

104TH CONGRESS
1ST SESSION

H. R. 889

IN THE HOUSE OF REPRESENTATIVES

MARCH 16, 1995

Ordered to be printed with the amendments of the Senate numbered

AN ACT

Making emergency supplemental appropriations and rescissions to preserve and enhance the military readiness of the Department of Defense for the fiscal year ending September 30, 1995, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 ~~(1) That the following sums are appropriated, out of any~~
4 ~~money in the Treasury not otherwise appropriated, to pro-~~
5 ~~vide emergency supplemental appropriations for the De-~~
6 ~~partment of Defense to preserve and enhance military~~
7 ~~readiness for the fiscal year ending September 30, 1995,~~
8 ~~and for other purposes, namely:~~

TITLE I

1
2 EMERGENCY SUPPLEMENTAL APPROPRIATIONS

3 DEPARTMENT OF DEFENSE—MILITARY

4 MILITARY PERSONNEL

5 MILITARY PERSONNEL, ARMY

6 For an additional amount for “Military Personnel,
7 Army,” \$69,300,000: *Provided*, That such amount is des-
8 ignated by Congress as an emergency requirement pursu-
9 ant to section 251(b)(2)(D)(i) of the Balanced Budget and
10 Emergency Deficit Control Act of 1985, as amended.

11 MILITARY PERSONNEL, NAVY

12 For an additional amount for “Military Personnel,
13 Navy,” \$49,500,000: *Provided*, That such amount is des-
14 ignated by Congress as an emergency requirement pursu-
15 ant to section 251(b)(2)(D)(i) of the Balanced Budget and
16 Emergency Deficit Control Act of 1985, as amended.

17 MILITARY PERSONNEL, MARINE CORPS

18 For an additional amount for “Military Personnel,
19 Marine Corps,” \$10,400,000: *Provided*, That such amount
20 is designated by Congress as an emergency requirement
21 pursuant to section 251(b)(2)(D)(i) of the Balanced
22 Budget and Emergency Deficit Control Act of 1985, as
23 amended.

1 MILITARY PERSONNEL, AIR FORCE

2 For an additional amount for “Military Personnel,
3 Air Force,” \$71,700,000: *Provided*, That such amount is
4 designated by Congress as an emergency requirement pur-
5 suant to section 251(b)(2)(D)(i) of the Balanced Budget
6 and Emergency Deficit Control Act of 1985, as amended.

7 RESERVE PERSONNEL, NAVY

8 For an additional amount for “Reserve Personnel,
9 Navy,” \$4,600,000: *Provided*, That such amount is des-
10 ignated by Congress as an emergency requirement pursu-
11 ant to section 251(b)(2)(D)(i) of the Balanced Budget and
12 Emergency Deficit Control Act of 1985, as amended.

13 OPERATION AND MAINTENANCE

14 OPERATION AND MAINTENANCE, ARMY

15 For an additional amount for “Operation and Main-
16 tenance, Army,” \$958,600,000: *Provided*, That such
17 amount is designated by Congress as an emergency re-
18 quirement pursuant to section 251(b)(2)(D)(i) of the Bal-
19 anced Budget and Emergency Deficit Control Act of 1985,
20 as amended.

21 OPERATION AND MAINTENANCE, NAVY

22 For an additional amount for “Operation and Main-
23 tenance, Navy,” \$347,600,000: *Provided*, That such
24 amount is designated by Congress as an emergency re-
25 quirement pursuant to section 251(b)(2)(D)(i) of the Bal-

1 ~~anced Budget and Emergency Deficit Control Act of 1985,~~
2 ~~as amended.~~

3 ~~OPERATION AND MAINTENANCE, MARINE CORPS~~

4 ~~For an additional amount for “Operation and Main-~~
5 ~~tenance, Marine Corps,” \$38,000,000: *Provided*, That~~
6 ~~such amount is designated by Congress as an emergency~~
7 ~~requirement pursuant to section 251(b)(2)(D)(i) of the~~
8 ~~Balanced Budget and Emergency Deficit Control Act of~~
9 ~~1985, as amended.~~

10 ~~OPERATION AND MAINTENANCE, AIR FORCE~~

11 ~~For an additional amount for “Operation and Main-~~
12 ~~tenance, Air Force,” \$888,700,000: *Provided*, That such~~
13 ~~amount is designated by Congress as an emergency re-~~
14 ~~quirement pursuant to section 251(b)(2)(D)(i) of the Bal-~~
15 ~~anced Budget and Emergency Deficit Control Act of 1985,~~
16 ~~as amended.~~

17 ~~OPERATION AND MAINTENANCE, DEFENSE-WIDE~~

18 ~~For an additional amount for “Operation and Main-~~
19 ~~tenance, Defense-Wide,” \$43,200,000: *Provided*, That~~
20 ~~such amount is designated by Congress as an emergency~~
21 ~~requirement pursuant to section 251(b)(2)(D)(i) of the~~
22 ~~Balanced Budget and Emergency Deficit Control Act of~~
23 ~~1985, as amended.~~

1 OPERATION AND MAINTENANCE, NAVY RESERVE

2 For an additional amount for "Operation and Main-
3 tenance, Navy Reserve," \$6,400,000: *Provided*, That such
4 amount is designated by Congress as an emergency re-
5 quirement pursuant to section 251(b)(2)(D)(i) of the Bal-
6 anced Budget and Emergency Deficit Control Act of 1985,
7 as amended.

8 PROCUREMENT

9 OTHER PROCUREMENT, ARMY

10 For an additional amount for "Other Procurement,
11 Army," \$28,600,000, to remain available until September
12 30, 1997: *Provided*, That such amount is designated by
13 Congress as an emergency requirement pursuant to sec-
14 tion 251(b)(2)(D)(i) of the Balanced Budget and Emer-
15 gency Deficit Control Act of 1985, as amended.

16 OTHER PROCUREMENT, AIR FORCE

17 For an additional amount for "Other Procurement,
18 Air Force," \$8,100,000, to remain available until Septem-
19 ber 30, 1997: *Provided*, That such amount is designated
20 by Congress as an emergency requirement pursuant to
21 section 251(b)(2)(D)(i) of the Balanced Budget and
22 Emergency Deficit Control Act of 1985, as amended.

1 OTHER DEPARTMENT OF DEFENSE PROGRAMS
 2 DEFENSE HEALTH PROGRAM

3 For an additional amount for “Defense Health Pro-
 4 gram,” \$14,000,000: *Provided*, That such amount is des-
 5 ignated by Congress as an emergency requirement pursu-
 6 ant to section 251(b)(2)(D)(i) of the Balanced Budget and
 7 Emergency Deficit Control Act of 1985, as amended.

