Rescission

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104TH CONGRESS, 1st Session | HOUSE OF REPRESENTATIVES | REPORT 104–71

MAKING SUPPLEMENTAL APPROPRIATIONS AND RESCISSIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 1995, AND FOR OTHER PURPOSES

MARCH 8, 1995.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. LIVINGSTON, from the Committee on Appropriations, submitted the following

REPORT

together with

DISSENTING VIEWS

[To accompany H.R. 1159]

The Committee on Appropriations submits the following report in explanation of the accompanying bill making supplemental appropriations and rescissions for the fiscal year ending September 30, 1995, and for other purposes.

COMMITTEE ACTIONS

The Committee has completed action on rescissions, included in four separate bills, that total over $20 billion. Some of the savings that will occur as a result of these rescissions have been used to offset supplemental appropriations requests for the Department of Defense, FEMA Disaster Assistance, debt relief for Jordan, payment to the Coast Guard for refugee support in the Caribbean, and several other necessary supplementals for fiscal year 1995. This bill includes supplemental funding for debt relief for Jordan, food inspection services, and others.

The rescissions have been made across the Government. They are our first step in the direction of downsizing the Government. By taking this action in fiscal year 1995, the Committee is taking the opportunity to accelerate savings proposed in several legislative actions already taken or under way in the House, proposed by the National Performance Review activity of the Vice President and

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proposed in the President's budget request for fiscal year 1996. Taking these actions now is putting us on a course to provide better government at lower cost to better meet the needs of all the people of the United States and the beneficiaries of the programs served. Not only will making these rescissions enable us to offset the supplementals for those people hurt by last year's natural disasters, but it also means we are taking steps necessary to insure the Nation's financial future that affects our children and grandchildren. Saving money now by eliminating unnecessary and duplicative programs will help insure that our economy will remain strong for our children's tomorrow and that our country will continue to move from strength today to a stronger 21st century. By acting in this fashion we will help produce a government which preserves and protects but does not unnecessarily intrude, a government which is a resource, not a burden. These reductions are not cause for celebration but a sober acknowledgment that our task is only beginning. We intend to continue in this direction in the future.

FUNDS PROPOSED FOR RESCISSION SHOULD NOT BE OBLIGATED

The Committee expects the Office of Management and Budget to take actions that would insure funds proposed for rescission in these bills are not obligated in an effort to avoid making these reductions. At the time the Director of the Office of Management and Budget appeared before the Committee on February 14, the Director was given an example where the Office of the General Counsel of the Office of Management and Budget advised the General Counsel of the Department of Agriculture that the Department did have the authority to obligate funds being considered for rescission. The General Counsel of the Department, previous to that point, had held they did not have authority to obligate the funds. The Director indicated that she was not aware of the problem. The Committee has become aware of other such examples of obligating funds, some of which have been available for years, in an effort to preclude their rescission. When the President initiates a rescission, he has impoundment authority available to insure that if Congress agrees with those proposals, the funds will be available when the rescission is signed into law. Impoundment is not available when Congress initiates a rescission proposal. The Committee expects and directs, therefore, full cooperation with this congressional initiative aimed at providing a balanced budget and a sound financial future for the Nation. The Committee would like to point out that these rescissions are just the first step of a long uncomfortable, but necessary journey, needed to continue the effort to bring spending within revenue.

BILL SUMMARY

The bill recommended by the Committee includes $76,338,000 in discretionary supplemental appropriations and $188,379,000 in discretionary rescissions. The bill also includes $9,133,600 in mandatory supplemental appropriations and $36,675,000 in net timber salvage sale receipts.

TITLE I

SUPPLEMENTAL APPROPRIATIONS

CHAPTER I

DEPARTMENT OF AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOOD SAFETY AND INSPECTION SERVICE

The Committee recommends a supplemental appropriation of $9,048,000 for the Food Safety and Inspection Service, $34,000 less than the budget request. This additional funding is necessary to cover the salaries and related pay expenses of FSIS employees in order to maintain the current level of inspection without interruption during the full fiscal year.

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

SALARIES AND EXPENSES

The Committee recommends a supplemental appropriation of $10,000,000 for Agricultural Stabilization and Conservation Service, salaries and expenses. The Committee is aware of the added duties and responsibilities placed on this agency without any corresponding funding to cover this work. For example, Congress passed the Crop Insurance Reform bill which will require the training of county employees to sell and service crop insurance policies. Congress also passed ad hoc disaster assistance which is carried out by this agency. These bills, in addition to the Secretary's announcement to extend Conservation Reserve Program contracts, will significantly impact the workload of the agency. The Committee's recommendation does not cover the total shortfall in funding (estimated to be $40 million) needed to carry out these requirements, but is intended to provide some relief.

COMMODITY CREDIT CORPORATION FUND

The Committee concurs with the budget request to raise from $30,000,000 to $50,000,000 the limit on transport and other non-commodity funds available from the Commodity Credit Corporation to facilitate donations of commodities under the Food for Progress program in 1995. These additional funds may be made available for transporting commodities for use in Food for Progress programs including those implemented by private voluntary organizations and cooperatives in developing countries and emerging democracies.

The additional cost is offset by crop insurance reform savings earmarked for this purpose in the Uruguay Round Agreements Act, Public Law 103–465, section 426. The request to provide additional increases for this purpose in fiscal year 1996 will be considered as part of the fiscal year 1996 appropriations process.

Food and Nutrition Service

The President proposed supplemental language to transfer fiscal year 1995 appropriated funds from both the Child Nutrition Programs and the Food Stamp Program to conform activities within these accounts to what is being proposed as part of the fiscal year 1996 budget request. The Committee has not yet acted on the President's 1996 budget proposal and therefore does not include language to allow this transfer of funds to occur in 1995.

General Provisions

The Committee did not concur with the President's proposed supplemental language to remove the current limitation on the Market Promotion Program.

CHAPTER II

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES

DEPARTMENT OF STATE

RELATED AGENCY

UNITED STATES INFORMATION AGENCY

INTERNATIONAL BROADCASTING OPERATIONS

The Committee recommends a supplemental appropriation of $7,290,000, the amount requested by the Administration, to be provided to Radio Free Europe/Radio Liberty (RFE/RL) to make up for currency exchange losses. Most of RFE/RL's operations are currently in Germany, although a move to Prague is now taking place. The rise in the value of the German mark against the dollar has left RFE/RL approximately $13,000,000 short in terms of the buying power of their original appropriation. Without a supplemental, RFE/RL will be forced to curtail its broadcasting sharply in the fourth quarter.

CHAPTER III

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

AGENCY FOR INTERNATIONAL DEVELOPMENT

DEBT RESTRUCTURING

DEBT RELIEF FOR JORDAN

The Committee recommendation includes an appropriation of $50,000,000 for the cost of modifying direct loans made to Jordan by the Agency for International Development, the Export-Import Bank, or the Department of Defense. These funds will be used to reduce or cancel these debts. The Administration had requested a supplemental appropriation of $275,000,000 for this purpose, including $32,000,000 for the cost of modifying concessional loans authorized under title I of the Agricultural Trade Development and Assistance Act of 1954, as amended, and credits owed by Jordan to the Commodity Credit Corporation. The authorization for this appropriation is contained in title VI of Public Law 103–306.

