



FY 93 Funding and Language Track Strategic Defense Initiative

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Accession Number: 5694

Publication Date: Dec 01, 1992

Title: FY93 Funding and Language Track Strategic Defense Initiative

Corporate Author Or Publisher: SDIO/EA, Legislative Affairs Division, The Pentagon, Washington, DC
20

Descriptors, Keywords: FY93 Funding Language Track Strategic Defense Initiative SDIO Report TMD
Theater Missile Defense Act Anti-Ballistic Testing Follow-on Technology SSRT Arrow Raptor Milcon
Military Construction Chart

Pages: 00093

Cataloged Date: May 30, 1995

Document Type: HC

Number of Copies In Library: 000001

Record ID: 30062

Reports Required

REPORTS REQUIRED BY THE FY93 DOD AUTHORIZATION BILL
H.R. 5006; H.REPT. 102-527; S. 3114 S. REPT. 102-352

HOUSE

DUE

- | | |
|--|-----------------------------|
| (1) Report on allocation of funds for TMDI for FY93 | Submitted with FY94 Budget |
| (2) Report on allocation of funds appropriated for SDI for FY93 | 90 days after enactment |
| (3) Report on policy and plans of DOD regarding U.S. support of R&D for deployability enhancements for Arrow Tactical Anti-Missile program | 1 November 92 |
| (4) Report on anticipated cost-effectiveness of acquisition strategy and the operational effectiveness of the LDS | 30 Days after completed DAB |

SENATE

- | | |
|---|-------------------------|
| (1) Report from SecDef identifying programs, projects, and activities under Follow-on Technologies which he is transferring to a military department or DARPA; and those programs, projects, and activities which SecDef certifies are necessary in the national security interests of the U.S. to maintain under SDIO. | 90 days after enactment |
| (2) Report from SecDef a report on the allocation of funds appropriated for the SDI for FY93. | 90 days after enactment |

REPORTS REQUIRED BY THE FY93 DOD APPROPRIATIONS BILL
H.R. 5504; H.REPT. 102-627; S.REPT. 102-408

DUE

HOUSE

No reports required by the House Appropriations Committee

SENATE

(1) Report on DOD's plans with respect to development of Music Radar
and other components of the Arrow

Submitted with FY94 Budget

REPORTS REQUIRED BY THE FY93 DOD AUTHORIZATION CONFERENCE REPORT
H.R. 5006; H.Rept. 102-966 (P.L. 102-484)

DUE

Submitted with FY94 Budget

(1) Report by SecDef to Congressional Defense Committees--

1. Setting forth the proposed allocation of funds for TMDI for FY94, shown for each program, project, and activity;
2. Describing an updated master plan for the TMDI that includes (A) a detailed consideration of plans for theater and tactical missile defense doctrine, training, tactics and force structure, and (B) a detailed acquisition strategy which includes a consideration of acquisition and life-cycle costs through the year 2005 for programs, projects and activities associated with TMDI.
3. Assessing the possible near-term contribution and cost-effectiveness for TMD of exoatmospheric capabilities, to include at a minimum a consideration of--
(A) the use of the Navy's standard missile combined with a kick stage rocket, motor and LEAP; and (B) the use of the Patriot missile combined with the kick stage motor LEAP.

(2) Report on allocation of funds appropriated for the TMDI and SDI for FY93 90 days after enactment

(3) Report by SecDef to Defense Committees identifying-- 90 days after enactment

1. Those programs, projects and activities under Other Follow-on Technologies for FY93 which the SecDef is transferring to a military department or DARPA; and
2. Programs, projects, and activities, under Other Follow-on Technologies which the SecDef certifies are necessary to the national security interests of the U.S. to maintain under SDIO.

REPORTS REQUIRED BY THE FY93 DOD APPROPRIATIONS CONFERENCE REPORT
H.R. 5504; H.REPT. 102-1015 (P.L. 102-396)

No reports required by the FY93 DOD Appropriations Conference Report

Strategic Defense Initiative Funding Charts

STRATEGIC DEFENSE INITIATIVE ORGANIZATION
FY 93 FUNDING TRACK
 (\$ IN MILLIONS)

AUTHORIZATION	FY 92 AUTH 11/1/92	BUSH BUDGET REQUEST 1/29/92	HASC SUB COMMITTEE 5/12/92	HASC FULL COMMITTEE 5/13/92	HOUSE FLOOR 6/5/92	SASC SUB COMMITTEE 7/22/92	SASC FULL COMMITTEE 7/24/92	SENATE FLOOR 9/17-18/92	CONFERENCE 10/1/92
SPACE-BASED INTERCEPTORS	465.0/390.0*	575.6	0.0	0.0	0.0	200.0	350.0	***	300.0
LIMITED DEFENSE SYSTEM	1521.8	2134.8	2134.8	2134.8	2134.8	1900.0	2090.0	***	2039.8
OTHER FOLLOW-ON	629.6	849.6	528.3	528.3	528.3	400.0	400.0	***	300.0
RESEARCH & SUPPORT	705.1	754.7	576.7	576.7	576.7	400.0	400.0	***	400.0
THEATER MISSILE DEFENSE****	828.7	997.7	997.7	997.7**	997.7	1100.0	997.5	***	935.0*****
TOTAL RDT&E	4150.0	5312.4	4237.5	4237.5	4237.5	4000.0	4237.5	3800.0***	3974.8
PATRIOT (PROCUREMENT)	25.0	62.5	62.5	62.5	62.5	62.5	62.5	62.5	75.2

* \$390.0 is for Brilliant Pebbles
 ** The committee removed Theater Missile Defense from SDI and established a new Theater Missile Defense Initiative (TMDI) Office within DOD
 *** Nunn-Warner Amendment cut \$500M; sets line item ceilings at Committee mark levels
 **** Final Auth Bill creates separate TMDI
 ***** No less than \$90M for promising Naval TBM

APPROPRIATIONS	FY 92 APPROP 11/15/92	BUSH BUDGET REQUEST 1/29/92	HASC SUB COMMITTEE 6/17/92	HASC FULL COMMITTEE 6/29/92	HOUSE FLOOR 7/2/92	SAC SUB COMMITTEE 9/16/92	SAC FULL COMMITTEE 9/17/92	SENATE FLOOR 9/23/92	CONFERENCE 10/5/92
SPACE-BASED INTERCEPTORS	465.0/390.0*	575.6							
LIMITED DEFENSE SYSTEM	1521.8	2134.8							
OTHER FOLLOW-ON	629.6	849.6					3724.8***	3724.8***	
RESEARCH & SUPPORT	705.1	754.7							
THEATER MISSILE DEFENSE	828.7	997.7			997.7				
TOTAL RDT&E	3950.0*	5312.4	4237.5	4237.5	4237.5	3724.8	3724.8	3724.8	3724.8****
PATRIOT (PROCUREMENT)	25.0	62.5	62.5	62.5	62.5	75.2	75.2	75.2	75.2

* \$200M rescinded in FY 92 money on 6/4/92
 ** \$135M earmarked for ERINT
 *** HAC & SAC appropriated funds for SDI without breaking funding into categories
 **** \$135M for ERINT
 ***** \$57.7M for ACES
 ***** \$111.14M for Patriot
 10/23/92 SDIO

FY93 MILCON BUDGET UPDATE

FY93 FUNDING TRACK

FIGURES IN MILLIONS OF DOLLARS

9/24/92

AUTHORIZATION	BUSH BUDGET REQUEST	HASC SUBCMTE 5/12/92	HASC FULL CMTE 5/13/92	HOUSE FLOOR 6/5/92	SASC SUBCMTE 7/21/92	SASC FULL CMTE 7/24/92	SENATE FLOOR 9/18/92	CONFERENCE 10/1/92
PAYLOAD ASSEMBLY & INTEGRATION COMPLEX	22.0	0.0	0.0	0.0	22.0	22.0	22.0	22.0
LAND EASEMENT	5.4	5.4	5.4	5.4	2.5	2.5	2.5	2.5
NMD	12.8	12.8	0.0	0.0	0.0	0.0	0.0	0.0
MINOR MILCON	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
PLANNING & DESIGN	10.0	10.0	0.0	0.0	5.0	5.0	5.0	0.0
TOTAL	50.2	28.2	5.4	5.4	29.5	29.5	29.5	24.5

AUTHORIZATION	BUSH BUDGET REQUEST	HAC SUBCMTE 5/11/92	HAC FULL CMTE 6/18/92	HOUSE FLOOR 6/23/92	SAC SUBCMTE 7/31/92	SAC FULL CMTE 7/31/92	SENATE FLOOR 8/5/92	CONFERENCE 9/22/92
PAYLOAD ASSEMBLY & INTEGRATION COMPLEX	22.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
LAND EASEMENT	5.4	0.0	0.0	0.0	5.4	5.4	5.4	5.4
NMD	12.8	0.0	0.0	0.0	0.0	0.0	0.0	0.0
MINOR MILCON	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
PLANNING & DESIGN	10.0	0.0	0.0	0.0	5.0	5.0	5.0	0.0
TOTAL	50.2	0.0	0.0	0.0	10.4	10.4	10.4	5.4

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Strategic Defense Initiative Funding

STRATEGIC DEFENSE INITIATIVE FUNDING

HOUSE ARMED SERVICES COMMITTEE
H.R. 5006; H. REPT. 102-527 (5/19/92)

BILL LANGUAGE: Page 39-41

SEC. 232. STRATEGIC DEFENSE INITIATIVE FUNDING.

(a) *TOTAL AMOUNT.—Of the amounts appropriated pursuant to section 201 or otherwise made available to the Department of Defense for research, development, test, and evaluation for fiscal year 1993, not more than \$3,239,775,000 may be obligated for the Strategic Defense Initiative.*

(b) *SPECIFIC AMOUNTS FOR THE PROGRAM ELE-*

MENTS.—Of the amount described in subsection (a)—

(1) *not more than \$2,134,755,000 shall be available for programs, projects, and activities within the Limited Defense System program element;*

(2) *no funds shall be available for programs, projects, and activities within the Space-Based Interceptors program element;*

SENATE ARMED SERVICES COMMITTEE
S. 3114; S. REPT. 102-352 (7/31/92)

BILL LANGUAGE: Page 58-61

SEC. 222. STRATEGIC DEFENSE INITIATIVE FUNDING.

(a) *TOTAL AMOUNT.—Of the amounts appropriated or otherwise made available to the Department of Defense for fiscal year 1993, not more than \$4,300,000,000 may be obligated for the Strategic Defense Initiative, as follows:*

(1) *Of the amounts appropriated pursuant to title I for fiscal year 1993 or otherwise made available to the Department of Defense for procurement for fiscal year 1993, not more than \$62,500,000 may be obligated for the Strategic Defense Initiative.*

STRATEGIC DEFENSE INITIATIVE FUNDING

HOUSE ARMED SERVICES COMMITTEE
H. R. 5006; H. REPT. 102-527 (5/19/92)

BILL LANGUAGE: Page 39-41

(3) *not more than \$528,300,000 shall be available for programs, projects, and activities within the Other Follow-On Systems program element; and*

(4) *not more than \$576,720,000 shall be available for programs, projects, and activities within the Research and Support Activities program element.*

(c) *REPORTING REQUIREMENT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the allocation of funds appropriated for the Strategic Defense Initiative for fiscal year 1993. The report shall specify the amount of such funds allocated for each program, project, and activity of the Strategic Defense Initiative and shall list each Strategic Defense Initiative program, project, and activity under the appropriate pro-*

SENATE ARMED SERVICES COMMITTEE
S. 3114; S. REPT. 102-352 (7/31/92)

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(2) Of the amounts appropriated pursuant to section 201 for fiscal year 1993 or otherwise made available to the Department of Defense for research, development, test, and evaluation for fiscal year 1993, not more than \$4,237,500,000 may be obligated for the Strategic Defense Initiative.

(b) SPECIFIC AMOUNTS FOR THE PROGRAM ELEMENTS.—Of the amount set forth in subsection (a)—

(1) not more than \$2,090,000,000 shall be available for programs, projects, and activities within the Limited Defense System program element;

(2) not more than \$997,500,000 shall be available for programs, projects, and activities within the Theater Missile Defenses program element;

STRATEGIC DEFENSE INITIATIVE FUNDING

HOUSE ARMED SERVICES COMMITTEE
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(d) TRANSFER AUTHORITIES.—

(1) IN GENERAL.—Before the submission of the report required under subsection (c) and notwithstanding the limitations set forth in subsection (b), the Secretary of Defense may transfer funds among the program elements named in subsection (b).

(2) LIMITATION.—The total amount that may be transferred to or from any program element named in subsection (b)—

(A) may not exceed 10 percent of the amount provided in such subsection for the program element from which the transfer is made; and

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(3) not more than \$350,000,000 shall be available for programs, projects, and activities within the Space-Based Interceptors program element;

(4) not more than \$400,000,000 shall be available for programs, projects, and activities within the Other Follow-On Systems program element; and

(5) not more than \$400,000,000 shall be available for programs, projects, and activities within the Research and Support Activities program element.

(c) TRANSFER AUTHORITIES.—(1) Before the submission of the report required under subsection (e) and notwithstanding the limitations set forth in subsection (b), the Secretary of Defense may transfer funds among the program elements named in subsection (b).

STRATEGIC DEFENSE INITIATIVE FUNDING

HOUSE ARMED SERVICES COMMITTEE
H.R. 5006; H. REPT. 102-527 (5/19/92)

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(B) may not result in an increase of more than 10 percent of the amount provided in such subsection for the program element to which the transfer is made.

(3) MERGER AND AVAILABILITY.—Amounts transferred pursuant to paragraph (1) shall be merged with and be available for the same purposes as the amounts to which transferred.

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(2) The total amount that may be transferred to or from any program element named in subsection (b)—

(A) may not exceed 10 percent of the amount provided in such subsection for the program element from which the transfer is made; and

(B) may not result in an increase of more than 10 percent of the amount provided in such subsection for the program element to which the transfer is made.

(3) Transfer authority may not be used for a decrease in funds identified in subsection (b)(2) for Theater Missile Defenses.

(4) Amounts transferred pursuant to paragraph (1) shall be merged with and be available for the same purposes as the amounts to which transferred.

STRATEGIC DEFENSE INITIATIVE FUNDING

HOUSE ARMED SERVICES COMMITTEE
H.R. 5006; H. REPT. 102-527 (5/19/92)

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BILL LANGUAGE: Page 58-61

(d) CONSTRUCTION OF AUTHORITY IN RELATION TO USER OPERATIONAL EVALUATION SYSTEM.—Nothing in this Act shall be construed to authorize the exercise of any option to fabricate or field elements of a User Operational Evaluation System at the initial anti-ballistic missile defense site.

(e) REPORTING REQUIREMENT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the allocation of funds appropriated for the Strategic Defense Initiative for fiscal year 1993. The report shall specify the amount of such funds allocated for each program, project, and activity under each program element.

STRATEGIC DEFENSE INITIATIVE FUNDING

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REPORT LANGUAGE: Page 166-167

SECTIONS 231-233—MISSILE DEFENSE PROGRAMS

The amended budget request included \$5,312.4 million for research and development for the Strategic Defense Initiative Organization (SDIO). This request included \$575.6 for Space Based Interceptors, \$2,134.8 million for Limited Defense System, \$849.6 million for Other Follow-On Systems, \$754.7 million for Research and Support Activities, and \$997.7 million for Theater Missile Defenses.

The committee recommends authorization of \$3,239.8 million for research and development for SDIO, allocated as follows in section 232 to SDIO program elements: no funds for Space Based Interceptors, \$2,134.8 million for Limited Defense System, \$528.3 million for Other Follow-On Systems, and \$576.7 million for Research and Support Activities. Section 232 would allow the Secretary of Defense to make a one-time adjustment of up to plus or minus ten percent of the funding levels appropriated to any of these program elements. The committee recommends authorization of the requested \$997.7 million for research and development for theater missile defenses, but would provide these funds to a newly created Theater Missile Defense Initiative (TMDI), that would be created by section 231. (The committee also recommends authorization of the requested \$62.5 million for procurement for theater missile defenses, and would also provide these funds to TMDI.) The committee intends that all programs, projects, and activities formerly associated with the SDIO Theater Missile Defense program element be included in TMDI. In addition, the committee intends that beginning with fiscal year 1993, TMDI shall include all other theater missile defense activities currently included in other SDIO program elements, including the Navy LEAP technology demonstration program (project 1210).