8 **TITLE II**

9 RESCINDING CERTAIN BUDGET AUTHORITY
 10 DEPARTMENT OF DEFENSE—MILITARY

11 OPERATION AND MAINTENANCE

12 OPERATION AND MAINTENANCE, AIR FORCE

13 (RESCISSION)

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

16 OPERATION AND MAINTENANCE, DEFENSE-WIDE

17 (RESCISSION)

18 Of the funds made available under this heading in
 19 Public Law 103–335, \$18,800,000 are rescinded.

20 ENVIRONMENTAL RESTORATION, DEFENSE

21 (RESCISSION)

22 Of the funds made available under this heading in
 23 Public Law 103–335, \$150,000,000 are rescinded.

1 RESEARCH, DEVELOPMENT, TEST AND
2 EVALUATION

3 ~~RESEARCH, DEVELOPMENT, TEST AND EVALUATION,~~
4 ARMY
5 (RESCISSIONS)

6 Of the funds made available under this heading in
7 Public Law 103-139, \$28,300,000 are rescinded.

8 Of the funds made available under this heading in
9 Public Law 103-335, \$19,700,000 are rescinded.

10 ~~RESEARCH, DEVELOPMENT, TEST AND EVALUATION,~~
11 NAVY
12 (RESCISSIONS)

13 Of the funds made available under this heading in
14 Public Law 103-139, \$1,200,000 are rescinded.

15 Of the funds made available under this heading in
16 Public Law 103-335, \$58,900,000 are rescinded.

17 ~~RESEARCH, DEVELOPMENT, TEST AND EVALUATION,~~
18 AIR FORCE
19 (RESCISSIONS)

20 Of the funds made available under this heading in
21 Public Law 103-139, \$93,800,000 are rescinded.

22 Of the funds made available under this heading in
23 Public Law 103-335, \$75,800,000 are rescinded.

1 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
2 DEFENSE WIDE
3 (RESCISSIONS)

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

6 Of the funds made available under this heading in
7 Public Law 103-335, \$491,600,000 are rescinded.

8 RELATED AGENCIES

9 NATIONAL SECURITY EDUCATION TRUST FUND
10 (RESCISSION)

11 Of the funds made available under this heading in
12 Public Law 102-172, Public Law 103-50, Public Law
13 103-139, and Public Law 103-335, \$161,287,000 are re-
14 scinded: *Provided*, That the balance of funds in the Na-
15 tional Security Education Trust Fund (established pursu-
16 ant to section 804 of the David L. Boren National Secu-
17 rity Education Act of 1991 (50 U.S.C. 1904)), other than
18 such amount as is necessary for obligations made before
19 the date of the enactment of this Act, is hereby reduced
20 to zero: *Provided further*, That no outlay may be made
21 from the Fund after the date of the enactment of this Act
22 other than to liquidate an obligation made before such
23 date and upon liquidation of all such obligations made be-
24 fore such date, the Fund shall be closed: *Provided further*,

1 That no obligation may be made from the Fund after the
2 date of the enactment of this Act.

3 **TITLE III**

4 ADDITIONAL EMERGENCY SUPPLEMENTAL AP-
5 PROPRIATIONS TO FURTHER ENHANCE
6 READINESS

7 DEPARTMENT OF DEFENSE—MILITARY

8 MILITARY PERSONNEL

9 MILITARY PERSONNEL, ARMY

10 For an additional amount for “Military Personnel,
11 Army,” \$75,500,000: *Provided*, That such amount is des-
12 ignated by Congress as an emergency requirement pursu-
13 ant to section 251(b)(2)(D)(i) of the Balanced Budget and
14 Emergency Deficit Control Act of 1985, as amended.

15 MILITARY PERSONNEL, NAVY

16 For an additional amount for “Military Personnel,
17 Navy,” \$68,200,000: *Provided*, That such amount is des-
18 ignated by Congress as an emergency requirement pursu-
19 ant to section 251(b)(2)(D)(i) of the Balanced Budget and
20 Emergency Deficit Control Act of 1985, as amended.

21 MILITARY PERSONNEL, MARINE CORPS

22 For an additional amount for “Military Personnel,
23 Marine Corps,” \$3,000,000: *Provided*, That such amount
24 is designated by Congress as an emergency requirement
25 pursuant to section 251(b)(2)(D)(i) of the Balanced

1 Budget and Emergency Deficit Control Act of 1985, as
2 amended.

3 MILITARY PERSONNEL, AIR FORCE

4 For an additional amount for “Military Personnel,
5 Air Force,” \$70,400,000: *Provided*, That such amount is
6 designated by Congress as an emergency requirement pur-
7 suant to section 251(b)(2)(D)(i) of the Balanced Budget
8 and Emergency Deficit Control Act of 1985, as amended.

9 RESERVE PERSONNEL, ARMY

10 For an additional amount for “Reserve Personnel,
11 Army,” \$6,500,000: *Provided*, That such amount is des-
12 ignated by Congress as an emergency requirement pursu-
13 ant to section 251(b)(2)(D)(i) of the Balanced Budget and
14 Emergency Deficit Control Act of 1985, as amended.

15 RESERVE PERSONNEL, NAVY

16 For an additional amount for “Reserve Personnel,
17 Navy,” \$5,000,000: *Provided*, That such amount is des-
18 ignated by Congress as an emergency requirement pursu-
19 ant to section 251(b)(2)(D)(i) of the Balanced Budget and
20 Emergency Deficit Control Act of 1985, as amended.

21 RESERVE PERSONNEL, MARINE CORPS

22 For an additional amount for “Reserve Personnel,
23 Marine Corps,” \$1,300,000: *Provided*, That such amount
24 is designated by Congress as an emergency requirement
25 pursuant to section 251(b)(2)(D)(i) of the Balanced

1 Budget and Emergency Deficit Control Act of 1985, as
2 amended.

3 ~~RESERVE PERSONNEL, AIR FORCE~~

4 For an additional amount for “Reserve Personnel,
5 Air Force,” \$2,800,000: *Provided*, That such amount is
6 designated by Congress as an emergency requirement pur-
7 suant to section 251(b)(2)(D)(i) of the Balanced Budget
8 and Emergency Deficit Control Act of 1985, as amended.

9 ~~NATIONAL GUARD PERSONNEL, ARMY~~

10 For an additional amount for “National Guard Per-
11 sonnel, Army,” \$11,000,000: *Provided*, That such amount
12 is designated by Congress as an emergency requirement
13 pursuant to section 251(b)(2)(D)(i) of the Balanced
14 Budget and Emergency Deficit Control Act of 1985, as
15 amended.

16 ~~NATIONAL GUARD PERSONNEL, AIR FORCE~~

17 For an additional amount for “National Guard Per-
18 sonnel, Air Force,” \$5,000,000: *Provided*, That such
19 amount is designated by Congress as an emergency re-
20 quirement pursuant to section 251(b)(2)(D)(i) of the Bal-
21 anced Budget and Emergency Deficit Control Act of 1985,
22 as amended.

1 OPERATION AND MAINTENANCE

2 OPERATION AND MAINTENANCE, ARMY

3 For an additional amount for “Operation and Main-
4 tenance, Army,” \$133,000,000: *Provided*, That such
5 amount is designated by Congress as an emergency re-
6 quirement pursuant to section 251(b)(2)(D)(i) of the Bal-
7 anced Budget and Emergency Deficit Control Act of 1985,
8 as amended.

