
FURTHER CONTINUING APPROPRIATIONS, 1988

OCTOBER 29 (second legislative day), 1987.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. WHITTEN, by direction of the Committee on Appropriations,
submitted the following

REPORT

together with

ADDITIONAL VIEWS

[To accompany H.J. Res. 395]

INTRODUCTION

Once again the Committee faces the necessity for having a comprehensive continuing resolution simply because there is no other way. This was done last year in H.J. Res. 738.

While this comprehensive approach might cause some concern, it is important to realize that the individual appropriations bills have gone through extensive hearings and the full Committee review process. For the FY 1988 appropriations bills, the Committee held 221 separate days of hearings, interrogating 4,188 witnesses, and produced 94,220 pages of hearing record.

Ten of the 13 regular appropriations bills have been passed by the House, with the remaining three reported by the Committee. Each individual bill has been below the required 302(b) allocation for discretionary budget authority.

Individual appropriations bills for each of the 13 subcommittees were to have been enacted by October 1st. Since this was not done, the government is now operating under a continuing resolution which will expire November 10, 1987. Colleagues on the other side of the Capitol, due to confirmation hearings and investigations, were unable to act in a timely fashion.

The chief fiscal problem of the Congress comes because \$768,483,000,000 of the \$1.1 trillion outlay budget is virtually uncontrollable, leaving only \$271,317,000,000 subject to annual discre-

tionary action through the appropriations process. This results in great pressure because of the need to meet increasing national problems with a decreasing resource level.

While the Committee recognizes the need to hold down spending, equally important is the need to regain our own domestic markets which we have given away. We must restore productivity and keep the wheels of production turning, since that is the only way to save our financial system.

The Nation's budget and accounting system does not count government investment as an investment. But much government spending is investment—the development of our rivers and harbors, and acquisition of land for national parks and wildlife refuges, and the construction of our schools, highways, airports, subways, and sewage and water systems.

In order to ensure our continuation as a great nation, we need a strong national defense that is backed by a strong country and public support—strength that can come only by protecting and developing our Nation's resources—our real wealth, our lands and waters.

The more serious our financial problem is, the more imperative it is that we take care of our real wealth.

VOTES ON FINAL HOUSE PASSAGE OF APPROPRIATIONS BILLS

Each of the House passed bills that are referenced in the accompanying continuing resolution have passed the House by significant vote majorities. These votes are as follows:

Bill	Date	Final passage
Commerce-Justice	July 1, 1987	292 yeas—102 nays.
District of Columbia	June 26, 1987	225 yeas—113 nays.
Energy and Water	June 24, 1987	340 yeas—81 nays.
HUD-Independent Agencies	Sept. 22, 1987	348 yeas—68 nays.
Interior	June 25, 1987	295 yeas—115 nays.
Labor-HHS-Education	Aug. 5, 1987	336 yeas—89 nays.
Legislative	June 29, 1987	228 yeas—150 nays.
Military construction	July 14, 1987	371 yeas—48 nays.
Transportation	July 13, 1987	282 yeas—108 nays.
Treasury—P.S.	July 15, 1987	254 yeas—158 nays.

SUMMARY OF RESOLUTION

The accompanying joint resolution provides government financing for the 1988 fiscal year for programs funded by appropriations bills that have not been enacted into law by November 20, 1987. The joint resolution provides full year funding under the terms and conditions specified by this resolution, or until the regular annual appropriations bills are signed into law. Those bills which this resolution covers, if and when enacted into law, would come out from under this Act. The timely enactment of the accompanying joint resolution is necessary and essential to provide for the operations of nearly all vital government programs.

APPROPRIATIONS MEET AND SURPASS THE REQUIREMENTS OF BUDGET ACT 302(b) ALLOCATION AND GRAMM-RUDMAN REDUCTION

In every instance the Appropriations Committee has met or exceeded the various requirements placed on it by the Budget Act and the Gramm-Rudman Act.

In total, the Continuing Resolution is some \$11.6 billion below the 302 allocation for discretionary budget authority, the category against which points of order lie on the House floor.

For discretionary outlays, the Continuing Resolution is some \$1.1 billion below the 302 allocation when the so-called "mid-tier" levels are compared. An explanation of this is in order. These levels result from provisions of the Budget Reconciliation Act of 1987 which provides some \$12 billion in new revenues. The conference report on the budget resolution originally provided that if \$19 billion in new revenues were raised, then the defense outlay allocation would be increased by \$5.9 billion. Because of the revised Gramm-Rudman Act, the requirement for new revenues was reduced from \$19 billion to \$12 billion. Accordingly a decision was made by the Leadership that an equitable allocation would be an increase of \$3.0 billion in outlays. This is nearly \$1.0 billion below what a proportional amount would be, considering the amount of new revenues.

AMOUNT OF REDUCTIONS ACHIEVED COMPARED TO GRAMM-RUDMAN TARGETS

Enactment of the accompanying Continuing Resolution will achieve some \$6.8 billion in reductions compared to the so-called Gramm-Rudman baseline. This is an important measure because it is the Gramm-Rudman baseline that determines whether sufficient deficit reduction has been achieved to avoid sequestration.

For FY 1988 a total of \$23 billion in deficit reduction from all sources is required in order to avoid sequestration. The \$6.8 billion in reduction achieved by the Committee is more than its share of the original components of the \$23 billion package, but is necessary because of shortfalls in other areas.

STATUS OF APPROPRIATIONS BILLS

The House has passed ten of the thirteen regular appropriations bills reported by the Committee on Appropriations. The Defense Appropriations bill, the Foreign Operations and Export Financing, and Related Programs Appropriations bill, and the Rural Development, Agriculture, and Related Agencies Appropriations bill are awaiting floor scheduling. This continuing resolution is absolutely essential for the orderly operations of the government with final Congressional action not likely to be completed before the expiration of the existing resolution.

The Committee emphasizes that all thirteen appropriations bills that were reported by the Committee are within the formal section 302(b) allocation for discretionary budget authority as required by the Budget Act. The accompanying continuing resolution is also within the applicable overall allocation to the Committee of the

Congressional Budget Resolution for fiscal year 1988 for discretionary budget authority.

LEVELS OF FUNDING UNDER THE RESOLUTION

Section 101 (a)-(m) provides funding for each of the thirteen regular appropriations bills at levels that reflect the latest action of the House. The Committee adopted this approach in order to keep faith with actions already taken by the House. It is hoped that this method of proceeding will both minimize controversy since the House has previously worked its will on these matters and also that it will preserve the position of the House on these important matters.