The Foreign Operations, Export Financing, and Related Programs Supplemental Appropriations Act, 1994, provided $99,000,000 for the purpose of forgiving $220,000,000 in debt owed to United States government agencies by Jordan. The Administration had announced its intention to seek this debt relief in three tranches. However, the President's budget request for fiscal year 1996 includes a fiscal year 1995 supplemental request of $275,000,000 to forgive all remaining debt.

The following chart indicates the principal outstanding owed by Jordan for each of the agencies and programs for which debt relief is requested, based on the latest information made available to the Committee.

	Principal outstanding	Appropriation required
Agency for International Development	$56,400,000	$18,500,000
Defense Security Assistance Agency	296,300,000	198,600,000
Export-Import Bank	46,700,000	24,000,000
Public Law 480	63,600,000	17,700,000
Commodity Credit Corporation	17,500,000	9,900,000
Total	480,500,000	268,700,000

On February 22, 1995, the Secretary of State wrote to the Chairman of the Subcommittee on Foreign Operations, Export Financing, and Related Programs, regarding debt relief for Jordan. His

letter stated, in part: "Since Israel's birth as a state, every American administration has defined the promotion of Arab-Israeli peace as a vital national security interest. Supporting debt forgiveness for Jordan * * * serves this specific national security interest."

Due to budget constraints, the Committee has not recommended the full request for debt relief. However, it does recommend a level sufficient to forgive all debt owed to the Agency for International Development and the Export-Import Bank, as well as a portion held by the Defense Security Assistance Agency.

CHAPTER IV

LEGISLATIVE BRANCH

HOUSE OF REPRESENTATIVES

PAYMENTS TO WIDOWS AND HEIRS OF DECEASED MEMBERS OF CONGRESS

The normal death gratuity is provided to the family trust of the Honorable Dean A. Gallo, late a representative from the State of New Jersey.

BOTANIC GARDEN

The Committee bill transfers $3,000,000 of funds which had been included within an overall appropriation of $7,000,000 to the Botanic Garden in the fiscal year 1995 Legislative Branch Appropriations Act to begin an extensive renovation program at the conservatory. These funds were made available by transfer from funds previously made available without fiscal year limitation under the heading "Architect of the Capitol". The $3 million is returned to the Capitol Complex Security Enhancement project. A security enhancement study has been instituted by the House and Senate Sergeants at Arms and they have suggested that the $3 million may be needed for those purposes, which was the original intent of these funds.

CHAPTER V

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES

DEPARTMENT OF TRANSPORTATION

FEDERAL RAILROAD ADMINISTRATION

OFFICE OF THE ADMINISTRATOR

A provision has been included, as requested by the administration, which makes a technical change to the Department of Transportation and Related Agencies Appropriations Act, 1995. That Act reduced "Federal railroad administration, office of the administrator" by $3,000,000 and included a general provision (sec. 341) which allowed the department to transfer up to $3,000,000 to this account from recoveries received from the Delaware and Hudson Railway. According to updated information from the Department of Transportation, recoveries from the Delaware and Hudson Railway are not expected to reach that level; however, other funds are available from the section 511 loan guarantee fund. The provision in the bill allows access to those funds, and prevents administrative shortfalls in the office of the administrator account.

CHAPTER VI

TREASURY, POSTAL SERVICE, AND GENERAL GOVERNMENT

DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

As requested by the President, the Committee has included language repealing the earmarking of funds and personnel resources to enforcement activities within this account. While the Committee continues to strongly support Treasury's law enforcement activities, removal of this earmark is intended to provide the Administration with flexibility to efficiently manage its resources.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

SALARIES AND EXPENSES

As requested by the President, the Committee has included language which will allow the Center to perform short-term medical services, minimizing the disruption of injured students' coursework.

INTERNAL REVENUE SERVICE

INFORMATION SYSTEMS

The Committee has included language which makes a technical change to the floor provided for Tax Systems Modernization, as recommended by the Administration. The Committee recommends setting the floor at $640,000,000 as requested instead of $622,366,000 as provided before.

ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE SERVICE

The Committee has included language clarifying Section 3, relating to the collection of fees.

UNITED STATES MINT

SALARIES AND EXPENSES

The Committee has included language which will allow the Mint flexibility to reprogram funds from expansion and improvements to the manufacturing of coins if needed to meet increased circulating coin demand.

RELATED AGENCIES

General Services Administration

The Committee has included language which authorizes available funds to be used to fund an agreement between the General Services Administration and the Food and Drug Administration for laboratory and office space.

Office of Personnel Management

GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEE LIFE INSURANCE BENEFITS

The Committee has included language which will provide an additional $9,000,000 for the purpose of making the Government's contribution toward basic life insurance premium payments for Federal retirees under 65 years of age. This is a technical adjustment in the mandatory program due to an inaccurate estimate on the part on the part of the Administration.

Fiscal Year 1995 Supplemental Request

The Committee does not approve two items which the President requested: language for the Federal Law Enforcement Training Center which would allow the Director to waive reimbursements and pay certain travel costs; and language which would transfer funding provided to the Secret Service for efforts to investigate missing and exploited children to counterfeiting.

TITLE II

RESCISSIONS

CHAPTER I

DEPARTMENT OF AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

PUBLIC LAW 480 PROGRAM ACCOUNT

The Committee recommends a rescission of $20,000,000 from the title III commodity grants program. The fiscal year 1996 President's budget proposed rescissions in fiscal year 1995 of $43,865,000 to title I for the cost of subsidy. The budget also proposed to rescind $92,500,000 from the title III grants program and $6,135,000 from ocean freight differential. The Committee notes that the P.L. 480 program level was reduced by over $200,000,000 from fiscal year 1994 to fiscal year 1995. Additional significant reductions will affect the United States' ability to respond to international food aid problems. The Committee does not concur with the additional rescissions.

CHAPTER II

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES

DEPARTMENT OF COMMERCE

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

The Committee recommends a rescission of $19,500,000 from the National Institute of Standards and Technology's (NIST's) Scientific and Technical Research and Services appropriation account. This account, which funds the core internal research programs of NIST, was initially funded at $265,000,000 in fiscal year 1995, an increase of $39,000,000 above the fiscal year 1994 level. This reduction represents approximately one-half the increase provided in fiscal year 1995. The proposed rescission does not impact the unobligated balances of $12,495,000 carried over into fiscal year 1995 which were not anticipated in the Administration's fiscal year 1995 budget request.

The original increase provided for this account in fiscal year 1995 would have funded an additional 170 FTE over the base of 1,867—a 9 percent increase in personnel and a 16 percent increase in funding. Considering the reductions the Committee will face in fiscal year 1996 and beyond, as well as the ongoing efforts to reduce the Federal bureaucracy, the Committee has reduced the FTE increases to 4.5 percent—a more manageable rate of growth for the core NIST programs. The revised amount will still allow for an 8 percent increase in funding over fiscal year 1994.

The Committee intends that this rescission be applied against subactivities receiving large increases over fiscal year 1994 levels, such as the Chemical Science and Technology, Electronics and Electrical Engineering, and the Computer Systems subactivities, including the environmental technology and high performance computing initiatives. The Committee expects NIST and the Department of Commerce to submit a reprogramming notification under the standard reprogramming procedures indicating the proposed distribution of this reduction by research category.