9 OPERATION AND MAINTENANCE, NAVY

10 For an additional amount for “Operation and Main-
11 tenance, Navy,” \$107,000,000: *Provided*, That such
12 amount is designated by Congress as an emergency re-
13 quirement pursuant to section 251(b)(2)(D)(i) of the Bal-
14 anced Budget and Emergency Deficit Control Act of 1985,
15 as amended.

16 OPERATION AND MAINTENANCE, MARINE CORPS

17 For an additional amount for “Operation and Main-
18 tenance, Marine Corps,” \$46,000,000: *Provided*, That
19 such amount is designated by Congress as an emergency
20 requirement pursuant to section 251(b)(2)(D)(i) of the
21 Balanced Budget and Emergency Deficit Control Act of
22 1985, as amended.

23 OPERATION AND MAINTENANCE, AIR FORCE

24 For an additional amount for “Operation and Main-
25 tenance, Air Force,” \$80,400,000: *Provided*, That such

1 amount is designated by Congress as an emergency re-
2 quirement pursuant to section 251(b)(2)(D)(i) of the Bal-
3 anced Budget and Emergency Deficit Control Act of 1985,
4 as amended.

5 OPERATION AND MAINTENANCE, ARMY RESERVE

6 For an additional amount for “Operation and Main-
7 tenance, Army Reserve,” \$13,000,000: *Provided*, That
8 such amount is designated by Congress as an emergency
9 requirement pursuant to section 251(b)(2)(D)(i) of the
10 Balanced Budget and Emergency Deficit Control Act of
11 1985, as amended.

12 OPERATION AND MAINTENANCE, NAVY RESERVE

13 For an additional amount for “Operation and Main-
14 tenance, Navy Reserve,” \$18,000,000: *Provided*, That
15 such amount is designated by Congress as an emergency
16 requirement pursuant to section 251(b)(2)(D)(i) of the
17 Balanced Budget and Emergency Deficit Control Act of
18 1985, as amended.

19 OPERATION AND MAINTENANCE, MARINE CORPS
20 RESERVE

21 For an additional amount for “Operation and Main-
22 tenance, Marine Corps Reserve,” \$1,000,000: *Provided*,
23 That such amount is designated by Congress as an emer-
24 gency requirement pursuant to section 251(b)(2)(D)(i) of

1 the Balanced Budget and Emergency Deficit Control Act
2 of 1985, as amended.

3 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

4 For an additional amount for “Operation and Main-
5 tenance, Air Force Reserve,” \$2,600,000: *Provided*, That
6 such amount is designated by Congress as an emergency
7 requirement pursuant to section 251(b)(2)(D)(i) of the
8 Balanced Budget and Emergency Deficit Control Act of
9 1985, as amended.

10 OPERATION AND MAINTENANCE, ARMY NATIONAL

11 GUARD

12 For an additional amount for “Operation and Main-
13 tenance, Army National Guard,” \$10,000,000: *Provided*,
14 That such amount is designated by Congress as an emer-
15 gency requirement pursuant to section 251(b)(2)(D)(i) of
16 the Balanced Budget and Emergency Deficit Control Act
17 of 1985, as amended.

18 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

19 For an additional amount for “Operation and Main-
20 tenance, Air National Guard,” \$10,000,000: *Provided*,
21 That such amount is designated by Congress as an emer-
22 gency requirement pursuant to section 251(b)(2)(D)(i) of
23 the Balanced Budget and Emergency Deficit Control Act
24 of 1985, as amended.

1

TITLE IV

2

GENERAL PROVISIONS

3

~~SEC. 401.~~ No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

6

~~SEC. 402.~~ Notwithstanding sections 607 and 630 of the Foreign Assistance Act of 1961 (22 U.S.C. 2357, 2390) and sections 2608 and 2350j of title 10, United States Code, all funds received by the United States as reimbursement for expenses for which funds are provided in this Act shall be deposited in the Treasury as miscellaneous receipts.

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

18

TITLE I

19

CHAPTER I

20

SUPPLEMENTAL APPROPRIATIONS

21

DEPARTMENT OF DEFENSE—MILITARY

22

MILITARY PERSONNEL

23

MILITARY PERSONNEL, ARMY

24

For an additional amount for “Military Personnel, Army”, \$35,400,000.

25

1 *MILITARY PERSONNEL, NAVY*

2 *For an additional amount for “Military Personnel,*
3 *Navy”, \$49,500,000.*

4 *MILITARY PERSONNEL, MARINE CORPS*

5 *For an additional amount for “Military Personnel,*
6 *Marine Corps”, \$10,400,000.*

7 *MILITARY PERSONNEL, AIR FORCE*

8 *For an additional amount for “Military Personnel,*
9 *Air Force”, \$37,400,000.*

10 *RESERVE PERSONNEL, NAVY*

11 *For an additional amount for “Reserve Personnel,*
12 *Navy”, \$4,600,000.*

13 *OPERATION AND MAINTENANCE*14 *OPERATION AND MAINTENANCE, ARMY*

15 *For an additional amount for “Operation and Mainte-*
16 *nance, Army”, \$636,900,000.*

17 *OPERATION AND MAINTENANCE, NAVY*

18 *For an additional amount for “Operation and Mainte-*
19 *nance, Navy”, \$284,100,000.*

20 *OPERATION AND MAINTENANCE, MARINE CORPS*

21 *For an additional amount for “Operation and Mainte-*
22 *nance, Marine Corps”, \$27,700,000.*

23 *OPERATION AND MAINTENANCE, AIR FORCE*

24 *For an additional amount for “Operation and Mainte-*
25 *nance, Air Force”, \$785,800,000.*

1 *OPERATION AND MAINTENANCE, DEFENSE-WIDE*

2 *For an additional amount for “Operation and Mainte-*
3 *nance, Defense-Wide”, \$43,200,000.*

4 *OPERATION AND MAINTENANCE, NAVY RESERVE*

5 *For an additional amount for “Operation and Mainte-*
6 *nance, Navy Reserve”, \$6,400,000.*

7 *OTHER DEPARTMENT OF DEFENSE PROGRAMS*

8 *DEFENSE HEALTH PROGRAM*

9 *For an additional amount for “Defense Health Pro-*
10 *gram”, \$14,000,000.*

11 *GENERAL PROVISIONS*

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

15 *SEC. 102. During the current fiscal year, appropria-*
16 *tions available to the Department of Defense for the pay*
17 *of civilian personnel may be used, without regard to the*
18 *time limitations specified in section 5523(a) of title 5,*
19 *United States Code, for payments under the provisions of*
20 *section 5523 of title 5, United States Code, in the case of*
21 *employees, or an employee’s dependents or immediate fam-*
22 *ily, evacuated from Guantanamo Bay, Cuba, pursuant to*
23 *the August 26, 1994 order of the Secretary of Defense.*

24 *(INCLUDING TRANSFER OF FUNDS)*

25 *SEC. 103. In addition to amounts appropriated or oth-*
26 *erwise made available by this Act, \$28,297,000 is hereby*