Funding levels for the thirteen regular appropriations bills are provided at the following rates of operations in section 101 as follows:

(a) Commerce, Justice, and State, the Judiciary, and Related Agencies.	H.R. 2763 as passed the House July 1, 1987.
(b) Defense	H.R. 3576 as reported to the House Oct. 28, 1987.
(c) District of Columbia.....	H.R. 2713 as passed the House June 26, 1987.
(d) Energy and Water Development.....	H.R. 2700 as passed the House June 24, 1987.
(e) Foreign Operations and Export Financing, and Related Programs.	H.R. 3186 as reported to the House Aug. 6, 1987.
(f) HUD-Independent Agencies.....	H.R. 2783 as passed the House Sept. 22, 1987.
(g) Interior and Related Agencies.....	H.R. 2712 as passed the House June 25, 1987.
(h) Labor-HHS, and Education, and Related Agencies.	H.R. 3058 as passed the House Aug. 5, 1987.
(i) Legislative Branch.....	H.R. 2714 as passed the House June 29, 1987.
(j) Military Construction.....	H.R. 2906 as passed the House July 14, 1987.
(k) Rural Development, Agriculture, and Related Agencies.	H.R. 3520 as reported to the House Oct. 20, 1987.
(l) Transportation and Related Agencies.....	H.R. 2890 as passed the House July 13, 1987.
(m) Treasury, Postal Service, and General Government.	H.R. 2907 as passed the House July 15, 1987.

CONTINUATION OF ONGOING, UNAUTHORIZED PROGRAMS

Section 101(n) provides for the continuation of various ongoing programs that were provided for in fiscal year 1987, but on which authorization has not been completed for fiscal year 1988. This section provides funding for the following programs at the "current" rate:

Activities authorized by the Older Americans Act which include the following:

Community service employment for older Americans provides part-time employment in community service projects for unemployed, low-income persons. Supportive services and senior centers provide planning and delivery of supportive and nutrition services for the elderly. Nutrition services are provided to the elderly in congregate settings or through home-delivered meals. Funds are also provided for research, training, and demonstration projects to expand and improve the delivery of services to the elderly. Since 1982, supportive services have been provided to approximately 9 million persons per year, 51 percent of whom were economically needy and 47 percent of whom were socially needy. Approximately

212.8 million meals have been served per year to 3.8 million persons. Older Americans activities received \$1,063 million in fiscal year 1987.

Dislocated workers assistance program authorized by title III of the Job Training Partnership Act, which includes the following:

This program is designed to assist those workers who are permanently displaced from their jobs because of structural changes in the economy. It is administered by the States, and activities include job search assistance, retraining, relocation assistance, and support services. The law states that 75% of the program's funding will be distributed by formula and 25% at the Secretary of Labor's discretion. An estimated average enrollment level of 70,000 will result from the amount provided. This program received \$200,000,000 in FY 1987.

Activities authorized by titles III, V, X, XVII, XIX, and XX of the Public Health Service Act and the Anti-Drug Abuse Act of 1986 which include the following:

The National Health Service Corps, authorized by title III of the Public Health Service Act, supports the placement of health professionals, principally medical and dental personnel, in health manpower shortage areas throughout the United States. Approximately 3,000 individuals are currently serving in the Corps. These health professionals, most of whom are performing obligated service as a result of federally financed scholarships, are expected to provide care to 3.2 million Americans. This program received \$42 million in fiscal year 1987.

The sexually-transmitted disease program under title III of the Public Health Service Act awards project grants to State and local health departments and appropriate public and nonprofit entities to reduce the incidence and consequences of these diseases. The basic control program components carried out are: screening high-risk populations, controlling outbreaks of resistant organisms, and maintaining surveillance systems. An estimated nine million persons will be assisted with the funds. This program was funded at \$60.7 million in FY 1987.

The immunization program under title III of the Public Health Service Act provides project grant support to assist State and local health agencies in planning, developing, and conducting childhood immunization programs. The grant program is aimed at achieving reduced morbidity and mortality due to vaccine-preventable diseases of childhood and maintaining 95 percent immunization levels for schoolchildren. About 18 million doses of vaccine will be purchased. Last year's funding level was \$87.4 million.

The tuberculosis grant program under title III of the Public Health Service Act awards funds to State and local health departments for the control of tuberculosis. The primary emphasis is on the funding of outreach workers to supervise the taking of medication by infected persons. The FY 1987 appropriation was \$7 million.

The National Center for Health Services Research and Health Care Technology Assessment seeks to create new knowledge and better understanding of the processes by which health services are made available, and how they may be provided more efficiently, more effectively, and at lower cost. Center programs evaluate

health services, assess technologies, and improve access to new scientific and technical information for research users. Approximately 100 grants and contracts will be awarded under authority of title III of the Public Health Service Act. The FY 1987 amount was \$18.8 million.

The National Center for Health Statistics is the Federal Government's principal health statistics agency. NCHS data systems address the full spectrum of concerns in the health field from birth to death, including overall health status, lifestyle, and exposure to unhealthful influences, the onset and diagnosis of illness and disability, and the use of health care and rehabilitation services. This is done pursuant to title III of the Public Health Service Act. The appropriation for FY 1987 was \$52.1 million.

The Disease Prevention and Health Promotion activity under titles III and XVII of the Public Health Service Act is the central focus for the provision of national leadership and coordination for policies and programs in health promotion and disease prevention. This involves disseminating health information to the public and encouraging health promotion and preventive services programs in the public and private sectors. In FY 1987 the funding level was \$3.7 million.

Staff support and assistance for the President's Council on Physical Fitness and Sports is provided under title III of the Public Health Service Act. The Council seeks to enlist the active support and assistance of individuals, civic groups, professional associations, sports groups, and others to promote and improve the health of all Americans through regular participation in physical fitness and sports. An amount of \$1.4 million was provided in FY 1987.

The Office of Minority Health is supported under title III of the Public Health Service Act. This office develops recommendations for minority health care activities and ensures that minority health needs are addressed by the Federal Government. Last year's funding level was \$3 million.

The alcohol and drug abuse research programs, authorized by title V of the Public Health Service Act, support intramural and extramural research on the cause, treatment, and prevention of these debilitating problems. In FY 1987 these activities, which are administered by the Alcohol, Drug Abuse and Mental Health Administration, received \$176 million. These funds supported 25 research centers, 700 extramural research grants and intramural research laboratories in Bethesda and Baltimore, Maryland.