SENATE ARMED SERVICES COMMITTEE
S. 3114; S. REPT. 102-352 (7/31/92)

REPORT LANGUAGE: Page 138-140

SDI Funding

The committee recommends an authorization of \$4.3 billion for the Strategic Defense Initiative in fiscal year 1993, with \$62.5 million authorized for procurement of Patriot radar system upgrades and \$4.2375 billion allocated as follows among the five SDI research and development program elements:

- (1) \$2.09 billion for the limited defense system (LDS) program element;
- (2) \$997.5 million for the theater missile defenses (TMD) program element;
- (3) \$350 million for the space-based interceptors (SBI) program element;
- (4) \$400 million for the other follow-on systems program element; and
- (5) \$400 million for the research and support activities program element.

Development and Testing of ABM Systems or Components

At a hearing on April 9, SDIO Director Cooper offered the following assurance with regard to the compatibility of the SDI development and test program with the ABM Treaty:

I want to note that we continue to conduct the SDI program to be consistent with all international agreements, including the ABM Treaty. As I observed last year, we have constrained our experimental work, as a matter of U.S. domestic law, according to Congressional direction that we not initiate funding

STRATEGIC DEFENSE INITIATIVE FUNDING

HOUSE ARMED SERVICES COMMITTEE

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REPORT LANGUAGE: Page 166-167

The committee notes that a number of recent senior review panels within the Navy and the Department of Defense have concluded that sea-based assets can provide a significant contribution to national theater missile defense objectives. Such a strategy takes advantage of naval attributes such as presence, mobility, flexibility and sustainability. Furthermore, the committee is aware that the Navy has prepared a detailed program plan for fiscal year 1993 to modify existing anti-air warfare/area capability and the potential development and acquisition of a sea-based theater ballistic missile defense capability. The committee strongly supports the aggressive exploration of these promising concepts for naval TMD and believes these programs can be accelerated substantially. Therefore, section 231 would further direct the Department of Defense to make available not less than \$90 million for naval TMD, to include modifications to the Aegis Weapon System and its associated battle management/command, control and communications, and enhancements to the Standard Missile interceptor.

The committee supports the direction provided to the Department of Defense by the Missile Defense Act of 1991 (Part C of Title II of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (Public Law 102-190)), to focus the SDI program on developing for deployment a limited ground-based anti-ballistic missile defense system, with an initial ABM Treaty-compliant system at a single site.

The committee is concerned, however, by testimony by SDIO Director Ambassador Henry F. Cooper to the Research and Development Subcommittee on May 6, 1992. Ambassador Cooper stated that: "By establishing the goal of deploying a highly effective defense of the United States, Congress noted that the attainment of such a goal requires us to obtain relief from current restrictions of the ABM Treaty."

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of long-lead items unique to any experiment that, when conducted, might exceed the limits of the so-called narrow interpretation of the ABM Treaty, and I can again report that we are in compliance with these restrictions.

In response to a question submitted for the record, Ambassador Cooper also assured the committee that prior to obligating or expending any funds for SDI development or testing activities, including long-lead funding for items unique to any experiment, that, when conducted, would exceed the limits of the narrow interpretation, "the Administration will first consult with the Congress and request its approval through normal budgetary procedures." In short, Ambassador Cooper confirmed that the administration would for at least another year respect the agreement on the ABM compliance issue which the Congress concluded with then-National Security Adviser Frank Carlucci in 1987, as reflected in section 225 of the National Defense Authorization Act for Fiscal Years 1988 and 1989.

In light of Ambassador Cooper's testimony, the committee recommends a provision which would effectively extend by one year section 222 of the National Defense Authorization Act for Fiscal Year 1991. The provision would specify that funds provided to the Defense Department for fiscal year 1993 and previous years for the development or testing of ABM systems or components may not be obligated or expended unless such development and testing is consistent with the development and testing described in the July 1992 SDIO Report. The committee agrees that "consistent with the development and testing described in the July 1992 SDIO Report" means development and testing which does not involve space-based or otherwise mobile ABM systems or components.

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The provision would further specify that funds provided to the Defense Department for fiscal year 1993 or prior years may not be obligated or expended for the acquisition of any material or equipment (including any long-lead materials, components, piece-parts, test equipment, or any modified space launch vehicle) required or to be used for the development or testing of ABM systems or components unless such material or equipment is required for development or testing consistent with the development and testing described in the July 1992 SDIO Report.

In recommending this provision, the committee agrees that nothing in this limitation is intended or may be construed to preclude SDIO or contractor planning activities (including studies, design activities, or computer simulations) related to any development or testing of ABM systems or components, including development and testing not described in the July 1992 SDIO Report.

In addition, the provision would specify that the Defense Department may request, through normal budgeting procedures, authority to acquire material or equipment related to ABM development or testing not described in the July 1992 SDIO report. The committee directs that such requests would have to be specifically approved by the Congress in the form either of new legislation or congressional approval of a transfer of funds. The committee further directs that no such transfer of any amount take place under this provision without prior notification and congressional approval through the procedures that traditionally have governed transfers.

STRATEGIC DEFENSE INITIATIVE FUNDING

**SENATE FLOOR AMENDMENTS-S. 3114
SEPTEMBER 17, 1992**

BILL LANGUAGE: Page 63-67

SEC. 222. STRATEGIC DEFENSE INITIATIVE FUNDING.

(a) **TOTAL AMOUNT.**—Of the amounts appropriated or otherwise made available to the Department of Defense for fiscal year 1993, not more than \$ 3,800,000,000 may be obligated for the Strategic Defense Initiative, as follows:

- (1) Of the amounts appropriated pursuant to title I for fiscal year 1993 or otherwise made available to the Department of Defense for procurement for fiscal year 1993, not more than \$62,500,000 may be obligated for the Strategic Defense Initiative.

STRATEGIC DEFENSE INITIATIVE FUNDING

SENATE FLOOR AMENDMENTS-S. 3114
SEPTEMBER 17, 1992

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(2) Of the amounts appropriated pursuant to section 201 for fiscal year 1993 or otherwise made available to the Department of Defense for research, development, test, and evaluation for fiscal year 1993, not more than \$3,737,500,000 may be obligated for the Strategic Defense Initiative.

(b) SPECIFIC AMOUNTS FOR THE PROGRAM ELEMENTS.—Of the amount set forth in subsection (a)—

(1) not more than \$2,090,000,000 shall be available for programs, projects, and activities within the Limited Defense System program element;

(2) not more than \$997,500,000 shall be available for programs, projects, and activities within the Theater Missile Defenses program element;

STRATEGIC DEFENSE INITIATIVE FUNDING

**SENATE FLOOR AMENDMENTS-8. 3114
SEPTEMBER 17, 1992**

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(3) not more than \$350,000,000 shall be available for programs, projects, and activities within the Space-Based Interceptors program element;

(4) not more than \$400,000,000 shall be available for programs, projects, and activities within the Other Follow-On Systems program element; and

(5) not more than \$400,000,000 shall be available for programs, projects, and activities within the Research and Support Activities program element.

(c) **TRANSFER AUTHORITIES.**—(1) Before the submission of the report required under subsection (e) and notwithstanding the limitations set forth in subsection (b), the Secretary of Defense may transfer funds among the program elements named in subsection (b).

STRATEGIC DEFENSE INITIATIVE FUNDING

**SENATE FLOOR AMENDMENTS-8. 3114
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(2) The total amount that may be transferred to or from any program element named in subsection (b)---

(A) may not exceed 10 percent of the amount provided in such subsection for the program element from which the transfer is made; and

(B) may not result in an increase of more than 10 percent of the amount provided in such subsection for the program element to which the transfer is made.

(3) Transfer authority may not be used for a decrease in funds identified in subsection (b)(2) for Theater Missile Defenses.

STRATEGIC DEFENSE INITIATIVE FUNDING

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(4) Amounts transferred pursuant to paragraph (1) shall be merged with and be available for the same purposes as the amounts to which transferred.

(d) CONSTRUCTION OF AUTHORITY IN RELATION TO USER OPERATIONAL EVALUATION SYSTEM.—Nothing in this Act shall be construed to authorize the exercise of any option to fabricate or field elements of a User Operational Evaluation System at the initial anti-ballistic missile defense site.

(e) REPORTING REQUIREMENT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the allocation of funds appropriated for the Strategic Defense Initiative for fiscal year 1993. The report shall specify the amount of such funds

STRATEGIC DEFENSE INITIATIVE FUNDING

**SENATE FLOOR AMENDMENTS-S. 3114
SEPTEMBER 17, 1992**

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allocated for each program, project, and activity under each program element.

**SEC. 224. LIMITATION REGARDING SUPPORT SERVICES
CONTRACTS OF THE STRATEGIC DEFENSE
INITIATIVE ORGANIZATION.**

(a) **LIMITATION.**—Of the amounts that are appropriated to the Department of Defense for fiscal year 1993 pursuant to the authorizations of appropriations contained in this Act and are made available for the Strategic Defense Initiative Organization, not more than \$100,000,000 may be expended for the procurement of support services.

STRATEGIC DEFENSE INITIATIVE FUNDING

**SENATE FLOOR AMENDMENTS-S. 3114
SEPTEMBER 17, 1992**

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(b) DEFINITION.—In subsection (a), the term “support services” means—

- (1) professional, administrative, and management support services;
- (2) special studies and analyses; or
- (3) services contracted for under section 3109 of title 5, United States Code.

STRATEGIC DEFENSE INITIATIVE FUNDING

AUTHORIZATION CONFERENCE REPORT
H.R. 5006; 102-966 (10/1/92)

PRESIDENTIAL SIGNATURE: P.L. 102-484 (10/23)

STATUTORY LANGUAGE: Page 43

SEC. 232. STRATEGIC DEFENSE INITIATIVE FUNDING.

(a) TOTAL AMOUNT.—Of the amounts appropriated pursuant to section 201 or otherwise made available to the Department of Defense for research, development, test, and evaluation for fiscal year 1993, not more than \$3,039,800,000 may be obligated for the Strategic Defense Initiative.

(b) SPECIFIC AMOUNTS FOR THE PROGRAM ELEMENTS.—Of the amount described in subsection (a)—

- (1) not more than \$2,039,800,000 shall be available for programs, projects, and activities within the Limited Defense System program element;
- (2) not more than \$300,000,000 shall be available for programs, projects, and activities within the Space-Based Interceptors program element;
- (3) not more than \$300,000,000 shall be available for programs, projects, and activities within the Other Follow-On Systems program element; and
- (4) not more than \$400,000,000 shall be available for programs, projects, and activities within the Research and Support Activities program element.

(d) CONSTRUCTION OF AUTHORITY IN RELATION TO USER OPERATIONAL EVALUATION SYSTEM.—Nothing in this Act shall be construed to authorize the exercise of any option to fabricate or field elements of a User Operational Evaluation System at the initial anti-ballistic missile defense site.

REPORT LANGUAGE: Page 640-641

Strategic Defense Initiative funding (sec. 232)

The House bill contained a provision (sec. 232) that would authorize \$3.4 billion for non-TMDI SDI research and development in fiscal year 1993, allocated among the four remaining SDI program elements as follows: \$2.13 billion for the limited defense system (LDS), no funds for space-based interceptors (SBI), \$528.3 million for other follow-on systems, and \$576.7 million for research and support (R&S). The House bill would provide a total of \$4.3 billion in SDI and TMDI funds in fiscal year 1993.

The Senate amendment contained a provision (sec. 222) that would authorize a total of \$3.8 billion for SDI in fiscal year 1993 and, in addition to the TMD funding authorization described above, establish the following ceilings on the four non-TMD SDI program elements: \$2.09 billion for LDS, \$350 million for SBI, \$400 million for other follow-on systems, and \$400 million for R&S. The provision would also declare that nothing in this act shall be construed to authorize the exercise of any option to fabricate or field elements of a user operational evaluation system (UOES) at the initial ABM site.

The conferees agree to authorize a total of \$3.04 billion for non-TMDI SDI research and development in fiscal year 1993, allocated among the four remaining SDI program elements as follows: \$2.04 billion for LDS, \$300 million for SBI, \$300 million for other follow-on systems, and \$400 million for R&S. In combination with the procurement and research and development funds which the conferees agree to authorize under the TMDI, the conference agreement would provide a total of \$4.05 billion in SDI and TMDI funds in fiscal year 1993.

The conferees do not object to continued planning by SDIO of the various UOES options for the initial ABM site. However, since no proposal on exercising a particular UOES early fielding option is expected to be proposed to Congress by the Defense Department prior to 1995, the conferees make no decision at this time on any of the UOES options for the initial ABM site. The conferees therefore agree to the provision in the Senate bill that would declare that nothing in this act is to be construed to authorize the exercise of any of these options.

STRATEGIC DEFENSE INITIATIVE FUNDING

AUTHORIZATION CONFERENCE REPORT
H.R. 5006; 102-966 (10/1/92)

REPORT LANGUAGE: Page 640-641

PRESIDENTIAL SIGNATURE: P.L. 102-484 (10/23)

STATUTORY LANGUAGE: Page 43

Reporting on transfers and allocation of funding for TMDI and SDI (sec. 233)

The House bill contained a provision (sec. 232(d)) that would authorize the Secretary of Defense to transfer up to 10 percent of the funds to or from any of the four Strategic Defense that the missile defense goal of the United States is to comply with the ABM Treaty, including any protocol or amendment thereto, and not develop, test, or deploy any ballistic missile defense system, or component thereof, in violation of the Treaty, as modified by any protocol or amendment thereto, while deploying an anti-ballistic missile system that is capable of providing a highly effective defense of the United States against limited attacks of ballistic missiles; maintain strategic stability; and provide highly effective theater missile defense (TMDs) to forward-deployed and expeditionary elements of the Armed Forces of the United States and to friends and allies of the United States.

Deployment Dates

The House bill contained a provision (sec. 233(b)) that would delete the deployment date in the MDA for the initial ABM site but retain the deployment date for TMD systems in the MDA.

The Senate amendment contained a provision (sec. 221) that would delete the specific dates that had been incorporated in section 233(b) of the MDA as goals for achieving the deployment of advanced theater missile defense (TMD) systems and the initial anti-ballistic missile (ABM) system.

The House recedes. The conferees direct the Secretary of Defense to develop the advanced TMD and initial ABM deployments consistent with sound acquisition procedures and in accordance with a low-to-moderate technical risk and low-to-moderate concurrency program. The conferees further direct the Secretary to structure this development program with the objective of deploying such systems by the earliest date allowed by the availability of appropriate technology and the completion of adequate integrated testing of all systems components. On July 2, 1992, the Secretary of Defense submitted a report to Congress in accordance with section 233(b)(3) of the MDA outlining his plan for the development for deployment of advanced TMD systems and the initial ABM system. The conferees also endorse SDIO plans to develop, test, and field UOE prototypes for the THAAD system by 1996. The conferees believe that

SEC. 233. REPORTING REQUIREMENTS AND TRANSFER AUTHORITIES FOR TMDI AND SDI.

(a) *REPORTING REQUIREMENT.*—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the allocation of funds appropriated for the Theater Missile Defense Initiative and the Strategic Defense Initiative for fiscal year 1993. The report shall specify the amount of such funds allocated for each program, project, and activity of the Theater Missile Defense Initiative and the Strategic Defense Initiative and shall list each Strategic Defense Initiative program, project, and activity under the appropriate program element and list each Theater Missile Defense Initiative program, project, and activity.