1 *appropriated to the Department of Defense and shall be*
2 *available only for transfer to the United States Coast Guard*
3 *to cover the incremental operating costs associated with Op-*
4 *erations Able Manner, Able Vigil, Restore Democracy, and*
5 *Support Democracy: Provided, That such amount shall re-*
6 *main available for obligation until September 30, 1996.*

7 *SEC. 104. (a) Section 8106A of the Department of De-*
8 *fense Appropriations Act, 1995 (Public Law 103-335), is*
9 *amended by striking out the last proviso and inserting in*
10 *lieu thereof the following: “: Provided further, That if, after*
11 *September 30, 1994, a member of the Armed Forces (other*
12 *than the Coast Guard) is approved for release from active*
13 *duty or full-time National Guard duty and that person sub-*
14 *sequently becomes employed in a position of civilian em-*
15 *ployment in the Department of Defense within 180 days*
16 *after the release from active duty or full-time National*
17 *Guard duty, then that person is not eligible for payments*
18 *under a Special Separation Benefits program (under sec-*
19 *tion 1174a of title 10, United States Code) or a Voluntary*
20 *Separation Incentive program (under section 1175 of title*
21 *10, United States Code) by reason of the release from active*
22 *duty or full-time National Guard duty, and the person shall*
23 *reimburse the United States the total amount, if any, paid*
24 *such person under the program before the employment be-*
25 *gins”.*

1 *rescinded from the following accounts in the specified*
2 *amounts:*

3 *Operation and Maintenance, Navy, \$16,300,000;*

4 *Operation and Maintenance, Air Force,*
5 *\$2,000,000;*

6 *Operation and Maintenance, Defense-Wide,*
7 *\$90,000,000;*

8 *Environmental Restoration, Defense,*
9 *\$300,000,000;*

10 *Aircraft Procurement, Army, 1995/1997,*
11 *\$77,611,000;*

12 *Procurement of Ammunition, Army, 1993/1995,*
13 *\$85,000,000;*

14 *Procurement of Ammunition, Army, 1995/1997,*
15 *\$89,320,000;*

16 *Other Procurement, Army, 1995/1997,*
17 *\$46,900,000;*

18 *Shipbuilding and Conversion, Navy, 1995/1999,*
19 *\$26,600,000;*

20 *Missile Procurement, Air Force, 1993/1995,*
21 *\$33,000,000;*

22 *Missile Procurement, Air Force, 1994/1996,*
23 *\$86,184,000;*

24 *Other Procurement, Air Force, 1995/1997,*
25 *\$6,100,000;*

1 *actment of this Act, unless the President submits to Con-*
2 *gress the report described in subsection (b).*

3 *(b) REPORT ELEMENTS.—The report referred to in*
4 *subsection (a) shall include the following:*

5 *(1) A detailed description of the estimated cumu-*
6 *lative incremental cost of all United States activities*
7 *subsequent to September 30, 1993, in and around*
8 *Haiti, including but not limited to—*

9 *(A) the cost of all deployments of United*
10 *States Armed Forces and Coast Guard personnel,*
11 *training, exercises, mobilization, and prepara-*
12 *tion activities, including the preparation of po-*
13 *lice and military units of the other nations of the*
14 *multinational force involved in enforcement of*
15 *sanctions, limits on migration, establishment*
16 *and maintenance of migrant facilities at Guan-*
17 *tanamo Bay and elsewhere, and all other activi-*
18 *ties relating to operations in and around Haiti;*
19 *and*

20 *(B) the costs of all other activities relating*
21 *to United States policy toward Haiti, including*
22 *humanitarian and development assistance, re-*
23 *construction, balance of payments and economic*
24 *support, assistance provided to reduce or elimi-*
25 *nate all arrearages owed to International Finan-*

1 *cial Institutions, all rescheduling or forgiveness*
2 *of United States bilateral and multilateral debt,*
3 *aid and other financial assistance, all in-kind*
4 *contributions, and all other costs to the United*
5 *States Government.*

6 *(2) A detailed accounting of the source of funds*
7 *obligated or expended to meet the costs described in*
8 *paragraph (1), including—*

9 *(A) in the case of funds expended from the*
10 *Department of Defense budget, a breakdown by*
11 *military service or defense agency, line item, and*
12 *program; and*

13 *(B) in the case of funds expended from the*
14 *budgets of departments and agencies other than*
15 *the Department of Defense, by department or*
16 *agency and program.*

17 *SEC. 109. It is the sense of the Senate that (1) cost-*
18 *shared partnerships between the Department of Defense and*
19 *the private sector to develop dual-use technologies (tech-*
20 *nologies that have applications both for defense and for*
21 *commercial markets, such as computers, electronics, ad-*
22 *vanced materials, communications, and sensors) are in-*
23 *creasingly important to ensure efficient use of defense pro-*
24 *curement resources, and (2) such partnerships, including*
25 *Sematech and the Technology Reinvestment Project, need*

1 *to become the norm for conducting such applied research*
2 *by the Department of Defense.*

3 *SEC. 110. None of the funds appropriated or otherwise*
4 *made available by this Act may be obligated or expended*
5 *for assistance to or programs in the Democratic People's*
6 *Republic of Korea, or for implementation of the October 21,*
7 *1994, Agreed Framework between the United States and the*
8 *Democratic People's Republic of Korea, unless specifically*
9 *appropriated for that purpose.*

10 **(2)SEC. 111. LIMITATION ON EMERGENCY AND EX-**
11 **TRAORDINARY EXPENSES.**

12 *(a) IN GENERAL.—Funds appropriated or otherwise*
13 *made available to the Department of Defense may not be*
14 *obligated under section 127 of title 10, United States Code,*
15 *for the provision of assistance, including the donation, sale,*
16 *or financing for sale, of any item, to a foreign country that*
17 *is ineligible under the Foreign Assistance Act of 1961 or*
18 *the Arms Export Control Act to receive any category of as-*
19 *sistance.*

20 *(b) EFFECTIVE DATE.—The limitations in subsection*
21 *(a) shall apply to obligations made on or after the date*
22 *of enactment of this Act.*

23 **(3)SEC. 112. (a) Notwithstanding any other provision**
24 *of law, no funds appropriated by this Act, or otherwise ap-*
25 *propriated or made available by any other Act, may be uti-*

1 lized for purposes of entering into the agreement described
2 in subsection (b) until the President certifies to Congress
3 that—

4 (1) Russia has agreed not to sell nuclear reactor
5 components to Iran; or

6 (2) the issue of the sale by Russia of such compo-
7 nents to Iran has been resolved in a manner that is
8 consistent with—

9 (A) the national security objectives of the
10 United States; and

11 (B) the concerns of the United States with
12 respect to nonproliferation in the Middle East.

13 (b) The agreement referred to in subsection (a) is an
14 agreement known as the Agreement on the Exchange of
15 Equipment, Technology, and Materials between the United
16 States Government and the Government of the Russian Fed-
17 eration, or any department or agency of that government
18 (including the Russian Ministry of Atomic Energy), that
19 the United States Government proposes to enter into under
20 section 123 of the Atomic Energy Act of 1954 (42 U.S.C.
21 2153).