The family planning program, authorized by title X of the Public Health Service Act, assists approximately 3,900,000 individuals with family planning and contraceptive services which are delivered through a network of 4,000 public and private non-profit clinics. Both the basic authorization and H.R. 3058, the FY 1988 Appropriations Bill for the Departments of Labor, Health and Human Services, and Education, prohibit the use of these funds for abortions. This program received \$146 million in fiscal year 1987.

The preventive health services block grant, under title XIX of the Public Health Service Act, provides all States with funds for preventive health services to reduce preventable morbidity and mortality and improve quality of life. These grants give the States greater flexibility in deciding how available funding will be used to

meet State priorities in preventive health services. The FY 1987 funding level was \$89.5 million.

In the prevention centers program under title XVII of the Public Health Service Act, grants are made to academic health centers for the establishment, maintenance, and operation of centers for research and demonstration with respect to health promotion and disease prevention. These centers undertake research and demonstration projects in health promotion, disease prevention, and improved methods of appraising health hazards and risk factors, and serve as demonstration sites for the use of new and innovative research in public health techniques to prevent chronic diseases. Three centers are currently being supported at the FY 1987 funding level of \$1.5 million.

The Alcohol, Drug Abuse and Mental Health block grant program authorized by title XIX provides formula grants to the States to support treatment, prevention, and rehabilitation services for persons with mental health, alcoholism, or drug abuse problems. In fiscal year 1987, \$509 million was allocated among the States under this authority.

The Anti-Drug Abuse Act of 1986 authorizes additional grants to States for substance abuse services which are divided among the States based on formulas which take into consideration relative population and historic need. The Act also authorizes Federal research and demonstration in this field with an emphasis on high risk youth. These activities received \$262 million in fiscal year 1987.

The Adolescent Family Life program, authorized by title XX of the Public Health Service Act, assists in the development of effective family-centered demonstration models designed to help prevent adolescent pregnancy and to alleviate its adverse consequences. The program supports about 60 demonstration projects throughout the country. The appropriation in FY 1987 was \$14.1 million.

Work Incentive activities authorized by title IV of the Social Security Act which include:

The Work Incentives (WIN) program is a State administered program designed to assist welfare recipients to achieve self-sufficiency through training, work experience, employment, child care, and other services. The President's budget proposes to replace the WIN program with a new Greater Opportunities Through Work (GROW) program targeted at these same needs. However, no legislation has yet been enacted into law to replace these services. The WIN program received \$126 million in FY 1987.

Child abuse and adoption opportunities activities authorized by the Child Abuse Prevention and Treatment Act, as amended, title II of Public Law 95-266 and by sections 402-409 of P.L. 98-473, which include the following:

The Child Abuse and Neglect program assists States to improve and increase activities for the prevention and treatment of child abuse and neglect through State grants. Over the past five years, this program has served as a catalyst to assist States to initiate 24-hour capability to respond to reports of child abuse and neglect; to support pilot projects for responding to child sexual abuse cases; to establish parent aide and self-help programs; to recruit and train

volunteers; and to develop statewide crisis hotlines and public awareness campaigns.

The Adoption Opportunities program eliminates barriers to adoption and helps to find permanent homes for children who would benefit by adoption, particularly children with special needs. The three major program areas are: (1) the development and implementation of a national adoption and foster care data gathering and analysis system; (2) the development and implementation of a national adoption information exchange system; and (3) the development and implementation of an adoption training and technical assistance program.

Activities authorized by the Family Violence Prevention and Services Act, which include the following:

Family violence prevention and services programs are designed to demonstrate the effectiveness of assisting States in efforts to prevent family violence and to provide immediate shelter and related assistance for victims of family violence and their dependents, and to provide for technical assistance and training relating to family violence programs to State, local public agencies (including law enforcement agencies), nonprofit private organizations, and persons seeking such assistance. About 130 grants are awarded each year.

Activities authorized by the Developmental Disabilities and Assistance and Bill of Rights Act, which include the following:

Funding for developmental disabilities programs supports the delivery of services which promote self-sufficiency and protect the rights of persons of all ages with developmental disabilities. The purpose is to promote increased independence, productivity, and integration into the community for this vulnerable population. Developmental disabilities are defined as severe, chronic disabilities attributed to mental or physical impairments, which cause substantial limitations in various areas of major life activity, and result in the need for services over an extended period of time.

Activities authorized by the Native American Programs Act, which include the following:

Native American programs provide financial assistance through direct grants and interagency agreements designed to promote social and economic self-sufficiency for Native Americans. Awards are made to Federally-recognized Indian Tribes, Alaska Native organizations and consortia, non-Federally-recognized Tribes, urban and rural non-reservation Native Americans and Native Hawaiian Organizations. Current funding would support approximately 220 individual projects, training and technical assistance, and research and demonstration activities.

Activities of the United States Mint, which include the following:

The United States Mint manufactures coins, receives deposits of gold and silver bullion and safeguards the holdings of monetary metals. The production of coins is the major Mint activity and the appropriation of \$42,930,000 in fiscal year 1987 enabled the Mint to produce about 12.6 billion coins.

Activities of the White House Conference on Drug Abuse and Control, which include the following:

The White House Conference on Drug Abuse and Control is responsible for increasing public awareness of, and to focus attention

on, various aspects of the problems of drug abuse and control, and for pooling information and experience in order to attack drug abuse vigorously and directly at all levels—local, State, Federal, and international. The Conference also assists in formulating strategy to control trafficking in controlled substances and to prevent and treat drug abuse. The total appropriation in fiscal year 1987 was \$5,000,000.

TERMINATION DATE

Section 102 of the resolution provides for the continued availability of funding for programs covered by this resolution until September 30, 1988, or until the applicable regular appropriations bill is enacted into law.

The Committee emphasizes that when regular bills are signed into law, the provisions of the continuing resolution automatically disengage and the regular appropriations Acts then become the funding device. This continuing resolution in no way precludes subsequent enactment into law of the regular appropriations Acts.

The Committee continues to be dedicated to the principle of financing federal programs under the traditional authorization and appropriation process which includes individual appropriations bills. Therefore, it will continue its efforts to enact regular bills as soon as possible.

OTHER TECHNICAL PROVISIONS OF THE RESOLUTION

The accompanying joint resolution carries the usual necessary technical provisions relating to obligations or expenditures made during the duration of the continuing resolution.

DEFICIENCY APPORTIONMENT

Section 105 amends 31 U.S.C. 1515 to allow apportionment on a deficiency basis to the extent necessary to permit payment of such pay increases granted pursuant to law. This makes executive and military pay consistent with wage-rate pay increases.