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

The Committee recommends a rescission of $2,000,000 from the $1,731,416,000 appropriated in the fiscal year 1995 appropriations bill. The cost of the Miami Summit of the Americas is estimated

to be as much as $1,000,000 below the $6,000,000 budgeted for the event. In addition, the devaluation of the Mexican peso will result in lower costs to the Department of as much as $1,000,000. If additional savings are required, they should be taken by moving forward the timetable for Departmental restructuring announced by the Vice President as part of the restructuring of foreign affairs agencies on January 27, 1995. The Committee notes that the Vice President's announcement indicated that the Department would close an additional 15 posts overseas, eliminate one bureau, and eliminate public affairs, congressional relations, politico-military affairs and policy planning components of bureaus where duplication exists.

ACQUISITION AND MAINTENANCE OF BUILDINGS ABROAD

The Committee recommends a rescission of $20,000,000 from unobligated balances in the State Department's overseas construction and maintenance account. In addition to the $421,760,000 appropriated in fiscal year 1995, significant unobligated balances remain from projects provided for in previous years that are either still underway or not yet started. The Committee expects that the decision on how to distribute this rescission among projects will be made through re-examining planned projects and reducing them in size and scope, as well as conforming them to the recently announced foreign affairs restructuring. The Department is expected to report to the Committee on how these savings will be made.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

The Committee recommends a rescission of $14,617,000 from the $533,304,000 provided in the fiscal year 1995 appropriations bill for payment of assessed costs of United Nations peacekeeping operations.

On April 17, 1994, approximately $4,000,000 in cash was stolen from an unsecured office at the headquarters of the United Nations Operation in Somalia (UNOSOM) in Mogadishu. The Report of the Secretary-General issued on February 2, 1995 indicates that the investigation team found "an incredible lack of concern on the part of the UNOSOM administration for security in the handling and safekeeping of the large amount of cash used in the mission." Auditors in December 1993 had warned of serious deficiencies in security, and the likelihood that something like this would happen, yet nothing was done. The taxpayers of the United States should not be charged for the malfeasance of UN peacekeeping operations. Consequently, the Committee recommends a rescission of the US assessed share of the stolen money, $1,216,000, to assure that taxpayers do not pay their hard earned money simply to have it walk away from an unsecured file cabinet in Mogadishu. The UN should be required to absorb this loss as a lesson that might make security a higher priority in the future.

In addition, the Committee recommends a rescission of the $13,401,000 appropriated thus far in fiscal year 1995 for the UN peacekeeping operation in the Western Sahara, known as MINURSO. This is an operation that is now costing roughly

$100,000 a day, and whose mission is to register a maximum of 200,000 people to vote on a referendum on the future of the region. The operation has been underway since September of 1991, and at last count had registered only about 12,000 people. Elections have been put off many times. Furthermore, there are serious allegations pending that the registration process is dominated by Morocco.

It is evident that this operation has had little supervision from either the United Nations or the United States, and that the expenditure of large amounts of funds has been permitted to go on indefinitely without any evaluation of the prospects of the operation leading to a successful election. Only after the Committee recently raised concerns about the conduct of the operation during one of its hearings was a team from the newly created UN Inspector General's office dispatched to the region.

The State Department has indicated that when the mandate comes up for renewal this May, it will then decide whether to terminate this mission. Furthermore, the State Department has indicated that it expects the cost of the operation to the United States in 1995 to double from the $13,401,000 already appropriated to $27,810,000.

The Committee believes that the State Department should decide whether this is a worthwhile expenditure of funds prior to committing the United States to paying its share of the operation, not after. In light of the poor record and inordinately high cost of this operation, the Committee recommends rescinding the funding previously appropriated for this operation.

RELATED AGENCIES

Arms Control and Disarmament Agency

ARMS CONTROL AND DISARMAMENT ACTIVITIES

The Committee recommends a rescission of $3,000,000 from the $54,500,000 provided under this heading in the fiscal year 1995 appropriations bill.

Of that amount, $2,000,000 is rescinded from the $9,500,000 provided for the activities related to the implementation of the Chemical Weapons Convention. Ratification and entry-into-force of the Chemical Weapons Convention continue to be delayed. Even under the most optimistic schedule available, the Arms Control and Disarmament Agency (ACDA) estimates it will not spend $3,540,000 of the funding available for this purpose in fiscal year 1995.

The remaining $1,000,000 is rescinded as a general administrative reduction. The announcement of the restructuring of foreign affairs agencies by the Vice President on January 27, 1995 stated the following: "The Arms Control and Disarmament Agency and the Department of State will eliminate duplication between their two agencies in the areas of arms control and nonproliferation and take steps to tie together the operations of ACDA and the State Department more effectively. ACDA will also cut back on overseas costs and streamline its operations in Washington." The Committee concurs with the need to cut back on overseas costs and streamline its operations in Washington. For instance, ACDA leases a building

in Geneva for offices when it could operate out of the mission, and reportedly employs more drivers than are needed.

UNITED STATES INFORMATION AGENCY

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

The Committee recommends a rescission of $5,000,000 from the $238,279,000 appropriated for exchanges in the fiscal year 1995 appropriations bill. The Administration has proposed program reductions of $23,676,000 below the 1995 funding level in its fiscal year 1996 budget proposal. The Committee directs USIA to develop a specific plan for distributing the rescission among the exchange programs and to submit it to the Committee through the normal reprogramming procedures prior to implementing specific program reductions.

RADIO CONSTRUCTION

The Committee recommends a rescission of $6,000,000 from unobligated balances in USIA's Radio Construction account. In addition to the $85,314,000 appropriated in fiscal year 1995, significant unobligated balances remain from projects provided for in previous years that are still underway. The Committee expects that the decision on how to distribute this rescission among projects will be made through re-examining planned projects and reducing them in size and scope, as well as conforming them to the recently announced foreign affairs restructuring. The Agency is expected to report to the Committee on how these savings will be made.

CHAPTER III

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

AGENCY FOR INTERNATIONAL DEVELOPMENT

DEBT RESTRUCTURING UNDER THE ENTERPRISE FOR THE AMERICAS INITIATIVE

The Committee recommends a rescission of $2,400,000, the amount remaining from $50,000,000 appropriated in 1992 to restructure Latin American debt.

ECONOMIC SUPPORT FUND

The Committee recommends a rescission of Economic Support Funds totalling $42,975,000. Of the funds rescinded, $7,500,000 is to be derived from unearmarked funds made available in fiscal year 1995, $20,000,000 to be derived from unearmarked funds made available in fiscal year 1994, and $15,475,000 in funds made available from fiscal year 1993 and prior years.

OPERATING EXPENSES OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT

The Committee recommends a rescission of $5,000,000 from current operating expenses of the Agency for International Development. The Committee has received a communication from the Vice President indicating that his efforts to restructure the nation's foreign affairs agencies will produce $5,000,000,000 in savings over five years. When the restructuring effort is combined with the ongoing campaign by the Administrator to "reinvent" the Agency for International Development, the proposed rescission represents a modest initial contribution by the Agency for International Development to the Vice President's savings goal.

ASSISTANCE FOR THE NEW INDEPENDENT STATES OF THE FORMER SOVIET UNION

The Committee recommends a rescission of $17,500,000 from the $850,000,000 appropriated in fiscal year 1995 and $30,200,000 from the $2,600,000,000 appropriated during fiscal years 1993 and 1994. The Committee urges the Executive branch to obligate the amounts currently programmed for enterprise funds and for transfers to agencies other than the Agency for International Development. This rescission should not apply to programs making small

grants to grass-root organizations, primarily outside of Moscow and Kiev.

CHAPTER IV

LEGISLATIVE BRANCH

CONGRESSIONAL BUDGET OFFICE

The Committee has included a rescission of $187,000 in funds made available to the Congressional Budget Office for fiscal year 1995. These savings are due to a reestimate of the agency's contributions to the Federal Employees' Retirement System (FERS).