(b) *TRANSFER AUTHORITIES.*—

(1) *IN GENERAL.*—Before the submission of the report required under subsection (a) and notwithstanding the limitations set forth in sections 231(b) and 232(b) of this Act, the Secretary of Defense may transfer funds among the Strategic Defense Initiative program elements named in section 232(b) of

STRATEGIC DEFENSE INITIATIVE FUNDING

AUTHORIZATION CONFERENCE REPORT
H.R. 5006; 102-966 (10/1/92)

PRESIDENTIAL SIGNATURE: P.L. 102-484 (10/23)

STATUTORY LANGUAGE: Page 43-44

this Act and from such elements to the Theater Missile Defense Initiative.

(2) LIMITATION.—The total amount that may be transferred to or from any program element named in section 232(b)—

(A) may not exceed 10 percent of the amount provided in such subsection for the program element from which the transfer is made; and

(B) may not result in an increase of more than 10 percent of the amount provided in section 232(b) for the Strategic Defense Initiative program element to which the transfer is made and may not result in an increase of more than 10 percent of the amount provided in section 231(b) for the Theater Missile Defense Initiative.

(3) RESTRICTION.—Transfer authority under paragraph (1) may not be used for a decrease in funds identified in section 231(b) for the Theater Missile Defense Initiative.

(4) MERGER AND AVAILABILITY.—Amounts transferred pursuant to paragraph (1) shall be merged with and be available for the same purposes as the amounts to which transferred.

REPORT LANGUAGE: Page 640-641

the baseline programs for TMD and the limited defense system (LDS) as set forth in this report constitute a low-to-moderate technical risk and low-to-moderate concurrency program. Under these programs, deployment of the initial ABM site of the LDS would occur in the year 2002, and advanced TMD systems would attain their initial operational capabilities (IOCs) in the same time frame.

Transfer of Far-Term, Follow-on Technologies

The Senate amendment contained a provision (sec. 221(b)) that would require the Secretary of Defense to transfer responsibility for the research and development of far-term, follow-on technologies (that is, technologies not likely to be weaponized within the next 10-15 years) to the Defense Advanced Research Projects Agency (DARPA) or the appropriate Service until Initiative program elements provided under the House bill, and to submit a report to the congressional defense committees on the allocation of funding, after any such transfers, for each SDI program, project, or activity. The report would be required not later than 90 days after enactment.

The Senate amendment contained a similar provision (sec. 222(c)), except that such transfers would be permitted among the five program elements, including TMD, of SDI under the Senate bill. However, the transfer authority would not be available to transfer funds out of the TMD program element.

The Senate recedes with an amendment. In light of the provision elsewhere in this Act that would create a separate theater missile defense initiative within the Department of Defense, the conferees agree to permit transfers to occur as provided in both bills among the four remaining program elements of SDI, and to permit transfers from the four SDI program elements to TMDI. None of the four SDI program elements could be reduced by more than 10 percent of the amount authorized for such elements in the conference agreement and funding for none of those four SDI elements, or for TMDI, could be increased by more than 10 percent of the amount authorized in the conference agreement. The transfer authority could not be used to reduce TMDI funding below the amount authorized in the conference agreement for that program.

The flexibility to transfer funds to TMDI from SDI program elements will assist in helping ensure that efficiencies can be obtained for technology development programs having both strategic and theater missile defense applications.

STRATEGIC DEFENSE INITIATIVE FUNDING

AUTHORIZATION CONFERENCE REPORT
H.R. 5006; 102-966 (10/1/92)

PRESIDENTIAL SIGNATURE: P.L. 102-484 (10/23)

STATUTORY LANGUAGE: Page 47

SEC. 236. LIMITATION REGARDING SUPPORT SERVICES CONTRACTS OF THE
STRATEGIC DEFENSE INITIATIVE ORGANIZATION.

(a) *LIMITATION.*—Of the amounts that are appropriated to the Department of Defense for fiscal year 1993 pursuant to the authorizations of appropriations contained in this Act and are made available for the Strategic Defense Initiative Organization, not more than \$135,000,000 may be expended for the procurement of support services.

(b) *DEFINITION.*—For purposes of subsection (a), the term "support services" means any of the following:

- (1) Professional, administrative, and management support services.
- (2) Special studies and analyses.
- (3) Services contracted for under section 3109 of title 5, United States Code.

REPORT LANGUAGE: Page 640-641

Limitation regarding SDIO support services contracts (sec. 236)

The Senate amendment contained a provision (sec. 224) that would limit the Strategic Defense Initiative Organization (SDIO) to expenditures of \$100 million for procurement of support services, defined as professional, administrative, and management support services, special studies and analysis, and contractors/consultants. The House bill contained no similar provision.

The House recedes with an amendment that would set the limit at \$135 million.

The conferees are aware that only 259 federal employees were assigned to SDIO in August 1992 to manage the largest single R&D program in the Defense Department, and that SDIO has used contracts to procure the technical, scientific, and engineering support required to accomplish its mission. The conferees urge the Director of SDIO to minimize the disruption caused by this limitation by first reducing contracts for administrative, clerical, management support, studies and analysis, and consultant services.

The Secretary of Defense is directed to undertake a study of the civilian and military manning levels in SDIO in order to determine the number and qualifications of civil service employees required to provide the services SDIO has previously been procuring by contract. The Secretary shall take actions to ensure that SDIO has sufficient civilian and military personnel to accomplish its mission as defined in the Missile Defense Act.

STRATEGIC DEFENSE INITIATIVE FUNDING

HOUSE APPROPRIATIONS COMMITTEE
H.R. 5504; H. REPT. 102-627 (6/29/92)

BILL LANGUAGE: Page 37

Provided, That not less than \$135,000,000 of the funds appropriated in this paragraph are available only for the Extended Range Interceptor (ERINT) missile:

SENATE APPROPRIATIONS COMMITTEE
H.R. 5504; S. REPT. 102-408 (9/17/92)

BILL LANGUAGE: No language exists.

STRATEGIC DEFENSE INITIATIVE FUNDING

HOUSE APPROPRIATIONS COMMITTEE

H.R. 5504; H. REPT. 102-627 (6/29/92)

REPORT LANGUAGE: Page 206

STRATEGIC DEFENSE INITIATIVE

The Committee recommends \$3,239,775,000 for the Strategic Defense Initiative, a reduction of \$1,074,874,000, and \$997,725,000 for Theater Defense. This matches the House passed authorization level. Within this amount, \$2,000,000 is only for continued work on the miniature proton accelerator. The Committee has also included bill language to earmark \$135,000,000 only for the ERINT missile.

SENATE APPROPRIATIONS COMMITTEE

H.R. 5504; S. REPT. 102-408 (9/17/92)

REPORT LANGUAGE: Page 298

Strategic defense initiative [SDI]; theater missile defense initiative [TMDI]—demonstration/validation; theater missile defense initiative—full-scale development.—The Committee recommends a total of \$3,800,000,000 for the strategic defense initiative and theater missile defense initiative programs to research, develop, and procure technologies to defend the United States, its allies, and forward-deployed forces against ballistic missile attacks. The recommendation reduces the budget request to provide a more fiscally supportable level and to permit more time for adequate test and evaluation to occur before equipment is fielded. The Committee's recommendation includes \$3,724,800,000 in RDT&E funds and \$75,200,000 in procurement funds. The allocation is \$1,587,574,000 below the budget request for RDT&E and \$512,700,000 below the House allowance. The Committee's procurement recommendation is \$12,700,000 above both the House allowance and the budget request and reflects an internal realignment by the SDI program management.

The Committee also approves the use of fiscal year 1992 funds provided for engineering and manufacturing development [EMD] for the Patriot system for demonstration/validation activities. This transfer is needed since Patriot activities are not ready to enter EMD in fiscal year 1992.

STRATEGIC DEFENSE INITIATIVE FUNDING

APPROPRIATIONS CONFERENCE REPORT
H.R. 5504; 102-1015 (10/5/92)

PRESIDENTIAL SIGNATURE: P.L. 102-396 (10/5)

STATUTORY LANGUAGE: Page 13

Restore the matter stricken by said amendment, amended to read as follows: : *Provided, That the general reduction of \$189,065,000 taken against this appropriation account, as reflected in the appropriation level provided herein, shall be applied, except for the \$3,724,800,000 for the Strategic Defense Initiative, on a pro rata basis by subproject within each R-1 program element as modified by this Act: Provided further, That not less than \$135,000,000 of the funds appropriated in this paragraph are available only for the Extended Range Interceptor (ERINT) missile: Provided further, That not less than \$57,776,000 of the funds appropriated in this paragraph are available only for the Arrow Continuation Experiments: Provided further, That not less than \$111,140,000 of the funds appropriated in this paragraph are available only for the Patriot missile program; and the Senate agree to the same.*

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SEC. 9142. Of the funds appropriated in this Act, not more than nor less than \$3,800,000,000 shall be available only for the Strategic Defense Initiative.

REPORT LANGUAGE: No language exists.

Theater Missile Defense

THEATER MISSILE DEFENSE

HOUSE ARMED SERVICES COMMITTEE
H.R. 5006; H. REPT. 102-527 (5/19/92)

BILL LANGUAGE: Page 37-39

SEC. 231. THEATER MISSILE DEFENSE INITIATIVE.

(a) ESTABLISHMENT OF THEATER MISSILE DEFENSE INITIATIVE.—*The Secretary of Defense shall establish a Theater Missile Defense Initiative office within the Department of Defense. All theater and tactical missile defense activities of the Department of Defense (including all programs, projects, and activities formerly associated with the Theater Missile Defense program element of the Strategic Defense Initiative) shall be carried out under the Theater Missile Defense Initiative.*

(b) FUNDING FOR FISCAL YEAR 1993.—*Of the amounts appropriated pursuant to section 201 or otherwise made available to the Department of Defense for research, development, test, and evaluation for fiscal year 1993, not*

SENATE ARMED SERVICES COMMITTEE
S. 3114; S. REPT. 102-352

BILL LANGUAGE: No language exists.

THEATER MISSILE DEFENSE

**HOUSE ARMED SERVICES COMMITTEE
H.R. 5006; H.REPT. 102-527 (5/19/92)**

BILL LANGUAGE: Page 37-39

more than \$997,725,000 may be obligated for activities of the Theater Missile Defense Initiative, of which not less than \$90,000,000 shall be made available for exploration of promising concepts for naval theater missile defense.

(c) REPORT.—When the President's budget for fiscal year 1994 is submitted to Congress pursuant to section 1105 of title 31, United States Code, the Secretary of Defense shall submit to the congressional defense committees a report—

(1) setting forth the allocation by the Secretary of funds appropriated for the Theater Missile Defense Initiative for fiscal year 1993, and the proposed allocation for fiscal year 1994, shown for each program, project, and activity;

**SENATE ARMED SERVICES COMMITTEE
S. 3114; S. REPT. 102-352**

BILL LANGUAGE: No language exists.

THEATER MISSILE DEFENSE

HOUSE ARMED SERVICES COMMITTEE
H.R. 5006; H. REPT. 102-527 (5/19/92)

BILL LANGUAGE: Page 37-39

(2) describing an updated master plan for the Theater Missile Defense Initiative that includes (A) a detailed consideration of plans for theater and tactical missile defense doctrine, training, tactics, and force structure, and (B) a detailed acquisition strategy which includes a consideration of acquisition and life-cycle costs through the year 2005 for the programs, projects, and activities associated with the Theater Missile Defense Initiative;

(3) assessing the possible near-term contribution and cost-effectiveness for theater missile defense of exoatmospheric capabilities, to include at a minimum a consideration of—

SENATE ARMED SERVICES COMMITTEE
S. 3114; S. REPT. 102-352

BILL LANGUAGE: No language exists.

THEATER MISSILE DEFENSE

HOUSE ARMED SERVICES COMMITTEE
H.R. 5006; H.REPT. 102-527 (5/19/92)

BILL LANGUAGE: Page 37-39

(A) *the use of the Navy's Standard missile combined with a kick stage rocket motor and lightweight exoatmospheric projectile (LEAP);*

and

(B) *the use of the Patriot missile combined with a kick stage rocket motor and LEAP.*

(d) *EFFECTIVE DATE.—The provisions of subsections (a), (b), and (c) shall be implemented not later than 90 days after the date of the enactment of this Act.*

SENATE ARMED SERVICES COMMITTEE
S. 3114; S. REPT. 102-352

BILL LANGUAGE: No language exists.

THEATER MISSILE DEFENSE

**HOUSE ARMED SERVICES COMMITTEE
H.R. 5006; H. REPT. 102-527 (5/19/92)**

REPORT LANGUAGE: Page 167

The committee recommends authorization of \$3,239.8 million for research and development for SDIO, allocated as follows in section 232 to SDIO program elements: no funds for Space Based Interceptors, \$2,134.8 million for Limited Defense System, \$528.3 million for Other Follow-On Systems, and \$576.7 million for Research and Support Activities. Section 232 would allow the Secretary of Defense to make a one-time adjustment of up to plus or minus ten percent of the funding levels appropriated to any of these program elements. The committee recommends authorization of the requested \$997.7 million for research and development for theater missile defenses, but would provide these funds to a newly created Theater Missile Defense Initiative (TMDI), that would be created by section 231. (The committee also recommends authorization of the requested \$62.5 million for procurement for theater missile defenses, and would also provide these funds to TMDI.) The committee intends that all programs, projects, and activities formerly associated with the SDIO Theater Missile Defense program element be included in TMDI. In addition, the committee intends that beginning with fiscal year 1993, TMDI shall include all other theater missile defense activities currently included in other SDIO program elements, including the Navy LEAP technology demonstration program (project 1210).

The committee notes that a number of recent senior review panels within the Navy and the Department of Defense have concluded that sea-based assets can provide a significant contribution to national theater missile defense objectives. Such a strategy takes advantage of naval attributes such as presence, mobility, flexibility and sustainability. Furthermore, the committee is aware that the Navy has prepared a detailed program plan for fiscal year 1993 to modify existing anti-air warfare/area capability and the potential development and acquisition of a sea-based theater ballistic missile defense capability. The committee strongly supports the aggressive exploration of these promising concepts for naval TMD and believes these programs can be accelerated substantially. Therefore, section 231 would further direct the Department of Defense to make available not less than \$90 million for naval TMD, to include modifications to the Aegis Weapon System and its associated battle management/command, control and communications, and enhancements to the Standard Missile interceptor.

**SENATE ARMED SERVICES COMMITTEE
S. 3114; S. REPT. 102-352**

REPORT LANGUAGE: No language exists.

THEATER MISSILE DEFENSE

**AUTHORIZATION CONFERENCE REPORT
H.R. 5006; 102-966 (10/1/92)**

PRESIDENTIAL SIGNATURE: P.L. 102-484 (10/23)

STATUTORY LANGUAGE: Page 42-43

SEC. 231. THEATER MISSILE DEFENSE INITIATIVE.

(a) **ESTABLISHMENT OF THEATER MISSILE DEFENSE INITIATIVE.**—The Secretary of Defense shall establish a Theater Missile Defense Initiative office within the Department of Defense. All theater and tactical missile defense activities of the Department of Defense (including all programs, projects, and activities formerly associated with the Theater Missile Defense program element of the Strategic Defense Initiative) shall be carried out under the Theater Missile Defense Initiative.

(b) **FUNDING FOR FISCAL YEAR 1993.**—Of the amounts appropriated pursuant to section 201 or otherwise made available to the Department of Defense for research, development, test, and evaluation for fiscal year 1993, not more than \$935,000,000 may be obligated for activities of the Theater Missile Defense Initiative, of which not less than \$90,000,000 shall be made available for exploration of promising concepts for naval theater missile defense.