22 **(4)** SEC. 113. It is the sense of the Senate that—

23 (1) Congress should enact legislation that termi-
24 nates the entitlement to pay and allowances for each
25 member of the Armed Forces who is sentenced by a

1 *court-martial to confinement and either a dishonor-*
2 *able discharge, bad-conduct discharge, or dismissal;*

3 *(2) the legislation should provide for restoration*
4 *of the entitlement if the sentence to confinement and*
5 *punitive discharge or dismissal, as the case may be,*
6 *is disapproved or set aside; and*

7 *(3) the legislation should include authority for*
8 *the establishment of a program that provides transi-*
9 *tional benefits for spouses and other dependents of a*
10 *member of the Armed Forces receiving such a sen-*
11 *tence.*

12 **(5) SEC. 114. RESCISSION OF FUNDS FOR CERTAIN**
13 **MILITARY CONSTRUCTION PROJECTS.**

14 *(a) CONDITIONAL RESCISSION OF FUNDS FOR CER-*
15 *TAIN PROJECTS.—(1)(A) Notwithstanding any other provi-*
16 *sion of law and subject to paragraphs (2) and (3), of the*
17 *funds provided in the Military Construction Appropria-*
18 *tions Act, 1995 (Public Law 103–307; 108 Stat. 1659), the*
19 *following funds are hereby rescinded from the following ac-*
20 *counts in the specified amounts:*

21 *Military Construction, Army, \$11,554,000.*

22 *Military Construction, Air Force, \$6,500,000.*

23 *(B) Rescissions under this paragraph are for projects*
24 *at military installations that were recommended for closure*
25 *by the Secretary of Defense in the recommendations submit-*

1 *ted by the Secretary to the Defense Base Closure and Re-*
2 *alignment Commission on March 1, 1995, under the base*
3 *closure Act.*

4 (2) *A rescission of funds under paragraph (1) shall*
5 *not occur with respect to a project covered by that para-*
6 *graph if the Secretary certifies to Congress that—*

7 (A) *the military installation at which the project*
8 *is proposed will not be subject to closure or realign-*
9 *ment as a result of the 1995 round of the base closure*
10 *process; or*

11 (B) *if the installation will be subject to realign-*
12 *ment under that round of the process, the project is*
13 *for a function or activity that will not be transferred*
14 *from the installation as a result of the realignment.*

15 (3) *A certification under paragraph (2) shall be effec-*
16 *tive only if—*

17 (A) *the Secretary submits the certification to-*
18 *gether with the approval and recommendations trans-*
19 *mitted to Congress by the President in 1995 under*
20 *paragraph (2) or (4) section 2903(e) of the base clo-*
21 *sure Act; or*

22 (B) *the base closure process in 1995 is termi-*
23 *nated pursuant to paragraph (5) of that section.*

24 (b) *ADDITIONAL RESCISSIONS RELATING TO BASE*
25 *CLOSURE PROCESS.—Notwithstanding any other provision*

1 of law, funds provided in the Military Construction Appro-
2 priations Act, 1995 for a military construction project are
3 hereby rescinded if—

4 (1) the project is located at an installation that
5 the President recommends for closure in 1995 under
6 section 2903(e) of the base closure Act; or

7 (2) the project is located at an installation that
8 the President recommends for realignment in 1995
9 under such section and the function or activity with
10 which the project is associated will be transferred
11 from the installation as a result of the realignment.

12 (c) DEFINITION.—In the section, the term “base closure
13 Act” means the Defense Base Closure and Realignment Act
14 of 1990 (part A of title XXIX of Public Law 101–510; 10
15 U.S.C. 2687 note).

16 **(6) SEC. 115. SENSE OF SENATE ON SOUTH KOREA**
17 **TRADE BARRIERS TO UNITED STATES BEEF AND**
18 **PORK.**

19 (a) FINDINGS.—The Senate makes the following find-
20 ings:

21 (1) The United States has approximately 37,000
22 military personnel stationed in South Korea and
23 spent over \$2,000,000,000 last year to preserve peace
24 on the Korean peninsula.

1 (2) *The United States Trade Representative has*
2 *initiated a section 301 investigation against South*
3 *Korea for its nontariff trade barriers on United*
4 *States beef and pork.*

5 (3) *The barriers cited in the section 301 petition*
6 *include government-mandated shelf-life requirements,*
7 *lengthy inspection and customs procedures, and arbi-*
8 *trary testing requirements that effectively close the*
9 *South Korean market to such beef and pork.*

10 (4) *United States trade and agriculture officials*
11 *are in the process of negotiating with South Korea to*
12 *open South Korea's market to United States beef and*
13 *pork.*

14 (5) *The United States meat industry estimates*
15 *that South Korea's nontariff trade barriers on United*
16 *States beef and pork cost United States businesses*
17 *more than \$240,000,000 in lost revenue last year and*
18 *could account for more than \$1,000,000,000 in lost*
19 *revenue to such business by 1999 if South Korea's*
20 *trade practices on such beef and pork are left un-*
21 *changed.*

22 (6) *The United States beef and pork industries*
23 *are a vital part of the United States economy, with*
24 *operations in each of the 50 States.*

1 (7) *Per capita consumption of beef and pork in*
2 *South Korea is currently twice that of such consump-*
3 *tion in Japan. Given that the Japanese are currently*
4 *the leading importers of United States beef and pork,*
5 *South Korea holds the potential of becoming an un-*
6 *paralleled market for United States beef and pork.*

7 **(b)** *It is the sense of the Senate that—*

8 (1) *the security relationship between the United*
9 *States and South Korea is essential to the security of*
10 *the United States, South Korea, the Asia-Pacific re-*
11 *gion and the rest of the world;*

12 (2) *the efforts of the United States Trade Rep-*
13 *resentative to open South Korea's market to United*
14 *States beef and pork deserve support and commenda-*
15 *tion; and*

16 (3) *The United States Trade Representative*
17 *should continue to insist upon the removal of South*
18 *Korea's nontariff barriers to United States beef and*
19 *pork.*

20 **(7)** *SEC. 116. (a)(1) The Senate finds that the Treaty*
21 *on the Non-Proliferation of Nuclear Weapons, hereinafter*
22 *referred to as the NPT, is the cornerstone of the global nu-*
23 *clear nonproliferation regime;*

1 (2) That, with more than 170 parties, the NPT enjoys
2 the widest adherence of any arms control agreement in his-
3 tory;

4 (3) That the NPT sets the fundamental legal and polit-
5 ical framework for prohibiting all forms of nuclear non-
6 proliferation;

7 (4) That the NPT provides the fundamental legal and
8 political foundation for the efforts through which the nu-
9 clear arms race was brought to an end and the world's nu-
10 clear arsenals are being reduced as quickly, safely and se-
11 curely as possible;

12 (5) That the NPT spells out only three extension op-
13 tions: indefinite extension, extension for a fixed period, or
14 extension for fixed periods;

15 (6) That any temporary or conditional extension of
16 the NPT would require a dangerously slow and unpredict-
17 able process of re-ratification that would cripple the NPT;

18 (7) That it is the policy of the President of the United
19 States to seek indefinite and unconditional extension of the
20 NPT: Now, therefore;

