	-200,000
Total, BA-5 modification of aircraft.....	1,919,506	1,768,894	1,681,006	1,730,394
BA-6 Aircraft spares:				
Spares and repair parts.....	1,609,734	1,568,534	1,609,734	1,609,734
BA-7 Aircraft support equipment and				
FACIS common ground equipment.....	645,219	545,219	545,219	545,219
Aircraft industrial facilities.....	55,800	55,800	55,800	55,800
War consumables.....	28,700	28,700	28,700	28,700
Other production charges.....	48,956	48,956	48,956	48,956
Total, BA-7 aircraft support equipment and FACIS.....	778,675	678,675	678,675	678,675
Consultants, studies, and analyses.....		-3,000	-3,000	-3,000
General reduction.....		-75,000		
Prior year transfers.....		(75,000)		
Misc contract savings.....		-40,000		-40,000
Total, aircraft procurement, Navy.....	11,474,200	10,808,198	10,818,295	10,903,798
Transfer from other accounts.....		(75,000)		
Total funding available.....	11,474,200	10,883,198	10,818,295	10,903,798

CH-53E HEAVY LIFT HELICOPTER

The conferees fully expect the Navy to execute the four year, 56 aircraft multiyear procurement profile as submitted to the Congress.

C-12

The C-12 is a common utility transport aircraft in all the Services and there is a common logistics support system for the 207 C-12 aircraft throughout the force structure. In order to reduce support costs, the Navy should continue to provide all logistics support, maintenance and supply for C-12 aircraft on a joint package basis with the other Services.

AH-1T ATTACK HELICOPTER

The conferees agree that any savings for the AH-1T program be used to procure two additional AH-1T helicopters to replace those helicopters that were lost in Grenada. If additional funds are not totally sufficient to cover the flyaway cost of an aircraft, the conferees will consider a reprogramming action to cover any additional costs.

NAVY ADVERSARY AIRCRAFT

The conferees agree that, in order to take advantage of the economies associated with larger quantity procurement and to expand the number of eligible candidate aircraft, the Navy should combine the \$28,700,000 appropriated in fiscal year 1984 for procurement of Navy Adversary aircraft with the \$116,800,000 provided herein (for fiscal year 1985) for that purpose. The Navy is directed to cancel any procurement activities taken in connection with the fiscal year 1984 appropriation. The combined total of \$145,500,000 shall be used by the Navy to initiate its Adversary replacement program, and the Navy is encouraged to minimize the cost of this program with innovative procurement practices such as commercial type pricing and operational/support warranties. The conferees also believe that further economies may be realized if both the Navy and the Air Force modernize their Adversary/Aggressor aircraft with a common replacement aircraft. Accordingly, the Secretary of the Navy and Secretary of the Air Force are directed to provide a report by January 1, 1985, on the desirability of a common program for Adversary/Aggressor replacements. If a common replacement aircraft program is selected, the Air Force should be the procuring agency since its total requirement is significantly larger than the Navy's.

UH-60 HELICOPTERS

The conferees agree that there is a critical shortage of Navy aircraft capable of meeting combat search and rescue (CSAR) and light attack missions (HAL). Also, there is concern that the continued slippage in the Carrier Variant Helicopter program (CV Helo) will seriously impact the operational availability of the current helicopter squadrons.

Taking these issues into consideration, the conferees agreed to add \$12,000,000 to purchase two UH-60 helicopters. Since the contract award for the Carrier Variant Helicopter is forthcoming, the conferees believe that the Navy should have the option to use these helicopters for either Combat Search and Rescue or early demonstration prototypes for the CV Helo program. If the option to use one or both these aircraft as CV Helo prototypes, in order to make up for the slippage in the program, is both practical and desirable, the Navy, upon completion of a CV Helo activity, is directed to return/replace these aircraft in the Navy reserve program for Combat Search and Rescue Squadrons. It is also the conferee's intent that these helicopters go directly into Reserve Combat Search and Rescue Squadrons if the Navy chooses not to use any of these aircraft as CV Helo prototypes.

Additionally, the conferees agree with the House language that requests a detailed plan by March 1, 1985, outlining the requirements and mission objective for the Naval Reserve Combat Search and Rescue Squadrons. This report should include the following: (1) specific characteristics of selected aircraft; (2) number of aircraft required and cost to complete the program; (3) adequacy of funding programmed in fiscal year 1986 and beyond; and (4) planned modification to the force structure and implications of combining CSAR and HAL missions.

AN/AQA-7

IMPROVEMENT PROGRAM FOR NAVAL RESERVE P-3 AIRCRAFT

The conferees agree that the AN/AQA-7 processing system must have an improved display system incorporated in the 135 P-3A and P-3B Naval Reserve Aircraft. Accordingly, the conferees agree to add \$7,500,000 to procure five service test models of the improved AQA-7 display system in order to test and evaluate this system to determine fleet operability and suitability.

F-14 MODERNIZATION PROGRAM

The conferees agree to the House position which adds \$68,000,000 to the F-14 modification line to accelerate the modernization of F-14A's for the Naval Reserve.

WEAPONS PROCUREMENT, NAVY

The conferees agree to the following amounts for Weapons Procurement, Navy:

[In thousands of dollars]

	Budget	House	Senate	Conference
WEAPONS PROCUREMENT, NAVY				
BA-1 Ballistic Missiles				
Ballistic missiles:				
UGM-73A (C-3) Poseidon	5,500	5,500	5,500	5,500
UGM-96A (C-4) Trident I	163,800	153,800	158,800	153,800
Trident II	138,500	138,500	138,500	138,500
Trident II (AP-CY)	24,400	9,800	24,400	24,400

[In thousands of dollars]

	Budget	House	Senate	Conference
Modification of missiles: UGM-73A (C-3) Poseidon Mods.....	25,200	19,300	25,200	19,300
Support equipment and facilities:				
Spares and repair parts.....	3,800	3,800	3,800	3,800
Missile industrial facilities.....	4,000	4,000	4,000	4,000
Astronautics.....	14,600	14,600	14,600	14,600
Total, BA-1 ballistic missiles.....	379,800	349,300	374,800	363,900
BA-2 Other Missiles				
Strategic missiles:				
BGM-109 Tomahawk.....	532,100	532,100	532,100	532,100
BGM-109 Tomahawk (AP-CY).....	28,000	28,000	28,000	28,000
Tactical missiles:				
AIM/RIM-7 F/M Sparrow.....	258,000	245,500	288,000	278,000
Prior year transfer.....			(20,000)	
AIM-9L/M Sidewinder.....	68,600	68,600	58,600	58,600
AIM-54A/C (Phoenix).....	407,000	310,500	317,000	314,000
AIM-54A/C (Phoenix) (AP-CY).....	36,800	24,400	17,300	24,400
Transfer, Phoenix.....		(30,000)		
AGM-84A Harpoon.....	327,100	327,100	327,100	327,100
AGM-88A Harm.....	309,700	248,200	289,700	278,200
RIM-66B Standard MR.....	206,300	190,300	190,300	190,300
RIM-66C Standard MR.....	313,600	313,600	313,600	313,600
RIM-67B Standard ER.....	186,700	186,700	186,700	186,700
RAM.....	18,000	18,000	18,000	18,000
Hellfire.....	25,211	25,211	25,211	25,211
Laser Maverick.....	110,600	93,700	110,600	103,000
IIR Maverick.....	29,700			
Penguin (AP-CY).....		11,700		11,700
Ariel targets.....	60,500	60,500	60,500	60,500
Other missile support.....	6,700	6,700	6,700	6,700
Modification of missiles:				
AIM/RIM-7E/F Sparrow mod.....	2,400	2,400	2,400	2,400
AIM-9 Sidewinder mod.....	32,100	32,100	32,100	32,100
AIM-54A/C Phoenix mod.....	4,600	4,600	4,600	4,600
AGM-84A Harpoon mod.....	16,700	16,700	16,700	16,700
Standard missiles mod.....	6,200	6,200	6,200	6,200
Support equipment and facilities:				
Spares and repair parts.....	150,049	124,949	140,049	133,000
Weapons industrial facilities.....	27,400	27,400	27,400	27,400
Fleet satellite communications.....	51,400	51,400	51,400	51,400
Ordnance support equipment.....	13,500	11,500	11,500	9,500
Total, BA-2 Other missiles.....	3,228,960	2,968,060	3,061,760	3,039,411
BA-3 Torpedoes and Related Equipment				
Torpedoes and related equipment:				
Torpedo MK-48.....	127,700	89,000	60,000	89,000
MK-48 ADCAP.....		108,900	105,600	105,600
Torpedo MK-46 (MYP).....	256,000	229,700	256,000	229,700
MK-60 Captor.....	128,500	122,000	122,000	122,000
Mobile target MK-30.....	21,300	18,300	21,300	21,300
MK-38 Mini mobile target.....	2,500	2,500	2,500	2,500
ASROC.....	25,900	25,900	25,900	25,900
MOD of torpedoes and related equipment:				
Mobile mine MK-67.....	22,600	22,600	22,600	22,600
Torpedo MK-46 mods.....	2,300	2,300	2,300	2,300
Torpedo MK-48 mods.....	108,900			
Captor mods.....	5,700	5,700	5,700	5,700
Swimmer weapon system.....	1,600	1,600	1,600	1,600
Support equipment:				
Torpedo support equipment.....	46,500	46,500	46,500	46,500
ASW range support.....	24,800	24,800	24,800	24,800

[In thousands of dollars]

	Budget	House	Senate	Conference
Spares and repair parts.....	24,700	23,700	24,700	24,700
Total, BA-3 torpedoes and related equipment.....	799,000	723,500	721,500	724,200
BA-4 Other Weapons				
Guns and gun mounts:				
MK-15 Close in weapons system.....	163,900	163,900	163,900	163,900
MK-75 76MM gun mount.....	10,900	10,900	10,900	10,900
MK-19/40MM machine gun.....	2,000	2,000	2,000	2,000
25MM gun mount.....	3,100	3,100	3,100	3,100
Small arms and weapons.....	3,500	3,500	300	3,500
Modification of guns and gun mounts:				
CIWS mods.....	30,300	30,300	30,300	30,300
5"/54 gun mount mods.....	6,200	6,200	6,200	6,200
3"/50 gun mount mods.....	400	400	400	400
MK 75 76MM gun mount mods.....	2,700	2,700	2,700	2,700
Coast Guard Gun Support Program.....	5,500	5,500	5,500	5,500
Mods under \$900,000.....	1,200	1,200	1,200	1,200
Support equipment:				
Gun support equipment.....	600	600	600	600
Spares and repair parts.....	12,800	12,300	12,800	12,800
Total, BA-4 other weapons.....	243,100	242,600	239,900	243,100
General reduction.....		-20,000		
Prior year transfer.....		(20,000)		
Misc contract savings.....		-15,000		-15,000
Contract spt svc.....		-2,000	-2,000	-2,000
Total, weapons procurement, Navy.....	4,650,860	4,246,460	4,395,960	4,353,611
Transfer from other accounts.....		(50,000)	(20,000)	
Total funding available.....	4,650,860	4,296,460	4,415,960	4,353,611

AIM/RIM-7F/M SPARROW

The conferees agree to provide \$278,000,000 for AIM/RIM-7F/M Sparrow, instead of \$245,500,000 as proposed by the House, or \$288,000,000 as proposed by the Senate. In addition, the Senate recedes to the House in the proposed application to Sparrow of a \$20,000,000 transfer from Weapons Procurement, Navy, 1984/1986. The Navy is directed to procure the maximum possible number of missiles with this \$278,000,000.

AIM-54A/C PHOENIX

AIM-54A/C PHOENIX ADVANCE PROCUREMENT

The conferees agree to provide \$314,000,000 for Phoenix, instead of \$310,500,000 as proposed by the House, or \$317,000,000 as proposed by the Senate; and \$24,400,000 for Phoenix Advance Procurement as proposed by the House, instead of \$17,300,000 as proposed by the Senate.

The House proposed that \$30,000,000 included in last year's funds for Phoenix production to facilitate the current sole source contractor from 40 to 55 missiles per month be used instead to fund actions related to establishing a second source. The conferees agree

to setting aside these funds for this purpose, and direct the Navy to provide to the Committees on Appropriations a plan detailing the second source program, to include a financial analysis of recoupment of start-costs before proceeding. To implement its proposal, the House included a bill provision transferring \$30,000,000 of fiscal year 1984 funds into fiscal year 1985. Because these funds are available for three years, the conferees agree that such a transfer is unnecessary, and have not included transfer language in the bill.

AGM-88A HARM

The conferees agree to provide \$278,200,000 for AGM-88A HARM, instead of \$248,200,000 as proposed by the House, or \$289,700,000 as proposed by the Senate. The Navy is directed to procure the maximum possible number of missiles with these funds.

The conferees agreed last year on sole source procurement of HARM "with the specific proviso that development of an alternate seeker will be accelerated in order that a block change can be made at the earliest possible date." The conferees reaffirm that proviso. The Navy is directed to develop an alternate seeker as rapidly as possible, so that it can be transitioned quickly into production and form the basis of a cost-cutting block change in HARM in the near future. Additional language on the Low Cost Anti-Radiation Seeker is provided in the RDT&E, Navy section of this report.

MK-48 ADCAP

The conferees agree to extend the restriction on the obligation of MK-48 ADCAP funds until the CNO review board reviews the program and certifies that the established requirements are met. It is not the intent of the conferees to disrupt the development of a second source and, accordingly, the conferees impose no objection to the obligation these funds required to establish a second source.

SUPPORT EQUIPMENT AND FACILITIES

The conferees agree to the Senate position which directs that \$2,500,000 be used to reconstruct the solvent preparation building at the Allegheny Ballistic Laboratory.

SHIPBUILDING AND CONVERSION, NAVY

The conferees agree to the following amounts for Shipbuilding and Conversion, Navy:

[In thousands of dollars]

	Budget	House	Senate	Conference
SHIPBUILDING AND CONVERSION, NAVY				
BA-1 Fleet ballistic missile ships:				
Trident (nuclear).....	1,489,500	1,489,500	1,482,700	1,482,700
Trident (nuclear) (AP-CY).....	265,500	265,500	265,500	265,500
TAK (Conv) Cargo ship.....	91,100			
Total, BA-1 Fleet ballistic missile ships.....	1,846,100	1,755,000	1,748,200	1,748,200

[In thousands of dollars]

	Budget	House	Senate	Conference
BA-2 Other warships:				
SSN-688 Class submarine (nuclear)	2,262,200	2,082,300	1,811,800	2,102,200
Prior year transfer			(290,400)	
SSN-688 Class submarine (nuclear) (AP-CY)	617,800	562,800	562,800	562,800
Prior year transfer		(55,000)		
Battleship React	422,600			
CV SLEP	583,200	583,200	583,200	583,200
CV SLEP (AP-CY)	181,300	181,300	131,300	131,300
CG-47 AEGIS cruiser (MYP)	3,125,600	2,800,000	2,918,600	2,883,000
Prior year transfer		(83,000)		
CG-47 AEGIS cruiser (MYP) (AP-CY)	24,400	24,400	20,900	102,000
Prior year transfer			(57,000)	
DDG-51	1,173,400	489,900	1,173,400	1,050,000
Prior year transfer		(450,000)		
Total, BA-2 other warships	8,390,500	6,723,900	7,202,000	7,414,500
BA-3 Amphibious ships:				
LSD-41 Landing ship dock	406,000	406,000	406,000	406,000
LSD-41 Landing ship dock (AP-CY)	83,500	83,500	83,500	83,500
LHD-1 Amphibious assault ship (AP-CY)	39,200	39,200	39,200	39,200
LPD-4 SLEP	15,000	15,000	15,000	15,000
Total, BA-3 Amphibious ships	543,700	543,700	543,700	543,700
BA-4 Mine warfare and patrol ships:				
MCM Mine countermeasures ship	349,500	324,500	349,500	344,500
Total, BA-4 Mine warfare and patrol ships	349,500	324,500	349,500	344,500
BA-5 Auxiliaries, craft and PY prog costs:				
TAO Fleet oiler	562,600	515,600	537,600	522,600
TAGOS Surtass ship	192,900	129,900	128,400	128,400
TAGS Surveying ship	245,000		245,000	225,000
TACS Crane ship (Conv)	44,000	36,000	36,000	36,000
TAVB (Conv)	37,600	26,600	26,600	26,600
TAVB (Conv) (AP-CY)	5,200	5,200		5,200
Strategic sealift	31,000	15,000	31,000	31,000
LCAC landing craft	198,800	198,800	198,800	198,800
LCAC landing craft (AP-CY)	31,300	31,300	31,300	31,300
Service craft	81,200	35,500	54,700	54,700
Landing craft	11,900	11,900	11,900	11,900
Outfitting	204,400	204,400	204,400	204,400
Post delivery	179,200	179,200	179,200	179,200
Cost growth	187,000			
ARTB nuclear reactor training ship conv			30,000	30,000
Total, BA-5 auxiliaries, craft and PY prog costs	2,012,100	1,389,400	1,714,900	1,685,100
Misc contract savings		-25,000		
Contract SPT SVC		-3,500		
Total, shipbuilding and conversion, Navy	13,141,900	10,708,000	11,558,300	11,736,000
Transfer from other accounts		(588,000)	(347,400)	
Total funding available	13,141,900	11,296,000	11,905,700	11,736,000

CG-47 AEGIS CRUISER

The conferees agree to an allowance of \$2,883,000,000 for three CG-47 cruisers. Prior to the obligation of funds for solid state frequency converters, propellers, and vertical package/stores convey-

ors, a second source must be developed in order that these systems can be competitively awarded.

The conferees have also included \$83,000,000 in advance procurement, and bill language instructing the development of a second source for the AEGIS SPY-1 radar system. In this regard, the Navy must submit a plan to accompany the fiscal year 1986 budget request which outlines the procurement strategy for second source selection. The Navy should prepare bid solicitations, and evaluations in a timely manner for selection of the second source by the end of the fiscal year.

An additional \$19,000,000 of advance funding provides for MK-45 gun multiyear procurement.

DDG-51

The conferees agree to an allowance of \$1,050,000,000 for the lead DDG-51 destroyer. Prior to obligating funds for solid state frequency converters, vapor compression distillation system, and vertical package/stores conveyors, a second source be developed in order that these systems can be competitively awarded.

The conferees also agree that sufficient amounts within this appropriation are available to begin establishing a second source for ship construction in order that a second shipyard can be introduced into the follow-on procurement of the DDG-51 which is currently planned for fiscal year 1987.

FISCAL YEAR 1984 GUIDED MISSILE FRIGATE PROGRAM

The conferees agree to the Senate bill language pertaining to the release of \$340,000,000 in appropriated funds for the fiscal year 1984 FFG-7 frigate program previously committed by a legislative requirement to construct the ship with a MK-92 fire control system and phased array upgrade. In addition, the conferees agree to expand the enabling language by making \$36,300,000 available from fiscal year 1983 shipbuilding funds to fiscal year 1984 in order to complete full funding required for the FFG-61. The following table displays the fiscal year 1983 shipbuilding program sources.

<i>Program</i>	<i>Amount</i>
FFG-7 Guided missile frigate	\$9,200,000
SSN-688 Attack submarine	6,400,000
T-AH Hospital ship	3,400,000
T-AO Fleet oiler	7,300,000
Escalation on prior year programs	10,000,000
Total transfer	36,300,000

T-AVB LOGISTICS SHIP ADVANCE PROCUREMENT

The conferees agree to an allowance of \$5,200,000 for T-AVB Aviation Logistics Support Ship advance procurement in conformance with the House position. While the Senate concurs in the provision of funds for battery chargers, pumps, fork lifts and other long lead items. The conferees recognize that the primary purpose for the advance procurement funding is to retain favorable contract option prices for the second T-AVB conversion planned for fiscal year 1986.

T-ACS CRANE SHIPS

The conferees instruct the Secretary of the Navy to submit any budget request in fiscal year 1986 for additional T-ACS crane ship conversions in compliance with the full funding policy. In accordance with the Senate report language, the Navy should seek the concurrence of the Appropriations Committees if additional ship conversions in fiscal year 1985 can be attained. In addition, the conferees concur in the House report language directing the establishment of a cadre of reservists to perform the T-ACS mission requirements. The Secretary of the Navy shall report to the Committees on Appropriations on the results of the evaluation of T-ACS requirements as instructed by the House.

T-AO FLEET OILER

The conferees agree that source selection considerations for the T-AO program should continue to emphasize both price and preservation of the industrial base.

OTHER PROCUREMENT, NAVY

The conferees agree to the following amounts for Other Procurement, Navy:

[In thousands of dollars]

	Budget	House	Senate	Conference
Other procurement, Navy:				
LM-2500 gas turbine	11,620	11,620	8,920	8,920
Other generators	9,716	9,716	6,416	6,416
Other pumps	11,786	11,786	8,686	8,686
Other propellers and shafts	6,917	6,917	5,217	5,217
Electrically suspended gyro navigator	24,696	24,696	15,696	15,696
Type 18 periscope	16,810	16,810	13,910	13,910
Surface ship silencing equipment	6,623	6,623	5,123	5,123
Submarine batteries	12,733	12,733	9,733	9,733
Sealift support equipment	24,131	24,131	5,631	24,131
HM+E items under 900K	12,572	12,572	10,572	10,572
Torpedo retrievers	10,303	10,303		
Spares and repair parts	3,479	3,340	3,479	3,479
Undistributed reduction		-73,000	-15,000	-42,497
Undistributed reduction		-10,000	-70,000	-55,000
AN/SSQ-53 (DIFAR)	153,004	105,804	153,004	153,004
AN/SSQ-62 (DICASS)	53,070	35,070	53,070	53,070
AN/SSQ-77 (VLAD)	95,251	79,800	95,251	85,000
Undistributed addition			50,000	50,000
Skipper	14,326	7,226	14,326	10,726
General purpose bombs	121,871	71,371	136,371	96,571
Laser guided bomb kits	37,664	21,364	37,664	29,464
Walleye	32,430	7,930	32,430	20,130
Zuni rocket	39,003	9,403	39,003	24,203
2.75 inch rocket	25,509	17,009	25,509	21,209
Parachute flares	11,546	1,546	11,546	6,546
Machine gun ammunition	36,468	22,768	26,468	26,468
Practice bombs	64,119	55,919	58,219	58,219
Airborne expendable countermeasures	50,552	49,552	53,852	50,052
Marine location markers	7,210	3,810	7,210	5,510
JATOS	15,009	10,609	12,100	12,100
GATOR	31,617	19,517	31,617	25,517
Weapons range support equipment	33,572	28,172	33,572	30,872

[In thousands of dollars]

	Budget	House	Senate	Conference
Expeditionary airfields	15,681	6,081	15,681	10,881
Aircraft rearming equipment	12,506	9,706	12,506	11,106
Airborne mine countermeasures	16,125	12,725	16,125	14,425
5/54 gun ammunition	91,103	77,903	91,103	77,903
5 inch guided projectile	68,206	55,306	68,206	55,306
CIWS ammunition.....	28,754	28,754	41,254	28,754
Other ship gun ammunition	8,945	8,945	18,945	8,945
Small arms and landing party ammo.....	20,978	20,978	30,978	20,978
Undistributed reduction		-77,000	-86,800	-77,000
Passenger carrying vehicles	7,535	4,535	7,535	4,535
Trucks	36,922	33,822	36,922	35,322
Earth moving equipment	16,832	9,832	16,832	13,332
Weight handling equipment.....	13,858	7,458	13,858	10,658
Spares and repair parts	5,769	5,538	5,769	5,769
Fleet hospitals.....	71,856	47,856	71,856	71,856
Other materials handling equipment.....	6,137	3,037	6,137	6,137
Automated materials handling systems.....	23,088	20,688	23,088	23,088
Other supply support equipment	12,353	11,353	12,353	12,353
Special activities, Navy	14,884	13,284	14,884	13,284
Special purpose supply systems.....	46,562	46,562	30,062	30,062
Surface sonar trainers.....	26,735	24,235	26,735	26,735
Submarine combat system trainers.....	14,940	9,240	14,940	14,940
Ship system trainers	19,540	13,040	19,540	19,540
Training device modifications.....	14,377	7,977	14,377	14,377
Command support equipment	8,387	6,187	8,387	8,387
Medical support equipment	35,878	33,778	35,878	35,878
Intelligence support equipment.....	47,792	36,592	44,892	43,178
Physical security.....			6,000	
Productivity investment fund (PIF)	17,890	9,990	17,890	9,990
Undistributed reduction			-90,000	-90,000
General reduction		-85,700		
Prior year transfer		(85,700)		
Ordnance eqpt reduction		-62,000		
Items not in conference	4,276,660	4,107,848	4,107,848	4,107,848
Total, other procurement, Navy.....	5,953,900	5,063,667	5,533,376	5,341,614
Transfer from other accounts		(85,700)		
Total funding available.....	5,953,900	5,149,367	5,533,376	5,341,614

SEALIFT SUPPORT EQUIPMENT

The conferees agree to an allowance of \$18,500,000, and encourage the Navy to reprogram funds, if necessary, to fully fund the procurement of 160 Seasheds.

COMMUNICATIONS AND ELECTRONICS EQUIPMENT

AN/SQR-17 ACOUSTIC PROCESSOR

The conferees are concerned that the Navy's proposed cut in AN/SQR-17 production could disrupt production schedules, increase costs, and most importantly delay fleet introduction of this improved capability.

Consequently, the conferees support the original procurement profile and direct that the Navy procure 26 systems, as originally planned, using non-antisubmarine assets within the communications and electronics equipment budget activity.

In a related matter, the video generator drawer utilized in the AN/SQR-17 is also used in the acoustic system of the Carrier ASWM and is planned for use in the display upgrade of the P-3 AQA-7 acoustic processor. In order to further capitalize on the cost effectiveness and commonality of this advanced technology across technically similar Naval weapons systems suites, and to establish a lower cost second source alternative to counter the high cost of current Navy combat systems, the conferees direct that the Navy procure three modified AN/SQR-17 video generator drawers for system testing as part of the AN/SQQ-89 ASW combat suite. After successful completion of the applicable testing routines, the Navy shall develop a production baseline that will allow competition of follow-on buys of this equipment for utilization in CG-47 and DDG-51 combatants. The conferees expect the Navy to proceed with this effort forthwith.

FFG-7 MK-92 UPGRADE PHASE II (CORT)

Since the Secretary of the Navy has approved the MK-92 Upgrade Phase II (CORT) program, the conferees would not interpose an objection to the reprogramming of funds to or within the Other Procurement, Navy appropriation to procure production units of the MK-92 Upgrade Phase II (CORT).

ORDNANCE SUPPORT EQUIPMENT

QUICKSTRIKE MINES

The conferees agree to the House language on the Quickstrike Mine program.

PERSONAL AND COMMAND SUPPORT EQUIPMENT

UNDERWATER SECURITY SYSTEMS

The conferees agree to the Senate language on Underwater Security Systems, but the agreement provides only research funding.

PROCUREMENT, MARINE CORPS

The conferees agree to the following amounts for Procurement, Marine Corps:

[In thousands of dollars]

	Budget	House	Senate	Conference
Procurement, Marine Corps:				
Small arms ammo, all types	12,646	12,646	12,246	12,646
Spares and repair parts	17,604	13,604	17,604	15,704
Spares and repair parts	3,715	3,567	3,715	3,567
Personal defense weapon	3,163	3,163	.....	3,163
M16A2 rifle	13,992	13,992	11,992	11,992
Hawk	125,065	113,065	125,065	125,065
Stinger	75,572	65,572	65,472	65,572
TOW (MYP)	56,081	52,081	48,181	52,081
Spares and repair parts	7,337	7,044	7,337	6,337
Manpack radios and equipment	5,043	5,043	943	5,043
Unit level circuit switch system	14,873	.....	14,873	.....