(c) **REPORT.**—When the President's budget for fiscal year 1994 is submitted to Congress pursuant to section 1105 of title 31, United States Code, the Secretary of Defense shall submit to the congressional defense committees a report—

(1) setting forth the proposed allocation by the Secretary of funds for the Theater Missile Defense Initiative for fiscal year 1994, shown for each program, project, and activity;

(2) describing an updated master plan for the Theater Missile Defense Initiative that includes (A) a detailed consideration of plans for theater and tactical missile defense doctrine, training, tactics, and force structure, and (B) a detailed acquisition strategy which includes a consideration of acquisition and life-cycle costs through the year 2005 for the programs, projects, and activities associated with the Theater Missile Defense Initiative;

(3) assessing the possible near-term contribution and cost-effectiveness for theater missile defense of exoatmospheric capabilities, to include at a minimum a consideration of—

REPORT LANGUAGE: Page 640-641

Theater missile defense initiative (sec. 231)

The House bill contained a provision (sec. 231) that would create a theater missile defense initiative (TMDI) and transfer all programs, projects, and activities formerly associated with the SDIO theater missile defense (TMD) program element and their associated research and development and procurement funding to TMDI. The provision would authorize \$62.5 million for TMDI procurement for fiscal year 1993 and \$97.7 million for TMDI research and development, of which not less than \$90 million would be available for Naval TMD programs, projects, and activities.

The Senate amendment contained no similar provision. However, the Senate amendment would authorize \$62.5 million for fiscal year 1993 for TMD procurement within the overall funds provided to SDI and \$97.5 million for TMD research and development programs, projects, and activities.

The Senate recedes. The conferees agree to create a TMDI as directed in the House bill. In directing this action, the conferees do not intend to rule out any arrangement the Secretary of Defense may determine is most appropriate for the management and program direction of the TMDI, including placing TMDI under the management and direction of the Director of SDIO. Regardless of what organizational relationship the Secretary determines is appropriate between SDI and TMDI, the conferees direct the Secretary of Defense to ensure that TMDI and SDI programs, projects, and activities that share common technologies or requirements be closely coordinated, including the use of combined or joint funding and management where appropriate. This direction is designed to avoid redundancy, to obtain both technological and financial efficiencies, and to maximize the incorporation of common technologies in specific theater and strategic missile defense systems. Furthermore, the Secretary may use the authority to transfer a limited amount of funding from SDI program element funding to TMDI during fiscal year 1993 to help promote these efficiencies. Finally, the conferees invite the Secretary to consider the establishment of joint activities funding lines within both TMDI and SDI for fiscal year 1994 and thereafter so as to clearly identify those programs, projects, and activities which are common to both theater and strategic missile defense systems.

The conferees agree to authorize \$75.2 million for fiscal year 1993 for TMDI procurement and \$935 million for TMDI research and development and to eliminate the TMD program element under SDI.

THEATER MISSILE DEFENSE

AUTHORIZATION CONFERENCE REPORT
H. R. 5006; 102-966 (10/1/92)

PRESIDENTIAL SIGNATURE: P. L. 102-484 (10/23)

STATUTORY LANGUAGE: Page 42-43

(A) *the use of the Navy's Standard missile combined with a kick stage rocket motor and lightweight exoatmospheric projectile (LEAP); and*

(B) *the use of the Patriot missile combined with a kick stage rocket motor and LEAP.*

(d) **EFFECTIVE DATE.**—*The provisions of subsections (a), (b), and (c) shall be implemented not later than 90 days after the date of the enactment of this Act.*

SEC. 233. REPORTING REQUIREMENTS AND TRANSFER AUTHORITIES FOR TMDI AND SDI.

(a) **REPORTING REQUIREMENT.**—*Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the allocation of funds appropriated for the Theater Missile Defense Initiative and the Strategic Defense Initiative for fiscal year 1993. The report shall specify the amount of such funds allocated for each program, project, and activity of the Theater Missile Defense Initiative and the Strategic Defense Initiative and shall list each Strategic Defense Initiative program, project, and activity under the appropriate program element and list each Theater Missile Defense Initiative program, project, and activity.*

(b) **TRANSFER AUTHORITIES.**—

(1) **IN GENERAL.**—*Before the submission of the report required under subsection (a) and notwithstanding the limitations set forth in sections 231(b) and 232(b) of this Act, the Secretary of Defense may transfer funds among the Strategic Defense Initiative program elements named in section 232(b) of*

REPORT LANGUAGE: Page 640-641

Reporting on transfers and allocation of funding for TMDI and SDI (sec. 233)

The House bill contained a provision (sec. 232(d)) that would authorize the Secretary of Defense to transfer up to 10 percent of the funds to or from any of the four Strategic Defense Initiative missile defense goal of the United States is to comply with the ABM Treaty, including any protocol or amendment thereto, and not develop, test, or deploy any ballistic missile defense system, or component thereof, in violation of the Treaty, as modified by any protocol or amendment thereto, while deploying an anti-ballistic missile system that is capable of providing a highly effective defense of the United States against limited attacks of ballistic missiles; maintain strategic stability; and provide highly effective theater missile defense (TMDs) to forward-deployed and expeditionary elements of the Armed Forces of the United States and to friends and allies of the United States.

Deployment Dates

The House bill contained a provision (sec. 233(b)) that would delete the deployment date in the MDA for the initial ABM site but retain the deployment date for TMD systems in the MDA.

The Senate amendment contained a provision (sec. 221) that would delete the specific dates that had been incorporated in section 233(b) of the MDA as goals for achieving the deployment of advanced theater missile defense (TMD) systems and the initial anti-ballistic missile (ABM) system.

The House recedes. The conferees direct the Secretary of Defense to develop the advanced TMD and initial ABM deployments consistent with sound acquisition procedures and in accordance with a low-to-moderate technical risk and low-to-moderate concurrency program. The conferees further direct the Secretary to structure this development program with the objective of deploying such

THEATER MISSILE DEFENSE

AUTHORIZATION CONFERENCE REPORT
H.R. 5006; 102-966 (10/1/92)

PRESIDENTIAL SIGNATURE: P.L. 102-484 (10/23)

STATUTORY LANGUAGE: Page 44

REPORT LANGUAGE: Page 640-641

The flexibility to transfer funds to TMDI from SDI program elements will assist in helping ensure that efficiencies can be obtained for technology development programs having both strategic and theater missile defense applications.

THEATER MISSILE DEFENSE

HOUSE APPROPRIATIONS COMMITTEE

H.R. 5428; H.REPT. 102-580 (6/18/92)

BILL LANGUAGE: Page 37

Provided, That not less than \$135,000,000 of the funds appropriated in this paragraph are available only for the Extended Range Interceptor (ERINT) missile:

SENATE APPROPRIATIONS COMMITTEE

H.R. 5428; S.REPT. 102-355 (7/31/92)

BILL LANGUAGE: No language exists.

HOUSE APPROPRIATIONS COMMITTEE

H.R. 5504; H. REPT. 102-627 (6/29/92)

REPORT LANGUAGE: Page 206

Naval ATBM. The Committee strongly supports an increased role for the Navy in providing theatre missile defense (TMD) under the Strategic Defense Initiative program. Navy surface fleet vessels and other sea-based assets have significant advantages in mobility, flexibility, sustainability, and coverage. A number of recent senior review panels within DOD and the Navy have concluded that Navy TMD can make major contributions to national theatre missile defense objectives. The Committee strongly supports the aggressive exploration of promising concepts for Naval TMD including cost effective systems and upgrades that can be fielded more quickly. The Committee believes that Navy TMD programs such as these should be accelerated and provided increased budget support within the SDI program and related Navy efforts.

SENATE APPROPRIATIONS COMMITTEE

H.R. 5504; S. REPT. 102-408 (9/17/92)

REPORT LANGUAGE: Page 202-203

Patriot missile.—The Defense Department included \$62,500,000 within their fiscal year 1992 budget request for the continued modification of the Patriot missile system for the theater missile defense [TMD] applications. The Committee provides \$75,200,000 for these activities in fiscal year 1993, \$12,700,000 above the budget request and the House allowance.

The Committee recommendation reflects latest information from SDIO on Patriot's TMD procurement requirements for fiscal year 1993. To offset this increase within the "Procurement" account SDIO has offered, and the Committee recommends, an equal reduction to the Patriot research and development allocation.

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The Committee also approves the use of fiscal year 1992 funds provided for engineering and manufacturing development [EMD] for the Patriot system for demonstration/validation activities. This transfer is needed since Patriot activities are not ready to enter EMD in fiscal year 1992.

The Committee strongly supports the Patriot missile enhancements being developed to improve U.S. theater missile defense capabilities. Similarly, the Committee notes the potential that the Directed Energy Program project has to contribute to improved missile defenses. The Committee also maintains that the Directed Energy Program, which focuses on development of neutral particle beam and high-energy laser technologies, is important to assure the longevity and robustness of homeland missile defense systems and should be adequately funded. Furthermore, the Committee recognizes the potential that SDI's single-stage-to-orbit technology efforts have for addressing some of the Nation's space launch requirements.

The Committee also is aware that the Defense Department is required to conduct worldwide surveillance to satisfy mission requirements. The Committee understands that SDI is conducting a technology program to develop a second generation, long-range laser radar system that could be deployed on operational aircraft. The Committee recommends the plan to develop the prototype system at a mountain top site where it will also serve space surveillance objectives at the western test range.

THEATER MISSILE DEFENSE

HOUSE APPROPRIATIONS COMMITTEE

H.R. 5504; H. REPT. 102-627 (6/29/92)

REPORT LANGUAGE: Page 206

STRATEGIC DEFENSE INITIATIVE

The Committee recommends \$3,239,775,000 for the Strategic Defense Initiative, a reduction of \$1,074,874,000, and \$997,725,000 for Theater Defense. This matches the House passed authorization level. Within this amount, \$2,000,000 is only for continued work on the miniature proton accelerator. The Committee has also included bill language to earmark \$135,000,000 only for the ERINT missile.

SENATE APPROPRIATIONS COMMITTEE

H.R. 5504; S. REPT. 102-408 (9/17/92)

REPORT LANGUAGE: Page 298

Strategic defense initiative [SDI]; theater missile defense initiative [TMDI]—demonstration/validation; theater missile defense initiative—full-scale development.—The Committee recommends a total of \$3,900,000,000 for the strategic defense initiative and theater missile defense initiative programs to research, develop, and procure technologies to defend the United States, its allies, and forward-deployed forces against ballistic missile attacks. The recommendation reduces the budget request to provide a more fiscally supportable level and to permit more time for adequate test and evaluation to occur before equipment is fielded. The Committee's recommendation includes \$3,724,800,000 in RDT&E funds and \$75,200,000 in procurement funds. The allocation is \$1,587,574,000 below the budget request for RDT&E and \$512,700,000 below the House allowance. The Committee's procurement recommendation is \$12,700,000 above both the House allowance and the budget request and reflects an internal realignment by the SDI program management.

THEATER MISSILE DEFENSE

APPROPRIATIONS CONFERENCE REPORT
H.R. 5504; 102-1015 (10/5/92)

PRESIDENTIAL SIGNATURE: P.L. 102-396 (10/5)

REPORT LANGUAGE: No language exists.

STATUTORY LANGUAGE: Page 13

Restore the matter stricken by said amendment, amended to read as follows: : *Provided, That the general reduction of \$189,065,000 taken against this appropriation account, as reflected in the appropriation level provided herein, shall be applied, except for the \$3,724,800,000 for the Strategic Defense Initiative, on a pro rata basis by subproject within each R-1 program element as modified by this Act: Provided further, That not less than \$135,000,000 of the funds appropriated in this paragraph are available only for the Extended Range Interceptor (ERINT) missile: Provided further, That not less than \$57,776,000 of the funds appropriated in this paragraph are available only for the Arrow Continuation Experiments: Provided further, That not less than \$111,140,000 of the funds appropriated in this paragraph are available only for the Patriot missile program; and the Senate agree to the same.*

Missile Defense Act

MISSILE DEFENSE ACT

HOUSE ARMED SERVICES COMMITTEE
H. R. 5006; H. REPT. 102-527 (5/19/92)

BILL LANGUAGE: Page 41

SEC. 233. REVISION OF THE MISSILE DEFENSE ACT OF 1991.

(a) MISSILE DEFENSE GOALS OF THE UNITED STATES.—Section 232 of the Missile Defense Act of 1991 (part C of title II of Public Law 102-190; 105 Stat. 1321) is amended in subsection (a)—

(1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and
(2) by striking out “(a)” and all that follows through the end of paragraph (1) and inserting in lieu thereof the following:

“(a) MISSILE DEFENSE GOAL.—It is a goal of the United States to—

SENATE ARMED SERVICES COMMITTEE
S. 3114; S. REPT. 102-352 (7/31/92)

BILL LANGUAGE: Page 54-58

SEC. 221. MISSILE DEFENSE ACT AMENDMENTS.

(a) IMPLEMENTATION OF GOAL.—Section 233 of the Missile Defense Act of 1991 (part C of title II of Public Law 102-190; 10 U.S.C. 2431 note) is amended in subsection (b) by striking out “(b)” and all that follows through the end of paragraph (2) and inserting in lieu thereof the following:

“(b) ACTIONS OF THE SECRETARY OF DEFENSE.—
“(1) THEATER MISSILE DEFENSE SYSTEMS.—

The Secretary of Defense shall develop advanced theater missile defense systems for deployment.

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“(1) maintain compliance with the ABM Treaty, including any protocol or amendment thereto, and not develop, test, or deploy any ballistic missile defense system, or component thereof, in violation of the treaty, as modified by any protocol or amendment thereto;

“(2) deploy an anti-ballistic missile system that is capable of providing a highly effective defense of the United States against limited attacks of ballistic missiles, which may include space-based sensors and additional deployment sites if authorized by Congress and permitted by the ABM Treaty, as modified by any protocol or amendment thereto;”.

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“(2) INITIAL ABM DEPLOYMENT.—The Secretary shall develop for deployment a cost-effective, operationally effective, and ABM Treaty-compliant antiballistic missile system at a single site as the initial step toward deployment of an antiballistic missile system described in section 232(a)(1) designed to protect the United States against limited ballistic missile threats, including accidental or unauthorized launches or Third World attacks. The system components to be developed shall include—

“(A) 100 ground-based interceptors, the design of which is to be determined by competi-

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(b) DEPLOYMENT DATE.—(1) Section 233(b)(2) of such Act (105 Stat. 1322) is amended by striking out “or by fiscal year 1996”.

(2) Section 236(a) of such Act (105 Stat. 1323) is amended by striking out “by fiscal year 1996”.

(c) BRILLIANT PEBBLES.—Section 234(a) of such Act is amended by striking out “, including Brilliant Pebbles,”.

(d) ELIMINATION OF THEATER MISSILE DEFENSE PROGRAM ELEMENT FROM SDI.—(1) Section 235(a) of such Act is amended by striking out paragraph (2) and renumbering accordingly.

(2) Section 236 of such Act is amended by striking out subsection (b) and redesignating accordingly.

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tion and downselection for the most capable interceptor or interceptors;

“(B) fixed, ground-based, antiballistic missile battle management radars; and

“(C) optimum utilization of space-based sensors, including sensors capable of cueing ground-based antiballistic missile interceptors and providing initial targeting vectors, and other sensor systems that are not prohibited by the ABM Treaty, including specifically the Ground Surveillance and Tracking System.”.

(b) FOLLOW-ON TECHNOLOGY RESEARCH.—Subsection (c) of section 234 of such Act is amended to read as follows:

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**“(c) TRANSFER OF MANAGEMENT RESPONSIBILITY
FOR RESEARCH AND DEVELOPMENT OF FAR-TERM FOL-
LOW-ON TECHNOLOGIES.—**

“(1) TRANSFER REQUIRED.—

**“(A) IN GENERAL.—As the Strategic De-
fense Initiative Organization (SDIO) transitions
from a broadly based research organization to
a focused acquisition agency, maintaining re-
sponsibility for research and development of
far-term follow-on technologies in that organiza-
tion could distract management and result in**

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funding shortfalls as the Strategic Defense Initiative Organization's priorities increasingly center on near-term deployment architectures. Accordingly, the Secretary of Defense shall transfer management and budget responsibility for research and development of all far-term follow-on technologies currently under the Strategic Defense Initiative Organization to the Defense Advanced Research Projects Agency (DARPA) or the appropriate military department, unless he determines and certifies to the congressional defense committees that transfer of a particular far-term follow-on technology currently under the Strategic Defense Initiative Organization would not be in the national security interests of the United States.