CODIFICATION CLARIFICATION

Section 106 of this resolution is a technical provision which makes a technical clarification dealing with the codification of matters included within a conference agreement on continuing resolutions. This section provides that items that were included within a continuing resolution by reference would be codified as if they were enacted into law. This matter was brought to the attention of the Committee by the Law Revision Counsel of the House of Representatives. The Committee is undertaking this technical and clarifying action in order to conform these matters to longstanding practices followed by the Office of the Law Revision Counsel.

UNITED STATES INFORMATION AGENCY

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

A total of \$500,000 is provided to the Seattle Goodwill Games Organizing Committee for the purposes of conducting planning and

organizational activities prior to the 1990 games to be held in Seattle, Washington. The funds will be used exclusively on cultural exchange activities among participating nations.

FAMILIES OF LEGALIZED ALIENS

The Committee has included language to ensure the unity of families having a member who is eligible for legal immigration status under Sections 210 or 245 of the Immigration and Nationality Act. Concerns have been raised that ineligible family members are subject to deportation, and that the fear of separation is a disincentive to apply that threatens the success of the IRCA programs that confer legal immigration status. Accordingly, the Attorney General is required to treat spouses and children of those eligible for legal resident status under IRCA uniformly and humanely, by granting them protection from deportation. The Immigration and Naturalization Service is directed to grant these individuals work authorization and rights to travel abroad.

The Committee wishes to make clear that the protections accorded family members of legalized aliens under this provision are contingent on the legal resident status of the qualifying family member, and would terminate in the event the legalized person's lawful resident status were terminated. Similarly, aliens who are determined to be deportable on any grounds related to conviction of a crime would not be protected by this provision.

WE THE PEOPLE 200

The Committee has added \$1,000,000 for the Commission on the Bicentennial of the Constitution to provide grants to the We The People 200 Committee in order to partially offset the cost of the Bicentennial celebration in Philadelphia.

The Committee directs the Commission, in administering these grants, to provide no more than 50 percent of the amount necessary to pay for or reimburse the cost of expenses the Commission deems to have contributed to the celebration of the Bicentennial in Philadelphia.

ENVIRONMENTAL RESTORATION PROJECTS—DOD

The Committee has included several sites around the country in its report on the Department of Defense Appropriations Bill, 1988, which require assistance from the Army through the Defense Environmental Restoration Account for clean-up of past hazardous waste and dangerous facilities.

The Committee would like to add to this site list for clean-up the underground storage tanks, hazardous buildings, electrical transformers, and asbestos contamination at the abandoned Air Force site on Santa Rosa Island of the Channel Islands National Park in California.

The Committee recommends that the Army in coordination with the Office of the Deputy Assistant Secretary for Environment actively pursue these issues and provide the necessary funding at the earliest possible date for the above clean-up.

THEODORE ROOSEVELT BRIDGE

The Committee notes that the Theodore Roosevelt Bridge, which links the Commonwealth of Virginia and the District of Columbia, is the source of long traffic tie-ups each day which creates a frustrating and dangerous condition for commuters. The Committee further notes the need to resolve this difficulty and that money has been included in previous Appropriations bills for the construction of an additional lane on the bridge.

Recognizing the importance of improving the safety and operation of the Roosevelt Bridge, the Committee directs the District of Columbia to develop and report to Congress, within 90 days, a plan for the construction of a reversible lane on the bridge.

DEPARTMENT OF THE ARMY CORPS OF ENGINEERS—CIVIL

The Committee has included bill language directing the Secretary of the Army, to continue planning, design, engineering, and construction of the Des Moines Recreational River and Greenbelt project. It is the Committee's intent that construction continue consistent with the recommendation described in the General Design Memorandum dated September 1987 and Public Law 99-591.

The Committee has increased the authorization for the San Joaquin River clearing and snagging project originally authorized by P.L. 98-63. The original authorization estimated costs of the project at \$5 million; however, new estimates show that the costs are higher, and we have increased the authorization to \$8 million to reflect these new figures.

Additionally, language is included to clarify that a small portion of the North Fork of the Kings River is included within the project work. This section was inadvertently left out of the federal authorization, while the state legislation correctly included it. The Corps of Engineers is also given the authority to acquire mitigation lands in stretches of the project where local interests are finding it difficult to get the necessary funds. The Committee wants to make it clear that these funds are not to be expended for mitigation lands that have already been acquired prior to the enactment of this law.

Finally, the Corps is authorized to perform rip-rapping where necessary to prevent further erosion after the clearing work is completed. It is anticipated that rip-rapping will be needed only in sections of the project where severe erosion problems could occur from the clearing work.

The Committee intends that the Corps of Engineers, within appropriated funds, will study the impact on navigation in and recreation activities on the White River and its tributaries, Arkansas, of operating, during low water periods, the reservoirs under its jurisdiction on the White River and its tributaries, which are wholly or partially located in the State of Arkansas, in such a manner as to insure a continuous flow of water in the White River and its tributaries downstream from said reservoirs so as to maintain a water level in the White River and its tributaries to attain optimum use of the White River and its tributaries for navigation and recreation purposes. The Committee expects this study to be completed and to be submitted to the appropriate committees of the Congress not later than January 31, 1989.

DEPARTMENT OF THE INTERIOR—BUREAU OF RECLAMATION

The Committee is concerned with the swiftness that the Bureau of Reclamation is planning its proposed reorganization and relocation to Denver. An effort needs to be made to further explain the proposals to Congress and to allow some time for members to review the plans and determine their consequences.

Serious concerns have been raised about the effect of moving all but a small group of Bureau employees to Denver and the result it will have on the Bureau's policy-making functions. While the committee supports efforts to reduce waste and streamline operations, this cannot be done in haste. Until Congress has had an adequate opportunity to study the reorganization proposals, the Committee directs that no funds shall be used to proceed with the plan at this time.

The bill includes language prohibiting the Bureau of Reclamation from declaring the McGee Creek Project complete until construction of all authorized components of the project are completed, including access roads and recreation areas. The Bureau is also prohibited from transferring title of the project to any other entity or requiring repayment of the project or permitting refinancing of the project until the project is completed under the above terms.

In addition, the Committee directs the Bureau to specify in any decision or agreement that is made concerning transfer of responsibility for the McGee Creek project from the Bureau to another entity that one of the conditions of transfer is that the project must always be operated and maintained by the Bureau or another entity in a manner that would permit full usage of the project conducive with all of the project's authorized purposes, including recreation.