[In thousands of dollars]

	Budget	House	Senate	Conference
AN/USM-323 generator signal, electronic.....	1,017	1,017		1,017
Spares and repair parts.....	13,462	12,924	13,462	12,924
AN/PAQ-3 mod univ laser equip (Mule).....	39,620	39,620	38,020	38,020
Modification kits (non-tel).....	12,153	12,153	9,153	9,153
Container handler, rough terrain 50,000 LL.....	6,372	3,172	6,372	6,372
Forklifts, all types.....	18,877	13,077	18,877	18,877
Laundry unit, skid mounted.....	2,515	2,015	2,515	2,515
Bath shower unit expeditionary field.....	2,680	1,680	2,680	1,680
Refrigeraiton unit, F/Rigid box.....	3,182		3,182	1,582
Field wiring harness.....	2,610	1,310	2,610	2,610
Fuel sys amphb assault, 600,000 gal cap.....	10,047	4,347	10,047	9,247
Electrical power distribution system.....	10,107	5,107	10,107	5,107
Garrison mobile engineer equip.....	9,211	7,911	7,511	7,511
Special training devices.....	11,121	4,821	11,121	11,121
Sanitation set, field kitchen.....	1,353	753	1,353	1,353
General reduction (rounding).....			-105	
Undistributed reduction.....		-24,900		-10,000
Prior year transfer.....		(7,500)		
Items not in conference.....	1,499,163	1,416,463	1,416,463	1,416,463
Total, procurement, Marine Corps.....	1,978,581	1,791,247	1,860,796	1,836,722
Transfer from other accounts.....		(7,500)		
Total funding available.....	1,978,581	1,798,747	1,860,796	1,836,722

UNIT LEVEL CIRCUIT SWITCH (ULCS)

The conferees note that additional testing and evaluation is needed for the Unit Level Circuit Switch (ULCS). The conferees deny the \$14,873,000 requested for first year procurement by the Marine Corps and the \$11,800,000 for initial procurement by the Air Force of the ULCS. The conferees recommend a total of \$11,745,000 for ULCS Life Cycle Support for the Marine Corps, which may be used to buy life cycle support equipment only upon the completion of the special verification tests, production approval by the Marine Corps Systems Acquisition Review Council, and approval by the cognizant Congressional Committees. In no case may these funds be obligated before it is certain that the Marine Corps is committed to a procurement program.

AIRCRAFT PROCUREMENT, AIR FORCE

The conferees agree to the following amounts for Aircraft Procurement, Air Force:

[In thousands of dollars]

	Budget	House	Senate	Conference
AIRCRAFT PROCUREMENT, AIR FORCE				
Combat Aircraft				
Strategic offensive:				
B-1B (MYP).....	5,558,200	5,127,000	5,558,200	5,526,600
Transfer.....		(196,200)		
B-1B (MYP) (AP-CY).....	1,544,400	1,544,400	1,544,400	1,544,400

[In thousands of dollars]

	Budget	House	Senate	Conference
Tactical forces:				
F-15 C/D	1,843,400	1,652,400	1,807,500	1,778,400
Transfer		(6,200)		
F-15 C/D (AP-CY)	209,500	181,700	176,400	176,400
F-16 C/D (MYP)	2,960,800	2,396,900	2,473,300	2,446,400
Transfer		(3,000)		
F-16 C/D (MYP) (AP-CY)	787,200	586,800	586,800	586,800
Tactical fighter derivative acct	26,600			
Other combat aircraft:				
KC-10A (ATCA) (MYP)	243,000	185,700	190,700	189,600
Transfer		(3,900)		
KC-10A (ATCA) (MYP) (AP-CY)	404,000	375,300	375,300	375,300
MC-130H	82,400	75,300	82,400	76,400
Transfer		(1,100)		
MC-130H (AP-CY)	10,300	10,300	10,300	10,300
Total, combat aircraft	13,669,800	12,135,800	12,805,300	12,710,600
Airlift/Tanker Aircraft				
Strategic airlift:				
C-5B	1,772,200	1,361,000	1,452,600	1,378,000
C-5B (AP-CY)	327,200	304,100	304,100	304,100
Tactical airlift: C-130H				
		288,000	179,000	288,000
Other airlift:				
C-12J		12,000		12,000
C-20A	55,100	50,100	55,100	51,900
Flight inspection aircraft		20,000		20,000
Total, airlift/tanker aircraft	2,154,500	2,035,200	1,990,800	2,054,000
Trainer Aircraft				
UPT trainers:				
T-46A (NGT)	104,400	103,700	104,400	103,700
T-46A (NGT) (AP-CY)	22,300	22,300	22,300	22,300
Total, trainer aircraft	126,700	126,000	126,700	126,000
Other aircraft				
Helicopters: HH-60D/E (AP-CY)	22,500	6,000	6,000	6,000
Mission support aircraft:				
Range control aircraft	16,400	16,400	16,400	16,400
TR-1/U-2	210,600	151,200	158,200	168,900
Transfer		(13,100)		
Total, other aircraft	249,500	173,600	180,600	191,300
MODIFICATION OF IN-SERVICE AIRCRAFT				
Strategic aircraft:				
B-52	574,200	336,500	527,100	466,500
Transfer		(10,000)		
Tactical aircraft:				
A-7	36,600	36,600	36,600	36,600
A-7D FLIR		52,000	42,000	42,000
A-10	84,600	84,600	61,900	61,900
F/RF-4	213,800	213,800	250,800	250,800
F-5	3,900	3,900	3,900	3,900
F-15	130,100	106,100	130,100	115,100
F-16	77,200	32,300	60,200	60,200
Transfer		(16,000)		
F-111	206,500	206,500	206,500	206,500
TR-1A	24,000	24,000	24,000	24,000
Airlift aircraft:				
C-5	3,100	3,100	3,100	3,100

[In thousands of dollars]

	Budget	House	Senate	Conference
C-141.....	14,900	14,900	14,900	14,900
C-131.....			8,000	8,000
Trainer aircraft: T-38.....	10,200	10,200	10,200	10,200
Other aircraft:				
C-12.....	1,300	1,300	1,300	1,300
C-130.....	242,200	242,200	242,200	242,200
C-135.....	1,055,100	826,500	737,100	826,500
E-3.....	82,600	78,100	82,600	78,100
E-4.....	5,100	5,100	5,100	5,100
HH-53 aircraft.....	2,600	2,600	2,600	2,600
Other aircraft.....	134,600	134,600	134,600	134,600
Other modifications:				
Classified projects.....	169,500	134,885	169,500	152,585
Special support projects.....	181,100	127,100	181,100	181,100
Civil Reserve Airlift Fleet (CRAF).....	128,900	228,900	128,900	128,900
Total, modification of in-service aircraft.....	3,382,100	2,905,785	3,064,300	3,056,685
Spares and repair parts.....	5,990,200	5,274,800	5,475,900	5,362,100
Aircraft support equipment and facilities:				
Common ground equipment.....	703,900	671,100	647,100	629,500
Industrial responsiveness.....	78,500	78,500	78,500	78,500
War consumables.....	235,400	104,300	163,400	116,500
Transfer.....		(12,200)		
Other production charges.....	2,085,900	1,689,581	1,966,100	1,874,081
Total, aircraft support equipment and facilities.....	3,103,700	2,543,481	2,855,100	2,698,581
Reduction, PY transfer.....		-287,800	-111,000	
Prior year transfer.....		(287,800)	(111,000)	
Environmental fund transfer.....			-11,000	-11,000
Total, aircraft procurement, Air Force.....	28,676,500	24,906,866	26,376,700	26,168,266
Transfer from other accounts.....		(549,500)	(111,000)	
Total funding available.....	28,676,500	25,456,366	26,487,700	26,168,266

B-1B

The conferees agree to provide \$5,526,600,000 for the procurement of 34 B-1B bomber aircraft, which is a budget reduction of \$31,600,000. The reduction is due to deferral of CSRL conversion kits as stated in the House report.

The conferees decided not to reduce B-1B management reserves as proposed by the House. This agreement is solely to provide the Air Force with maximum flexibility during its final B-1B contract negotiations and to ensure that the \$20,500,000,000 constant 1981 dollar cost ceiling is not exceeded. Due to the low consumption of change order funding to date, there is a strong possibility that the full amount budgeted for change orders will not be needed. As stated in the Senate report, the Air Force is expected to provide a full accounting of B-1B costs after the major contracts are awarded and to submit a formal 1986 budget amendment to reflect any savings.

F-15

The conferees agree to provide \$1,778,400,000 for the procurement of 42 F-15 aircraft in fiscal year 1985 and \$176,400,000 for ad-

vance procurement of 48 F-15's in fiscal year 1986. The weapon system line was reduced by \$65,000,000 as follows:

	<i>Amount</i>
Reduction of 6 aircraft.....	-\$154,200,000
Engine competition.....	+123,800,000
Engine warranty.....	-43,000,000
Dual role fighter.....	+37,500,000
Support equipment.....	-20,000,000
Management reserve.....	-9,100,000
	<hr/>
Net Reduction.....	-65,000,000

F-16

The conferees agree to provide \$2,446,400,000 for the procurement of 150 F-16 aircraft in fiscal year 1985 and \$586,800,000 for advance procurement of 180 F-16 aircraft in fiscal year 1986. The conferees also agree to the House bill language approving a F-16 multiyear procurement of 720 F-16's in fiscal years 1986 to 1989, of which 72 F-16's shall be provided to the Reserve Forces by 1991; and providing that 30 of the F-16 aircraft for which funds are appropriated in the Act shall be provided to the Reserve Forces. The conferees also agree with the Senate language which directs that the F-16 multiyear contract include prenegotiated options for any additional budgeted aircraft purchase and that the unit cost of these additional aircraft should not exceed the average unit cost of aircraft in the basic multiyear contract. The weapon system line was reduced by \$514,400,000 as follows:

	<i>Amount</i>
Engine competition.....	-\$319,900,000
Support equipment.....	-105,000,000
Bomb rack.....	-67,000,000
Management reserve.....	-15,400,000
FMS engine savings.....	-11,000,000
Customs Service Radars.....	+3,900,000
	<hr/>
Net reduction.....	-514,400,000

C-5B

The conferees agree to provide \$1,378,000,000 for the procurement of 8 aircraft in fiscal year 1985. The weapon system line was adjusted as follows:

	<i>Amount</i>
Budget Revision reduction of 2 aircraft.....	-\$294,600,000
Excessive change orders.....	-72,200,000
Simulators.....	-25,000,000
Management reserves.....	-19,100,000
ANG support equipment for Stewart AFB.....	+16,700,000
	<hr/>
Net reduction.....	-394,200,000

The conferees request to be kept informed of the results of any contract renegotiations which further reduce program cost.

C-130H

The conferees agree to provide 16 C-130H aircraft in fiscal year 1985, of which eight are for the Air National Guard and eight are for the Air Force Reserve as stated in the Act. The conferees reiterate the Senate observation that the Air Force must budget for its

own C-130H requirements. It is further requested that the Committees on Appropriations be notified of any planned reassignment out of the Reserve Forces of C-130H aircraft provided as part of the Reserve Forces C-130A modernization program.

C-20A

The conferees agree to provide \$51,900,000 for the procurement of 3 aircraft in fiscal year 1985, which is a reduction of \$3,200,000 from the budget request due to excessive management reserves.

FLIGHT INSPECTION AIRCRAFT

The conferees agree to provide \$20,000,000 for the procurement of one flight inspection aircraft in fiscal year 1985. The conferees do not totally agree with the House language, and direct that the competition for this procurement be based on both performance and total life cycle cost.

TR-1/U-2

The conferees agree to provide \$168,900,000 for the procurement of 4 aircraft in fiscal year 1985. The budget request was reduced by \$35,700,000 for classified programs and by \$6,000,000 due to excessive management reserves.

C-12 OPERATIONAL SUPPORT AIRCRAFT

The House provided \$12,000,000 for 6 C-12J aircraft for the Air National Guard. The Senate provided \$8,000,000 for the modification on a test basis of 2 C-131s, the current operation support aircraft. The conferees agree that it is imperative that adequate operational support airlift is provided to the state National Guard headquarters. To that end, the conferees provide \$12,000,000 for 6 new C-12Js and \$8,000,000 for the test modification of 2 C-131s.

The Department of Defense is directed to insure that all essential National Guard operational support airlift requirements are filled to include using up to 15 of the C-12s leased by the Air Force if necessary.

B-52 MODIFICATIONS

The conferees agree to provide \$466,500,000 for B-52 aircraft modifications in fiscal year 1985, a reduction of \$107,700,000 as follows:

	<i>Amount</i>
Pave Mint.....	-\$15,900,000
Defensive Fire Control System.....	-12,000,000
Common Strategic Rotary Launcher	-79,800,000
Total.....	-107,700,000

No funds are provided for the procurement of the Common Strategic Rotary Launcher and associated airframe modifications since the design has not been proven, flight tests will not be completed until mid-1986, and the Armed Services Committees did not provide a full authorization of the procurement funds requested by the Air Force. This action does not preclude the Air Force from spend-

ing a limited amount on long lead internal launcher system items if it becomes critical to avoid a schedule delay. In that case, the Appropriations Committees will entertain a reprogramming request. The conferees also direct the Air Force to develop and present to the Armed Services and Appropriations Committees of Congress a comprehensive test plan and schedule prior to incurring major procurement expenses for internal ALCM carriage capability.

CRAF

The conferees agree to provide bill language that allows the Air Force to apply \$144,800,000 appropriated in fiscal year 1983 for procurement of (C-19) commercial wide body aircraft to the Civil Reserve Air Fleet modification program.

KC-135 REENGINEING

The Senate recommended \$737,100,000 for the KC-135 tanker aircraft modification program and provided for the use of \$89,300,000 from fiscal year 1984 savings to fund 43 authorized engine modification kits. The House recommended \$826,500,000 for the 43 kits, but made no assumptions on the use of prior year savings. The conferees agree to the House allowance, but specify that the Air Force may procure no more than 43 engine and airframe modification kits in fiscal year 1985.

F-15 MODIFICATIONS

The conferees agree to provide \$115,100,000 for F-15 modifications, a decrease of \$15,000,000 of which \$9,500,000 is due to anti-satellite (ASAT) modifications and \$5,500,000 is due to a modification for improved communications and navigation that had been appropriated in fiscal year 1984 as shown in the House report.

SPARES AND REPAIR PARTS

The conferees agree to provide \$5,362,100,000 for the procurement of aircraft spares and repair parts in fiscal year 1985. This is a reduction of \$628,100,000 from the budget request as follows:

Initial spares:

B-1	-\$50,000,000
F-15	- 49,200,000
F-16	-124,100,000
C-5B	-18,100,000
KC-10	- 1,000,000
C-130H	+12,000,000
C-12J	+ 3,000,000
Classified projects	-17,500,000
Flight control aircraft	+ 3,000,000
C-135 Mods	-7,500,000
Total	-249,400,000

Replenishment spares:

B-1	-\$17,200,000
F-4E	- 5,000,000
T-39	-4,500,000
Flying hour reduction	-32,000,000

General reduction	- 320,000,000
Total.....	- 378,700,000
Grand total.....	- 628,100,000

COMMON GROUND EQUIPMENT

The conferees agree to provide the authorized amount, \$629,500,000.

WAR CONSUMABLES

The conferees agree to provide \$116,500,000 for procurement of war consumables in fiscal year 1985, a reduction of \$118,900,000 from the budget request as follows:

Bomb rack	- \$71,000,000
AMRAAM launchers.....	- 8,900,000
Assembled fuel tanks	- 39,000,000
Total.....	- 118,900,000

OTHER PRODUCTION CHARGES

The conferees agree to provide \$1,874,081,000 for Other Production Charges, a reduction of \$211,819,000 as follows:

Lantirn.....	- \$100,300,000
Classified programs	- 111,519,000

MISSILE PROCUREMENT, AIR FORCE

The conferees agree to the following amounts for Missile Procurement, Air Force:

[In thousands of dollars]

	Budget	House	Senate	Conference
MISSILE PROCUREMENT, AIR FORCE				
Ballistic missiles				
Peacekeeper (M-X)	2,938,900	1,580,900	2,352,000	852,000
Total, ballistic missiles	2,938,900	1,580,900	2,352,000	852,000
Other missiles				
Strategic:				
Air launch cruise missile.....	74,049	74,049	74,049	74,049
Tactical:				
AIM-7F/M Sparrow			100,000	65,000
AGM-65D Maverick	565,239	359,639	359,639	359,639
AGM-650 Maverick (AP-CY)		15,000	15,000	15,000
Harpoon	40,342	40,342	40,342	40,342
AGM-88A Harm	326,284	287,784	296,284	296,284
Rapier	7,561	7,561	7,561	7,561
AMRAAM	348,135	74,135	73,135	73,135
AMRAAM (AP-CY)	64,900			
Grd launch cruise missile.....	557,226	557,226	557,226	557,226
Grd launch cruise missile (AP-CY)	13,900	13,900	11,900	11,900
Stinger	12,852	12,852	12,852	12,852
Target drones:				
Target drones.....	37,540	37,540	37,540	37,540

(In thousands of dollars)

	Budget	House	Senate	Conference
Tactical drones:				
Tactical drones.....	38,872	38,872	38,872	38,872
Total, other missiles.....	2,086,900	1,518,900	1,624,400	1,589,400
Modification of in-service missiles				
Class IV:				
Class IV.....	121,399	121,399	121,399	121,399
Class V:				
Updated ALCM.....	5,726	5,726	5,726	5,726
Update:				
Updated ALCM.....	8,349	8,349	8,349	8,349
Grd launch cruise missile update.....	26,826	26,826	26,826	26,826
Total, modification of in-service missiles.....	162,300	162,300	162,300	162,300
Missile spares and repair parts:				
Spares and repair parts.....	639,800	451,649	615,300	512,283
Other Support				
Space programs:				
Spaceborne equip (COMSEC).....	32,739	32,739	32,739	32,739
Global positioning (MYP).....	149,278	149,278	149,278	149,278
Global positioning (MYP) (AP-CY).....	183,000	183,000	183,000	183,000
Space launch support (MYP).....	108,939	108,939	108,939	108,939
Space launch support (MYP) (AP-CY).....	99,100	99,100	80,100	80,100
Def meteorological sat prog (MYP).....	139,909	139,909	139,909	139,909
Defense support program.....	48,850	48,850	48,850	48,850
Defense satellite comm system (MYP).....	201,038	215,138	198,800	198,800
Defense satellite comm system (MYP) (AP-CY).....	90,200	.....	52,400	52,400
Space defense system.....	65,197	65,197	65,197	65,197
Space defense system (AP-CY).....	17,800	.....	17,800	9,000
Space boosters.....	25,310	25,310	25,310	25,310
Space shuttle.....	137,872	137,872	137,872	137,872
Industrial facilities:				
Industrial facilities.....	31,400	31,400	29,400	29,400
Special programs:				
Other programs.....	159,956	69,956	110,056	86,656
Forest green.....	4,315	4,315	4,315	4,315
IONDS (MYP).....	43,775	43,775	43,775	43,775
Special programs.....	1,636,575	1,546,775	1,595,875	1,593,475
Special update programs.....	656,709	656,709	656,709	656,709
Special support programs.....	160,738	104,738	160,738	160,738
Total, other support.....	3,992,700	3,663,000	3,841,062	3,806,462
Reduction, prior year transfer.....		-15,000	.....	.....
Prior year transfer.....		(15,000)	.....	.....
Environmental fund transfer.....		.....	-13,200	-13,200
Total, missile procurement, Air Force.....	9,820,600	7,361,749	8,581,862	6,909,245
Transfer from other accounts.....		(15,000)	.....	.....
Total funding available.....	9,820,600	7,376,749	8,581,862	6,909,245

PEACEKEEPER (MX)

The conferees agree to provide \$1,000,000,000 in new budget authority for procurement related to the deployment of the 21 MX missiles for which funds were appropriated for fiscal year 1984, for advance procurement of parts and materials for the MX missile

program and maintenance of the MX missile program contractor base, and for spare parts for the MX missile program. The conferees also agree to make available \$1,500,000,000 in prior year unobligated balances, as discussed below, for prior approval transfers, or reprogrammings or for procurement of 21 additional operational MX missiles which is not available for obligation unless after March 1, 1985:

1. The President reports to Congress on the requirements for, and the impact of, additional MX missile procurement as prescribed in section 110(e) of the Defense Authorization Act, and

2. A joint resolution approving the authorization of the obligation of funds for the additional MX missiles is enacted pursuant to section 110 of the Department of Defense Authorization Act, 1985, and

3. A joint resolution approving the obligation and availability of the prior year unobligated balances for additional MX missiles is enacted.

The first joint resolution mentioned above will be referred to the Armed Services Committees. The second will be referred to the Appropriation Committees. Both are subject to fast track provisions designed to insure their speedy consideration by both Houses before next Easter. The expedited procedures are nearly identical to those contained in the Defense authorization conference agreement.

The \$1,500,000,000 made available in prior year unobligated balances shall be derived from the line items and fiscal year appropriations identified in House and/or Senate appropriation bills and are listed below:

Appropriation	Line item	Amount
Aircraft procurement, Army, 1984/1986	General reduction	\$30,000,000
Missile procurement, Army 1984/1986	General reduction	13,000,000
Missile procurement, Army, 1984/1986	Tow 2.....	12,000,000
		25,000,000
Procurement of weapons and tracked combat vehicles, Army, 1984/1986.	Bradley fighting vehicle.....	13,300,000
	Fast attack vehicle.....	4,000,000
	M-1 Tank.....	155,600,000
	DIVAD.....	33,000,000
	Spares and repair parts.....	8,700,000
		214,600,000
Procurement of weapons and tracked combat vehicles, Army, 1983/1985.	M-1 tank.....	58,100,000
Procurement of ammunition, Army, 1984/1986	General reduction	44,000,000
Other procurement, Army, 1984/1986	Fast attack vehicle.....	5,400,000
	M-9 ACE.....	24,100,000
	General reduction	18,000,000
		47,500,000
Aircraft procurement, Navy, 1984/1986.....	General reduction	75,000,000
Weapons procurement, Navy, 1984/1986.....	AIM/RIM-7.....	20,000,000
Shipbuilding and conversion, Navy, 1984/1988.....	CG-47 AEGIS.....	57,000,000
Shipbuilding and conversion, Navy, 1983/1987.....	CVN.....	450,000,000
	Trident.....	26,000,000
	CG-47 AEGIS.....	51,400,000
		527,400,000

Appropriation	Line item	Amount
Shipbuilding and conversion, Navy, 1981/1985	FFG	22,300,000
	Trident	17,700,000
	CG-47 AEGIS	12,300,000
		52,300,000
Other procurement, Navy, 1984/1986	General reduction	85,700,000
Procurement, Marine Corps, 1984/1986	General reduction	7,500,000
Aircraft procurement, Air Force, 1984/1986	B-1B contract savings	50,000,000
	B-1B CSRL conversion kits	8,300,000
	F-15 management reserves	6,200,000
	F-16 management reserves	3,000,000
	KC-10 management reserves	3,900,000
	MC-130H management reserves	1,100,000
	TR-1/U-2 management reserves	6,000,000
	May budget revision	97,900,000
		176,400,000
Aircraft procurement, Air Force, 1983/1985	B-1B contract savings	50,000,000
Missile procurement, Air Force, 1984/1986	May budget revision	15,000,000
Other procurement, Air Force, 1984/1986	May budget revision	14,500,000
Grand total		1,500,000,000

AIM-7F/M SPARROW

The conferees agree to provide \$65,000,000 for AIM-7F/M Sparrow, instead of no funds as proposed by the House, or \$100,000,000 as proposed by the Senate. The Air Force is directed to procure the maximum possible number of missiles with these funds.

DEFENSE SATELLITE COMMUNICATIONS SYSTEM III

The conferees concur in the Senate position providing \$251,200,000 for multiyear procurement of the Defense Satellite Communications System III (DSCS III) as opposed to the House recommendation of \$215,138,000 to procure DSCS III satellites on an annual basis. Enabling bill language is included.

OTHER PROCUREMENT, AIR FORCE

The conferees agree to the following amounts for Other Procurement, Air Force:

[In thousands of dollars]

	Budget	House	Senate	Conference
OTHER PROCUREMENT, AIR FORCE				
2.75-inch rocket motor	23,486	11,743	23,486	11,743
9mm parabellum	1,975	1,975		1,975
30mm training (MYP)	102,835	92,641	102,835	102,835
40mm HEI (gunship)	15,653	5,554	15,653	15,653
Cart chaff RR-170	16,038	13,877	16,038	13,877
Items less than \$900,000	9,356	9,356	7,556	7,556
MK-82 500lb gen purp bomb	5,957		5,957	
MK-82 inert/BDU-50	26,103	16,014	26,103	26,103
Durandal	48,253	27,053	54,053	48,253
BSU-49 inflatable retarder	64,771	57,061	64,771	57,061
BSU-50 inflatable retarder	12,749	6,349	12,749	9,947
Laser bomb guidance kit	105,487	60,487	105,487	60,487
GBU-15	127,269	127,269	157,269	127,269

[In thousands of dollars]

	Budget	House	Senate	Conference
Bomb, practice, BDU-33	21,819	17,047	21,819	21,819
Bomb, practice, BDU-38	13,062	7,520	13,062	13,062
MK-84 bomb—empty	11,032	7,920	11,032	11,032
CBU-89 (TMD/gator)	207,375	105,375	207,375	135,375
CBU-87 (combined effects munition)	281,897	219,997	281,897	281,897
Flare, IR MJU-7B	13,722	10,919	13,722	13,722'
Flare, IR MJU-2	6,997	2,297	6,997	3,497
MJU-10B	16,811	14,011	16,811	16,811
Spares and repair parts	11,349	8,549	11,349	11,349
FMU-112/FMU-139	42,745	40,745	42,745	42,745
81mm mortar	308		308	
9mm handgun	3,000	3,000		3,000
Sedan, 4 DR 4x2	3,792	3,392	3,792	3,392
Station wagon, 4x2	2,581	1,781	2,581	1,781
Bus, 28 passenger	8,193	4,537	8,193	4,537
Bus intercity	3,737	2,437	3,737	2,437
Bus, 44 passenger	5,369	4,006	5,369	4,006
Modular ambulance	9,504	7,773	9,504	7,773
Truck, stake/platform	6,609	5,847	6,609	5,847
Truck, cargo—utility, 3/4T, 4x4	5,541	3,119	5,541	3,119
Truck, cargo—utility, 1/2T, 4x2	5,219	4,480	5,219	4,480
Truck, pickup ¾T 4x4	587	480	587	480
Truck, multistop 1 ton 4x2	16,204	9,904	16,204	9,904
Truck, panel, 4x2	2,105	1,763	2,105	1,763
Shop van 4x4	3,539	2,205	3,539	2,205
Truck carryall	5,916	4,316	5,916	4,316
Truck, tractor 5T M-932 (MYP)	2,873	1,473	2,873	1,473
Truck, tractor, over 5T	5,486	1,748	5,486	1,748
Truck, dump 5 ton	6,735	4,464	6,735	4,464
Truck maint 4x2	2,853	1,353	2,853	1,353
Truck maint, hi-reach	4,370	3,370	4,370	3,370
Truck, telephone maintenance	9,179	4,779	9,179	4,779
Truck, tank, 1200 gal	3,645	2,159	3,645	2,159
Truck, tank, liq nit, C-5	1,361		1,361	
Tractor, dozer	7,131	1,831	7,131	1,831
Armored vehicle	334		334	
Vehicle, law enforcement	3,222	2,422	3,222	2,422
Truck, demineral water, 2600 gal	1,810		1,810	
Truck refuse	6,612	1,412	6,612	1,412
Truck hydrant fuel	4,408	3,408	4,408	3,408
Trailer water M149	1,982	882	1,982	882
Trailer fuel A1B	1,731	1,231	1,731	1,231
Dolly M720	4,104	704	4,104	704
Armored personnel carrier	3,593		3,593	
Tractor wheeled w dozer	1,036	56	1,036	56
Truck crash P-4/P-19	23,300	20,327	23,300	20,327
Truck crash P-15	2,559	1,259	2,559	1,259
Truck, pumper, P-8	2,199		2,199	
Truck crash P-10	1,176	525	1,176	525
Truck f/1 4,000 lb GED/DED 144	3,488	2,758	3,488	2,758
Truck, f/1 6000 lb	8,924	1,050	8,924	1,050
Truck, f/1 10,000 lb	8,518	6,505	8,518	6,505
Container, lift, truck	4,472	2,272	4,472	2,272
Items less than \$900,000	4,809	4,246	4,809	4,246
Loader, scoop	11,129	7,506	11,129	7,506
Loader, scoop, W/backhoe	2,624	724	2,624	724
Distributor, water 1500 gallon	4,461	1,261	4,461	1,261
Cleaner, runway/street	6,635	5,135	6,635	5,135
Grader, road, motorized	4,521	2,721	4,521	2,721
Crane, 7-50 ton	6,623	5,908	6,623	5,908
Watercraft	9,609	509	9,609	509
Spares and repair parts	6,748	5,148	6,748	5,148

[In thousands of dollars]

	Budget	House	Senate	Conference
Modifications.....	988	88	988	88
Undistributed reduction			-65,300	
Intelligence data handling sys.....	23,562	23,562	19,262	23,562
Intelligence comm equip.....	30,247	174	30,247	2,174
Items less than \$900,000.....	26,457	25,513	26,457	26,457
OTH-B radar.....	218,872	109,372	137,072	137,072
Cheyenne Mountain Complex.....	42,902	40,482	42,902	40,482
Pave paws.....	23,878	15,987	23,878	15,987
Transport ground intercept facil.....	35,504	19,504	35,504	19,504
Tr-1 ground stations.....	108,227	40,000	40,027	40,000
Automatic data processing equip.....	172,932	138,798	154,632	149,698
Air Base Defense System.....	52,410	26,810	52,410	40,010
PLSS.....	68,876	59,876	60,876	59,876
JTIDS.....	28,051	25,651	28,051	25,651
Emp hardening.....	11,162		262	
USCENTCOM.....	21,317		16,317	8,000
Automated telecommunications PRG.....	21,300	21,300	16,300	16,300
C3 replacement program.....	5,033		5,033	2,000
Spares and repair parts.....	371,842	304,341	371,842	347,542
Items less than \$900,000.....	21,139	21,139	21,039	21,039
Comm-electronics class IV.....	53,080	46,580	53,080	46,580
Tactical equipment.....	22,806		22,806	20,000
Newark AFS calibration package.....	3,178	3,178	6,500	3,178
Test equipment—Gen purp.....	13,493	13,493	23,700	13,493
Items less than \$900,000.....	30,074	30,074	54,100	30,074
Chemical/biological def prog.....	43,032	37,863	43,032	37,863
Base mechanization equipment.....	30,606	25,306	30,606	25,306
Generators—mobile electric.....	19,239	14,039	19,239	19,239
Prior year transfer.....			(14,500)	
Base procured equipment.....	45,986	39,586	45,986	39,586
Medical/dental equipment.....	44,342	40,642	44,342	44,342
Pumps and compressors.....	2,549	1,917	2,549	1,917
Spares and repair parts.....	11,699	11,231	11,699	11,699
Selected activities.....	3,600,449	3,559,401	3,583,279	3,589,091
Misc equipment.....	20,498	20,498	13,498	13,498
Air Guard C-5 support equipment.....		5,300		5,300
Reduction, PY transfer.....		-14,500		
Prior year transfer.....		(14,500)		
Undistributed reduction.....			-110,069	-11,800
Items not in conference.....	2,882,565	2,804,644	2,804,644	2,804,644
Total, other procurement, Air Force.....	9,561,500	8,533,785	9,149,020	8,861,697
Transfer from other accounts.....		(14,500)		
Total funding available.....	9,561,500	8,548,285	9,163,520	8,861,697

ADPE

The conferees agree to provide \$154,632,000 and to support the House report language directing that at least \$45,000,000 be provided for lease-to-purchase conversions and \$50,000,000 be provided for logistics systems.