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“(B) DEFINITION.—In subparagraph (A), the term ‘far-term follow-on technology’ means a technology not likely to be incorporated into a weapon system within 10 to 15 years after the date of the enactment of this Act.

“(2) REPORT REQUIRED.—

“(A) IN GENERAL.—Not later than 90 days after the date of enactment of the National Defense Authorization Act for Fiscal

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Year 1993, the Secretary of Defense shall submit to the congressional defense committees a report identifying—

“(i) those programs, projects, and activities under the Other Follow-On Technologies program element for fiscal year 1993 which he is transferring to a military department or the Defense Advanced Research Projects Agency; and

“(ii) those programs, projects, and activities under the Other Follow-On Technologies program element which the Secretary certifies are necessary in the national security interests of the United States to maintain under the Strategic Defense Initiative Organization.

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“(B) DEFINITION.—In subparagraph (A), the term ‘programs, projects, and activities under the Other Follow-On Technologies program element for fiscal year 1993’ means the programs, projects, and activities listed under the Other Follow-On Technologies program element for fiscal year 1993 in the report submitted to the congressional defense committees on

July 2, 1992 pursuant to section 233(b)(3) of this Act.”.

(c) RESEARCH, DEVELOPMENT, TEST, AND EVALUATION OBJECTIVES FOR SDI PROGRAM ELEMENTS.—Section 236 of such Act is amended—

(1) in subsection (a), by striking out “by fiscal year 1996” in the second sentence;

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(2) in subsection (b)(1), by striking out all after
“United States,”; and

(3) in subsection (d), by inserting “but which
are not likely to be incorporated into weapons within
10 to 15 years after the date of the enactment of
this Act” before the period at the end.

(d) REVIEW OF FOLLOW-ON DEPLOYMENT OP-
TIONS.—Section 238 of such Act is amended by striking
out “of fiscal year 1996” in the first sentence.

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The committee supports the direction provided to the Department of Defense by the Missile Defense Act of 1991 (Part C of Title II of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (Public Law 102-190)), to focus the SDI program on developing for deployment a limited ground-based anti-ballistic missile defense system, with an initial ABM Treaty-compliant system at a single site.

The committee is concerned, however, by testimony by SDIO Director Ambassador Henry F. Cooper to the Research and Development Subcommittee on May 6, 1992. Ambassador Cooper stated that: "By establishing the goal of deploying a highly effective defense of the United States, Congress noted that the attainment of such a goal requires us to obtain relief from current restrictions of the ABM Treaty."

The committee does not believe that any such requirement to modify the ABM Treaty exists in the Missile Defense Act of 1991. However, to clarify this issue, in section 233 the committee recommends modifying section 232(a)(1) of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (Public Law 102-190) to state expressly that it is a goal of the United States to maintain compliance with the ABM Treaty, including any protocol or amendment thereto; and not develop, test, or deploy any ballistic defense missile system, or component thereof, in violation of the treaty, as modified by any protocol or amendment thereto.

The committee recommendation would further modify section 232(a)(1) to state that it is a goal of the United States to deploy an ABM system that is capable of providing a highly effective defense of the United States against limited attacks of ballistic missiles, which may include space-based sensors and additional deployment sites if authorized by Congress and permitted by the ABM Treaty as modified by any protocol or amendment thereto.

The committee is also concerned about the SDIO's continued commitment to Brilliant Pebbles space-based interceptors, particularly after the Missile Defense Act of 1991 explicitly excluded Brilliant Pebbles deployment from the plan for the limited defense ar-

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REVISIONS TO MISSILE DEFENSE ACT OF 1991

The committee reaffirms the Missile Defense Act (MDA) of 1991, subject to the following revisions and clarifications.

Deployment Target Dates

The committee recommends a provision that would delete the specific dates that had been incorporated in section 233(b) of the MDA as goals for achieving the deployment of advanced theater missile defense (TMD) systems and the initial anti-ballistic missile (ABM) system. The committee recommends this action out of concern that retention of target dates in the MDA, even though qualified by other language, might be misconstrued to imply a congressionally-mandated deadline for achieving such deployments and thus lead to a development program with excessive technical risks or concurrency.

The committee directs the Secretary of Defense to develop the advanced TMD and initial ABM deployments consistent with sound acquisition procedures and in accordance with a low-to-moderate technical risk and low-to-moderate concurrency program. The committee further directs the Secretary to structure this development program with the objective of deploying such systems by the earliest date allowed by the availability of appropriate technology and the completion of adequate integrated testing of all systems components. The committee retains the requirement in the MDA that the initial ABM deployment be cost-effective, operationally-effective, and ABM Treaty-compliant.

On July 2, 1992, the Secretary of Defense submitted a report to Congress in accordance with section 233(b)(3) of the MDA outlining his plan for the development for deployment of advanced TMD systems and the initial ABM system. The committee believes that the baseline programs for TMD and the limited defense system (LDS) as set forth in this report constitute a low-to-moderate technical risk and low-to-moderate concurrency program as directed in the preceding paragraph. Under these programs, deployment of the initial ABM site of the LDS would occur in the year 2002, and advanced TMD systems would attain their initial operational capabilities (IOC3) in the same time frame.

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chitecture described by the Act. The committee continues to believe it is essential that the desirability of Brilliant Pebbles under the revised GPALS mission of protection against limited strikes be established clearly before any additional funds are authorized for this program. Because such a case has not been made, the committee recommends authorization of no funds for Brilliant Pebbles.

The committee notes that the Missile Defense Act of 1991 directed the Secretary of Defense to develop a cost-effective and operationally-effective initial ABM Treaty-compliant system for deployment "by the earliest date allowed by the availability of appropriate technology or by fiscal year 1996." However, SDIO Director Ambassador Cooper testified to the Research and Development subcommittee on May 6, 1992 that the expressed goal of a fiscal year 1996 deployment date was not achievable, and that "we seek a limited operational capability at the first ground-based site in 1997."

Rather than arbitrarily establishing fiscal year 1997 as the new target deployment date, the committee believes that the development program should proceed with the objective of deployment at the earliest date allowed by the availability of appropriate technology. The committee therefore recommends in section 233 deletion of the fiscal year 1996 target deployment date for an initial ABM Treaty-compliant system.

The issue, then, is what constitutes "appropriate technology." The committee notes that according to statements by SDIO officials, the limited operational capability achievable in 1997 would involve the deployment of ten operational prototypes of the Ground Based Interceptor (GBI), with additional interceptors deployed in 1998. Moreover, in order to achieve operational capability in 1997, GBI technology would have to be frozen in 1993. Ambassador Cooper testified to the Research and Development subcommittee on May 6 that "[t]his strategy for ground-based interceptors will cost perhaps \$1 billion more in the long run" than the previous year's

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Fielding UOES Equipment

In both the TMD and ABM areas, the Strategic Defense Initiative Organization (SDIO) has proposed an approach to attaining a "contingency" defensive capability several years in advance of the date by which deployment is expected to occur. A similar approach was followed during the Persian Gulf war, when JSTARS prototypes were pulled out of their test program and deployed to the theater of operations. Under this approach, which SDIO calls "User Operational Evaluation Systems" (UOES), missile and radar prototypes would be fielded following a specified amount of initial testing but before the demonstration/validation and engineering and manufacturing development (EMD) phases of the acquisition process are completed.

The committee recognizes that Third World ballistic missile threats are already emerging that tax existing U.S. TMD capabilities. Accordingly, the committee endorses current SDIO plans to develop, test, and field UOE prototypes for the THAAD system by 1996.

In the ABM area, SDIO is planning UOES options which could be exercised at the initial site in 1997, 1998, or 1999, depending on developments in the test phase of the program. In response to a question submitted at a June 4 hearing, Deputy Secretary Atwood stated that "Decisions to fabricate additional dem/val hardware for fielding at the initial site will be based on successful field demonstration of element performance objectives at U.S. Army Kwajalein Atoll."

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schedule, which would have led to a deployment by 2000 rather than by 1997.

The committee is concerned that the deployment of GBI operational prototypes, at a potential additional long-term cost of \$1 billion, may not represent "appropriate technology," and is also concerned that this acquisition strategy may not be cost-effective and may not lead to an operationally-effective system—additional criteria established by the Missile Defense Act of 1991 for the initial ABM Treaty-compliant limited defense system.

However, the committee intends to reserve final judgment on the appropriate acquisition strategy pending the completion of a Defense Acquisition Board review of the SDIO program scheduled for the summer of 1992. In this regard, within 30 days after completion of the Defense Acquisition Board review of SDIO's proposed acquisition strategy, the Secretary of Defense shall report to the committee on the anticipated cost-effectiveness of this acquisition strategy and the operational-effectiveness of the limited defense system that would be established.

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The committee recognizes that additional missile threats to the U.S. homeland could emerge that would require responses earlier than 2002. Therefore, it does not object to continuing planning by SDIO of the various UOES options for the initial ABM site. However, since no proposal on exercising a particular UOES early fielding option is expected to be proposed to Congress by the Defense Department prior to 1995, the committee makes no decision at this time on any of the UOES options for the initial ABM site. The committee recommends a provision that would declare that nothing in this Act is to be construed to constitute a decision to authorize any of these options. Decisions by the committee in future years on whether to authorize the Defense Department to exercise any of these options will take into account the availability of the appropriate technology, progress in the test program, and the committee's assessment of the threat.

Transfer of Far-Term, Follow-On Technologies

The committee believes that as SDIO shifts from a broadly-based research organization to a focused acquisition agency, maintaining responsibility within SDIO for research and development of far-term, follow-on technologies (that is, technologies not likely to be weaponized within the next 10-15 years) could distract management and result in funding shortfalls as SDIO priorities increasingly center on near-term deployment architectures. Research and development of these technologies should therefore be budgeted and managed by the Defense Advanced Research Projects Agency (DARPA) or the appropriate service until they are mature enough to warrant their transfer to SDIO.

Accordingly, the provision recommended by the committee would require the Secretary of Defense to transfer these technologies to DARPA or a service unless he certifies that the national security interests of the United States require a particular project, program or activity now under the Other Follow-on Technologies program element to be maintained under SDIO.

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Finally, the committee is concerned by the apparent gap between SDIO planning assumptions with regard to programs that raise ABM Treaty compliance problems and the progress to date in U.S. and Russian efforts to negotiate amendments of the ABM Treaty. The committee urges the President to pursue vigorous changes to, and clarifications of, the ABM Treaty as provided in section 233(c)(2) of the MDA. However, pending further negotiation of such revisions, the committee directs SDIO to plan the architecture for the initial, Treaty-compliant ABM site on the basis of the Treaty as now constituted and not as it may be revised. In this regard, the committee recommends revision of section 233(a)(2) to clarify that the GSTS is a sensor system not prohibited by the Treaty. Therefore, it is one of a series of systems, the optimum utilization of which shall be included in the initial Treaty-compliant ABM site architecture. The committee is aware that SDIO is pursuing a proposal to upgrade PAVE PAWS and BMEWS early warning radars (EWRs) to expand the coverage of the initial site. The administration has not yet determined if the testing and utilization of such upgraded EWRs would be compliant with the Treaty. If the administration ultimately determines that the testing and utilization of such upgraded radars in an ABM mode does not violate the Treaty, then such upgraded EWRs would be another in that series of sensor systems, the optimum utilization of which shall be included in the initial Treaty-compliant ABM site architecture.

MISSILE DEFENSE ACT

AUTHORIZATION CONFERENCE REPORT
H.R. 5006; 102-966 (10/1/92)

PRESIDENTIAL SIGNATURE: P.L. 102-484 (10/23)

STATUTORY LANGUAGE: Page 44-46

SEC. 234. REVISION OF THE MISSILE DEFENSE ACT OF 1991.

(a) **MISSILE DEFENSE GOALS OF THE UNITED STATES.**—Section 232(a) of the Missile Defense Act of 1991 (part C of title II of Public Law 102-190; 105 Stat. 1321) is amended by striking out “(a)” and all that follows through the end of the paragraph (1) and inserting in lieu thereof the following:

“(a) **MISSILE DEFENSE GOALS OF THE UNITED STATES.**—It is a goal of the United States to—

“(1) comply with the ABM Treaty, including any protocol or amendment thereto, and not develop, test, or deploy any ballistic missile defense system, or component thereof, in violation of the treaty, as modified by any protocol or amendment thereto, while deploying an anti-ballistic missile system that is capable of providing a highly effective defense of the United States against limited attacks of ballistic missiles;”

(b) **ELIMINATION OF THEATER MISSILE DEFENSE PROGRAM ELEMENT FROM SDI.**—(1) Section 235(a) of such Act (105 Stat. 1323) is amended—

(A) by striking out paragraph (2); and

(B) by redesignating paragraphs (3), (4), and (5) as paragraphs (2), (3), and (4), respectively.

(2) Section 236 of such Act (105 Stat. 1323) is amended—

(A) by striking out subsection (b); and

(B) by redesignating subsections (c), (d), and (e) as subsections, (b), (c), and (d), respectively.

(c) **IMPLEMENTATION OF GOAL.**—Subsection (b) of section 233 of such Act (105 Stat. 1322) is amended by striking out paragraphs (1) and (2) and inserting in lieu thereof the following:

“(1) **THEATER MISSILE DEFENSE SYSTEMS.**—The Secretary of Defense shall develop advanced theater missile defense systems for deployment.

“(2) **INITIAL ABM DEPLOYMENT.**—The Secretary shall develop for deployment a cost-effective, operationally effective, and ABM Treaty-compliant antiballistic missile system at a single

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Revision of the Missile Defense Act of 1991 (sec. 234)

U.S. Missile Defense Goals

The House bill contained a provision (sec. 233) that would amend the Missile Defense Act (MDA) of 1991 to state expressly that it is a goal of the United States to maintain compliance with the ABM Treaty, including any protocol or amendment thereto, and not develop, test, or deploy any ballistic defense missile system, or component thereof, in violation of the Treaty, as modified by any protocol or amendment thereto. The provision would further modify the MDA to state that it is a goal of the United States to deploy an ABM system that is capable of providing a highly effective defense of the United States against limited attacks of ballistic missiles, which may include space-based sensors and additional deployment sites if authorized by Congress and permitted by the ABM Treaty, as modified by any protocol or amendment thereto.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment. The conferees agree they are mature enough to warrant their transfer to SDIO, unless he certifies that the national security interests of the United States require a particular project, or activity now under the other follow-on technologies program element to be maintained under SDIO.

The House provision contained no similar provision. The House recedes.

Arms Control Considerations

The Senate amendment contained a provision (sec. 221(a)) that would revise section 233(a)(2) of the MDA to clarify that the ground-based surveillance and tracking system (GSTS) pop-up optical probe is a sensor system not prohibited by the ABM Treaty (i.e., an adjunct) and therefore one of a series of Treaty-compliant sensor systems, the optimum utilization of which shall be included in the initial Treaty-compliant ABM site architecture.

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H.R. 5006; 102-966 (10/1/92)

PRESIDENTIAL SIGNATURE: P.L. 102-484 (10/23)

site as the initial step toward deployment of an antiballistic missile system described in section 232(a)(1) designed to protect the United States against limited ballistic missile threats, including accidental or unauthorized launches or Third World attacks. The system components to be developed shall include—

“(A) 100 ground-based interceptors, the design of which is to be determined by competition and downselection for the most capable interceptor or interceptors;

“(B) fixed, ground-based, antiballistic missile battle management radars; and

“(C) optimum utilization of space-based sensors, including sensors capable of cueing ground-based antiballistic missile interceptors and providing initial targeting vectors, and other sensor systems that are not prohibited by the ABM Treaty, including specifically the Ground Surveillance and Tracking System.”