21 (b) It is the sense of the Senate that—

22 (1) indefinite and unconditional extension of the
23 NPT would strengthen the global nuclear non-
24 proliferation regime;

1 (2) *indefinite and unconditional extension of the*
2 *NPT is in the interest of the United States because*
3 *it would enhance international peace and security;*

4 (3) *the President of the United States has the full*
5 *support of the Senate in seeking the indefinite and*
6 *unconditional extension of the NPT;*

7 (4) *all parties to the NPT should vote to extend*
8 *the NPT unconditionally and indefinitely; and*

9 (5) *parties opposing indefinite and uncondi-*
10 *tional extension of the NPT are acting against their*
11 *own interest, the interest of the United States and the*
12 *interest of all the peoples of the world by placing the*
13 *nuclear nonproliferation regime and global security*
14 *at risk.*

15 **(8)** *SEC. 117. NATIONAL TEST FACILITY.—It is the*
16 *sense of the Senate that the National Test Facility provides*
17 *important support to strategic and theater missile defense*
18 *in the following areas—*

19 (a) *United States-United Kingdom defense plan-*
20 *ning;*

21 (b) *the PATRIOT and THAAD programs;*

22 (c) *computer support for the Advanced Research*
23 *Center; and*

24 (d) *technical assistance to theater missile defense;*

1 *and fiscal year 1995 funding should be maintained to en-*
2 *sure retention of these priority functions.*

3 **(9)** *SEC. 118. (a) In determining the amount of funds*
4 *available for obligation from the Environmental Restora-*
5 *tion, Defense, account in fiscal year 1995 for environmental*
6 *restoration at the military installations described in sub-*
7 *section (b), the Secretary of Defense shall not take into ac-*
8 *count the rescission from the account set forth in section*
9 *106.*

10 *(b) Subsection (a) applies to military installations*
11 *that the Secretary recommends for closure or realignment*
12 *in 1995 under section 2903(c) of the Defense Base Closure*
13 *and Realignment Act of 1990 (subtitle A of title XXIX of*
14 *Public Law 101-510; 10 U.S.C. 2687 note).*

15 **(10)** *CHAPTER II*

16 *FOREIGN OPERATIONS, EXPORT FINANCING AND RELATED*
17 *PROGRAMS*

18 *BILATERAL ECONOMIC ASSISTANCE*

19 *FUNDS APPROPRIATED TO THE PRESIDENT*

20 *DEBT RESTRUCTURING*

21 *DEBT RELIEF FOR JORDAN*

22 *For the cost, as defined in section 502 of the Congres-*
23 *sional Budget Act of 1974, of modifying direct loans to Jor-*
24 *dan issued by the Export-Import Bank or by the Agency*
25 *for International Development or by the Department of De-*

1 *fense, or for the cost of modifying: (1) concessional loans*
2 *authorized under title I of the Agricultural Trade Develop-*
3 *ment and Assistance Act of 1954, as amended, and (2) cred-*
4 *its owed by Jordan to the Commodity Credit Corporation,*
5 *as a result of the Corporation's status as a guarantor of*
6 *credits in connection with export sales to Jordan; as author-*
7 *ized under subsection (a) under the heading, "Debt Relief*
8 *for Jordan", in title VI of Public Law 103-306,*
9 *\$275,000,000, to remain available until September 30,*
10 *1996: Provided, That not more than \$50,000,000 of the*
11 *funds appropriated by this paragraph may be obligated*
12 *prior to October 1, 1995.*

13 **(11)TITLE V**

14 **TITLE II**

15 **RESCISSIONS**

16 The following rescissions of budget authority are
17 made, namely:

1 CHAPTER I
2 DEPARTMENTS OF COMMERCE, JUSTICE, AND
3 STATE, THE JUDICIARY, AND RELATED
4 AGENCIES

5 ~~(12) DEPARTMENT OF JUSTICE~~
6 ~~IMMIGRATION AND NATURALIZATION SERVICE~~
7 ~~IMMIGRATION EMERGENCY FUND~~

8 ~~(RESCISSION)~~

9 Of the amounts made available under this heading
10 in ~~Public Law 103–317, \$70,000,000~~ are rescinded.

11 ~~DEPARTMENT OF COMMERCE~~
12 ~~NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY~~
13 ~~INDUSTRIAL TECHNOLOGY SERVICES~~

14 ~~(RESCISSION)~~

15 Of the amounts made available under this heading
16 in ~~Public Law 103–317 for the Advanced Technology Pro-~~
17 ~~gram, \$107,000,000~~ are rescinded.

18 *DEPARTMENT OF JUSTICE*
19 *IMMIGRATION AND NATURALIZATION SERVICE*
20 *IMMIGRATION EMERGENCY FUND*

21 *(RESCISSION)*

22 *Of the amounts made available under this heading in*
23 *Public Law 103–317, \$10,000,000* are rescinded.

1 *DEPARTMENT OF COMMERCE*
2 *NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY*
3 *INDUSTRIAL TECHNOLOGY SERVICES*
4 *(RESCISSION)*

5 *Of the amounts made available under this heading in*
6 *Public Law 103–317 for the Advanced Technology Program,*
7 *\$32,000,000 are rescinded.*

8 *NATIONAL OCEANIC AND ATMOSPHERIC*
9 *ADMINISTRATION*
10 *OPERATIONS, RESEARCH AND FACILITIES*
11 *(RESCISSION)*

12 *Of the funds made available under this heading in*
13 *Public Law 103–317, \$2,500,000 are rescinded.*

14 *NATIONAL TELECOMMUNICATIONS AND*
15 *INFORMATION ADMINISTRATION*
16 *INFORMATION INFRASTRUCTURE GRANTS*
17 *(RESCISSION)*

18 *Of the amounts made available under this heading in*
19 *Public Law 103–317, \$34,000,000 are rescinded.*

20 *ECONOMIC DEVELOPMENT ADMINISTRATION*
21 *ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS*
22 *(RESCISSION)*

23 *Of the amounts made available under this heading in*
24 *Public Law 103–317, \$40,000,000 are rescinded.*

1 *RELATED AGENCIES*
2 *SMALL BUSINESS ADMINISTRATION*
3 *SALARIES AND EXPENSES*
4 *(RESCISSION)*

5 *Of the funds made available under this heading in*
6 *Public Law 103-317 for tree-planting grants pursuant to*
7 *section 24 of the Small Business Act, as amended,*
8 *\$15,000,000 are rescinded.*

9 *LEGAL SERVICES CORPORATION*
10 *PAYMENT TO THE LEGAL SERVICES CORPORATION*
11 *(RESCISSION)*

12 *Of the funds made available under this heading in*
13 *Public Law 103-317 for payment to the Legal Services Cor-*
14 *poration to carry out the purposes of the Legal Services*
15 *Corporation Act of 1974, as amended, \$15,000,000 are re-*
16 *scinded.*

17 *DEPARTMENT OF STATE AND RELATED*
18 *AGENCIES*

19 *DEPARTMENT OF STATE*
20 *ADMINISTRATION OF FOREIGN AFFAIRS*
21 *(ACQUISITION AND MAINTENANCE OF BUILDINGS ABROAD)*
22 *(RESCISSION)*

23 *Of unobligated balances available under this heading,*
24 *\$28,500,000 are rescinded.*

1 CHAPTER II
2 ENERGY AND WATER DEVELOPMENT
3 DEPARTMENT OF ENERGY
4 ATOMIC ENERGY DEFENSE ACTIVITIES
5 DEFENSE ENVIRONMENTAL RESTORATION AND WASTE
6 MANAGEMENT
7 (RESCISSION)

8 Of the amounts made available under this heading
9 in Public Law 103-316 and prior years' Energy and
10 Water Development Appropriations Acts, \$100,000,000
11 are rescinded.