TITLE III

GENERAL PROVISIONS

The Committee recommends a general provision (Section 301) to prohibit the use of any funds in any appropriations act for fiscal year 1995 to issue, administer or enforce any executive order, or other rule or order, that prohibits Federal contracts with companies that hire permanent replacements for striking employees. The Committee has taken this action because it believes that the Congress, and not the Executive Branch, has the responsibility to write the Nation's labor laws.

The Committee is recommending nullification for the one-for-one public housing replacement requirement through September 30, 1995 (Section 302). During this time period, the Department is urged to approve expeditiously applications for public housing demolition and disposition.

The Committee has recommended three general provisions which impact activities of the Environmental Protection Agency associated with implementation of the Clean Air Act. Restrictions of funds have been recommended for the imposition and enforcement of requirements that States must implement both an inspection and maintenance program for vehicular emissions and trip reduction measures to reduce vehicular emissions (Sections 303 and 304). While not required to include these two programs, State implementation plans under the Clean Air Act could still contain such programs at the discretion of the States. In those States where such programs have already been initiated, the Committee believes that every effort should be made to recognize the substantial investment by the private sector. The remaining provision (Section 305) clarifies that the promulgation of a Federal implementation plan under the Clean Air Act for three areas of California shall have no further force and effect. This action removes the cloud which exists as a result of promulgating a Federal implementation plan at the same time a State implementation plan is undergoing the approval process by the Environmental Protection Agency.

Section 306.—The Committee hereby expressly declares that this provision is necessary not to effectuate any change in federal law or policy, but rather to correct erroneous administrative and judicial understandings of its prior enactments.

TIMBER SALVAGE SALES

The Committee has included bill language (Section 307) to establish a two-year emergency timber salvage program to address the short term aspects of the emergency fire, insect and disease situation on Forest Service and Bureau of Land Management (BLM) lands.

Millions of acres of trees on public lands have burned in recent years. In 1994, more than 4 million acres of public lands burned. On Forest Service lands alone, over 6 billion board feet of timber was killed by fire, while a mere 1 billion board feet of salvage timber volume was offered. More timber burned in 1994 than was harvested from Forest Service land, and 33 firefighters died fighting the forest fires of 1994. The federal costs to fight the 1994 fires approached $1 billion.

Since 1986, timber mortality due to insects and disease is up nearly 25%. Eleven million of 64 million acres of National Forest timber land in eleven western states were infested with pine beetles and spruce budworms. Those 11 million acres contain enough wood to build 13 million new homes.

The gypsy moth and a parasitic fungus have defoliated 2 million acres in the northeast and central states. In 1992–93, pine beetles and other southern pests damaged 14 million acres of southern pine forests.

Despite an estimated backlog of 21 billion board feet of dead and dying timber due to insect, disease, or fire on public forests, the Forest Service timber salvage program has averaged approximately 1.8 billion board feet during the last five years. For fiscal 1995, 1.57 billion board feet are programmed by the Forest Service. In fiscal year 1996, 1.449 billion board feet are programmed for harvest.

Within 6 to 24 months, much of the salvage timber deteriorates and becomes unmerchantable. This underscores the need to expedite salvage timber sales. However, the current lengthy Forest Service process for providing salvage timber, delayed further by appeals and lawsuits, is not conducive to providing nearly enough salvage timber to the marketplace before it rots.

The Committee has recommended the creation of an emergency, two-year timber salvage program to address this dire situation, revitalize public land forests, and enhance the ability of the Forest Service to expeditiously prepare environmental documentation to provide salvage timber to market.

Using the procedures of the amendment, the Secretaries of Agriculture and Interior must prepare, advertise, offer, and award contracts for not less than 3 billion board feet of salvage timber sales in each of two years. The document for each sale combines an environmental assessment under the National Environmental Policy Act and a biological evaluation under the Endangered Species Act. Each Secretary has flexibility in that the volume that receives an environmental assessment may total in excess of the volume requirements of the bill; however, each Secretary may select among the sales prepared in order to attain the minimum volume required. Flexibility in the first year of the program has been added which allows the Secretary to offer sales which total fifty percent of the total volume within three months of enactment and the remaining volume evenly distributed throughout the first year period. Each Secretary is required to report to appropriate House and Senate committees on their attainment of volume requirements during the two year emergency period.

The two agencies are urged to use all available authorities to meet the deadlines, including contracting for private sector timber

cruising and other sales preparation activities. The total time period permitted for the preparation and offering of salvage timber sales under the amendment is 120 days for the one-half of first year's sales. The remaining first year emergency salvage sales shall occur in an evenly distributed time frame. Second year sales shall have similar flexibility.

The Forest Service and BLM are free to redesign or disapprove sales, particularly if warranted by the analysis contained in the consolidated documents, so long as they substitute other sales to satisfy the annual volume requirements. Those documents and agency decisions based on them are the only documents and procedures required to conduct the salvage timber sales and are deemed to satisfy federal environmental laws and regulations by the provision. The emergency salvage timber provision also overrides any court orders and restraining orders or decisions issued prior to enactment.

Each Secretary's duties include reforestation after emergency salvage sales are harvested, consistent with the agencies regulations.

The emergency salvage sale provision bars administration appeals of sales conducted pursuant to the provision. This allows challengers to go directly to court and hastens a final disposition of the challenge, while the dead and dying timber can still be sold and harvested if the courts ultimately determine that the sales are valid. The maximum timeframe for the total process for preparing the document to harvest of the sale is 120 days for half of the first year volume.

Finally, in language borrowed verbatim from previously enacted law, the amendment sets deadlines for filing and appealing lawsuits challenging salvage timber sales (15 days and 30 days respectively) and for the district courts to decide the lawsuits (45 days unless otherwise required by the Constitution). To protect challengers, the amendment requires an automatic 45 days stay while the district court hears and decides the case. Thus, restraining orders and preliminary injunctions are unnecessary and therefore barred. If the court decides the sale is valid prior to expiration of the automatic stay, the stay is lifted and harvesting can begin.

The emergency salvage provision prohibits harvesting in National Wilderness Preservation System lands, roadless areas designated by Congress for wilderness study, and roadless areas recommended for wilderness designation in the most recent land management plan.

The section also includes subsection (i), a provision to release a group of sales that have already been sold under the provisions of Section 318 of the fiscal year 1990 Interior and Related Agencies Appropriations Act. The harvest of these sales was assumed under the President's Pacific Northwest Forest Plan, but their release has been held-up due to subsequent review by the U.S. Fish and Wildlife Service. Release of these sales will remove tens of millions of dollars of liability from the government for contract cancellation. Also, the revenues from timber receipts will increase by over $155 million from current estimates.

The President's Pacific Northwest Forest Plan has recently been upheld in a federal district court challenge brought by environmental groups and the timber industry. Paragraph 2 of this provi-

sion specifies that compliance with the terms of subsection (i) shall not permit a second court review of the President's Plan.

BUREAU OF LABOR STATISTICS

CONSUMER PRICE INDEX

The Committee has heard testimony from officials at the Bureau of Labor Statistics regarding efforts to improve the accuracy of the Consumer Price Index. The CPI does not only determine spending in a variety of government programs, but it also is used widely in the private sector, because it carries the imprimatur of an official government measure. For this reason, any inaccuracies in that measurement not only effect the federal budget, but also cause distortions in the overall economy. Therefore, improving the accuracy of the CPI is urgent and important.