TACTICAL EQUIPMENT MODIFICATIONS

The conferees agree to provide \$20,000,000 for tactical equipment modifications and direct the Air Force to improve its obligation rates for this program.

COMMUNICATIONS—ELECTRONICS SPARES AND REPAIR PARTS

The conferees agree to provide \$348,542,000 which is the authorized amount.

GENERAL REDUCTION

The conferees agree that the \$11,800,000 general reduction in this appropriation shall be applied to budgeted funding for the Unit Level Circuit Switch.

NATIONAL GUARD AND RESERVE EQUIPMENT

The conferees agree to the following amounts for Reserve and National Guard:

[In thousands of dollars]

	Budget	House	Senate	Conference
NATIONAL GUARD AND RESERVE EQUIPMENT, DEFENSE				
Reserve, Navy		20,000	40,000	20,000
Reserve, Marine Corps			30,000	30,000
Reserve, Army			168,000	150,000
Guard, Army			163,000	150,000
Guard, Air Force			20,000	20,000
Reserve, Air Force			10,000	10,000
Total, National Guard and Reserve Equipment, Defense		20,000	431,000	380,000

NAVAL RESERVE EQUIPMENT

The conferees agree that \$20,000,000 be provided for unit equipment and supplies in naval mobile construction battalions. The conferees request that naval mobile construction battalion equipment be managed by unit sets to facilitate rapid deployment, and that a system of testing deployment readiness of such equipment be implemented.

EARMARKING AND REPORTING REQUIREMENTS

The conferees agree to the reporting requirements and the designation of funds proposed by the Senate for National Guard and Reserve Equipment.

PROCUREMENT, DEFENSE AGENCIES

The conferees agree to the following amounts for Procurement, Defense Agencies:

[In thousands of dollars]

	Budget	House	Senate	Conference
PROCUREMENT, DEFENSE AGENCIES				
Major equipment, OSD				
Major equipment, OSD/WHS	25,132	25,132	25,132	25,132
Major equipment, DNA				

[In thousands of dollars]

	Budget	House	Senate	Conference
Vehicles.....	204	204	204	204
Other capital equipment.....	3,247	2,347	3,247	2,347
Major equipment, DIA.....				
WWMCCS ADP systems.....	18,601	18,601	18,601	18,601
Defense switching network.....	7,142	7,142	7,142	7,142
Items less than \$900,000 each.....	33,518	28,018	33,518	30,818
Major equipment, DIA.....				
Major equipment, DIA.....				
Materials handling equipment.....	5,353	3,853	3,853	3,853
Vehicles.....	1,931	1,531	1,931	1,531
Mechanized materials handling sys.....	33,834	31,834	31,834	31,834
ADP equipment.....	71,090	57,090	57,090	57,090
Telecommunications equipment.....	5,528	4,028	4,028	4,028
Other major equipment.....	3,253	2,253	2,253	2,253
Items less than \$900,000 each.....	853	853	853	853
Automated marking/reading system (LOGMARS).....	2,020	2,020	2,020	2,020
Major equipment, DMA.....				
Vehicles.....	335	335	335	335
Other capital equipment.....	18,667	18,667	18,667	18,667
Major equipment, DIS.....				
Vehicles.....	316	316	316	316
Other capital equipment.....	60	60	60	60
Major equipment, USUHS.....				
Items less than \$900,000 each.....	1,650	1,650	1,650	1,650
Major equipment, DCAA.....				
Items less than \$900,000 each.....	8,993	7,193	8,493	7,193
Major equipment, DAVA.....				
Items less than \$900,000 each.....	1,937	1,037	1,937	1,037
Major equipment, DIG.....				
Items less than \$900,000 each.....	493	493	493	493
Classified programs.....	999,343	920,132	956,203	948,244
Total, procurement, Defense agencies.....	1,243,500	1,134,789	1,179,860	1,165,701

DEFENSE PRODUCTION ACT PURCHASES

The conferees agree to \$10,000,000 for Defense Production Act Purchases as proposed by the House instead of \$25,000,000 as proposed by the Senate.

TITLE V—RESEARCH, DEVELOPMENT, TEST AND EVALUATION

The conferees agree to the following amounts for the Research, Development, Test and Evaluation accounts:

[In thousands of dollars]

	Budget	House	Senate	Conference
RECAPITULATION				
Total, RDTE, Army.....	4,987,100	4,252,553	4,541,125	4,349,015
Total, RDTE, Navy.....	9,826,076	8,849,158	9,300,867	9,172,622
Total, RDTE, Air Force.....	14,401,955	12,805,917	13,503,435	13,424,147
Total, RDTE, Defense Agencies.....	4,707,906	3,809,910	4,493,140	4,182,287
Total, RDTE, Director of test and evaluation.....	62,000	62,000	59,000	59,000
Total, RDTE.....	33,985,037	29,779,538	31,897,567	31,187,071

The conferees agree to the following language:

ANTI-ARMOR PROGRAMS

The conferees specifically endorse the language of the House concerning the need to improve the Department's approach to anti-armor programs. In particular, the framework recently established for reviewing these programs must be greatly strengthened, with OSD in actual as well as nominal control. The conferees are committed to the propositions that a single coordinated anti-armor master plan must be obtained which is administered and enforced by OSD, that cooperation must be obtained among the Services, and that duplication must be eliminated. Evidence of substantial progress will be expected in the fiscal year 1986 budget requests. The conferees direct submission of the fiscal year 1986 edition of the Anti-Armor Master Plan by March 30, 1985.

REPORTS ON: THEATER NUCLEAR WEAPONS AND FORCE STRUCTURE

WITHDRAWAL OF TACTICAL NUCLEAR WARHEADS FROM EUROPE

UNITED STATES COUNTERFORCE CAPABILITY

The House included directives for reports on Theater Nuclear Weapons and Force Structure, Withdrawal of Tactical Nuclear Warheads from Europe, and United States Counterforce Capability. Subsequently the conference agreement on H.R. 5167, the Department of Defense Authorization Act, 1985, included provisions requiring such reports to the Congress. The conferees endorse the authorization conference action requiring these reports, and recognize that their inclusion in the appropriations legislation is not required.

REPORT ON STRATEGIC NUCLEAR SUBMARINE FORCE

The Senate recedes to the House on the directive to the Secretary of Defense to submit a report on the survivability of the strategic nuclear submarine force, including its command control and communications.

REPORT ON STRATEGIC DEFENSE INITIATIVE

The House included a directive that the Department of Defense submit a report on Strategic Defense Programs. Subsequently the conference agreement on H.R. 5167, the Department of Defense Authorization Act, 1985, included a provision for a similar report to be submitted to the House and Senate Committees on Armed Services and the House Foreign Affairs Committee and the Senate Foreign Relations Committee. The conferees direct that such report, in unclassified form, with classified addenda as necessary, be provided to the Committees on Appropriations of the House and Senate.

Such report shall include the status, from the present year to completion, of each program, Project and Task under the SDI and related programs with respect to compliance with the ABM Treaty, modifications to the Treaty that might be required to complete the

development of SDI and related programs, and current and additional organizational and reporting mechanisms for monitoring compliance of the SDI and related programs with the ABM Treaty.

SDI PROGRAM ELEMENT STRUCTURE

The House report directed a modification of the program element structure of the Strategic Defense Initiative to provide better visibility of costs. Because the report on SDI described above is required to include budgeted amounts for programs, projects and tasks, that directive is withdrawn.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

The conferees agree to the following amounts for Research, Development, Test and Evaluation, Army:

[In thousands of dollars]

	Budget	House	Senate	Conference
RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, ARMY				
Technology Base				
In-house lab independent research.....	24,483	23,483	24,483	24,483
Defense research sciences.....	214,325	207,325	211,798	210,000
Materials.....	11,896	11,396	11,896	11,896
Atmospheric investigations.....	4,965	4,700	4,965	4,700
Nuclear weapons effects/fluidics.....	8,500	8,500	8,500	8,500
Aircraft weapons technology.....	3,146	3,146	3,146	3,146
Aircraft avionics technology.....	8,023	8,023	8,023	8,023
Aeronautical technology.....	27,086	24,086	27,086	25,586
Airdrop technology.....	1,798	1,798	1,798	1,798
Missile technology.....	31,177	31,177	31,177	31,177
Laser weapon technology.....	21,188	21,188	21,188	21,188
Tank and automotive technology.....	23,051	22,051	23,051	22,051
Small cal and fire cntrl technology.....	9,161	9,161	9,161	9,161
Ballistics technology.....	47,916	47,916	46,916	46,916
Chemical and smoke munitions.....	12,582	12,582	12,582	12,582
Joint service small arms program (JSSAP).....	4,520	4,520	4,520	4,520
Communications tech.....	16,285	14,285	16,285	15,285
Combat surveill target acquis & ident.....	4,768	4,268	4,768	4,768
Mil environmental criteria dev.....	2,915	2,915	2,915	2,915
Electrical and electronic devices.....	20,821	19,321	20,821	20,071
Chem biological def and gen invest.....	33,068	33,068	33,068	33,068
Mapping—Geodesy.....	8,648	7,898	8,648	8,000
Night vision investigations.....	21,229	18,229	21,229	19,729
Human factors eng sys dev.....	11,468	10,468	10,668	10,468
Human performance effect/simulation.....	4,776	4,176	4,776	4,776
Mobility and weapons effects tech.....	9,217	9,217	9,217	9,217
Environmental quality tech.....	11,184	11,184	11,184	11,184
Manpower/personnel/training.....	7,913	7,213	7,913	7,213
Clothing equip and shelter tech.....	8,605	6,605	8,605	8,605
Jt svc food sys tech.....	6,013	5,513	6,013	6,013
Computer and information science.....	2,216	2,216	2,216	2,216
Nonsystems training devices tech (NSTD).....	4,528	4,528	4,528	4,528
Cold regions engineering technology.....	7,423	6,923	7,423	7,423
Military facilities engineering technology.....	4,597	4,597	4,597	4,597
Mobility equipment technology.....	11,807	11,807	11,807	11,807
Med defense against chem agents.....	30,890	27,890	30,890	29,390
Tactical ADP tech.....	7,893			
Military disease hazards tech.....	22,120	22,120	22,120	22,120
Combat casualty care tech.....	8,513	8,513	8,513	8,513
Combat maxillofacial injury.....	2,249	2,249	2,249	2,249

[In thousands of dollars]

	Budget	House	Senate	Conference
Systems health hazard prevent tech	18,491	18,491	18,491	18,491
Energy tech appl for military facil	2,128	2,128	2,128	2,128
Classified programs	44,152	44,152	44,152	44,152
Total, technology base	787,734	751,026	775,514	764,653
Advance Technology Development				
Materials and structures advanced development	9,634	9,634	9,634	9,634
Fuels and lubricants advanced development	4,972	2,972	4,000	3,500
Aircraft powerplants and propulsion	22,728	22,728	22,728	22,728
Aircraft weapons	7,924	7,924	7,924	7,924
Aircraft avionics equipment	30,259	30,259	22,259	22,259
Air mobility support	8,202	8,202	8,202	8,202
Rotary wing controls/rotors/structures	30,295	30,295	30,295	30,295
Synthetic flight simulators development	9,093	9,093	9,093	9,093
Airdrop advancement	4,965	4,965	3,965	3,965
NOE aviation and navigation equipment	366	366	366	366
Terminally guided projectiles	10,030		10,030	5,000
MSL/rocket components	30,119	15,097	22,619	19,760
Battlefield environment simulation	1,477	1,477		
Army devel and employment activity—ADEA	42,517	37,517	42,517	37,517
Advanced land mob systems concepts	22,637	19,637	19,000	19,000
Landmine warfare/barrier dev	12,467	12,467	12,467	12,467
Joint service small arms program (JSSAP)	4,292	4,292	4,292	4,292
Combat vehicle propulsion sys	13,311	13,311	13,311	13,311
CMBT veh turret and chassis subsys	19,228	19,228	17,000	17,000
Combat vehicle armor/anti-armor	52,385	52,385	52,385	52,385
Adv propulsion/launch sys for mun	7,942	7,942	7,942	7,942
Nuclear hardening advanced technology	985			
Night vision advanced development	35,013	32,013	35,013	33,513
Remotely piloted vehicles/drones	6,232	5,232	6,232	5,232
Manpower and personnel	17,026	12,026	12,026	12,026
Military engineering technology	1,276	1,276	1,276	1,276
Human factors in tng/oper effect	10,376	10,376	5,376	7,876
ADV electronic devices dev	5,772	5,772	5,772	5,772
Education and training	11,661	8,661	11,661	10,161
Training simulation	4,763	4,763	4,763	4,763
Test measurement and diagnostic equipment devel	4,767	4,767	4,767	4,767
Technical vulnerability reduction	6,004	6,004	6,004	6,004
Demilitarization concepts	8,354	8,354	8,354	8,354
DOD software initiatives (STARS)	20,685	15,000	15,000	15,000
AI/Robotics demo	7,921	7,921		
CB DEF/SMK adv technology demonstrations	1,183	1,183	1,183	1,183
Electronic warfare feasibility development	6,683	6,683	6,683	6,683
Nonsystems medical material development	13,237	13,237	13,237	13,237
Medical chem defense life support mat	32,450	32,450	32,450	32,450
Classified programs	18,107	18,107	18,107	18,107
Total, advance technology development	557,338	503,616	507,933	493,044
Strategic Programs				
Ballistic msl def sys tech	1,451			
Worldwide military CMD & CNT sys inf sys	27,204	27,204	27,204	27,204
Classified programs	198,378	198,378	198,378	198,378
Total, strategic programs	227,033	225,582	225,582	225,582
Tactical Programs				
Joint survivability investigations	990	990	990	990
Greater slope	58,252	29,200	48,252	34,200
Advanced rotorcraft tech integration/LHX	48,603	48,603	48,603	48,603
Antitactical missile (ATM)	92,335	15,000	32,335	32,335
Surf-to-surf msl rocket sys	35,384	35,384	35,384	35,384

[In thousands of dollars]

	Budget	House	Senate	Conference
Advanced antitank weapon.....	24,901	19,000	24,901	24,901
Lethal chemical munitions concepts.....	16,280	.....	16,280	9,000
Landmine/barrier sys.....	13,273	13,273	13,273	13,273
Smoke munitions and materiel concepts.....	5,041	5,041	4,000	4,000
Artillery/mortar ammo development.....	10,880	10,880	10,880	10,880
Tank/fighting vehicle ammo development.....	11,364	11,364	11,364	11,364
Electric power sources.....	11,874	9,000	7,000	7,974
Physical security.....	4,787	4,787	4,787	4,787
Identification friend or foe equip devel.....	9,714	9,714	9,714	9,714
Aircraft survivability equipment.....	9,919	9,919	9,919	9,919
Army data distribution system (ADDS).....	23,213	23,213	23,213	23,213
Elect wrfr vulnerability/susceptibility.....	22,563	22,563	22,563	22,563
Chemical/bio detection warm/samp mat concepts.....	31,838	31,838	31,838	31,838
Cml bio protective materiel concepts.....	11,171	11,171	11,171	11,171
Command and control.....	20,649	4,300	20,649	10,000
Combat support equipment.....	15,676	15,676	15,676	15,676
Combat medical materiel.....	8,312	8,312	8,312	8,312
Single channel grd/ABN radio sub-sys.....	2,207	2,207	2,207	2,207
Soldier support/survivability.....	7,095	5,000	4,000	4,495
Drug and vaccine development.....	14,473	14,473	14,473	14,473
Medical defense against chem warfare.....	36,659	36,659	36,659	36,659
Combat service support control sys.....	190	190	190	190
Aircraft weapons.....	9,930	9,930	5,000	5,000
Air mobility support equipment.....	4,017	4,017	4,017	4,017
Advanced attack helicopter (AH-64).....	16,766	16,766	16,766	16,766
Aircraft propulsion systems.....	26,518	26,518	21,518	24,518
Synthetic flight training systems.....	14,134	14,134	14,134	14,134
Airdrop equip development.....	4,186	4,186	4,186	4,186
Army helicopter improvement prog.....	24,502	24,502	24,502	24,502
Aircraft component improvement program.....	14,630	14,630	13,630	13,630
Stinger.....	13,898	.....	5,000	5,000
Patriot.....	61,471	61,471	61,471	61,471
Heliborne missile—Hellfire.....	454	.....	454	454
Grass Blade.....	20,725	20,725	20,725	20,725
Multiple launch rocket system (MLRS).....	1,851	.....	1,851	1,851
High technology light division.....	58,796	31,708	53,385	.....
Joint tactical missile system (JTACMS).....	78,978	78,978	78,978	78,978
Infantry support weapons.....	21,563	21,563	21,563	21,563
Smoke munitions and materiel.....	6,154	6,154	6,154	6,154
Countermine and barriers.....	4,734	4,734	4,734	4,734
Fighting vehicle sys.....	16,858	12,000	16,858	14,358
Landmine warfare.....	12,050	12,050	12,050	12,050
M1 E1 development program.....	53,682	53,682	53,682	53,682
Field artillery ammunition.....	31,800	5,800	5,600	5,600
105mm tank ammunition.....	10,050	10,050	10,050	10,050
Comm Engineering dev.....	9,830	9,830	9,830	9,830
Jt Tac info dist sys (JTIDS).....	21,231	21,231	21,231	21,231
Modular integrated comm and navigation sys.....	5,937	5,937	4,196	5,937
Radiological defense equipment.....	288	288	288	288
Identification—Friend or foe eq.....	5,058	5,058	5,058	5,058
Night vision devices.....	10,842	10,842	10,842	10,842
Aircraft survivability equipment.....	16,813	16,813	16,813	16,813
Army cmd and control system (ACCS) sys engr.....	11,568	11,568	11,568	11,568
Combat feeding, clothing and equipment.....	6,290	4,500	3,000	3,000
Tactical electric power sources.....	10,921	10,921	10,921	10,921
General combat support.....	13,965	3,500	13,965	10,000
Physical security.....	7,623	7,623	7,623	7,623
Education and training.....	7,740	7,740	7,740	7,740
Special purpose detectors.....	3,330	3,330	3,330	3,330
CML bio detection warning and training materiel.....	11,326	11,326	11,326	11,326
Chem bio protective materiel.....	24,431	24,431	24,431	24,431
Command and control.....	14,822	14,822	14,822	14,822

[In thousands of dollars]

	Budget	House	Senate	Conference
Remotely piloted vehicles	103,140	103,140	96,140	96,140
Military computer family	16,522			
Div Air Defense Command and Control	129,424	15,524	49,424	50,838
Automatic test equipment development	15,859	15,859	15,859	15,859
Single channel grd/abn radio sub eng	11,221	6,000	11,221	8,721
Medical chemical defense life spt mat	12,745	12,745	12,745	12,745
Drug and vaccine development	9,815	9,815	9,815	9,815
Joint surveillance/target attack radar system	108,168		102,168	30,000
Jt interop of Tac Cmd and Cont Sys (JINTACCS)	51,849	44,149	44,149	44,149
Jt CB contact point test and assessment	2,357	2,357	2,357	2,357
HV A Ti-tank assault wpn sys (TOW)	9,921	2,000	9,921	9,921
Adv field arty tactical data sys	33,112	33,112	33,112	33,112
Chaparral	17,631	17,631	17,631	17,631
Sam Hawk/Hawk imp prog	18,875	18,875	18,875	18,875
Combat vehicle improvement program	120,067	120,067	116,067	120,067
Maneuver control system (MCS)	25,734	9,555	25,734	22,000
155mm self-propelled howitzer improvements	27,746	27,746	27,746	27,746
Joint tactical commo program (TRI-TAC)	45,433	45,433	45,433	45,433
Eucom C3 systems	7,539	7,539	7,539	7,539
Arapaho		8,000		8,000
Classified programs	325,432	238,251	291,086	255,532
120 mm mortar		13,338		13,338
Ceramic valves			860	
Total, tactical programs	2,329,995	1,752,251	2,034,807	1,866,122
Intelligence and Communications				
Mapping and geodesy	2,951	2,951	2,951	2,951
Aircraft avionics	2,102	2,102	2,102	2,102
Mapping and geodesy (user eq)	4,586	4,586	4,586	4,586
Navstar global pos sys (user eq)	13,578	13,578	13,578	13,578
Strategic Army Communications (Starcom)	1,047	1,047	1,047	1,047
Long-haul communications (DCS)	9,783	9,783	9,783	9,783
Satcom Ground environment	16,055	16,055	16,055	16,055
Classified programs	17,470	17,012	17,470	17,470
Total, intelligence and communications	67,572	67,114	67,572	67,572
Defensewide Mission Support				
Target missiles	985	985	985	985
Nonsystems training devices (NSTD) dev	6,100	6,100	4,462	4,462
Nonsystem tng devices engr	34,530	34,530	32,205	34,530
Meteorological equipment systems	9,617	9,617	9,617	9,617
Tradoc studies and analyses	2,864			
Aviation engineering flight activity	7,608	7,608	7,608	7,608
Kwajalein Missile Range	154,765	154,765	154,765	154,765
Support of development testing	52,060	52,060	45,500	45,500
Material systems analysis	15,388	15,388	15,388	15,388
Exploitation of foreign items	2,902	2,902	2,902	2,902
Support of operational testing	60,625	60,625	51,500	51,500
Programwide activities	110,059	110,059	90,059	90,059
Intl cooperative research and dev	794	794	794	794
Technical info activities	5,565	5,565	5,565	5,565
Darcom major range/test facil	350,988	330,988	325,988	325,988
Munitions—NATO stdzn DOD effec safety stds	6,785	6,785	6,785	6,785
DOD high energy laser systems test fac	39,399	19,399	33,000	33,000
Productivity investment funding	11,310	11,310	11,310	11,310
Mgt hq (research/development)	41,120	41,120	41,120	41,120
Industrial preparedness	103,964	83,964	93,964	93,964
Total, defensewide mission support	1,017,428	954,564	933,517	935,842

[In thousands of dollars]

	Budget	House	Senate	Conference
Fuel adjustment		-1,600	-1,600	-1,600
Consultants, studies and analyses			-2,200	-2,200
Total, research, development, test, and evaluation, Army	4,987,100	4,252,553	4,541,125	4,349,015

The conferees agree to the following language:

TERMINALLY GUIDED PROJECTILES

The conferees agree to provide \$5,000,000 for Terminally Guided Projectiles, instead of no funds as proposed by the House, or \$10,030,000 as proposed by the Senate. The conferees agree that \$3,000,000 of fiscal year 1984 funds provided previously for this program may be obligated and expended, reversing the House position. The total of \$8,000,000 is to be used solely for the 155-millimeter SADARM project.

Although funds are being provided for this program, the conferees direct the Department's attention to the conference language, appearing above, on anti-armor programs. No future requests for development of SADARM technology will be entertained unless that development is shown to be integral to, and an essential part of, a satisfactory anti-armor master plan.

ARMY DEVELOPMENT AND EMPLOYMENT ACTIVITY

FORCE DEVELOPMENT INITIATIVES

A total of \$55,000,000 of generic authorization was provided for appropriations related to development initiatives that have the potential for high payoff and rapid implementation. Pursuit of such initiatives is the mission of the Army Development and Employment Activity (ADEA). The conferees are aware of Army concerns that RDT&E funds cannot be spent effectively if distributed directly to six division commanders, and of the Army's belief that the desired efforts are best accomplished through the existing ADEA organization. The conferees accept the Army's position, and agree to provide \$37,517,000 for ADEA.

ADVANCED ANTI-TANK WEAPON

The conferees agree to provide \$24,901,000 for Advanced Anti-Tank Weapon (AATW) as proposed by the Senate instead of \$19,000,000 as proposed by the House. Of the sum provided, \$5,000,000 shall be used to investigate and evaluate, through actual firings, the French-developed DARD 120-millimeter close range anti-tank weapon. Future requests for funds for AATW will be examined in the context of a single coordinated anti-armor master plan.

HIGH TECHNOLOGY LIGHT DIVISION

The request for High Technology Light Division (HTLD) failed authorization, and the conferees therefore provide no funds. Three of the six projects within the HTLD program element were author-

ized to be transferred to other program elements. The conferees agree to the following actions on those three projects:

1. AWACS Interface is funded at \$1,414,000 in the Division Air Defense Command and Control program.

2. No funds are provided for the Indirect Sight System. Although this project was transferred to the TOW program, no increase in authorization was provided for that program.

3. No funds are provided for GAMP. An information paper dated September 24, 1984 provided by the Army states: "A recent Army decision has resulted in termination of the GAMP program."

