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REPORT
107–194

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2002

R E P O R T

OF THE

COMMITTEE ON ARMED SERVICES HOUSE OF REPRESENTATIVES

ON

H.R. 2586

together with

ADDITIONAL AND DISSENTING VIEWS

[Including cost estimate of the Congressional Budget Office]

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107TH CONGRESS
1st Session
HOUSE OF REPRESENTATIVES
REPORT
107–194

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2002

SEPTEMBER 4, 2001.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. STUMP, from the Committee on Armed Services, submitted the following

REPORT

together with

ADDITIONAL AND DISSENTING VIEWS

[To accompany H.R. 2586]

[Including cost estimate of the Congressional Budget Office]

The Committee on Armed Services, to whom was referred the bill (H.R. 2586) to authorize appropriations for fiscal year 2002 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2002, and for other purposes, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The amendments are as follows:

The amendment strikes all after the enacting clause of the bill and inserts a new text which appears in italic type in the reported bill.

The title of the bill is amended to reflect the amendment to the text of the bill.

EXPLANATION OF THE COMMITTEE AMENDMENTS

The committee adopted an amendment in the nature of a substitute during the consideration of H.R. 2586. The title of the bill is amended to reflect the amendment to the text of the bill. The remainder of the report discusses the bill, as amended.

PURPOSE

The bill would—(1) Authorize appropriations for fiscal year 2002 for procurement and for research, development, test and evaluation (RDT&E); (2) Authorize appropriations for fiscal year 2002 for operation and maintenance (O&M) and for working capital funds; (3) Authorize for fiscal year 2002: (a) the personnel strength for each active duty component of the military departments; (b) the personnel strength for the Selected Reserve for each reserve component of the armed forces; (c) the military training student loads for each of the active and reserve components of the military departments; (4) Modify various elements of compensation for military personnel and impose certain requirements and limitations on personnel actions in the defense establishment; (5) Authorize appropriations for fiscal year 2002 for military construction and family housing; (6) Authorize appropriations for fiscal year 2002 for the Department of Energy national security programs; (7) Modify provisions related to the National Defense Stockpile; and (8) Authorize appropriations for fiscal year 2002 for the Maritime Administration.

RELATIONSHIP OF AUTHORIZATION TO APPROPRIATIONS

The bill does not generally provide budget authority. The bill authorizes appropriations. Subsequent appropriation acts provide budget authority. The bill addresses the following categories in the Department of Defense budget: procurement; research, development, test and evaluation; operation and maintenance; working capital funds, military personnel; and military construction and family housing. The bill also addresses Department of Energy National Security Programs and the Maritime Administration.

Active duty and reserve personnel strengths authorized in this bill and legislation affecting compensation for military personnel determine the remaining appropriation requirements of the Department of Defense. However, this bill does not provide authorization of specific dollar amounts for personnel.

SUMMARY OF AUTHORIZATION IN THE BILL

The President requested budget authority of $343.3 billion for the national defense budget function for fiscal year 2002. Of this amount, the President requested $328.0 billion for the Department of Defense (including $10.0 billion for military construction and family housing) and $13.8 billion for Department of Energy national security programs and the Defense Nuclear Facilities Safety Board.

The committee recommends an overall level of $343.2 billion in budget authority. This amount is consistent with the discretionary defense spending limitations imposed by the Balanced Budget Act of 1997 and it represents an increase of approximately $33.3 billion from the amount authorized for appropriation by the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106–398).

SUMMARY TABLE OF AUTHORIZATIONS

The following table provides a summary of the amounts requested and that would be authorized for appropriation in the bill (in the column labeled "Budget Authority Implication of Committee Recommendation") and the committee's estimate of how the committee's recommendations relate to the budget totals for the national defense function. For purposes of estimating the budget authority implications of committee action, the table reflects the numbers contained in the President's budget for proposals not in the committee's legislative jurisdiction.

SUMMARY OF NATIONAL DEFENSE AUTHORIZATIONS FOR FY 2002

(Dollars in Thousands)

Account Title	FY 2002 Authorization Request	FY 2002 Budget Authority Request	Committee Change From Request	FY 2002 Committee Recommendation	Budget Authority Implication of Committee Recommendation
PROCUREMENT					
Aircraft Procurement, Army	1,925,491	1,925,491	62,000	1,987,491	1,987,491
Missile Procurement, Army	1,859,634	1,859,634	(762,348)	1,097,286	1,097,286
Procurement of Weapons and Tracked Combat Vehicles, Army	2,276,746	2,276,746	90,300	2,367,046	2,367,046
Procurement of Ammunition, Army	1,193,365	1,193,365	15,200	1,208,565	1,208,565
Other Procurement, Army	3,961,737	3,961,737	182,249	4,143,986	4,143,986
Chemical Agents and Munitions Destruction, Army					
Operation & Maintenance	789,020	789,020	(789,020)	-	-
Procurement	164,158	164,158	(164,158)	-	-
Research, Development, Test & Evaluation	200,379	200,379	(200,379)	-	-
Aircraft Procurement, Navy	8,252,543	8,252,543	84,700	8,337,243	8,337,243
Weapons Procurement, Navy	1,433,475	1,433,475	43,217	1,476,692	1,476,692
Procurement of Ammunition, Navy and Marine Corps	457,099	457,099	6,408	463,507	463,507
Shipbuilding and Conversion, Navy	9,344,121	9,344,121	(23,000)	9,321,121	9,321,121
Other Procurement, Navy	4,097,576	4,097,576	59,737	4,157,313	4,157,313
Procurement, Marine Corps	981,724	981,724	43,900	1,025,624	1,025,624
Aircraft Procurement, Air Force	10,744,458	10,744,458	(38,771)	10,705,687	10,705,687
Missile Procurement, Air Force	3,233,536	3,233,536	(7,200)	3,226,336	3,226,336
Procurement of Ammunition, Air Force	865,344	865,344	6,000	871,344	871,344
Other Procurement, Air Force	8,159,521	8,159,521	91,300	8,250,821	8,250,821
Procurement, Defense-wide	1,603,927	1,603,927	663,419	2,267,346	2,267,346
Procurement, National Guard & Reserve Equipment	-	-	-	-	-
Chemical Agents and Munitions Destruction, Defense	-	-	-		-
Operation & Maintenance	-	-	728,520	728,520	728,520
Procurement	-	-	157,158	157,158	157,158
Research, Development, Test & Evaluation	-	-	192,879	192,879	192,879
Procurement, Defense Health Program	267,915	-	-	267,915	-
Procurement, Office of the Inspector General	1,800	-	-	1,800	-
Defense Production Act Purchases	50,000	50,000	-	50,000	50,000

SUMMARY OF NATIONAL DEFENSE AUTHORIZATIONS FOR FY 2002

(Dollars in Thousands)

Account Title	FY 2002 Authorization Request	FY 2002 Budget Authority Request	Committee Change From Request	FY 2002 Committee Recommendation	Budget Authority Implication of Committee Recommendation
Total Procurement	61,863,569	61,593,854	442,111	62,305,680	62,035,965
RESEARCH, DEVELOPMENT, TEST & EVALUATION					
Research, Development, Test & Evaluation, Army	6,693,920	6,693,920	55,105	6,749,025	6,749,025
Research, Development, Test & Evaluation, Navy	11,123,389	11,123,389	(260,115)	10,863,274	10,863,274
Research, Development, Test & Evaluation, Air Force	14,343,982	14,343,982	111,671	14,455,653	14,455,653
Research, Development, Test & Evaluation, Defense-wide	15,050,787	15,050,787	323,836	15,374,623	15,374,623
Research, Development, Test & Evaluation, Defense Health Program	65,304	-	-	65,304	-
Operational Test & Evaluation, Defense	217,355	217,355	-	217,355	217,355
Total Research, Development, Test & Evaluation	47,494,737	47,429,433	230,497	47,725,234	47,659,930
OPERATION AND MAINTENANCE & WORKING CAPITAL FUNDS					
Operation and Maintenance					
Operation and Maintenance, Army	21,191,680	21,191,680	(176,400)	21,015,280	21,015,280
Operation and Maintenance, Navy	26,961,382	26,961,382	(373,420)	26,587,962	26,587,962
Operation and Maintenance, Marine Corps	2,892,314	2,892,314	5,800	2,898,114	2,898,114
Operation and Maintenance, Air Force	26,146,770	26,146,770	(335,308)	25,811,462	25,811,462
Operation and Maintenance, Defense-wide	12,518,631	12,518,631	(596,500)	11,922,131	11,922,131
Office of the Inspector General	152,021	152,021	-	152,021	152,021
Operation and Maintenance, Army Reserve	1,787,246	1,787,246	27,000	1,814,246	1,814,246
Operation and Maintenance, Navy Reserve	1,003,690	1,003,690	-	1,003,690	1,003,690
Operation and Maintenance, Marine Corps Reserve	144,023	144,023	-	144,023	144,023
Operation and Maintenance, Air Force Reserve	2,029,866	2,029,866	(12,000)	2,017,866	2,017,866
Operation and Maintenance, Army National Guard	3,677,359	3,677,359	28,000	3,705,359	3,705,359
Operation and Maintenance, Air National Guard	3,867,361	3,867,361	100,000	3,967,361	3,967,361
United States Court of Appeals for the Armed Forces	9,096	9,096	-	9,096	9,096
Environmental Restoration, Army	389,800	389,800	-	389,800	389,800

SUMMARY OF NATIONAL DEFENSE AUTHORIZATIONS FOR FY 2002

(Dollars in Thousands)

Account Title	FY 2002 Authorization Request	FY 2002 Budget Authority Request	Committee Change From Request	FY 2002 Committee Recommendation	Budget Authority Implication of Committee Recommendation
Environmental Restoration, Navy	257,517	257,517	-	257,517	257,517
Environmental Restoration, Air Force	385,437	385,437	-	385,437	385,437
Environmental Restoration, Defense-Wide	23,492	23,492	-	23,492	23,492
Environmental Restoration, Formerly Used Defense Sites	190,255	190,255	-	190,255	190,255
Drug Interdiction and Counter-drug Activities, Defense	820,381	820,381	-	820,381	820,381
Defense Health Program	17,565,750	17,898,969	5,000	17,570,750	17,903,969
Cooperative Threat Reduction	403,000	403,000	-	403,000	403,000
Support for International Sporting Competitions, Defense	15,800	15,800	-	15,800	15,800
Overseas Military Investment Recovery		3,000	-		3,000
Disposal of DoD Real Property		9,500	-		9,500
Lease of DoD Real Property		9,500	-		9,500
Payment to Kaho' Olawe Island Fund	25,000	25,000	-	25,000	25,000
Overseas Humanitarian, Disaster, & Civic Aid	49,700	49,700	-	49,700	49,700
National Science Center, Army		-	-		-
Burdensharing		411,000	-		411,000
Rocky Mountain Arsenal		6,000	-		6,000
Overseas Contingency Operations Transfer Fund	2,844,226	2,844,226	-	2,844,226	2,844,226
Subtotal Operation and Maintenance	125,351,797	126,124,016	(1,327,828)	124,023,969	124,796,188
Revolving and Management Funds					
Defense Working Capital Funds (DECA)	1,951,986	1,951,986	-	1,951,986	1,951,986
National Defense Sealift Fund	506,408	506,408	(98,700)	407,708	407,708
National Defense Stockpile Transaction Fund (Routine & Ongoing Sales)		(150,000)	-		(150,000)
National Defense Stockpile Transaction Fund (Excess Sales)		(250,000)	-		(250,000)
National Defense Stockpile Transaction Fund (Transfer to WCF Cash)			-		-
Armed Forces Retirement Home			-		-
Other			-		-

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(Dollars in Thousands)

Account Title	FY 2002 Authorization Request	FY 2002 Budget Authority Request	Committee Change From Request	FY 2002 Committee Recommendation	Budget Authority Implication of Committee Recommendation
Subtotal Revolving and Management Funds	2,458,394	2,058,394	(98,700)	2,359,694	1,959,694
Total Operation and Maintenance & Working Capital Funds	127,810,191	128,182,410	(1,426,528)	126,383,663	126,755,882
MILITARY PERSONNEL					
Military Personnel	82,307,281	82,307,281	(28,180)	82,279,101	82,279,101
Total Military Personnel	82,307,281	82,307,281	(28,180)	82,279,101	82,279,101
MILITARY CONSTRUCTION					
Military Construction, Army	1,760,541	1,760,541	(73,940)	1,686,601	1,686,601
Military Construction, Navy	1,071,408	1,071,408	88,246	1,159,654	1,159,654
Military Construction, Air Force	1,068,250	1,068,250	103,254	1,171,504	1,171,504
Military Construction, Defense-wide	694,558	694,558	144,399	838,957	838,957
Military Construction, Army National Guard	267,389	267,389	37,526	304,915	304,915
Military Construction, Air National Guard	149,072	149,072	48,400	197,472	197,472
Military Construction, Army Reserve	111,404	111,404	61,613	173,017	173,017
Military Construction, Naval Reserve	33,641	33,641	19,650	53,291	53,291
Military Construction, Air Force Reserve	53,732	53,732	25,400	79,132	79,132
Base Realignment and Closure IV	532,200	532,200	-	532,200	532,200
NATO Security Investment Program	162,600	162,600	-	162,600	162,600
Total Military Construction	5,904,795	5,904,795	454,548	6,359,343	6,359,343
FAMILY HOUSING					
Family Housing Construction, Army	291,542	291,542	(16,388)	275,154	275,154
Family Housing Support, Army	1,108,991	1,108,991	(62,788)	1,046,203	1,046,203
Family Housing Construction, Navy and Marine Corps	304,400	304,400	28,366	332,766	332,766
Family Housing Support, Navy and Marine Corps	918,095	918,095	(17,510)	900,585	900,585

SUMMARY OF NATIONAL DEFENSE AUTHORIZATIONS FOR FY 2002

(Dollars in Thousands)

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Family Housing Construction, Air Force	518,237	518,237	(6,725)	511,512	511,512
Family Housing Support, Air Force	869,121	869,121	(26,103)	843,018	843,018
Family Housing Construction, Defense-wide	250	44,012	-	250	44,012
Family Housing Support, Defense-wide	43,762	-	-	43,762	-
Homeowners Assistance Fund	10,119	10,119	-	10,119	10,119
DoD Family Housing Improvement Fund	2,000	2,000	-	2,000	2,000
Total Family Housing	4,066,517	4,066,517	(101,148)	3,965,369	3,965,369

SUMMARY OF NATIONAL DEFENSE AUTHORIZATIONS FOR FY 2002

(Dollars in Thousands)

Account Title	FY 2002 Authorization Request	FY 2002 Budget Authority Request	Committee Change From Request	FY 2002 Committee Recommendation	Budget Authority Implication of Committee Recommendation
OTHER DoD MILITARY					
Other Legislation	(330,000)	(330,000)	330,000	-	-
Spending of Card Refunds		8,000	-		8,000
General Transfer Authority [non-additive]		[2,500,000]	[-500,000]	[2,000,000]	
National Security Education Trust Fund		7,000	-		7,000
Other Trust Funds		30,000	-		30,000
Interfund Transfers			-		-
Surcharge Collections		35,000	-		35,000
Foreign Employee Separation Pay		12,000	-		12,000
Voluntary Separation Incentive Trust Fund		159,000	-		159,000
Host Nation Support - Relocation		6,000	-		6,000
Offsetting Receipts and Other		(1,412,000)	-		(1,412,000)
Total Other DoD Military	(330,000)	(1,485,000)	330,000	-	(1,155,000)
Total Department of Defense Military (051)	329,117,090	327,999,290	(98,700)	329,018,390	327,900,590
ATOMIC ENERGY DEFENSE ACTIVITIES (053)					
Weapons Activities	5,300,025	5,300,025	69,463	5,369,488	5,369,488
Defense Environmental Restoration and Waste Management	4,548,708	4,548,708	97,719	4,646,427	4,646,427
Defense Environmental Management Privatization	141,537	141,537	(15,329)	126,208	126,208
Defense Nuclear Waste Disposal	310,000	310,000	-	310,000	310,000
Other Defense Actitivities	527,614	527,614	(25,515)	502,099	502,099
Defense Facilities Closure Projects	1,050,538	1,050,538	-	1,050,538	1,050,538
NNSA Defense Nuclear Nonproliferation	773,700	773,700	-	773,700	773,700
Naval Reactors	688,045	688,045	-	688,045	688,045
Energy Employees Compensation Initiative - Admin Expenses		63,000	-		63,000
Energy Employees Compensation Initiative		152,000	-		152,000
RECA Portion of Energy Workers Comp		102,000	-		102,000

SUMMARY OF NATIONAL DEFENSE AUTHORIZATIONS FOR FY 2002

(Dollars in Thousands)

Account Title	FY 2002 Authorization Request	FY 2002 Budget Authority Request	Committee Change From Request	FY 2002 Committee Recommendation	Budget Authority Implication of Committee Recommendation
Proposed Legislation	-	(26,000)	-	-	(26,000)
Formerly Utilized Sites Remedial Action Program	140,000	140,000	(140,000)		-
Office of the Administrator	15,000	15,000	-	15,000	15,000
Defense Nuclear Counterintelligence	-	-	13,662	13,662	13,662
Defense Nuclear Facilities Safety Board	18,500	18,500	-	18,500	18,500
Total Atomic Energy Defense Activities (053)	13,513,667	13,804,667	-	13,513,667	13,804,667
DEFENSE RELATED ACTIVITIES (054)					
Department of Justice - Radiation Exposure Compensation Trust Fund					
Payments to Individuals		27,000	-		27,000
Administrative Expenses		2,000	-		2,000
Department of Justice - Radiation Exposure Compensation Trust Fund		172,000	-		172,000
Department of Justice - Federal Bureau of Investigation Special Program		456,000	-		456,000
Department of Justice - National Drug Intelligence Center			-		-
Department of Transportation - Coast Guard Operations		340,000	-		340,000
Department of Transportation - MARAD Maritime Security Program		-	98,700	98,700	98,700
Department of Commerce - Export Administration		7,000	-		7,000
Federal Emergency Management Agency			-		-
Salaries and Expenses	30,000	30,000	(30,000)	-	-
Planning and Assistance	20,000	20,000	(20,000)	-	-
CIA Retirement and Disability System		212,000	-		212,000
National Science Foundation - Antarctic research activities		63,000	-		63,000
Selective Service System - Salaries and Expenses		25,000	-		25,000
Intelligence Community Management Account		126,000	-		126,000
Total Defense Related Activities (054)	50,000	1,480,000	48,700	98,700	1,528,700

SUMMARY OF NATIONAL DEFENSE AUTHORIZATIONS FOR FY 2002

(Dollars in Thousands)

Account Title	FY 2002 Authorization Request	FY 2002 Budget Authority Request	Committee Change From Request	FY 2002 Committee Recommendation	Budget Authority Implication of Committee Recommendation
TOTAL NATIONAL DEFENSE FUNCTION (050)	342,680,757	343,283,957	(50,000)	342,630,757	343,233,957

RATIONALE FOR THE COMMITTEE BILL

To "provide for the common defense" is one of the most important responsibilities vested in the federal government. Article I, section 8, of the Constitution grants Congress the power "to raise and support armies" and "to provide and maintain a navy," in order to provide for the common defense. It is a solemn responsibility Congress must exercise with diligence, wisdom, and foresight.

The National Defense Authorization Act for Fiscal Year 2002 continues the process of rebuilding America's defenses and restoring the health of the military. The policies, programs, and priorities it supports are intended to ensure continued U.S. military preeminence for decades to come and to provide America's men and women in uniform with the training and tools necessary to deal successfully with the security challenges of the future.

The committee bill would authorize $343.3 billion for defense during fiscal year 2002—matching the President's amended budget request and marking the most significant increase to the defense budget since fiscal year 1986. Restoring the health of America's military will take years of work. Secretary of Defense Donald Rumsfeld, in testimony before the committee on June 28, 2001, noted that a one year increase in spending "does not get us well. The underinvestment went on far too long, the gap is too great, and there is no way it can be fixed in a year or, in my view, even in six."

In the committee's view, significant increases in defense spending are long overdue. The committee is pleased with the new Administration's recognition that defense spending in the post-Cold War era has fallen too far too fast and applauds the Administration's commitment to reverse this trend. The U.S. military for too long has been living off the defense investments made in the 1980s. Military equipment is being utilized beyond its service life, weapons systems are becoming costlier to maintain, and military readiness has declined virtually across the board. The U.S. military has been called on to do more with less, deploying with increasing frequency around the globe. Morale and quality of life have suffered. This is the unfortunate legacy of years of underfunding.

This year, the challenge facing the Administration and Congress is to ensure that the most immediate modernization, readiness, and personnel needs are met, while preparing to transition the armed forces into a more capable force prepared to meet emerging threats.

The Strategic Defense Review and U.S. National Military Strategy

The committee supports the efforts of the Department of Defense (DOD) to assess defense requirements in light of the potential and emerging threats to U.S. interests expected to materialize over the next decade and beyond. For the past several months, the Department of Defense has been conducting an extensive and multifaceted review of U.S. national military strategy. Secretary of Defense Donald Rumsfeld formed more than a dozen Task Forces to review the assumptions and strategic underpinnings of U.S. defense policy. Separate Task Forces were established on Strategy, Transformation, Acquisition Reform, Quality of Life, Nuclear Forces, Conventional Forces, Intelligence and Space, National Missile Defense, and a variety of other issues. The underlying premise of

these reviews was that resources and force levels should flow from strategy, not the other way around.

The results of the DOD strategy review will be incorporated into the next Quadrennial Defense Review (QDR), scheduled to be completed by September 30, 2001. The results of the QDR will, in turn, be factored into the Administration's defense budget request for fiscal year 2003. The committee expects that the 2001 QDR will be strategy-based and not budget-driven. In the meantime, U.S. military strategy continues to be guided by the tenets outlined in the 1997 QDR. The 1997 QDR, building upon its predecessor, the 1993 Bottom-Up Review, postulated that the sizing and composition of U.S. military forces should be based on the requirement to fight two nearly simultaneous major theater wars. This force-sizing construct has been called into question by the Administration.

The Administration has indicated that the two major theater war construct may need to be replaced with a different force sizing metric. Although Secretary Rumsfeld has cautioned that no final decision has been made, he has also noted that DOD is "looking carefully at an alternative." That alternative would be to replace the traditional "threat-based" military strategy with one that is "capability-based" and designed to deal with the kinds of asymmetric threats that might emerge in the future.

The committee believes that the two major theater war standard has served as a useful planning tool and is concerned that its abandonment could be viewed as an attempt to scale back U.S. military strategy to conform to budgetary realities. Such an approach would be ill-advised. Jettisoning the two major theater war construct without an effective alternative would lead to acceptance of a greater than prudent level of risk. Indeed, Secretary Rumsfeld has stated that "you don't tear down what is unless you have something better...." The committee expects to work closely with the Administration in the coming year to ensure that any changes to U.S. military strategy are based on sound strategic principles and do not result in increased risk to U.S. national security.

Although Department of Defense officials have emphasized the need for the U.S. armed forces to transform themselves into a more capable force able to successfully confront the more difficult challenges in the future, the Department's budget request for fiscal year 2002 is not a "transformation" budget. At minimum, it properly addresses many of the deficiencies that plague existing forces without laying the groundwork for significant structural changes. In his testimony before the committee on June 28, 2001, Secretary of Defense Rumsfeld stated that even a budget of nearly $350 million "would just be holding where we are" and "would not make a significant contribution to transformation."

As the Department of Defense wrestles with options for transforming the U.S. military in the long-term, the committee's approach this year has been guided by an effort to develop a defense budget that is more responsive to the post-Cold War threats faced by the United States and commensurate with America's global responsibilities—and, in so doing, to ensure that U.S. forces can successfully execute their missions at the lowest possible level of risk.

The Administration's Defense Budget Request

The President's defense budget request for fiscal year 2002 reflects the most significant real increase in defense funding since the mid-1980s. Nevertheless, despite the increases proposed by the Administration this year, serious problems continue to exist in readiness, modernization, and quality of life. The previous Administration significantly underfunded the defense budget and overcommitted U.S. military forces to a variety of peacekeeping and humanitarian missions. The result was a high operating tempo, degraded morale, aging equipment, reduced training, and decaying infrastructure. General Henry Shelton, Chairman of the Joint Chiefs of Staff, testified before the committee on June 28, 2001, that since 1995 there has been "a 133 percent increase in the number of military personnel committed to joint operations. These are real-world events, not exercises, and we are doing it with nine percent fewer people."

Although the fiscal year 2002 defense budget request reflects nearly a $33 billion increase over the fiscal year 2001 level, significant shortfalls remain unaddressed. In particular, the service chiefs have identified more than $32 billion in critical unfunded requirements in fiscal year 2002, roughly twice the amount they identified last year. These shortfalls were not addressed in the fiscal year 2001 supplemental appropriations bill recently passed by the Congress and signed by the President. Moreover, the Army is the smallest it has been since 1950, the Navy has shrunk to 317 ships—more than 40 percent fewer than a decade ago and the smallest fleet since 1933, and the average age of the Air Force's aircraft is 22 years.

With this in mind, the committee has sought to address in this year's budget the most serious aspects of the shortfalls in readiness, modernization, and quality of life.

Restoring the Bond of Trust with Our Men and Women in Uniform

Ensuring a decent quality of life for military personnel and their families remains one of the most important national defense priorities. America's military is only as good as the people who serve in it. Recruiting and retaining top-notch personnel remains vital to ensuring that the U.S. armed forces are the best in the world.

With the efforts of Congress over the past six years, the quality of living for U.S. military personnel and their families has improved, and recruiting and retention trends have improved. Nevertheless, meeting the challenge of recruiting and retaining sufficient numbers of high quality personnel remains difficult, and the troublesome trend of the continued departure of many of the best and brightest mid-career enlisted and officer personnel continues.

Continuing its effort to improve quality of life and ensure adequate military pay and bonuses, the committee recommends the largest single-year increase in military personnel funding since 1985—a total increase of $6.9 billion over the fiscal year 2001 level. The committee bill also would fund the largest military pay raise since 1982, thereby fully supporting the President's proposal to add $1.0 billion to military pay. This pay raise provides five to six percent across-the-board pay raises for all military personnel, as well as targeted pay increases for mid-career service members that

range above 10 percent. In addition, the bill would boost military special pay and enhance incentives to join the Reserve Officers Training Corps (ROTC). Moreover, the committee bill would improve the recruiting and retention efforts of the services and would provide for enlistment and re-enlistment bonuses. The committee bill also contains the increases for military housing contained in the budget request. Further, the committee bill recommends an additional effort: innovative programs to reduce the significant out-of-pocket costs experienced by military personnel as a result of permanent change of station moves. Importantly, the committee bill satisfies $95 million of the service chiefs' unfunded personnel requirements.