(d) FOLLOW-ON TECHNOLOGY RESEARCH.—(1) Subsection (c) of section 234 of such Act (105 Stat. 1323) is amended to read as follows:

“(c) TRANSFER OF MANAGEMENT RESPONSIBILITY FOR RESEARCH AND DEVELOPMENT OF FAR-TERM FOLLOW-ON TECHNOLOGIES.—

“(1) TRANSFER REQUIRED.—As the Strategic Defense Initiative Organization (SDIO) transitions from a broadly based research organization to a focused acquisition agency, maintaining responsibility for research and development of far-term follow-on technologies in that organization could distract management and result in funding shortfalls as the Strategic Defense Initiative Organization's priorities increasingly center on near-term deployment architectures. Accordingly, the Secretary of Defense shall transfer management and budget responsibility for research and development of all far-term follow-on technol-

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The House bill contained no similar provision.

The House recedes. The conferees are concerned by the apparent gap between SDIO planning assumptions with regard to programs that raise ABM Treaty compliance problems and the progress to date in U.S. and Russian efforts to negotiate amendments of the ABM Treaty. The conferees urge the President to continue to pursue the changes to, and clarifications of, the ABM Treaty as provided in section 233(c)(2) of the MDA. However, pending further negotiation of such revisions, the conferees direct SDIO to plan the architecture for the initial, Treaty-compliant ABM site on the basis of the Treaty as now constituted and not as it may be revised. The conferees are aware that SDIO is pursuing a proposal to upgrade PAVE PAWS and BMEWS early warning radars (EWRs) to expand the coverage of the initial site. The administration has not yet determined if the testing and utilization of such upgraded EWRs would be compliant with the Treaty. If the administration ultimately determines that the testing and utilization of such upgraded radars in an ABM mode does not violate the Treaty, then the conferees agree that such upgraded EWRs would be another in that series of Treaty-compliant sensor systems, the optimum utilization of which shall be included in the initial Treaty-compliant ABM site architecture.

Development and testing of ABM systems or components (sec. 235)

The Senate amendment contained a provision (sec. 223) that would specify that funds provided to the Defense Department for fiscal year 1993 and previous years may not be obligated or expended for the development or testing of anti-ballistic missile (ABM) systems or components unless such development or testing is consistent with the development and testing described in the July 1992 SDIO report.

The House bill contained a virtually identical provision (sec. 234).

The House recedes.

MISSILE DEFENSE ACT

**AUTHORIZATION CONFERENCE REPORT
H.R. 5006; 102-966 (10/1/92)**

REPORT LANGUAGE: Page 643-644

PRESIDENTIAL SIGNATURE: P.L. 102-484 (10/23)

STATUTORY LANGUAGE: Page 44-46

ogies currently under the Strategic Defense Initiative Organization to the Defense Advanced Research Projects Agency (DARPA) or the appropriate military department, unless the Secretary determines, and certifies to the congressional defense committees, that transfer of a particular far-term follow-on technology currently under the Strategic Defense Initiative Organization would not be in the national security interests of the United States.

"(2) DEFINITION.—For purposes of paragraph (1), the term 'far-term follow-on technology' means a technology that is not likely to be incorporated into a weapon system within 10 to 15 years after the date of the enactment of this Act."

(2)(A) Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report identifying—

(i) those programs, projects, and activities under the Other Follow-On Technologies program element for fiscal year 1993 which the Secretary is transferring to a military department or the Defense Advanced Research Projects Agency; and

(ii) those programs, projects, and activities under the Other Follow-On Technologies program element which the Secretary certifies are necessary in the national security interests of the

MISSILE DEFENSE ACT

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United States to maintain under the Strategic Defense Initiative Organization.

(B) For purposes of subparagraph (A), the term "programs, projects, and activities under the Other Follow-On Technologies program element for fiscal year 1993" means the programs, projects, and activities listed under the Other Follow-On Technologies program element for fiscal year 1993 in the report submitted to the congressional defense committees on July 2, 1992 pursuant to section 233(b)(3) of the Missile Defense Act of 1991.

(e) RESEARCH, DEVELOPMENT, TEST, AND EVALUATION OBJECTIVES FOR SDI PROGRAM ELEMENTS.—Section 236 of such Act (105 Stat. 1323) is amended—

(1) in subsection (a), by striking out "by fiscal year 1996" in the second sentence; and

(2) in subsection (d), by inserting "and which the Secretary has determined are necessary in the national security interests of the United States to be maintained under the Strategic Defense Initiative Organization" before the period at the end.

(f) REVIEW OF FOLLOW-ON DEPLOYMENT OPTIONS.—Section 238 of such Act (105 Stat. 1326) is amended by striking out "of fiscal year 1996" in the first sentence.

MISSILE DEFENSE ACT

HOUSE APPROPRIATIONS COMMITTEE
H.R. 5504; H. REPT. 102-627 (6/29/92)

STATUTORY LANGUAGE: No language exists.

REPORT LANGUAGE: No language exists.

SENATE APPROPRIATIONS COMMITTEE
H.R. 5504; S. REPT. 102-408 (9/17/92)

STATUTORY LANGUAGE: No language exists.

REPORT LANGUAGE: No language exists.

MISSILE DEFENSE ACT

**APPROPRIATIONS CONFERENCE REPORT
H.R. 5504; 102-1015 (10/5/92)**

PRESIDENTIAL SIGNATURE: P.L. 102-396 (10/5)

STATUTORY LANGUAGE: Page 13

REPORT LANGUAGE: No language exists.

**Development and Testing of Anti-Ballistic
Missile Systems or Components**

DEVELOPMENT AND TESTING OF ANTI-BALLISTIC MISSILE SYSTEMS OR COMPONENTS

HOUSE ARMED SERVICES COMMITTEE
H.R. 5006; H. REPT. 102-527 (5/19/92)

BILL LANGUAGE: Page 43-44

SENATE ARMED SERVICES COMMITTEE
S. 3114; S. REPT. 102-352 (7/31/92)

BILL LANGUAGE: Page 61-62

SEC. 234. DEVELOPMENT AND TESTING OF ANTI-BALLISTIC

MISSILE SYSTEMS OR COMPONENTS.

(a) USE OF FUNDS.—

(1) LIMITATION.—*Funds appropriated to the Department of Defense for fiscal year 1993, or otherwise made available to the Department of Defense from any funds appropriated for fiscal year 1993 or for any fiscal year before 1993, may not be obligated or expended—*

(A) *for any development or testing of anti-ballistic missile systems or components except for development and testing consistent with the development and testing described in the May 1991 SDIO Report; or*

SEC. 223. DEVELOPMENT AND TESTING OF ANTI-BALLISTIC

MISSILE SYSTEMS OR COMPONENTS.

(a) USE OF FUNDS.—(1) Funds appropriated to the Department of Defense for fiscal year 1993, or otherwise made available to the Department of Defense from any funds appropriated for fiscal year 1993 or for any fiscal year before 1993, may not be obligated or expended—

(A) *for any development or testing of anti-ballistic missile systems or components except for development and testing consistent with the development and testing described in the July 1992 SDIO Report; or*

DEVELOPMENT AND TESTING OF ANTI-BALLISTIC MISSILE SYSTEMS OR COMPONENTS

HOUSE ARMED SERVICES COMMITTEE
H.R. 5006; H. REPT. 102-527 (5/19/92)

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(B) for the acquisition of any material or equipment (including any long lead materials, components, piece parts, test equipment, or any modified space launch vehicle) required or to be used for the development or testing of anti-ballistic missile systems or components, except for material or equipment required for development or testing consistent with the development and testing described in the May 1991 SDIO Report.

(2) EXCEPTION.—The limitation under paragraph (1) shall not apply to funds transferred to or for the use of the Strategic Defense Initiative for fiscal year 1993 if the transfer is made in accordance with section 1001 of this Act.

SENATE ARMED SERVICES COMMITTEE
S. 3114; S. REPT. 102-352 (7/31/92)

BILL LANGUAGE: Page 61-62

(B) for the acquisition of any material or equipment (including any long lead materials, components, piece parts, test equipment, or any modified space launch vehicle) required or to be used for the development or testing of anti-ballistic missile systems or components, except for material or equipment required for development or testing consistent with the development and testing described in the July 1992 SDIO Report.

(2) The limitation under paragraph (1) shall not apply to funds transferred to or for the use of the Strategic Defense Initiative for fiscal year 1993 if the transfer is made in accordance with section 1001 of this Act.

DEVELOPMENT AND TESTING OF ANTI-BALLISTIC MISSILE SYSTEMS OR COMPONENTS

HOUSE ARMED SERVICES COMMITTEE

H.R. 5006; H.REPT. 102-527 (5/19/92)

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(b) *DEFINITION.*—In this section, the term “May 1991 SDIO Report” means the report entitled, “1991 Report to Congress on the Strategic Defense Initiative,” dated May 16, 1991, prepared by the Strategic Defense Initiative Organization and submitted to certain committees of the Senate and House of Representatives by the Secretary of Defense pursuant to section 224 of the National Defense Authorization Act for Fiscal Years 1990 and 1991 (*Public Law 101-189; 103 Stat. 1398; 10 U.S.C. 2431*).

SENATE ARMED SERVICES COMMITTEE

S. 3114; S. REPT. 102-352 (7/31/92)

BILL LANGUAGE: Page 61-62

(b) *DEFINITION.*—In this section, the term “July 1992 SDIO Report” means the report entitled, “1992 Report to Congress on the Strategic Defense Initiative,” prepared by the Strategic Defense Initiative Organization and submitted to certain committees of the Senate and House of Representatives by the Secretary of Defense pursuant to section 224 of the National Defense Authorization Act for Fiscal Years 1990 and 1991 (*Public Law 101-189; 103 Stat. 1398; 10 U.S.C. 2431* note).

DEVELOPMENT AND TESTING OF ANTI-BALLISTIC MISSILE SYSTEMS OR COMPONENTS

HOUSE ARMED SERVICES COMMITTEE

H.R. 5006; H.REPT. 102-527 (5/19/92)

REPORT LANGUAGE: Page 169

SECTION 234—DEVELOPMENT AND TESTING OF ANTI-BALLISTIC MISSILE SYSTEMS OR COMPONENTS

This section would specify that funds provided to the Department of Defense for fiscal year 1993 and previous years for the development or testing of anti-ballistic missiles (ABM) systems or components may not be obligated or expended unless such development or testing is consistent with the development and testing described in the May 1991 Strategic Defense Initiative Organization report.

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REPORT LANGUAGE: Page 138-140

Development and Testing of ABM Systems or Components

At a hearing on April 9, SDIO Director Cooper offered the following assurance with regard to the compatibility of the SDI development and test program with the ABM Treaty:

I want to note that we continue to conduct the SDI program to be consistent with all international agreements, including the ABM Treaty. As I observed last year, we have constrained our experimental work, as a matter of U.S. domestic law, according to Congressional direction that we not initiate funding of long-lead items unique to any experiment that, when conducted, might exceed the limits of the so-called narrow interpretation of the ABM Treaty, and I can again report that we are in compliance with these restrictions.

In response to a question submitted for the record, Ambassador Cooper also assured the committee that prior to obligating or expending any funds for SDI development or testing activities, including long-lead funding for items unique to any experiment, that, when conducted, would exceed the limits of the narrow interpretation, "the Administration will first consult with the Congress and request its approval through normal budgetary procedures." In short, Ambassador Cooper confirmed that the administration would for at least another year respect the agreement on the ABM compliance issue which the Congress concluded with then-National Security Adviser Frank Carlucci in 1987, as reflected in section 225 of the National Defense Authorization Act for Fiscal Years 1988 and 1989.

In light of Ambassador Cooper's testimony, the committee recommends a provision which would effectively extend by one year section 222 of the National Defense Authorization Act for Fiscal Year 1991. The provision would specify that funds provided to the Defense Department for fiscal year 1993 and previous years for the development or testing of ABM systems or components may not be obligated or expended unless such development and testing is consistent with the development and testing described in the July 1992 SDIO Report. The committee agrees that "consistent with the development and testing described in the July 1992 SDIO Report" means development and testing which does not involve space-based

DEVELOPMENT AND TESTING OF ANTI-BALLISTIC MISSILE SYSTEMS OR COMPONENTS

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The provision would further specify that funds provided to the Defense Department for fiscal year 1993 or prior years may not be obligated or expended for the acquisition of any material or equipment (including any long-lead materials, components, piece-parts, test equipment, or any modified space launch vehicle) required or to be used for the development or testing of ABM systems or components unless such material or equipment is required for development or testing consistent with the development and testing described in the July 1992 SDIO Report.

In recommending this provision, the committee agrees that nothing in this limitation is intended or may be construed to preclude SDIO or contractor planning activities (including studies, design activities, or computer simulations) related to any development or testing of ABM systems or components, including development and testing not described in the July 1992 SDIO Report.

In addition, the provision would specify that the Defense Department may request, through normal budgeting procedures, authority to acquire material or equipment related to ABM development or testing not described in the July 1992 SDIO report. The committee directs that such requests would have to be specifically approved by the Congress in the form either of new legislation or congressional approval of a transfer of funds. The committee further directs that no such transfer of any amount take place under this provision without prior notification and congressional approval through the procedures that traditionally have governed transfers.

DEVELOPMENT AND TESTING OF ANTI-BALLISTIC MISSILE SYSTEMS OR COMPONENTS

AUTHORIZATION CONFERENCE REPORT

H.R. 5006; 102-966 (10/1/92)

PRESIDENTIAL SIGNATURE: P.L. 102-484 (10/23)

STATUTORY LANGUAGE: Page 46

SEC. 235. DEVELOPMENT AND TESTING OF ANTI-BALLISTIC MISSILE SYSTEMS OR COMPONENTS.

(a) USE OF FUNDS.—

(1) LIMITATION.—Funds appropriated to the Department of Defense for fiscal year 1993, or otherwise made available to the Department of Defense from any funds appropriated for fiscal year 1993 or for any fiscal year before 1993, may not be obligated or expended—

(A) for any development or testing of anti-ballistic missile systems or components except for development and testing consistent with the development and testing described in the July 1992 SDIO Report; or

(B) for the acquisition of any material or equipment (including any long lead materials, components, piece parts, test equipment, or any modified space launch vehicle) required or to be used for the development or testing of anti-ballistic missile systems or components, except for material or equipment required for development or testing consistent with the development and testing described in the July 1992 SDIO Report.

(2) EXCEPTION.—The limitation under paragraph (1) shall not apply to funds transferred to or for the use of the Strategic Defense Initiative for fiscal year 1993 if the transfer is made in accordance with section 1001 of this Act.

(b) DEFINITION.—In this section, the term "July 1992 SDIO Report" means the report entitled, "1992 Report to Congress on the Strategic Defense Initiative," prepared by the Strategic Defense Initiative Organization and submitted to certain committees of the Senate and House of Representatives by the Secretary of Defense pursuant to section 224 of the National Defense Authorization Act for Fiscal Years 1990 and 1991 (Public Law 101-189; 103 Stat. 1398; 10 U.S.C. 2431).

REPORT LANGUAGE: Page 644

Development and testing of ABM systems or components (sec. 235)

The Senate amendment contained a provision (sec. 223) that would specify that funds provided to the Defense Department for fiscal year 1993 and previous years may not be obligated or expended for the development or testing of anti-ballistic missile (ABM) systems or components unless such development or testing is consistent with the development and testing described in the July 1992 SDIO report.

The House bill contained a virtually identical provision (sec. 234).

The House recedes.

DEVELOPMENT AND TESTING OF ANTI-BALLISTIC MISSILE SYSTEMS OR COMPONENTS

HOUSE APPROPRIATIONS COMMITTEE

H.R. 5504; H.REPT. 102-627 (6/29/92)

BILL LANGUAGE: No language exists.

REPORT LANGUAGE: No language exists.

SENATE APPROPRIATIONS COMMITTEE

H.R. 5504; S. REPT. 102-408 (9/17/92)

BILL LANGUAGE: No language exists.

REPORT LANGUAGE: No language exists.