12 **(13)** *Of the funds appropriated in Public Law 103-*
13 *316, \$3,000,000 is hereby authorized for appropriation to*
14 *the Corps of Engineers to initiate and complete remedial*
15 *measures to prevent slope instability at Hickman Bluff,*
16 *Kentucky.*

1 CHAPTER III
2 FOREIGN OPERATIONS, EXPORT FINANCING,
3 AND RELATED AGENCIES
4 MULTILATERAL ECONOMIC ASSISTANCE
5 FUNDS APPROPRIATED TO THE PRESIDENT
6 INTERNATIONAL FINANCIAL INSTITUTIONS
7 **(14)** *CONTRIBUTION TO THE INTERNATIONAL*
8 *DEVELOPMENT ASSOCIATION*
9 *(RESCISSION)*
10 *Of the funds made available under this heading in*
11 *Public Law 103–306, \$70,000,000 are rescinded.*
12 CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND
13 (RESCISSION)
14 Of the funds made available under this heading in
15 Public Law 103–306, \$62,014,000 are rescinded.
16 BILATERAL ECONOMIC ASSISTANCE
17 FUNDS APPROPRIATED TO THE PRESIDENT
18 AGENCY FOR INTERNATIONAL DEVELOPMENT
19 **(15)** ASSISTANCE FOR THE NEW INDEPENDENT STATES
20 OF THE FORMER SOVIET UNION
21 (RESCISSION)
22 Of the funds made available under this heading in
23 Public Law 103–87 for support of an officer resettlement
24 program in Russia as described in section 560(a)(5),
25 \$110,000,000 are rescinded.

1 *DEVELOPMENT ASSISTANCE FUND*

2 *(RESCISSION)*

3 *Of the funds made available under this heading in*
4 *Public Law 103-87 and Public Law 103-306, \$13,000,000*
5 *are rescinded.*

6 *ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC*

7 *STATES*

8 *(RESCISSION)*

9 *Of the funds made available under this heading in*
10 *Public Law 103-87 and Public Law 103-306, \$9,000,000*
11 *are rescinded.*

12 *ASSISTANCE FOR THE NEW INDEPENDENT STATES OF THE*

13 *FORMER SOVIET UNION*

14 *(RESCISSION)*

15 *Of the funds made available under this heading in*
16 *Public Law 103-87 and Public Law 103-306, \$18,000,000*
17 *are rescinded, of which not less than \$12,000,000 shall be*
18 *derived from funds allocated for Russia.*

19 **CHAPTER IV**

20 **DEPARTMENT OF THE INTERIOR AND**

21 **RELATED AGENCIES**

22 **DEPARTMENT OF ENERGY**

23 **CLEAN COAL TECHNOLOGY**

24 **(RESCISSION)**

25 **Of the funds made available under this heading for**
26 **obligation in fiscal year 1996, \$50,000,000 are rescinded**

1 and of the funds made available under this heading for
2 obligation in fiscal year 1997, \$150,000,000 are re-
3 scinded: *Provided*, That funds made available in previous
4 appropriations Acts shall be available for any ongoing
5 project regardless of the separate request for proposal
6 under which the project was selected.

7 **(16)** *DEPARTMENT OF THE INTERIOR*

8 *UNITED STATES FISH AND WILDLIFE SERVICE*

9 *RESOURCE MANAGEMENT*

10 *(RESCISSION)*

11 *Of the funds made available under this heading in*
12 *Public Law 103-332—*

13 (1) *\$1,500,000 are rescinded from the amounts*
14 *available for making determinations whether a species*
15 *is a threatened or endangered species and whether*
16 *habitat is critical habitat under the Endangered Spe-*
17 *cies Act of 1973 (16 U.S.C. 1531 et seq.); and*

18 (2) *none of the remaining funds appropriated*
19 *under that heading may be made available for mak-*
20 *ing a final determination that a species is threatened*
21 *or endangered or that habitat constitutes critical*
22 *habitat (except a final determination that a species*
23 *previously determined to be endangered is no longer*
24 *endangered but continues to be threatened).*

25 *To the extent that the Endangered Species Act of 1973*
26 *has been interpreted or applied in any court order (includ-*

1 *ing an order approving a settlement between the parties to*
 2 *a civil action) to require the making of a determination*
 3 *respecting any number of species or habitats by a date cer-*
 4 *tain, that Act shall not be applied to require that the deter-*
 5 *mination be made by that date if the making of the deter-*
 6 *mination is made impracticable by the rescission made by*
 7 *the preceding sentence.*

8
 9 CHAPTER V
 10 DEPARTMENTS OF LABOR, HEALTH AND
 11 HUMAN SERVICES, EDUCATION, AND RE-
 12 LATED AGENCIES

13 DEPARTMENT OF LABOR
 14 EMPLOYMENT AND TRAINING ADMINISTRATION
 15 TRAINING AND EMPLOYMENT SERVICES
 16 (RESCISSION)

17 Of the funds made available under this heading in
 18 Public Law 103-333 for carrying out title II, part C of
 19 the Job Training Partnership Act, \$200,000,000 are
 20 rescinded.

21 DEPARTMENT OF EDUCATION
 22 ~~(17)~~SCHOOL IMPROVEMENT PROGRAMS
 23 (RESCISSION)

24 Of the funds made available under this heading in
 25 Public Law 103-333 for new education infrastructure im-
 26 provement grants, \$100,000,000 are rescinded.