DEPARTMENT OF ENERGY—ENERGY SUPPLY, RESEARCH AND DEVELOPMENT ACTIVITIES

The Committee has become aware of an opportunity to develop and fabricate a machine for the treatment of cancer utilizing proton-beam therapy instead of traditional x-ray therapies. Experimental activities on more than 5,000 patients, conducted at major U.S. government funded research accelerators since 1946, have shown a potential to save as many as 100,000 lives annually in the United States using proton beams. This advanced, state-of-the-art technology has never been applied on a hospital scale and commercial interests will not assume the risk of constructing a prototype machine. Loma Linda University Medical Center (LLUMC) has conducted research since 1971 in this area and has designed in conjunction with Fermi National Laboratory, a prototype machine and is prepared to construct the world's first clinical treatment facility. The Committee recommendation provides \$8,500,000 from Energy Supply Research and Development funds for the LLUMC Proton-Beam Demonstration Cancer Treatment Center. The Committee understands that design is essentially complete and that LLUMC will share the project cost. Construction is expected to begin in Spring, 1988, in anticipation of operations commencing in January, 1990.

The Committee has provided \$2,000,000 from Energy Supply, Research and Development funds for the Center for Physical and Environmental Science at East Central University in Ada, Oklahoma.

The center will house components of the existing physical and environmental science programs and provide expanded laboratories in support of its energy, water, environmental and physical sciences mission. The federal contribution will be used for construction of the facility and fixed equipment costs of the center. The committee understands that the university will also provide funds for construction of the facility, as well as funds necessary to operate it.

The center will provide necessary educational and training opportunities in a broad spectrum of physical and environmental sciences applicable to energy and water to meet the nation's widespread demands in these applications.

FEDERAL ENERGY REGULATORY COMMISSION

The Committee has inserted language which would allow the Federal Energy Regulatory Commission to extend the license for an additional 2 years for Project No. 4506 for the town of Westernport, MD. Because of delays largely due to engineering complexities of retrofitting the hydropower capability to the existing water quality control system at the dam, the construction of the project cannot begin before December 20, 1987, at which time the current license will expire. The Corps has stated that at this time, the engineering questions are reconcilable, and accordingly, has supported the legislative extension of the license. The Committee recognizes that an additional 2 year extension may therefore be warranted and has authorized the FERC to grant such an extension if it finds it to be in the public interest.

PREPAYMENT OF FOREIGN MILITARY CREDIT SALES LOANS BY KOREA

On July 21, 1987, the Comptroller General of the United States issued a clear legal opinion stating that no legal authority existed which allowed for either the "prepayment" or the "restructuring" of loans made under the Foreign Military Credit Sales program. The Comptroller General in short stated: "For the reasons set forth below, we conclude that the Administration's restructuring proposal should not be implemented without specific legislative authority."

Despite this opinion, on October 23, 1987, the Department of Treasury accepted a prepayment, from the government of the Republic of Korea for \$652,962,000. This prepayment of high interest rate loans without penalty by Korea created a financial loss to the United States of approximately \$64,000,000.

The Committee is deeply concerned about the flagrant disregard of the law and of legislative prerogative by both the Departments of State and Treasury, and the governments of the Republic of Korea. Due to this clearly illegal action, in direct confrontation to legislative financial and policy prerogatives, and to the legal opinion of the Comptroller General, the Committee has rescinded amounts previously appropriated to Korea equal to the financial losses incurred by the United States due to this prepayment action.

VIETNAMESE AMERASIANS

The Committee has included bill language that will permit Vietnamese Amerasians to enter the United States without numerical limitation if they are issued immigrant visas and leave Vietnam during the 2-year period beginning 90 days after the enactment of the Act. Amerasians will be permitted to bring close family members, and will be entitled to refugee assistance benefits. All Amerasians and family members must have a face-to-face interview with a consular or Immigration and Naturalization Service officer to determine eligibility.

RENTAL HOUSING DEVELOPMENT GRANTS

In extending the date for obligation of funds awarded under the rental housing development grants program from 36 to 48 months, the Committee recognizes that bureaucratic delays both within and without of HUD have jeopardized the ability of numerous projects to meet that deadline. It is estimated that over \$16,000,000 in funds going to recipients under this program will be jeopardized without this action.

COOPERATIVE BANKS

The Committee is concerned that the needs of seven cooperative banks chartered in Massachusetts and directed by the state banking authority to obtain federal deposit insurance between January 1, 1985 and January 1, 1987 were not addressed in the Competitive Equality Banking Act of 1987. The Committee has therefore included bill language to enable such banks to exit the Federal Savings and Loan Insurance Corporation without penalty or fee and to obtain federal insurance under the Federal Deposit Insurance Corporation expeditiously and without prejudice. The Committee expects the Federal Home Loan Bank Board and the federal insurance agencies to act cooperatively and expeditiously in this matter.

COMMUNITY DEVELOPMENT BLOCK GRANTS

The Committee is aware of the serious ground subsidence problems in the Philadelphia, Pennsylvania area. The total cost of correcting the problem is estimated to exceed \$40,000,000. The Committee understands that the City of Philadelphia has submitted a proposal to HUD that \$13,500,000, or about one-third of the total cost, be provided in Federal assistance over a three-year period. The Committee is impressed with the commitments made by the State and local governments towards solving this problem. However, the magnitude and unique nature of this problem justify partial Federal assistance. The HUD Secretary is urged to give highest priority favorable consideration to funding this project and to cooperate with State and local governments in structuring a financing package which is balanced and equitable. The Committee also strongly endorses the report language included in the Senate report (S. Rept. 100-192) accompanying the 1988 HUD-Independent Agencies Appropriations Bill. That language also urges HUD to work with local authorities to develop a plan to identify funding sources for solving this problem.

NATIONAL PARK SERVICE

The Committee directs the National Park Service to conduct a feasibility study, from within the funds available to the National Park Service, to determine the feasibility of the capital improvements plans of the Intrepid Sea-Air-Space Museum for the restoration and rehabilitation of the aircraft carrier U.S.S. *Intrepid*, including the capability of the Intrepid Sea-Air-Space Museum to oversee the implementation of such capital improvements plans, and including the appropriate Federal role for future funding. The Committee directs the Service to report back to the appropriate congressional committees of the House and Senate with its findings no later than March 31, 1988.

FOREST SERVICE

Bill language has been included in Section 124 prohibiting the expenditure of funds for issuing a special use permit on National Forest land in Madera County, California, for any project on Lewis Fork Creek, until two studies have been completed and submitted to the Congress. The first is a joint study by the U.S. Forest Service and the California Department of Parks and Recreation on the project's impact on Corlieu Falls, and the second study, by the Forest Service, is on the project's impact on the Chukchansi Indian Tribe.