The committee bill also would increase funding for defense medical programs of over $6 billion. With this authorization, the committee bill would provide the funding needed this coming fiscal year to implement fully the new TRICARE For Life program enacted last year.

These actions follow up on the efforts of Congress last year to reform the military health care system and compensation practices. The quality of life improvements contained in the committee bill this year represent the most significant step toward making a real improvement in military quality of life in nearly two decades. However, this is just one step forward, and real progress in this area will require additional actions over the next several years.

Enhancing Readiness

Restoring military readiness remains a key priority for the committee, as U.S. military readiness is essential to securing America's future as the world's sole superpower. Over the past six years, Congress has led the effort to identify and reverse the declining state of military readiness. Today, there is bipartisan agreement that U.S. military readiness has declined due to an increased pace of operations combined with inadequate funding and escalating maintenance costs of aging equipment. The committee bill would make real progress toward reversing this decline by providing significant increases to key operations, maintenance, and training accounts.

Despite the increases in the Administration's fiscal year 2002 defense budget request, readiness remains a serious concern. Existing readiness problems include a shortage of spare parts, aging equipment, decaying infrastructure, growing equipment and facilities' backlogs, insufficient training, and personnel shortages. In the past, essential modernization was deferred to provide for near-term readiness requirements. In addition, maintaining the readiness of "first-to-fight" forces has led to the diversion of resources from other operational support units, including strategic airlift, intelligence, surveillance and reconnaissance, combat service support units, and training bases. As General Henry Shelton, Chairman of the Joint Chiefs of Staff, testified before the committee on June 28, 2001, "The bottom line is, I do not believe that we will be able to sustain our long-term readiness under these conditions."

Secretary of the Army, Thomas White, testifying before the committee on July 18, 2001, stated, "After a decade of underfunding and overworking our force, we are clearly in a hole, and getting out will require a significant investment." Secretary of the Air Force James Roche and Air Force Chief of Staff General Michael Ryan,

testified before the committee on July 11, 2001, that "overall Air Force readiness is lower than any time since June 1987." The Chief of Naval Operations, Admiral Vern Clark, testified on July 12, 2001, "The challenge of sustaining our current readiness while investing in key future capabilities remains a very difficult balancing act. . . . [T]his is an area where we do not meet the goals and the targets that we need in this budget." Despite this challenge, Admiral Clark stated, "I believe this is the best readiness budget that we have seen in at least a decade."

The committee bill seeks to improve both the near-term and long-term readiness of U.S. military forces by addressing critical readiness priorities. Specifically, the committee bill would increase key readiness accounts by $7.5 billion above the fiscal year 2001 level. Unfortunately, the decision to halt combined arms naval training on the island of Vieques, Puerto Rico, beginning in 2003 will negatively impact the readiness of the armed forces. The committee bill would ensure that live-fire training could continue on the island until such time as an alternative site is found that would provide for at least an equivalent level of training.

Modernizing and Equipping the Force of the Future

Despite the end of the Cold War, the U.S. military has not fully adapted to meet the new challenges of the post-Cold War environment. For the United States to ensure that U.S. service members retain the technological edge on the battlefields of tomorrow—thereby saving lives and winning wars—the U.S. military must ensure that it has the weapons, equipment, and strategies to successfully meet future challenges.

While the exact path for transforming the military to meet these future challenges is not yet clear, modernizing the force with new technologies and advanced capabilities to fight and win future conflicts is vital. Until this path is clear, the transformation effort must take place on two fronts—maintaining the current force through a steady procurement program and developing revolutionary technologies through an aggressive research and development program.

The committee notes that today's military is continuing to live off the investment in equipment made decades ago. In his testimony before the committee on June 28, 2001, Secretary Rumsfeld stated, "We have been living off the substantial investments of the 1970s and 1980s."

Unfortunately, the Administration's request for procurement programs was the weakest aspect in an otherwise strong defense budget. Secretary White, in testimony before the committee on July 18, 2001, stated that "there will continue to be shortfalls in a number of critical areas such as modernization and recapitalization of our current force." Secretary of the Navy, Gordon England, testifying on July 12, 2001, stated, "What this increase does not do, however, is adequately address our infrastructure and procurement shortfalls."

In effect, the fiscal year 2002 amended defense budget request for procurement would place modernization efforts on hold, pending completion of DOD's strategic review. Instead, the committee bill would provide $62 billion ($442.1 million more than the President's request) to procure weapons, ammunition, and equipment, while

careful reprioritization of the budget enabled the committee to meet $253.4 million of the service chiefs' unfunded requirements. The resulting procurement budget will slow the erosion of the force while laying the foundation for transformation into the future military force.

By contrast, the Administration's research and development (R&D) budget represents the first significant increase in the past decade and the first time in six years that the requested amount for R&D was greater than the amount provided by Congress in the previous year. This significant level of support for R&D programs will likely ensure rapid progress in developing innovative technologies, deploying ballistic missile defenses, and testing and evaluating transformation programs. Therefore, the committee bill would provide $47.7 billion ($228.5 million more than the President's request and $6.7 billion more than the fiscal year 2001 level) for research and development programs, including funds for ballistic missile defense programs.

Defending Americans From Ballistic Missile Threats

Today, Americans at home and abroad are within striking range of thousands of ballistic missile warheads. The risk of accidental or unauthorized launch of ballistic missiles remains real, and the proliferation of missile technology has allowed nations like North Korea to develop and test ballistic missiles capable of reaching U.S. soil.

Furthermore, American military forces and allies around the world have no effective defense against the ballistic missile threat. Over 100,000 U.S. troops in South Korea and Japan live under the threat of ballistic missile attack, as do American forward-based air and naval forces in Northeast Asia, the Mediterranean, and the Persian Gulf. Even vital U.S. allies including South Korea, Japan, and Taiwan face known ballistic missile threats and have no effective defense.

Unfortunately, ballistic missiles and weapons of mass destruction technology are proliferating faster than the U.S. ability to defend against them. Secretary Rumsfeld, in testimony before the committee on June 28, 2001, warned against underestimating the threat posed by ballistic missiles and the weapons they carry. "We would be making a terrible mistake to not be attentive to the spread of weapons of mass destruction and the ability to deliver them," he stated. Deputy Secretary of Defense Paul Wolfowitz, testifying before the committee on July 19, 2001, explained the reason other states seek ballistic missile capabilities: "To those who wonder why so many of the regimes hostile to the United States—many of them desperately poor—are investing such enormous sums of money to acquire ballistic missiles, I suggest this possible answer: They know we don't have any defenses."

Ten years after 28 U.S. service personnel lost their lives as a result of a single Iraqi Scud missile attack during the Persian Gulf War, Americans remain vulnerable to ballistic missile threats. For this reason, the committee supports efforts to accelerate research, development, and deployment of effective ballistic missile defenses.

The committee believes that America's total vulnerability to ballistic missiles must end. Unfortunately, missile defense programs have never received the level of support and funding necessary to

support such an important mission. As a result, the committee bill would support the Administration's request for a significant increase in funding for ballistic missile defense programs as the first step toward the day when all Americans are protected against ballistic missile attack. The committee endorses the President's approach to ballistic missile defense, and is encouraged that the proposed missile defense program includes plans for a layered defense system and realistic testing, and explores a full range of technologies. As such, the committee endorses the Administration's missile defense program, with modest adjustments, and recommends $8.2 billion, $2.9 billion more than the fiscal year 2001 level, for the continued development of ballistic missile defenses.

The Committee Bill: A Significant Step Forward on the Path Toward Ensuring U.S. National Security

The National Defense Authorization Act for Fiscal Year 2002 represents a significant step forward in the committee's efforts to ensure that U.S. national security is protected and that the U.S. armed forces are second-to-none. It contains significant improvements in personnel, readiness, and modernization designed to keep America's military on the cutting edge of technology and able to defeat any potential military challenge. This bill accomplishes much, but much more remains to be done.

Modernizing and maintaining today's military forces—and transforming them to meet future challenges—will require a serious and sustained commitment of resources. The committee understands that in the current prolonged period of peace, additional investments in national defense are seen by some as unnecessary. However, the cost of keeping the peace is always less than the cost of failing to do so. Clearly, defense increases are not only affordable but also essential if the United States is to remain a superpower able to promote and protect its global interests.

HEARINGS

Committee consideration of the National Defense Authorization Act for Fiscal Year 2002 results from hearings that began on March 22, 2001 and that were completed on July 18, 2001. The full committee conducted 7 sessions. In addition, a total of 20 sessions were conducted by five different subcommittees and two panels of the committee on various titles of the bill.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATION

TITLE I—PROCUREMENT

OVERVIEW

The committee did not receive the Administration's amendment to its February 2001 "Budget Blueprint" for the Department of Defense (DOD) until the end of June. During this period, Secretary Rumsfeld initiated over twenty separate review panels to examine various topics, ranging from overall defense strategy to the size and shape of conventional forces. The recommendations of these panels are still being studied and are expected to be considered during the ongoing Quadrennial Defense Review (QDR), which is to be submitted to Congress September 30th. Consequently, no decisions were made with regard to major weapons systems in the fiscal year 2002 amended budget. Although the Administration has spoken of the need to transform the military to deal with new challenges of the 21st century, the transformation process is expected to be a lengthy one that cannot be implemented with a single fiscal year's budget. The Secretary's description of the fiscal year 2002 procurement request concedes that there would be less real transformation-related change from fiscal year 2001 programs than previously thought, due to the overwhelming need to, as he put it, "repair potholes."

The fiscal year 2002 DOD procurement request of $61.6 billion is notably the weakest link in an otherwise strong defense budget. Many analysts, as well as prior DOD senior officials, have argued that an additional $20.0 to $30.0 billion above this amount is necessary annually to ensure military capabilities are adequately modernized.

The committee recommends a net increase of $442.1 million to the Department's procurement request, which includes an add of almost $525.0 million. While this amount is modest by comparison to committee actions over the past several years, it, nevertheless, represents the seventh consecutive year that the committee has provided an increase to the procurement accounts.

TITLE I - PROCUREMENT

(Dollars in Thousands)

	FY2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
AIRCRAFT PROCUREMENT, ARMY	1,925,491	62,000	1,987,491
MISSILE PROCUREMENT, ARMY	1,859,634	(762,348)	1,097,286
PROCUREMENT OF W&TCV, ARMY	2,276,746	90,300	2,367,046
PROCUREMENT OF AMMUNITION, ARMY	1,193,365	15,200	1,208,565
OTHER PROCUREMENT, ARMY	3,961,737	182,249	4,143,986
CHEM AGENTS & MUNITIONS DESTRUCTION, ARMY	1,153,557	(1,153,557)	-
TOTAL ARMY	**12,370,530**	**(1,566,156)**	**10,804,374**
AIRCRAFT PROCUREMENT, NAVY	8,252,543	84,700	8,337,243
WEAPONS PROCUREMENT, NAVY	1,433,475	43,217	1,476,692
PROCUREMENT OF AMMUNITION, NAVY & MARINE CORPS	457,007	6,500	463,507
SHIPBUILDING & CONVERSION, NAVY	9,344,121	(23,000)	9,321,121
OTHER PROCUREMENT, NAVY	4,097,613	59,700	4,157,313
PROCUREMENT, MARINE CORPS	981,724	43,900	1,025,624
TOTAL NAVY	**24,566,483**	**215,017**	**24,781,500**
AIRCRAFT PROCUREMENT, AIR FORCE	10,744,478	(38,791)	10,705,687
PROCUREMENT OF AMMUNITION, AIR FORCE	865,344	6,000	871,344
MISSILE PROCUREMENT, AIR FORCE	3,233,536	(7,200)	3,226,336
OTHER PROCUREMENT, AIR FORCE	8,159,521	91,300	8,250,821

TITLE I - PROCUREMENT

(Dollars in Thousands)

	FY2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
TOTAL AIR FORCE	**23,002,879**	**51,309**	**23,054,188**
PROCUREMENT, DEFENSE-WIDE	1,603,991	663,355	2,267,346
DEFENSE PRODUCTION ACT PURCHASES	50,000	-	50,000
CHEM AGENTS & MUNITIONS DESTRUCTION, DEF	-	1,078,557	1,078,557
TOTAL DEFENSE-WIDE	**1,653,991**	**1,741,912**	**3,395,903**
PROCUREMENT, DEFENSE HEALTH PROGRAM	267,915		267,915
PROCUREMENT, OFFICE OF THE INSPECTOR GENERAL	1,800		1,800
GRAND TOTAL DEPARTMENT OF DEFENSE	**61,863,598**	**442,082**	**62,305,680**

AIRCRAFT PROCUREMENT, ARMY

Overview

The budget request contained $1,925.5 million for Aircraft Procurement, Army in fiscal year 2002. The committee recommends authorization of $1,987.5 million for fiscal year 2002.

The committee recommends approval of the request except for those programs adjusted in the following table. Unless otherwise specified, adjustments are without prejudice and based on affordability considerations.

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
	AIRCRAFT PROCUREMENT, ARMY						
	AIRCRAFT						
	FIXED WING						
1	ARL (TIARA)	-	-			-	-
2	UTILITY F/W (MR) AIRCRAFT	-	-			-	-
	ROTARY					-	-
3	UH-60 BLACKHAWK (MYP)	12	196,439			12	196,439
3	UH-60 BLACKHAWK (MYP)	-	(21,924)			-	(21,924)
4	UH-60 BLACKHAWK (MYP)	-	-			-	-
4	UH-60 BLACKHAWK (MYP)	-	-			-	-
4	UH-60 BLACKHAWK (MYP)	-	21,926			-	21,926
4	UH-60 BLACKHAWK (MYP)	-	3,225			-	3,225
4	UH-60 BLACKHAWK (MYP)	-	1,755			-	1,755
5	HELICOPTER NEW TRAINING	-	-			-	-
	TOTAL AIRCRAFT		**201,421**		**-**		**201,421**
	MODIFICATION OF AIRCRAFT						
6	GUARDRAIL MODS (TIARA)	-	8,827			-	8,827
7	ARL MODS (TIARA)	-	12,322			-	12,322
8	AH1F MODS	-	-			-	-
9	AH-64 MODS	-	38,473		12,000	-	50,473
	Vibration Management Enhancement Program, ARNG				[+7,000]		[+7,000]
	Oil Debris Detection System				[+5,000]		[+5,000]

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
10	CH-47 CARGO HELICOPTER MODS (MYP)	-	303,420		4,000	-	307,420
	Crashworthy Cockpit Seats				[+4,000]		[+4,000]
10	CH-47 CARGO HELICOPTER MODS (MYP)	-	(25,960)			-	(25,960)
11	CH-47 CARGO HELICOPTER MODS (MYP)	-	-			-	-
11	CH-47 CARGO HELICOPTER MODS (MYP)	-	17,722			-	17,722
12	CH-47 ICH	-	-			-	-
13	UTILITY/CARGO AIRPLANE MODS	-	16,095			-	16,095
14	OH-58 MODS	-	463			-	463
15	AIRCRAFT LONG RANGE MODS	-	753			-	753
16	LONGBOW	-	923,240		10,000	-	933,240
	Recapitalization				[+10,000]		[+10,000]
16	LONGBOW	-	(34,679)			-	(34,679)
17	LONGBOW	-	-			-	-
17	LONGBOW	-	-			-	-
17	LONGBOW	-	29,526			-	29,526
18	UH-1 MODS	-	-			-	-
19	UH-60 MODS	-	52,269		6,000	-	58,269
	Crashworthy External Fuel Systems, ARNG				[+6,000]		[+6,000]
20	KIOWA WARRIOR	-	42,600			-	42,600
21	PROPHET AIR (TIARA)	-	-			-	-
22	AIRBORNE AVIONICS	-	78,421			-	78,421
23	ASE MODS (SIRFC)	-	-			-	-
24	ASE MODS (ATIRCM)	-	-			-	-
25	GATM	-	-			-	-
26	GATM ROLLUP	-	54,551			-	54,551

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
27	MODIFICATIONS < $5.0M	-	-			-	-
	TOTAL MODIFICATION OF AIRCRAFT		**1,518,043**		**32,000**		**1,550,043**
	SPARES AND REPAIR PARTS						
28	SPARE PARTS (AIR)	-	5,331			-	5,331
	TOTAL SPARES AND REPAIR PARTS		**5,331**		**-**		**5,331**
	SUPPORT EQUIPMENT AND FACILITIES						
	GROUND SUPPORT AVIONICS						
29	AIRCRAFT SURVIVABILITY EQUIPMENT	-	32,780		20,000	-	52,780
	AN/AVR-2A Laser Detecting Sets				[+20,000]		[+20,000]
30	ASE INFRARED CM	12	36,653			12	36,653
	OTHER SUPPORT					-	-
31	AVIONICS SUPPORT EQUIPMENT	-	7,544			-	7,544
32	COMMON GROUND EQUIPMENT	-	19,113			-	19,113
33	AIRCREW INTEGRATED SYSTEMS	-	10,253			-	10,253
34	AIR TRAFFIC CONTROL	-	68,887		10,000	-	78,887
	Cold Cathode Portable Landing Lights				[+10,000]		[+10,000]
35	INDUSTRIAL FACILITIES	-	707			-	707
36	LAUNCHER, 2.75 ROCKET	-	4,960			-	4,960
37	AIRBORNE COMMUNICATIONS	-	19,799			-	19,799
38	CLOSED ACCOUNT ADJUSTMENT	-	-			-	-

TITLE I - PROCUREMENT
(Dollars in Thousands)

PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
	QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
TOTAL SUPPORT EQUIPMENT AND FACILITIES		200,696		30,000		230,696
TOTAL AIRCRAFT PROCUREMENT, ARMY		1,925,491		62,000		1,987,491

Items of Special Interest

AH–64 modifications

The budget request contained $38.5 million for AH–64 modifications but included no funds to continue procurement of the oil debris detection system (ODDS) or the vibration management enhancement program (VMEP).

The ODDS is an on-board detection system that alerts aircrews to the presence of metal chips in engines and propeller gear boxes, which allows flights to be terminated prior to catastrophic failure of critical components. The system also permits the clearing of smaller particles that routinely accumulate in engine oil and cause false impending engine failure alarms resulting in unnecessary termination of aircraft missions and costly engine diagnostics.

The VMEP is an Army National Guard (ARNG) effort currently directed toward resolving vibration management problems on the ARNG's AH–64 Apache fleet.

Since the ODDS, which has been successfully integrated into other Department of Defense aircraft, both reduces aircraft maintenance costs and enhances aircrew safety, the committee recommends an increase of $5.0 million to incorporate the ODDS on the AH–64 Apache. The committee also recommends an increase of $7.0 million to continue procurement of VMEP systems for the ARNG Apache fleet and to transition this technology to the UH–60 Blackhawk and the CH–47 Chinook.

In total, the committee recommends $50.5 million for AH–64 modifications, an increase of $12.0 million.

Air traffic control

The budget request contained $68.9 million to procure air traffic control systems but included no funds for the procurement of cold cathode portable landing lights.

Cold cathode portable landing lights are commercial-off-the-shelf items that provide airfield taxiway, runway, and heliport edge lighting for both permanent and temporary locations, thereby enhancing ground safety and flight operations. The committee understands that the Army has an unfunded requirement for 100 systems of this type of lighting and recommends $78.9 million for air traffic control systems, an increase of $10.0 million, for procurement of cold cathode portable landing lights.

Aircraft survivability equipment (ASE)

The budget request contained $32.8 million for the procurement of ASE, but included no funds for AN/AVR–2A laser detecting sets (LDS). The LDS is the only device in the Army capable of providing warning to helicopter crews when they have been illuminated by a laser-targeted weapon. It detects, identifies, and characterizes threats 360-degrees-around and plus-or-minus 45 degrees above-and-below an aircraft.

The committee continues to be concerned with the growing laser threat to helicopter aircrews and notes the limited fielding of this system to force package one aircraft only. The committee also notes the Army Chief of Staff's $28.3 million fiscal year 2002 unfunded requirement to continue LDS kit installation on AH–64A Apaches,

AH–64D Apache Longbows, MH–47D Chinook and MH–60L Blackhawk Special Operations Aircraft. Based on a growing laser threat to Army helicopters, its desire to continue fielding this system beyond force package one units, and the Chief's unfunded requirement, the committee recommends $52.8 million for ASE, an increase of $20.0 million, for procurement of AN/AVR–2A LDS kits.

CH–47 cargo helicopter modifications

The budget request contained $277.5 million for CH–47 cargo helicopter modifications, but included no funds for crashworthy cockpit seats.

While existing pilot and co-pilot seats offer some protection in the event of a hard impact landing or a crash, crashworthy cockpit seats provide increased protection from the acceleration forces created by such a landing or crash, thereby avoiding serious injuries or, in extreme cases, fatalities to soldiers. Accordingly, the committee recommends $281.5 million for CH–47 modifications, an increase of $4.0 million, to procure crashworthy cockpit seats for CH–47 cargo helicopters.

Longbow

The budget request contained $888.6 million to upgrade 60 AH–64A aircraft to the AH–64D Longbow variant, including $70.2 million for Apache Longbow recapitalization.

The committee understands that the Army entered into a multiyear procurement contract in October 2000 for the remanufacture of 269 AH–64A analog variant aircraft to the digital Longbow variant. The committee notes that because of numerous problems over the last several years resulting in grounding of the Apache fleet, this contract was restructured to upgrade fewer aircraft and apply the resultant funds to meet recapitalization requirements. The committee also notes that the Army Chief of Staff identified a $47.0 million fiscal year 2002 unfunded requirement for recapitalization of the Apache Longbow fleet.

Accordingly, the committee recommends $898.6 million for Apache Longbow upgrades, an increase of $10.0 million, for Apache Longbow recapitalization.

UH–60 modifications

The budget request contained $52.3 million for UH–60 modifications, of which $17.3 million was for crashworthy external fuel systems. However, the budget request included no funds for these systems for Army National Guard (ARNG) UH–60 combat search and rescue aircraft.

UH–60 crashworthy external fuel systems are self-sealing, ballistically-tolerant tanks that replace existing 230 gallon non-crashworthy external fuel tanks originally intended only for ferry flights. However, expanding Army aviation missions have increasingly required these non-crashworthy tanks to be used to extend UH–60 tactical mission ranges, creating safety risks to flight crews, passengers, and aircraft, which require individual mission waivers by individual commands. As a result of the safety risks imposed by these existing systems and expanding ARNG search and rescue mission requirements, the committee recommends $58.3 million for

UH–60 modifications, an increase of $6.0 million, for crashworthy external fuel systems for ARNG combat search and rescue aircraft.

MISSILE PROCUREMENT, ARMY

Overview

The budget request contained $1,859.6 million for Missile Procurement, Army in fiscal year 2002. The committee recommends authorization of $1,097.3 million for fiscal year 2002.

The committee recommends approval of the request except for those programs adjusted in the following table. Unless otherwise specified, adjustments are without prejudice and based on affordability considerations.

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
	MISSILE PROCUREMENT, ARMY						
	OTHER MISSILES						
	SURFACE-TO-AIR MISSILE SYSTEM						
1	PATRIOT PAC-3	72	676,574	(72)	(676,574)	-	-
	Transfer to BMDO, Defense-Wide			[-72]	[-676,574]	[-72]	[-676,574]
2	STINGER SYSTEM SUMMARY	497	45,890		(22,500)	497	23,390
3	AVENGER SYSTEM SUMMARY	-	11,624			-	11,624
	AIR-TO-SURFACE MISSILE SYSTEM					-	-
4	HELLFIRE SYS SUMMARY	2,200	253,410			2,200	253,410
4	HELLFIRE SYS SUMMARY	-	(11,599)			-	(11,599)
	ANTI-TANK/ASSAULT MISSILE SYSTEM					-	-
5	JAVELIN (AAWS-M) SYSTEM SUMMARY	4,139	431,803			4,139	431,803
5	JAVELIN (AAWS-M) SYSTEM SUMMARY	-	(17,171)			-	(17,171)
6	JAVELIN (AAWS-M) SYSTEM SUMMARY	-	-			-	-
6	JAVELIN (AAWS-M) SYSTEM SUMMARY	-	-			-	-
6	JAVELIN (AAWS-M) SYSTEM SUMMARY	-	-			-	-
7	LINE OF SIGHT ANTI-TANK (LOSAT) SYSTEM SUM	-	11,427		(2,000)	-	9,427
8	MLRS ROCKET	-	-			-	-
9	GUIDED MLRS ROCKET (GMLRS)	-	8,480			-	8,480
10	MLRS LAUNCHER SYSTEMS	35	148,294		(10,250)	35	138,044
11	ARMY TACTICAL MSL SYS (ATACMS) - SYS SUM	24	34,263		6,000	24	40,263
	ATACMS Block IV				[+15,000]		[+15,000]
	Transfer to R&D				[-9,000]		[-9,000]
12	ATACMS BLKII SYSTEM SUMMARY	6	61,000			6	61,000

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
	TOTAL OTHER MISSILES		**1,653,995**		**(705,324)**		**948,671**
	MODIFICATION OF MISSILES						
	MODIFICATIONS						
13	PATRIOT MODS	-	37,617		(12,510)	-	25,107
14	STINGER MODS	-	5,830			-	5,830
15	AVENGER MODS	-	17,991		(6,114)	-	11,877
16	ITAS/TOW MODS	-	96,204		(35,400)	-	60,804
17	MLRS MODS	-	23,599		(3,000)	-	20,599
	TOTAL MODIFICATIONS OF MISSILES		**181,241**		**(57,024)**		**124,217**
	SPARES AND REPAIR PARTS						
	SPARES AND REPAIR PARTS						
18	SPARES AND REPAIR PARTS	-	15,299			-	15,299
	TOTAL SPARES AND REPAIR PARTS		**15,299**		**-**		**15,299**
	SUPPORT EQUIPMENT AND FACILITIES						
	SUPPORT EQUIPMENT AND FACILITIES						
19	AIR DEFENSE TARGETS	-	3,325			-	3,325
20	ITEMS LESS THAN $5.0M (MISSILES)	-	1,039			-	1,039
21	MISSILE DEMILITARIZATION	-	1,358			-	1,358
22	PRODUCTION BASE SUPPORT	-	3,377			-	3,377

TITLE I - PROCUREMENT
(Dollars in Thousands)

PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
	QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
TOTAL SUPPORT EQUIPMENT AND FACILITIES		9,099		-		9,099
TOTAL MISSILE PROCUREMENT, ARMY		1,859,634		(762,348)		1,097,286

Items of Special Interest

Missile procurement army (MPA) transfers

The budget request contained $1,859.6 million for the procurement of Army missile systems.