DEVELOPMENT AND TESTING OF ANTI-BALLISTIC MISSILE SYSTEMS OR COMPONENTS

**APPROPRIATIONS CONFERENCE REPORT
H.R. 5504; 102-1015 (10/5/92)**

PRESIDENTIAL SIGNATURE: P.L. 102-396 (10/5)

STATUTORY LANGUAGE: No language exists.

REPORT LANGUAGE: No language exists.

Follow-On Technologies

FOLLOW-ON TECHNOLOGIES

HOUSE ARMED SERVICES COMMITTEE
H.R. 5006; H. REPT. 102-527 (5/19/92)

BILL LANGUAGE: Page 40

(3) *not more than \$528,300,000 shall be available for programs, projects, and activities within the Other Follow-On Systems program element; and*

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S. 3114; S. REPT. 102-352 (7/31/92)

BILL LANGUAGE: Page 55-59

(b) FOLLOW-ON TECHNOLOGY RESEARCH.—Sub-section (c) of section 234 of such Act is amended to read as follows:

“(c) TRANSFER OF MANAGEMENT RESPONSIBILITY FOR RESEARCH AND DEVELOPMENT OF FAR-TERM FOLLOW-ON TECHNOLOGIES.—

“(1) TRANSFER REQUIRED.—

“(A) IN GENERAL.—As the Strategic Defense Initiative Organization (SDIO) transitions from a broadly based research organization to a focused acquisition agency, maintaining responsibility for research and development of far-term follow-on technologies in that organization could distract management and result in

FOLLOW-ON TECHNOLOGIES

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funding shortfalls as the Strategic Defense Initiative Organization's priorities increasingly center on near-term deployment architectures. Accordingly, the Secretary of Defense shall transfer management and budget responsibility for research and development of all far-term follow-on technologies currently under the Strategic Defense Initiative Organization to the Defense Advanced Research Projects Agency (DARPA) or the appropriate military department, unless he determines and certifies to the congressional defense committees that transfer of a particular far-term follow-on technology currently under the Strategic Defense Initiative Organization would not be in the national security interests of the United States.

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“(B) DEFINITION.—In subparagraph (A), the term ‘far-term follow-on technology’ means a technology not likely to be incorporated into a weapon system within 10 to 15 years after the date of the enactment of this Act.

“(2) REPORT REQUIRED.—

“(A) IN GENERAL.—Not later than 90 days after the date of enactment of the National Defense Authorization Act for Fiscal Year 1993, the Secretary of Defense shall submit to the congressional defense committees a report identifying—

FOLLOW-ON TECHNOLOGIES

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“(i) those programs, projects, and activities under the Other Follow-On Technologies program element for fiscal year 1993 which he is transferring to a military department or the Defense Advanced Research Projects Agency; and

“(ii) those programs, projects, and activities under the Other Follow-On Technologies program element which the Secretary certifies are necessary in the national security interests of the United States to maintain under the Strategic Defense Initiative Organization.

FOLLOW-ON TECHNOLOGIES

HOUSE ARMED SERVICES COMMITTEE

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“(B) DEFINITION.—In subparagraph (A), the term ‘programs, projects, and activities under the Other Follow-On Technologies program element for fiscal year 1993’ means the programs, projects, and activities listed under the Other Follow-On Technologies program element for fiscal year 1993 in the report submitted to the congressional defense committees on July 2, 1992 pursuant to section 233(b)(3) of this Act.”.

FOLLOW-ON TECHNOLOGIES

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BILL LANGUAGE: Page 55-59

(c) RESEARCH, DEVELOPMENT, TEST, AND EVALUATION OBJECTIVES FOR SDI PROGRAM ELEMENTS.—Section 236 of such Act is amended—

(1) in subsection (a), by striking out “by fiscal year 1996” in the second sentence;

(2) in subsection (b)(1), by striking out all after “United States,”; and

(3) in subsection (d), by inserting “but which are not likely to be incorporated into weapons within 10 to 15 years after the date of the enactment of this Act” before the period at the end.

(d) REVIEW OF FOLLOW-ON DEPLOYMENT OPERATIONS.—Section 238 of such Act is amended by striking out “of fiscal year 1996” in the first sentence.

FOLLOW-ON TECHNOLOGIES

HOUSE ARMED SERVICES COMMITTEE
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S. 3114; S. REPT. 102-352 (7/31/92)

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(4) not more than \$400,000,000 shall be available for programs, projects, and activities within the Other Follow-On Systems program element; and

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HOUSE ARMED SERVICES COMMITTEE

H.R. 5006; H. REPT. 102-527 (5/19/92)

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The amended budget request included \$5,312.4 million for research and development for the Strategic Defense Initiative Organization (SDIO). This request included \$575.6 for Space Based Interceptors, \$2,134.8 million for Limited Defense System, \$849.6 million for Other Follow-On Systems, \$754.7 million for Research and Support Activities, and \$997.7 million for Theater Missile Defenses.

The committee recommends authorization of \$3,239.8 million for research and development for SDIO, allocated as follows in section 232 to SDIO program elements: no funds for Space Based Interceptors, \$2,134.8 million for Limited Defense System, \$528.3 million for Other Follow-On Systems, and \$576.7 million for Research and Support Activities. Section 232 would allow the Secretary of Defense to make a one-time adjustment of up to plus or minus ten percent of the funding levels appropriated to any of these program elements.

SENATE ARMED SERVICES COMMITTEE

S. 3114; S. REPT. 102-352 (7/31/92)

REPORT LANGUAGE: Page 137

Transfer of Far-Term, Follow-On Technologies

The committee believes that as SDIO shifts from a broadly-based research organization to a focused acquisition agency, maintaining responsibility within SDIO for research and development of far-term, follow-on technologies (that is, technologies not likely to be weaponized within the next 10-15 years) could distract management and result in funding shortfalls as SDIO priorities increasingly center on near-term deployment architectures. Research and development of these technologies should therefore be budgeted and managed by the Defense Advanced Research Projects Agency (DARPA) or the appropriate service until they are mature enough to warrant their transfer to SDIO.

Accordingly, the provision recommended by the committee would require the Secretary of Defense to transfer these technologies to DARPA or a service unless he certifies that the national security interests of the United States require a particular project, program or activity now under the Other Follow-on Technologies program element to be maintained under SDIO.

FOLLOW-ON TECHNOLOGIES

AUTHORIZATION CONFERENCE REPORT
H.R. 5006; 102-966 (10/1/92)

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"(2) DEFINITION.—For purposes of paragraph (1), the term 'far-term follow-on technology' means a technology that is not likely to be incorporated into a weapon system within 10 to 15 years after the date of the enactment of this Act."

(2XA) Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report identifying—

(i) those programs, projects, and activities under the Other Follow-On Technologies program element for fiscal year 1993 which the Secretary is transferring to a military department or the Defense Advanced Research Projects Agency; and

(ii) those programs, projects, and activities under the Other Follow-On Technologies program element which the Secretary certifies are necessary in the national security interests of the United States to maintain under the Strategic Defense Initiative Organization.

(B) For purposes of subparagraph (A), the term "programs, projects, and activities under the Other Follow-On Technologies program element for fiscal year 1993" means the programs, projects, and activities listed under the Other Follow-On Technologies program element for fiscal year 1993 in the report submitted to the congressional defense committees on July 2, 1992 pursuant to section 233(b)(3) of the Missile Defense Act of 1991.

(e) RESEARCH, DEVELOPMENT, TEST, AND EVALUATION OBJECTIVES FOR SDI PROGRAM ELEMENTS.—Section 236 of such Act (105 Stat. 1323) is amended—

(1) in subsection (a), by striking out "by fiscal year 1996" in the second sentence; and

(2) in subsection (d), by inserting "and which the Secretary has determined are necessary in the national security interests of the United States to be maintained under the Strategic Defense Initiative Organization" before the period at the end.

(f) REVIEW OF FOLLOW-ON DEPLOYMENT OPTIONS.—Section 238 of such Act (105 Stat. 1326) is amended by striking out "of fiscal year 1996" in the first sentence.

REPORT LANGUAGE: Page 642-643

Transfer of Far-Term, Follow-on Technologies

The Senate amendment contained a provision (sec. 221(b)) that would require the Secretary of Defense to transfer responsibility for the research and development of far-term, follow-on technologies (that is, technologies not likely to be weaponized within the next 10-15 years) to the Defense Advanced Research Projects Agency (DARPA) or the appropriate Service until Initiative program elements provided under the House bill, and to submit a report to the congressional defense committees on the allocation of funding, after any such transfers, for each SDI program, project, or activity. The report would be required not later than 90 days after enactment.

The Senate amendment contained a similar provision (sec. 222(c)), except that such transfers would be permitted among the five program elements, including TMD, of SDI under the Senate bill. However, the transfer authority would not be available to transfer funds out of the TMD program element.

The Senate recedes with an amendment. In light of the provision elsewhere in this Act that would create a separate theater missile defense initiative within the Department of Defense, the conferees agree to permit transfers to occur as provided in both bills among the four remaining program elements of SDI, and to permit transfers from the four SDI program elements to TMDI. None of the four SDI program elements could be reduced by more than 10 percent of the amount authorized for such elements in the conference agreement and funding for none of those four SDI elements, or for TMDI, could be increased by more than 10 percent of the amount authorized in the conference agreement. The transfer authority could not be used to reduce TMDI funding below the amount authorized in the conference agreement for that program.

The flexibility to transfer funds to TMDI from SDI program elements will assist in helping ensure that efficiencies can be obtained for technology development programs having both strategic and theater missile defense applications.

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(3) not more than \$300,000,000 shall be available for programs, projects, and activities within the Other Follow-On Systems program element; and

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(d) FOLLOW-ON TECHNOLOGY RESEARCH.—(1) Subsection (c) of section 234 of such Act (105 Stat. 1323) is amended to read as follows:

“(c) TRANSFER OF MANAGEMENT RESPONSIBILITY FOR RESEARCH AND DEVELOPMENT OF FAR-TERM FOLLOW-ON TECHNOLOGIES.—
“(1) TRANSFER REQUIRED.—As the Strategic Defense Initiative Organization (SDIO) transitions from a broadly based research organization to a focused acquisition agency, maintaining responsibility for research and development of far-term follow-on technologies in that organization could distract management and result in funding shortfalls as the Strategic Defense Initiative Organization’s priorities increasingly center on near-term deployment architectures. Accordingly, the Secretary of Defense shall transfer management and budget responsibility for research and development of all far-term follow-on technologies currently under the Strategic Defense Initiative Organization to the Defense Advanced Research Projects Agency (DARPA) or the appropriate military department, unless the Secretary determines, and certifies to the congressional defense committees, that transfer of a particular far-term follow-on technology currently under the Strategic Defense Initiative Organization would not be in the national security interests of the United States.

FOLLOW-ON TECHNOLOGIES

HOUSE APPROPRIATIONS COMMITTEE

H.R. 5504; H.REPT. 102-627 (6/29/92)

BILL LANGUAGE: No language exists.

REPORT LANGUAGE: No language exists.

SENATE APPROPRIATIONS COMMITTEE

H.R. 5504; S. REPT. 102-408 (9/17/92)

BILL LANGUAGE: No language exists.

REPORT LANGUAGE: Page 272

The Committee provides \$22,741,000, a decrease of \$5,959,000 from the budget request and the same amount below the House allowance for the Minuteman squadrons program element. The reduction includes \$1,959,000 which will not be obligated until fiscal year 1994. Another \$4,000,000 is denied to terminate the multiservice launch system [MSLS] project to convert retiring Minuteman II ICBM's into test boosters and space launch platforms.

The Air Force began the MSLS project in fiscal year 1992 without prior congressional approval and primarily to meet strategic defense initiative [SDI] testing requirements. These testing requirements can be expected to change due to the funding and program decisions Congress is contemplating with respect to the SDI program.

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Second, \$20,200,000 is decreased from the software technology for adaptable, reliable systems [STARS] project for demonstrations to promote the use of software engineering environments [SEE's]. SEE's are comprehensive software tools which could be used to generate the software required by Defense Department [DOD] programs. The F-22, the strategic defense initiative [SDI], and other current programs already are using SEE's, which eliminates the need for the STARS program to further demonstrate its SEE concept. The remaining funds, however, permit STARS-SEE to achieve initial operational capability so the technology is available for other programs.

Within the funds available for the STARS project, the Committee directs that \$2,000,000 shall be made available only for support of the STARS' asset source for software engineering technology (ASSET).

FOLLOW-ON TECHNOLOGIES

HOUSE APPROPRIATIONS COMMITTEE

H.R. 5504; H.REPT. 102-627 (6/29/92)

BILL LANGUAGE: No language exists.

REPORT LANGUAGE: No language exists.

SENATE APPROPRIATIONS COMMITTEE

H.R. 5504; S. REPT. 102-408 (9/17/92)

BILL LANGUAGE: No language exists.

REPORT LANGUAGE: Page 297

Third, the Committee deletes \$16,000,000 to hold preparation activities for the Mighty Uncle underground nuclear test to the fiscal year 1992 level. This action is taken due to possible delays in the national nuclear testing program given the prospects for a nuclear testing moratorium. In addition, Mighty Uncle was intended as a critical component qualification test needed to meet the fiscal year 1997 strategic defense initiative deployment milestone, which no longer is a valid date based on anticipated congressional action on the SDI budget.

Mighty Uncle also was intended to support the development of the global protection against limited strikes (GPALS) SDI architecture, which Congress has deferred in favor of emphasizing ground-based defenses and theater missile defenses.

FOLLOW-ON TECHNOLOGIES

**APPROPRIATIONS CONFERENCE REPORT
H.R. 5504; 102-1015 (10/5/92)**

PRESIDENTIAL SIGNATURE: P.L. 102-396 (10/5)

STATUTORY LANGUAGE: No language exists.

REPORT LANGUAGE: Page 137

ADVANCED WEAPONS TECHNOLOGY

The conferees agree to provide \$11,600,000 and to transfer management responsibilities to the Air Force for the Laser Imaging Detection and Ranging project approved by the Senate in the Defense Agencies RDT&E account. The conferees direct that the Air Force comply with the recommendation for this project as expressed in the Strategic Defense Initiative discussion in the Senate report. The conferees further direct that the funds provided are available only to develop the ground-based prototype and to assess the feasibility for its adaptation for deployment on an aircraft.

The conferees note the potential contributions of this technology to addressing requirements of the Tactical Intelligence and Related Activities (TIARA) programs. The conferees direct the Secretary of Defense to assess this potential and to ensure that this development program is coordinated with the TIARA programs so as to make best use of the LIDAR technologies in these activities.

Single-Stage Rocket Technology (SSRT)

SINGLE-STAGE ROCKET TECHNOLOGY (SSRT)

HOUSE ARMED SERVICES COMMITTEE

H.R. 5006; H.REPT. 102-527 (5/19/92)

BILL LANGUAGE: No language exists.

REPORT LANGUAGE: Page 159

Single-stage-to-orbit (SSTO)

The committee recommends that \$35 million of the Strategic Defense Initiative (SDI) request be used to carry out design, analysis, and test for further design and component development to support the development of a full scale operational prototype single-stage-to-orbit (SSTO) system.

The single-stage-to-orbit launch systems have the potential capability to reduce significantly the cost and increase the reliability of carrying payloads to and from low earth orbit. The single-stage-rocket-technology (SSRT) currently being conducted within the Strategic Defense Initiative Organization is a technology demonstration program to determine the availability of components and technology to support a successful near term SSTO launch system development. This program is on schedule and within budget and should provide positive results by the end of fiscal year 1993. Based on positive results from the current SSRT program, the committee encourages the Secretary of Defense to include funding for this program in the fiscal year 1994 budget request and to provide the out year funding profile for this program and program achievements to the Committees on Armed Services of the Senate and House of Representatives by March 31 of each year.

SENATE ARMED SERVICES COMMITTEE

S. 3114; S. REPT. 102-352 (7/31/92)

BILL LANGUAGE: No language exists.