The Committee believes BLS must redouble and accelerate its efforts to produce a more accurate CPI.

COMMITTEE VOTES

Pursuant to the provisions of clause 2(l)(2)(b) of rule XI of the House of Representatives, the results of each roll call vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

ROLL CALL NUMBER: 1

DATE: MARCH 2, 1995

MEASURE: SUPPLEMENTAL & RESCISSION BILL, FY 1995

MOTION BY: MR. ISTOOK

DESCRIPTION OF MOTION: LIMITATION ON FUNDING OF ABORTION.

RESULTS

Members Voting Yea—33: Mr. Bevill, Mr. Bonilla, Mr. Bunn, Mr. Callahan, Mr. DeLay, Mr. Dickey, Mr. Forbes, Mr. Hobson, Mr. Istook, Mr. Kingston, Mr. Knollenberg, Mr. Lewis, Mr. Lightfoot, Mr. Livingston, Mr. McDade, Mr. Miller, Mr. Mollohan, Mr. Murtha, Mr. Myers, Mr. Nethercutt, Mr. Neumann, Mr. Packard, Mr. Regula, Mr. Riggs, Mr. Rogers, Mr. Skeen, Mr. Taylor, Mr. Thornton, Mrs. Vucanovich, Mr. Walsh, Mr. Wicker, Mr. Wolf, and Mr. Young.

Members Voting Nay—21: Mr. Chapman, Mr. Coleman, Mr. Dicks, Mr. Durbin, Mr. Fazio, Mr. Foglietta, Mr. Frelinghuysen, Mr. Hefner, Mr. Hoyer, Ms. Kaptur, Mr. Kolbe, Mrs. Lowey, Mr. Obey, Ms. Pelosi, Mr. Sabo, Mr. Skaggs, Mr. Stokes, Mr. Torres, Mr. Visclosky, Mr. Wilson, and Mr. Yates.

ROLL CALL NUMBER: 2

DATE: MARCH 2, 1995

MEASURE: SUPPLEMENTAL & RESCISSION BILL, FY 1995

MOTION BY: MR. MCDADE

DESCRIPTION OF MOTION: REPORT THE BILL AS AMENDED.

RESULTS

Members Voting Yea—32: Mr. Bonilla, Mr. Bunn, Mr. Callahan, Mr. DeLay, Mr. Dickey, Mr. Dicks, Mr. Forbes, Mr. Frelinghuysen, Mr. Hobson, Mr. Istook, Mr. Kingston, Mr. Knollenberg, Mr. Kolbe, Mr. Lewis, Mr. Lightfoot, Mr. Livingston, Mr. McDade, Mr. Miller, Mr. Nethercutt, Mr. Packard, Mr. Porter, Mr. Regula, Mr. Riggs, Mr. Rogers, Mr. Skeen, Mr. Taylor, Mr. Visclosky, Mrs. Vucanovich, Mr. Walsh, Mr. Wicker, Mr. Wolf, and Mr. Young.

Members Voting Nay—19: Mr. Bevill, Mr. Chapman, Mr. Coleman, Mr. Dixon, Mr. Durbin, Mr. Fazio, Mr. Hefner, Mr. Hoyer, Ms. Kaptur, Mrs. Lowey, Mr. Mollohan, Mr. Obey, Ms. Pelosi, Mr. Sabo, Mr. Skaggs, Mr. Stokes, Mr. Thornton, Mr. Wilson, and Mr. Yates.

CHANGES IN THE APPLICATION OF EXISTING LAW

Pursuant to clause 3 of rule XXI of the House of Representatives, the following statements are submitted describing the effect of provisions in the accompanying bill which directly or indirectly change the application of existing law.

Language is included in the bill which permits the transfer of funds from Railroad Rehabilitation and Improvement Program to the Office of the Administrator, Federal Railroad Administration.

Language is included in the bill exempting public housing authorities in fiscal year 1995 from the one-for-one replacement requirement for demolished or disposed of public housing units.

Language is included in the bill which rescinds any Federal Implementation Plan promulgated in California under the Clean Air Act, prohibits the EPA from using any funds to impose or enforce any requirement that a State implement an inspection and maintenance program for vehicular emissions during 1995, and prohibits EPA from using any funds to impose or enforce any requirement that a State implement trip reduction measures to reduce vehicular emissions in 1995.

Language is included in Title II of the bill which rescinds budget authority from various appropriation accounts.

Language is included under Commodity Credit Corporation Fund, United States Information Agency, Federal Railroad Administration, and section 301 that could be construed as legislative in nature.

Language is included under Botanic Garden that transfers unexpended balances and extends funds availability.

Language is included under chapter VI that amends Public Law 103–329 in five instances.

Language is included which authorizes the General Services Administration to use available funds for an agreement between the GSA and the Food and Drug Administration concerning laboratory and office space.

Language is included under Title III, General Provisions, providing that under the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Acts for fiscal years 1994 and 1995, "effective October 1, 1993, and notwithstanding any other law, each State is and remains free not to fund abortions to the extent that the State in its sole discretion deems appropriate, except where the life of the mother would be endangered if the fetus were carried to term."

Language is included in Title III, General Provisions, providing for an emergency two-year timber sales program on Forest Service and Bureau of Land Management lands and waiving applicable laws, regulations, and court orders for the duration of the program.

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, existing law in which no change is proposed is shown in roman);

Section 341 of Public Law 103–331 is amended as follows:

Sec. 341. Amounts not to exceed $3,000,000 available in the obligation guarantee fund established under section 511 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94–210), as amended, [and received from the Delaware and Hudson Railroad,] shall be transferred to the Federal Railroad Administration, "Office of the administrator" for necessary expenses of the Federal Railroad Administration.

A proviso under the head "Departmental Offices, Salaries and Expenses" in Public Law 103–329, is amended as follows:

> For necessary expenses of the Departmental Offices including operation and maintenance of the Treasury Building and Annex; hire of passenger motor vehicles; maintenance, repairs, and improvements of, and purchase of commercial insurance policies for, real properties leased or owned overseas, when necessary for the performance of official business; not to exceed $2,900,000 for official travel expenses; not to exceed $3,101,000 to remain available until September 30, 1997, shall be available for information technology modernization requirements; [of which not less than $6,443,000 and 85 full-time equivalent positions shall be available for enforcement activities;] not to exceed $150,000 for official reception and representation expenses; not to exceed $258,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Secretary of the Treasury and to be accounted for solely on his certificate; not to exceed $490,000, to remain available until September 30, 1997, for repairs and improvements to the Main Treasury Building and Annex; $104,479,000: *Provided,* That of the offsetting collections credited to this account, $79,000 are permanently canceled.