The committee recommends the following transfers from MPA to the program elements listed, as requested by the Army.

[In millions of dollars]

Program	FY 2002 authorization request	Committee change form request	FY 2002 committee recommendation
Stinger System Summary	$45,890	($22,500)	$23,390
Line Of Sight Anti-Tank System	11,427	(2,000)	9,427
MLRS Launcher Systems	148,294	(10,250)	138,044
Army Tactical Missile System	34,263	(9,000)	25,263
Patriot Mods	37,617	(12,510)	25,107
Avenger Mods	17,991	(6,114)	11,877
ITAS/TOW Mods	96,204	(35,400)	60,804
MLRS Mods	23,599	(3,000)	20,599
Combat Vehicle Improvement Programs (PE 203735)	195,602	20,000	215,602
Tractor Card (PE 203808)	6,551	5,000	11,551
LOSAT (PE 603654)	57,384	13,072	70,456
Comanche (PE 604223)	732,890	28,500	761,390
Brilliant Anti-Armor Submunition (PE 604768)	123,899	9,000	132,899
Javelin (PE 604611)	492	5,202	5,694

Weapons and Tracked Combat Vehicles, Army

Overview

The budget request contained $2,276.7 million for procurement of Weapons and Tracked Combat Vehicles, Army for fiscal year 2002. The committee recommends authorization of $2,367.0 million for fiscal year 2002.

The committee recommends approval of the request except for those programs adjusted in the following table. Unless otherwise specified, adjustments are without prejudice and based on affordability considerations.

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
	PROCUREMENT OF W&TCV, ARMY						
	TRACKED COMBAT VEHICLES						
	TRACKED COMBAT VEHICLES						
1	ABRAMS TRNG DEV MOD	-	5,545			-	5,545
2	BRADLEY BASE SUSTAINMENT	-	413,099		60,000	-	473,099
	A0 to A2ODS, ARNG				[+60,000]		[+60,000]
2	BRADLEY BASE SUSTAINMENT	-	(12,320)			-	(12,320)
3	BRADLEY BASE SUSTAINMENT	-	-			-	-
3	BRADLEY BASE SUSTAINMENT	-	-			-	-
3	BRADLEY BASE SUSTAINMENT	-	2,681			-	2,681
4	BRADLEY FVS TRAINING DEVICES	-	2,609			-	2,609
5	HAB TRAINING DEVICES	-	-			-	-
6	BRADLEY FVS TRAINING DEVICES (MOD)	-	8,814			-	8,814
7	ABRAMS TANK TRAINING DEVICES	-	11,814			-	11,814
8	INTERIM ARMORED VEHICLE (IAV) FAMILY	326	662,595			326	662,595
9	COMMAND & CONTROL VEHICLE	-	-			-	-
9	COMMAND & CONTROL VEHICLE	-	-			-	-
10	COMMAND & CONTROL VEHICLE	-	-			-	-
	MODIFICATION OF TRACKED COMBAT VEHICLES					-	-
11	CARRIER, MOD	-	48,567		15,300	-	63,867
12	FIST VEHICLE (MOD)	-	14,590			-	14,590
13	BFVS SERIES (MOD)	-	42,262			-	42,262
14	HOWITZER, MED SP FT 155MM M109A6 (MOD)	-	5,370			-	5,370
15	FAASV PIP TO FLEET	-	18,501			-	18,501
16	IMPROVED RECOVERY VEHICLE (M88 MOD)	-	58,114			-	58,114

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
17	BREACHER SYSTEM (MOD)	-	-			-	-
18	HEAVY ASSAULT BRIDGE (HAB) SYS (MOD)	-	48,592			-	48,592
19	ARMORED VEH LAUNCH BRIDGE (AVLB) (MOD)	-	4,025			-	4,025
20	M1 ABRAMS TANK (MOD)	-	113,485			-	113,485
21	M1A1D RETROFIT	-	11,647			-	11,647
22	SYSTEM ENHANCEMENT PGM: SEP M1A2	-	102,152			-	102,152
23	ABRAMS UPGRADE PROGRAM	-	619,064		(10,000)	-	609,064
23	ABRAMS UPGRADE PROGRAM	-	(223,262)			-	(223,262)
24	ABRAMS UPGRADE PROGRAM	-	-			-	-
24	ABRAMS UPGRADE PROGRAM	-	-			-	-
24	ABRAMS UPGRADE PROGRAM	-	-			-	-
24	ABRAMS UPGRADE PROGRAM	-	-			-	-
24	ABRAMS UPGRADE PROGRAM	-	194,438			-	194,438
25	MODIFICATIONS LESS THAN $5.0M (TCV-WTCV)	-	-			-	-
	SUPPORT EQUIPMENT AND FACILITIES					-	-
26	ITEMS LESS THAN $5.0M (TCV-WTCV)	-	146			-	146
27	PRODUCTION BASE SUPPORT (TCV-WTCV)	-	9,979			-	9,979
	TOTAL TRACKED COMBAT VEHICLES		**2,162,507**		**65,300**		**2,227,807**
	WEAPONS AND OTHER COMBAT VEHICLES						
	WEAPONS AND OTHER COMBAT VEHICLES						
28	ARMOR MACHINE GUN, 7.62MM M240 SERIES	716	8,033			716	8,033
29	MACHINE GUN, 5.56MM (SAW)	-	-			-	-
30	GRENADE LAUNCHER, AUTO, 40MM, MK19-3	1,510	28,826		10,000	1,510	38,826

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
31	81MM MORTAR (ROLL)	-	3,321			-	3,321
32	M16 RIFLE	3,060	1,978			3,060	1,978
33	XM107, CAL. 50, SNIPER RIFLE	150	2,149			150	2,149
34	5.56 CARBINE M4	2,800	2,400			2,800	2,400
35	HOWITZER LT WT 155MM (T)	-	1,107			-	1,107
	MOD OF WEAPONS AND OTHER COMBAT VEH					-	-
36	MARK-19 MODIFICATIONS	-	745			-	745
37	M4 CARBINE MODS	-	-			-	-
38	SQUAD AUTOMATIC WEAPON (MOD)	-	4,450			-	4,450
39	MEDIUM MACHINE GUNS (MODS)	-	746			-	746
40	HOWITZER, TOWED, 155MM, M198 (MODS)	-	2,823			-	2,823
41	M119 MODIFICATIONS	-	4,887			-	4,887
42	M16 RIFLE MODS	-	2,100			-	2,100
43	MODIFICATIONS LESS THAN $5.0M (WOCV-WTCV)	-	1,261			-	1,261
	SUPPORT EQUIPMENT AND FACILITIES					-	-
44	ITEMS LESS THAN $5.0M (WOCV-WTCV)	-	1,275			-	1,275
45	PRODUCTION BASE SUPPORT (WOCV-WTCV)	-	6,430			-	6,430
46	INDUSTRIAL PREPAREDNESS	-	4,270		15,000	-	19,270
	Arsenal Support Initiative				[+15,000]		[+15,000]
47	SMALL ARMS (SOLDIER ENH PROG)	-	303			-	303
	TOTAL WEAPONS AND OTHER COMBAT VEHICLES		**77,104**		**25,000**		**102,104**
	SPARE AND REPAIR PARTS						
	SPARES						

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
48	SPARES AND REPAIR PARTS (WTCV)	-	37,135			-	37,135
	TOTAL SPARE AND REPAIR PARTS		**37,135**		**-**		**37,135**
	TOTAL PROCUREMENT OF W&TCV, ARMY		**2,276,746**		**90,300**		**2,367,046**

Items of Special Interest

Abrams upgrade program

The budget request contained $395.8 million for the upgrade of 104 M1 Abrams tanks to the M1A2 system enhancement program (SEP) variant.

The committee notes that the Army's M1A2 SEP upgrades are currently obtained under a three-year multiyear procurement (MYP) contract at 104 SEP tank upgrades per year. Congress authorized a combined M1A2 SEP tank and Wolverine Heavy Assault Bridge (HAB) MYP contract in fiscal year 2000, a year earlier than the planned fiscal year 2001 contract award year, based upon the estimated $118.0 million in savings that could be accrued from the 80 percent commonality of SEP and HAB chassis and component upgrades and its belief that both of the vehicles met the stable design criteria to enter into a MYP contract. The committee is concerned, however, by the 74 percent increase requested for systems technical support in fiscal year 2002 for 104 SEP upgrades, compared to the amount appropriated for fiscal year 2001 systems technical support for 100 SEP upgrades.

The committee believes that the cost growth in systems technical support is unjustified and, therefore, recommends $385.8 million for the Abrams upgrade program, a decrease of $10.0 million.

Bradley base sustainment

The budget request contained $400.8 million for the procurement of Bradley A3 fighting vehicle upgrades, including $1.7 million for fielding Army National Guard (ARNG) A2 Operation Desert Storm (ODS) variants.

The Bradley A2ODS is derived from upgrading the first-generation Bradley A0's lethality, survivability, and mobility, as well as the situational awareness of its crew. Modifications include installation of a laser range finder, Global Positioning System navigation capability, a combat identification system, a driver's thermal viewer and a missile countermeasure device.

When the Army completes all of its planned upgrades to the Bradley, the active fleet will include a mix of the most advanced A3 variant, along with A2 and A2ODS versions. The majority of the ARNG's Bradley fleet, on the other hand, will remain unmodified and be comprised mainly of first-generation A0 vehicles, which, because of major survivability deficiencies, were not mobilized during the Persian Gulf War. However, as part of the new ARNG enhanced brigades, the committee notes that some of these A0 vehicles will be required to deploy with active Army forces.

Because ARNG enhanced brigades will comprise an increasing percentage of the Army's warfighting capability as a result of active force reductions, the committee recommends $460.8 million for Bradley base sustainment, an increase of $60.0 million, to upgrade an additional 45 Bradley A0 vehicles to the A2ODS variant for the ARNG.

AMMUNITION PROCUREMENT, ARMY

Overview

The budget request contained $1,193.4 million for Ammunition Procurement, Army in fiscal year 2002. The committee recommends authorization of $1,208.6 million for fiscal year 2002.

The committee recommends approval of the request except for those programs adjusted in the following table. Unless otherwise specified, adjustments are without prejudice and based on affordability considerations.

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
	PROCUREMENT OF AMMUNITION, ARMY						
	AMMUNITION						
	SMALL/MEDIUM CAL AMMUNITION						
1	CTG, 5.56MM, ALL TYPES	-	67,241			-	67,241
2	CTG 5.56MM ARMOR PIERCING M995	2,605	3,551			2,605	3,551
3	CTG, 7.62MM, ALL TYPES	-	11,833			-	11,833
4	CTG 7.62MM ARMOR PIERCING XM993	1,168	2,412			1,168	2,412
5	CTG, 9MM, ALL TYPES	-	2,657			-	2,657
6	CTG, .50 CAL, ALL TYPES	-	26,823			-	26,823
7	CTG CAL .50 API MK211 MOD 0	404	3,211			404	3,211
8	CTG, 20MM, ALL TYPES	-	85			-	85
9	CTG, 25MM, ALL TYPES	-	46,231			-	46,231
10	CTG, 30MM, ALL TYPES	-	9,811			-	9,811
11	CTG, 40MM, ALL TYPES	-	49,395			-	49,395
12	NONLETHAL WEAPONS CAPABILITY SET	5	5,891			5	5,891
	MORTAR AMMUNITION					-	-
13	60MM MORTAR, ALL TYPES	-	45,389			-	45,389
14	81MM MORTAR, ALL TYPES	-	-		8,000	-	8,000
	M816				[+8,000]		[+8,000]
15	CTG MORTAR 120MM HE M934 W/MO FUZE	50	39,536			50	39,536
16	CTG MORTAR 120MM ILLUM XM930 W/MTSQ FZ	2	3,521		2,800	2	6,321
	Production Line Upgrade				[+2,800]		[+2,800]
17	CTG 120MM WP SMOKE M929A1	11	11,480			11	11,480
18	CTG 120MM IR ILLUM XM983	2	3,521		5,000	2	8,521

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
	TANK AMMUNITION					-	-
19	CTG, 105MM, HEP-T, W/FUZE F/TANK M393	1	6,036			1	6,036
20	CTG 120MM APFSDS-T M829A2/M829E3	5	35,596			5	35,596
21	CTG 120MM HEAT-MP-T M830A1	-	-			-	-
22	CTG TANK 120MM TP-T M831/M831A1	86	46,200			86	46,200
23	CTG TANK 120MM TPCSDS-T M865	198	97,487			198	97,487
	ARTILLERY AMMUNITION					-	-
24	CTG ARTY 75MM BLANK M337A1	38	1,824			38	1,824
25	CTG ARTY 105MM BLANK M395	-	-			-	-
26	CTG ARTY 105MM DPICM XM915	-	-			-	-
27	CTG ARTY 105MM M927	-	14			-	14
28	CTG ARTY 105MM ILLUM M314 SERIES	6	5,037			6	5,037
29	PROJ ARTY 155MM SMOKE WP M825	-	-			-	-
30	PROJ ARTY 155MM HE M795	-	-			-	-
31	PROJ ARTY 155MM SADARM M898	-	-			-	-
32	REMOTE AREA DENIAL ARTILLERY MUNITION (RADAM)	104	48,218		(27,400)	104	20,818
33	PROJ ARTY 155MM HE M107	224	41,400			224	41,400
34	MODULAR ARTILLERY CHARGE SYSTEM (MACS)	836	87,413			836	87,413
	ARTILLERY FUZES					-	-
35	ARTILLERY FUZES, ALL TYPES	-	56,443			-	56,443
	MINES					-	-
36	MINE, TRAINING, ALL TYPES	-	9,536			-	9,536
37	MINE AT M87 (VOLCANO)	-	-			-	-
38	WIDE AREA MUNITIONS	-	2,025			-	2,025
	ROCKETS					-	-

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
39	BUNKER DEFEATING MUNITION (BDM)	-	-		10,000	-	10,000
40	ROCKET, HYDRA 70, ALL TYPES	-	136,654			-	136,654
	OTHER AMMUNITION					-	-
41	DEMOLITION MUNITIONS, ALL TYPES	-	18,168		3,000	-	21,168
	Modernization Demolition Initiators				[+3,000]		[+3,000]
42	GRENADES, ALL TYPES	-	25,710			-	25,710
43	SIGNALS, ALL TYPES	-	10,611		6,200	-	16,811
	XM-211/XM-212 AIRCM				[+6,200]		[+6,200]
44	SIMULATORS, ALL TYPES	-	3,409			-	3,409
	MISCELLANEOUS					-	-
45	AMMO COMPONENTS, ALL TYPES	-	6,874			-	6,874
46	CAD/PAD ALL TYPES	-	5,037			-	5,037
47	ITEMS LESS THAN $5 MILLION	-	11,018			-	11,018
48	AMMUNITION PECULIAR EQUIPMENT	-	8,816			-	8,816
49	FIRST DESTINATION TRANSPORTATION (AMMO)	-	5,218			-	5,218
50	CLOSEOUT LIABILITIES	-	32,213			-	32,213
	TOTAL AMMUNITION		**1,033,545**		**7,600**		**1,041,145**
	AMMUNITION PRODUCTION BASE SUPPORT						
	PRODUCTION BASE SUPPORT						
51	PROVISION OF INDUSTRIAL FACILITIES	-	57,277			-	57,277
52	LAYAWAY OF INDUSTRIAL FACILITIES	-	13,815			-	13,815
53	MAINTENANCE OF INACTIVE FACILITIES	-	10,802			-	10,802
54	CONVENTIONAL AMMO DEMILITARIZATION	-	73,225			-	73,225

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
55	ARMS INITIATIVE	-	4,701		7,600	-	12,301
	TOTAL AMMUNITION PRODUCTION BASE SUPPORT		**159,820**		**7,600**		**167,420**
	TOTAL PROCUREMENT OF AMMUNITION, ARMY		**1,193,365**		**15,200**		**1,208,565**

Items of Special Interest

Army ammunition procurement

The budget request contained $1,193.3 million for procurement of ammunition and production base support. The committee recommends $1,208.6 million, an increase of $15.2 million, for the following types of ammunition programs:

[Dollars in millions]

Mortar Ammunition:	
81mm M816	$8.0
CTG 120mm Illum XM930 w/MTSQ Fuze (Production line upgrade)	2.8
CTG 120mm IR Illum XM983	5.0
Rockets: Bunker Defeating Munition	10.0
Demolition Munitions, All Types: Modernization Demolition Initiators	3.0
Signals, All Types: XM–211/XM–212 AIRCM	6.2
Production Base Support: ARMS Initiative	7.6

Remote area denial artillery munition (RADAM)

The budget request contained $48.2 million for RADAM procurement. The committee understands that the Army does not plan to obligate $27.4 million of fiscal year 2001 funds for RADAM prior to the beginning of fiscal year 2002. As a result, the committee believes that these funds can be used to meet fiscal year 2002 requirements. Accordingly, the committee recommends $20.8 million for RADAM, a decrease of $27.4 million.

White phosphorus production facility

The budget request contained no funds to upgrade the white phosphorous production facility at the Pine Bluff Arsenal.

The committee is aware of plans to upgrade the production line at the Pine Bluff Arsenal, the only production facility for white phosphorous ammunition in the western hemisphere. The committee views this as an important effort and recommends $2.8 million for design work leading to replacement of the production line. The committee also directs the Secretary of the Army to examine and to refine further these plans in preparation for the submission of the fiscal year 2003 budget request.

OTHER PROCUREMENT, ARMY

Overview

The budget request contained $3,961.7 million for Other Procurement, Army in fiscal year 2002. The committee recommends authorization of $4,144.0 million for fiscal year 2002.

The committee recommends approval of the request except for those programs adjusted in the following table. Unless otherwise specified, adjustments are without prejudice and based on affordability considerations.

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
	OTHER PROCUREMENT, ARMY						
	TACTICAL AND SUPPORT VEHICLES						
	TACTICAL VEHICLES						
1	TACTICAL TRAILERS/DOLLY SETS	-	3,723			-	3,723
2	SEMITRAILERS, FLATBED:	-	29,317			-	29,317
3	SEMITRAILERS, TANKERS	-	6,664			-	6,664
4	SEMITRAILER VAN CGO SUPPLY 12T 4WHL M129A2C	95	7,300			95	7,300
5	HI MOB MULTI-PURP WHLD VEH (HMMWV)	-	130,821			-	130,821
6	TRUCK, DUMP, 20T (CCE)	30	8,078			30	8,078
7	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	-	467,386			-	467,386
8	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIPMEN	-	5,024			-	5,024
9	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	-	157,633			-	157,633
10	ARMORED SECURITY VEHICLES (ASV)	20	14,483			20	14,483
11	TRUCK, TRACTOR, LINE HAUL, M915/M916	-	47,507			-	47,507
12	TOWING DEVICE, 5TH WHEEL	34	2,013			34	2,013
13	TRUCK, TRACTOR, YARD TYPE, M878 (C/S)	35	4,003			35	4,003
14	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV P	169	31,304			169	31,304
15	LINE HAUL ESP	240	18,515			240	18,515
16	MODIFICATION OF IN SVC EQUIP	-	49,184		10,000	-	59,184
	Wheel-to-Track Conversion System				[+10,000]		[+10,000]
17	ITEMS LESS THAN $5.0M (TAC VEH)	-	1,903			-	1,903
	NON-TACTICAL VEHICLES					-	-
18	HEAVY ARMORED SEDAN	3	585			3	585
19	PASSENGER CARRYING VEHICLES	-	1,115			-	1,115

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
20	NONTACTICAL VEHICLES, OTHER	53	5,458			53	5,458
	TOTAL TACTICAL AND SUPPORT VEHICLES		**992,016**		**10,000**		**1,002,016**
	COMMUNICATIONS AND ELECTRONICS EQUIPMENT						
	COMM - JOINT COMMUNICATIONS						
21	COMBAT IDENTIFICATION PROGRAM	-	13,147			-	13,147
22	JCSE EQUIPMENT (USREDCOM)	-	5,594			-	5,594
	COMM - SATELLITE COMMUNICATIONS					-	-
23	DEFENSE SATELLITE COMMUNICATIONS SYSTEM (SPAC	-	99,420			-	99,420
24	SHF TERM	-	16,951		(16,951)	-	-
25	SAT TERM, EMUT (SPACE)	-	12,640			-	12,640
26	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE)	7,120	20,806			7,120	20,806
27	SMART-T (SPACE)	-	21,704			-	21,704
28	SCAMP (SPACE)	-	3,562			-	3,562
29	GLOBAL BRDCST SVC - GBS	-	6,969			-	6,969
30	MOD OF IN-SVC EQUIP (TAC SAT)	-	2,492			-	2,492
	COMM - C3 SYSTEM					-	-
31	ARMY GLOBAL CMD & CONTROL SYS (AGCCS)	-	8,622			-	8,622
	COMM - COMBAT COMMUNICATIONS					-	-
32	ARMY DATA DISTRIBUTION SYSTEM (DATA RADIO)	-	46,332			-	46,332
33	SINCGARS FAMILY	-	20,687			-	20,687
34	TRACTOR CAGE	-	1,866			-	1,866
35	JOINT TACTICAL AREA COMMAND SYSTEMS	-	971			-	971
36	ACUS MOD PROGRAM	-	113,137			-	113,137

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
37	COMMS-ELEC EQUIP FIELDING	-	3,412			-	3,412
37A	IMPROVED HIGH FREQUENCY RADIO, USAR				10,000		10,000
38	SOLDIER ENHANCEMENT PROGRAM COMM/ELECTRONICS	-	5,136			-	5,136
39	PRODUCT IMPROVED COMBAT VEHICLE CREWMAN HEADS	-	-		9,000	-	9,000
40	COMBAT SURVIVOR EVADER LOCATOR (CSEL)	-	12,720			-	12,720
41	MEDICAL COMM FOR CBT CASUALTY CARE (MC4)	-	7,703			-	7,703
	COMM - INTELLIGENCE COMM					-	-
42	CI AUTOMATION ARCHITECTURE	-	1,635			-	1,635
	INFORMATION SECURITY					-	-
43	TSEC - ARMY KEY MGT SYS (AKMS)	-	12,203			-	12,203
44	INFORMATION SYSTEM SECURITY PROGRAM-ISSP	-	42,244		10,000	-	52,244
	Additional Secure Terminal Equipment				[+10,000]		[+10,000]
	COMM - LONG HAUL COMMUNICATIONS					-	-
45	TERRESTRIAL TRANSMISSION	-	2,038			-	2,038
46	BASE SUPPORT COMMUNICATIONS	-	11,739			-	11,739
47	ARMY DISN ROUTER	-	4,931			-	4,931
48	ELECTROMAG COMP PROG (EMCP)	-	462			-	462
49	WW TECH CON IMP PROG (WWTCIP)	-	2,998			-	2,998
	COMM - BASE COMMUNICATIONS					-	-
50	INFORMATION SYSTEMS	-	166,679			-	166,679
51	DEFENSE MESSAGE SYSTEM (DMS)	-	18,463			-	18,463
52	LOCAL AREA NETWORK (LAN)	-	103,965			-	103,965
53	PENTAGON INFORMATION MGT AND TELECOM	-	33,605			-	33,605
	ELECT EQUIP - NAT FOR INT PROG (NFIP)					-	-
54	FOREIGN COUNTERINTELLIGENCE PROG (FCI)	-	877			-	877

TITLE I - PROCUREMENT

(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
55	GENERAL DEFENSE INTELL PROG (GDIP)	-	27,994			-	27,994
	ELECT EQUIP - TACT INT REL ACT (TIARA)					-	-
56	ALL SOURCE ANALYSIS SYS (ASAS) (TIARA)	-	46,931			-	46,931
57	JTT/CIBS-M (TIARA)	59	10,345			59	10,345
58	PROPHET GROUND (TIARA)	28	15,734			28	15,734
59	TACTICAL UNMANNED AERIAL VEHICLE (TUAV)	12	84,300		7,300	12	91,600
60	JOINT STARS (ARMY) (TIARA)	-	21,304			-	21,304
61	DIGITAL TOPOGRAPHIC SPT SYS (DTSS) (TIARA)	-	20,124			-	20,124
62	DRUG INTERDICTION PROGRAM (DIP) (TIARA)	-	-			-	-
63	TACTICAL EXPLOITATION OF NATIONAL CAPABILITIE	-	-			-	-
64	TACTICAL EXPLOITATION SYSTEM/DCGS-A (TIARA)	-	26,168			-	26,168
65	COMMON IMAGERY GROUND/SURFACE SYSTEM (CIGSS)	-	2,611			-	2,611
66	TROJAN (TIARA)	-	4,895			-	4,895
67	MOD OF IN-SVC EQUIP (INTEL SPT) (TIARA)	-	1,744			-	1,744
68	CI HUMINT AUTOMATED TOOL SET (CHATS) (TIARA)	-	1,492			-	1,492
69	ITEMS LESS THAN $5.0M (TIARA)	-	2,091			-	2,091
	ELECT EQUIP - ELECTRONIC WARFARE (EW)					-	-
70	SHORTSTOP	-	5			-	5
71	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	-	2,306			-	2,306
	ELECT EQUIP - TACTICAL SURV. (TAC SURV)					-	-
72	FAAD GBS	-	1,887			-	1,887
73	SENTINEL MODS	-	30,885			-	30,885
74	NIGHT VISION DEVICES	-	37,019			-	37,019
75	LONG RANGE ADVANCED SCOUT SURVEILLANCE SYSTEM	80	44,535			80	44,535
76	LTWT VIDEO RECON SYSTEM (LWVRS)	16	1,339			16	1,339