BUREAU OF INDIAN AFFAIRS

Under the provisions of Public Law 100-89, Federal recognition has been accorded both the Alabama-Coushatta and Tigua Indian Tribes of Texas. Since funding requirements for both Texas tribes are being currently assessed, the Committee directs that none of the \$3,000,000 provided for new tribes funding be used by the Bureau for any purpose other than funding for new tribes.

NATIONAL LABOR RELATIONS BOARD

On April 15, 1987, the National Labor Relations Board announced its intent to implement a reorganization plan which would have the effect of closing a Resident Office in El Paso, Texas. On August 5, 1987, the House passed H.R. 3058, and approved language in the accompanying committee report which indicated its disapproval of the NLRB's proposed intent to cause the closing of that Resident Office. On October 28, 1987, the NLRB formally indicated its intent to proceed with a reorganization plan which would cause the closing of the El Paso, Texas, Resident Office. The Committee is aware of the claim made by the NLRB that said decision to implement this reorganization plan was taken without knowledge of the directive contained in the House committee report. Accordingly, the Committee reiterates its strong disapproval of the NLRB reorganization plan with respect to the El Paso Resident Office and directs the NLRB to immediately revise said plan in such a manner as to prevent the closing of that Resident Office.

HOUSE TELEPHONE SYSTEM

The Committee expresses its displeasure at the operations of the new telephone system. The Committee directs the Clerk of the House to review the telephone contract with the possible intention of withholding payment or cancelling the contract.

MURPHY CANYON HEIGHTS HOUSING COMPLEX

SAN DIEGO, CALIFORNIA—ACCESS ROAD

The Committee supports the waiver of certification requirements for access road construction to provide more efficient and safer access to the Murphy Canyon Heights Housing Complex. This project will result in a right turn lane on Tierrasanta Boulevard, eastbound, at Santo Road. The Committee directs the Navy to include and fund the \$90,000 necessary under the fiscal year 1988 defense access road account.

MILITARY FAMILY HOUSING, NAVY

SAN DIEGO, CALIFORNIA

The Committee supports the conveyance of three parcels of land comprising approximately 680 acres located in the Mission Trails Regional Park Area of the City of San Diego, California to the City of San Diego. This conveyance shall be for fair market value and any net proceeds from the sale of lands shall be solely for the purpose of acquiring suitable land sited for military family housing and/or construction of military family housing in the San Diego area.

In addition, the Committee also supports amending Section 833 of Public Law 99-167 for the purpose of allowing any net proceeds made under Section 833 be available for acquiring a suitable site or sites for military family housing and/or construction of additional military family housing units in the San Diego, California area.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

ANIMAL DAMAGE CONTROL PROGRAM

The Committee recommends language that would provide authority for the Animal Damage Control Program to continue to operate programs such as cooperative agreements for rabies control and programs for controlling bird populations at airports. Questions have recently been raised as to the legislative authority for the operation of these programs which have been carried out for many years. In order to clarify this matter, the Committee has recommended language that clearly establishes the authority of the Department to operate programs for the protection of human health and safety as well as the protection of agricultural crops and livestock.

FEDERAL HIGHWAY ADMINISTRATION

Section 126 of the bill exempts the Virginia Street Bridge in Charleston, West Virginia from the requirements of section 144(g)(2) of title 23, United States Code.

Section 127 of the bill authorizes \$28 million and appropriates \$500,000 for a demonstration highway project in the vicinity of Petoskey, Michigan. This project is necessary to construct a highway bypass to alleviate congestion and improve safety on the U.S. 31 in Petoskey, Michigan.

The Committee recognizes the continuing traffic problems occurring on and in the vicinity of the Woodrow Wilson Bridge which carries traffic between Maryland and Virginia and for the need to address these difficulties. Long traffic back-ups in both Maryland and Virginia occur regularly because of the inability of the existing bridge structure to handle traffic demand and because the draw-bridge has been opened during rush hour periods.

Therefore, the Committee directs the Federal Highway Administration to conduct a study of measures that may be taken to improve the safety, capacity and operational characteristics of the Woodrow Wilson Bridge. The study should include an examination of the feasibility of adding additional lanes to the existing bridge structure, double decking the existing bridge structure, and an analysis of the need for an additional bridge south of the Woodrow Wilson Bridge as well as possible sites for the new bridge.

The Committee further directs the U.S. Coast Guard to report to Congress within 60 days on the feasibility of implementing a change in the current regulations governing the opening of the Wilson Bridge drawspan during the hours of 6 and 10 a.m. and 3 and 8 p.m., Monday through Friday, in order to cause the least disruption in peak hour traffic flow on I-95.

FEDERAL AVIATION ADMINISTRATION

The Committee has been made aware of the FAA's intention to transfer its Flight Standards District Office (FSDO) from Barnes Municipal Airport in Westfield, Massachusetts to Bradley International Airport in Connecticut. The Committee directs the FAA to work with the appropriate local and airport officials to ensure that service to the general aviation community at Barnes Airport is not diminished as a result of the proposed transfer. The Committee also directs the FAA to provide a report to the Committee on Appropriations prior to January 1, 1988, detailing the justification and benefit-cost analysis for the proposed FSDO transfer.

FEDERAL RAILROAD ADMINISTRATION

In addition to the discretionary Local Rail Service Assistance grants earmarked in House Report 100-202 the Committee directs that \$600,000 in discretionary LRSA funds be made available to construct a two mile rail spur from the main line of the Illinois Central Gulf at Manteno, Illinois to the Illinois Diversatech business park. The business park is a joint venture between the State of Illinois and Manteno Mental Health Redevelopment Council, a nonprofit economic development agency. The project will provide essential rail service to redevelop and abandoned mental health facility into an industrial business park.

HOLLY SPRINGS, MISSISSIPPI POSTAL SERVICE

The Committee directs the Postal Service to continue to provide full postal service to the people of Holly Springs proper including upgrading, remodeling, and improving the U.S. Post Office building at 110 North Memphis Street in Holly Springs, Mississippi.

It is contemplated that a new building for use as a center for sorting mail will proceed as long as the present building and service is maintained at the main post office and present service is maintained.

U.S. CURRENCY AND PASSPORTS

This section requires that all the paper used in printing U.S. currency and securities and U.S. passports be manufactured in the United States by American companies. In the event there is no domestic supplier for this paper, the administering agency is given the authority to waive this requirement after properly reporting the determination.