A proviso under the head "Federal Law Enforcement Training Center, Salaries and Expenses" in Public Law 103–329, is amended as follows:

> For necessary expenses of the Federal Law Enforcement Training Center, as a bureau of the Department of the Treasury, including materials and support costs of Federal law enforcement basic training; purchase (not to exceed fifty-two for police-type use) and hire of passenger motor

vehicles; for expenses for student athletic and related activities; uniforms without regard to the general purchase price limitation for the current fiscal year; the conducting of and participating in firearms matches and presentation of awards; for public awareness and enhancing community support of law enforcement training; not to exceed $7,000 for official reception and representation expenses; room and board for student interns; and services as authorized by 5 U.S.C. 3109: *Provided,* That the Center is authorized to accept and use gifts of property, both real and personal, and to accept services, for authorized purposes, including funding of a gift of intrinsic value which shall be awarded annually by the Director of the Center to the outstanding student who graduated from a basic training program at the Center during the previous fiscal year, which shall be funded only by gifts received through the Center's gift authority: *Provided further,* That notwithstanding any other provision of law, students attending training at any Federal Law Enforcement Training Center site shall reside in on-Center or Center-provided housing, insofar as available and in accordance with Center policy: *Provided further,* That funds appropriated in this account shall be available for training United States Postal Service law enforcement personnel and Postal police officers, at the discretion of the Director; State and local government law enforcement training on a space-available basis; training of foreign law enforcement officials on a space-available basis with reimbursement of actual costs to this appropriation; training of private sector security officials on a space-available basis with reimbursement of actual costs to this appropriation; travel expenses of non-Federal personnel to attend State and local course development meetings at the Center: *Provided further,* That the Center is authorized to obligate funds in anticipation of reimbursements from agencies receiving training at the Federal Law Enforcement Training Center, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available at the end of the fiscal year: *Provided further,* That the Federal Law Enforcement Training Center is authorized to provide [first-aid and emergency] *short-term* medical services for students undergoing training at the Center; $46,713,000, of which $8,821,000 for materials and support costs of Federal law enforcement basic training shall remain available until September 30, 1997.

Appropriation language under the head "Internal Revenue Service, Information Systems" in Public Law 103–329, is amended as follows:

For necessary expenses for data processing and telecommunications support for Internal Revenue Service activities, including tax systems modernization (modernized developmental systems), modernized operational systems, services and compliance, and support systems; and for the hire of passenger motor vehicles (31 U.S.C. 1343(b)); and

services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner: $1,388,000,000 of which no less than [$650,000,000] *$640,000,000* shall be available for tax systems modernization, of which up to $185,000,000 for tax and information systems development projects shall remain available until September 30, 1997: *Provided,* That none of the funds appropriated for tax systems modernization may be obligated until the Commissioner of the Internal Revenue Service reports to the Committees on Appropriations of the House and Senate on the implementation of Tax Systems Modernization.

Section 3 under the head "Administrative Provisions-Internal Revenue Service" in Public Law 103–329, is amended as follows:

The Secretary of the Treasury may establish new fees or raise existing fees for services provided by the Internal Revenue Service to increase receipts, where such fees are authorized by another law. The Secretary of the Treasury may spend the new or increased fee receipts to supplement appropriations made available to the Internal Revenue Service appropriations accounts in fiscal years 1995 and thereafter: *Provided,* That the Secretary shall base such fees on the costs of providing specified services to persons paying such fees: *Provided further,* That the Secretary shall provide quarterly reports to the Congress on the collection of such fees and how they are being expended by the Service: *Provided further,* That the total expenditures from such fees shall not exceed $119,000,000 *annually*.

Appropriation language under the head "United States Mint, Salaries and Expenses" in Public Law 103–329, is amended as follows:

For necessary expenses of the United States Mint; $55,740,000, of which *not to exceed* $1,540,000 shall remain available until September 30, 1997, for expansion and improvements.

APPROPRIATIONS NOT AUTHORIZED BY LAW

Pursuant to clause 3 of rule XXI of the House of Representatives, the following table lists the appropriations in the accompanying bill which are not authorized by law:

DEPARTMENT OF AGRICULTURE:
COMMODITY CREDIT CORPORATION:
Commodity Credit Corporation Fund: Food for Progress.
LEGISLATIVE BRANCH:
HOUSE OF REPRESENTATIVES:
Payments to Widows and Heirs of Deceased Members of Congress.
DEPARTMENT OF TRANSPORTATION:
FEDERAL RAILROAD ADMINISTRATION:
Office of the Administrator.

TRANSFER OF FUNDS

Pursuant to clause 1(b), rule X of the House of Representatives, the following is submitted describing the transfer of funds provided in the accompanying bill.

The following table shows the appropriations affected by the transfers:

APPROPRIATION TRANSFERS RECOMMENDED IN THE BILL

Account to which transfer is to be made	Amount	Account from which transfer is to be made	Amount
Legislative Branch: Architect of the Capitol, Capitol Buildings and Grounds, Capitol Complex Security Enhancements.	$3,000,000	Legislative Branch: Botanic Garden, Salaries and Expenses.	$3,000,000
Department of Transportation: Federal Railroad Administration, Office of the Administrator.	611,950	Department of Transportation: Federal Railroad Administration, Railroad Rehabilitation and Improvement Program.	611,950
Department of Agriculture: Commodity Credit Corporation Fund.	NA	Department of Agriculture: Commodity Credit Corporation Fund.	NA
General Services Administration: Federal Buildings Fund.	NA	General Services Administration: Federal Buildings Fund.	NA
Department of the Treasury: Departmental Offices, Salaries and Expenses.	NA	Department of the Treasury: Departmental Offices Salaries and Expenses.	NA
Federal Law Enforcement Training Center, Salaries and Expenses.	NA	Federal Law Enforcement Training Center, Salaries and Expenses.	NA
Internal Revenue Service, Information Systems.	NA	Internal Revenue Service, Information Systems.	NA
United States Mint, Salaries and Expenses ...	NA	United States Mint, Salaries and Expenses .	NA

RESCISSIONS

Pursuant to clause 1(b) of rule X of the House of Representatives, the following table is submitted describing the rescissions recommended in the accompanying bill:

RESCISSIONS RECOMMENDED IN THE BILL

Department or activity	Amounts recommended for rescission
DEPARTMENT OF AGRICULTURE	
Public Law 480 Program Accounts:	
Title III - Commodity grants:	
Program level	(-20,000,000)
Appropriation	-20,000,000
DEPARTMENT OF COMMERCE	
National Institute of Standards and Technology	
Scientific and technical research and services	-19,500,000
DEPARTMENT OF STATE	
Administration of Foreign Affairs	
Diplomatic and consular programs	-2,000,000
Acquisition and maintenance of buildings abroad	-20,000,000
Total, Administration of Foreign Affairs	-22,000,000
International Organizations and Conferences	
Contributions for international peacekeeping activities	-14,617,000
Total, Department of State	-36,617,000
RELATED AGENCIES	
Arms Control and Disarmament Agency	
Arms control and disarmament activities	-3,000,000
United States Information Agency	
Educational and cultural exchange programs	-5,000,000
Radio construction	-6,000,000
Total, United States Information Agency	-11,000,000

RESCISSIONS RECOMMENDED IN THE BILL—Continued

Department or activity	Amounts recommended for rescission
BILATERAL ECONOMIC ASSISTANCE	
Agency for International Development	
Debt restructuring under the Enterprise for the Americas Initiative	-2,400,000
Economic support fund	-42,975,000
Operating expenses of the Agency for International Development	-5,000,000
Assistance for the New Independent States of the former Soviet Union	-47,700,000
Total, Bilateral Economic Assistance	-98,075,000
LEGISLATIVE BRANCH	
CONGRESSIONAL BUDGET OFFICE	
Salaries and expenses	-187,000
Total, rescissions	-188,379,000

COMPARISON WITH BUDGET RESOLUTION

Section 308(a)(1)(A) of the Congressional Budget and Impoundment Control Act of 1974 (Public Law 93–344), as amended, requires that the report accompanying a bill providing new budget authority contain a statement detailing how that authority compares with the reports submitted under section 602 of the Act for the most recently agreed to concurrent resolution on the budget for the fiscal year. All funds provided in this bill are offset herein.