JOINT SURVEILLANCE AND TARGET ATTACK RADAR SYSTEM (JSTARS)

The conferees agree to provide \$30,000,000 for the Army portion of the JSTARS program instead of no funds, as proposed by the House, or \$102,168,000 as proposed by the Senate. Details of the conference agreement are provided in the classified annex to this report.

JOINT TACTICAL FUSION PROGRAM

The conferees agree to a reduction of \$33,000,000 from the budget request for the Army's portion of the Joint Tactical Fusion Program (JTFFP) instead of a reduction of \$46,281,000, as recommended by the House, or a reduction of \$23,000,000 as recommended by the Senate.

The conferees agree with the concern expressed by the House on the issue of the history of the JTFFP program and the planned deployment schedule for the full system. Additionally, the conferees agree that the restructuring of the JTFFP program should be finalized and submitted to the appropriate congressional committees for review.

The conferees do not concur with the House language "fencing" fiscal year 1985 funding for the JTFFP program; prohibiting source selection and/or contract award on the current Request for Proposal (RFP); or the direction that the Jet Propulsion Lab (JPL) be removed from the management of the program. However, the conferees believe that an orderly transition to traditional Army development entities should take place once contract award is made.

The conferees note that the Authorization conferees, in authorizing funding for the JTFFP program, stipulated that the program be restructured and reoriented toward the less costly, lighter weight and more easily transported system being considered for Army light divisions. Accordingly, the conferees direct that the fiscal year 1985 funding for the JTFFP program be obligated and expended for the development of the authorized fusion system.

120-MILLIMETER MORTAR

The conferees agree to provide \$13,338,000 for 120-Millimeter Mortar as proposed by the House, instead of no funds as proposed by the Senate. These funds are for activities specifically relevant to obtaining approval for service use, and are provided as a consequence of section 101(e) of the DoD Authorization Act for 1985, which requires the Secretary of the Army to select not later than

February 1, 1985 a contractor for the supply of 120-millimeter mortars necessary to meet the requirements of the Army. Language has been provided in the bill which earmarks funds for the 120-millimeter mortar.

DOD HIGH ENERGY LASER SYSTEMS TEST FACILITY

The conferees agree to provide \$33,000,000 for the DoD High Energy Laser Systems Test Facility as proposed by the Senate, instead of \$19,399,000 as proposed by the House. The conferees agree that, of the funds provided, \$4,600,000 shall be used to operate and maintain MIRACL and \$8,300,000 shall be used to continue acquisition of the Multi-Purpose Chemical Laser.

CERAMIC VALVES

The conferees recommend that Army aggressively pursue the current contract to initiate a \$500,000 project to develop ceramic elements for rotating valves in a single-cylinder research engine. The conferees believe that fiscal year 1985 funding for a potential follow-on effort for multiple-cylinder engine is premature, but would be willing to entertain a reprogramming action if test results prove promising.

METHANOL CAR RESEARCH

The Army is directed to use within available funds the sum of \$1,300,000 to carry out the methanol car research project authorized in Section 202(a) of the DoD Authorization Act for 1985. Approximately 50 percent of the methanol used in this project shall be derived from coal and approximately 50 percent shall be derived from natural gas. The Army is directed to coordinate its efforts with the Department of Energy, which is carrying out companion research on methanol fuels.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

The conferees agree to the following amounts for Research, Development, Test and Evaluation, Navy:

[In thousands of dollars]

	Budget	House	Senate	Conference
RESEARCH DEVELOPMENT TEST & EVAL, NAVY				
Technology Base				
In-house independ lab res	25,673	25,673	25,673	25,673
Defense research sciences	324,048	310,000	324,048	317,024
Tact directed energy tech	10,431	3,500	10,431	7,000
Aircraft technology	25,705	25,705	25,705	25,705
Missile propulsion tech	10,360	10,360	10,360	10,360
Surf/aerospace wpnry tech	29,960	24,133	27,000	26,000
Nuclear propulsion tech	48,263	48,263	48,263	48,263
Ship and submarine tech	30,155	30,155	30,155	30,155
Undersea warfare wpnry tech	35,483	25,000	35,483	30,000
U/S target surv tech	45,690	45,690	39,690	39,690
Surf/aerosp tgt surv tech	36,387	32,000	32,000	32,000
Command and control tech	30,878	30,878	30,878	30,878
Countermeasures tech	30,829	10,000	20,829	20,829

[In thousands of dollars]

	Budget	House	Senate	Conference
Human factors & sim tech	7,967	7,967	6,967	6,967
Biomedical tech.....	8,829	8,829	8,829	8,829
Ocean and atmos supt tech.....	24,046	24,046	24,046	24,046
Logistics tech.....	14,756	14,756	14,756	14,756
Materials tech.....	35,960	35,960	35,960	35,960
Elex device tech.....	28,005	28,005	28,005	28,005
Personnel & trng tech.....	6,456	6,456	5,456	5,456
Chem/biol/& radiol def tech.....	4,939	4,939	4,939	4,939
Lab indep exploratory dev.....	13,352	13,352	13,352	13,352
Total, technology base.....	828,172	765,667	802,825	785,887
Advance Technology Development				
Environmental applications.....	8,287	6,287	6,287	6,287
Adv A/C propul sys.....	9,040	5,040	5,040	5,040
Abn-life support sys.....	1,125	1,125	1,125	1,125
Adv A/C subsystems.....	6,780	4,780	4,780	4,780
Erase sys technology.....	4,498	4,498	4,498	4,498
A/A msl tech demo.....	2,850	2,850	2,850	2,850
Ship prop sys (adv).....	47,703	65,703	36,703	47,703
Adv computer tech.....	11,188	11,188	11,188	11,188
Electric drive.....	10,072			
Conventional munitions.....	14,323	4,000	10,323	10,323
Joint serv eod dev (adv).....	7,979	6,979	6,979	6,979
Human factors eng devel.....	1,844	1,844	1,844	1,844
Oceanog instrumentatn dev.....	5,867	3,367	3,367	3,367
Medical development (adv).....	12,785	10,785	10,785	10,785
Mnpwr control syst dev.....	5,020	2,520	2,520	2,520
Adv marine biological sys.....	5,186	4,686	4,686	4,686
Ocean eng tech develop.....	18,876	16,876	16,876	16,876
Education & training.....	5,008	3,508	3,508	3,508
Environmental protection.....	10,517	8,017	8,017	8,017
Naval special warfare.....	9,224	8,224	9,224	8,224
Adv tech for logistic info.....	7,950			
Adv manpower training sys.....	2,988	2,988	2,988	2,988
Training device tech.....	8,790	7,290	7,290	7,290
Manufacturing tech.....	68,499	55,000	50,599	50,599
Total, advance technology development.....	286,399	237,555	211,477	221,477
Strategic programs				
Trident II.....	2,901,113	2,051,113	2,075,113	2,063,113
Strategic tech support.....	8,708	6,371	6,371	6,371
FBM system.....	40,391	30,000	32,500	32,500
SSBN security program.....	48,862	43,862	43,862	43,862
Trident I.....	41,199	30,000	30,000	30,000
ELF communications.....	26,396	26,396	26,396	26,396
Navy strategic comm.....	106,535	106,535	106,535	106,535
Nav spasur.....	517	517	517	517
MEECN.....	1,467	1,467	1,467	1,467
WIS modernization.....	14,867			
Submarine laser comm.....			2,500	2,500
Total, strategic programs.....	2,380,055	2,296,261	2,325,261	2,313,261
Tactical Programs				
ABN electronic warfare EQ.....	67,335	65,335	64,335	64,335
VTX-TS.....	113,420	68,420	68,420	68,420
CV ASW module.....	5,289	5,289	4,289	4,289
Air ASW.....	2,384	2,384	1,000	2,384
JVX.....	198,495	188,495	188,495	188,495
A-6E improv.....	19,633	69,633	69,633	69,633
Acous search sensors (adv).....	1,922	1,922	1,922	1,922

[In thousands of dollars]

	Budget	House	Senate	Conference
ABN mine countermeasures	15,726	15,726	15,726	15,726
Tac air recon	13,277	10,000	10,177	10,000
A/C surviv & vulner	29,493	22,493	22,493	22,493
IIR maverick	1,979	1,979	1,979	1,979
Retract yellow	12,465	12,465	12,465	12,465
Adv sur/air msle (ASAM)	9,040		4,040	4,040
Submarine ASW stdoff wpn	61,659	61,659	51,659	51,659
BGAAWC	12,991	12,991	10,500	10,500
Surface MCM	30,276	29,121	29,276	29,276
Sub sonar devel (adv)	31,252	21,344	21,344	21,344
Surface ship torp def	27,887	27,887	27,887	27,887
Shpbd info transfer sys	4,410	4,410	4,410	4,410
Shpbd sys comp dev	15,486	15,486	15,486	15,486
Shipboard damage control	20,419	18,419	18,419	18,419
Radar surveillance equip	2,969		2,969	
Adv command data sys	6,014	6,014	6,014	6,014
Adv sub supt equip prog	12,375	8,000	12,375	10,375
Pilot fish	119,231	119,231	119,231	119,231
Non acoustic ASW	22,408	22,408	22,408	22,408
Adv ASW target	16,011	16,011	16,011	16,011
Ship sys engr stds	4,834	4,834	4,834	4,834
Retract juniper	1,373	1,373	1,373	1,373
Radiological control	1,674	1,674	1,674	1,674
Link dogwood	22,753		19,753	19,753
Surface ASW	20,863	17,863	17,863	17,863
Wide aperture array (adv)	11,671	11,671	11,671	11,671
Submarines (adv)	153,790	153,790	153,790	153,790
Sub tac W/F sys (adv)	21,736	17,000	21,736	20,736
Ship development (adv)	16,103	26,103	16,103	16,103
Surf ship navig sys	2,959			
Amphib asslt craft	4,571			
Attack submarine dev	24,121	22,121	22,121	22,121
Adv nuc react comp sys dev	71,424	71,424	71,424	71,424
Shibd physical security	5,138	5,138	5,138	5,138
Chalk eagle	51,912	51,912	51,912	51,912
A4W/A1G nuc prop pint	5,755	5,755	5,755	5,755
Combat system integration	21,635	21,635	21,635	21,635
DDG-51	124,585	119,585	119,585	119,585
Joint adv sys	137,009		123,009	107,656
Mine development			1,000	1,000
MC assault vehicles	54,553	32,553	32,553	32,553
Tac nuc development	7,846	7,846	7,846	7,846
Grd combat/supp arms sys	5,181	5,181	5,181	5,181
Ocean engr sys dev	2,296	2,296	2,296	2,296
Logistics	937	937	937	937
Anti sub W/F sign proc	9,381	9,381	9,381	9,381
Fleet tac D&E program	6,195	6,195	6,195	6,195
Command & control sys (adv)	27,384	15,000	15,000	15,000
Cont ofload & trnsfr sys	1,522	1,522	1,522	1,522
Navy energy program (adv)	20,075	20,075	20,075	20,075
Facilities improv	10,477	8,763	8,977	8,977
Mership nav aux prog	5,927	5,927	5,927	5,927
Combat services sup (adv)	4,678	4,678	4,678	4,678
Intell/elec warfare sys	8,231	8,231	8,231	8,231
Chalk coral	5,440	5,440	5,440	5,440
Strike warfare	594	594	594	594
Link hazel	43,000	43,000	43,000	43,000
ITSS	15,208	10,326	15,208	10,326
ASW surveillance	9,247	9,247	9,247	9,247
LRAP	10,576	10,576	10,576	10,576
Special processes	69,519	69,519	69,519	69,519
RDSS	11,766	10,766	10,766	10,766

[In thousands of dollars]

	Budget	House	Senate	Conference
Avionics dev.....	15,033	11,000	12,033	11,500
Iff sys dev.....	15,213	10,000	12,000	12,000
Helicopter development.....	16,518	13,518	14,518	13,518
AV8B (eng).....	70,447	60,000	70,447	60,000
Support equipment.....	21,206	17,206	17,206	17,206
S-3 wpn sys imp S 3.....	42,102	30,000	37,102	33,500
Environmental systems.....	2,498	2,498	2,498	2,498
ABN ASW developments.....	24,346	21,346	21,346	21,346
A/C IR sign suppression.....	9,290	5,000	6,290	5,600
P-3 modernization prog.....	37,388	34,588	30,000	30,000
ABN EW eng.....	49,442	28,000	45,442	42,442
ASP J.....	40,560	40,560	40,560	40,560
CV ASW helo.....	44,516	20,000	25,016	20,000
A/C propulsion (eng).....	35,822	20,000	32,000	26,000
C/MH-53E.....	14,560	14,560	14,560	14,560
Acoustic srch sensrs (eng).....	31,240	31,240	26,240	26,240
Life support equip.....	13,872	9,872	13,872	12,000
AWG-9 update.....	7,926			
A/C engines comp imp prog.....	90,011	90,011	89,011	89,011
MK92 FCS upgrade.....	19,295	14,941	14,941	14,941
Aegis area air def.....	14,154	14,154	14,154	14,154
CG-47 product improvement.....	55,593	40,000	49,593	45,000
Link ash.....	19,729	19,729	17,229	17,229
AMRAAM.....	35,685	20,000	20,685	20,000
S/L wprny ship systems.....	1,395	1,395	1,395	1,395
Vertical launching sys.....	43,850	43,850	43,850	43,850
AAM systems engineering.....	3,888			
VLS asproc.....	26,603	26,603	26,603	26,603
CIWS (phalanx).....	3,174	3,174	3,174	3,174
NATO sea sparrow.....	8,398	8,398	8,398	8,398
SM-2 (N).....	25,679			
Standard msl improvements.....	41,282	41,282	41,282	41,282
Tomahawk.....	81,501	75,134	75,101	75,101
5" rolling air frame msle.....	6,544	4,000	6,544	5,000
SSN-688 VLS.....	29,449	29,449	29,449	29,449
Hellfire.....	2,401	2,401	2,401	2,401
New threat upgrade.....	51,783	51,783	48,783	48,783
Submarine comm.....	4,185	4,185	4,185	4,185
Sub sonar develop (eng).....	40,111	40,111	40,111	40,111
air control eng.....	23,032	23,032	23,032	23,032
BR/CW countermeasures.....	7,119	7,119	7,119	7,119
EMSP.....	58,614	58,614	58,614	58,614
Radar surveillance equip.....	11,714	11,714	11,714	11,714
Communications sys.....	7,991	5,000	6,991	5,000
Intelligence systems.....	2,573	1,073	1,073	1,073
Sub supt equip prog (eng).....	7,397	7,397	7,397	7,397
Ship survivability.....	6,288	6,288	6,288	6,288
CIC conversion.....	30,541	30,541	30,541	30,541
Wide aperture array (eng).....	14,664	14,664	14,664	14,664
Subacs (eng).....	171,216	171,216	171,216	171,216
Surface E/W.....	8,055	8,055	8,055	8,055
Sub tac W/F systs (eng).....	41,894	41,894	41,894	41,894
Shipbd phys security (eng).....	2,349	2,349	2,349	2,349
Ship subsys dev/lbts.....	101,275	85,000	96,275	91,000
NATO sea gnat.....	3,733		3,733	1,800
Shipbd EW improv.....	49,819	43,148	44,819	44,819
Tact embedded comp prog.....	9,498	9,498	9,498	9,498
AN/SQS-53C.....	50,893	50,893	50,893	50,893
Link birch.....	7,522	7,522	7,522	7,522
Mine devel (eng).....	18,841	13,841	13,841	13,841
Naval gunnery improvement.....	4,643	4,643	4,643	4,643
Unguided convent A/L wprns.....	8,207	6,207	6,207	6,207

[In thousands of dollars]

	Budget	House	Senate	Conference
C/W Weapons.....	2,134	2,134	2,134	2,134
Sal GP/EO sens devel.....	45,511	30,000	45,511	40,000
Bomb fuze improv.....	6,852	6,852	5,852	6,300
ALWT (eng).....	147,316	133,000	147,316	147,316
Joint serv eod dev (eng).....	4,034	4,034	4,034	4,034
MC assault vehicles.....	11,935	11,935	9,435	11,935
Grd combat/sup arms sys.....	3,553	3,553	3,553	3,553
MK 48 ADCAP (eng).....	127,551	127,551	127,551	127,551
Chalk banyam.....	10,657	5,157	5,157	5,157
Navy energy program (eng).....	11,180	11,180	11,180	11,180
Command & control sys (eng).....	53,558	53,558	50,558	50,558
Air W/F training dev.....	3,125	3,125	3,125	3,125
Surface W/F training dev.....	31,834	31,834	26,834	26,834
Submarine W/F training dev.....	486	486	486	486
Combat services supp.....	3,361	3,361	3,361	3,361
Intell/elect W/F sys.....	5,647	5,647	5,647	5,647
Command/cont/comm sys.....	32,771	32,771	29,771	29,771
Tac air oper central 85.....	6,056	6,056	6,056	6,056
Regional tactical surv.....	63,666	31,966	31,966	31,966
Intelligence (eng).....	9,891	9,891	9,891	9,891
Medical dev (eng).....	2,471	2,471	2,471	2,471
Jintaccs.....	16,263		11,763	5,000
Jintaccs MC.....	5,229	5,229	5,229	5,229
Flt tact D&E.....	16,353	14,833	14,833	14,833
Electromag spectrum mngmt.....	4,118	4,118	4,118	4,118
Manag & tech support.....	9,584	9,584	9,584	9,584
C2 surv/reconn spt.....	4,815	4,815	4,815	4,815
MC tac exploit nat cap.....	427	427	427	427
A6 squadrons.....	17,942	17,942	17,942	17,942
F/A-18 squadrons.....	19,798	9,000	34,798	30,000
Early warning acft sqdns.....	39,149	39,149	36,149	37,649
Aviation support CVW.....	3,021	3,021	3,021	3,021
Flt telecom (tac).....	75,346	70,346	70,346	70,346
Submarines.....	5,443	5,443	5,443	5,443
Underseas surveillance sys.....	29,725	28,225	28,225	28,225
Surtass.....	5,751	3,751	3,751	3,751
Special projects.....	14,886	14,886	14,886	14,886
Navy cover & recept prog.....	24,923	20,000	24,923	24,923
Electronic warfare spt.....	14,254	11,000	13,254	13,100
Counter C3 dev.....	30,189	16,000	28,189	28,189
Harm improvement.....	19,569		5,000	19,569
JTIDS.....	141,699	120,000	136,699	136,699
ASW combat sys integ.....	12,247	12,247	12,247	12,247
Acft EQ rel/maint prog.....	8,455	7,597	7,597	7,597
Submarine silencing.....	31,657	19,657	29,657	29,657
Lab fleet support.....	6,414	6,414	6,414	6,414
F-14 A.....	293,975	280,000	278,975	278,975
Tactical intell proc sup.....	2,037	2,037	2,037	2,037
EW counter response.....	44,111	32,000	40,111	36,000
Operational reactor dev.....	12,861	12,861	12,861	12,861
Marine Corps telcom.....	5,191	5,191	5,191	5,191
Grd combat/sup arms sys.....	19,663	16,218	19,663	16,218
Combat services sup.....	2,253	2,253	2,253	2,253
Intell/elect warfare sys.....	576	576	576	576
Command/cont/comm sys.....	25,313	25,313	25,313	25,313
M/C tech supt C/C sys.....	3,077	3,077	3,077	3,077
TRI- AC-MC.....	17,371	17,371	17,371	17,371
TRI- AC-Navy.....	3,905		3,905	3,905
Navy attack aircraft.....		15,000		
Low cost anti-radiation seeker.....		25,000		14,736
Penguin missile.....		14,600		14,600
Diesel rotary engine.....		5,000	6,000	5,000

(In thousands of dollars)

	Budget	House	Senate	Conference
Marine low-cost flir.....		12,000	23,000	12,000
T-700 engine.....		3,000	10,000	10,000
Dragon improvement.....		9,800		9,800
Total, tactical programs.....	5,223,531	4,602,197	4,884,417	4,832,610
Intelligence & Communications				
Adv navig development.....	685	685	685	685
Navigation systems.....	670	670	670	670
EHF satcom.....	69,889	69,889	69,889	69,889
Navstar gps.....	63,096	63,096	63,096	63,096
C2 systs plan/eng supp.....	6,165	6,165	6,165	6,165
Satellite communications.....	11,585	11,585	11,585	11,585
Classified programs.....	269,445	268,300	269,445	269,445
Total, intelligence & communications.....	421,535	420,390	421,535	421,535
Defensewide Mission Support				
Range inst & sys dev.....	20,273	16,000	18,273	18,273
Target systems dev.....	84,197	84,197	82,197	82,197
Trng & pers sys dev.....	5,636	5,636	4,636	4,636
Studies & anal sup/MC.....	2,199	2,199	2,199	2,199
Studies & anal sup/Navy.....	3,554	3,554	3,554	3,554
MCOAG.....	2,960	2,960	2,960	2,960
Center for naval anal/Navy.....	12,525	11,525	12,525	11,525
MC operational T&E.....	2,618	2,618	2,618	2,618
Tech info services.....	2,216	2,216	2,216	2,216
Autec.....	48,565	43,565	48,565	43,565
Development center support.....	3,946	3,946	3,946	3,946
International RDT&E.....	1,869	1,869	1,869	1,869
Mobile sea range.....	5,724	5,724	5,724	5,724
RDT&E lab & fac mgmt spt.....	64,569	50,000	64,569	55,069
RDT&E instrum & matl spt.....	18,892	18,892	18,892	18,892
RDT&E ship & aircraft spt.....	84,737	71,000	78,737	78,737
Test and eval spt.....	288,351	288,351	288,351	288,351
OT&E capability.....	7,137	7,137	7,137	7,137
Productivity improvement.....	3,532			
Weather service.....	1,402	1,402	1,402	1,402
Def meteorolog satell prog.....	21,482	8,000	21,482	21,482
Waterside security.....			2,000	
Total, defensewide mission support.....	686,384	630,791	673,852	656,352
General reduction.....		-85,203		-40,000
Misc contract spt svcs.....		-18,500	-18,500	-18,500
Total, research development test & eval, Navy.....	9,826,076	8,849,158	9,300,867	9,172,622

The conferees agree to the following language:

TRIDENT II

The conferees agree to provide \$2,063,113,000 for the Trident II SLBM, instead of \$2,051,113,000 as proposed by the House and \$2,075,113,000 as proposed by the Senate. The conferees endorse the Senate language directing that at least \$14,000,000 of the funds provided for the Trident II shall be for the Trident II penetration aids research effort.

STRATEGIC LASER COMMUNICATIONS

The conferees agree to provide \$2,500,000 for Strategic Laser Communications, as proposed by the Senate, instead of no funds as proposed by the House. The conferees endorse the Senate language on the blue-green laser communications program found on page 200 of the Senate report.

RADAR SURVEILLANCE EQUIPMENT

The conferees agree to provide no funds for Radar Surveillance Equipment as proposed by the House, instead of \$2,969,000 as proposed by the Senate. This action is without prejudice. The conferees are willing to consider a reprogramming upon receipt from the Navy of validated specific requirements and a concrete plan for filling those requirements.

AV-8B (ENGINEERING)

The conferees agree to provide \$60,000,000 for AV-8B (Engineering) as proposed by the House, instead of \$70,447,000 as proposed by the Senate. The conferees would be willing to entertain a reprogramming action to fully fund all fiscal year 1985 funding requirements for the TAV-8B trainer.

AIRCRAFT PROPULSION (ENG)

The conferees agree to provide \$26,000,000 for Aircraft Propulsion (Eng), instead of \$20,000,000 as proposed by the House and \$32,000,000 as proposed by the Senate. The conferees endorse the language contained on page 164 of the Senate report regarding the E-2C program.

LOW COST ANTI-RADIATION SEEKER

HARM IMPROVEMENTS

DEFENSE SUPPRESSION WEAPONS

The conferees agree to provide \$14,736,000 for Low Cost Anti-Radiation Seeker and \$19,569,000 for HARM Improvements in Navy RDT&E, and \$3,000,000 for Defense Suppression Weapons in Air Force RDT&E. Of the funds provided for HARM Improvements, \$15,205,000 shall be applied only to the Low Cost Anti-Radiation Seeker program, and \$4,364,000 shall be used only for correction of deficiencies in the current design of HARM revealed by operational testing. The entire sum of \$3,000,000 provided for Defense Suppression Weapons shall be applied only to the Low Cost Anti-Radiation Seeker program.

The conferees continue to support fully the Low Cost Anti-Radiation Seeker program, and endorse the language on pages 220-221 of the House report. The conference agreement provides sufficient funds to continue development in accordance with the Navy plan now being executed by the Naval Weapons Center, China Lake, California. A reprogramming action will therefore not be necessary, and the requirement for certification contained in the Senate report is withdrawn. Language has been provided in the bill which

specifies that \$29,941,000 of the total provided for Navy RDT&E and \$3,000,000 of the total provided for Air Force RDT&E are available only for this program.

The conferees direct that future budget requests for the Low Cost Anti-Radiation Seeker program be carried as a separate program element, and not be merged with other program elements.

NAVY STRATEGIC COMMUNICATIONS

The conferees agree to provide \$106,535,000 for Navy Strategic Communications. Of that sum, \$77,105,000 is for a manned airborne relay platform. The conferees agree that the ECX (also called the E-6A), a modified 707 transport aircraft, appears to be the preferable alternative for this mission.