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
77	NIGHT VISION, THERMAL WPN SIGHT	1,643	35,134			1,643	35,134
78	COMBAT IDENTIFICATION / AIMING LIGHT	-	8,503			-	8,503
79	ARTILLERY ACCURACY EQUIP	-	10,413		4,500	-	14,913
	AN/TMQ-41 MMS, ARNG				[+4,500]		[+4,500]
80	MOD OF IN-SVC EQUIP (MMS)	-	935			-	935
81	MOD OF IN-SVC EQUIP (MVS)	-	251			-	251
82	PORTABLE INDUCTIVE ARTILLERY FUZE SETTER (PIA	-	-			-	-
83	MOD OF IN-SVC EQUIP (TAC SURV)	-	21,478			-	21,478
84	FORCE XXI BATTLE CMD BRIGADE & BELOW (FBCB2)	1,655	74,663			1,655	74,663
85	LIGHTWEIGHT LASER DESIGNATOR/RANGEFINDER (LLD	21	7,059			21	7,059
86	COMPUTER BALLISTICS: MORTAR M-30	-	-			-	-
87	MORTAR FIRE CONTROL SYSTEM	53	16,785			53	16,785
88	INTEGRATED MET SYS SENSORS (IMETS) - TIARA	-	2,521			-	2,521
	ELECT EQUIP - TACTICAL C2 SYSTEMS					-	-
89	TACTICAL OPERATIONS CENTERS	-	38,952			-	38,952
90	ADV FIELD ARTILLERY TACT DATA SYS (AFATDS)	-	49,476			-	49,476
91	LIGHT WEIGHT TECHICAL FIRE DIRECTION SYS (LWT	-	1,677			-	1,677
92	CMBT SVC SUPT CONTROL SYS (CSSCS)	-	25,201			-	25,201
93	FAAD C2	-	8,900			-	8,900
94	FAADC2I MODIFICATIONS	-	-			-	-
95	AIR & MSL DEFENSE PLANNING & CONTROL SYS (AMD	-	10,299			-	10,299
96	FORWARD ENTRY DEVICE (FED)	-	15,915			-	15,915
97	STRIKER-COMMAND AND CONTROL SYSTEM	31	21,442			31	21,442
98	LIFE CYCLE SOFTWARE SUPPORT (LCSS)	-	936			-	936
99	LOGTECH	-	8,212			-	8,212

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
100	TC AIMS II	-	25,512			-	25,512
101	GUN LAYING AND POS SYS (GLPS)	131	12,079			131	12,079
102	ISYSCON EQUIPMENT	-	32,448			-	32,448
103	MANEUVER CONTROL SYSTEM (MCS)	49	6,839			49	6,839
104	STAMIS TACTICAL COMPUTERS (STACOMP)	-	60,621			-	60,621
105	STANDARD INTEGRATED CMD POST SYSTEM	-	30,513		15,000	-	45,513
	Additional Modular Command Post System Tents				[+15,000]		[+15,000]
	ELECT EQUIP - AUTOMATION						
106	ARMY TRAINING MODERNIZATION	-	26,312			-	26,312
107	AUTOMATED DATA PROCESSING EQUIP	-	146,885			-	146,885
108	RESERVE COMPONENT AUTOMATION SYS (RCAS)	-	89,319			-	89,319
	ELECT EQUIP - AUDIO VISUAL SYS (A/V)						
109	SPECIAL INFORMATION OPERATIONS (SIO) (TIARA)	-	206			-	206
110	AFRTS	-	2,481			-	2,481
111	ITEMS LESS THAN $5.0M (A/V)	-	5,778			-	5,778
112	ITEMS LESS THAN $5M (SURVEYING EQUIPMENT)	-	631			-	631
	ELECT EQUIP - SUPPORT					-	-
113	PRODUCTION BASE SUPPORT (C-E)	-	419			-	419
	TOTAL COMMUNICATIONS AND ELECTRONICS EQUIPMENT		**2,008,214**		**38,849**		**2,047,063**
	OTHER SUPPORT EQUIPMENT						
	CHEMICAL DEFENSIVE EQUIPMENT						
114	SMOKE & OBSCURANT FAMILY: SOF (NON AAO ITEM)	-	23,547			-	23,547
	BRIDGING EQUIPMENT					-	-

TITLE I - PROCUREMENT

(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
115	TACTICAL BRIDGING, DRY SUPPORT	-	25,752			-	25,752
116	TACTICAL BRIDGE, FLOAT-RIBBON	-	48,181		11,200	-	59,381
	ARNG				[+11,200]		[+11,200]
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT					-	-
117	DISPENSER, MINE M139	-	2,400			-	2,400
118	KIT, STANDARD TELEOPERATING	-	-			-	-
119	GRND STANDOFF MINE DETECTION SYSTEM (GSTAMIDS	-	13,272			-	13,272
120	WIDE AREA MUNITIONS (REMOTE CONTROL UNIT)	274	3,317			274	3,317
121	EXPLOSIVE ORDNANCE DISPOSAL EQPMT (EOD EQPMT)	11,207	4,058			11,207	4,058
122	< $5M, COUNTERMINE EQUIPMENT	-	156			-	156
123	BN COUNTERMINE SIP	-	-			-	-
	COMBAT SERVICE SUPPORT EQUIPMENT					-	-
124	HEATERS AND ECU'S	-	5,082			-	5,082
125	LAUNDRIES, SHOWERS AND LATRINES	-	23,232		5,000	-	28,232
	Additional Laundry Advanced Systems				[+5,000]		[+5,000]
126	SOLDIER ENHANCEMENT	-	3,148			-	3,148
127	LIGHTWEIGHT MAINTENANCE ENCLOSURE (LME)	276	3,636		15,000	276	18,636
128	FORCE PROVIDER	-	-			-	-
129	FIELD FEEDING AND REFRIGERATION	-	7,043			-	7,043
130	AIR DROP PROGRAM	-	-			-	-
131	CAMOUFLAGE: ULCANS	-	-		10,000	-	10,000
132	ITEMS LESS THAN $5.0M (CSS-EQ)	-	4,001			-	4,001
	PETROLEUM EQUIPMENT					-	-
133	FAMILY OF TANK ASSEMBLIES, FABRIC, COLLAPSIBL	-	-			-	-
134	QUALITY SURVEILLANCE EQUIPMENT	-	7,694			-	7,694

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
135	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	-	18,294			-	18,294
136	PUMPS, WATER AND FUEL	-	-			-	-
137	ASSAULT HOSELINE SYSTEM	35	5,361			35	5,361
138	INLAND PETROLEUM DISTRIBUTION SYSTEM	-	1,706			-	1,706
139	ITEMS LESS THAN $5.0M (POL)	-	-			-	-
	WATER EQUIPMENT					-	-
140	WATER PURIFICATION SYSTEMS	-	39,289			-	39,289
141	ITEMS LESS THAN $5.0M (WATER EQ)	-	-			-	-
	MEDICAL EQUIPMENT					-	-
142	COMBAT SUPPORT MEDICAL	-	16,731		7,000	-	23,731
	Rapid IV Pumps				[+6,000]		[+6,000]
	Temper Tents, USAR				[+1,000]		[+1,000]
	MAINTENANCE EQUIPMENT					-	-
143	SHOP EQ CONTACT MAINTENANCE TRK MTD (MYP)	160	9,979			160	9,979
144	WELDING SHOP, TRAILER MTD	144	6,053			144	6,053
145	ITEMS LESS THAN $5.0M (MAINT EQ)	-	2,617			-	2,617
146	STEAM CLEANER, TRAILER MOUNTED	-	-			-	-
	CONSTRUCTION EQUIPMENT					-	-
147	SCRAPER, EARTHMOVING, 7 1/2 CU YD	-	7,230		6,000	-	13,230
148	DISTR, WATER, SP MIN 2500G SEC/NON-SEC	28	1,006		4,000	28	5,006
149	MISSION MODULES - ENGINEERING	-	6,121			-	6,121
150	COMPACTOR	50	4,589			50	4,589
151	LOADERS	-	12,669			-	12,669
152	HYDRAULIC EXCAVATOR	21	4,589			21	4,589
153	DEPLOYABLE UNIVERSAL COMBAT EARTH MOVERS	-	5,301		16,000	-	21,301

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
154	TRACTOR, FULL TRACKED	-	2,018			-	2,018
155	CRANES	-	22,029			-	22,029
156	CRUSHING/SCREENING PLANT, 150 TPH	2	4,474			2	4,474
157	PLANT, ASPHALT MIXING	1	2,013			1	2,013
158	ARMORED COMBAT EARTHMOVER, M9 ACE	1	1,107			1	1,107
159	TACTICAL RAPID EXCAVATION SYSTEM (TRES)	1	5,031			1	5,031
160	CONST EQUIP ESP	-	12,974			-	12,974
161	ITEMS LESS THAN $5.0M (CONST EQUIP)	-	12,428			-	12,428
	RAIL FLOAT CONTAINERIZATION EQUIPMENT					-	-
162	SMALL TUG	-	-			-	-
163	FLOATING CRANE, 100-250 TON	-	-			-	-
164	LOGISTIC SUPPORT VESSEL (LSV)	1	25,437			1	25,437
165	LOGISTICS SUPPORT VESSEL (ESP)	-	-			-	-
166	CAUSEWAY SYSTEMS	-	-			-	-
167	RAILWAY CAR, FLAT, 89 FOOT	-	-			-	-
168	ITEMS LESS THAN $5.0M (FLOAT/RAIL)	-	3,254			-	3,254
	GENERATORS					-	-
169	GENERATORS AND ASSOCIATED EQUIP	-	59,768			-	59,768
	MATERIAL HANDLING EQUIPMENT					-	-
170	ROUGH TERRAIN CONTAINER HANDLER (RTCH)	84	43,353			84	43,353
171	ALL TERRAIN LIFTING ARMY SYSTEM	145	21,062			145	21,062
172	MHE EXTENDED SERVICE PROGRAM (ESP)	5	1,007			5	1,007
173	ROUGH TERRAIN CONTAINER CRANE	-	-			-	-
174	ITEMS LESS THAN $5.0M (MHE)	-	481			-	481
	TRAINING EQUIPMENT					-	-

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
175	CTC INSTRUMENTATION SUPPORT	-	10,307		6,000	-	16,307
	Deployable Force-on-Force Instrumented Range System (DFIRST), ARNG				[+6,000]		[+6,000]
176	TRAINING DEVICES, NONSYSTEM	-	74,481		37,200	-	111,681
	Army Aviation Institutional Training Simulator				[+20,000]		[+20,000]
	BEAMHIT, USAR				[+14,200]		[+14,200]
	Fire Fighter Training System				[+3,000]		[+3,000]
177	CLOSE COMBAT TACTICAL TRAINER	-	36,783			-	36,783
178	AVIATION COMBINED ARMS TACTICAL TRAINER (AVCA	-	25,227			-	25,227
179	FIRE SUPPORT COMBINED ARMS TACTICAL TRAINER	-	-			-	-
	TEST MEASURE AND DIG EQUIPMENT (TMD)					-	-
180	CALIBRATION SETS EQUIPMENT	-	16,001			-	16,001
181	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)	-	52,397			-	52,397
182	TEST EQUIPMENT MODERNIZATION (TEMOD)	-	15,655			-	15,655
183	ARMY DIAGNOSTICS IMPROVEMENT PGM (ADIP)	-	18,344			-	18,344
	OTHER SUPPORT EQUIPMENT					-	-
184	RECONFIGURABLE SIMULATORS	-	365			-	365
185	PHYSICAL SECURITY SYSTEMS (OPA3)	-	69,227			-	69,227
186	BASE LEVEL COM'L EQUIPMENT	-	8,696			-	8,696
187	MODIFICATION OF IN-SVC EQUIPMENT (OPA-3)	-	32,468			-	32,468
188	PRODUCTION BASE SUPPORT (OTH)	-	2,545			-	2,545
189	SPECIAL EQUIPMENT FOR USER TESTING	-	16,400		16,000	-	32,400
	Additional XMTARAMB				[+12,000]		[+12,000]
	Target Receiver Injection Module Threat Simulator				[+4,000]		[+4,000]
190	MA8975	-	6,057			-	6,057
191	CLOSED ACCOUNT ADJUSTMENTS	-	-			-	-

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
	TOTAL OTHER SUPPORT EQUIPMENT		**917,443**		**133,400**		**1,050,843**
	SPARE AND REPAIR PARTS						
	OPA1						
192	INITIAL SPARES - TSV	-	-			-	-
	OPA2						
193	INITIAL SPARES - C&E	-	43,093			-	43,093
	OPA3						
194	INITIAL SPARES - OTHER SUPPORT EQUIP	-	971			-	971
	TOTAL SPARE AND REPAIR PARTS		**44,064**		**-**		**44,064**
	TOTAL OTHER PROCUREMENT, ARMY		**3,961,737**		**182,249**		**4,143,986**

Items of Special Interest

Artillery accuracy equipment

The budget request contained $10.4 million to procure the artillery accuracy equipment, including $6.8 million for the procurement of seven Meteorological Measuring System (MMS) units for the Army National Guard (ARNG). The MMS provides weather data to field artillery units that improves the firing accuracy of those units.

The committee is encouraged that the Army has budgeted for MMSs for the ARNG; however, it recognizes that accelerated fielding of MMS to the ARNG would benefit total Army mission requirements, since the ARNG provides nearly 70 percent of the total Army's artillery fire support. Therefore, the committee recommends $14.9 million for artillery accuracy equipment, an increase of $4.5 million, to accelerate procurement of the MMS for the ARNG.

Combat support medical

The budget request contained $16.7 million to procure deployable medical systems and field medical equipment, of which $641 thousand was for surgical temper tents. However, the budget request included no funds for rapid intravenous (IV) infusion pumps.

Surgical temper tents offer medical personnel and surgical teams shelter to provide medical and trauma care to soldiers in forward deployed sites. As a result of increased deployment of Army Reserve medical units, additional surgical temper tents are required to replace those that have been left behind in humanitarian missions.

The rapid IV infusion pump is a miniature, portable, lightweight pump specifically designed for life-saving intravenous fluid resuscitation by a medic in the field to restore blood pressure of victims with severe blood loss or dehydration. The committee notes that it is estimated that up to 15 percent of the soldiers that died in Vietnam who were not immediate battlefield casualties would have survived their wounds if rapid infusion of fluids had been a possibility during that conflict.

The committee understands the benefits of clean, sterile field medical treatment areas and, therefore, recommends an increase of $1.0 million for replacement of surgical temper tents for the Army Reserve. Also, the committee is impressed with the potential life saving capability that rapid IV infusion pumps offer and recommends an increase of $6.0 million to procure these pumps. In total, the committee recommends $23.7 million for combat support medical equipment.

Combat training centers instrumentation support

The budget request contained $10.3 million for combat training centers instrumentation support but included no funds for the Army National Guard (ARNG) deployable force-on-force instrumented range system (DFIRST).

Encouraged by the fact that the DFIRST system was chosen over all current force-on-force instrumentation systems by the All Service Combat Identification Evaluation Team (ASCIET) as the instrumentation system for the fiscal year 1999 Joint Exercise, in the

committee report on H.R. 1401 (H. Rept. 106–162), the committee recommended a pilot program at two ARNG training sites to explore the capabilities and benefits of DFIRST systems to increase the readiness of ARNG units through more effective training with greater safety and at a lower cost. To continue this force-on-force, simulation-based training at regional training centers, the committee recommends $16.3 million for combat training centers instrumentation support, an increase of $6.0 million, for additional DFIRSTs for the ARNG.

Deployable universal combat earthmovers (DEUCE)

The budget request contained $5.3 million to procure 12 DEUCEs for the interim brigade combat teams. The DEUCE is a military-unique, high speed, earthmoving tractor capable of clearing, leveling, and excavating operations for light and airborne divisions.

Although, the committee understands that the DUECE will be a critical piece of equipment for the Army's interim medium brigades, it notes that the Army Chief of Staff has identified a $7.8 million unfunded requirement in fiscal year 2002 to procure 19 DEUCEs for Army war reserve requirements and to prevent a break in the production line.

Accordingly, the committee recommends $21.3 million for DEUCE, an increase of $16.0 million, for additional war reserve DEUCEs and to address industrial base concerns.

Earthmoving scrapers

The budget request contained $7.2 million to procure 17 commercial, self-propelled elevating scrapers.

This commercial, self-propelled elevating scraper is sectionalized into two pieces for external sling load helicopter transport. It will be used by airborne and air assault combat engineers for road and airfield construction and maintenance to support early entry forces. This new start program supports the Army's legacy-to-objective transformation campaign plan, enabling forces to more rapidly deploy and be sustained by quickly constructed infrastructure.

Therefore, the committee recommends $13.2 million for earthmoving scrapers, an increase of $6.0 million, to accelerate the procurement of commercial, self-propelled elevating scrapers.

High mobility trailers

The budget request contained no funds for safety modifications for high mobility trailers.

The Army has procured 5,116 high mobility trailers since fiscal year 1994 is unable to field these trailers due to an inability to meet mobility and safety requirements. The committee understands that the Army has an ongoing program to correct these deficiencies that is scheduled to be completed in fiscal year 2002. The committee also understands that the Army plans to conduct a recompetition for these trailers in fiscal year 2003 and, in conducting its market survey for this competition, expects the Secretary of the Army to determine if there is a requirement for low cost, state-of-the-art, lightweight, detachable equipment storage and equipment

transport carriers for non-combat missions, logistics support, and fire fighting services.

Improved high frequency radio (IHFR)

The budget request contained no funds to procure IHFRs.

The IHFR is the primary means of communications for maneuver battalions, combat support and combat service support units, the latter of which are comprised primarily of Army Reserve forces. The IHFR provides a versatile capability for short- and long-range communications, particularly important for highly mobile and geographically dispersed units not supported by active component communications units. The IHFR is also the only tactical radio that possesses a long-range communications capability independent of terrestrial or satellite relays and exceeds the range of the line-of-sight Single Channel Ground and Airborne Radio System. To date, only 215 systems have been fielded to the Army Reserve due to budget constraints; consequently, the Army Reserve must continue to maintain a mixture of older and unsupportable HF communications radios. For this reason, the Chief of the Army Reserve has identified a $38.5 million fiscal year 2002 unfunded requirement for 1,003 IHFRs.

Accordingly, the committee recommends an increase of $10.0 million to procure IHFRs for the Army Reserve.

Modification of in service equipment

The budget request contained $49.2 million for modifications of in service equipment, but included no funds for the procurement of a rubber wheel-to-track conversion system.

The committee understands that there is an existing rubber track system, capable of converting both commercial and military four-wheel drive vehicles weighing up to 1.5 tons, such as the high mobility multi-purpose wheeled vehicle (HMMWV), into true all-terrain vehicles in about 30 minutes. The committee believes this track system could enable HMMWVs to greatly expand their operational domain into all types of off-road conditions, such as soft sand, deep snow, and swampy areas.

Based on the potential to expand the HMMWV's off-road capability, the committee recommends $59.2 million for modifications of in service equipment, an increase of $10.0 million, to procure a wheel-to-track conversion system.

Nonsystem training devices

The budget request contained $74.5 million to procure nonsystem training devices, but included no funds for Army Aviation Institutional Training Simulators (AAITS), BEAMHIT laser marksmanship training systems (LMTS) for the Army Reserve, or fire fighter training systems (FFTS).

The committee understands that the AAITS provide full-motion, reconfigurable cockpit simulation for AH–64 Apache, UH–60 Blackhawk, and OH–58D Kiowa Warrior helicopters and notes that a shortfall exists for the simulators at the Army Aviation Center. The committee notes that the Army Reserve lacks adequate BEAMHIT LMTS to maintain markmanship training skills, required to fulfill increasingly greater contingency operations and

missions. Furthermore, the committee is aware that a shortfall of commercially-available, mobile FFTS remains, despite the increases for this system in prior fiscal years provided by the committee as well as the committee's prior recommendations that the Secretary of the Army adequately budget for this system.

In view of these concerns, the committee recommends $111.7 million for nonsystems training devices, an increase of $37.2 million, including $20.0 million for AAITS, $14.2 million for BEAMHIT LMTS for the Army Reserve, and $3.0 million for FFTS.

Product improved combat vehicle crewman (PICVC) headset

The budget request contained no funds to procure PICVC headsets.

The committee is aware that loss of communications in CVC headsets was identified in late fiscal year 1998 during Force XXI Battle Command Brigade and Below (FBCB2) testing and evaluation in armored vehicles. This testing revealed that electromagnetic interference (EMI) generated by Single Channel Ground and Airborne Radio Systems installed in armored vehicles to transmit FBCB2 data created intermittent communication problems. The committee believes that intermittent communications caused by EMI could endanger crews as a result of not receiving complete command and control and targeting information in a high operational tempo or combat environment.

Since the PICVC headset eliminates EMI communication losses, the committee recommends an increase of $9.0 million to procure PICVC headsets to address this safety issue.

Reserve component automation system (RCAS)

The budget request contained $89.3 million for the procurement of RCAS components.

The committee expects the Army to continue to provide adequate funding for the on-going information technology support to the National Guard and the Army Reserve. Currently, the RCAS program provides integrated support for mobilization and day-to-day management in both the Army National Guard (ARNG) and Army Reserve. In setting future priorities, the committee believes that funds should be provided to ensure that the ARNG and Army Reserve can continue to equip and support their full IT needs, including their requirements to upgrade the equipment originally installed under RCAS. Consequently, the committee expects the Army to provide funds for these requirements so that the ARNG and Army Reserve can meet their national security, homeland security, civil support, and national missile defense missions.

Ribbon bridge

The budget request contained $48.2 million for ribbon bridge equipment, but included no funds to procure this equipment for Army National Guard (ARNG) multi-role bridge companies (MRBC). Ribbon bridge equipment consists of 10-ton, 8-wheel drive M1977 Heavy Expanded Mobility Tactical Truck Common Bridge Transporters, M15 Bridge Adaptor Pallets, and M14 Improved Boat Cradles.

The committee understands that the ARNG will establish seven MRBCs in fiscal year 2001 and will equip them with existing engineer bridging equipment and older, lower-capacity, five-ton trucks. However, the committee also understands that without additional funds, these new MRBCs will not convert to the new equipment required for their mission until fiscal year 2004.

Therefore, the committee recommends $59.4 million for ribbon bridging equipment, an increase of $11.2 million, to accelerate the fielding of two ARNG MRBCs.

Special equipment for user testing

The budget request contained $16.4 million for the procurement of special equipment for user testing, including $10.1 million for 1 XM Target Acquisition Radar—Agile Multi-Beam (XMTARAMB) system, but included no funds for Target Receiver Injection Module (TRIM) threat simulators.

The XMTARAMB is an advanced air defense acquisition and targeting radar which incorporates advanced frequency hopping, agile, multi-beam, three-dimensional targeting technology with an associated command, control, and communication facility. This system is critical to the ability of the United States and its allies to counter threats with enhanced technologies, as well as to develop proper tactics, techniques and procedures to ensure maximum protection for personnel and their weapon systems. Consequently, the committee recommends an increase of $12.0 million to procure an additional XMTARAMB system.

The committee is also aware of the benefits of TRIM, which, when inserted in antenna cables of Army information collection, transmission, or dissemination systems, stimulate the system with threat signals. This capability will replace current open-air radiations of radio frequency threats, which are becoming obsolete and prohibited by the Federal Communications Commission due to the growing number of threats now required to be simulated. Understanding the benefits derived from threat simulations, the committee recommends an increase of $4.0 million for TRIM.

In total, the committee recommends $32.4 million for special equipment for user testing, an overall increase of $16.0 million.

Super high frequency (SHF) terminal

The budget request contained $17.0 million for the procurement of 8 SHF Tri-Band Advanced Range Extension Terminals (STAR–T).

The committee is aware that this system has been plagued with cost overruns and technical and understands that, subsequent to the submission of the budget request to Congress, the Army terminated the program because of default by its contractor. The committee further understands that there are no program termination costs to the Army and that the service intends to recoup $24.0 million of unliquidated progress payments from the contractor.

The committee outlined its concerns with STAR-T program delays in the committee report on H.R. 1401 (H. Rept. 106–162) and agrees with the Army's termination action. Because no contract termination fees are required, the committee recommends no funds for STAR-T, a decrease of $17.0 million.

Tactical unmanned aerial vehicle (TUAV)

The budget request contained $84.3 million to procure 9 TUAV systems and 5 attrition air vehicles.

The TUAV system will provide Army maneuver commanders with dedicated reconnaissance, surveillance, and target recognition and battle damage assessment from information collected through its electro-optical and infrared sensor payloads down-linked to ground control units. The committee notes that the Army Chief of Staff has identified a $16.2 million fiscal year 2002 unfunded requirement to upgrade low rate initial production TUAVs with a synthetic aperture radar/moving target indicator (SAR/MTI) all weather sensor, a digital tactical control data link (TCDL), and an improved avionics suite. The committee supports these enhancements to the TUAV despite the program's recent delays as a result of several crashes during testing. The committee therefore recommends $91.6 million for TUAV, an increase of $7.3 million for SAR/MTI, TCDL, and improved avionics upgrades.

Water distributors

The budget request contained $1.0 million to procure four 2,000-gallon capacity module water distributors for use by tactical fire fighting teams.

These new distributors will replace currently fielded 6,000-gallon water distributors, which suffer from poor mobility, safety issues when transported with partial loads, and maintenance problems. This new start program supports the Army's legacy-to-objective transformation campaign plan, enabling tactical fire fighting teams to rapidly deploy with enhanced cross country mobility.

Therefore, the committee recommends $5.0 million for water distributors, an increase of $4.0 million, to accelerate procurement of 2,000-gallon capacity module water distributors.

CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, ARMY

Overview

The budget request contained $1,153.6 million for Chemical agents and Munitions Destruction, Army, for fiscal year 2002. The committee recommends no funds for fiscal year 2002.

TITLE I - PROCUREMENT

(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
	CHEM AGENTS & MUNITIONS DESTRUCTION, ARMY						
	CHEM AGENTS & MUNITIONS DESTRUCT-RDT&E						
	RESEARCH AND DEVELOPMENT						
1	CHEM DEMILITARIZATION - RDTE	-	200,379		(200,379)	-	-
	PROCUREMENT						
2	CHEM DEMILITARIZATION - PROC	-	164,158		(164,158)	-	-
	OPERATION AND MAINTENANCE						
3	CHEM DEMILITARIZATION - O&M	-	789,020		(789,020)	-	-
	TOTAL CHEM AGENTS & MUNITIONS DESTRUCTION, ARMY		**1,153,557**		**(1,153,557)**		**-**

Items of Special Interest

Chemical agents and munitions destruction

The budget request contained $1,153.6 million for Chemical Agents and Munitions Destruction, Army.