One of the most important security features used to preserve the integrity of currency, government securities and passports is the distinctive paper on which it is printed. For example, the Treasury Department has publicly written that "[o]ne of the important security characteristics of our currency is the distinctive paper from which it is made. Both the feel and the look of the paper are critical determinants in evaluating the authenticity of our currency." Consequently, the theft of this paper would pose an impediment to U.S. law enforcement activities aimed at securing the integrity of the currency.

The situation is complicated further when and if the currency paper is manufactured outside the territorial limits of the United States. In this case, the Treasury Department has expressed concern about "the inability of the United States to investigate criminal violations of United States law in another sovereign nation. The Secret Service would be relegated to an advisory status to the host country and then only at the invitation of the host country." Secret Service law enforcement, protective and intelligence gathering abilities would be significantly hampered if the distinctive paper used for currency or government securities was manufactured outside the territorial limits of the United States.

Similarly, the transportation of the paper overseas or over long distances presents another security risk to our currency and securities. Considering the values of U.S. currency and in light of increased terrorist activities, the threat of theft, sabotage or hijacking is real and apparent. The security problems associated with long range transportation add a new dimension to the effort to protect the currency, and in the long, the added problems will result in increased costs to the government for protective services.

Manufacturing the currency in foreign countries also leaves the United States open to illegal technology and equipment transfer to unauthorized persons. The processes and machines used for making the distinctive paper must be secured and protected at all times.

All of these security risks can be avoided by limiting procurement of distinctive paper to manufacturers located in the United States. Under current law, there are no restrictions on the procure-

ment of paper for currency, securities or passports. Any foreign corporation or government owned enterprise can successfully bid on a contract for manufacturing this paper.

This amendment would restrict the procurement to American manufacturers located in the United States. An escape clause is also included in the event no domestic supplier is available to manufacture the paper. In the case of currency and government securities, the Secretary of the Treasury is authorized to waive the Buy American requirement if no domestic supplier exists and if a determination is published in the Federal Register stating reasons for such a waiver.

In publishing the findings in the Federal Register, the Secretary must state the specific reasons for the determination, and it should not be a pro forma finding. The Secretary must state the specific and particular facts that led to his finding for the particular contract awarded to a foreign bidder. A determination shall be made by the Secretary under subsection (a) only if there are no qualified bidders for the contract, as defined by this section.

In the case of procuring paper for U.S. passports, the requirement for a domestic manufacturer may be waived if the Public Printer makes a determination which is approved by the Joint Committee on Printing pursuant to 44 U.S.C. 512.

For the purposes of subsection (a), the term "manufacture" is defined as those processes necessary to prepare and transform the basic fibrous raw materials (for example cotton and linen) to a finished paper substrate.

FEDERAL BACK PAY

The purpose of this section is to provide full compensation to Federal employees who bring valid claims for back pay by granting a right to collect interest on awards under the Back Pay Act of 1966. This provision to grant interest on back pay shall apply in full to all members of the plaintiff classes certified by the courts in *Karamatsu v. U.S.*, No. 224-85C (U.S. Claims Court) and *Alaniz v. Office of Personnel Management, et al.*, No. A81-072 Civ. (U.S.D.C. for the District of Alaska).

SOCIAL SECURITY FACILITY IN WILKES BARRE, PENNSYLVANIA

The Committee is concerned about the delay in constructing a facility for the Social Security Administration in Wilkes Barre, Pennsylvania, for which funds have already been made available.

The Committee directs the General Services Administration to initiate as soon as possible the planning process necessary to design and construct that facility, and to report to the Committee on the progress of that project.

CIVILIAN PAY

Section 132 provides authority for a civilian pay raise of 3 percent—which is consistent with the Congressional Budget Resolution for FY 1988. This language is offered in lieu of the amount proposed by the President.

The Committee on Budget stated on October 29, 1987, that this amendment "is in accord with the assumptions in the concurrent resolution on the Budget for fiscal year 1988."

This resolution does not provide any direct appropriations for pay for FY 1988.

AIR/SPACE AMERICA

The committee endorses Air/Space America, the international aerospace exposition to be held in San Diego, California in May of 1988. Air/Space America will focus national and international attention to American production potential and achievement in aerospace. The Departments of Defense, Commerce, and Transportation and NASA are to extend support to ensure the success of the exposition.

INFLATIONARY IMPACT STATEMENT

Pursuant to clause 2(1)(4), rule XI of the House of Representatives, the Committee states that in its opinion this resolution, as proposed, will have no overall inflationary impact over the broad spectrum of the Nation's economy.

RESCISSION OF FUNDS

Pursuant to clause 1(b), rule X of the Rules of the House of Representatives, the following rescission of funds is provided in the accompanying bill in section 120:

Foreign Operations: Foreign Military Credit Sales, Korea, \$64,000,000.

COMPLIANCE WITH RULE XIII—CLAUSE 3

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, and existing law in which no change is proposed is shown in roman):

DEFICIENCY APPORTIONMENT

Section 105 of the accompanying bill would amend section 1515 of title 31 of the United States Code to allow deficiency apportionments where necessary to permit payment of such pay increases granted pursuant to law, as follows:

[(a) An appropriation required to be apportioned under section 1512 of this title may be apportioned on a basis that indicates a necessity for a deficiency or supplemental appropriation to the extent necessary to permit payment of pay increases for prevailing rate employees whose pay is fixed and adjusted under subchapter IV of chapter 53 of title 5.]

(a) An appropriation required to be apportioned under section 1512 of this title may be apportioned on a basis that indicates the need for a deficiency or supplemental appropriation to the extent necessary to permit payment of such pay increases as may be granted pursuant to law to civilian officers and employees (including pre-

vailing rate employees whose pay is fixed and adjusted under subchapter IV of chapter 53 of title 5) and to retired and active military personnel.

IMMIGRATION AND NATIONALITY ACT

Section 109 of the Joint Resolution amends section 210(d) of the Immigration and Nationality Act, set forth below, by inserting a new paragraph which follows and is printed in italic:

(d) TEMPORARY STAY OF EXCLUSION OR DEPORTATION AND WORK AUTHORIZATION FOR CERTAIN APPLICANTS.—

(1) BEFORE APPLICATION PERIOD.—The Attorney General shall provide that in the case of an alien who is apprehended before the beginning of the application period described in subsection (a)(1) and who can establish a nonfrivolous case of eligibility to have his status adjusted under subsection (a) (but for the fact that he may not apply for such adjustment until the beginning of such period), until the alien has had the opportunity during the first 30 days of the application period to complete the filing of an application for adjustment, the alien—

(A) may not be excluded or deported, and

(B) shall be granted authorization to engage in employment in the United States and be provided an “employment authorized” endorsement or other appropriate work permit.