LIGHTER-THAN-AIR TECHNOLOGY

The conferees agree with the language of the Senate report concerning the need for lighter-than-air technology to be explored. There is increasing evidence that long-endurance airships equipped with surveillance radars would be a cost-effective asset to the Navy in a fleet defense role as well as providing the opportunity for use of airships in other military and nonmilitary applications.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

The conferees agree to the following amounts for Research, Development, Test and Evaluation, Air Force:

[In thousands of dollars]

	Budget	House	Senate	Conference
RESEARCH DEVELOPMENT TEST & EVAL, AIR FORCE				
Technology Base				
In-house lab independent research	16,826	15,000	15,000	15,000
Defense research sciences	190,115	190,115	190,115	190,115
Geophysics	37,116	37,116	37,116	37,116
Materials	52,431	50,000	50,120	50,000
Aerospace flight dynamics	64,193	64,193	64,193	64,193
Aerospace biotechnology	47,382	45,000	45,937	45,000
Aerospace propulsion	60,445	60,445	58,088	58,088
Aerospace avionics/VHSI circuits	72,510	72,510	72,510	72,510
Training/simulation tech	23,240	23,240	23,240	23,240
Rocket propulsion	40,020	32,000	37,000	34,500
Advanced weapons	44,794	33,744	39,794	39,794
Conventional munitions	42,820	42,820	42,820	42,820
Command/control/communication	76,935	74,000	73,124	73,124
Pers utilization tech	8,829	7,829	8,829	7,829
Total, technology base	777,656	748,012	757,886	753,329
Advance Technology Development				
Logistics research & dev rqmts	5,248	5,248	5,248	5,248
Acft propulsion subsys integration	26,967	26,967	26,967	26,967
Adv avionics for acft	21,822	20,000	20,000	20,000
Fit vehicle technology	20,917	15,617	15,617	15,617
Recon sensors/processing technology	8,323	8,323	8,323	8,323
Aerospace structures/materials	10,938	10,938	10,938	10,938
Aviation turbine fuel technology	4,289	3,289	4,289	3,289
Adv turbine engine gas generator	25,454	25,454	25,454	25,454

[In thousands of dollars]

	Budget	House	Senate	Conference
Special power systems.....	1,000			
DOD common prog langage (ada) adv dev.....	8,055	8,055	8,055	8,055
Advanced simulator technology.....	7,486	7,486	7,486	7,486
Crew systems technology.....	10,726	9,726	10,200	10,200
Acft non-nuclear survivability.....	3,931	3,931	3,931	3,931
Adv fighter tech integration.....	18,954	3,700	18,954	18,954
Lincoln Laboratory.....	23,700	20,000	21,500	20,750
Advanced system integration demo.....	33,155	27,155	30,000	30,000
Cartog applications—Tac & strat sys.....	1,094	1,094	1,094	1,094
Space & Msl rocket propulsion.....	5,547		3,547	2,000
Adv Msl subsystems demonstration.....	1,234			
Advanced technology cruise missile.....	15,417	15,417	15,417	15,417
Hypervelocity missile.....	2,994		2,994	
Space biotechnology.....	700			
Advanced spacecraft tech.....	30,726	6,900	6,900	6,900
Adv military spaceflight technology.....	2,829			
Space sys environ interactions tech.....	3,730	3,730	3,730	3,730
Msl surveillance tech.....	6,985		3,000	3,000
Very high speed integrated circuits.....	119,978	135,000	119,978	135,000
Conventional weapons.....	21,749	20,749	21,749	20,749
Advanced radiation tech.....	12,399		5,000	5,000
Manpower & personnel sys tech.....	2,039	2,039	2,039	2,039
Weather systems.....	2,955	2,955	2,955	2,955
Electronic warfare technology.....	22,105	22,105	22,105	22,105
Civil/environmental engr tech.....	17,247	11,847	15,300	15,300
Fiber optics development.....	3,053	3,053	3,053	3,053
Advanced Communications Technology.....	4,838	4,838	4,838	4,838
Advanced computer technology.....	6,672	6,672	6,672	6,672
Electro-optical warfare.....	17,808	17,808	17,808	17,808
Chemical warfare defense.....	3,824	3,824	3,824	3,824
Counter/countermeasures—adv dev.....	10,444	10,444	10,444	10,444
Innovations in education/training.....	5,070	5,070	5,070	5,070
DOD Software Engineering Institute.....	7,983	7,983	5,000	5,000
Comd/cntrl/comm adv dev.....	23,595	23,595	10,500	16,700
Total, advance technology development.....	583,980	501,012	509,979	523,910
Strategic Programs				
Common strategic rotary launcher.....	77,304		69,304	69,304
Advanced strategic missile systems.....	108,304	95,604	108,304	100,000
Advanced air to surface missile.....	54,418	28,418	25,000	25,000
Atmospheric surveillance tech.....	4,908	4,908	4,908	4,908
WWMCCs architecture.....	10,968	10,968	10,968	10,968
B-1B.....	508,277	400,000	508,277	465,000
ICBM modernization.....	2,440,786	2,340,786	2,345,000	2,340,786
Strategic conv standoff capa (SASC).....	21,619	27,800	4,419	25,000
Air launched cruise missile.....	28,039	28,039	25,039	25,039
Space defense sys.....	143,278	120,000	143,278	133,000
Systems survivability (nuc affects).....	9,057	9,057	9,057	9,057
B-52 squadrons.....	22,167	22,167	22,167	22,167
Aircraft survivability enhancements.....	4,416	4,416	4,416	4,416
KC-135 squadrons.....	4,010	4,010	4,010	4,010
Minuteman squadrons.....	4,672	4,672	4,672	4,672
PACCS-WWABNCP sys EC-135 CL V mods.....	799	799	799	799
SAC communications.....	1,546	3,046	3,046	3,046
NCMC—TW/AA systems.....	23,834	23,834	23,834	23,834
NCMC—space defense systems.....	52,253	37,441	52,253	37,441
Ballistic msl tac wng/atk asses sys.....	3,214	3,214	3,214	3,214
Joint surveillance system.....	1,802	1,802	1,802	1,802
Surveill radar stations/sites.....	11,890	3,514	11,890	3,514
Dew radar stations.....	63,094	30,000	46,000	46,000
Conu over-the-horizon radar.....	60,904	60,904	60,904	60,904
Ballistic msl early wng system.....	10,016	10,016	10,016	10,016

[In thousands of dollars]

	Budget	House	Senate	Conference
Spacetrack	10,214	10,214	10,214	10,214
Defense support program	63,985	63,985	63,985	63,985
SLBM radar warning systems	12,219	12,219	12,219	12,219
Space defense interface network	34,795	34,795	34,795	34,795
Comd ctr process/display sys	11,661	11,611	11,661	11,661
NEAC/E-4B CL V mods	27,102	27,102	27,102	27,102
Minimum essential emer comm network	116,900	111,900	111,900	111,900
WWMCCS information system—JPMO	32,629	32,629	32,629	32,629
Air force sat comm sys	141,592	127,592	127,592	127,592
Milstar comm sat system	325,042	325,042	325,042	325,042
Theater nuc wpr storage & sec sys	1,958	1,958	1,958	1,958
Classified programs	1,619,031	1,469,031	1,559,031	1,559,031
Total, strategic programs	6,068,703	5,503,543	5,820,705	5,752,025
Tactical Programs				
Advanced tactical fighter	94,287	94,287	94,287	94,287
Adv tactical air reconnaissance sys	3,735	3,735	1,500	1,500
Jnt service adv vert lift acft (JVX)	1,086	1,086	1,086	1,086
Air base survivability & recovery	4,426	4,426	3,868	4,426
Adv attack weapons	20,024		10,000	5,000
DOD physical security eq-exterior	1,885	1,885	1,885	1,885
Combat identification technology	19,324	19,324	15,624	15,624
CSCM advanced systems	994		500	500
JT surv. tgt atk radar sys (JSTARS)	3,318	3,318	3,318	3,318
Acft avionics equipment development	25,809	20,000	20,000	20,000
F-100 durability	14,003	14,003	14,003	14,003
Aircraft equipment dev	12,047	4,694	8,047	6,000
Engine model derivative prog	9,198	9,198	82,698	82,698
Ew counter response	23,917	10,917	17,500	14,000
Nuclear weapons support	1,947	1,947	1,947	1,947
Alternate fighter engine	56,943	45,943	54,943	54,943
C-17 program	129,285	123,285	123,285	123,285
Modular automatic test equipment	15,798	14,798	10,034	12,000
Night precision attack	98,338	98,338	96,338	98,338
Acft engine component improve prog	149,785	149,785	148,785	148,785
Def suppression wprns eng dev	14,795		3,000	3,000
Next generation trainer	77,977	77,977	77,977	77,977
Adv med range air-to-air msl	217,749	209,749	209,749	209,749
Joint tactical fusion program	17,787	17,787	17,787	17,787
Joint tactical missile system	35,509			
Grd launched cruise msl	18,654	18,654	18,654	18,654
C/B defense equipment	18,222	18,222	18,222	18,222
Armanent ordnance development	20,764	18,764	18,764	18,764
Submunitions	48,677	31,322	47,177	36,322
Wide area anti armor munition	27,306	17,306	27,306	20,000
Air base survivability & recovery	18,092	14,092	14,092	14,092
Aeromedical systems development	7,007	7,007	7,007	7,007
Life support system	15,649	13,649	13,649	13,649
Other operational equipment	22,846	22,846	20,565	22,846
Reconnaissance equipment	9,631	8,780	8,780	8,780
DOD physical security eq-exterior	12,562	12,562	12,562	12,562
TAC C3 counter measures	28,100	21,513	23,800	23,800
Combat identification systems	16,046	16,046	16,046	16,046
Surface def suppression	24,533	17,553	17,000	17,000
Airborne self-protection jammer	29,149	18,041	25,000	25,000
Protective systems	48,565	45,565	45,565	45,565
Tactical protective systems	86,631	20,631	50,000	39,000
Computer resources mgt tech	12,358	9,358	9,358	9,358
Precision location strike system	82,996	82,996	82,996	82,996
Intelligence equipment	15,255	15,255	15,255	15,255
Combat helicopter modernization	81,306	34,306	34,306	34,306
JT TAC info dist sys	86,703	86,703	86,703	86,703

[In thousands of dollars]

	Budget	House	Senate	Conference
Side looking airborne radar (SLAR).....	24,547	24,547	24,547	24,547
JSTARS.....	94,966	46,682	69,000	46,682
JT interoperability tac comd/cntrl.....	13,452	13,452	13,452	13,452
F-111 squadrons.....	71,942	71,942	60,000	60,000
F-15 squadrons.....	82,867	82,867	200,000	189,767
A-10 squadrons.....	4,108	4,108	2,694	3,108
Fighter derivative.....	146,950	90,000		
F-16 squadrons.....	83,428	67,228	95,000	95,000
F-4G wild weasel squadrons.....	55,267	30,000	55,267	55,267
Tactical AGM missiles.....	3,695		3,695	2,000
Air Force tencap.....	260	260	260	260
Overseas air weapon cont sys.....	3,154	3,154	3,154	3,154
Tactical air control system.....	28,397	24,397	24,397	24,397
Air borne warning & control sys.....	76,595	74,595	74,595	74,595
Adv comm sys.....	86,963	86,963	86,963	86,963
Tac air intell sys actys.....	1,579	579	1,579	579
Tactical recon imagery exploitation.....	1,156	1,156	1,156	1,156
Base comm—tactical air forces.....	985	985	985	985
JT tactical comm prog (TRI-TAC).....	11,467	8,100	11,467	10,000
Satellite communications terminals.....	2,860	2,860	2,860	2,860
Electromagnetic combat intel spt.....	1,928	1,928	1,928	1,928
C-130 airlift squadrons (IF).....	789	789		789
MAC command/control sys.....	4,413	3,413	3,413	3,413
Waterside security.....		5,000		5,000
Classified programs.....	371,611	331,085	364,176	355,676
Total, tactical programs.....	2,954,397	2,453,743	2,731,556	2,659,643
Intelligence & Communications				
Space communications.....	44,413	40,413	44,413	42,413
Navstar gps user equipment.....	60,970	55,000	60,970	58,000
Def satellite comm sys.....	31,629	31,629	31,629	31,629
Long haul communications (DCS).....	9,329	9,329	9,329	9,329
Electromag compatibility anal ctr.....	7,764	6,900	6,864	6,864
Traffic cntr/approach/landing sys.....	11,766	11,766	8,502	10,502
Navstar global pos sys (user eq).....	9,060	9,060	9,060	9,060
Navstar GPS (space/grd segments).....	33,464	33,464	33,464	33,464
Gen intelligence skill tng.....	7,208	7,208	5,208	5,208
Classified programs.....	1,802,430	1,555,525	1,650,025	1,639,525
Total, intelligence & communications.....	2,018,033	1,760,294	1,859,464	1,845,994
Defensewide Mission Support				
Concept development.....	2,479	2,479	1,000	1,000
Space test program.....	71,500	71,500	71,500	71,500
Satellite sys survivability.....	5,519	5,519	5,519	5,519
Adv aerial targets dev.....	3,409	3,409	3,409	3,409
Flight simulator development.....	149,880	128,168	149,880	138,000
Space shuttle.....	345,764	329,385	345,764	337,000
Logistics tech for weapons systems.....	7,585	7,585	7,585	7,585
Weather systems.....	8,283	8,283	8,283	7,283
Range improvement.....	16,771	15,771	15,771	15,771
Electromag radiation test facil.....	7,811	7,811	6,911	6,911
Improved capability for RDT&E.....	75,054	69,754	70,754	70,754
Project air force.....	16,766	16,766	16,766	16,766
Acq/comd spt telecom.....	7,137	7,137	7,137	7,137
Ranch Hand II epidemiology study.....	3,308	3,308	3,308	3,308
Nav/radar/sled track test spt.....	18,749	17,649	17,649	17,649
Acquisition and command support.....	354,130	318,281	343,281	333,281
Test and evaluation spt.....	437,464	407,464	413,000	413,000
Adv sys engineering/plan.....	3,631	2,500	3,631	2,500
RDT&E aircraft support.....	47,511	47,511	47,511	47,511
Productivity improvement.....	6,139		3,000	3,000

[In thousands of dollars]

	Budget	House	Senate	Conference
WWMC S—ADP	680			
Satellite control facility	99,224	87,000	99,224	93,000
Space boosters	20,356	10,356	20,356	15,356
Consolidated Space Operations Center	72,698	65,698	65,698	65,698
Def meteorological satellite prog	42,566	42,566	42,566	42,566
Space launch support	93,835	93,835	93,835	93,835
Inventory control point operations	1,371	1,371	500	1,000
Industrial preparedness	61,859	56,000	56,000	56,000
Product/reliable/avail/maintain prog	14,865	13,865	13,865	13,865
International activities	2,842	2,842	2,842	2,842
Total, defensewide mission support	1,999,186	1,841,813	1,936,545	1,893,046
Overhead transfer to operations and maintenance			-108,900	
Consultants, studies & analyses			-3,000	-3,000
Fuel adjustment		-2,500	-2,500	-2,500
Autonomous terminal homing			14,000	14,000
Environment restoration fund transfer			-12,300	-12,300
Total, research development test & eval, air force	14,401,955	12,805,917	13,503,435	13,424,147

The conferees agree to the following language:

HYPERVELOCITY MISSILE

The conferees agree to provide no funds for Hypervelocity Missile as proposed by the House, instead of \$2,994,000 as proposed by the Senate. The conferees concur in the observations made on page 236 of the House report, and agree to entertain a reprogramming request in the context of a single coordinated anti-armor master plan.

VERY HIGH SPEED INTEGRATED CIRCUITS

The conferees agree to provide \$135,000,000 for Very High Speed Integrated Circuits (VHSIC) as proposed by the House, rather than \$119,978,000 as proposed by the Senate. The conferees note that only one of six Phase I contractors has completed their Phase I work within schedule, and concur in the observations of the Senate that the Phase I effort for VHSIC is the foundation of all subsequent Phase II submicron work, and that this foundation should be as strong as practical. The Conferees direct that prior to obligating or expending funds on Phase II submicron work, the Under Secretary of Defense (Research and Engineering) ensure that the VHSIC Phase I effort is substantially complete, and so inform the Committees on Appropriations of the House and Senate.

ICBM MODERNIZATION

The conferees agree to provide \$2,340,786,000 for ICBM Modernization as proposed by the House, instead of \$2,345,000,000 as proposed by the Senate. The conferees direct that, of the funds provided, at least \$9,600,000 be used for the deep basing project, the same amount identified as the fiscal year 1985 funding requirement in the President's May budget revision.

NCMC-SPACE DEFENSE SYSTEMS

The conferees agree to provide \$37,441,000 for NCMC-Space Defense Systems as proposed by the House, instead of \$52,253,000 as proposed by the Senate. This reduction postpones upgrading of the ASAT Prototype Mission Operations Center, and is not intended to affect current operation of that prototype center.

DEFENSE SUPPRESSION WEAPONS

As stated above under Navy RDT&E, the conferees agree to provide \$3,000,000 for Defense Suppression Weapons. The entire amount is to be used only for the Low Cost Anti-Radiation Seeker program being carried out by the Navy.

JOINT SURVEILLANCE AND TARGET ATTACK RADAR SYSTEM (JSTARS)

The conferees agree to provide a total of \$50,000,000 for the Air Force portion of the JSTARS program as proposed by the House, instead of \$72,318,000 as proposed by the Senate. Details of the conference agreement are provided in the classified annex to this report.

JOINT TACTICAL FUSION PROGRAM

The conferees agree that the Air Force portion of the Joint Tactical Fusion Program (JTFFP) shall be bound by the language concerning JTFFP appearing in the RDT&E, Army section of this report.

OTHER OPERATIONAL EQUIPMENT

The conferees agree that Project 2783, Ground Power Generator Development, in the Other Operational Equipment program is to be funded at the full budgeted amount of \$10,600,000, and that no subsequent reductions are to be levied against that project.

TRAFFIC CONTROL/APPROACH/LANDING SYSTEM

The conferees agree to provide \$10,502,000 for Traffic Control/Approach/Landing System, instead of \$11,766,000 as proposed by the House or \$8,502,000 as proposed by the Senate. Of the total provided, the conferees agree that \$2,000,000 is for the Rapidly Deployable Air Traffic Control System (MPN-XX). The conferees direct submission of a report on MPN-XX by March 1, 1985 to the Committees on Appropriations of the House and Senate. The report should include a discussion of operational requirements, the use of existing technology versus new development, costs, schedules, and the impact of deleting EMP hardening requirements from the system.

SPACE BOOSTERS

The conferees agree to provide \$15,356,000 for research and development associated with space boosters instead of \$10,356,000, as proposed by the House, or \$20,356,000, as proposed by the Senate. Of the amount agreed to, \$5,000,000, is to be utilized to study and define a follow-on expendable launch vehicle (ELV) capable of

launching shuttle class payloads. This constitutes a reduction of \$5,000,000 from the budget request for the preliminary development efforts related to a follow-on ELV.

The Committee of Conference agrees that the Air Force must have assured access to space for critical national defense payloads. However, the conferees concur with the Senate language expressing concern over the fact that current alternatives under consideration by the Air Force do not have any significant growth potential. In view of this, the conferees direct that the \$5,000,000 be used for initial study and development of a follow-on expendable launch vehicle which must include adequate consideration of vehicles with growth potential. The conferees note that in addition to these funds, \$6,000,000 has been included in the fiscal year 1985 HUD-Independent Agencies Appropriation bill for the purpose of a joint Air Force-NASA ELV program. The conferees believe that such an approach, based on a follow-on ELV with growth potential, could help restore the traditional Air Force-NASA relationship that has so effectively served the nation's space effort.

Additionally, the conferees agree with the Senate's direction that the Department of Defense, in conjunction with the NASA and OMB, conduct a study which shall include the following:

1. A review of ELV needs and requirements both in the 1988 time frame and the 1990's. This review should assess the viability and reliability of the space shuttle as a sole means of access to space during an intermediate period in the late 1980's;

2. An assessment of shuttle derived technology applicability for both the short term (beginning prior to 1990) and in heavy-lift configurations through the 1990's; and

3. An analysis of the cost implications of various alternatives towards meeting both short-term and long-term ELV requirements. With respect to shuttle derived technology, this analysis should include information on economies of scale which may be achieved.

To the extent possible, this report should represent a consensus view of DoD, NASA, and OMB on the relevant estimates and assessments. Should significant differences not be resolved, the report should identify and discuss such differences. The study should be transmitted to the appropriate committees of the Congress no later than January 15, 1985.

The conferees do not agree with the Senate language "fencing" ELV follow-on funding until January 15, 1985. Accordingly, the \$5,000,000 recommended shall be available for obligation by the Air Force once the fiscal year 1985 Continuing Resolution is enacted.

Furthermore, the conferees note that an official, revised funding profile for the development and procurement of ten follow-on ELV's has not been formally submitted to the Congress. Accordingly, the conferees direct the Air Force to develop a funding profile which details the Five Year Defense Plan (FYDP) programmed funding requirements for this program. This plan should include a traditional, "up-front" procurement funding as opposed to the previously proposed off-budget approach. This plan should be submitted with the report discussed above.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE AGENCIES

The conferees agree to the following amounts for Research, Development, Test and Evaluation, Defense Agencies:

[In thousands of dollars]

	Budget	House	Senate	Conference
RESEARCH AND DEVELOPMENT TEST & EVAL, DEF AGENCIES				
Technology Base				
Defense research sciences	102,500	80,700	102,500	80,700
In-house lab independent research	1,874	1,874	1,874	1,874
Technical studies.....	1,500	1,500	1,500	1,500
Strategic technology.....	150,700	144,250	160,700	165,750
Tactical technology.....	109,000	107,400	104,300	107,400
Particle beam technology	17,400	17,400	17,400	17,400
Integrated comd/control tech.....	53,000	53,000	53,000	53,000
Materials processing tech.....	29,200	29,200	27,200	28,200
Nuclear monitoring.....	20,500	16,500	20,500	18,500
Defense Nuclear Agency.....	347,014	308,714	347,014	327,000
Medical R & D / free electron lasers			5,000	
Total, technology base.....	832,688	760,538	840,988	801,324
Advance Technology Development				
Strategic defense initiatives	1,777,000	1,090,000	1,627,000	1,400,000
Surveillance, acquisition and track	(721,000)	(404,000)	(721,000)	(721,000)
Directed energy.....	(489,000)	(318,000)	(489,000)	(489,000)
Conventional weapons.....	(356,000)	(231,000)	(356,000)	(356,000)
Systems concept and management	(99,000)	(64,000)	(99,000)	(99,000)
Support programs.....	(112,000)	(73,000)	(112,000)	(112,000)
General reduction.....			(-150,000)	(-377,000)
Joint DOD-DOE munitions tech dev	10,000		10,000	5,000
Exp eval of major innovative tech	204,300	194,300	194,300	194,300
Command and control research.....	2,011	2,011	2,011	2,011
Total, advance technology development.....	1,993,311	1,286,311	1,833,311	1,601,311
Strategic Programs				
NMCS-wide support.....	12,064	12,064	12,064	12,064
WWMCCS ADP-JTSA.....	1,530	1,530	1,530	1,530
WWMCCS system engineer	30,637	28,132	30,637	28,632
Minimum essential emer comm network.....	15,213	15,213	15,213	15,213
Total, strategic programs	59,444	56,939	59,444	57,439
Tactical Programs				
Cinc C2 initiatives	2,134	2,134	2,134	2,134
Intelligence & Communications				
Map/chart/geodesy.....	513	513	513	513
Map/chart/geodesy inv/prototype dev.....	14,961	14,961	14,961	14,961
Map/chart/geodesy engr dev/test.....	8,273	8,273	8,273	8,273
Management headquarters gdp.....	352	352	352	352
Long-haul communications (DCS)	9,937	9,937	9,937	9,937
Support of the NCS.....	8,244	8,244	8,244	8,244
DMA exploitation program.....	165,407	165,407	165,407	165,407
Emergency preparedness.....	3,950			
Classified programs.....	1,496,894	1,374,981	1,448,363	1,403,842
Total, intelligence communications	1,708,531	1,582,668	1,656,050	1,611,529
Defensewide Mission Support				
Special Technology Office/USDR&E.....	7,950	7,950	7,950	7,950

[In thousands of dollars]

	Budget	House	Senate	Conference
Counter insurgency & special tech.....	10,136	5,000	5,000	5,000
Manufacturing technology.....	3,100	3,100	1,236	2,000
Technical support to USDR/E.....	21,421	51,421	20,565	35,565
General support for PA/E.....	3,231	2,000	3,104	2,200
Support to policy.....	7,714	4,714	7,413	6,000
General support for net assessment.....	4,801	3,801	4,611	3,801
General support for MRA/L.....	2,939	2,828	2,828	2,828
Technical analytical support.....	15,000	15,000	15,000	15,000
Defense technical info center.....	18,988	18,988	18,988	18,988
Information analysis centers.....	4,168	4,168	4,168	4,168
MGT HQ (research/development).....	11,430	11,430	11,430	11,430
Technology transfer functions.....	920	920	920	920
Total, defensewide mission support.....	111,798	131,320	103,213	115,850
Consultants, studies & analyses.....			-2,000	-2,000
General reduction.....		-10,000		-5,300
Total, research development test & eval, def agencies.....	4,707,906	3,809,910	4,493,140	4,182,287
Director of Test & Evaluation, Defense				
Foreign weapons evaluation.....	12,000	12,000	12,000	12,000
Test and evaluation.....	50,000	50,000	47,000	47,000
Total, Director of Test & Evaluation, Defense.....	62,000	62,000	59,000	59,000

The conferees agree to the following language:

STRATEGIC TECHNOLOGY

The conferees agree to provide \$165,750,000 for Strategic Technology, instead of \$144,250,000 as proposed by the House and \$160,700,000 as proposed by the Senate. The amount provided fully funds the authorized transfer of funding for artificial intelligence to Strategic Technology, but deletes \$6,450,000 for project ST-4, Strategic Deterrent. The conferees agree that \$30,000,000 shall be provided for project ST-9, Submarine Laser Communications, an increase of \$5,000,000 above the budget request, to accelerate research and development on blue-green laser communications.

FREE ELECTRON LASER TECHNOLOGY FOR RESEARCH

The conferees agree that \$10,000,000 of the funds provided for Defense Agencies RDT&E shall be used for research in the biomedical and materials sciences using free electron laser technology. Language has been provided in the bill which earmarks these funds.

DEFENSE NUCLEAR AGENCY

The conferees agree to provide \$327,000,000 for the Defense Nuclear Agency, instead of \$308,714,000 as proposed by the House or \$347,014,000 as proposed by the Senate. The resulting reduction from the budget request is general, and is not applied to specific projects. The conferees agree that reports concerning a secure data network and a new supercomputer are to be provided as directed by the House.

WWMCCS SYSTEM ENGINEER

The conferees agree to provide \$28,632,000 for WWMCCS System Engineer, instead of \$28,132,000 as proposed by the House or \$30,637,000 as proposed by the Senate. The total allows \$500,000 for a proposed study on C³ requirements after the United States has sustained a nuclear attack. The conferees agree that funding for this study in the future will be provided only upon a satisfactory justification of need, to include an explanation of the uses made of the many past studies on the same subject.

STRATEGIC DEFENSE INITIATIVE

The conferees agree to provide \$1,400,000,000 for Strategic Defense Initiative (SDI), instead of \$1,090,000,000 as proposed by the House or \$1,627,000,000 as proposed by the Senate. The reduction of \$377,000,000 is a general reduction from the budget request. The conferees direct the Department to submit expeditiously to the Committees on Appropriations of the House and Senate for approval its proposal for allocation of this reduction to the programs which comprise SDI.

TITLE VI—REVOLVING AND MANAGEMENT FUNDS

ARMY STOCK FUND

The conferees agree to provide \$366,448,000 as recommended by the Senate instead of \$356,448,000 as recommended by the House.

AIR FORCE STOCK FUND

The conferees agree to provide \$548,593,000 as recommended by the Senate instead of \$631,793,000 as recommended by the House.

MERCHANT SHIP CONSTRUCTION REVOLVING FUND

The conferees agree to provide no appropriation as recommended by the House instead of a transfer of \$500,000,000 as recommended by the Senate.

The following item represents language as agreed to by the conferees:

The conferees reluctantly agree not to establish a revolving fund for the purpose of building and leasing militarily useful commercial vessels. The Senate proposed a transfer of \$500,000,000 to capitalize the fund subject to the enactment of enabling legislation. Although this financing methodology was developed some time ago, the conferees realize that authorizing legislation has not been introduced much less enacted. Given this legislative impasse, the Congress must look to the Administration to provide a proposal designed to meet the national defense sealift needs. The rapid deterioration of the entire commercial maritime industry mandates a timely proposal to address urgent DoD sealift requirements.

ALLOCATION OF REDUCTIONS TO THE REVOLVING FUNDS

The conferees agree that all reductions to the operating accounts for changes in fuel prices should be passed through to the Defense

Stock Fund. The conferees also agree that the reductions to the Navy and Air Force operating accounts reflecting revised prices to the stock fund should be passed through to the Navy and Air Force Stock Funds respectively. The reduction to the Army operating account for revised stock fund prices should be passed through to the Defense Stock Fund. The resulting asset in the Army Stock Fund should be retained in the Army Stock Fund to capitalize the fiscal year 1986 implementation of the stock funding of aviation depot level repairables as instructed by the Senate. Further, the conferees concur in the House report language instructing reporting of all credits, advances and transfers and direct that DOD also report the cash position of each DOD revolving fund on a monthly basis to the Committees on Appropriations.

TITLE VII—RELATED AGENCIES

INTELLIGENCE COMMUNITY STAFF

The conferees agree to provide \$20,797,000 for the Intelligence Community Staff, instead of \$20,297,000 as proposed by the House and \$21,797,000 as proposed by the Senate.

TITLE VIII—GENERAL PROVISIONS

The conferees agree to the following language in the General Provisions:

Public Affairs and Legislative Liaison Activities.—The conferees agree to include the higher limitations provided by the House for both public affairs and legislative liaison activities. The conferees further agree to include a provision requiring that the Department include the effects of retired pay accrual for military personnel when determining the costs associated with these programs.

Insignia Resale.—The House continued the provision contained in the 1984 Defense Appropriations Bill imposing a surcharge on the sales price of insignia purchased for resale by the Department of Defense. The Senate deleted the provision as requested in the budget. The Department has initiated a new policy for procurement of insignia, whereby insignia procured for free issue to personnel by the Department are procured by the Department, while insignia procured for sale by the exchange system are procured by the exchanges directly from private industry. The conferees believe this new procurement policy should obviate the need for the surcharge provision. The conferees agree to delete the provision, but direct the Department to fully implement the aforementioned insignia procurement policy.