The bill provides no new spending authority as described in section 401(c)(2) of the Congressional Budget and Impoundment Control Act of 1974 (Public Law 93–344), as amended.

FIVE-YEAR OUTLAY PROJECTIONS

In compliance with section 308(a)(1)(C) of the Congressional Budget and Impoundment Control Act of 1974 (Public Law 93–344), as amended, the following table contains five-year projections associated with the budget authority provided in the accompanying bill:

[In millions]

Budget Authority	−$140
Outlays:	
Fiscal year 1995	−41
Fiscal year 1996	−82
Fiscal year 1997	−66
Fiscal year 1998	−37
Fiscal year 1999 and future years	−6

ASSISTANCE TO STATE AND LOCAL GOVERNMENTS

In accordance with section 308(a)(1)(C) of the Congressional Budget and Impoundment Control Act of 1974 (Public Law 93–344), as amended, the financial assistance to State and local governments is as follows:

[In millions]

New budget authority	−$22
Fiscal year 1995 outlays resulting therefrom	−16

INFLATIONARY IMPACT STATEMENT

Pursuant to clause 2(l)(4) of rule XI of the House of Representatives, the Committee estimates that enactment of this bill would have no overall inflationary impact on prices and costs in the operation of the national economy.

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL

H. Doc.	Department or activity (1)	Budget estimates (2)	Recommended in the bill (3)	Bill compared with estimates (4)
	TITLE I - SUPPLEMENTAL APPROPRIATIONS			
	DEPARTMENT OF AGRICULTURE			
	Food Safety and Inspection Service			
104-4	Salaries and expenses	9,082,000	9,048,000	-34,000
	Agricultural Stabilization and Conservation Service			
.....	Salaries and expenses	.....	10,000,000	+10,000,000
	Commodity Credit Corporation			
104-4	Commodity Credit Corporation Fund: Food for progress	(20,000,000)	(20,000,000)	.....
	General Provisions			
104-4	Section 715 (increase in limitation)	(24,500,000)	.....	(-24,500,000)
	Total, Department of Agriculture	9,082,000	19,048,000	+9,966,000
	RELATED AGENCY			
	United States Information Agency			
104-4	International broadcasting operations	7,290,000	7,290,000	.....

	BILATERAL ECONOMIC ASSISTANCE			
104-4	Development assistance fund	18,000,000	.....	-18,000,000
104-4	Economic support fund	82,300,000	.....	-82,300,000
104-4	Debt restructuring: Debt Relief for Jordan	243,000,000	50,000,000	-193,000,000
104-4	Credits owed to the Commodity Credit Corporation	32,000,000	.....	-32,000,000
	Total, Bilateral economic assistance	375,300,000	50,000,000	-325,300,000
	MILITARY ASSISTANCE			
104-4	Peacekeeping operations	27,200,000	.....	-27,200,000
	Total, Foreign Operations	402,500,000	50,000,000	-352,500,000
	DEPARTMENT OF THE INTERIOR			
	National Park Service			
104-4	Construction	5,500,000	.....	-5,500,000
104-4	Land Acquisition and State Assistance	1,300,000	.....	-1,300,000
	Total, Department of the Interior	6,800,000	.....	-6,800,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL—Continued

H. Doc.	Department or activity (1)	Budget estimates (2)	Recommended in the bill (3)	Bill compared with estimates (4)
	LEGISLATIVE BRANCH			
	HOUSE OF REPRESENTATIVES			
	Payments to Widows and Heirs of Deceased Members of Congress			
.....	Gratuities, deceased Members	.....	133,600	+133,600
	BOTANIC GARDEN			
.....	Salaries and expenses (transfer out)	.....	(-3,000,000)	(-3,000,000)
	ARCHITECT OF THE CAPITOL			
	Capitol Buildings and Grounds			
.....	Capitol complex security enhancements (transfer from Botanic Garden)	.....	(3,000,000)	(+3,000,000)
	DEPARTMENT OF TRANSPORTATION			
	Federal Railroad Administration			
104-4	Office of the administrator (transfer)	(611,950)	(611,950)	.....

	General Provisions			
	Federal Highway Administration			
104-4	Miscellaneous appropriations	-36,956,000	.....	+36,956,000
104-4	Federal-aid highways	-356,154,000	.....	+356,154,000
104-4	Miscellaneous highway trust funds	-6,890,000	.....	+6,890,000
	Total, Department of Transportation	-400,000,000	.....	+400,000,000
	OFFICE OF PERSONNEL MANAGEMENT			
104-4	Government payment for annuitants, employee life insurance benefits	9,000,000	9,000,000	.....
	FEDERAL EMERGENCY MANAGEMENT AGENCY			
104-4	National flood insurance fund	(5,331,000)	.....	(-5,331,000)
	Total, supplementals	34,672,000	85,471,600	+50,799,600
	Mandatory supplementals	(9,000,000)	(9,133,600)	(+133,600)
	Discretionary supplementals	(25,672,000)	(76,338,000)	(+50,666,000)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL—Continued

H. Doc.	Department or activity (1)	Budget estimates (2)	Recommended in the bill (3)	Bill compared with estimates (4)
	TITLE II - RESCISSIONS			
	DEPARTMENT OF AGRICULTURE			
	Public Law 480 Program Accounts:			
	Title III - Commodity grants:			
104-28	Program level	(-92,500,000)	(-20,000,000)	(+72,500,000)
104-28	Appropriation	-92,500,000	-20,000,000	+72,500,000
	DEPARTMENT OF COMMERCE			
	National Institute of Standards and Technology			
.....	Scientific and technical research and services	.....	-19,500,000	-19,500,000
	DEPARTMENT OF STATE			
	Administration of Foreign Affairs			
.....	Diplomatic and consular programs	.....	-2,000,000	-2,000,000
.....	Acquisition and maintenance of buildings abroad	.....	-20,000,000	-20,000,000
	Total, Administration of Foreign Affairs	.....	-22,000,000	-22,000,000
	International Organizations and Conferences			
.....	Contributions for international peacekeeping activities	.....	-14,617,000	-14,617,000
	Total, Department of State	.....	-36,617,000	-36,617,000

	DEPARTMENT OF STATE			
	RELATED AGENCIES			
	Arms Control and Disarmament Agency			
.....	Arms control and disarmament activities	.....	-3,000,000	-3,000,000
	United States Information Agency			
.....	Educational and cultural exchange programs	.....	-5,000,000	-5,000,000
.....	Radio construction	.....	-6,000,000	-6,000,000
	Total, United States Information Agency	.....	-11,000,000	-11,000,000
	BILATERAL ECONOMIC ASSISTANCE			
	Agency for International Development			
.....	Debt restructuring under the Enterprise for the Americas Initiative	.....	-2,400,000	-2,400,000
.....	Economic support fund	.....	-42,975,000	-42,975,000
.....	Operating expenses of the Agency for International Development	.....	-5,000,000	-5,000,000
.....	Assistance for the New Independent States of the former Soviet Union	.....	-47,700,000	-47,700,000
	Total, Bilateral Economic Assistance	.....	-98,075,000	-98,075,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL—Continued