The committee notes that section 1412 of the National Defense Authorization Act for Fiscal Year 1986 (Public Law 99–145), as amended, requires that funds for the destruction of the U.S. stockpile of lethal chemical agents and munitions, including funds for military construction projects necessary to carry out the demilitarization program, shall only be authorized and appropriated in the budget of the Department of Defense (DOD) as a separate program and shall not be included in the budget accounts for any military department. The committee notes that for the third year in a row, the Department's budget request contains authorization and appropriation of funds for the chemical demilitarization program in a budget account of the Department of the Army in contravention of direction provided by the law.

The committee believes that the original legislation, which mandated that funds for the chemical demilitarization program be authorized and appropriated in a defense-wide budget account in order to emphasize that destruction of the chemical weapons stockpile was a national issue affecting all of the Department and not just a single military service was valid in 1986, when the estimated cost of the chemical stockpile demilitarization program was approximately $1.5 billion and is even more valid today, when the estimated cost of the program has grown more than ten-fold.

Accordingly, the committee recommends no funds for Chemical Agents and Munitions Destruction, Army, a decrease of $1,153.6 million. The committee recommends an increase of $1,078.6 million for Chemical Agents and Munitions Destruction, Defense, as described elsewhere in this report.

Aircraft Procurement, Navy

Overview

The budget request contained $8,252.5 million for Aircraft Procurement, Navy in fiscal year 2002. The committee recommends authorization of $8,337.2 million for fiscal year 2002.

The committee recommends approval of the request except for those programs adjusted in the following table. Unless otherwise specified, adjustments are without prejudice and based on affordability considerations.

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
	AIRCRAFT PROCUREMENT, NAVY						
	COMBAT AIRCRAFT						
	COMBAT AIRCRAFT						
1	AV-8B (V/STOL)HARRIER (MYP)	-	-			-	-
1	AV-8B (V/STOL)HARRIER (MYP)	-	-			-	-
2	AV-8B (V/STOL)HARRIER (MYP)	-	-			-	-
3	F/A-18E/F (FIGHTER) HORNET (MYP)	48	3,180,097			48	3,180,097
3	F/A-18E/F (FIGHTER) HORNET (MYP)	-	(112,575)			-	(112,575)
4	F/A-18E/F (FIGHTER) HORNET (MYP)	-	-			-	-
4	F/A-18E/F (FIGHTER) HORNET (MYP)	-	-			-	-
4	F/A-18E/F (FIGHTER) HORNET (MYP)	-	-			-	-
4	F/A-18E/F (FIGHTER) HORNET (MYP)	-	-			-	-
4	F/A-18E/F (FIGHTER) HORNET (MYP)	-	-			-	-
4	F/A-18E/F (FIGHTER) HORNET (MYP)	-	-			-	-
4	F/A-18E/F (FIGHTER) HORNET (MYP)	-	-			-	-
4	F/A-18E/F (FIGHTER) HORNET (MYP)	-	88,876			-	88,876
5	V-22 (MEDIUM LIFT)	12	1,080,808			12	1,080,808
5	V-22 (MEDIUM LIFT)	-	(70,927)			-	(70,927)
6	V-22 (MEDIUM LIFT)	-	-			-	-
6	V-22 (MEDIUM LIFT)	-	-			-	-
6	V-22 (MEDIUM LIFT)	-	48,428			-	48,428
7	AH-1W (HELICOPTER) SEA COBRA	-	1,383			-	1,383
8	SH-60R	-	25,064			-	25,064
9	E-2C (EARLY WARNING) HAWKEYE (MYP)	5	384,762			5	384,762

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
9	E-2C (EARLY WARNING) HAWKEYE (MYP)	-	(142,016)			-	(142,016)
10	E-2C (EARLY WARNING) HAWKEYE (MYP)	-	-			-	-
10	E-2C (EARLY WARNING) HAWKEYE (MYP)	-	-			-	-
10	E-2C (EARLY WARNING) HAWKEYE (MYP)	-	-			-	-
10	E-2C (EARLY WARNING) HAWKEYE (MYP)	-	-			-	-
10	E-2C (EARLY WARNING) HAWKEYE (MYP)	-	-			-	-
10	E-2C (EARLY WARNING) HAWKEYE (MYP)	-	36,191			-	36,191
	TOTAL COMBAT AIRCRAFT		**4,520,091**		**-**		**4,520,091**
	AIRLIFT AIRCRAFT						
	AIRLIFT AIRCRAFT						
11	CH-60S (MYP)	13	253,251			13	253,251
11	CH-60S (MYP)	-	(71,294)			-	(71,294)
12	CH-60S (MYP)	-	-			-	-
12	CH-60S (MYP)	-	-			-	-
12	CH-60S (MYP)	-	64,212			-	64,212
13	UC-35	-	-			-	-
14	C-40A	-	-			-	-
15	C-37	-	-			-	-
	TOTAL AIRLIFT AIRCRAFT		**246,169**		**-**		**246,169**
	TRAINER AIRCRAFT						
	TRAINER AIRCRAFT						

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
16	T-45TS (TRAINER) GOSHAWK	6	184,426		13,000	6	197,426
	Operational Flight Trainers				[+13,000]		[+13,000]
16	T-45TS (TRAINER) GOSHAWK	-	(5,095)			-	(5,095)
17	T-45TS (TRAINER) GOSHAWK	-	-			-	-
17	T-45TS (TRAINER) GOSHAWK	-	-			-	-
18	JPATS	-	-			-	-
	TOTAL TRAINER AIRCRAFT		**179,331**		**13,000**		**192,331**
	OTHER AIRCRAFT						
	OTHER AIRCRAFT						
19	KC-130J	4	299,047			4	299,047
	TOTAL OTHER AIRCRAFT		**299,047**		**-**		**299,047**
	MODIFICATION OF AIRCRAFT						
	MODIFICATION OF AIRCRAFT						
20	EA-6 SERIES	-	137,645			-	137,645
21	AV-8 SERIES	-	49,541		30,000	-	79,541
	Litening II Pods				[+30,000]		[+30,000]
22	F-14 SERIES	-	4,504			-	4,504
23	ADVERSARY	-	34,769			-	34,769
24	F-18 SERIES	-	193,206			-	193,206
25	H-46 SERIES	-	38,664			-	38,664
26	AH-1W SERIES	-	10,821			-	10,821

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
27	H-53 SERIES	-	16,541			-	16,541
28	SH-60 SERIES	-	1,735		14,200	-	15,935
	AQS-13F Sonar				[+11,000]		[+11,000]
	Advanced Helicopter Emergency Egress Lighting System				[+3,200]		[+3,200]
29	H-1 SERIES	-	1,149			-	1,149
30	H-3 SERIES	-	4,191			-	4,191
31	EP-3 SERIES	-	123,747			-	123,747
32	P-3 SERIES	-	113,191			-	113,191
33	S-3 SERIES	-	43,242			-	43,242
34	E-2 SERIES	-	14,636		25,000	-	39,636
	Mission Computer Upgrade Aircraft Conversion to HE 2000 configuration				[+25,000]		[+25,000]
35	TRAINER A/C SERIES	-	5,155			-	5,155
36	C-2A	-	27,369		(3,000)	-	24,369
37	C-130 SERIES	-	5,407			-	5,407
38	FEWSG	-	643			-	643
39	CARGO/TRANSPORT A/C SERIES	-	4,224			-	4,224
40	E-6 SERIES	-	74,847			-	74,847
41	EXECUTIVE HELICOPTERS SERIES	-	16,183			-	16,183
42	SPECIAL PROJECT AIRCRAFT	-	3,088			-	3,088
43	T-45 SERIES	-	12,778			-	12,778
44	POWER PLANT CHANGES	-	13,083			-	13,083
45	COMMON ECM EQUIPMENT	-	33,315		(2,000)	-	31,315
46	COMMON AVIONICS CHANGES	-	65,147			-	65,147
47	V-22 (TILT/ROTOR ACFT) OSPREY	-	35,000			-	35,000

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
	TOTAL MODIFICATION OF AIRCRAFT		**1,083,821**		**64,200**		**1,148,021**
	AIRCRAFT SPARES AND REPAIR PARTS						
	AIRCRAFT SPARES AND REPAIR PARTS						
48	SPARES AND REPAIR PARTS	-	1,420,252			-	1,420,252
	TOTAL AIRCRAFT SPARES AND REPAIR PARTS		**1,420,252**		**-**		**1,420,252**
	AIRCRAFT SUPPORT EQUIPMENT & FACILITIES						
	AIRCRAFT SUPPORT EQUIPMENT AND FACILITIES						
49	COMMON GROUND EQUIPMENT	-	332,926			-	332,926
50	AIRCRAFT INDUSTRIAL FACILITIES	-	18,219		4,500	-	22,719
	Calibration Test Equipment				[+4,500]		[+4,500]
51	WAR CONSUMABLES	-	12,585			-	12,585
52	OTHER PRODUCTION CHARGES	-	27,637		3,000	-	30,637
	TARPS-CD				[+3,000]		[+3,000]
53	SPECIAL SUPPORT EQUIPMENT	-	110,897			-	110,897
54	FIRST DESTINATION TRANSPORTATION	-	1,568			-	1,568
55	CANCELLED ACCOUNT ADJUSTMENTS (M)	-	-			-	-
	TOTAL AIRCRAFT SUPPORT EQUIPMENT AND FACILITIES		**503,832**		**7,500**		**511,332**
	TOTAL AIRCRAFT PROCUREMENT, NAVY		**8,252,543**		**84,700**		**8,337,243**

Items of Special Interest

AV–8B modifications

The budget request contained $49.5 million for various AV–8B modifications but included no funds for the Litening II, a precision targeting system that allows the AV–8B aircraft to autonomously detect and track targets and to deliver precision munitions.

The committee understands that the Marine Corps has a requirement for 98 Litening II targeting pod systems but has thus far only procured 56. The committee also notes that the Commandant of the Marine Corps included this system among his unfunded requirements for fiscal year 2002. Consequently, the committee recommends $79.5 million for AV–8B modifications, an increase of $30.0 million, to procure additional Litening II targeting pods.

Calibration test equipment

The budget request contained $18.2 million for aircraft industrial facilities, of which $8.8 million was included for calibration equipment.

Calibration equipment provides the Navy with products and services to maintain accurate test equipment used for maintenance of weapons, aircraft, ships, submarines, and Marine Corps ground systems. The committee notes that without calibration equipment, test equipment drifts to inaccurate performance levels which could induce errors in weapons systems or result in serviceable components being removed for unnecessary maintenance or unserviceable components remaining in a system. The committee also notes that during the past 10 years funding for the Navy's calibration test equipment has decreased by over 60 percent and that this situation has resulted in a corresponding decrease in the availability of calibrated equipment from 86 percent to 74 percent.

Since the committee understands that the budget request for calibration test equipment funds only 59 percent of the fiscal year 2002 requirement, the committee recommends $22.7 million for aircraft industrial facilities, an increase of $4.5 million, for additional calibration test equipment.

E–2 modifications

The budget request contained $14.6 million for E–2 modifications but included no funds to upgrade an E–2 mission computer test aircraft to the Hawkeye 2000 configuration.

The Hawkeye 2000 configuration is an upgrade to older-model E–2 aircraft that integrates satellite communications, a commercial-off-the-shelf, high-capacity mission computer and associated workstations, and cooperative engagement capability equipment. The committee understands that the Navy's E–2 aircraft inventory includes a mission computer test aircraft that can be economically upgraded to the Hawkeye 2000 configuration and, therefore, recommends $39.6 million for E–2 modifications, an increase of $25.0 million, to upgrade the Navy's mission computer E–2 test aircraft to the Hawkeye 2000 configuration.

F/A–18E/F

The committee notes that the F/A–18E/F aircraft is currently procured under a multiyear contract, but notes further that the aircraft's F414 propulsion system is not procured under either this contract or a separate multiyear contract.

To promote further F/A–18E/F acquisition savings, the committee strongly urges that the Department of the Navy evaluate the benefits of a five-year multiyear procurement structure for the F414 propulsion system beginning in fiscal year 2002.

Joint primary air training system (JPATS)

The budget request contained no funds for the Navy JPATS.

The JPATS, consisting of both the T–6A aircraft and a ground-based training system, will be used by the Navy and Air Force for primary pilot training. The T–6A will replace both the Navy's T–34 and Air Force's T–37B fleets, providing safer, more economical and more effective training for future student pilots.

The committee notes that, although the Navy has already procured 12 T–6A aircraft in fiscal year 2000 and 24 T–6As in fiscal year 2001, it plans to discontinue JPATS acquisition between fiscal years 2002 and 2007. Expressing concern about this decision, the committee also notes that the report accompanying H.R. 2216 (H. Rept. 107–148) directed the Secretary of the Navy to provide a report to the House and Senate Appropriations Committees detailing the business case for the Navy's deferring JPATS acquisition. The committee believes that JPATS procurement for the Navy would not only reduce procurement costs for both the Navy and the Air Force but would reduce operations and maintenance costs as well. The committee directs the Secretary of the Navy to report to the committee within 90 days after enactment of this Act his plan to begin full implementation of the JPATS program beginning in fiscal year 2003.

SH–60 series modifications

The budget request contained $1.7 million for SH–60 series modifications but included no funds for the SH–60F's AN/AQS–13F dipping sonar upgrade or for the advanced helicopter emergency egress lighting system (ADHEELS).

The SH–60F is the Navy's anti-submarine warfare helicopter based aboard aircraft carriers and uses the AN/AQS–13F as its principal dipping sonar to detect submarines near the aircraft carrier. The committee understands that a pre-planned product improvement program for the AN/AQS–13F could achieve improved shallow-water detection capability and provide increased system reliability. Accordingly, the committee recommends an increase of $11.0 million to upgrade the SH–60F's AN/AQS–13 dipping sonar.

The ADHEELS provides crew escape lighting for H–60 series helicopters in the event of water impact. The committee understands that the Department of the Navy has selected ADHEELS as its future helicopter escape lighting system due to its superior performance, significantly increased operational reliability, and lower life-cycle costs. Consequently, the committee recommends an increase of $3.2 million to accelerate the installation of ADHEELS in the Navy's H–60 helicopter fleet.

In total, the committee recommends $15.9 million, an increase of $14.2 million, for SH–60 series modifications.

T–45 training system (TS)

The budget request contained $179.3 million to procure 6 T–45C aircraft and associated ground-based training equipment but included no funds for T–45C operational flight trainers. The T–45TS is an integrated training system that combines the T–45 aircraft, simulators, and computer-based training for the Navy's intermediate-level undergraduate pilot training.

The committee notes that the Navy is replacing older-model T–45As with new-production T–45Cs but understands that all bases planned for upgrade to the T–45C are not scheduled to receive T–45C operational flight trainers upon arrival of the new-production aircraft.

Since the T–45C operational flight trainer will provide improved replication of the T–45C cockpit configuration and performance characteristics, he recommends $192.3 million, an increase of $13.0 million, for two additional T–45C operational flight trainers.

Tactical air reconnaissance pod system (TARPS)-completely digital (CD)

The budget request contained $27.6 million for other production charges but included no funds for the TARPS-CD system, an electro-optic sensor upgrade designed to validate digital imaging technologies and to mitigate development risks for the next-generation shared reconnaissance pod (SHARP) system.

Since the SHARP system remains in development, the committee understands that the Navy is upgrading several TARPS-CD cameras with an 18–lens configuration which improves the system's standoff and survivability capabilities.

To upgrade all remaining TARPS-CD systems to a common 18–lens configuration, the committee recommends $30.6 million for other production charges, an increase of $3.0 million, for the TARPS-CD 18–lens configuration and for spares and support costs.

WEAPONS PROCUREMENT, NAVY

Overview

The budget request contained $1,433.5 million for Weapons Procurement, Navy in fiscal year 2002. The committee recommends authorization of $1,476.7 million for fiscal year 2002.

The committee recommends approval of the request except for those programs adjusted in the following table. Unless otherwise specified, adjustments are without prejudice and based on affordability considerations.

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
	WEAPONS PROCUREMENT, NAVY						
	BALLISTIC MISSILES						
	BALLISTIC MISSILES						
1	TRIDENT II	12	568,456			12	568,456
1	TRIDENT II	-	(9,414)			-	(9,414)
2	TRIDENT II	-	-			-	-
2	TRIDENT II	-	-			-	-
2	TRIDENT II	-	8,727			-	8,727
	SUPPORT EQUIPMENT AND FACILITIES					-	-
3	MISSILE INDUSTRIAL FACILITIES	-	1,275			-	1,275
	THEATER BALLISTIC MISSILE DEFENSE					-	-
4	NAVY AREA MISSILE DEFENSE	-	6,983		(6,983)	-	-
	Transfer to BMDO, Defense-Wide				[-6,983]		[-6,983]
	TOTAL BALLISTIC MISSILES		**576,027**		**(6,983)**		**569,044**
	OTHER MISSILES						
	STRATEGIC MISSILES						
5	TOMAHAWK	34	50,101		20,000	34	70,101
	Tooling and Test Equipment				[+20,000]		[+20,000]
6	ESSM	38	45,017			38	45,017
	TACTICAL MISSILES						
7	AMRAAM	57	40,028			57	40,028
8	SIDEWINDER	105	27,310			105	27,310

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
9	JSOW	-	-			-	-
10	SLAM-ER	30	26,174			30	26,174
11	STANDARD MISSILE	91	195,404			91	195,404
12	RAM	90	43,024			90	43,024
13	HELLFIRE	-	-		25,000	-	25,000
	Hellfire II Missiles				[+25,000]		[+25,000]
14	PENGUIN	-	-			-	-
15	AERIAL TARGETS	-	66,349			-	66,349
16	DRONES AND DECOYS	-	-			-	-
17	OTHER MISSILE SUPPORT	-	15,840			-	15,840
	MODIFICATION OF MISSILES						
18	SIDEWINDER MODS	-	802			-	802
19	HARM MODS	-	-			-	-
20	STANDARD MISSILES MODS	-	35,353			-	35,353
	SUPPORT EQUIPMENT AND FACILITIES						
21	WEAPONS INDUSTRIAL FACILITIES	-	17,247			-	17,247
22	FLEET SATELLITE COMM (MYP) (SPACE)	-	-			-	-
23	FLEET SATELLITE COMM FOLLOW-ON	-	77,840			-	77,840
	ORDNANCE SUPPORT EQUIPMENT						
24	ORDNANCE SUPPORT EQUIPMENT	-	4,210			-	4,210
	TOTAL OTHER MISSILES		**644,699**		**45,000**		**689,699**
	TORPEDOES AND RELATED EQUIPMENT						
	TORPEDOES AND RELATED EQUIP.						

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
25	ASW TARGETS	-	15,335			-	15,335
	MOD OF TORPEDOES AND RELATED EQUIP						
26	MK-46 TORPEDO MODS	-	7,444			-	7,444
27	MK-48 TORPEDO ADCAP MODS	-	42,386			-	42,386
28	QUICKSTRIKE MINE	-	3,899			-	3,899
	SUPPORT EQUIPMENT						
29	TORPEDO SUPPORT EQUIPMENT	-	30,025			-	30,025
30	ASW RANGE SUPPORT	-	14,861			-	14,861
	DESTINATION TRANSPORTATION						
31	FIRST DESTINATION TRANSPORTATION	-	2,802			-	2,802
	TOTAL TORPEDOES AND RELATED EQUIPMENT		**116,752**		**-**		**116,752**
	OTHER WEAPONS						
	GUNS AND GUN MOUNTS						
32	SMALL ARMS AND WEAPONS	-	910		5,200	-	6,110
	MK 46 Mod 0 Machine Gun				[+5,200]		[+5,200]
	MODIFICATION OF GUNS AND GUN MOUNTS						
33	CIWS MODS	-	40,503			-	40,503
34	5/54 GUN MOUNT MODS	-	-			-	-
35	MK-75 76MM GUN MOUNT MODS	-	-			-	-
36	GUN MOUNT MODS	-	5,748			-	5,748
37	MODS UNDER $2 MILLION	-	-			-	-
	OTHER						
38	PIONEER	-	-			-	-

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
39	CANCELLED ACCOUNT ADJUSTMENTS	-	-			-	-
40	CANCELLED ACCOUNT ADJUSTMENTS	-	-			-	-
41	PRIOR YEAR DEFICIENCIES	-	-			-	-
42	CANCELLED ACCOUNT ADJ (88)	-	-			-	-
43	CANCELLED ACCOUNT ADJ (89)	-	-			-	-
	TOTAL OTHER WEAPONS		**47,161**		**5,200**		**52,361**
	SPARES AND REPAIR PARTS						
	SPARES AND REPAIR PARTS						
44	SPARES AND REPAIR PARTS	-	48,836			-	48,836
	TOTAL SPARES AND REPAIR PARTS		**48,836**		**-**		**48,836**
	TOTAL WEAPONS PROCUREMENT, NAVY		**1,433,475**		**43,217**		**1,476,692**

Items of Special Interest

MK 46 Mod 0 lightweight machine gun

The budget request contained $910 thousand for small arms and weapons but included no funds for the MK 46 Mod 0 lightweight machine gun.

The MK 46 Mod 0 lightweight machine gun is a variant of the existing M249 squad automatic weapon designed to meet the unique lower-weight and reliability requirements for the Navy's sea-air-land (SEAL) teams and other special operations forces.

The committee understands that the Navy's SEAL teams and special operations forces require approximately 1875 MK 46 Mod 0 lightweight machine guns and, consequently, recommends $6.1 million for small arms and weapons, an increase of $5.2 million, to procure MK 46 Mod 0 lightweight machine guns.

Tomahawk missile

The budget request contained $50.1 million for the first 34 block IV low-rate initial production tactical tomahawk (TACTOM) missiles but included no funds for special tooling and test equipment for rate production of the block IV TACTOM missile.

The Tomahawk missile is a long-range, precision strike cruise missile launched from surface ships or submarines, and the block IV TACOM missile will provide improved performance at a lower unit cost than previous missile versions. The committee understands that subsequent to the block IV TACTOM contract award in 1998, the Navy has had to switch to a different engine manufacturer than originally planned and that this decision requires increased funding for special tooling and test equipment to accommodate rate production of the TACTOM missiles equipped with the newly-selected engine.

Accordingly, the committee recommends $70.1 million for the tomahawk missile, an increase of $20.0 million, to procure the special tooling and test equipment necessary for rate production of the block IV TACTOM.

Trident II missile

The budget request contained $559.0 million for Trident II missiles, including $143.7 million for D5 continuous production life extension.

The Trident II D5 missile is carried on the Ohio class fleet ballistic missile submarines to provide a highly survivable strategic ballistic missile deterrent. The Trident II D5 continuous production life extension (CPLE) program sustains the production of Trident II D5 missile motors and other critical components. The committee views the Trident II as critically important strategic deterrence and strongly supports the fiscal year 2002 budget request for 12 Trident D5 missiles and associated funding for the CPLE program.

While the Navy has not provided the committee with its Trident II D5 CPLE program budget projections beyond fiscal year 2002, it notes that the Navy has recently extended the hull life of its Ohio class fleet ballistic missile submarines from 30 to 44 years and is concerned that the CPLE program may not be fully funded in the future years defense program commensurate with the extended

submarine hull life. Therefore, the committee urges the Department to include funds for the CPLE program in its fiscal year 2003 budget and in the future years defense program to preclude both the loss of the critical missile motor production base and the possibility that expensive start-up costs may be incurred at a future date to regenerate Trident II missile production capability.

AMMUNITION PROCUREMENT, NAVY/MARINE CORPS

Overview

The budget request contained $457.0 million for Ammunition Procurement, Navy/Marine Corps in fiscal year 2002. The committee recommends authorization of $463.5 million for fiscal year 2002.

The committee recommends approval of the request except for those programs adjusted in the following table. Unless otherwise specified, adjustments are without prejudice and based on affordability considerations.

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
	PROCUREMENT OF AMMO, NAVY & MARINE CORPS						
	PROC AMMO, NAVY						
	NAVY AMMUNITION						
1	GENERAL PURPOSE BOMBS	-	65,063			-	65,063
2	CANCELLED ACCOUNT ADJUSTMENTS	-	-			-	-
3	JDAM	1,417	41,133			1,417	41,133
4	2.75 INCH ROCKETS	-	-			-	-
5	AIRBORNE ROCKETS, ALL TYPES	-	21,138			-	21,138
6	MACHINE GUN AMMUNITION	-	16,423			-	16,423
7	PRACTICE BOMBS	-	35,019			-	35,019
8	CARTRIDGES & CART ACTUATED DEVICES	-	26,697			-	26,697
9	AIRCRAFT ESCAPE ROCKETS	-	10,784			-	10,784
10	AIR EXPENDABLE COUNTERMEASURES	-	36,403		6,500	-	42,903
	Additional MJU-52				[+6,500]		[+6,500]
11	JATOS	-	4,771			-	4,771
12	5 INCH/54 GUN AMMUNITION	-	12,009			-	12,009
13	EXTENDED RANGE GUIDED MUNITIONS (ERGM)	-	5,151			-	5,151
14	76MM GUN AMMUNITION	-	990			-	990
15	OTHER SHIP GUN AMMUNITION	-	7,318			-	7,318
16	SMALL ARMS & LANDING PARTY AMMO	-	8,878			-	8,878
17	PYROTECHNIC AND DEMOLITION	-	8,439			-	8,439
18	MINE NEUTRALIZATION DEVICES	-	4,985			-	4,985
19	AMMUNITION LESS THAN $5 MILLION	-	1,343			-	1,343
20	CAWCF CLOSURE COSTS	-	6,993			-	6,993

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
	TOTAL PROC AMMO, NAVY		**313,537**		**6,500**		**320,037**
	PROC AMMO, MC						
	MARINE CORPS AMMUNITION						
21	5.56 MM, ALL TYPES	-	9,402			-	9,402
22	7.62 MM, ALL TYPES	-	7,395			-	7,395
23	LINEAR CHARGES, ALL TYPES	-	18,957			-	18,957
24	.50 CALIBER	-	6,225			-	6,225
25	40 MM, ALL TYPES	-	5,857			-	5,857
26	60MM, ALL TYPES	-	2,699			-	2,699
27	81MM, ALL TYPES	-	6,669			-	6,669
28	120MM, ALL TYPES	-	7,639			-	7,639
29	CTG 25MM, ALL TYPES	-	6,031			-	6,031
30	9 MM ALL TYPES	-	2,832			-	2,832
31	GRENADES, ALL TYPES	-	10,533			-	10,533
32	STINGER SLEP	-	7,330			-	7,330
33	ROCKETS, ALL TYPES	-	4,794			-	4,794
34	ARTILLERY, ALL TYPES	-	24,488			-	24,488
35	DEMOLITION MUNITIONS, ALL TYPES	-	2,925			-	2,925
36	FUZE, ALL TYPES	-	-			-	-
37	NON LETHALS	-	4,461			-	4,461
38	AMMO MODERNIZATION	-	7,019			-	7,019
39	ITEMS LESS THAN $5 MILLION	-	1,014			-	1,014
40	CAWCF CLOSURE COSTS	-	7,200			-	7,200

TITLE I - PROCUREMENT
(Dollars in Thousands)

PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
	QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
TOTAL PROC. AMMO, MC		143,470		-		143,470
TOTAL PROCUREMENT OF AMMUNITION, NAVY & MARINE CORPS		457,007		6,500		463,507

SHIPBUILDING AND CONVERSION, NAVY

Overview

The budget request contained $9,344.1 million for Shipbuilding and Conversion, Navy in fiscal year 2002. The committee recommends authorization of $9,321.1 million for fiscal year 2002.