Multiyear Procurement Contracts.—The conferees agree to revised language which clarifies the intent of the House bill, which was to prohibit unfunded cancellation ceilings for economic order quantity procurements.

Technician Floor/AGR Ceiling.—The conferees agree to the House language, with an amendment adjusting the limitation on Active Guard/Reserve (AGR) personnel to 37,957. This limitation equates to the fiscal year 1985 AGR end strengths authorized for the Army Reserve and Army National Guard of 10,700 and 20,583, respectively. For the Air National Guard, the limitation of 6,674 re-

sults from authorized end strengths less actions taken by the conferees.

Civilian End Strength Ceilings.—The House included a general provision prohibiting the use of civilian personnel end strengths in the Department of Defense. The Senate included a provision limiting the prohibition on ceilings to DoD industrial funded activities.

The conferees agree that civilian personnel ceilings promote inefficiencies and should be removed. Consequently, a general provision has been included similar to that contained in the FY 1985 Defense authorization bill. The only change is a provision directing the FY 1986 budget be submitted based upon the assumption of no civilian personnel ceilings in that year as well as a base-line for congressional authorization and appropriations review.

Although the administrative limitations have been removed, the authorization included some civilian workyear reductions initially offered in a version of the authorization bill which had retained an employment cap. Clearly, such budget reductions in the absence of applicable rationale must be considered an oversight and if accepted, such reductions would be non-programmatic, and deleterious to readiness.

Prohibition on Assistance to Nicaragua.—The House included a general provision prohibiting funds from being obligated or expended for the purpose of supporting, directly or indirectly, military or paramilitary operations in Nicaragua. The Senate did not include any type of prohibition concerning funds for Nicaragua.

The conferees have included a provision which prohibits funds from being obligated or expended to support, directly or indirectly, military or paramilitary operations in Nicaragua unless after February 28, 1985, the President submits a report to Congress and a joint resolution approving such assistance is enacted by Congress. A ceiling of \$14,000,000 is placed on such obligations and expenditures during fiscal year 1985.

The joint resolution is subject to expedited procedures in both Houses similar to procedures for the MX missile procurement resolution provided elsewhere in the bill.

Leasing of Certain Vessels, Aircraft, and Vehicles.—The conferees agree to include a provision recommended by the Senate requiring prior Congressional approval of appropriations for leasing of certain vessels, aircraft, or vehicles for a term of longer than 18 months. The conferees also agree to delete similar provisions in both bills which included a conflicting 3 year time period.

Warranties.—The Conferees agree to provide no general provision on warranties since permanent warranty legislation has been enacted in the Department of Defense Authorization Act of 1985.

Coal use at U.S. defense installations in Europe.—The Committee recommends a new general provision because it is increasingly concerned over the security of energy sources for U.S. defense installations in Europe. Recent incidents which involved the destruction of, and threats to, oil cargo vessels in the Persian Gulf, including those transporting oil for such defense installations, and the uncovering of information on terrorist intent to disrupt strategic pipelines, strongly indicate the need for a redetermination of energy policy at USAREUR.

The Committee views the continued use of natural gas (increasingly from the Soviet Union), oil from crisis areas, and other potentially vulnerable energy sources as inadvisable in the context of current international situations.

Of specific concern at this time is the increased dependence on commercial or district heat sources located off military reservations, allowing for additional reliance on non-U.S. energy sources. Further, the consistently declining use of U.S. coal by the Department, particularly in Army and Air Force installations under the coordination of USAREUR, especially with reference to new district heating connections, is not regarded as consistent with U.S. Government coal use policy.

The new general provision will eliminate further funding for consolidation or conversion of facilities to this source, with the possible exception of certain ongoing projects where negotiations are advanced and reversal of such plans would inconvenience Army planning. Those projects in USAREUR as identified by the Department of the Army are Babenhausen, Bad Nauheim, Bad Toelz, Kitzingen, Darmstadt (3), Dexheim, Frankfurt (2), Fulda, Garmisch, Giessen (4), Heilbronn (2), Idar-Oberstein, Ludwigsburg, Nabollenbach, Neckarsulm, Pirmasens, Kaiserslautern, Schwaebisch Hall, Wildfecken, Wiesbaden, and Wuerzburg. The conferees agree that these projects are individually items of special interest to the Appropriations Committees and therefore require the approval of the appropriating committees prior to signing any contracts or obligation of any funds.

Realizing there may be circumstances whereby conversion to district heating is unavoidable, the conferees direct the Department of Defense to vigorously study measures to offset any resulting diminished use of U.S. coal by increasing coal use at other U.S. military installations worldwide, with the goal of maintaining DoD consumption of coal at stable and steady levels.

The Committee directs that to offset the anticipated decline of U.S. coal use at USAREUR, the Department of the Army continue with its plans to use bituminous coal as the energy source at an ongoing construction program at the U.S. Military Academy at West Point, N.Y., and that anthracite be used at an ongoing modernization and expansion of facilities at New Cumberland, Pa.

While the Department of Defense maintains alternate source plans for natural gas in the event of state of emergency or wartime circumstances, and maintains a strategic stockpile of oil, its coal contingency planning for such circumstances is considered inadequate, with reliance on the commercial economy of a foreign nation whose own wartime requirements would accelerate. The Committee, therefore, directs that from available funds a 1-year strategic stockpile of U.S. anthracite and bituminous coal for Europe be acquired, with total tonnage to be determined from an average of the totals for 3 previous fiscal year requirements. The acquisition of the strategic stockpile will begin as part of the normal fiscal year 1985 procurement for Europe, continuing in equal one-fourth increments for the 3 succeeding fiscal years. Further, it is directed that the stockpile be purchased and maintained in Europe for war reserve status exclusively, irrespective of a normal multi-purpose reserve, and not be used as part of normal

supply and demand. The conferees further agree that the Secretary of Defense should ensure that the additional coal stockpiled in Europe is done so within available space, and the Department should report on the additional cost of transporting and storing this additional stockpile overseas.

Variable Housing Allowance Windfalls.—The Senate included a provision to eliminate payment of Variable Housing Allowances (VHA) in excess of actual housing costs. The House did not address the issue. The conferees agree housing compensation of members of the uniformed services stationed in the United States and abroad needs to be reassessed. However, the House conferees believe permanent changes in these programs should await the completed studies of military housing allowances by the General Accounting Office, the Defense Inspector General, and further review by the four committees involved in oversight of these programs.

The conferees agree to remove the Senate provision eliminating VHA payment in excess of actual costs. Nonetheless, the conferees believe payment of VHA windfalls cannot be allowed to continue and direct the Defense Department to include legislation to eliminate such payment and delete funds which would allow such payment in the fiscal year 1986 budget request. The DOD should calculate windfall savings as the actual spending of VHA recipients who are overcompensated for their costs versus the actual compensation. If time is not sufficient to collect the necessary data, an assessment of windfall savings can be made using a sampling survey. Average utility costs by location can be used instead of actual costs.

Communications and Electronic Component Repair.—The Army shall conduct no new operations in the continental United States relating to the repair of communications and electronic components at facilities other than Tobyhanna and Sacramento until it studies present and projected needs for this work and the impact of any additional operations on Tobyhanna and Sacramento taking into account the temporary removal of manpower limits.

The study is to be submitted to the Appropriations Committees within 3 months. The study will examine the advisability and impact of the planned GOCO facility at Lexington Blue Grass Army Depot on Tobyhanna and Sacramento.

It shall include a review of whether this facility will reduce current workload levels at Tobyhanna and Sacramento or impede the normal workload increase projected for Tobyhanna and Sacramento by the Army's expected additional electronics and communications repair work, up to the highest reasonable level of efficiency which can be performed at these facilities.

The conferees, therefore, agree to delete the provision proposed by the House.

Foreign Selling Costs.—In agreeing to the Senate provision concerning foreign selling costs, the conferees feel that the issue could be reconsidered in the next supplemental appropriations request if the Secretary of Defense certifies the cost effectiveness of a change in the existing regulations.

Sea Launched Cruise Missiles.—The House included language which subjected funds made available in the appropriation act for deployment of nuclear sea launched cruise missiles to all the limitations, restrictions and conditions set forth in the House passed

authorization bill for fiscal year 1985. The Senate included no such provision. The conferees agreed to delete the House provision.

The conferees note the existence of a sharp division in the approaches taken to the arms control problems posed by the deployment of nuclear-capable sea-launched cruise missiles on naval submarines and surface ships.

In view of the deployment of nuclear-armed sea-launched cruise missiles by the Soviet Union since 1962, and the absence of existing reliable means whereby the presence (or absence), range, warhead or capabilities of sea-launched cruise missiles can be verified, the conferees do not believe that a moratorium on the deployment of nuclear-armed Tomahawk sea-launched cruise missiles would be consistent with the national security interest of the United States.

The conferees support an early resumption of the Strategic Arms Reduction Talks (START) and the Intermediate Range Nuclear Force (INF) negotiations, and urge the Soviet Union to drop its preconditions to the resumption of these important negotiations. The conferees believe that discussions on limitations of nuclear sea-launched cruise missiles should be included in the appropriate negotiations. However, the conferees recognize that the characteristics of sea-launched cruise missiles would seriously complicate the negotiation of effective verification of such limitations. The United States is, and the conferees believe that the Soviet Union should be, willing to accept those intrusive on-site inspection procedures necessary for effective verification as an integral part of mutual and verifiable arms reductions. Therefore, the conferees urge that means whereby limitations on sea-launched cruise missiles could be effectively verified be pursued as a matter of the highest priority, and direct that the Congress be fully informed about the status of programs in this regard.

Toward this end, the conferees direct the President to submit a report to the Congress by March 15, 1985, that will:

(1) describe an arms control method by which it would be possible to determine whether a cruise missile designed to be launched from a naval vessel is conventionally armed or nuclear armed and by which it would be possible to effectively verify an arms control limitation on the number of cruise missiles that are armed with nuclear warheads and deployed on naval vessels; and

(2) state whether the Joint Chiefs of Staff and the Director of Central Intelligence have agreed that the method described would be a high-confidence method as applied by the United States to cruise missiles of another nation and would be an acceptable method for use when applied by another nation to cruise missiles of the United States.

Introduction of United States Armed Forces Into Central America for Combat.—The House included a prohibition against the introduction of United States combat troops into Central America. The Senate included no such language.

The conferees have included a sense of the Congress provision stating that United States Armed Forces should not be introduced into or over the countries of Central America. The language is similar to language contained in the Defense Authorization Act, 1985.

Humanitarian and Civic Assistance Costs.—The conferees agree to include the Senate provision providing authority for use of operation and maintenance funding for humanitarian and civic assistance costs incidental to authorized operations.

The conferees emphasize the limited nature of this authority in addition to constraints imposed by the Senate report language. The only use of this authority being granted is with Joint Chiefs of Staff directed or coordinated exercises overseas. Costs associated with humanitarian and civic assistance must be included as a part of the funding available for any single JCS exercise subject to the constraints for exercise funding discussed elsewhere in this report. Additional uses of this authority must receive the prior approval of both the House and Senate Committees on Appropriations.

The conferees also have included a provision providing clear authority for existing Army Civic Action Teams providing support to the Trust Territories of the Pacific Islands.

M-1 Tank Engine (AGT-1500) Second Source Competition.—The Senate bill includes a general provision repealing the statutory prohibition to the establishment of a second source of production for the M-1 tank engine. The House had no similar provision. The conferees do not agree to the lifting of the second source restriction. The conferees agree that the Army may continue to study the advisability of establishing a second source.

Hawaiian Milk.—The Senate added language which prohibits purchase of milk by the Department which was pasteurized more than 72 hours before acceptance. The House included no such language. The conferees agree to delete the Senate provision. The Department is directed to perform a study of this issue which addresses the problem of freshness, price differentials between Hawaiian and mainland milk, and adverse impacts on the Hawaiian economy. In addition, the Department is directed to study the processing of milk utilizing ultra high temperature (UHT) procedures. The Department should provide results of these studies to the Appropriations Committees of the House and Senate by April 1, 1985.

CHAMPUS Dental Care.—The conferees agree to delete the Senate provision for CHAMPUS dental care. The conferees also agree that the Assistant Secretary of Defense for Health Affairs should study the need for CHAMPUS dental benefits for the dependents of active duty military personnel and report on the cost and feasibility of implementing such a program.

National Defense Stockpile.—The conferees agree that the Department of Defense must follow existing law with respect to the disposal of silver from the strategic silver stockpile and have deleted the Senate bill language.

Overseas Station Allowances.—The conferees agree to the Senate provision concerning station housing allowances in Alaska and Hawaii with an amendment clarifying the conferees' intent.

Contingency Funding for Unified and Specified Commands.—Although both the House and the Senate deleted language requested by the Department permitting the utilization of Operation and Maintenance funding for any purpose (including procurement or research and development) simply upon the determination of the Commanders-in-Chief (CINC's) of the Unified and Specified Commands, the conferees agree that unforeseen urgent readiness re-

quirements should be accomplished in a timely fashion. The conferees have, therefore, included a general provision permitting Operation and Maintenance funds to be used for such emergent requirements, but stipulating that such use be limited to traditional Operation and Maintenance expenses. The conferees note that regardless of the new authorities provided in this bill or in section 304 of the fiscal year 1985 Defense authorization bill, the Department must comply with existing reprogramming procedures and should consider use of the new transfer authority included in either this or the authorizing bill to be an item of special congressional interest.

Purchase of European NATO weapons.—The conferees agree to language which requires notification to the Committees on Appropriations of the House and Senate of any purchase of European NATO weapons, subsystems or munitions by the Defense Director of Test and Evaluation pursuant to section 1002(e)(2)(A) of the Department of Defense Authorization Act, 1985.

Consultants Limitation.—The conferees agree to the Senate bill language which reduces funds available for obligation pertaining to consultants, studies and analyses, contract management support services and other such advisory or assistance related contract efforts. While the Department of Defense budget exhibits attempt to justify \$1,300,000,000 of such costs, independent analyses indicate that expenditures for these services exceed \$15,000,000,000 in the Defense Department alone. Previous attempts to control consulting services and contract management support contracts have invariably resulted in the Defense Department treating recommendations as general reductions. Clearly, the Congress never intended to apply a recommended reduction directed toward such contracts in any other area.

The Senate provision will require the Defense Department to review all contracts subject to the SF 279 reporting requirements and assure that no more than \$14,000,000,000 is expended for consultants, studies, analyses, management support services, or other advisory and assistance efforts. The Department is required to report to the Committees on the savings attained by this effort and identify the areas where the savings are applied.

PCS Reimbursements.—The Senate added a general provision which allows the Department, within available funds, to increase the mileage allowance for members of the uniformed services in connection with permanent change of station (PCS) travel and to provide for the payment of temporary lodging expenses for such members who are in an enlisted pay grade below E-8. The House included no such language. The conferees agree to allow the Department to fund the increase in mileage from 13 to 15 cents from within funds available for PCS travel. The conferees agree not to allow the Department to fund temporary lodging expenses.

The conferees believe if this new benefit is necessary, the Defense Department should use existing PCS funds and provide the new benefit for at least six months of fiscal year 1985 by curtailing PCS moves. If he chooses to implement this change, the Secretary of Defense is instructed to report on the long term costs and on how moves will be curtailed to provide funds for the program.

Amendment No. 33: Deletes Senate language which would have required a report on September 30, 1985 on obligations incurred for humanitarian and civic assistance costs. This issue is addressed in amendment number 32.

Amendment No. 34: Deletes Senate language which would have provided an increase in the mileage allowance and reimburse subsistence expenses incurred by a member of the uniform services in a pay grade below E-8 while occupying temporary quarters incident to a change of permanent station. This issue is addressed in amendment number 32.

Amendment No. 35: Deletes Senate language which would have provided for a study to update the report entitled "Military Spouse and Family Issues, Europe, 1982". This issue is addressed in amendment number 32.

Amendment No. 36: Deletes Senate language which would have withheld from apportionment funds appropriated for consultants, studies, analyses, management support services or other advisory and assistance services in the amount of \$1 billion. This issue is addressed in amendment number 32.

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATION ACT

Amendment No. 37: Deletes language proposed by the House and Senate and inserts new language relating to the rate for operations for projects or activities provided for in the Department of Transportation and Related Agencies Appropriation Act, 1985.

The House version of H.J. Res. 648 provides appropriations for activities of the Department of Transportation and related agencies at a rate for operations not in excess of the current rate or the rate provided for in the budget estimates, whichever is lower. The Senate version of the Joint Resolution provides appropriations for these activities at the rate and in the manner provided in S. 2852 as reported to the Senate on July 17, 1984. The conference agreement incorporates some of the provisions of both the House and Senate versions of the Joint Resolution and has the effect of enacting the Department of Transportation and Related Agencies Appropriation Act, 1985, into law. The conferees agree that language included in House Report 98-859 or Senate Reports 98-561 or 98-634 shall be controlling unless otherwise addressed in the statement of the managers.

The conference agreement incorporates the provisions of S. 2852 in accordance with the following agreements:

TITLE I—DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

Appropriates \$50,000,000 instead of \$41,275,000 as proposed by the House and \$50,592,000 as proposed by the Senate.

TRANSPORTATION PLANNING, RESEARCH AND DEVELOPMENT

Appropriates \$5,700,000 instead of \$4,878,000 as proposed by the House and \$6,754,000 as proposed by the Senate.

Inserts language related to contract awards for a methane conversion study as authorized by section 152 of the Surface Transportation Assistance Act of 1982.

The conferees are pleased to note the substantial improvement in Amtrak's financial performance over recent years. Amtrak will cover a projected 58 percent of its operating costs in 1985 compared to only 42 percent in 1976. This progress has been due, in large measure, to the revenue-cost ratio performance requirements that have been stipulated in Federal law. The conferees are also aware that a similar revenue-cost ratio approach has been used successfully in Canada with respect to the allocation of mass transit operating assistance.

With the advent of the Section 15 mass transit reporting system and the standardized financial and operating data it generates, the conferees are interested in the technical feasibility of establishing a minimum operating revenue-operating cost performance standard for U.S. transit systems. Such a standard could be set as a minimum requirement for receiving Federal operating assistance and might serve to assuage those who argue that the Federal government should not provide mass transit operating assistance because the Federal government has no influence over local operating costs and revenues.

The conferees direct the Department to submit a report to Congress no later than March 1, 1985, assessing the policy implications and technical feasibility of requiring transit properties to meet a minimum operating revenue-operating cost ratio as a condition of receiving Federal operating assistance. In addition to a discussion of the policy-related pros and cons of such an approach, this report should describe the suitability of Section 15 data for this purpose; the types of operating costs and operating revenues that could be used in this calculation; a listing of transit properties that have revenue-cost ratios (based on most recent data) below 45 percent, below 50 percent, and below 55 percent; and the minimum revenue-cost ratio that the Department believes would be appropriate if such a standard were set.

This report should also contain an explanation of the Canadian (Ontario) method of allocating operating subsidies to individual cities, the reasons why such an approach was first adopted, and any "before and after" data available that would indicate the success or failure of this approach.

LIMITATION ON WORKING CAPITAL FUND

Limits operating costs and capital outlays of the working capital fund to \$65,500,000 as proposed by the Senate instead of \$66,001,000 as proposed by the House.

COAST GUARD

OPERATING EXPENSES

Appropriates \$1,740,000,000 as proposed by the Senate instead of \$1,665,256,000 as proposed by the House.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

Appropriates \$344,500,000 as proposed by the Senate instead of \$362,000,000 as proposed by the House.

The conference agreement includes the following amounts:

Vessels	\$179,944,000
Aircraft	38,300,000
Shore facilities	86,806,000
Aids-to-navigation	13,450,000
Administration	26,000,000

Within the amount provided, the conferees expect the Coast Guard to comply with the project distribution outlined in House Report 98-859 as modified by Senate Reports 98-561 and 98-634, with the following exceptions:

An additional \$17,400,000 for C-130 aircraft "PILOCs";

\$13,000,000 for survey and design work at Cold Bay, Alaska instead of \$15,000,000 for Dutch Harbor, Alaska; and

A total of \$73,350,000 for the 378-foot cutter renovation and modernization program.

The conference agreement also inserts language proposed by the Senate regarding contract warranties and deletes language proposed by the Senate regarding the issuance of contracts for vessel repairs on the West Coast.

The conferees concur in the language included in Senate Report 98-634 regarding aerostat procurements and urge the timely lease of one additional radar aerostat surveillance system and the procurement of three aerostat radar balloons within available funds.

RETIRED PAY

Appropriates \$330,800,000 as proposed by the Senate instead of \$334,800,000 as proposed by the House.

RESERVE TRAINING

Appropriates \$58,833,000 as proposed by the Senate instead of \$54,805,000 as proposed by the House.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

Appropriates \$23,000,000 instead of \$22,500,000 as proposed by the House and \$23,500,000 as proposed by the Senate.

NATIONAL RECREATIONAL BOATING SAFETY AND FACILITIES
IMPROVEMENT FUND

Appropriates \$13,625,000 to liquidate contract authority obligations instead of \$12,500,000 as proposed by the House and \$14,750,000 as proposed by the Senate.

Limits obligations to \$13,750,000 for the national recreational boating safety program instead of \$12,500,000 as proposed by the House and \$15,000,000 as proposed by the Senate.

FEDERAL AVIATION ADMINISTRATION

HEADQUARTERS ADMINISTRATION

Appropriates \$66,900,000 instead of \$56,900,000 as proposed by the House and \$68,900,000 as proposed by the Senate.

OPERATIONS

Appropriates \$2,622,600,000 as proposed by the Senate instead of \$2,530,000,000 as proposed by the House.

The Federal Aviation Administration is directed to report immediately to the House and Senate Committees on Appropriations if the conference agreement level will result in the reduction of any personnel essential to the operation of a safe and effective air traffic control system.

The conferees direct the Federal Aviation Administration to submit, no later than December 1, 1984, an updated facility consolidation report similar to the report submitted pursuant to section 319 of Public Law 98-78.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

Appropriates \$1,370,000,000 instead of \$750,000,000 as proposed by the House and \$1,492,000,000 as proposed by the Senate.

The conference agreement represents an 82.7 percent increase over the level provided for fiscal year 1984. The conferees direct that, in making necessary adjustments to the fiscal year 1985 facilities and equipment funding plan, the Federal Aviation Administration shall give the highest priority to the continued funding of safety-related projects.

The conferees direct the Secretary to submit a report to the House and Senate Appropriations Committees by November 15, 1984, describing the adjustments made to the facilities and equipment funding plan presented in the President's budget to meet the funding level provided in the conference agreement. Such report shall break down these adjustments to the project level and shall contain an explanation for each adjustment. This report should also discuss the near-term impact of these adjustments on the safety of the national airspace system. If significant safety problems are alleged, such report should contain an explanation of the potential problem along with recommended corrective action.

The conferees intend that, of the \$5,000,000 provided in the conference agreement to continue the airway science curriculum program, \$1,000,000 is to be made available to the University of North Dakota to complete its aerospace sciences project. Furthermore, the conferees expect the FAA to expedite the award of funds previously set aside for a minority institution.

RESEARCH, ENGINEERING AND DEVELOPMENT

(AIRPORT AND AIRWAY TRUST FUND)

Appropriates \$265,000,000 instead of \$263,452,000 as proposed by the House and \$266,000,000 as proposed by the Senate.

The conference agreement includes \$16,500,000 for aviation weather research as proposed by the Senate.

GRANTS-IN-AID FOR AIRPORTS

(AIRPORT AND AIRWAY TRUST FUND)

Appropriates \$810,000,000 to liquidate contract authority obligations as proposed by the Senate instead of \$745,000,000 as proposed by the House.

Limits obligations for airport development and planning grants to \$925,000,000 instead of \$800,000,000 as proposed by the House and \$987,000,000 as proposed by the Senate.

In addition to the airports listed in House Report 98-859 and Senate Report 98-561, the conferees direct that priority be given to grant applications involving construction or further development at the following airports: Tupelo, Mississippi; Evansville Dress Regional Airport, Indiana; Tulsa-Jones Airport, Oklahoma.

OPERATION AND MAINTENANCE, METROPOLITAN WASHINGTON AIRPORTS

Appropriates \$35,931,500 as proposed by the Senate instead of \$34,557,000 as proposed by the House.

CONSTRUCTION, METROPOLITAN WASHINGTON AIRPORTS

Appropriates \$13,000,000 as proposed by the Senate instead of \$13,500,000 as proposed by the House.

AIRCRAFT PURCHASE LOAN GUARANTEE PROGRAM

Limits the total amount that can be borrowed from the Secretary of the Treasury to pay off defaulted loans to \$125,000,000 in lieu of a limitation of \$150,000,000 outstanding at any one time as proposed by the Senate.

FEDERAL HIGHWAY ADMINISTRATION

LIMITATION ON GENERAL OPERATING EXPENSES

Limits general operating expenses to \$204,891,000 as proposed by the Senate instead of \$201,700,000 as proposed by the House.

Provides \$5,000,000 for the establishment and implementation of a demonstration bonding program for economically and socially disadvantaged businesses.

RAILROAD-HIGHWAY CROSSINGS DEMONSTRATION PROJECTS

Appropriates \$15,000,000 as proposed by the Senate. The conference agreement includes the following amounts:

Lafayette, Ind	\$7,000,000
Pine Bluff, Ark	1,400,000

Lincoln, Neb.....	1,800,000
Springfield, Ill.....	2,800,000
Carbondale, Ill.....	500,000
Brownsville, Tex.....	1,500,000

INTERMODAL URBAN DEMONSTRATION PROJECT

Appropriates \$2,750,000 to carry out the provisions of section 124 of the Federal-Aid Highway Amendments of 1974.

AUTO-PEDESTRIAN SEPARATION DEMONSTRATION PROJECT

Appropriates \$1,750,000 as proposed by the Senate.

FEDERAL-AID HIGHWAYS

Appropriates \$12,800,000,000 to liquidate contract authority obligations as proposed by the Senate instead of \$11,600,000,000 as proposed by the House.

Limits Federal-aid highway obligations to \$13,250,000,000 instead of \$12,520,000,000 as proposed by the House and \$13,550,000,000 as proposed by the Senate.

Inserts language as proposed by the Senate exempting Zilwaukee Bridge obligations from this limitation.

The conferees expect that the discretionary funds under the interstate transfer grants-highways program will be allocated to achieve the following program levels in fiscal year 1985:

Tucson, Ariz.....	\$8,422,650
Denver, Col.....	33,261,000
Chicago, Ill.....	136,000,000
State of Iowa.....	31,232,000
Baltimore, Md.....	70,000,000
Duluth, Minn.....	21,280,000
Minneapolis-St. Paul, Minn.....	30,720,000
Omaha, Neb.....	9,000,000
State of New York.....	25,000,000
Portland, Ore.....	37,300,000
Washington, D.C.....	21,900,000

The conferees recognize that delays in some regions' projects might necessitate adjustments to the above allocations. The conferees expect these adjustments, if required, to be accomplished through the normal reprogramming process.

RIGHT-OF-WAY REVOLVING FUND

Limits direct loans to \$50,000,000 as proposed by the Senate instead of \$30,000,000 as proposed by the House.

MOTOR CARRIER SAFETY

Appropriates \$14,066,000 as proposed by the Senate instead of \$13,020,000 as proposed by the House.

MOTOR CARRIER SAFETY GRANTS

Appropriates \$14,000,000 instead of \$8,000,000 as proposed by the House and \$16,000,000 as proposed by the Senate.

ACCESS HIGHWAYS TO PUBLIC RECREATION AREAS ON CERTAIN LAKES

Appropriates \$5,000,000 as proposed by the Senate.

WASTE ISOLATION PILOT PROJECT ROADS

Appropriates \$16,400,000 as proposed by the Senate.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

OPERATIONS AND RESEARCH

Appropriates \$82,350,000 instead of \$78,300,000 as proposed by the House and \$84,850,000 as proposed by the Senate.