H. Doc.	Department or activity (1)	Budget estimates (2)	Recommended in the bill (3)	Bill compared with estimates (4)
	LEGISLATIVE BRANCH			
	CONGRESSIONAL BUDGET OFFICE			
.....	Salaries and expenses	.....	-187,000	-187,000
	Total, rescissions	-92,500,000	-188,379,000	-95,879,000
	TITLE III - GENERAL PROVISIONS			
	Emergency two-year salvage timber sale program (Forest Service and Bureau of Land Management):			
.....	Salvage costs/payments	.....	47,325,000	+47,325,000
.....	Receipts	.....	-84,000,000	-84,000,000
	Net total	.....	-36,675,000	-36,675,000
	Grand total:			
	Net total, discretionary	-66,828,000	-148,716,000	-81,888,000
	Appropriations, discretionary	(25,672,000)	(76,338,000)	(+50,666,000)
	Rescissions	(-92,500,000)	(-188,379,000)	(-95,879,000)
	Net salvage timber sale program	.....	(-36,675,000)	(-36,675,000)
	Appropriations, mandatory	9,000,000	9,133,600	+133,600

DISSENTING VIEWS OF THE HONORABLE DAVID R. OBEY ON DEFERRING THE F–22 FIGHTER AIRCRAFT TO PRESERVE FUNDING FOR THE SCHOOL LUNCH PROGRAM

Several Committees of the House considering welfare reform legislation are planning to terminate the federal School Lunch Program (and several related nutrition programs) in order to give block grants to states that can be used for a variety of purposes. Under these proposals, the total five-year authorized ceilings for federal appropriations into these block grants would fall $7 billion below current program costs for the existing programs.

School Lunch Program Should Not Be Used To Finance A Tax Cut. It is widely reported that the Republican Leadership plans to use savings from welfare reform along with savings from this bill to pay for changes to the tax code. Using the School Lunch Program as a means to find budgetary savings to pay for a tax cut targeted at high income individuals is deeply disturbing to many of us in the Democratic minority of this Committee. The Congress should not finance a tax cut by taking food from hungry children and pregnant mothers.

As a means of illustrating the opportunities to find areas of significant savings without cutting essential nutrition programs, I offered an amendment in full committee mark-up that would slow down deployment of the F–22 fighter aircraft by five years. My amendment applied $7 billion of the savings from this delay to restore the Republican cuts to the School Lunch Program and other family nutrition programs. I think this is a good trade-off that best preserves the health and strength of this country. Unfortunately my amendment was voted down at the urging of the Republican Leadership.

Multi-Billion Dollar F–22 Fighter Program Can Be Deferred. My amendment would replenish these essential nutrition cuts with $7 billion of the funds planned to be spent to finish research and development and begin production of the F–22 fighter over the next five years.

This $7 billion shift represents only 60 percent of the planned five-year expenditures for this aircraft and would be accomplished by delaying the F–22 deployment (IOC) date from 2004 to 2009. This would not kill the F–22 program. Only $7 billion of the total F–22 program would be diverted, leaving $4.5 billion to continue R&D work and to retain the F–22 production base over the next five years.

Why can we afford to delay the F–22? According to the GAO, there are many sound reasons.

First and foremost, we already have the best air superiority fighter in the world, and the threat to that plane has been shrinking, not growing. Air Force F–15 air superiority fighters, by most measures, are more capable than the most advanced threat system

of any potential adversary expected to exist when the F–22 is fielded.

The break up of the Warsaw Pact and the Soviet Union has greatly lessened the quantity and quality of the potential fighter threat to United States forces. Compared to over 900 F–15's in the U.S. inventory, potential foreign adversaries have only a handful of expensive high performance fighters that come close to matching the F–15's performance.

This situation is not expected to change in the foreseeable future. Because of their expense, the Defense Department believes that few purchases of high performance fighter aircraft will be made by potential U.S. adversaries anytime soon.

In addition to high numbers of superior aircraft, the U.S. Air Force has other capabilities to greatly enhance its air superiority mission that potential U.S. adversaries lack, including the E–3 Airborne Warning and Control System and superb pilot training methods.

The F–22 program was planned in the early 1980's with the goal of meeting a Cold War threat that is now far less formidable. The original plan also assumed limits on the structural life of the F–15 which since have been shown to be overly pessimistic. The GAO reports that more recent DoD tests in the 1990's show that none of the 918 F–15's in the inventory as of July 1992 will begin to exceed their expected economic service lives until 2014. The GAO flatly states that the current inventory of F–15's can be economically maintained in a structurally sound condition until 2015 or later.

The GAO also reports that even though the F–22 will be the most expensive fighter plane in history—at $162 million a copy—it will be a highly specialized aircraft to be used by one service to perform one mission. (A new F–15E costs about $55 million.) The F–22 is designed to operate from land bases only. It cannot operate from Navy carriers or readily be converted for such operations. It is designed to have only a very limited air-to-ground capability.

This all runs contrary to current DoD acquisition policy intended to take full advantage of commonality, "jointness", and versatility when designing and buying new equipment. Defense Department doctrine now places great emphasis on multi-mission and multi-role platforms that have high degrees of commonality between the services. Cost constraints will force an even greater emphasis on commonality and multi-mission capability in the years ahead, especially for expensive aircraft.

Based on the foregoing, the General Accounting Office recommended in March 1994 that the Secretary of Defense defer the initial operational capability of the F–22 by *seven years* and adjust the planned production date accordingly.

My amendment would not go that far. It would defer F–22 initial operational capability by *five years* in order to preserve our nutrition programs and leave $4.5 billion in the program to work on improving the multi-mission capability of this plane and preserving its production base. This would delay fielding the F–22 until 2009, *five years ahead* of the date that the DoD predicts its F–15 fleet will begin to exceed its expected economic service life. In fact, this delay may end up to be beneficial since added time for more R&D

may allow the Air Force to convert the F–22 into a true multi-mission aircraft that can be modified for Navy use.

The F–22 is an excellent aircraft that will be fielded. The question is not *whether* it is fielded, only *when* it is fielded. I think the evidence is clear that we have higher near-term priorities that must come first.

DAVE OBEY.

DISSENTING VIEWS OF THE HONORABLE NITA LOWEY, THE HONORABLE NANCY PELOSI, THE HONORABLE LOUIS STOKES, AND THE HONORABLE DAVID E. SKAGGS ON THE ISTOOK AMENDMENT

The amendment on Medicaid funding of abortion offered by Mr. Istook of Oklahoma clearly reverses Congressional policy on Medicaid funded abortion adopted in the FY 1994 and FY 1995 Labor, Health and Human Services, and Education Appropriations bills. At the time of enactment, proponents of both the FY 1994 and FY 1995 Hyde Amendments fully understood that the states would be required to provide Medicaid matching funds for abortions where the woman's life was endangered and where the pregnancy was a result of rape or incest. Judicial opinions both before and after these amendments confirm that states are mandated to provide coverage for all abortions for which federal funding is available. The view of the majority declaring that the Istook amendment merely clarifies that states had full discretion to deny funds for abortion for which federal funds are available is without legal foundation.

NITA LOWEY.
NANCY PELOSI.
LOUIS STOKES.
DAVID E. SKAGGS.

DISSENTING VIEWS OF CONGRESSMAN DAVID E. SKAGGS ON THE ISTOOK AMENDMENT

It is stunning and appalling that, under the pretext of states' rights, the Committee chose to adopt Mr. Istook's amendment on Medicaid-funded abortions. The idea that we would deliberately and knowingly condemn poor women impregnated by rape or incest to carry those pregnancies to term and bear the children of those who assault them reflects a moral distortion of the first order.

DAVID SKAGGS.

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