REPORT LANGUAGE: Page 298

Furthermore, the Committee recognizes the potential that SDI's single-stage-to-orbit technology efforts have for addressing some of the Nation's space launch requirements.

SINGLE-STAGE ROCKET TECHNOLOGY (SSRT)

**AUTHORIZATION CONFERENCE REPORT
H.R. 5006; 102-966 (10/1/92)**

PRESIDENTIAL SIGNATURE: P.L. 102-484 (10/23)

STATUTORY LANGUAGE: No language exists.

REPORT LANGUAGE: No language exists.

SINGLE-STAGE ROCKET TECHNOLOGY (SSRT)

HOUSE APPROPRIATIONS COMMITTEE

H.R. 5504; H.REPT. 102-627 (6/29/92)

BILL LANGUAGE: No language exists.

REPORT LANGUAGE: Page 17-18

NATIONAL LAUNCH SYSTEM

In a joint effort, the Air Force and NASA are developing the National Launch System which will provide medium and heavy lift launch services beginning late in this decade.

Last year the Committee was skeptical of the need for NLS because no payloads had been identified for it and because the Air Force had not included funding in the outyears. This year, however, the Department has convinced the Committee that it considers NLS a priority program by including funds in the outyears and by beginning a major effort to identify the payloads which will use the launch vehicle. The Committee is concerned that the program may not receive the full allocation of funds currently budgeted by NASA in either fiscal year 1993 or in the outyears. Because of the significant potential the NLS promises for reduced costs and increased performance, and because DOD will be the primary user of the vehicle, the Air Force is directed to be prepared to be the primary government sponsor for managing and funding NLS development. To ensure that sufficient funds are available in fiscal year 1993 to proceed aggressively, the Committee has added \$43,000,000 in RDT&E. Air Force funds, realigned \$46,303,000 from the cancelled Medium Launch Vehicle III acquisition competition, and realigned an additional \$85,676,000 from the cancelled SDIO Single Stage Rocket Technology program. This will provide a total of \$249,979,000 in DOD funds during fiscal year 1993 plus whatever contribution NASA will provide. The Committee directs the Air Force to proceed aggressively with this program and make every effort to meet a possible 1998 first launch for a medium lift version of the NLS.

SENATE APPROPRIATIONS COMMITTEE

H.R. 5504; S. REPT. 102-408 (9/17/92)

BILL LANGUAGE: No language exists.

REPORT LANGUAGE: Page 298

SINGLE-STAGE ROCKET TECHNOLOGY (SSRT)

**HOUSE APPROPRIATIONS COMMITTEE
H.R. 5504; H.REPT. 102-627 (6/29/92)**

BILL LANGUAGE: No language exists.

REPORT LANGUAGE: Page 19

SINGLE STAGE ROCKET TECHNOLOGY (SSRT)

The Strategic Defense Initiative Office (SDIO) proposes to spend approximately \$60,000,000 for what was the Single Stage to Orbit launch vehicle that has been renamed the Single Stage Rocket Technology program.

In a comprehensive review of the launch vehicle programs of DOD, the Committee's Surveys and Investigations staff concluded that this program is "not well thought out" and that the SDIO airframe designs "were hurriedly done, immature, and left technical issues unanswered". Finally, the report concludes that "SDIO's model is little more than a device intended to lend project credibility which is undeserved", and recommends termination.

The Committee agrees with this conclusion and is directing that the program be terminated and that the \$35,676,000 originally requested for this effort instead be made available for continued development of the National Launch System. Since the SDIO has budgeted no funds for its contribution to NLS, the Committee is directing this realignment from the terminated SSRT program so that the SDIO will not have to divert funds from other approved programs to support the NLS.

**SENATE APPROPRIATIONS COMMITTEE
H.R. 5504; S. REPT. 102-408 (9/17/92)**

BILL LANGUAGE: No language exists.

REPORT LANGUAGE: Page 298

SINGLE-STAGE ROCKET TECHNOLOGY (SSRT)

HOUSE APPROPRIATIONS COMMITTEE

H.R. 5504; H.REPT. 102-627 (6/29/92)

BILL LANGUAGE: No language exists.

REPORT LANGUAGE: Page 196-197

As discussed in detail in the section entitled "Space and Related Programs", the Committee has directed that the Department of Defense assume the full funding responsibility for the National Launch System and identified a total of \$249,979,000 in this bill for NLS. To reach the full funding level, the Committee added \$43,000,000 above the budget request in this account, and directed that \$46,303,000 in Missile Procurement, Air Force requested for medium launch vehicles and \$35,676,000 in Research, Development, Test and Evaluation, Defense Agencies requested by the SDIO for the Single Stage Rocket Technology Program both be made available to support the NLS program.

SENATE APPROPRIATIONS COMMITTEE

H.R. 5504; S. REPT. 102-408 (9/17/92)

BILL LANGUAGE: No language exists.

REPORT LANGUAGE: Page 298

SINGLE-STAGE ROCKET TECHNOLOGY (SSRT)

HOUSE APPROPRIATIONS COMMITTEE

H.R. 5504; H.REPT. 102-627 (6/29/92)

BILL LANGUAGE: No language exists.

REPORT LANGUAGE: Page 206

Single stage rocket technology program. As discussed in detail in the section entitled "Space and Related Programs", the Committee has directed that the Department of Defense assume the full funding responsibility for the National Launch System, cancelled the Single Stage Rocket Technology Program, and directed that the \$35,676,000 in Research, Development, Test and Evaluation, Defense Agencies requested by the SDIO for the SSRT Program be made available as the SDIO contribution to support the NLS program.

SENATE APPROPRIATIONS COMMITTEE

H.R. 5504; S. REPT. 102-408 (9/17/92)

BILL LANGUAGE: No language exists.

REPORT LANGUAGE: Page 298

SINGLE-STAGE ROCKET TECHNOLOGY (SSRT)

APPROPRIATIONS CONFERENCE REPORT
H.R. 5504; 102-1015 (10/5/92)

PRESIDENTIAL SIGNATURE: P.L. 102-396 (10/5)

STATUTORY LANGUAGE: No language exists.

REPORT LANGUAGE: Page 148

SINGLE STAGE ROCKET TECHNOLOGY

The conferees agree not to delete \$35,676,000 allocated within the SDD program for this project as recommended by the House. The conferees agree that the SDIO may complete the sub-scale, sub-orbital demonstration and tests planned for fiscal year 1993, but also agree that no funds are being provided or may be used for either full-scale or orbital planning or development without prior Congressional approval.

Arrow

ARROW

HOUSE ARMED SERVICES COMMITTEE
H.R. 5006; H.REPT. 102-527 (5/19/92)

BILL LANGUAGE: No language exists.

REPORT LANGUAGE: Page 152

Arrow tactical anti-missile program

The committee continues to support strongly a continuing program of cooperative research and development, jointly funded by the United States and the government of Israel, on the Arrow Tactical Anti-Missile program and the Arrow Continuation Experiments (ACES), and directs the Secretary of Defense to fully fund the U.S. contribution to the ACES program of \$57.8 million in fiscal year 1993.

In addition, section 241 of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (Public Law 102-190) allowed the Secretary of Defense to obligate up to \$54.4 million for the purpose of initiating research and development of systems to deploy the Arrow missile in the future, subject to certain conditions. The committee notes, however, that no such funds have been obligated to date. In this regard, the Secretary of Defense shall report to the committee by November 1, 1992 on the policy and plans of the Department of Defense regarding U.S. support of research and development for deployability enhancements for the Arrow Tactical Anti-Missile program. This report shall also include a comparison of the capabilities and cost effectiveness in supporting the Arrow Tactical Anti-Missile of: (1) the "Music" fire control radar; and (2) the Patriot radar and associated ground equipment.

SENATE ARMED SERVICES COMMITTEE
S. 3114; S. REPT. 102-352 (7/31/92)

BILL LANGUAGE: No language exists.

REPORT LANGUAGE: No language exists.

ARROW

AUTHORIZATION CONFERENCE REPORT
H.R. 5006; 102-966 (10/1/92)

PRESIDENTIAL SIGNATURE: P.L. 102-484 (10/23)

STATUTORY LANGUAGE: No language exists.

REPORT LANGUAGE: No language exists.

ARROW

HOUSE APPROPRIATIONS COMMITTEE
H.R. 5504; H.REPT. 102-627 (6/29/92)

BILL LANGUAGE: No language exists.

REPORT LANGUAGE: No language exists.

SENATE APPROPRIATIONS COMMITTEE
H.R. 5504; S. REPT. 102-408 (9/17/92)

BILL LANGUAGE: No language exists.

REPORT LANGUAGE: Page 298-299

The Committee also supports the arrow continuation experiments and is interested in the Defense Department's plans with respect to development of the music radar and other components of the arrow theater missile defense system. The Committee asks that a full report on these plans be submitted with the fiscal year 1994 budget request.

ARROW

APPROPRIATIONS CONFERENCE REPORT
H.R. 5504; 102-1015 (10/5/92)

PRESIDENTIAL SIGNATURE: P.L. 102-396 (10/5)

STATUTORY LANGUAGE: Page 13

Provided further, That not less than \$57,776,000 of the funds appropriated in this paragraph are available only for the Arrow Continuation Experiments: Provided further, That not less than \$111,140,000 of the funds appropriated in this paragraph are available only for the Patriot missile program; and the Senate agree to the same.

REPORT LANGUAGE: No language exists.

Raptor

RAPTOR

**HOUSE ARMED SERVICES COMMITTEE
H.R. 5006; H.REPT. 102-527 (5/19/92)

BILL LANGUAGE: No language exists.**

REPORT LANGUAGE: No language exists.

**SENATE ARMED SERVICES COMMITTEE
S. 3114; S. REPT. 102-352 (7/31/92)

BILL LANGUAGE: No language exists.**

REPORT LANGUAGE: No language exists.

RAPTOR

**AUTHORIZATION CONFERENCE REPORT
H.R. 5006; 102-966 (10/1/92)**

PRESIDENTIAL SIGNATURE: P.L. 102-484 (10/23)

STATUTORY LANGUAGE: No language exists.

REPORT LANGUAGE: No language exists.

RAPTOR

HOUSE APPROPRIATIONS COMMITTEE

H.R. 5504; H.REPT. 102-627 (6/29/92)

BILL LANGUAGE: No language exists.

REPORT LANGUAGE: Page 206

RAPTOR. Within the SDI funding requested for Advanced Theater Sensors is a request of \$5,000,000 for a high altitude, long endurance (HALE) unmanned aerial vehicle (UAV) to carry sensors to detect and track theater ballistic missiles. The Committee is concerned that the SDIO began funding RAPTOR in January of 1992 without Congressional approval at the very time that the Secretary of Defense was notifying the Congress that he was proposing to cancel a Congressionally mandated classified program which he believed was unaffordable. The Committee directs immediate termination of the RAPTOR program and specifically stipulates that none of the funds appropriated for SDIO are available for UAV research, development, or procurement without specific prior Committee approval.

SENATE APPROPRIATIONS COMMITTEE

H.R. 5504; S. REPT. 102-408 (9/17/92)

BILL LANGUAGE: No language exists.

REPORT LANGUAGE: No language exists.

RAPTOR

**APPROPRIATIONS CONFERENCE REPORT
H.R. 5504; 102-1015 (10/5/92)**

PRESIDENTIAL SIGNATURE: P.L. 102-396 (10/5)

STATUTORY LANGUAGE: No language exists.

REPORT LANGUAGE: Page 148

RAPTOR/TALON

The conferees agree not to delete the funds allocated within the SDI program for the RAPTOR/TALON project to detect, track, and destroy theater ballistic missiles. However, the conferees agree that innovative U.S. technologies exist which might meet the requirements of the RAPTOR/TALON effort. Therefore, the conferees direct that no action shall be taken without prior Congressional approval to exclude from participation in the project unmanned aerial vehicles of U.S. manufacture under contract with U.S. firms.

Military Construction (MILCON)

MILITARY CONSTRUCTION (MILCON)

HOUSE ARMED SERVICES COMMITTEE

H.R. 5006; H. REPT. 102-527 (5/19/92)

BILL LANGUAGE: No language exists.

REPORT LANGUAGE: Page 310

BARKING SANDS, KAUAI, HAWAII

The Strategic Defense Initiative Organization (SDIO) requested \$5.4 million for a land easement at Barking Sands, Kauai, Hawaii. The committee recognizes the importance to SDIO of promptly reaching agreement with the state of Hawaii to obtain the land easement. The committee believes, however, that SDIO's estimate of the costs required for the land easement is too high. The committee encourages SDIO to promptly enter negotiations with the state of Hawaii for the land easement, but SDIO should aggressively negotiate an agreement with the state that is far less than the amount authorized for appropriations.

SENATE ARMED SERVICES COMMITTEE

S. 3114; S. REPT. 102-352 (7/31/92)

BILL LANGUAGE: No language exists.

REPORT LANGUAGE: No language exists.

MILITARY CONSTRUCTION (MILCON)

AUTHORIZATION CONFERENCE REPORT

H.R. 5006; 102-966 (10/1/92)

PRESIDENTIAL SIGNATURE: P.L. 102-484 (10/23)

STATUTORY LANGUAGE: No language exists.

REPORT LANGUAGE: No language exists.

MILITARY CONSTRUCTION (MILCON)

HOUSE APPROPRIATIONS COMMITTEE
H.R. 5428; H.REPT. 102-580 (6/18/92)

BILL LANGUAGE: No language exists.

REPORT LANGUAGE: Page 10

SENATE APPROPRIATIONS COMMITTEE
H.R. 5428; S.REPT. 102-355 (7/31/92)

BILL LANGUAGE: No language exists.

REPORT LANGUAGE: No language exists.

MILITARY CONSTRUCTION (MILCON)

APPROPRIATIONS CONFERENCE REPORT
H.R. 5428; 102-888 (9/22/92)

PRESIDENTIAL SIGNATURE: P.L. 102-380 (10/5)

STATUTORY LANGUAGE: No language exists.

REPORT LANGUAGE: Page 11

Appropriates \$262,116,000 for Military Construction, Defense Agencies, instead of \$308,176,000 as proposed by the House and \$194,516,000 as proposed by the Senate. The conferees agree to the following additions and deletions to the amounts and line items as proposed by the House:

Alaska—Elmendorf AFB: Hospital replacement (phase I).....	+ \$15,000,000
Florida—Eglin AFB: Climatic test chamber (phase I) (funds provided under Air Force).....	- 32,000,000
Florida—Homestead AFB: Hospital construction (phase II).....	- 10,000,000
Hawaii—Barking Sands: Land easement.....	+ 5,400,000
Tennessee—Millington Naval Air Station: Hospital life safety/seismic upgrade (phase I).....	- 5,000,000
Germany—Grafenwoehr: Elementary school addition and renovation.....	- 7,400,000
Classification Location:	- 8,000,000
Strategic medical storage facility.....	+ 3,590,000
Southwester/NSA.....	- 5,000,000
Unspecified Worldwide Locations—Contingency construction.....	- 2,000,000
Unspecified Worldwide Locations—Planning and design:	- 650,000
Defense level activities.....	
Defense medical support activity.....	

The conferees agree to fund all other items in conference at the level proposed by the House, as shown below:

California—Beale AFB: Hospital utility/life safety upgrade.....	\$3,500,000
Colorado—Fitzsimons AMC: Site work.....	2,000,000
District of Columbia—Walter Reed Army Medical Center: Army Institute of Research (phase I).....	13,300,000
North Carolina—Fort Bragg: Add/alter section 6 schools.....	3,950,000
Virginia—National Capital Area: Relocation of water mains.....	3,000,000
Germany—Hohenfels: Elementary school addition and renovation.....	13,500,000
Johnston Island—DNA Headquarters Field Command: Garbage and refuse incinerator.....	1,500,000
Classified Location—Ops System Uninterruptible Power Source.....	6,000,000
Unspecified Worldwide Locations—Planning and Design: Strategic Defense Initiative Organization.....	0
Unspecified Worldwide Locations—General Reduction:.....	0