The conference agreement includes the following amounts:

Rulemaking.....	\$7,000,000
(O&R positions).....	(84)
Enforcement.....	11,500,000
(O&R positions).....	(98)
Highway safety.....	13,200,000
(O&R positions).....	(98)
(402 positions).....	(80)
Research and analysis.....	41,175,000
(O&R positions).....	(144)
Office of the administrator.....	2,475,000
(O&R positions).....	(40)
(402 positions).....	(7)
General administration.....	7,000,000
(O&R positions).....	(78)
(402 positions).....	(11)

HIGHWAY TRAFFIC SAFETY GRANTS

Appropriates \$125,000,000 to liquidate contract authority obligations for various highway safety grant programs as proposed by the Senate instead of \$118,000,000 as proposed by the House.

Limits obligations for the State and community highway safety formula grant program to \$100,000,000 as proposed by the Senate instead of \$98,100,000 as proposed by the House. This limitation is further addressed in a subsequent amendment.

Limits obligations under the alcohol safety incentive grant program (section 408) to \$50,000,000 as proposed by the Senate instead of \$37,950,000 as proposed by the House.

FEDERAL RAILROAD ADMINISTRATION

OFFICE OF THE ADMINISTRATOR

Appropriates \$10,700,000 as proposed by the Senate instead of \$11,051,000 as proposed by the House.

RAILROAD SAFETY

Appropriates \$26,061,000 as proposed by the Senate instead of \$26,691,000 as proposed by the House.

The conference agreement distributes these funds as follows:

Federal enforcement.....	\$22,161,000
(Positions).....	(379)
Rail safety grants.....	1,900,000
Automated track inspection.....	1,800,000
Regulation and administration.....	2,000,000

(Positions) (66)
¹ Carryover funds.

RAILROAD RESEARCH AND DEVELOPMENT

Appropriates \$15,525,000 as proposed by the Senate instead of \$15,653,000 as proposed by the House.

RAIL SERVICE ASSISTANCE

Appropriates \$23,200,000 as proposed by the Senate instead of \$8,357,000 as proposed by the House.

NORTHEAST CORRIDOR IMPROVEMENT PROGRAM

Appropriates \$27,800,000 instead of \$10,000,000 as proposed by the Senate. The House provided \$100,000,000 for this program in section 101(f).

These funds are to be distributed as follows:

Union and Warren Street bridges	\$2,400,000
New York tunnel electrical and mechanical.....	1,700,000
Reverse signaling: Philadelphia-Morrisville.....	5,900,000
Concrete ties	17,800,000

GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

Appropriates \$684,000,000 instead of \$680,000,000 as proposed by the House and \$700,000,000 as proposed by the Senate.

This funding level was derived from the following assumptions:

Operations:	
Section 403(b)	\$59,000,000
Section 403(d)	19,000,000
Wage/price increases	74,300,000
Other operating costs	1,332,700,000
Revenue for operations	-846,000,000
Operating grant requirement	639,000,000
Labor protection.....	2,000,000
Capital program	144,000,000
Revenue for capital.....	-25,000,000
Carryover funds.....	-46,000,000
NEC purchase funds.....	-4,000,000
Locomotive sale	-6,000,000
Jobs bill carryover	-20,000,000
Capital grant required	43,000,000

Of the funds provided, up to \$4,000,000 is made available to alleviate operating problems at Amtrak's Northeast Corridor bridge over the Bush River in Maryland. The conferees intend that these funds be used to eliminate, in the most cost-effective manner possible, schedule delays and operating costs that Amtrak experiences from opening this bridge for boaters. It is further intended that the current bridge opening schedule not be expanded after completion of the automation project.

The conference agreement provides that the 40 percent local share required for the West Side Connection project may be derived from "non-Amtrak" funds as proposed by the Senate. The conferees intend that the Secretary, in making the required local share certification, may allow non-Amtrak Federal funds to be

counted against the local share up to a maximum total project cost of \$50,000,000 (excluding right-of-way acquisition costs). Should the total project cost exceed \$50,000,000, the conferees direct the Secretary to impose a stricter definition of local funds to exclude the use of any Federal funds for that portion of the local share required to match total project costs exceeding \$50,000,000.

RAILROAD REHABILITATION AND IMPROVEMENT FINANCING FUNDS

Limits total commitments to guarantee new loans to \$2,500,000 instead of \$5,000,000 as proposed by the Senate. The conference agreement inserts language authorizing the Secretary of the Treasury to issue notes or other obligations pursuant to section 512 of Public Law 94-210, as amended, in amounts not to exceed \$100,000,000.

URBAN MASS TRANSPORTATION ADMINISTRATION

ADMINISTRATIVE EXPENSES

Appropriates \$31,000,000 instead of \$29,200,000 as proposed by the House and \$31,400,000 as proposed by the Senate.

RESEARCH, TRAINING, AND HUMAN RESOURCES

Appropriates \$51,000,000 instead of \$44,800,000 as proposed by the House and \$54,800,000 as proposed by the Senate.

The conference agreement includes the following amounts:

Research and technical assistance	\$29,300,000
New technology	6,000,000
Service and methods	5,000,000
Management training	1,200,000
University research	2,000,000
Human resources	7,500,000

The conference agreement for university research includes \$300,000 for the continuation of the Long-Range Future of Public Transportation in Large Cities Study being conducted by the New York University Center for Urban Research.

The conferees concur in the directive contained in House Report 98-859 to expand UMTA's demonstration bonding program.

FORMULA GRANTS

Appropriates \$2,449,500,000 instead of \$2,389,500,000 as proposed by the Senate and \$2,388,592,200 as proposed by the House.

Inserts language proposed by the Senate prohibiting the use of funds for planning, preliminary engineering and design, or construction of the proposed light rail line or subway in the Detroit area until a source of operating funds has been approved in accordance with Michigan law.

DISCRETIONARY GRANTS

Limits obligations to \$1,120,000,000 as proposed by the Senate instead of \$1,100,000,000 as proposed by the House.

The conference agreement includes the following amounts:

Bus and bus facilities	\$130,000,000
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Existing rail modernization and extensions	487,500,000
New systems and new extensions	422,500,000
Planning	50,000,000
Elderly and handicapped	25,000,000
Innovative techniques and technology introduction	5,000,000

The conference agreement includes the following amounts for new systems and new extensions:

Portland (light rail)	\$19,000,000
Seattle (bus tunnel)	20,000,000
Detroit (automated system)	5,000,000
Miami (rail construction and circulator)	49,000,000
Santa Clara (light rail)	64,800,000
Atlanta (rail construction)	95,000,000
Los Angeles (rail construction)	117,200,000
Houston (busways)	35,000,000
Jacksonville (people mover)	1,800,000
St. Louis (engineering)	10,000,000
Buffalo (light rail)	2,700,000
San Diego (light rail)	3,000,000

The "new start" projects designated by the conferees all have strong local support as demonstrated by the extensive testimony given during the course of the House and Senate appropriations hearings. That testimony showed convincingly that these projects are considered vital to the transportation and urban development goals of those cities.

The conferees are very much aware, however, that the total cost of these projects far exceeds what can reasonably be expected to be available under the existing Discretionary Grant program. According to UMTA estimates, the full dollar demand for new start projects which are at or beyond the preliminary engineering stage is four times greater than available authorizations. The demand for other projects undergoing study could be more than ten times greater than available authorizations.

The conferees believe these demand figures attest to the growing awareness that fixed guideway transit systems are integral to the future growth and development of American cities. Well planned and well designed rail transit projects can contribute significantly to the economic vitality of our large cities, which is an important national objective. In addition, such systems should help us conserve energy, reduce air pollution, and provide essential mobility to the socially and economically disadvantaged. The conferees are pleased that increased national interest is being shown in such projects and intend to make future funding allocations in a way that will promote such interest.

At the same time, the conferees acknowledge that the Federal Government cannot and should not bear the entire load of financing these new systems. By necessity and by design, the conferees expect the Federal role in mass transit to shift increasingly to promoting and planning sound fixed guideway transit projects and to leveraging state, local and private resources to construct these projects. In this regard, it is essential that significant new non-Federal financial sources be developed if the projects currently being planned are to be constructed.

The conferees reiterate that funding earmarks, absent a letter of intent or full funding contract approved by the Appropriations Committees, do not represent long-term commitments to fund any

projects to completion. In planning for transit new start projects, the conferees fully expect the transit properties involved to develop viable funding plans which include realistic assessments of future Federal funding. The conferees have attempted to cooperate with interested parties to make such assessments and will continue to cooperate in this manner.

The conferees have also followed with interest UMTA's efforts to develop quantitative criteria with which to evaluate new start proposals. The conferees believe this to be a useful exercise which, if properly designed, can greatly aid Congress in allocating scarce resources. The conferees note, however, that considerable disagreement and dissatisfaction exist within the transit community regarding UMTA's current proposed criteria. The conferees expect UMTA to continue its dialogue with interested parties to achieve a general consensus on final criteria that are, at a minimum, technically unassailable.

It is also the conferees' belief that any criteria should be only advisory in nature. To legislate criteria would be too restrictive in judging projects which can vary widely in terms of benefits, costs, and configuration. If technically sound criteria can be developed that are generally acceptable to the transit community, the conferees intend to use such ratings as a major tool for making future new start allocations.

The conference agreement includes language proposed by the House prohibiting the use of Discretionary Grant funds for the proposed Woodward Corridor light rail project in the Detroit area. This limitation does permit the use of funds necessary to update alternative analysis studies for this project.

The conference agreement includes language proposed by the Senate exempting from the limitation any authority for section 21(a)(2)(B) previously made available for obligation.

LIQUIDATION OF CONTRACT AUTHORIZATION

Appropriates \$450,000,000 to liquidate contract authority obligations as proposed by the Senate instead of \$242,000,000 as proposed by the House.

INTERSTATE TRANSFER GRANTS—TRANSIT

The conferees expect that the discretionary funds under this program will be allocated to achieve the following total program levels for fiscal year 1985:

Chicago.....	\$130,691,650
Baltimore.....	32,000,000
Sacramento	25,081,250
Boston	13,160,700
Cleveland.....	6,353,200
San Francisco	5,817,500
Memphis	2,775,000
Waterloo	1,123,750
Duluth.....	1,723,200
Washington, DC	598,750
Albany.....	158,750
New Jersey.....	828,750
Indianapolis	1,375,000
Fall River to Providence.....	97,500

New York City.....	680,000
Rhode Island.....	3,893,750
Hartford-New Britain.....	22,980,000
Killingly.....	37,500
Portland.....	623,750

The conferees recognize that delays in some regions' projects might necessitate adjustments to the above allocations. The conferees expect these adjustments, if required, to be accomplished through the normal reprogramming process.

The conferees support completing the Sacramento Light Rail Project in fiscal year 1986.

WASHINGTON METRO

Inserts language proposed by the Senate directing the Secretary not to withhold approval of any construction grant request solely on the basis of any mileage limitation.

ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Limits administrative expenses to \$1,822,000 as proposed by the Senate instead of \$1,800,000 as proposed by the House.

RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION

RESEARCH AND SPECIAL PROGRAMS

Appropriates \$18,900,000 instead of \$18,623,000 as proposed by the House and \$20,394,000 as proposed by the Senate.

The conference agreement includes the following amounts:

Administrator.....	\$138,000
Chief counsel.....	360,000
Program management and administration:	
Operations.....	1,750,000
Research and development.....	815,000
Emergency transportation:	
Operations.....	817,000
Research and development.....	285,000
Materials transportation bureau:	
Operations.....	8,860,000
Research and development.....	1,375,000
Pipeline safety grants.....	4,500,000

The provision contained in H.R. 5921 to eliminate the Research and Special Programs Administration and transfer its operating functions to other Department agencies is outside the scope of this conference and is therefore not addressed in the conference report. The conferees expect appropriate departmental officials to be prepared to fully justify in next year's budget hearings the cost-effectiveness of continuing the Research and Special Programs Administration should such a proposal be in the President's fiscal year 1986 budget estimate.

OFFICE OF THE INSPECTOR GENERAL

SALARIES AND EXPENSES

Appropriates \$27,900,000 instead of \$26,795,000 as proposed by the House and \$27,956,000 as proposed by the Senate.

TITLE II—RELATED AGENCIES

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

SALARIES AND EXPENSES

Appropriates \$2,000,000 as proposed by the Senate instead of \$1,900,000 as proposed by the House.

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

Appropriates \$21,700,000 as proposed by the Senate instead of \$20,845,000 as proposed by the House.

CIVIL AERONAUTICS BOARD

SALARIES AND EXPENSES

Appropriates \$5,600,000 as proposed by the Senate instead of \$19,046,000 as proposed by the House.

PAYMENTS TO AIR CARRIERS

Appropriates \$52,000,000 as proposed by the Senate instead of \$50,800,000 as proposed by the House.

Inserts language proposed by the Senate earmarking \$102,597, 50 percent of the cost to restore subsidized air service to Hazleton, Pennsylvania.

INTERSTATE COMMERCE COMMISSION

SALARIES AND EXPENSES

Appropriates \$48,000,000 as proposed by the Senate instead of \$53,966,000 as proposed by the House. Staffing for ICC offices is to be distributed as follows:

Office	Funds	Staff years
Commissioners and their offices.....	\$3,000,000	65
Secretary.....	2,420,000	64
General Counsel.....	1,350,000	25
Proceedings.....	8,520,000	160
Hearings.....	825,000	12
Special counsel.....	475,000	7
Transportation analysis.....	1,720,000	30
Accounts.....	6,850,000	113
Traffic.....	3,900,000	90
Compliance and consumer assistance.....	13,200,000	260
Managing director.....	5,740,000	88

The conferees direct that the 65 staff years allocated for the seven Commissioners and their officers be distributed as follows:

	<i>Staff years</i>
Chairman's office	7
Other commissioner's offices.....	36
Chairman's satellite offices.....	22

PAYMENTS FOR DIRECTED RAIL SERVICE

Limits obligations to \$1,000,000 as proposed by the Senate instead of \$5,000,000 as proposed by the House.

PANAMA CANAL COMMISSION

OPERATING EXPENSES

Appropriates \$406,346,000 as proposed by the Senate instead of \$391,912,000 as proposed by the House.

CAPITAL OUTLAY

Appropriates \$23,500,000 instead of \$21,813,000 as proposed by the House and \$27,900,000 as proposed by the Senate.

UNITED STATES RAILWAY ASSOCIATION

ADMINISTRATIVE EXPENSES

Appropriates \$2,100,000 instead of \$2,000,000 as proposed by the Senate. The House provided \$2,100,000 in section 101(f).

TITLE III—GENERAL PROVISIONS

Inserts language proposed by the Senate prohibiting the use of funds to implement any change in status of the Transportation Systems Center, modified to also prohibit any planning activities related to changing the Center's current Federal status.

Inserts language proposed by the Senate prohibiting the use of funds to implement a rulemaking which would lower the annual passenger ceiling at Washington National Airport.

Inserts language proposed by the Senate providing for a distribution of funds under the obligation limitation for Federal-aid highways.

Amendment No. 38: Modifies a provision inserted by the House to provide that programs, projects or activities provided for in the Treasury, Postal Service and General Government Appropriations Act, 1985 (H.R. 5798) will be provided for in accordance with the Conference Report (98-993) as passed the House of Representatives on September 12, 1984, with an exception providing that the amendments regarding the taxation of certain firearms and the exemption of certain items from Customs requirements will be considered as enacted into law.

Amendment No. 39: Inserts language proposed by the Senate regarding voter registration.

Amendment No. 40: Changes section number as proposed by the Senate.

Amendment No. 41: Deletes language proposed by the House providing for the continuation of certain transportation programs at the current rate of operation. These programs are addressed in amendment 37.

Amendment No. 42: Inserts the word "and" as proposed by the Senate.

CURRENT RATE FOR UNAUTHORIZED PROGRAMS

Amendment No. 43: Deletes language proposed by the House which would have provided for funding at the current rate for activities under title V of the Social Security Act; Section 427(a) of the Federal Coal Mine Health and Safety Act; Regional Offices of Facilities Engineering and Construction; and Title XXVI of the Omnibus Budget Reconciliation Act of 1981. These programs are funded under Amendment No. 18.

REFUGEE AND ENTRANT ASSISTANCE

Amendment No. 44: Restores language included by the House but stricken by the Senate which specifies that the rate of operations for refugee and entrant assistance activities shall be the lower of the current rate or the rate authorized by H.R. 3729 as passed by the House of Representatives.

It is the intent of the conferees that \$50,000,000 will be available for the targeted assistance program in fiscal year 1985, and that the Department will expend new monies to fulfill the 1985 appropriations levels provided by this bill. The conferees express concern that the agency's delay in allocating and releasing funds until the third and fourth quarter of each year often leaves States and local entities without funds at the beginning of their program years, and direct the Department not to reduce any State or local entity's allotment on the basis of 1984 funds carried over or previously committed.

Further, the conferees expect the Department to continue to provide assistance to Jackson Memorial Hospital and Dade County for the health care and educational needs of refugees.

CURRENT RATE FOR UNAUTHORIZED PROGRAMS

Amendment No. 45: Deletes House language which would have provided for certain activities to be funded at the current rate, and inserts language providing for continuation of foster care and adoption assistance activities under existing terms and conditions; for emergency immigrant education activities at the current rate; and for Follow Through activities at an annual rate of \$10,000,000.

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

Amendment No. 46: Deletes language and appropriation proposed by the House:

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

Amendment No. 47: Deletes appropriation of \$2,000,000 as proposed by the House.

APPALACHIAN REGIONAL COMMISSION

Amendment No. 48: Deletes appropriation of \$11,000,000 as proposed by the House.

Amendment No. 49: In lieu of the matter stricken and inserted by said amendment insert the following:

In the House engrossed Continuing Resolution strike out all beginning on page 11, line 19 through page 13, line 14, all inclusive.

Amendment No. 50: Deletes language proposed by the House.

Amendment No. 51: In lieu of the matter stricken and inserted by said amendment insert the following:

In the House engrossed Continuing Resolution strike out all beginning on page 13, lines 15 through 22, all inclusive.

Amendment No 52: Deletes language proposed by the House.

Amendment No. 53: In lieu of the matter stricken and inserted by said amendment insert the following:

In the House engrossed Continuing Resolution strike out all beginning on page 16, lines 3 through 7, all inclusive.

Amendment No. 54: Deletes language proposed by the House and stricken by the Senate and deletes language proposed by the Senate.

Amendment No. 55: Deletes language proposed by the Senate.

Amendment No. 56: Deletes language proposed by the Senate.

Amendment No. 57: Deletes language proposed by the Senate.

Amendment No. 58: Deletes language proposed by the Senate.

Amendment No. 59: Deletes language proposed by the Senate.

Amendment No. 60: Deletes language proposed by the Senate.

Amendment No. 61: Deletes language proposed by the Senate.

Amendment No. 62: Deletes language proposed by the Senate.

Amendment No. 63: Deletes language proposed by the Senate.

Amendment No. 64: Deletes language proposed by the Senate.

Amendment No. 65: Deletes language proposed by the Senate.

Amendment No. 66: Deletes language proposed by the Senate.

Amendment No. 67: Deletes language proposed by the Senate.

Amendment No. 68: Deletes appropriation of \$740,000 as proposed by the Senate.

Amendment No. 69: Deletes language proposed by the House and stricken by the Senate relating to the sale of electric power generated at facilities constructed pursuant to 38 Stat. 242, 1913.

Amendment No. 70: Deletes language proposed by the Senate.

Amendment No. 71: Deletes language proposed by the Senate.

Amendment No. 72: Deletes language proposed by the Senate.

Amendment No. 73: In lieu of the matter stricken and inserted by said amendment insert the following:

In the House engrossed Continuing Resolution strike out all beginning on page 20, line 10 through 17 all inclusive.

TENNESSEE VALLEY AUTHORITY

Amendment No. 74: Deletes language proposed by the House.

FEDERAL EMERGENCY MANAGEMENT AGENCY

Amendment No. 75: Restores language proposed by the House and stricken by the Senate extending the Federal Emergency Management Agency's Federal crime insurance program for one year, from October 1, 1984 through September 30, 1985. It is the intent of the conferees that this is the final extension of the Federal crime insurance program.

The Committees on Appropriations will not provide any further extension of the authority beyond September 30, 1985. Therefore, the conferees urge any State or jurisdiction not providing an alternative program to implement such a program as soon as possible.

ENVIRONMENTAL PROTECTION AGENCY

Amendment No. 76: Inserts language proposed by the Senate appropriating \$13,000,000 for refinancing up to 60 percent of the bond debt of the Akron, Ohio recycle energy system. A provision has been included to assure that the Federal government shall have access to the Akron facility as a laboratory for municipal waste to energy research.

The conferees strongly support the Senate's denial of EPA's proposed reprogramming of \$7,000,000 for EDB disposal and indemnification costs. These funds should be utilized for the State grants and other program activities as originally intended by the Congress and specified in the conference report accompanying the 1985 HUD-Independent Agencies Appropriation Act (Public Law 98-371). The committee of conference expects the Administration to submit to the Congress a supplemental budget request for additional funds required to meet critical disposal and indemnification costs resulting from the EDB ban.

The conferees agree with the Senate language directing that up to \$165,000 of existing funds be made available for feasibility and design studies for the Newport, Oregon field station. In addition, the conferees direct that within funds previously appropriated in Public Law 98-371, up to \$106,000 shall be made available to augment funds for the hazardous waste management center specifically for reimbursement of architectural and engineering studies.

DEFENSE INDUSTRIAL BASE

Amendment No. 77: Deletes language proposed by the Senate requiring the Federal Emergency Management Agency to submit a compilation of major findings and recommendations regarding the defense industrial base of the United States. The conferees direct that FEMA modify a current request for proposal on this subject to

incorporate a compilation of findings and recommendations of existing studies.

VETERANS ADMINISTRATION

Amendment No. 78: Inserts language proposed by the Senate appropriating \$306,600,000 requested for the loan guaranty revolving fund.

CONSTRUCTION, MAJOR PROJECTS

The conferees agree that the fiscal year 1985 major construction program level totals \$713,194,000. This level consists of \$568,194,000 appropriated in the 1985 HUD-Independent Agencies Appropriation Act and \$145,000,000 to be derived from savings on completed projects. This is the same amount as carried in the House Report accompanying the joint resolution and \$8,000,000 less than the amount requested in the VA's revised submission and carried in the Senate Report. The \$8,000,000 requested for the Allen Park replacement hospital project has been deleted without prejudice until such time as a site has been selected by the Veterans Administration and the project is authorized. Funding can be considered at a later date in a 1985 supplemental appropriations bill.

Amendment Nos. 79, 80, and 81: Inserts section numbers as proposed by the Senate.

Amendment No. 82: Inserts an amendment to the Small Business Act which specifies the degree to which the disaster loan program of the Small Business Administration will be available to the fishing industry due to El Nino-related ocean conditions in the Pacific in 1982 and 1983, and clarifies the eligibility of applicants for non-physical disaster loans, as well as the treatment of agricultural cooperatives. The House had proposed an amendment to the Small Business Act which specified the degree to which the SBA disaster loan program would be available to the fishing industry due to El Nino-related ocean conditions in 1982 and 1983 and to agricultural enterprises due to the recent drought. The Senate had proposed to delete these provisions from the resolution.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Amendment No. 83: Inserts language proposed by the Senate providing that the rescission in the 1985 HUD-Independent Agencies Appropriation Act of up to \$7,631,000 in annual contract authority and \$164,760,000 in budget authority of recaptured section 236 balances be reduced to up to \$4,331,000 in annual contract authority and \$69,060,000 in budget authority. The balance of \$3,330,000 in annual contract authority and \$95,700,000 in budget authority should be used to replace the funds drawn from various State agency reserves in 1982. The committee of conference has agreed to delete the second proviso relating to interest reduction subsidies and rental assistance payments. It is expected that the State housing agencies and the Department of Housing and Urban Development reach mutually agreeable solutions to the outstanding issues regarding the use of the so-called "pool funds".

Amendment No. 84: Inserts language proposed by the Senate requiring that, during fiscal year 1985, departments and agencies of the Federal government make loan guarantee and insurance commitments up to the full amounts provided in appropriation Acts, subject only to the availability of qualified applicants.

Amendment No. 85: Inserts language proposed by the Senate appropriating \$300,000,000 to continue various public housing programs as carried in previously enacted appropriation bills, amended to clarify the interest rate on Treasury borrowings.

The conferees note that this language, as amended, is necessary owing to questions in connection with the tax status of obligations issued by public housing agencies to finance development and modernization projects. These questions result from the enactment of the Tax Reform Act of 1984 which attempted to limit abuses of Federally guaranteed tax exempt bond proceeds.

As such, the Act rendered questionable the tax exempt status of all public housing notes and bonds. The Committee expects that ultimately the tax code amendment will be interpreted by the Internal Revenue Service to permit public housing authorities to continue issuance of tax exempt obligations. However, pending this clarification, the Tax Reform Act of 1984 is preventing the regular sales of these instruments. To meet the capital requirements of maturing obligations, HUD has been forced to draw down against its current limitation on borrowing from the Treasury. The Department has also suspended new loan authority reservations and contract executions for public housing development, modernization and Indian housing.

Although HUD has assured the Congress that existing borrowing authority is sufficient to meet current capital requirements, these funds are required to offset the higher interest rate charged under direct Treasury borrowing as compared to the tax exempt rate that has prevailed for public housing securities for the past 40 years. This appropriation is particularly essential for new development and modernization projects that could be delayed without some method of offsetting the interest differential between direct Treasury borrowings and the tax exempt rate assumed for public housing bonds.

The conferees have made available these funds for the interest differential costs to cover Treasury borrowing occurring during the next six months. This provision is in line with a request of the Office of Management and Budget.

The conferees direct HUD to immediately resume the full level of new loan commitments and contract executions which were suspended early in September. The conferees further direct the Department, OMB, and the Treasury Department to make a concerted effort towards an early and definitive interpretation of the tax code change to permit timely resumption of normal tax-exempt note sales.

Amendment No. 86: Changes section number as proposed by the Senate.

Amendment No. 87: Inserts language proposed by the Senate which prohibits the Customs Service from promulgating certain regulations with regard to duty free stores.

Amendment No. 88: Inserts a section proposed by the Senate which amends the Small Business Investment Act of 1958. The amendment reverses the current policy of the Administration which prohibits the Small Business Administration from issuing guarantees under its Pollution Control Equipment Contract Guarantee program which are backed by Industrial Development Bonds.

BUSINESS LOAN AND INVESTMENT FUND

The conferees note that the Small Business Administration encountered legislative problems in the latter part of fiscal year 1984 with regard to the authorized levels for direct loans to the handicapped, for direct purchases of debentures and preferred securities by Minority Enterprise Small Business Investment Companies (MESBIC's) and for guaranteed loans issued by Small Business Investment Companies (SBIC's). As a result SBA could not use all of the funds that were appropriated for fiscal year 1984 to carry out these programs. This situation resulted in an unanticipated increase in the unobligated balance carrying over into fiscal year 1985 in the Business Loan and Investment Fund.

At the beginning of the new fiscal year, SBA had applications pending for \$4 million for handicapped assistance loans, \$6 million for direct purchases of debentures and securities issued by MESBIC's, and \$15 million for SBIC guaranteed loans that were not funded in fiscal year 1984, due to the conflict between the appropriation and authorization levels. Many of these applications had been awaiting consideration since early 1984, and in several instances, this long waiting had caused serious financial difficulties. In addition, the levels provided in the fiscal year 1985 Appropriation Act (Public Law 98-411) for these three programs will barely be sufficient to accommodate the anticipated demand for the new fiscal year. Therefore, the conferees are agreed that the funding levels for these three programs as stated in the Joint Explanatory Statement of the Committee of Conference in House Report 98-952 on the fiscal year 1985 Appropriation Bill are hereby amended as follows:

[In millions]

Program	Program levels, H. Rept. 98-952	Revised program levels
Handicapped direct loans.....	\$20	\$24
Investment company loans:		
Direct.....	41	47
Guaranteed.....	250	265

The conferees expect that the Office of Management and Budget will act as soon as possible to reapportion the funds available in the Business Loan and Investment Fund for fiscal year 1985 to reflect the revised funding levels for these programs.