The committee recommends approval of the request except for those programs adjusted in the following table. Unless otherwise specified, adjustments are without prejudice and based on affordability considerations.

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
	SHIPBUILDING & CONVERSION, NAVY						
	OTHER WARSHIPS						
	OTHER WARSHIPS						
1	CARRIER REPLACEMENT PROGRAM	-	-			-	-
1	CARRIER REPLACEMENT PROGRAM	-	-			-	-
2	CARRIER REPLACEMENT PROGRAM	-	-			-	-
2	CARRIER REPLACEMENT PROGRAM	-	-			-	-
2	CARRIER REPLACEMENT PROGRAM	-	138,890			-	138,890
3	SSGN	-	86,440		51,000	-	137,440
4	VIRGINIA CLASS SUBMARINE	1	2,288,327			1	2,288,327
4	VIRGINIA CLASS SUBMARINE	-	(679,413)			-	(679,413)
5	VIRGINIA CLASS SUBMARINE	-	-			-	-
5	VIRGINIA CLASS SUBMARINE	-	-			-	-
5	VIRGINIA CLASS SUBMARINE	-	-			-	-
5	VIRGINIA CLASS SUBMARINE	-	-			-	-
5	VIRGINIA CLASS SUBMARINE	-	249,862			-	249,862
5	VIRGINIA CLASS SUBMARINE	-	434,426			-	434,426
6	CVN REFUELING OVERHAULS	1	1,768,413			1	1,768,413
6	CVN REFUELING OVERHAULS	-	(650,289)			-	(650,289)
7	CVN REFUELING OVERHAULS	-	-			-	-
7	CVN REFUELING OVERHAULS	-	-			-	-
7	CVN REFUELING OVERHAULS	-	73,707			-	73,707
8	SUBMARINE REFUELING OVERHAULS	2	430,179			2	430,179
8	SUBMARINE REFUELING OVERHAULS	-	(47,914)			-	(47,914)

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
9	SUBMARINE REFUELING OVERHAULS	-	-			-	-
9	SUBMARINE REFUELING OVERHAULS	-	-			-	-
9	SUBMARINE REFUELING OVERHAULS	-	74,640			-	74,640
9	SUBMARINE REFUELING OVERHAULS	-	3,110			-	3,110
10	DDG-51	3	3,187,361			3	3,187,361
10	DDG-51	-	(221,325)			-	(221,325)
11	DDG-51	-	-			-	-
11	DDG-51	-	-			-	-
11	DDG-51	-	-			-	-
	TOTAL OTHER WARSHIPS		**7,136,414**		**51,000**		**7,187,414**
	AMPHIBIOUS SHIPS						
	AMPHIBIOUS SHIPS						
12	LHD-1 AMPHIBIOUS ASSAULT SHIP	1	267,238			1	267,238
13	LHD-1 AMPHIBIOUS ASSAULT SHIP	-	-			-	-
13	LHD-1 AMPHIBIOUS ASSAULT SHIP	-	-			-	-
14	LPD-17	-	537,321			-	537,321
14	LPD-17	-	(537,321)			-	(537,321)
15	LPD-17	-	-			-	-
15	LPD-17	-	-			-	-
15	LPD-17	-	-			-	-
15	LPD-17	-	272,330			-	272,330
15	LPD-17	-	149,000			-	149,000

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
	TOTAL AMPHIBIOUS SHIPS		**688,568**		**-**		**688,568**
	AUXILIARIES, CRAFT, AND PRIOR-YEAR PROGRAM						
	AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COS						
16	ADC(X)	1	370,818			1	370,818
17	LCAC LANDING CRAFT	-	-			-	-
17	LCAC LANDING CRAFT	-	-			-	-
18	OUTFITTING	-	307,230		(10,000)	-	297,230
19	LCAC SLEP	2	41,091			2	41,091
20	COMPLETION OF PY SHIPBUILDING PROGRAMS	-	800,000		(75,000)	-	725,000
21	MINE HUNTER SWATH	-	-		2,000	-	2,000
22	YARD OILERS	-	-	3	9,000	3	9,000
	TOTAL AUXILIARIES, CRAFT, AND PRIOR-YEAR PROGRAMS		**1,519,139**		**(74,000)**		**1,445,139**
	TOTAL SHIPBUILDING & CONVERSION		**9,344,121**		**(23,000)**		**9,321,121**

Items of Special Interest

Completion of prior year shipbuilding programs

The budget request contained $800.0 million to cover increases in the costs to complete construction of certain ships for which Congress authorized and appropriated funds in prior fiscal years. Included in this amount was $248.0 million for the first of the San Antonio-class amphibious transport dock ships, the LPD–17.

The committee notes that the Department of Defense requested a supplemental appropriation of $65.0 million in fiscal year 2001, in addition to the $248 million in the budget request, to cover the increased costs of the LPD–17. The committee also notes, Congress approved the $65.0 million supplemental request, but understanding that the fiscal year 2002 budget request did not contain funds for construction of the fifth and sixth ships of the class, as had been anticipated, Congress rescinded $75.0 million of advance procurement funds for these two ships appropriated in fiscal year 2001 and applied the funds to the LPD–17. The committee does not believe such action would have been taken if it were going to result in a requirement to payback those funds at a later date.

Since the LPD–17 received an additional $75.0 million in the Supplemental Appropriations Act, 2001 (Public Law 107–80), the committee concludes that $75.0 million of the $248.0 million in the budget request is not required. Consequently, the committee recommends $725.0 million for prior year shipbuilding, a decrease of $75.0 million.

Minehunter small waterplane area twin hull (SWATH)

The budget request contained no funds for the Minehunter SWATH.

The Navy's minehunting fleet includes one Minehunter SWATH boat, which is its only surface mine warfare vessel capable of operating in very shallow water or capable of transport by C–5 aircraft for operational deployment within 24 hours. The committee understands that, during the past two years, the Minehunter SWATH has completed highly successful testing in the Pacific theater and notes that senior naval officers support its immediate acquisition and deployment to meet shallow water minehunting requirements.

Therefore, the committee recommends an increase of $2.0 million for the procurement of the Minehunter SWATH.

Outfitting

The budget request contained $307.2 million for outfitting, of which $208.6 million was for outfitting and $96.0 million was for post delivery. Outfitting funds are used to acquire items necessary in the pre-commissioning activities of ship construction, and post delivery funds are used to fix items for which the government is responsible after ship delivery.

The committee believes that $3.2 million of outfitting funds budgeted for ships which are scheduled to begin construction in fiscal year 2002 and $6.8 million budgeted for ships which are planned for delivery in fiscal year 2003 are premature. Consequently, the committee recommends $297.2 million for outfitting, a decrease of $10.0 million.

SSGN conversion

The budget request contained $86.4 million for the advance procurement of products and materials necessary to refuel and convert two fleet ballistic missile carrying submarines (SSBN) to a conventional cruise missile carrying submarine (SSGN) configuration but included no funds for the advance planning necessary to refuel two additional SSBNs.

Once refueled and converted, SSGNs will be capable of both delivering up to 154 Tomahawk cruise missiles and deploying special operations forces. Although four SSBNs are available for the SSGN refueling and conversion program, the Department of the Navy has only budgeted for the conversion of two. The committee strongly supports the SSGN conversion program and believes that all four SSBNs should be converted to the SSGN configuration.

Accordingly, the committee recommends $137.4 million, an increase of $51.0 million, for the advance planning necessary to refuel the remaining two SSBNs in preparation for their conversion to the SSGN configuration.

OTHER PROCUREMENT, NAVY

Overview

The budget request contained $4,097.6 million for Other Procurement, Navy in fiscal year 2002. The committee recommends authorization of $4,157.3 million for fiscal year 2002.

The committee recommends approval of the request except for those programs adjusted in the following table. Unless otherwise specified, adjustments are without prejudice and based on affordability considerations.

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
	OTHER PROCUREMENT, NAVY						
	SHIPS SUPPORT EQUIPMENT						
	SHIP PROPULSION EQUIPMENT						
1	LM-2500 GAS TURBINE	-	7,083			-	7,083
2	ALLISON 501K GAS TURBINE	-	6,896			-	6,896
	PROPELLERS						
3	SUBMARINE PROPELLERS	-	4,460			-	4,460
	NAVIGATION EQUIPMENT						
4	OTHER NAVIGATION EQUIPMENT	-	45,946		10,000	-	55,946
	Force Protection Thermal Imaging Systems				[+10,000]		[+10,000]
	UNDERWAY REPLENISHMENT EQUIPMENT						
5	UNDERWAY REPLENISHMENT EQUIPMENT	-	1,802			-	1,802
	PERISCOPES						
6	SUB PERISCOPES & IMAGING EQUIP	-	29,240			-	29,240
	OTHER SHIPBOARD EQUIPMENT						
7	FIREFIGHTING EQUIPMENT	-	17,539			-	17,539
8	COMMAND AND CONTROL SWITCHBOARD	-	9,139			-	9,139
9	POLLUTION CONTROL EQUIPMENT	-	66,958			-	66,958
10	SUBMARINE SUPPORT EQUIPMENT	-	6,796			-	6,796
11	SUBMARINE BATTERIES	-	10,891			-	10,891
12	STRATEGIC PLATFORM SUPPORT EQUIP	-	11,276			-	11,276
13	DSSP EQUIPMENT	-	7,498			-	7,498
14	LCAC	-	-			-	-
15	MINESWEEPING EQUIPMENT	-	20,168			-	20,168

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
16	ITEMS LESS THAN $5 MILLION	-	79,285			-	79,285
17	SURFACE IMA	-	-			-	-
18	SUBMARINE LIFE SUPPORT SYSTEM	-	4,940			-	4,940
	REACTOR PLANT EQUIPMENT						
19	REACTOR COMPONENTS	-	208,849			-	208,849
	OCEAN ENGINEERING						
20	DIVING AND SALVAGE EQUIPMENT	-	5,712			-	5,712
21	EOD UNDERWATER EQUIPMENT	-	-			-	-
	SMALL BOATS						
22	STANDARD BOATS	-	32,151		3,200	-	35,351
	Rigid Inflatable EOD Boats				[+3,200]		[+3,200]
	TRAINING EQUIPMENT						
23	OTHER SHIPS TRAINING EQUIPMENT	-	16,772			-	16,772
	PRODUCTION FACILITIES EQUIPMENT						
24	OPERATING FORCES IPE	-	27,522		500	-	28,022
	Expeditionary Maintenance Facilities				[+500]		[+500]
	OTHER SHIP SUPPORT						
25	NUCLEAR ALTERATIONS	-	121,105			-	121,105
	DRUG INTERDICTION SUPPORT						
26	DRUG INTERDICTION SUPPORT	-	-			-	-
	TOTAL SHIPS SUPPORT EQUIPMENT		**742,028**		**13,700**		**755,728**
	COMMUNICATIONS AND ELECTRONICS EQUIPMENT						
	SHIP RADARS						

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
27	AN/SPS-49	-	-			-	-
28	RADAR SUPPORT	-	-		15,000	-	15,000
	MK-92 Upgrade				[+15,000]		[+15,000]
29	TISS	-	-			-	-
	SHIP SONARS						
30	AN/SQQ-89 SURF ASW COMBAT SYSTEM	-	16,561			-	16,561
31	SSN ACOUSTICS	-	113,016			-	113,016
32	UNDERSEA WARFARE SUPPORT EQUIPMENT	-	4,263			-	4,263
33	SURFACE SONAR WINDOWS AND DOME	-	-			-	-
34	SONAR SUPPORT EQUIPMENT	-	-			-	-
35	SONAR SWITCHES AND TRANSDUCERS	-	10,808			-	10,808
	ASW ELECTRONIC EQUIPMENT						
36	SUBMARINE ACOUSTIC WARFARE SYSTEM	-	12,624			-	12,624
37	FIXED SURVEILLANCE SYSTEM	-	33,692			-	33,692
38	SURTASS	-	17,650			-	17,650
39	ASW OPERATIONS CENTER	-	6,059			-	6,059
	ELECTRONIC WARFARE EQUIPMENT						
40	AN/SLQ-32	-	1,971			-	1,971
41	INFORMATION WARFARE SYSTEMS	-	2,908			-	2,908
	RECONNAISSANCE EQUIPMENT						
42	SHIPBOARD IW EXPLOIT	-	57,535			-	57,535
43	COMMON HIGH BANDWIDTH DATA LINK	-	-			-	-
	SUBMARINE SURVEILLANCE EQUIPMENT						
44	SUBMARINE SUPPORT EQUIPMENT PROG	-	22,928			-	22,928
	OTHER SHIP ELECTRONIC EQUIPMENT						

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
45	NAVY TACTICAL DATA SYSTEM	-	-			-	-
46	COOPERATIVE ENGAGEMENT CAPABILITY	-	77,133			-	77,133
47	GCCS-M EQUIPMENT	-	61,085			-	61,085
48	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS)	-	42,826			-	42,826
49	ATDLS	-	9,965			-	9,965
50	MINESWEEPING SYSTEM REPLACEMENT	-	8,903			-	8,903
51	SHALLOW WATER MCM	-	-			-	-
52	NAVSTAR GPS RECEIVERS (SPACE)	-	9,857			-	9,857
53	ARMED FORCES RADIO AND TV	-	14,609			-	14,609
54	STRATEGIC PLATFORM SUPPORT EQUIP	-	11,361			-	11,361
	TRAINING EQUIPMENT						
55	OTHER SPAWAR TRAINING EQUIPMENT	-	1,793			-	1,793
56	OTHER TRAINING EQUIPMENT	-	37,225		4,000	-	41,225
	Battle Force Tactical Training-Air Traffic Control				[+4,000]		[+4,000]
	AVIATION ELECTRONIC EQUIPMENT						
57	MATCALS	-	1,005			-	1,005
58	SHIPBOARD AIR TRAFFIC CONTROL	-	8,036			-	8,036
59	AUTOMATIC CARRIER LANDING SYSTEM	-	15,617			-	15,617
60	NATIONAL AIR SPACE SYSTEM	-	43,618			-	43,618
61	AIR STATION SUPPORT EQUIPMENT	-	7,421			-	7,421
62	MICROWAVE LANDING SYSTEM	-	5,409			-	5,409
63	FACSFAC	-	1,151			-	1,151
64	ID SYSTEMS	-	18,310		(1,000)	-	17,310
65	SURFACE IDENTIFICATION SYSTEMS	-	-			-	-
66	TAC A/C MISSION PLANNING SYS(TAMPS)	-	13,411			-	13,411

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
	OTHER SHORE ELECTRONIC EQUIPMENT						
67	GCCS-M EQUIPMENT ASHORE	-	-			-	-
68	TADIX-B	-	-			-	-
69	NAVAL SPACE SURVEILLANCE SYSTEM	-	4,898			-	4,898
70	GCCS-M EQUIPMENT TACTICAL/MOBILE	-	-			-	-
71	COMMON IMAGERY GROUND SURFACE SYSTEMS	-	58,446			-	58,446
72	RADIAC	-	7,876			-	7,876
73	GPETE	-	4,727			-	4,727
74	INTEG COMBAT SYSTEM TEST FACILITY	-	4,502			-	4,502
75	EMI CONTROL INSTRUMENTATION	-	5,162			-	5,162
76	ITEMS LESS THAN $5 MILLION	-	6,332			-	6,332
	SHIPBOARD COMMUNICATIONS						
77	SHIPBOARD TACTICAL COMMUNICATIONS	-	-			-	-
78	SHIP COMMUNICATIONS AUTOMATION	-	121,242			-	121,242
79	SHIP COMM ITEMS UNDER $5 MILLION	-	-			-	-
80	COMMUNICATIONS ITEMS UNDER $5M	-	24,278			-	24,278
	SUBMARINE COMMUNICATIONS						
81	SHORE LF/VLF COMMUNICATIONS	-	17,517			-	17,517
82	SUBMARINE COMMUNICATION EQUIPMENT	-	89,309			-	89,309
	SATELLITE COMMUNICATIONS						
83	SATCOM SHIP TERMINALS (SPACE)	-	-			-	-
84	SATELLITE COMMUNICATIONS SYSTEMS	-	198,143		15,000	-	213,143
	Digital Modular Radio				[+15,000]		[+15,000]
85	SATCOM SHORE TERMINALS (SPACE)	-	-			-	-
	SHORE COMMUNICATIONS						

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
86	JCS COMMUNICATIONS EQUIPMENT	-	4,623			-	4,623
87	ELECTRICAL POWER SYSTEMS	-	1,301			-	1,301
88	NSIPS	-	14,232			-	14,232
89	JEDMICS	-	-			-	-
90	NAVAL SHORE COMMUNICATIONS	-	66,772			-	66,772
	CRYPTOGRAPHIC EQUIPMENT						
91	INFO SYSTEMS SECURITY PROGRAM (ISSP)	-	78,170		10,000	-	88,170
	Additional Secure Terminal Equipment				[+10,000]		[+10,000]
	CRYPTOLOGIC EQUIPMENT						
92	SPECIAL DCP	-	-			-	-
93	CRYPTOLOGIC COMMUNICATIONS EQUIP	-	15,595			-	15,595
	DRUG INTERDICTION SUPPORT						
94	OTHER DRUG INTERDICTION SUPPORT	-	-			-	-
	TOTAL COMMUNICATIONS AND ELECTRONICS EQUIPMENT		**1,411,875**		**43,000**		**1,454,875**
	AVIATION SUPPORT EQUIPMENT						
	SONOBUOYS						
95	PASSIVE SONOBUOYS (NON-BEAM FORMING)	-	-			-	-
96	AN/SSQ-62 (DICASS)	-	-			-	-
97	AN/SSQ-101 (ADAR)	-	-			-	-
98	SONOBUOYS - ALL TYPES	-	57,886			-	57,886
99	MISCELLANEOUS SONOBUOYS LESS THAN $5 MILLION	-	-			-	-
	AIRCRAFT SUPPORT EQUIPMENT						
100	WEAPONS RANGE SUPPORT EQUIPMENT	-	10,129			-	10,129

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
101	EXPEDITIONARY AIRFIELDS	-	7,551			-	7,551
102	AIRCRAFT REARMING EQUIPMENT	-	12,265			-	12,265
103	AIRCRAFT LAUNCH & RECOVERY EQUIPMENT	-	27,500			-	27,500
104	METEOROLOGICAL EQUIPMENT	-	29,833			-	29,833
105	OTHER PHOTOGRAPHIC EQUIPMENT	-	1,710			-	1,710
106	AVIATION LIFE SUPPORT	-	21,035			-	21,035
107	AIRBORNE MINE COUNTERMEASURES	-	46,860			-	46,860
108	OTHER AVIATION SUPPORT EQUIPMENT	-	13,645			-	13,645
	TOTAL AVIATION SUPPORT EQUIPMENT		**228,414**		**-**		**228,414**
	ORDNANCE SUPPORT EQUIPMENT						
	SHIP GUN SYSTEM EQUIPMENT						
109	GUN FIRE CONTROL EQUIPMENT	-	17,926			-	17,926
110	NAVAL FIRES CONTROL SYSTEM	-	600			-	600
	SHIP MISSILE SYSTEMS EQUIPMENT						
111	NATO SEASPARROW	-	10,670			-	10,670
112	RAM GMLS	-	31,838			-	31,838
113	SHIP SELF DEFENSE SYSTEM	-	34,378			-	34,378
114	AEGIS SUPPORT EQUIPMENT	-	155,113			-	155,113
115	SURFACE TOMAHAWK SUPPORT EQUIPMENT	-	61,241			-	61,241
116	SUBMARINE TOMAHAWK SUPPORT EQUIP	-	3,062			-	3,062
117	VERTICAL LAUNCH SYSTEMS	-	6,857			-	6,857
	FBM SUPPORT EQUIPMENT						
118	STRATEGIC PLATFORM SUPPORT EQUIP	-	9,823			-	9,823

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
119	STRATEGIC MISSILE SYSTEMS EQUIP	-	205,094		(2,000)	-	203,094
	ASW SUPPORT EQUIPMENT						
120	SSN COMBAT CONTROL SYSTEMS	-	40,716			-	40,716
121	SUBMARINE ASW SUPPORT EQUIPMENT	-	5,935			-	5,935
122	SURFACE ASW SUPPORT EQUIPMENT	-	3,213			-	3,213
123	ASW RANGE SUPPORT EQUIPMENT	-	6,012			-	6,012
	OTHER ORDNANCE SUPPORT EQUIPMENT						
124	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	-	9,353			-	9,353
125	ITEMS LESS THAN $5 MILLION	-	5,795			-	5,795
	OTHER EXPENDABLE ORDNANCE						
126	ANTI-SHIP MISSILE DECOY SYSTEM	-	27,513			-	27,513
127	SURFACE TRAINING DEVICE MODS	-	7,318			-	7,318
128	SUBMARINE TRAINING DEVICE MODS	-	20,753			-	20,753
	TOTAL ORDNANCE SUPPORT EQUIPMENT		**663,210**		**(2,000)**		**661,210**
	CIVIL ENGINEERING SUPPORT EQUIPMENT						
	CIVIL ENGINEERING SUPPORT EQUIPMENT						
129	ARMORED SEDANS	-	440			-	440
130	PASSENGER CARRYING VEHICLES	-	1,351			-	1,351
131	GENERAL PURPOSE TRUCKS	-	1,531			-	1,531
132	CONSTRUCTION & MAINTENANCE EQUIP	-	9,587			-	9,587
133	FIRE FIGHTING EQUIPMENT	-	5,300			-	5,300
134	TACTICAL VEHICLES	-	20,154			-	20,154
135	AMPHIBIOUS EQUIPMENT	-	14,633			-	14,633

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
136	POLLUTION CONTROL EQUIPMENT	-	19,969			-	19,969
137	ITEMS UNDER $5 MILLION	-	11,323			-	11,323
	TOTAL CIVIL ENGINEERING SUPPORT EQUIPMENT		**84,288**		**-**		**84,288**
	SUPPLY SUPPORT EQUIPMENT						
	SUPPLY SUPPORT EQUIPMENT						
138	MATERIALS HANDLING EQUIPMENT	-	8,786			-	8,786
139	OTHER SUPPLY SUPPORT EQUIPMENT	-	7,534		6,000	-	13,534
	Serial Number Tracking Systems				[+6,000]		[+6,000]
140	FIRST DESTINATION TRANSPORTATION	-	5,222			-	5,222
141	SPECIAL PURPOSE SUPPLY SYSTEMS	-	490,438			-	490,438
	TOTAL SUPPLY SUPPORT EQUIPMENT		**511,980**		**6,000**		**517,980**
	PERSONNEL AND COMMAND SUPPORT EQUIPMENT						
	TRAINING DEVICES						
142	TRAINING SUPPORT EQUIPMENT	-	1,101			-	1,101
	COMMAND SUPPORT EQUIPMENT					-	-
143	TRAINING SUPPORT EQUIPMENT					-	-
144	OTHER TRAINING EQUIPMENT					-	-
145	COMMAND SUPPORT EQUIPMENT	-	28,787		(1,000)	-	27,787
146	EDUCATION SUPPORT EQUIPMENT	-	6,646			-	6,646
147	MEDICAL SUPPORT EQUIPMENT	-	7,693			-	7,693
148	INTELLIGENCE SUPPORT EQUIPMENT					-	-

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
149	OPERATING FORCES SUPPORT EQUIPMENT	-	15,812			-	15,812
150	MOBILE SENSOR PLATFORM	-	4,006			-	4,006
151	ENVIRONMENTAL SUPPORT EQUIPMENT	-	25,205			-	25,205
152	PHYSICAL SECURITY EQUIPMENT	-	116,932			-	116,932
	PRODUCTIVITY PROGRAMS						
153	JUDGEMENT FUND REIMBURSEMENT	-	-			-	-
	OTHER						
154	CANCELLED ACCOUNT ADJUSTMENTS	-	-			-	-
	TOTAL PERSONNEL AND COMMAND SUPPORT EQUIPMENT		**206,182**		**(1,000)**		**205,182**
	SPARES AND REPAIR PARTS						
	SPARES AND REPAIR PARTS						
155	SPARES AND REPAIR PARTS	-	234,136			-	234,136
	TOTAL SPARES AND REPAIR PARTS		**234,136**		**-**		**234,136**
999	CLASSIFIED PROGRAMS		15,500			-	15,500
	TOTAL OTHER PROCUREMENT, NAVY		**4,097,613**		**59,700**		**4,157,313**

Items of Special Interest

Operating forces industrial plant equipment

The budget request contained $27.5 million for operating forces industrial plant equipment but included no funds for expeditionary maintenance facilities (EMF).

The committee is aware that the Navy is continuing to decommission its repair tenders, thereby limiting its ability to rapidly deploy a ship and equipment repair capability to support forward deployed forces. However, the committee is also aware that EMF, which are surface and air transportable, self-contained facilities, can be operational within 72 hours of deployment, and can meet the service's needs for a rapidly deployable repair and maintenance capability.

The committee fully supports the EMF concept and, accordingly, recommends $28.0 million for operating forces industrial plant equipment, an increase of $500 thousand, for procurement of EMF.

Other navigation equipment

The budget request contained $45.9 million for the procurement of other navigation equipment but included no funds to procure force protection thermal imaging equipment for military sealift command ships.