1 *STUDENT FINANCIAL ASSISTANCE*

2 *(RESCISSION)*

3 *Of the funds made available under this heading in*
4 *Public Law 103–112, \$100,000,000 made available for title*
5 *IV, part A, subpart 1 of the Higher Education Act are re-*
6 *scinded.*

7 **CHAPTER VI**

8 **DEPARTMENT OF TRANSPORTATION AND**

9 **RELATED AGENCIES**

10 **DEPARTMENT OF TRANSPORTATION**

11 **(18) FEDERAL AVIATION ADMINISTRATION**

12 *FACILITIES AND EQUIPMENT*

13 *(AIRPORT AND AIRWAY TRUST FUND)*

14 *(RESCISSION)*

15 *Of the available balances under this heading that re-*
16 *main unobligated for the “advanced automation system”,*
17 *\$35,000,000 are rescinded.*

18 *FEDERAL HIGHWAY ADMINISTRATION*

19 *FEDERAL-AID HIGHWAYS*

20 *(HIGHWAY TRUST FUND)*

21 *(RESCISSION)*

22 *Of the available contract authority balances under this*
23 *heading in Public Law 97–424, \$13,340,000 are rescinded;*
24 *and of the available balances under this heading in Public*
25 *Law 100–17, \$126,608,000 are rescinded.*

1 MISCELLANEOUS HIGHWAY DEMONSTRATION PROJECTS

2 (RESCISSION)

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

6 **(19) FEDERAL RAILROAD ADMINISTRATION**

7 LOCAL RAIL FREIGHT ASSISTANCE

8 (RESCISSION)

9 Of the available balances under this heading,
10 \$13,126,000 are rescinded.

11 **(20) PENNSYLVANIA STATION REDEVELOPMENT**

12 PROJECT

13 (RESCISSION)

14 Of the funds made available under this heading in
15 Public Law 103-331, \$40,000,000 are rescinded.

16 CHAPTER VII

17 DEPARTMENTS OF VETERANS AFFAIRS AND

18 HOUSING AND URBAN DEVELOPMENT, AND

19 INDEPENDENT AGENCIES

20 **(21) INDEPENDENT AGENCIES**

21 NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

22 NATIONAL AERONAUTICAL FACILITIES

23 (RESCISSION)

24 Of the funds made available under this heading in
25 Public Law 103-327, for construction of wind tunnels,
26 \$400,000,000 are rescinded.

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

3 (2) *on January 31, 1995, the President approved*
4 *a program of assistance to Mexico, in the form of*
5 *swap facilities and securities guarantees in the*
6 *amount of \$20,000,000,000, using the Exchange Sta-*
7 *bilization Fund;*

8 (3) *the program of assistance involves the par-*
9 *ticipation of the Federal Reserve System, the Inter-*
10 *national Monetary Fund, the Bank of International*
11 *Settlements, the World Bank, the Inter-American De-*
12 *velopment Bank, the Bank of Canada, and several*
13 *Latin American countries;*

14 (4) *the involvement of the Exchange Stabiliza-*
15 *tion Fund and the Federal Reserve System means*
16 *that United States taxpayer funds will be used in the*
17 *assistance effort to Mexico;*

18 (5) *assistance provided by the International*
19 *Monetary Fund, the World Bank, and the Inter-*
20 *American Development Bank may require additional*
21 *United States contributions of taxpayer funds to those*
22 *entities;*

23 (6) *the immediate use of taxpayer funds and the*
24 *potential requirement for additional future United*
25 *States contributions of taxpayer funds necessitates*

1 *Congressional oversight of the disbursement of funds;*
2 *and*

3 *(7) the efficacy of the assistance to Mexico is con-*
4 *tingent on the pursuit of sound economic policy by*
5 *the Government of Mexico.*

6 **SEC. 403. REPORTS REQUIRED.**

7 *(a) REPORTS.—Not later than April 1, 1995, and*
8 *every month thereafter, the President shall transmit a re-*
9 *port to the appropriate congressional committees concern-*
10 *ing all United States Government loans, credits, and guar-*
11 *antees to, and short-term and long-term currency swaps*
12 *with, Mexico.*

13 *(b) CONTENTS OF REPORTS.—The report described in*
14 *subsection (a) shall include the following:*

15 *(1) A description of the current condition of the*
16 *Mexican economy.*

17 *(2) Information regarding the implementation*
18 *and the extent of wage, price, and credit controls in*
19 *the Mexican economy.*

20 *(3) A complete documentation of Mexican tax-*
21 *ation policy and any proposed changes to such policy.*

22 *(4) A description of specific actions taken by the*
23 *Government of Mexico during the preceding month to*
24 *further privatize the economy of Mexico.*

1 (5) *A list of planned or pending Mexican Gov-*
2 *ernment regulations affecting the Mexican private sec-*
3 *tor.*

4 (6) *A summary of consultations held between the*
5 *Government of Mexico and the Department of the*
6 *Treasury, the International Monetary Fund, or the*
7 *Bank of International Settlements.*

8 (7) *A full description of the activities of the*
9 *Mexican Central Bank, including the reserve positions*
10 *of the Mexican Central Bank and data relating to the*
11 *functioning of Mexican monetary policy.*

12 (8) *The amount of any funds disbursed from the*
13 *Exchange Stabilization Fund pursuant to the ap-*
14 *proval of the President issued on January 31, 1995.*

15 (9) *A full disclosure of all financial transactions,*
16 *both inside and outside of Mexico, made during the*
17 *preceding month involving funds disbursed from the*
18 *Exchange Stabilization Fund and the International*
19 *Monetary Fund, including transactions between—*

20 (A) *individuals;*

21 (B) *partnerships;*

22 (C) *joint ventures; and*

23 (D) *corporations.*

24 (10) *An accounting of all outstanding United*
25 *States Government loans, credits, and guarantees pro-*

1 *vided to the Government of Mexico, set forth by cat-*
2 *egory of financing.*

3 *(11) A detailed list of all Federal Reserve cur-*
4 *rency swaps designed to support indebtedness of the*
5 *Government of Mexico, and the cost or benefit to the*
6 *United States Treasury from each such transaction.*

7 *(12) A description of any payments made during*
8 *the preceding month by creditors of Mexican petro-*
9 *leum companies into the petroleum finance facility es-*
10 *tablished to ensure repayment of United States loans*
11 *or guarantees.*

12 *(13) A description of any disbursement during*
13 *the preceding month by the United States Government*
14 *from the petroleum finance facility.*

15 *(14) Once payments have been diverted from*
16 *PEMEX to the United States Treasury through the*
17 *petroleum finance facility, a description of the status*
18 *of petroleum deliveries to those customers whose pay-*
19 *ments were diverted.*

20 *(15) A description of the current risk factors*
21 *used in calculations concerning Mexican repayment*
22 *of indebtedness.*

23 *(16) A statement of the progress the Government*
24 *of Mexico has made in reforming its currency and es-*

1 *tablishing an independent central bank or currency*
2 *board.*

3 **SEC. 404. PRESIDENTIAL CERTIFICATION.**

4 *Notwithstanding any other provision of law, before ex-*
5 *tending any loan, credit, guarantee, or arrangement for a*
6 *swap of currencies to Mexico through any United States*
7 *Government monetary facility, the President shall certify*
8 *to the appropriate congressional committees that—*

9 *(1) there is no projected cost to the United States*
10 *from the proposed loan, credit, guarantee, or currency*
11 *swap;*

12 *(2) all loans, credits, guarantees, and currency*
13 *swaps are adequately collateralized to ensure that*
14 *United States funds will be repaid;*

15 *(3) the Government of Mexico has undertaken ef-*
16 *fective efforts to establish an independent central bank*
17 *or an independent currency control mechanism; and*

18 *(4) Mexico has in effect a significant economic*
19 *reform effort.*

20 **SEC. 405. DEFINITION.**

21 *As used in this title, the term “appropriate congres-*
22 *sional committees” means the Committees on Banking and*
23 *Financial Services and International Relations of the*
24 *House of Representatives and the Committees on Foreign*