Amendment No. 89: Inserts a new section as proposed by the Senate which authorizes the Department of State to carry over

until September 30, 1985, funds originally appropriated in P.L. 97-257 for upgrading security at overseas posts.

Amendment No. 90: Makes available an additional \$3,611,000 for the Blair House as proposed by the Senate.

Amendment No. 91: Appropriates \$348,000 to the State of Arizona for expenses in connection with the San Luis, Arizona Border Station as proposed by the Senate.

Amendment No. 92: Inserts language proposed by the Senate authorizing and directing the Secretary of the Treasury to pay specified amounts to certain individuals in full settlement of claims arising from flooding due to release of water from the Stockton Dam and Reservoir, Missouri.

Amendment No. 93: Inserts language proposed by the Senate regarding the designation of certain primary metropolitan statistical area.

Amendment No. 94: Inserts language proposed by the Senate regarding reimbursement to federal employees associated with moving and storage costs.

Amendment No. 95: Deletes language added by the Senate. The conferees took action on the items proposed in this amendment under Amendment No. 23.

LEGISLATIVE BRANCH

Amendment No. 96: Deletes language proposed by the Senate which would have exempted attorneys in the Senate Office of the Legislative Counsel who have attained age 55 and completed 30 years of service in the Office from a portion of the salary reductions applied to reemployed annuitants under section 8344 of title 5, United States Code.

The conferees are concerned with the precedent that this provision might set. However, the employees in question provide invaluable services to the Senate and their continued expertise is needed. The conferees recognize a solution must be developed and recommend the Committee on Rules and Administration of the Senate explore administrative remedies within existing law.

Amendment No. 97: Eliminates a provision enacted by the first fiscal year 1983 continuing resolution (P.L. 97-276) which makes \$4.5 million appropriated to complete a 1982 conditional purchase of property by the Architect of the Capitol subject to authorization, as proposed by the Senate. The subject property is adjacent to the Capitol grounds and is bounded by Ivy, Canal, and E Streets, Southeast, Washington, D.C.

Amendment No. 98: Repeals certain provisions of law relating to clerical assistants to Senators and adjusts an internal procedure of the Senate Committee on Rules and Administration, as proposed by the Senate.

AIRPORT NOISE

Amendment No. 99: Inserts language proposed by the Senate providing limited exemption authority from aircraft noise standards, modified to clarify certain "hush kit" requirements. This amendment provides a limited exemption from the January 1, 1985 compliance date for international operations contained in the Aviation

Safety and Noise Abatement Act of 1979 (P.L. 96-193) for international flights at Miami International Airport and Bangor International Airport, Maine. These exemptions apply to carriers with aircraft for which "hush kits" to bring the aircraft into compliance are currently under substantial development, but have not been certificated, thus making compliance by means of "hush kits" impossible by the deadline contained in the law; and for certain operators of aircraft for which "hush kits" are not under development. Applicants for exemptions under the "hush kit" provisions must have a signed contract with a supplier of such equipment who is currently involved in the FAA certification process and whom the Secretary of Transportation believes will be certified in time to meet the deadlines contained in the bill language.

FEDERAL RAILROAD ADMINISTRATION

Amendment No. 100: Inserts language proposed by the Senate extending until April 1, 1985, the availability of funds previously appropriated for payment of claims under the Rock Island Labor Protection Program.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

Amendment No. 101: Limits obligations under the state and community highway safety formula grant program (section 402) in fiscal year 1985 to \$126,500,000 as proposed by the Senate. Although the decisions on the allocation of these funds rest primarily with the states, the conferees expect NHTSA to encourage states to use these funds according to the following distribution:

Alcohol safety	\$44,100,000
Police traffic services	30,000,000
Emergency medical services	13,500,000
Traffic records	12,000,000
Occupant protection	15,000,000
Grant administration	4,900,000
All other	7,000,000

The conference agreement also provides \$7,500,000, to be derived by transfer, to commence a program to encourage the use of seatbelts and passive restraints as proposed by the Senate. These funds are to be derived by transfer as follows:

Railroad research and development	\$5,000,000
Highway safety research and development	1,500,000
Research, training and human resources	1,000,000

In addition, the conferees direct that not more than \$2,500,000 be made available from the NHTSA, Operations and Research account to conduct the necessary planning activities for this program. These funds are provided without prejudice to future funding commitments.

The conferees believe the broad concept of this program has merit and deserves further development. However, much more needs to be known about how this program is to be implemented, how much it will cost, and what specific goals are to be accomplished before the conferees will agree to its implementation. The conference agreement, therefore, makes up to \$2,500,000 immediately available to be used only for necessary program planning.

The conferees expect to be supplied with a detailed justification and plan for this program by next Spring, at which time hearings will be held and a decision made regarding the release of the remaining \$7,500,000. The conferees, emphasize that written approval from the House and Senate Appropriations Committees will be necessary before program implementation can commence.

In developing the program plan, the conferees expect the Department to give equal treatment to the promotion of passive restraint and seatbelt usage. The conferees also intend to closely examine the proposed use of national advertising, the coordination with ongoing seatbelt usage activities, and the extent to which such funds will be used to "lobby" state officials.

FEDERAL AVIATION ADMINISTRATION

Amendment No. 102: Inserts language proposed by the Senate authorizing the Secretary of Transportation to grant release to the City of Flagstaff from certain terms and conditions contained in a deed of conveyance made in 1948 for airport purposes.

FEDERAL HIGHWAY ADMINISTRATION

Amendment No. 103: Appropriates \$12,000,000 as proposed by the Senate to carry out a series of highway projects in the vicinities of Pontiac and East Lansing, Michigan to demonstrate methods of enhancing safety and promoting economic development.

EMERGENCY BOARD

Amendment No. 104: Deletes language proposed by the Senate requiring the President to create an emergency board to investigate and report on the dispute between Continental Airlines and the Air Line Pilots Association.

FEDERAL HIGHWAY ADMINISTRATION

Amendment No. 105: Inserts language proposed by the Senate requiring the Secretary of Transportation to waive alternate design requirements for the Smith Avenue High Bridge, St. Paul, Minnesota.

COAST GUARD

Amendment No. 106: Appropriates \$2,000,000 as proposed by the Senate to reconstruct a lighthouse on Nantucket Island, Massachusetts.

AGRICULTURAL RESEARCH SERVICE

Amendment No. 107: Appropriates \$1,000,000 for the Agricultural Research Service for emergency research on citrus canker as proposed by the Senate. The conference agreement provides \$750,000 for the research program at the University of Florida and \$250,000 for the Agricultural Research Service facility at Orlando, Florida.

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

Amendment No. 108: Appropriates \$3,200,000 to implement the Drug Price Competition and Patent Term Restoration Act, which was signed into law on September 24, 1984, as proposed by the Senate.

The agreement also appropriates \$8,350,000 to the Food and Drug Administration for activities (including construction) related to acquired immune deficiency syndrome as proposed by the Senate. The conference agreement also provides that this appropriation shall be available only to the extent an official budget request is transmitted to the Congress.

The conference agreement includes the following amounts for fiscal year 1985:

Facility renovations	\$950,000
Equipment	1,650,000
Contracts relating to the safety of the national blood supply and protection of hemophiliacs.....	2,000,000
Contract for maintenance of animals currently located in the space to be renovated for AIDS work.....	1,150,000
Professional scientists under IPA's (11).....	1,100,000
Intramural FTE's (20).....	1,500,000
	8,350,000

COMMODITY SUPPLEMENTAL FOOD PROGRAM

Amendment No. 109: Provides authority for the remaining balances of the fiscal year 1984 appropriation to be used to settle unresolved funding claims from fiscal year 1982 under the commodity supplemental food program as proposed by the Senate.

Amendment No. 110: Changes section number as proposed by the Senate.

Amendment No. 111: Restricts mineral leasing on 960 acres of land in Payne County, Oklahoma. This matter is addressed in Amendment No. 4.

Amendment No. 112: Amends wilderness language in the Senate reported Interior Appropriations bill. This matter is addressed in section 308 of Amendment No. 4.

Amendment No. 113. Rescinds \$5,200,000,000 of the funds available to the Synthetic Fuels Corporation instead of \$5,000,000 as proposed by the House; sets aside production goals; establishes a \$750,000 reserve for clean coal technology demonstration activities; provides \$5,700,000,000 to meet April Letters of Intent; provides that of the amounts not required to meet the Letters of Intent, 50 percent becomes available for obligation for new projects and 50 percent is unavailable for obligation. This matter is addressed in Amendment No. 4.

Amendment No. 114: Extends the requirements of the ethical conduct and financial reporting requirements to the members of the United States Synthetic Fuels Corporation Board. This matter is addressed in Amendment No. 4.

Amendment No. 115: Deletes language proposed by the Senate prohibiting the use of funds provided by the joint resolution for

abortions except where the life of the mother would be endangered if the fetus were carried to term.

HOSPICE REIMBURSEMENT

Amendment No. 116: Inserts language proposed by the Senate which requires that hospices which meet certain conditions be reimbursed by Medicare at their 1984 level rather than at the level provided for under section 1814(i) of the Social Security Act. No similar provision was included in the House resolution.

Amendment No. 117: Deletes language proposed by the Senate which would have amended the Clayton Act and also would have repealed Section 510 of Public Law 98-411.

Amendment No. 118: Appropriates \$400,000 as proposed by the Senate which would establish a commission and provide funds to study the causes of the famine in the Ukraine in 1932 and 1933. The conferees agree that before these funds may be obligated, the operating budget of the commission shall be submitted to the Committees on Appropriations of the House and Senate for review and approval.

Amendment No. 119: Inserts language proposed by the Senate that prohibits the payment of the United States' proportionate share for any United Nations "post adjustment allowances" for U.N. employees using any method of calculation not in place on January 1, 1984.

Amendment No. 120: Deletes language proposed by the Senate that would require the Secretary of Commerce to conduct a study of Indian artifact commercial fraud. The House Report accompanying the resolution requests such a study. The conferees have been assured by the Commerce Department that the study will be conducted. The conferees understand that there is a problem concerning the importation of counterfeit Native American artifacts into the United States. The conferees are concerned about this matter and expect the Department of Commerce, in cooperation with the Secretary of the Treasury and the Chairman of the Federal Trade Commission, to conduct a study and submit a report by April 15, 1985 to the Appropriations Committees of the House and Senate, the Senate Governmental Affairs Committee and the House Energy and Commerce Committee.

Amendment No. 121: Appropriates a total of \$110,200,000, to be available through September 30, 1986, to the State Department to increase security at U.S. missions overseas notwithstanding section 15(a) of the State Department Basic Authorities Act of 1956, and requires that the Department report to the appropriate committees of Congress on the obligation of funds every thirty days from the date of enactment. The Senate had proposed that this appropriation be available only upon enactment of authorizing legislation and that the Department be subject to this reporting requirement concerning the obligation of funds. The House bill contained no provision concerning this matter. The conferees agree that prior to the obligation of the \$28,000,000 provided for the "Acquisition, Operation and Maintenance Abroad" appropriation, the Department of State shall submit a plan of expenditure for these funds pursu-

ant to the guidance of the Appropriations Committees concerning reprogramming.

Amendment No. 122: The Senate included language which would have transferred from the Administrator of General Services to the Director of Central Intelligence functions dealing with the protection of real and personal property of the Central Intelligence Agency. The language also expressed a sense of the Congress that the same status, privileges, and immunities should be extended to United States official representatives in foreign nations as the U.S. Government extends to the same foreign officials in the United States and established a Deputy Director of the Office of Foreign Missions.

The conferees included a provision to allow the transfer of functions dealing with the protection of real and personal property to the Central Intelligence Agency. The additional language was deleted.

Amendment No. 123: Provides authorization for states to use Abandoned Mine funds to establish a subsidence insurance program. This matter is addressed in Amendment No. 4.

CHILD CARE TRAINING

Amendment No. 124: Deletes House language increasing the authorization for title XX of the Social Security Act for child care training directed toward prevention of child abuse. The conferees have agreed to an expanded authorization and appropriation for essentially the same purpose under Amendment No. 161.

Amendment No. 125: Deletes language inserted by the House.

JOB CORPS

Amendment No. 126: Deletes language proposed by the House which would have prohibited the Department of Labor from contracting out the operation of Job Corps civilian conservation centers and inserts language providing for compensation for employees furloughed as a result of the lapse of appropriations and language ratifying obligations incurred in anticipation of appropriations and authority provided in the joint resolution.

DISTRICT OF COLUMBIA

Amendment No. 127: Includes the provisions of H.R. 3932 (98th Congress) as passed the House of Representatives on October 4, 1983 and amended by the Committee on Governmental Affairs of the Senate and further amended with one change requested by the United States Attorney for the District of Columbia with two changes requested by the District government. H.R. 3932, as amended, simply modifies the District of Columbia Self-Government and Governmental Reorganization Act, commonly referred to as the Home Rule Act (93-198 approved December 24, 1973) and brings it into conformity with the June 1983 Supreme Court decision in the case *Immigration and Naturalization Service (INS) v. Chadha*. In that decision, the Court held unconstitutional a provision of the Immigration and Naturalization Act that authorized either House of Congress to override a determination of the Attor-

ney General, pursuant to delegated authority, to suspend the deportation of a resident alien. The Court concluded that Article I, section 7 of the Constitution, which requires that bills be passed by both Houses of Congress and presented to the President for signature, had not been complied with when the veto mechanism was used. The Court provided a listing of the Acts or portions of Acts which would be affected by its decision, and included in that listing three sections of the Home Rule Act and one section of the District of Columbia Retirement Reform Act (Public Law 96-122 approved November 17, 1979). Each of these Acts includes a procedure by which Congress, without the President's approval, can reject certain actions of the District of Columbia government by simple or concurrent resolutions of disapproval or in one instance, approve by resolution the emergency use of local police by the President for a period in excess of 30 days. In using its power, the Congress has exercised its veto over Acts of the District government only twice, even though more than 700 laws have been enacted by the District since Home Rule. However, there is a cloud over all of those laws because of the *Chadha* decision, and the District is unable to enter the commercial bond market because its bond counsel will not give the District an unqualified opinion as to the legal validity of the District's contractual debt obligation, which would be entered into in a bond or note issuance under statutory authority provided by the Home Rule Charter. Thus, the courts could find the District's contractual debt obligation to be legally invalid and the District would then be legally restricted from paying the obligations that were found to be invalid, despite its desire to make such payments.

The amended version of H.R. 3932 agreed to by the conferees will bring each of the veto provisions of the Home Rule Act into conformity with the Supreme Court's *Chadha* decision by altering the form of congressional veto action to that of a joint resolution of disapproval which, like laws, must be passed by both Houses of Congress and presented to the President for signature.

The conferees have included language requested by the U.S. Attorney for the District of Columbia nullifying acts of the District Council which were previously disapproved by Congress under provisions of law then in effect. This occurred on two bills; D.C. Act 3-120, Location of Chanceries Act of 1979, and D.C. Act 4-69, District of Columbia Sexual Assault Reform Act of 1981.

The conferees have also agreed to language requested by District officials which extends for one year the authority for the District to borrow through private placements during the transition period to the commercial bond market. This authority was originally provided in Public Law 97-105, approved December 31, 1981 and applies to general obligation bonds sold before October 1, 1984. These bonds are required to be secured by a security interest created in District revenues under section 467(a) of the Home Rule Act. Since the *Chadha* decision delayed the District's entry into the commercial bond market, it is necessary to extend the date for private placements of bonds to those sold before October 1, 1985 to give the District government a better opportunity to enter the market. The conferees have also added language which makes the provisions of section 131 permanent law and effective without limitation as to fiscal year.

FOREIGN ASSISTANCE AUTHORIZATION

Amendment No. 128. This amendment deletes House proposed authorization of Foreign Assistance programs.

OMNIBUS CRIME CONTROL BILL

Amendment No. 129: Inserts language proposed by the Senate that the sentencing court shall impose a sentence sufficient, but not greater than necessary, to comply with the purposes set forth in paragraph (2) that set forth the criteria for evaluating the need for the sentence. The House bill contained no provision on this matter.

Amendment No. 130: Deletes "thirty-six" as proposed by the House, and inserts in lieu thereof "fifty-four" as proposed by the Senate which increases "good time" that accrues from 10 percent to 15 percent.

Amendment No. 131: Deletes "two" as proposed by the House, and inserts in lieu thereof, "three", as proposed by the Senate. The Senate amendment increases the number of Federal judges who shall serve on the Sentencing Commission from two to three.

Amendment No. 132: Inserts language proposed by the Senate that instructs the sentencing commission that the sentencing guidelines it develops shall be formulated to minimize the likelihood that the Federal prison population will exceed the capacity of the Federal prisons, as determined by the Commission. The House bill contained no provision on this matter.

Amendment No. 133: Inserts the provisions of H.R. 5656, the Dangerous Drug Diversion Control Act, which amends the Controlled Substances Act and the Controlled Substances Import and Export Act to prevent the diversion of drugs from legitimate channels of distribution to black market channels for purposes of abuse. The House had proposed certain provisions on this matter that did not protect the interests of private parties. The Senate had proposed deletion of the House provisions and insertion of provisions that accomplished the same result as the conference agreement which provides protections for the industry and medical practitioners. The conference agreement is supported by the Department of Justice, the pharmaceutical industry and the health care professions.

Amendment No. 134: Inserts provisions providing for a program of grants for state and local law enforcement assistance and for a Federal response to crime emergencies confronting state and local governments, reauthorizes the Juvenile Justice and Delinquency Prevention Program, and establishes a clearinghouse for missing children. The House had proposed certain provisions which had authorized a program of justice assistance grants to the States. The Senate had proposed deletion of the House provisions and insertion of a provision which authorized a program of justice assistance grants to the States in a different form, as well as the provisions reauthorizing the Juvenile Justice and Delinquency Prevention Program and establishing a clearinghouse for missing children which are contained in the conference agreement.

Amendment No. 135: Deletes "(a)" as proposed by the House and stricken by the Senate. This is a technical change.

Amendment No. 136: Deletes provisions proposed by the House and stricken by the Senate which removed the jurisdiction of the United States courts over civil suits alleging violations of this labor racketeering chapter and civil suits brought by the United States involving payments to labor organizations for membership dues which violate this section.

Amendment No. 137: Deletes House language which did not require a showing of harm to a labor union and inserts Senate language which would provide penalties only to those who abuse their position in a labor union to seek or obtain an illegal gain at the expense of the members of the labor organization.

Amendment No. 138: Deletes a provision proposed by the House calling for a maximum of ten years disqualification from union activities of those persons convicted of a felony violation of this section and inserts Senate language calling for a maximum of 13 years disqualification for such a violation.

Amendment No. 139: Deletes a provision proposed by the House calling for a minimum of five years disqualification from union activities of those persons convicted of a violation of this section and inserts Senate language calling for a minimum of three years disqualification.

Amendment No. 140: Deletes House language and inserts Senate language identical to amendment No. 137. The purpose of this amendment is to add a requirement that the abuse or misuse of a person's labor organization or employee benefit plan must be for illegal gain at the expense of the members of the labor organization if the section's disqualifications are to apply.

Amendment No. 141: Deletes the House language and inserts Senate language. The effect and purpose of the Senate language are identical to Amendment No. 138.

Amendment No. 142: Deletes the House language and inserts Senate language. The effect and purpose of the Senate language are identical to Amendment No. 139.

Amendment No. 143: Deletes title II, Chapter X, part N proposed by the House and stricken by the Senate. Part N created an offense of robbery or burglary of a pharmacy or other registrant of controlled substances, thereby retaining current law on the subject.

Amendment No. 144: Changes designation of Part "O" to Part "N". This is a technical amendment.

Amendment No. 145: Deletes Title II, Chapter XI, part A proposed by the House and stricken by the Senate. The House language amended the current law concerning child pornography offenses.

Amendment No. 146: Deletes a part of the heading in Title II, Chapter XI, Part D relating to United States Securities fraud, as proposed by the House and stricken by the Senate. This provision was duplicative of current law.

Amendment No. 147: Changes designation "510" of Title II, Chapter XI, Part D as proposed by the House to "511" as proposed by the Senate. This is a technical amendment.

Amendment No. 148: Deletes "States." in Title II, Chapter XI, Part D as proposed by the House and inserts in its place "States." as proposed by the Senate. This is a technical amendment.

Amendment No. 149: Deletes Title II, Chapter XI, part D as proposed by the House relating to United States Securities fraud and stricken by the Senate. This provision was duplicative of existing law.

Amendment No. 150: Deletes "entities." in Title II, Chapter XI, Part E as proposed by the House and inserts in lieu thereof "entities." as proposed by the Senate. This is a technical amendment.

Amendment No. 151: Deletes language proposed by the House and stricken by the Senate which would have amended title 18 of the United States Code by inserting "511" after "509." This is a technical amendment.

Amendment No. 152: Deletes Title II, Chapter XII, part F as proposed by the House providing for protection of witnesses and inserts certain provisions proposed by the Senate concerning the matter. The Senate amendment improves the administrative operations of the witness security program, provides significant safeguards for protection of the rights of non-custodial parents of children of a protected witness with custody, provides compensation to victims injured by a protected witness, and provides reemployment safeguards for marshals.

Amendment No. 153: Deletes Title II, Chapter XII, Part G as proposed by the House and stricken by the Senate. This provision is duplicative of current law.

Amendment No. 154: Changes the designation of Title II, Chapter XII, part "H" as proposed by the House to "G" as proposed by the Senate. This is a technical amendment.

Amendment No. 155: Changes the designation of Title II, Chapter XII, part "I" as proposed by the House to "H" as proposed by the Senate. This is a technical amendment.

Amendment No. 156: Changes the designation of Title II, Chapter XII, part "J" as proposed by the House to "I" as proposed by the Senate. This is a technical amendment.

Amendment No. 157: Changes the designation of Title II, Chapter XII, part "K" as proposed by the House to "J" as proposed by the Senate. This is a technical amendment.

Amendment No. 158: Deletes Title II, Chapter XI, part L—Foreign Evidence Improvements as proposed by the House and inserts a new part K as proposed by the Senate improving the method of obtaining foreign documentary evidence.

Amendment No. 159: The conference agreement adopts the Senate amendment which added eight new chapters to the House bill, and makes several other changes. There were no corresponding provisions on these matters proposed by the House. The conference agreement:

(1) Provides for the coordination of drug enforcement efforts and creates a cabinet-level National Drug Enforcement Policy Board, chaired by the Attorney General, to develop an integrated and comprehensive enforcement policy. This matter was an amendment offered by Senator Thurmond to S. 1787, which passed the Senate on February 7, 1984.

(2) Establishes a crime victims fund to be used to provide Federal aid to State crime victim compensation programs.

(3) Creates Federal criminal sanctions for the intentional and knowing trafficking in goods or services on which a counterfeit

trademark is used and enhances current civil law penalties for trafficking in such goods and services. This provision is very similar to legislation passed by the House, H.R. 6071 and by the Senate, S. 875, and reflects the resolution of the differences in the versions approved by both Houses.

(4) Prohibits use, production and trafficking in "counterfeit" credit cards and credit card production equipment with intent to defraud. It prohibits use and trafficking in "unauthorized" credit cards which are valid cards that have been lost or stolen.

(5) Raises the maximum salary that may be paid to United States Attorneys from Executive Schedule level V to Executive Schedule level IV.

(6) Provides authority for increased participation of the Federal law enforcement system against armed "career criminals". It establishes a mandatory 15 year sentence for a felon who, after having been convicted three times for robbery or burglary, violates the Federal law prohibiting receipt, possession or transportation of a firearm in interstate commerce. This provision is identical to legislation which passed the House on October 2, 1984, H.R. 6248.

(7) Increases the hourly fees that may be paid to court appointed counsel in criminal cases.

(8) Implements the International Convention Against the Taking of Hostages. It supplements the Federal kidnapping statute to cover certain acts of hostage taking, prohibits hostage taking intended to compel a third person or a government to take or refrain from acting, and expands Federal jurisdiction over certain hostage taking offenses. The provision also implements the International Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation. It expands the protections of current law to cover more persons, to prohibit more acts that threaten aviation safety, and to expand Federal jurisdiction over certain offenses.

(9) Creates a Federal offense to wrongfully access a computer and obtain information concerning national defense or foreign relations, or any restricted data pursuant to the Atomic Energy Act, with intent to injure the United States or a foreign nation.

(10) Creates a Federal offense to wrongfully access a computer and obtain data protected under the Right to Financial Privacy Act or the Fair Credit Reporting Act.

(11) Creates a Federal offense to wrongfully access to computer and use, modify, destroy or disclose information without authorization, in a government computer, or prevent authorized use of a government computer. Attempts and conspiracies to commit these three offenses are also prohibited.

(12) Provides further that nothing in this continuing resolution or any other Act shall preempt the authority of States to enact comprehensive statutes designed to eliminate the threat of racketeering, including provisions governing service and disqualification for service in labor organizations. Under the amendment, the finding of a state legislature that a threat of pervasive racketeering exists is presumed to be valid. No comparable provisions are in the House bill or any Senate amendment.

(13) Amends titles 18 and 21 of the United States Code to authorize a sentence of an alternative fine of up to twice the proceeds of a violation of the Controlled Substances Act or the Controlled Sub-

stances Import and Export Act, or the Racketeering Influenced and Corrupt Organization chapter, (chapter 96) of title 18.

(14) Authorizes the use of the proceeds for the sale of forfeited property to be placed in a fund to be used to maintain seized property, for the purchase of evidence, and for the retro-fitting of seized and forfeited conveyances for their use for law enforcement purposes.

(15) Deletes provisions providing for the forfeiture of "substitute assets" in the House provisions.

(16) Provides for the summary disposition of seized conveyances valued at less than \$1,000.00.

PRESIDENT'S EMERGENCY FOOD ASSISTANCE ACT OF 1984

Amendment No. 160: The conference agreement provides for the President's Emergency Food Assistance Act of 1984 as proposed by the Senate, but amended to authorize \$50,000,000 each for fiscal year 1985 and fiscal year 1986. The conference agreement deletes Senate language appropriating \$50,000,000 and authorizing the transfer of \$50,000,000 from the Public Law 480 or Foreign Assistance programs.

CHILD ABUSE PREVENTION

Amendment No. 161: Appropriates an additional \$25,000,000 as proposed by the Senate relating to an expanded authorization for title XX of the Social Security Act for training with respect to the prevention of child abuse in child care settings and establishing Federal matching grants to encourage State trust funds or appropriations for child abuse and neglect prevention activities.

The House resolution includes an increase of \$50,000,000 in the title XX authorization, essentially for the same purpose, which the conferees have deleted. (See Amendment No. 124)

JAMIE L. WHITTEN,
EDWARD P. BOLAND,
WILLIAM H. NATCHER,
NEAL SMITH
(except amendments Nos. 54,
66, etc.),

JOSEPH P. ADDABBO,
CLARENCE D. LONG,
SIDNEY R. YATES
(except amendments Nos. 32
and 38 relating to gun
purchase),

EDWARD R. ROYBAL,
TOM BEVILL,
WILLIAM LEHMAN,
JULIAN C. DIXON,
VIC FAZIO,
W.G. HEFNER,
SILVIO O. CONTE
(except amendment No. 113),
JOSEPH M. MCDADE,
JACK EDWARDS,

JOHN T. MYERS
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Managers on the Part of the House.

TED STEVENS,
 LOWELL P. WEICKER, Jr.,
 JAMES A. McCLURE,
 JAKE GARN,
 THAD COCHRAN
 (except amendments Nos. 25,
 64, and 70),
 MARK ANDREWS,
 JAMES ABDNOR,
 ROBERT W. KASTEN, Jr.,
 ALFONSE M. D'AMATO,
 MACK MATTINGLY,
 WARREN RUDMAN,
 PETE V. DOMENICI,
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 64, and 70),
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 DANIEL K. INOUE,
 ERNEST F. HOLLINGS,
 THOMAS EAGLETON,
 LAWTON CHILES,
 J. BENNETT JOHNSTON
 (except amendment No. 25),
 WALTER D. HUDDLESTON
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 61, and 68),
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Managers on the Part of the Senate.