As a result of the committee's investigation into the attack on the U.S.S. Cole, the committee is keenly aware of the lack of force protection equipment and sensors on board Naval warships and supply ships to identify and counter unconventional threats. The committee is also aware of, and supports, the Navy's rapid request for emergency funds to meet many of these requirements for its warships. However, military sealift command ships, which often steam independently and make port calls in remote and hostile areas separate from battle groups, lack adequate thermal imaging sensors to identify potential threats and hazards at ranges that would allow a timely response to avoid a collision or counter a terrorist attack.

Understanding new threats and vulnerabilities of U.S. ships while underway and at anchor, the committee recommends $55.9 million for other navigation equipment, an increase of $10.0 million, for the procurement of military sealift command force protection thermal imaging equipment.

Other supply support equipment

The budget request contained $7.5 million for the procurement of other supply support equipment, of which $741 thousand was for automatic identification technology (AIT) in support of the serial number tracking system (SNTS).

The SNTS will use commercial AIT to provide web-based, cradle-to-grave, total asset visibility of individual components throughout the supply, maintenance, and transportation transfer process within Naval and Marine Corps aviation depots and will enhance the maintenance, remanufacture, and rebuild process of Navy and Marine Corps aircraft. The committee believes that streamlined business processes, such as SNTS, can be readily achieved by implementing AIT and has recommended increases for this technology

for maintenance and ammunition tracking systems for other services in prior fiscal years.

Accordingly, the committee recommends $13.5 million for other supply support equipment, an increase of $6.0 million, for the SNTS.

Other training equipment

The budget request contained $37.2 million for other training equipment, of which $32.5 million was for the procurement to support the battle force tactical training (BFTT) program.

The BFTT system allows surface combatants and aircraft carriers to conduct realistic coordinated training scenarios using ownship equipment instead of shore-based training simulators. The committee notes that Congress provided funds in fiscal years 2000 and 2001 to upgrade the BFTT system in order to provide an air traffic control (ATC) training capability for aircraft carrier crews. However, the committee understands that additional BFTT ATC upgrades are required on both landing helicopter assault (LHA) and landing helicopter dock (LHD) amphibious ships for integrated battle group training. Because of the enhanced benefits to ships' crews from integrated battle group training, the committee recommends $41.2 million for other training equipment, an increase of $4.0 million, to procure BFTT ATC upgrades for 5 LHAs and 7 LHDs.

Radar support

The budget request contained no funds to procure radar support equipment.

The committee understands that an upgrade to the Mk92 Mod 1 system, which provides surveillance and gunfire control on medium-sized ships is required because the current system relies on obsolete components that are no longer manufactured, resulting in a spare parts inventory incapable of sustaining it beyond fiscal year 2002. The committee believes this situation should be avoided and, therefore, recommends an increase of $15.0 million to upgrade Mk92 Mod 1 radars to the Mod 2 variant.

Satellite communications systems

The budget request contained $198.1 million to procure satellite communication systems, of which $9.6 million is for the procurement of digital modular radios (DMR).

The DMR is a software programmable radio which replaces AN/WCS–3 transceivers and TD–1271 multiplexer modems that are not compliant with Joint Chiefs of Staff directives. The DMR is backward compatible with existing radios and cryptographic devices, while being 90 percent compatible with the next-generation Joint Tactical Radio System (JTRS) common architecture. The committee understands that additional software development is required for DMRs to maintain compliance with JTRS software compliance architecture (SCA) and, therefore, recommends $213.1 million for satellite communications systems, an increase of $15.0 million, to migrate the DMR to the JTRS SCA version 2.0 software.

PROCUREMENT, MARINE CORPS

Overview

The budget request contained $981.7 million for Procurement, Marine Corps in fiscal year 2002. The committee recommends authorization of $1,025.6 million for fiscal year 2002.

The committee recommends approval of the request except for those programs adjusted in the following table. Unless otherwise specified, adjustments are without prejudice and based on affordability considerations.

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
	PROCUREMENT, MARINE CORPS						
	WEAPONS AND COMBAT VEHICLES						
	TRACKED COMBAT VEHICLES						
1	AAV7A1 PIP	170	77,087			170	77,087
2	AAAV	-	1,512			-	1,512
3	LAV PIP	-	25,783			-	25,783
4	IMPROVED RECOVERY VEHICLE (IRV)	8	21,026			8	21,026
5	MODIFICATION KITS (TRKD VEH)	-	3,825			-	3,825
	ARTILLERY AND OTHER WEAPONS						
6	155MM LIGHTWEIGHT TOWED HOWITZER	-	-			-	-
7	MOD KITS (ARTILLERY)	-	1,478			-	1,478
8	MARINE ENHANCEMENT PROGRAM	-	2,243			-	2,243
9	WEAPONS AND COMBAT VEHICLES UNDER $5 MILLION	-	274		5,000	-	5,274
	M249 Squad Automatic Weapon				[+5,000]		[+5,000]
	WEAPONS						
10	MODULAR WEAPON SYSTEM	-	7,501			-	7,501
	OTHER SUPPORT						
11	OPERATIONS OTHER THAN WAR	-	1,552			-	1,552
	TOTAL WEAPONS AND COMBAT VEHICLES		**142,281**		**5,000**		**147,281**
	GUIDED MISSILES AND EQUIPMENT						
	GUIDED MISSILES						
12	JAVELIN	-	1,036			-	1,036

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
13	PEDESTAL MOUNTED STINGER (PMS) (MYP)	-	-			-	-
14	ITEMS UNDER $5 MILLION	-	-			-	-
15	PREDATOR (SRAW)	-	-			-	-
	OTHER SUPPORT						
16	MODIFICATION KITS	-	6,612			-	6,612
	TOTAL GUIDED MISSILES AND EQUIPMENT		**7,648**		-		**7,648**
	COMMUNICATIONS AND ELECTRONICS EQUIPMENT						
	REPAIR AND TEST EQUIPMENT						
17	AUTO TEST EQUIP SYS	-	616			-	616
18	GENERAL PURPOSE ELECTRONIC TEST EQUIP.	-	8,115			-	8,115
	INTELL/COMM EQUIPMENT (NON-TEL)						
19	INTELLIGENCE SUPPORT EQUIPMENT	-	9,615			-	9,615
20	MOD KITS (INTEL)	-	7,217			-	7,217
21	ITEMS UNDER $5 MILLION (INTELL)	-	1,654			-	1,654
	REPAIR AND TEST EQUIPMENT (NON-TEL)						
22	GENERAL PRUPOSE MECHANICAL TMDE	-	4,578			-	4,578
	OTHER COMM/ELEC EQUIPMENT (NON-TEL)						
23	NIGHT VISION EQUIPMENT	-	22,374		14,500	-	36,874
	AN/PVS-17				[+14,500]		[+14,500]
	OTHER SUPPORT (NON-TEL)						
24	ITEMS UNDER $5 MILLION (COMM & ELEC)	-	9,028			-	9,028
25	COMMON COMPUTER RESOURCES	-	21,302			-	21,302
26	COMMAND POST SYSTEMS	-	17,338			-	17,338

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
27	MANEUVER C2 SYSTEMS	-	-			-	-
28	RADIO SYSTEMS	-	50,911			-	50,911
29	COMM SWITCHING & CONTROL SYSTEMS	-	-			-	-
30	COMM & ELEC INFRASTRUCTURE SUPPORT	-	7,546			-	7,546
31	MOD KITS MAGTF C41	-	21,136			-	21,136
32	AIR OPERATIONS C2 SYSTEMS	-	5,210			-	5,210
33	INTELLIGENCE C2 SYSTEMS	-	11,825			-	11,825
34	FIRE SUPPORT SYSTEM	-	16,152			-	16,152
	TOTAL COMMUNICATIONS AND ELECTRONICS EQUIPMENT		**214,617**		**14,500**		**229,117**
	SUPPORT VEHICLES						
	ADMINISTRATIVE VEHICLES						
35	COMMERCIAL PASSENGER VEHICLES	-	773			-	773
36	COMMERCIAL CARGO VEHICLES	-	6,487			-	6,487
	TACTICAL VEHICLES						
37	5/4T TRUCK HMMWV (MYP)	1,466	109,201			1,466	109,201
38	MEDIUM TACTICAL VEHICLE REPLACEMENT	1,946	312,199			1,946	312,199
	OTHER SUPPORT						
39	ITEMS LESS THAN $5 MILLION	-	2,564			-	2,564
	TOTAL SUPPORT VEHICLES		**431,224**		**-**		**431,224**
	ENGINEER AND OTHER EQUIPMENT						
	ENGINEER AND OTHER EQUIPMENT						

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
40	ENVIRONMENTAL CONTROL EQUIP ASSORT	-	2,571			-	2,571
41	BULK LIQUID EQUIPMENT	-	8,130			-	8,130
42	TACTICAL FUEL SYSTEMS	-	2,721			-	2,721
43	DEMOLITION SUPPORT SYSTEMS	-	5,674			-	5,674
44	POWER EQUIPMENT ASSORTED	-	7,622			-	7,622
45	SHOP EQ CONTACT MAINTENANCE (SECM)	-	-			-	-
	MATERIALS HANDLING EQUIPMENT						
46	COMMAND SUPPORT EQUIPMENT	-	-			-	-
47	AMPHIBIOUS RAID EQUIPMENT	-	2,349			-	2,349
48	PHYSICAL SECURITY EQUIPMENT	-	4,846			-	4,846
49	GARRISON MOBILE ENGR EQUIP	-	5,938			-	5,938
50	MATERIAL HANDLING EQUIP	-	27,453			-	27,453
51	FIRST DESTINATION TRANSPORTATION	-	9,340			-	9,340
	GENERAL PROPERTY						
52	FIELD MEDICAL EQUIPMENT	-	7,530			-	7,530
53	TRAINING DEVICES	-	30,566			-	30,566
54	CONTAINER FAMILY	-	5,909		7,400	-	13,309
	Tractor, Rubber Tired Articulated Steering, Multi-Purpose (TRAM) SLEP				[+7,400]		[+7,400]
55	FAMILY OF CONSTRUCTION EQUIPMENT	-	8,281		17,000	-	25,281
	D-7G/Dozer/Scraper/Grader Remanufacture				[+17,000]		[+17,000]
56	FAMILY OF INTERNALLY TRANSPORTABLE VEH (ITV)	-	4,852			-	4,852
57	RAPID DEPLOYABLE KITCHEN	-	5,947			-	5,947
	OTHER SUPPORT						
58	MODIFICATION KITS	-	11,892			-	11,892
59	ITEMS LESS THAN $5 MILLION	-	7,684			-	7,684

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
60	CANCELLED ACCOUNT ADJUSTMENT (M)	-	-			-	-
	TOTAL ENGINEER AND OTHER EQUIPMENT		**159,305**		**24,400**		**183,705**
	SPARES AND REPAIR PARTS						
	SPARES AND REPAIR PARTS						
61	SPARES AND REPAIR PARTS	-	26,649			-	26,649
	TOTAL SPARES AND REPAIR PARTS		**26,649**		**-**		**26,649**
	TOTAL PROCUREMENT, MARINE CORPS		**981,724**		**43,900**		**1,025,624**

Items of Special Interest

Container family

The budget request contained $5.9 million to procure container handling equipment but included no funds to conduct a service life extension program (SLEP) for the tractor, rubber tired, articulated steering, multi-purpose (TRAM).

The TRAM, a multi-purpose material handling and earthmoving machine capable of lifting up to 10,000 pounds, provides the primary heavy lift and earth moving capability for the Marine Corps. Since this system has been heavily relied upon to facilitate expeditionary operations, it requires a SLEP to extend its service life for an additional 10 years. The committee notes that the Commandant of the Marine Corps has identified a $7.4 million fiscal year 2002 unfunded requirement to conduct a SLEP for 521 of the 617 TRAMs on hand. Because the committee understands the vital mobility requirements that this system fulfills, the committee recommends $13.3 million for container family equipment, an increase of $7.4 million, for TRAM SLEP.

Expeditionary warfare

The committee supports the Department of the Navy's efforts in developing expeditionary warfare capabilities to address threats of the 21st century. The committee believes that an expeditionary force capable of rapid, sustained employment that possesses the ability to conduct forcible entry is a necessary military asset. However, the committee is concerned that programmed funding is inadequate to execute the full spectrum of expeditionary warfare operations. This disparity was highlighted in a recent General Accounting Office report, which concluded that it will be another 10 to 20 years before the Navy and the Marine Corps have the capabilities needed to successfully execute littoral warfare operations against competent enemy forces. The committee also notes that testimony provided by Navy and Marine Corps officials acknowledged that the nation's sea service lacks a number of key warfighting capabilities and that these deficiencies place at risk expeditionary warfare operations.

Consequently, the committee directs the Secretary of the Navy to provide a report to the congressional defense committees by March 1, 2002, that examines the relationship between expeditionary warfare funding and mission requirements. At a minimum, the report shall contain the following information:

(1) Identification of those missions which are assigned to and can best be carried out by expeditionary warfare forces;

(2) Identification of major programs that directly support execution of expeditionary warfare and a comparison between required and actual funding for these programs over the past three fiscal years as well as a comparison between required and planned funding for them as identified in the future years defense program; and

(3) An explanation of the risks of underfunding these programs, including any impact on personnel morale, retention and effectiveness.

Family of construction equipment

The budget request contained $8.3 million for the remanufacture or product improvement of D–7G dozers, 621B scrapers, and 130G graders. The dozer/scraper/grader fleet is used throughout Marine Corps combat engineer and support units for airfield construction, as well as for combat clearing and debris excavation.

The committee notes that the service's rapidly deteriorating dozer, scraper and grader fleet is over 15 years old and that the Commandant of the Marine Corps has identified a fiscal year 2002 unfunded requirement to accelerate remanufacture of this equipment. The committee also notes that the remanufacturing/product improvement program will extend the life of this equipment for an additional 10 years.

Consistent with its actions in prior years, the committee recommends $25.3 million for the family of construction equipment, an increase of $17.0 million, to remanufacture/product improve D–7G dozers, scrapers, and graders.

Night vision equipment

The budget request contained $22.4 million to procure night vision equipment but included no funds to procure AN/PVS–17 night vision sights.

The AN/PVS–17 is a lightweight, rifle-mounted, generation III image intensification night vision sight that replaces obsolete, post-Vietnam era AN/PVS–4 sights. The committee notes that the Commandant of the Marine Corps has identified a $16.5 million fiscal year 2002 unfunded requirement to procure 3,682 AN/PVS–17 night vision sights, which would complete this system's acquisition objective. The committee recognizes the increased benefits of generation III technology, and, therefore, recommends $36.9 million for night vision equipment, an increase of $14.5 million, for AN/PVS–17 night vision sights.

AIRCRAFT PROCUREMENT, AIR FORCE

Overview

The budget request contained $10,744.5 million for Aircraft Procurement, Air Force in fiscal year 2002. The committee recommends authorization of $10,705.7 million for fiscal year 2002.

The committee recommends approval of the request except for those programs adjusted in the following table. Unless otherwise specified, adjustments are without prejudice and based on affordability considerations.

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
	AIRCRAFT PROCUREMENT, AIR FORCE						
	COMBAT AIRCRAFT						
	TACTICAL FORCES						
1	F-22 RAPTOR	13	3,053,409			13	3,053,409
1	F-22 RAPTOR	-	(395,256)			-	(395,256)
2	F-22 RAPTOR	-	-			-	-
2	F-22 RAPTOR	-	-			-	-
2	F-22 RAPTOR	-	379,159			-	379,159
3	F-15A	-	-			-	-
3	F-15A	-	-			-	-
4	F-15A	-	-			-	-
5	F-16A (MYP)	-	-			-	-
5	F-16A (MYP)	-	-			-	-
6	F-16A (MYP)	-	-			-	-
	TOTAL COMBAT AIRCRAFT		**3,037,312**		**-**		**3,037,312**
	AIRLIFT AIRCRAFT						
	TACTICAL AIRLIFT						
7	C-17A (MYP)	15	3,133,008		(36,000)	15	3,097,008
7	C-17A (MYP)	-	(257,233)			-	(257,233)
8	C-17A (MYP)	-	-			-	-
8	C-17A (MYP)	-	-			-	-
8	C-17A (MYP)	-	228,100		36,000	-	264,100

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
9	C-17 ICS	-	441,163			-	441,163
	OTHER AIRLIFT						
10	EC-130J	-	-			-	-
11	C-130J	2	221,809			2	221,809
	TOTAL AIRLIFT AIRCRAFT		**3,766,847**		**-**		**3,766,847**
	TRAINER AIRCRAFT						
	OPERATIONAL TRAINERS						
12	JPATS	48	228,409			48	228,409
	TOTAL TRAINER AIRCRAFT		**228,409**		**-**		**228,409**
	OTHER AIRCRAFT						
	HELICOPTERS						
13	V-22 OSPREY	-	117,822		(117,822)	-	-
13	V-22 OSPREY	-	(22,712)		22,712	-	-
14	V-22 OSPREY	-	-			-	-
14	V-22 OSPREY	-	-			-	-
14	V-22 OSPREY	-	14,991		(14,991)	-	-
	MISSION SUPPORT AIRCRAFT						
15	C-32B FEST/DEST AIRCRAFT	1	72,451			1	72,451
16	CIVIL AIR PATROL A/C	27	2,629			27	2,629
17	OPERATIONAL SUPPORT AIRCRAFT	-	-			-	-
	OTHER AIRCRAFT						

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
18	TARGET DRONES	-	35,484			-	35,484
19	C-40 ANG	-	-			-	-
20	EC-130H	-	19,000			-	19,000
21	E-8C	1	328,782			1	328,782
21	E-8C	-	(45,580)			-	(45,580)
22	E-8C	-	-			-	-
22	E-8C	-	-			-	-
22	E-8C	-	49,000			-	49,000
23	E-8C ICS	-	-			-	-
24	HAEUAV	2	107,610			2	107,610
24	HAEUAV	-	(22,183)			-	(22,183)
25	HAEUAV	-	-			-	-
25	HAEUAV	-	33,500			-	33,500
26	PREDATOR UAV	6	19,632		20,000	6	39,632
	Predator B				[+20,000]		[+20,000]
	TOTAL OTHER AIRCRAFT		**710,426**		**(90,101)**		**620,325**
	MODIFICATION OF INSERVICE AIRCRAFT						
	STRATEGIC AIRCRAFT						
27	B-2A	-	11,858		33,000	-	44,858
	SATCOM Upgrades				[+33,000]		[+33,000]
28	B-1B	-	95,493		(58,000)	-	37,493
	Transfer to O&M, ANG						
29	B-52	-	3,548			-	3,548

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
30	F-117						
	TACTICAL AIRCRAFT						
31	A-10	-	18,547			-	18,547
32	F-15	-	212,160		52,500	-	264,660
	F-15E Link 16				[+19,500]		[+19,500]
	Additional -220Engine Kits				[+25,000]		[+25,000]
	Additional ALQ-135 Band 1.5 Internal Countermeasures Systems				[+8,000]		[+8,000]
33	F-16	-	231,962		2,000	-	233,962
	ACES II Upgrade				[+2,000]		[+2,000]
34	T/AT-37	-	84			-	84
	AIRLIFT AIRCRAFT						
35	C-5	-	103,214			-	103,214
36	C-9	-	647			-	647
37	C-17A	-	139,278			-	139,278
38	C-21	-	2,675			-	2,675
39	C-22	-	-			-	-
40	C-32A	-	40,393			-	40,393
41	C-37A	-	379			-	379
42	C-141	-	825			-	825
	TRAINER AIRCRAFT						
43	T-1	-	-			-	-
44	T-3 (EFS) AIRCRAFT	-	-			-	-
45	T-38	-	144,726			-	144,726
46	T-41 AIRCRAFT	-	90			-	90
47	T-43	-	3,750			-	3,750

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
	OTHER AIRCRAFT						
48	KC-10A (ATCA)	-	31,249			-	31,249
49	C-12	-	412			-	412
50	C-18	-	830			-	830
51	C-20 MODS	-	635			-	635
52	VC-25A MOD	-	14,165			-	14,165
53	C-130	-	57,936			-	57,936
54	C-135	-	231,066		25,500	-	256,566
	KC-135E Re-engining				[+25,500]		[+25,500]
55	DARP	-	195,045		11,000	-	206,045
	Cobra Ball 3-Channel Tracker				[+11,000]		[+11,000]
56	E-3	-	92,520			-	92,520
57	E-4	-	45,539			-	45,539
58	E-8	-	82,996			-	82,996
59	H-1	-	288			-	288
60	H-60	-	26,519		4,500	-	31,019
	HH-60G FLIR				[+4,500]		[+4,500]
61	OTHER AIRCRAFT	-	50,954		4,800	-	55,754
	Fixed Aircrew Standardized Seat				[+4,800]		[+4,800]
62	PREDATOR MODS	-	10,384		6,000	-	16,384
	Structured R&M Program				[+6,000]		[+6,000]
	OTHER MODIFICATIONS						
63	CLASSIFIED PROJECTS	-	23,227			-	23,227
64	SPECIAL PROJECTS						

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
	TOTAL MODIFICATION OF INSERVICE AIRCRAFT		**1,873,394**		**81,300**		**1,954,694**
	AIRCRAFT SPARES AND REPAIR PARTS						
	AIRCRAFT SPARES + REPAIR PARTS						
65	SPARES/REPAIR PARTS	-	321,539		(26,390)	-	295,149
	CV-22 Spares				[-26,390]		[-26,390]
	TOTAL AIRCRAFT SPARES AND REPAIR PARTS		**321,539**		**(26,390)**		**295,149**
	AIRCRAFT SUPPORT EQUIPMENT AND FACILITIES						
	COMMON SUPPORT EQUIPMENT						
66	AIRCRAFT SUPPORT EQ. & FACILITIES	-	211,334		(5,400)	-	205,934
	POST PRODUCTION SUPPORT						
67	A-10	-	-			-	-
68	B-2A	-	12,647			-	12,647
69	B-2A	-	38,612			-	38,612
70	B-1B	-	6,400			-	6,400
71	C-130	-	1,372		2,800	-	4,172
	MC-130P/H Simulator Upgrades				[+2,800]		[+2,800]
72	E-4	-	-			-	-
73	F-15 POST PRODUCTION SUPPORT	-	7,409			-	7,409
74	F-16 POST PRODUCTION SUPPORT	-	14,542			-	14,542
	INDUSTRIAL PREPAREDNESS						
75	INDUSTRIAL PREPAREDNESS	-	25,711		(1,000)	-	24,711
	WAR CONSUMABLES						

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
76	WAR CONSUMABLES	-	44,369			-	44,369
	OTHER PRODUCTION CHARGES						
77	MISC PRODUCTION CHARGES	-	324,986			-	324,986
	COMMON ECM EQUIPMENT						
78	COMMON ECM EQUIPMENT	-	1,200			-	1,200
	DARP						
79	DARP	-	90,329			-	90,329
	TOTAL AIRCRAFT SUPPORT EQUIPMENT AND FACILITIES		**778,911**		**(3,600)**		**775,311**
999	CLASSIFIED PROGRAMS		27,640			-	27,640
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE		**10,744,478**		**(38,791)**		**10,705,687**

Items of Special Interest

B–2

The budget request contained $11.9 million for B–2 modifications, of which $11.3 million was included to upgrade one B–2 aircraft with satellite communications (SATCOM). The budget request also contained $155.0 million in PE 64240F but included no funds for the link 16, center instrument display and in-flight replanner (Link16/CID/IFR) upgrade, or for integration of the enhanced guided bomb unit (EGBU)–28 weapon. The B–2 is the Department of Defense's most advanced long-range strike aircraft, capable of global force projection in a highly defended target environment.

The B–2 SATCOM upgrade provides beyond-line-of-sight secure voice and data communications that will ensure global command and control of this aircraft, and the committee believes that the entire fleet of 21 B–2 aircraft should be upgraded with SATCOM. Accordingly, the committee recommends $44.9 million for B–2 modifications, an increase of $33.0 million, to upgrade all 21 B–2s with SATCOM.

The B–2 link 16 provides networked battlefield situational awareness for improved survivability and flexible targeting, while the center instrument display and in-flight replanner portions of this upgrade provide an improved tactical situation picture and a capability to adjust mission planning while enroute. The EGBU–28 weapon will replace the aging, B–2 unique GBU–37B with a common weapon to continue the B–2's capability to attack hard and deeply buried targets. The committee views the Link16/CID/IFR and EGBU–28 upgrades as critical to future B–2 effectiveness. Consequently, the committee recommends $245.0 million in PE 64240F, an increase of $90.0 million—$63.0 million to accelerate the Link 16/CID/IFR upgrade and $27.0 million to complete engineering and manufacturing development activities for the EGBU–28 upgrade.

Additionally, the committee notes that the Air Force's concept of a global strike task force includes F–22 and B–2 aircraft and believes that its implementation may require procurement of additional B–2s. Accordingly, the committee directs the Secretary of the Air Force to provide a report to the congressional defense committees with the submission of the fiscal year 2003 budget request that describes the number and type of aircraft required to implement this concept and the acquisition strategy to procure these aircraft.

C–130

The committee notes that the Air Force has developed a long-range plan called the "C–130 Roadmap," to assist in the planning, budgeting and beddown of the newest aircraft in the C–130 fleet. The C–130 aircraft has been the workhorse of the military's tactical airlift fleet supporting operations around the globe for over four decades. The committee strongly supports the beddown of C–130Js as depicted in the "C–130 Roadmap." The committee expects the Air Force to continue to work closely with Congress on its beddown plan for the C–130J fleet and on the proposed C–130J–30 multiyear procurement. The committee encourages the Air Force to

use similar roadmaps as the baseline to plan, budget, and beddown other aircraft in order to modernize and replace aging systems.

C–17

The budget request contained $2,875.8 million to procure 15 C–17 aircraft and $228.1 million for advance procurement of 12 aircraft in fiscal year 2003. The C–17 aircraft is currently procured under a seven-year multiyear procurement contract that ends in fiscal year 2003.

The committee notes that the recent Mobility Requirements Study–2005 concluded that the currently programmed airlift fleet is not adequate to meet requirements for the existing national military strategy. While the Department of Defense's on-going strategic review and upcoming Quadrennial Defense Review may change strategy or requirements for combat force structure, the committee believes that fiscal year 2003 procurement of C–17s will need to be maintained at current levels to replace the aging C–141 aircraft fleet scheduled for retirement. Accordingly, the committee recommends a transfer of $36.0 million from C–17 procurement to C–17 advance procurement in order to provide for the more efficient production rate of 15 C–17s in fiscal year 2003, rather than the 12 now planned.