(2) DURING APPLICATION PERIOD.—The Attorney General shall provide that in the case of an alien who presents a nonfrivolous application for adjustment of status under subsection (a) during the application period, and until a final determination on the application has been made in accordance with this section, the alien—

(A) may not be excluded or deported, and

(B) shall be granted authorization to engage in employment in the United States and be provided an “employment authorized” endorsement or other appropriate work permit.

(3) *No application fees collected by the Immigration and Naturalization Service (INS) pursuant to section 210(b) of the Immigration and Nationality Act (INA) may be used by the INS to offset the costs of the special agricultural worker legalization program until the INS implements the program consistent with the statutory mandate as follows:*

(A) *During the application period as defined in section 210(a)(1)(A) of the INA, the INS shall not exclude from entry or deport any alien and shall grant, where applicable, admission to the United States, work authorization, and provide an “employment authorized” endorsement or other appropriate work permit to any alien who presents a nonfrivolous application for adjustment of status under subsection (a).*

(B) *During the application period as defined in section 210(a)(1)(A) of the INA, the INS shall permit any alien who presents a nonfrivolous application for adjustment of status under subsection (a) to file an application for adjustment of*

status within the United States as provided for in section 210(b)(1)(B) or outside the United States as provided for in section 210(b)(1)(B) and, specifically, under the procedures contained in 8 CFR § 210.6.

(C) "Nonfrivolous" application is defined as a declaration by the alien under penalty of perjury that the alien has in fact worked the required number of man-days, that identifies the type or nature of documentation the alien intends to later produce in conjunction with a complete application, that identifies current or immediate past employer(s) if known and that acknowledges that false statements concerning eligibility constitute a violation of title 18 of U.S.C. and/or as an application defined in 8 CFR § 210.6(c).

Section 122 of the accompanying resolution would amend section 17(d)(4)(G) of the United States Housing Act of 1937 as follows:

(G) the grantee must commence construction or substantial rehabilitation activities not later than 24 months after notice of project selection [36] 48 months after notice in the case of projects for which funding notices were issued prior to July 23, 1985); and

Section 130 of the accompanying resolution amends section 5596(b) of title 5, United States Code, as follows:

*(b)(1) An employee of an agency who, on the basis of a timely appeal * * * but may not be retained to the credit of the employee under section 5552(2) of this title.*

(2)(A) An amount payable under paragraph (1)(A)(i) of this subsection shall be payable with interest.

(B) Such interest—

(i) shall be computed for the period beginning on the effective date of the withdrawal or reduction involved and ending on a date not more than 30 days before the date on which payment is made;

(ii) shall be computed at the rate or rates in effect under section 6621(a)(1) of the Internal Revenue Code of 1986 during the period described clause (i); and

(iii) shall be compounded daily.

(C) Interest under this paragraph shall be paid out of amounts available for payments under paragraph (1) of this subsection.

[(2)] (3) This subsection does not apply to any reclassification action nor authorize the setting aside of an otherwise proper promotion by a selecting official from a group of properly ranked and certified candidates.

[(3)] (4) For the purpose of this subsection, "grievance" and "collective bargaining agreement" have the meanings set forth in section 7103 of this title and (with respect to members of the Foreign Service) in section 1101 and 1002 of the Foreign Service Act of 1980, "unfair labor practice" means an unfair labor practice described in section 7116 of this title and (with respect to members of the Foreign Service) in section 1015 of the Foreign Service Act of 1980, and "personnel action" includes the omission or failure to take an action or confer a benefit.

ADDITIONAL VIEWS OF MR. FAZIO, MR. COUGHLIN, MR. DICKS, MR. GREEN, MR. AUCOIN, MR. REGULA, MR. DURBIN, MR. COLEMAN, AND MR. CONTE

We are pleased that the Committee has approved a provision in the defense Chapter that prohibits the expenditure of funds for development and deployment of the Space-Based Interceptor (SBI). We are concerned that the Department of Defense's plans for developing SBI are premature, particularly given significant problems regarding the survivability, effectiveness, cost, and international treaty implications of rushing ahead with this technology.

In offering the SBI provision, our intention is to prohibit expenditures of funds for SBI-related activities other than "Advanced Technology," a term used in SDIO's Fiscal Year 1988 budget justification materials. Hence, funds may be used to explore the feasibility of various approaches to military problems, but only up to the point of breadboard and prototype fabrication, as specified in category 6.2 in the current Defense Federal Acquisition Regulations.

We are convinced that these additional restrictions are necessary in wake of the Department's planned accelerated development of the SBI program and a range of serious questions about the feasibility and vulnerability of SBI technology. We remain supportive of a vigorous basic research effort on SBI.

We note that analysts at Livermore National Laboratory have confirmed that the Space-Based Interceptor would be defeated by Soviet fast-burn boosters that would likely be less expensive for the Soviet Union to develop than the SBI itself. The Defense Intelligence Agency has stated that these boosters could be available by the time the interceptor system is deployed. In addition, the Defense Science Board—the Pentagon's own scientific advisory panel—has cited serious problems with SBI's survivability and feasibility, and has recommended *against* development and testing at this time.

We are also very concerned about the projected costs of the SBI system. Even SDIO's optimistic cost estimate for a thin first-phase defense of \$100 billion for several thousand interceptors is daunting. The final cost could be much higher, especially if, as predicted, the Soviets deploy fast-burn boosters. Analysts at Livermore National Lab have concluded that even modest improvements in Soviet boosters could force us to deploy up to 100,000 interceptor missiles. We oppose pursuing this program beyond the point of research directed toward the expansion of technological knowledge, while we are struggling to fund needed near-term programs and reduce the federal budget deficit.

In our opinion the provision recognizes that testing SBI in space, as would be required to make an SBI deployment decision, would

violate the Anti-Ballistic Missile (ABM) Treaty under any interpretation. Because the technology embodied in (SBI) is thirty years old, it would not fall under the category of "other physical principles," which the administration asserts can be tested in space under a broad interpretation of the ABM Treaty. Technology similar to SBI was rejected by the Pentagon in the 1960's when it was called BAMBI, and it was rejected again in 1981 and 1982 because of the tremendous costs to the U.S. and the relatively simple techniques available to the Soviets to defeat the SBI technology. We are unaware of any significant advances in the technology since then.

VIC FAZIO.
 LARRY COUGHLIN.
 RONALD D. COLEMAN.
 BILL GREEN.
 SILVIO O. CONTE.
 NORM DICKS.
 LES AU COIN.
 DICK DURBIN.
 RALPH REGULA.



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