Therefore, the committee recommends $2,839.8 million for the procurement of 15 C–17s, a decrease of $36.0 million, and $264.1 million, an increase of $36.0 million for the advance procurement for 15 C–17s in fiscal year 2003.

The committee has included a provision that would authorize the Secretary of Defense to proceed with a follow-on C–17 multiyear procurement contract if the Secretary certifies the necessity to do so prior to enactment of the National Defense Authorization Act for Fiscal Year 2002.

CV–22

The budget request contained $95.1 million for CV–22 engineering and support costs, $15.0 million for the advance procurement for three CV–22 tiltrotor aircraft in fiscal year 2003, and $26.4 million for CV–22 spares. The budget request also contained $28.2 million, In Procurement, Defense-Wide, to procure Special Operations Forces (SOF)-unique CV–22 long-lead items, peculiar training equipment, publications, and technical data. Additionally, the budget request contained $546.7 million in PE 64262N, of which $100.0 million was included to continue the development of two CV–22 aircraft for initial operational test and evaluation (IOT&E) activities.

The V–22 is a tilt-rotor vertical takeoff and landing aircraft that is being developed first for the Marine Corps as an MV–22 variant, followed by a CV–22 variant for the Air Force's SOF, and an HV–22 variant for the Navy. The committee notes that following two mishaps involving the MV–22 last year, the Marine Corps grounded its fleet pending a review of the program by a panel appointed by the Secretary of Defense. In April 2001, the panel recommended a near-term decrease in V–22 production along with increased design and re-engineering efforts to improve the aircraft's safety and reliability. These actions have delayed both the full-rate MV–22

production decision and the development activities of the CV–22 variant. The committee further notes that the report accompanying H.R 2216 (H. Rept. 107–148) included the rescission of a portion of the fiscal year 2001 funds for MV–22 and CV–22 production and for CV–22 test articles pending the correction of the MV–22 deficiencies.

Consequently, the committee believes that CV–22 procurement funds and CV–22 test article development funds are not required in fiscal year 2002 and recommends the following amounts: no funds for CV–22 procurement, a decrease of $95.1 million; no funds for CV–22 advance procurement, a decrease of $15.0 million; no funds for CV–22 spare parts, a decrease of $26.4 million; no funds in Procurement, Defense-Wide to procure SOF-unique CV–22 long-lead items, a decrease of $28.2 million; and $446.7 million for PE 64262N, a decrease of $100.0 million for development of two CV–22 aircraft for IOT&E activities.

Defense airborne reconnaissance program (DARP), line 55

The budget request contained $195.0 million for various RC–135, U–2 and C–130 aircraft modifications but included no funds to modify the RC–135S Cobra Ball to a dual-sided, three-channel optics and signal collection configuration.

The RC–135S Cobra Ball fleet consists of three aircraft configured for airborne measurement and signature intelligence (MASINT) and signals intelligence (SIGINT) collection missions to monitor and verify treaty agreements and to provide ballistic missile defense information to theater commanders. The committee notes that, of the RC–135S three-aircraft fleet, only one is configured with the dual-sided, three-channel optics and signal collection modification that allows it to collect MASINT and SIGINT on both sides of the aircraft with improved accuracy. The committee believes that one additional RC–135S Cobra Ball aircraft should be upgraded with this capability.

Consequently, the committee recommends $206.0 million for DARP, line 55, an increase of $11.0 million, to modify one RC–135S Cobra Ball aircraft to the dual-sided three-channel optics and signal collection configuration.

F–15 modifications

The budget request contained $212.2 million for F–15 modifications, of which $24.4 million was included to convert the F100 engine to the F100–220E configuration and $39.9 million was included for the ALQ–135 Band 1.5 countermeasures system modification. However, the budget request included no funds for F–15E fighter data link (FDL)-16 modification.

Conversion kits for the F–15's F100 engine, also known as "E-kits," provide increased thrust, greater reliability, better fuel efficiency, and reduced operations and maintenance costs. For fiscal year 2001, the committee recommended a $70.0 million increase to accelerate this modification and notes that $36.0 million was appropriated for this purpose.

The committee continues to support this upgrade and, therefore, recommends an increase of $25.0 million to accelerate the conversion of the F–15 fleet's engines to the F100–220E configuration.

The ALQ–135 Band 1.5 countermeasures system modification provides a self-protection jamming capability against modern surface-to-air enemy missiles and is integrated with the F–15's existing internal countermeasure set and its ALR–56C radar warning receiver to provide full threat coverage. The committee believes that improved self-protection capability such as the ALQ–135 Band 1.5 countermeasures system modification addresses deficiencies identified subsequent to Operation Allied Force in 1999, as well as those in current combat operations.

Accordingly, the committee recommends an increase of $8.0 million for the ALQ–135 Band 1.5 countermeasures system modification. While the committee notes that the budget estimates for fiscal years 2003 to 2007 do not reflect the Department's strategic review results, the committee strongly urges the Air Force to establish a consistent funding approach for the ALQ–135 Band 1.5 countermeasures system that will complete production and installation of this modification on all F–15E aircraft by fiscal year 2005.

The F–15E FDL–16 modification provides the F–15E with a tactical data link radio which significantly improves operational effectiveness by providing real-time, jam-resistant digital data and voice transfer capability. The committee understands that this continuous automated exchange of data between aircraft provides our pilots with a significant increase in situational awareness and improves survivability by four times. The committee notes that the final increment of F–15E FDL–16 funding is currently planned for fiscal year 2004 but believes that such timing will result in an F–15E FDL–16 production break with a concomitant increase in costs to restart production and higher unit costs at the later date.

Consequently, the committee recommends an increase of $19.5 million to accelerate the final increment of F–15E FDL–16 procurement. In total, the committee recommends $264.7 million for F–15 modifications, an increase of $52.5 million.

F–16 modifications

The budget request contained $232.0 million for various F–16 modifications but included no funds for advanced concept ejection seat (ACES) co-operative improvement program (CIP).

The committee understands that, as a result of pilot demographic changes, 17 percent of the pilot population is outside the weight threshold for existing ejection seats, and that the ACES CIP will address this safety concern by improving seat stability and limb restraint to accommodate a wider range of pilot sizes.

Consequently, the committee recommends $234.0 million for F–16 modifications, an increase of $2.0 million, to begin the incorporation of ACES CIP safety improvements and expects the Department of the Air Force to budget for this upgrade in its future years defense program.

Fixed aircrew standardized seats

The budget request contained $51.0 million for other modifications but included no funds for fixed aircrew standardized seats (FASS).

FASS would provide crewmembers and passengers on C–130, C–135, C–141, C–5, E–3, KC–10, C–17, and E–8 aircraft protection

against aircraft crash loads up to 16 times the force of gravity. In prior years, the committee has supported the development of the FASS and continues to believe that its implementation will not only increase safety, but also reduce supply and maintenance costs through the commonality and interchangeability of its parts.

Accordingly, the committee recommends $55.8 million for other modifications, an increase of $4.8 million, to begin procurement of FASS.

MC–130 simulation training upgrades

The budget request contained $1.4 million for C–130 post-production support but included no funds for an MC–130P weapon system trainer (WST) software upgrade or for an MC–130H simulator visual scene and sensor display.

The committee notes that the MC–130P simulator software is three versions behind the software installed on MC–130P aircraft and fails to properly interface with critical navigation and defensive avionics systems. The committee understands that this training limitation results in the development of poor MC–130P student aircrew habits that negatively affect mission accomplishment. Consequently, the committee recommends an increase of $1.5 million for an MC–130P WST software upgrade to correct this deficiency.

The committee also understands that the current MC–130H simulator uses a visual display system that limits the aircrew's cockpit field of view, resulting in poor night vision training. Accordingly, the committee recommends an increase of $1.3 million to upgrade the MC–130H simulator's visual scene and sensor display to improve aircrew night vision training. In total, the committee recommends $4.2 million for C–130 post-production support, an increase of $2.8 million.

Predator unmanned aerial vehicle (UAV)

The budget request contained $19.6 million for procurement of six Predator UAV systems but included no funds for the Predator B, a larger, faster variant with increased payload capacity. Each Predator UAV system consists of four air vehicles, one ground control station, a communications suite, and associated ground support equipment. The budget request also contained $10.4 million for Predator modifications but included no funds for a structured reliability and maintainability program.

The Predator UAV system provides long-dwell, real-time intelligence information to Joint Task Force Commanders. The committee notes that following the accomplishments of the Predator UAV system in its reconnaissance role, the system has also successfully demonstrated its capability to be weaponized to deliver Hellfire missiles. As missions for the Predator UAV system expand, the committee believes that improved speed and payload capacity are necessary.

Accordingly, the committee recommends $39.6 million for Predator procurement, an increase of $20.0 million, for the acquisition of the follow-on Predator B variant.

However, the committee notes that the Predator UAV system is accumulating significant flying hours and believes that the long-term sustainment of current reliability and maintainability levels

is imperative. Consequently, the committee recommends $16.4 million for Predator modifications, an increase of $6.0 million, to facilitate the implementation of a structured reliability and maintainability program.

AMMUNITION PROCUREMENT, AIR FORCE

Overview

The budget request contained $865.3 million for Ammunition Procurement, Air Force in fiscal year 2002. The committee recommends authorization of $871.3 million for fiscal year 2002.

The committee recommends approval of the request except for those programs adjusted in the following table. Unless otherwise specified, adjustments are without prejudice and based on affordability considerations.

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
	PROCUREMENT OF AMMUNITION, AIR FORCE						
	PROCUREMENT OF AMMO, AIR FORCE						
	ROCKETS						
1	ROCKETS	-	29,580			-	29,580
	CARTRIDGES						
2	CARTRIDGES	-	122,907			-	122,907
	BOMBS						
3	PRACTICE BOMBS	-	50,230		3,000	-	53,230
	BDU-56 Cast Ductile Iron				[+3,000]		[+3,000]
4	GENERAL PURPOSE BOMBS	-	110,522		3,000	-	113,522
	MK-84 Cast Ductile Iron				[+3,000]		[+3,000]
5	CAWCF CLOSURE COSTS	-	7,946			-	7,946
6	SENSOR FUZED WEAPON	300	109,521			300	109,521
7	JOINT DIRECT ATTACK MUNITION	8,383	187,257			8,383	187,257
8	WIND CORRECTED MUNITIONS DISP	6,838	111,853			6,838	111,853
	FLARE, IR MJU-7B						
9	CAD/PAD	-	18,170			-	18,170
10	EXPLOSIVE ORDINANCE DISPOSAL	-	1,421			-	1,421
11	INITIAL SPARES	-	2,727			-	2,727
12	MODIFICATIONS <5M	-	211			-	211
13	ITEMS LESS THAN $5,000,000	-	1,633			-	1,633
	FUZES						
14	FLARES	-	108,965			-	108,965
15	JOINT PROGRAMMABLE FUSE(JPF)	-	-			-	-

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
	TOTAL PROCUREMENT OF AMMO, AIR FORCE		**862,943**		**6,000**		**868,943**
	WEAPONS						
	SMALL ARMS						
16	SMALL ARMS	-	2,401			-	2,401
	TOTAL WEAPONS		**2,401**		**-**		**2,401**
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE		**865,344**		**6,000**		**871,344**

MISSILE PROCUREMENT, AIR FORCE

Overview

The budget request contained $3,233.5 million for Missile Procurement, Air Force in fiscal year 2002. The committee recommends authorization of $3,226.3 million for fiscal year 2002.

The committee recommends approval of the request except for those programs adjusted in the following table. Unless otherwise specified, adjustments are without prejudice and based on affordability considerations.

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
	MISSILE PROCUREMENT, AIR FORCE						
	BALLISTIC MISSILES						
	MISSILE REPLACEMENT EQUIPMENT - BALLISTIC						
1	MISSILE REPLACEMENT EQ-BALLIS	-	25,124			-	25,124
	TOTAL BALLISTIC MISSILES		**25,124**		-		**25,124**
	OTHER MISSILES						
	STRATEGIC						
2	ADVANCED CRUISE MISSILE	-	-			-	-
	TACTICAL						
3	JASSM	76	45,010		(1,300)	76	43,710
4	JOINT STANDOFF WEAPON	104	54,641			104	54,641
5	SIDEWINDER (AIM-9X)	138	38,923			138	38,923
6	AGM-130 POWERED GBU-15	-	-			-	-
7	AMRAAM	190	104,701			190	104,701
	INDUSTRIAL FACILITIES						
8	INDUSTRIAL FACILITIES	-	3,040		(1,000)	-	2,040
	MISSILE REPLACEMENT EQUIPMENT - OTHER						
9	MISSILE REPLACEMENT EQ-OTHER	-	-			-	-
	TOTAL OTHER MISSILES		**246,315**		**(2,300)**		**244,015**
	MODIFICATION OF INSERVICE MISSILES						

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
	CLASS IV						
10	ADVANCED CRUISE MISSILE	-	784			-	784
11	SIDEWINDER (AIM-9X)	-	-			-	-
12	MM III MODIFICATIONS	-	552,678			-	552,678
13	AGM-65D MAVERICK	-	966			-	966
14	AIR LAUNCH CRUISE MISSILE	-	-			-	-
15	PEACEKEEPER (M-X)	-	5,146			-	5,146
16	MODIFICATIONS UNDER $5.0M	-	-			-	-
	TOTAL MODIFICATION OF INSERVICE MISSILES		**559,574**		**-**		**559,574**
	SPARES AND REPAIR PARTS						
	MISSILE SPARES + REPAIR PARTS						
17	SPARES AND REPAIR PARTS	-	61,844		(4,900)	-	56,944
	TOTAL SPARES AND REPAIR PARTS		**61,844**		**(4,900)**		**56,944**
	OTHER SUPPORT						
	SPACE PROGRAMS						
18	WIDEBAND GAPFILLER SATELLITES	2	399,209			2	399,209
18	WIDEBAND GAPFILLER SATELLITES	-	(21,700)			-	(21,700)
19	WIDEBAND GAPFILLER SATELLITES	-	-			-	-
19	WIDEBAND GAPFILLER SATELLITES	-	-			-	-
19	WIDEBAND GAPFILLER SATELLITES	-	13,447			-	13,447

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
20	SPACEBORNE EQUIP (COMSEC)	-	9,332			-	9,332
21	GLOBAL POSITIONING (SPACE)	-	195,459			-	195,459
21	GLOBAL POSITIONING (SPACE)	-	(17,740)			-	(17,740)
22	GLOBAL POSITIONING (SPACE)	-	-			-	-
22	GLOBAL POSITIONING (SPACE)	-	23,760			-	23,760
23	NUDET DETECTION SYSTEM	-	-			-	-
24	DEF METEOROLOGICAL SAT PROG(S	-	47,580			-	47,580
25	DEFENSE SUPPORT PROGRAM(SPACE	-	112,456			-	112,456
26	DEFENSE SATELLITE COMM SYSTEM	-	27,004			-	27,004
27	TITAN SPACE BOOSTERS(SPACE)	-	385,298			-	385,298
28	EVOLVED EXPENDABLE LAUNCH VEH	1	98,007			1	98,007
29	MEDIUM LAUNCH VEHICLE(SPACE)	-	42,355			-	42,355
30	SBIR HIGH (SPACE)	-	93,752			-	93,752
	SPECIAL PROGRAMS						
31	CANCELLED ACCOUNT	-	-			-	-
32	SPECIAL PROGRAMS	-	803,946			-	803,946
33	SPECIAL UPDATE PROGRAMS	-	128,514			-	128,514
	TOTAL OTHER SUPPORT		**2,340,679**		**-**		**2,340,679**
	TOTAL MISSILE PROCUREMENT, AIR FORCE		**3,233,536**		**(7,200)**		**3,226,336**

OTHER PROCUREMENT, AIR FORCE

Overview

The budget request contained $8,159.5 million for Other Procurement, Air Force in fiscal year 2002. The committee recommends authorization of $8,250.8 million for fiscal year 2002.

The committee recommends approval of the request except for those programs adjusted in the following table. Unless otherwise specified, adjustments are without prejudice and based on affordability considerations.

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
	OTHER PROCUREMENT, AIR FORCE						
	VEHICULAR EQUIPMENT						
	PASSENGER CARRYING VEHICLES						
1	SEDAN, 4 DR 4X2	54	686			54	686
2	STATION WAGON, 4X2	8	124			8	124
3	BUSES	72	4,307			72	4,307
4	AMBULANCES	3	252			3	252
5	LAW ENFORCEMENT VEHICLE	79	1,531			79	1,531
6	ARMORED VEHICLE	3	684			3	684
	CARGO + UTILITY VEHICLES						
7	TRUCK, CARGO-UTILITY, 3/4T, 4	-	5,733			-	5,733
8	TRUCK MULTI-STOP 1 TON 4X2	-	10,367			-	10,367
9	FAMILY MEDIUM TACTICAL VEHICL	-	-			-	-
10	HIGH MOBILITY VEHICLE (MYP)	-	6,390			-	6,390
11	CAP VEHICLES	-	785			-	785
12	ITEMS LESS THAN $5,000,000	-	34,320			-	34,320
	SPECIAL PURPOSE VEHICLES						
13	HMMWV, ARMORED	-	1,000			-	1,000
14	TRACTOR, TOW, FLIGHTLINE	-	6,035			-	6,035
15	TRUCK HYDRANT FUEL	-	5,895			-	5,895
16	ITEMS LESS THAN $5,000,000	-	19,818			-	19,818
	FIRE FIGHTING EQUIPMENT						
17	TRUCK CRASH P-19	-	-			-	-
18	ITEMS LESS THAN $5,000,000	-	5,029			-	5,029

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
	MATERIALS HANDLING EQUIPMENT						
19	TRUCK, F/L 10,000 LB	-	6,914			-	6,914
20	60K A/C LOADER	44	90,763			44	90,763
21	NEXT GENERATION SMALL LOADER(	101	53,461			101	53,461
22	ITEMS LESS THAN $5,000,000	-	4,106			-	4,106
	BASE MAINTENANCE SUPPORT						
23	TRUCK, DUMP	-	2,839			-	2,839
24	RUNWAY SNOW REMOV AND CLEANIN	-	12,484			-	12,484
25	MODIFICATIONS	-	3,360			-	3,360
26	ITEMS LESS THAN $5,000,000	-	11,943			-	11,943
	CANCELLED ACCOUNT ADJUSTM						
27	CANCELLED ACCOUNT ADJUSTMENTS	-	-			-	-
	TOTAL VEHICULAR EQUIPMENT		**288,826**		**-**		**288,826**
	ELECTRONICS AND TELECOMMUNICATIONS EQUIP						
	COMM SECURITY EQUIPMENT(COMSEC)						
28	COMSEC EQUIPMENT	-	35,188			-	35,188
29	MODIFICATIONS (COMSEC)	-	468			-	468
	INTELLIGENCE PROGRAMS						
30	INTELLIGENCE DATA HANDLING SY	-	-			-	-
31	INTELLIGENCE TRAINING EQUIPME	-	1,237			-	1,237
32	INTELLIGENCE COMM EQUIP	-	1,955		8,800	-	10,755
	Senior Scout, ANG				[+8,800]		[+8,800]
	ELECTRONICS PROGRAMS						

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
33	AIR TRAFFIC CTRL/LAND SYS (AT	-	4,698		500	-	5,198
	Tower Comm Upgrades, ANG				[+500]		[+500]
34	NATIONAL AIRSPACE SYSTEM	-	71,930			-	71,930
35	THEATER AIR CONTROL SYS IMPRO	-	15,057		15,000	-	30,057
36	WEATHER OBSERV/FORCAST	-	33,766			-	33,766
37	STRATEGIC COMMAND AND CONTROL	-	21,066			-	21,066
38	CHEYENNE MOUNTAIN COMPLEX	-	30,642			-	30,642
39	TAC SIGINT SUPPORT	-	976			-	976
40	DRUG INTERDICTION PROGRAM	-	-			-	-
	SPECIAL COMM-ELECTRONICS PROJECTS						
41	GENERAL INFORMATION TECHNOLOGY	-	56,817		10,000	-	66,817
	Spare Parts Production and Reprocurement System (SPARES)				[+10,000]		[+10,000]
42	AF GLOBAL COMMAND & CONTROL S	-	15,151			-	15,151
43	MOBILITY COMMAND AND CONTROL	-	8,879			-	8,879
44	AIR FORCE PHYSICAL SECURITY S	-	62,313			-	62,313
45	COMBAT TRAINING RANGES	-	67,585		30,000	-	97,585
	Unmanned Threat Emitter Modernization				[+30,000]		[+30,000]
46	MINIMUM ESSENTIAL EMERGENCY C	-	2,078			-	2,078
47	C3 COUNTERMEASURES	-	9,623		10,000	-	19,623
	Secure Terminal Equipment				[+10,000]		[+10,000]
48	JOINT SURVEILLANCE SYSTEM	-	-			-	-
49	BASE LEVEL DATA AUTO PROGRAM	-	12,895			-	12,895
50	THEATER BATTLE MGT C2 SYS	-	47,291			-	47,291
	AIR FORCE COMMUNICATIONS						
51	INFORMATION TRANSMISSION SYST	-	-			-	-

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
52	BASE INFORMATION INFRASTRUCTU	-	154,097			-	154,097
53	USCENTCOM	-	10,867			-	10,867
54	DEFENSE MESSAGE SYSTEM (DMS)	-	13,336			-	13,336
	DISA PROGRAMS						
55	SPACE BASED IR SENSOR PROG SP	-	54,347			-	54,347
56	NAVSTAR GPS SPACE	-	4,003			-	4,003
57	DEFENSE METEOROLOGICAL SAT PR	-	-			-	-
58	NUDET DETECTION SYS (NDS) SPA	-	8,470			-	8,470
59	AF SATELLITE CONTROL NETWORK	-	29,678			-	29,678
60	SPACELIFT RANGE SYSTEM SPACE	-	132,764			-	132,764
61	MILSATCOM SPACE	-	21,367			-	21,367
62	SPACE MODS SPACE	-	31,915			-	31,915
	ORGANIZATION AND BASE						
63	TACTICAL C-E EQUIPMENT	-	95,096			-	95,096
64	COMBAT SURVIVOR EVADER LOCATE	-	2,222			-	2,222
65	RADIO EQUIPMENT	-	13,926			-	13,926
66	TV EQUIPMENT (AFRTV)	-	2,640			-	2,640
67	CCTV/AUDIOVISUAL EQUIPMENT	-	3,275			-	3,275
68	BASE COMM INFRASTRUCTURE	-	76,903			-	76,903
69	SPARES AND REP PARTS	-	16			-	16
70	CAP COM & ELECT	-	-			-	-
71	ITEMS LESS THAN $5,000,000	-	6,094			-	6,094
	MODIFICATIONS						
72	COMM ELECT MODS	-	66,386			-	66,386

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
	TOTAL ELECTRONICS AND TELECOMMUNICATIONS EQUIPMENT		**1,227,017**		**74,300**		**1,301,317**
	OTHER BASE MAINTENANCE AND SUPPORT EQUIP						
	TEST EQUIPMENT						
73	BASE/ALC CALIBRATION PACKAGE	-	11,974			-	11,974
74	PRIMARY STANDARDS LABORATORY	-	1,073			-	1,073
75	ITEMS LESS THAN $5,000,000	-	17,493			-	17,493
	PERSONAL SAFETY AND RESCUE EQUIP						
76	NIGHT VISION GOGGLES	-	3,330			-	3,330
77	ITEMS LESS THAN $5,000,000	-	7,680		4,000	-	11,680
	Clear Laser Eye Protection for Infra-Red (CLEPIR)				[+4,000]		[+4,000]
	DEPOT PLANT + MATERIALS HANDLING EQ						
78	MECHANIZED MATERIAL HANDLING	-	14,361		8,000	-	22,361
	Supply Asset Tracking System				[+8,000]		[+8,000]
79	ITEMS LESS THAN $5,000,000	-	9,437			-	9,437
	ELECTRICAL EQUIPMENT						
80	FLOODLIGHTS	-	6,946			-	6,946
81	ITEMS LESS THAN $5,000,000	-	6,061			-	6,061
	BASE SUPPORT EQUIPMENT						
82	BASE PROCURED EQUIPMENT	-	11,957		5,000	-	16,957
	Combined Arms Training System, ANG				[+5,000]		[+5,000]
83	MEDICAL/DENTAL EQUIPMENT	-	15,525			-	15,525
84	ENVIRONMENTAL PROJECTS	-	938			-	938
85	AIR BASE OPERABILITY	-	6,000			-	6,000
86	PHOTOGRAPHIC EQUIPMENT	-	5,805			-	5,805

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
87	PRODUCTIVITY ENHANCING CAPITA	-	7,981			-	7,981
88	MOBILITY EQUIPMENT	-	27,581			-	27,581
89	AIR CONDITIONERS	-	7,058			-	7,058
90	ITEMS LESS THAN $5,000,000	-	25,876			-	25,876
	SPECIAL SUPPORT PROJECTS						
91	INTELLIGENCE PRODUCTION ACTIV	-	64,110			-	64,110
92	TECH SURV COUNTERMEASURES EQ	-	4,236			-	4,236
93	DARP RC135	-	14,247			-	14,247
94	DARP, MRIGS	-	89,478			-	89,478
95	SELECTED ACTIVITIES	-	6,070,259			-	6,070,259
96	SPECIAL UPDATE PROGRAM	-	161,157			-	161,157
97	DEFENSE SPACE RECONNAISSANCE	-	6,829			-	6,829
98	INDUSTRIAL PREPAREDNESS	-	1,134			-	1,134
99	MODIFICATIONS	-	209			-	209
100	FIRST DESTINATION TRANSPORTAT	-	11,822			-	11,822
	TOTAL OTHER BASE MAINTENANCE AND SUPPORT EQUIP		**6,610,557**		**17,000**		**6,627,557**
	SPARE AND REPAIR PARTS						
	SPARES AND REPAIR PARTS						
101	SPARES AND REPAIR PARTS	-	33,121			-	33,121
	TOTAL SPARE AND REPAIR PARTS		**33,121**		**-**		**33,121**
	TOTAL OTHER PROCUREMENT, AIR FORCE		**8,159,521**		**91,300**		**8,250,821**

Items of Special Interest

Air national guard air traffic control tower radio upgrade

The budget request contained $4.7 million for air traffic control and landing systems but included no funds to upgrade the air traffic control tower radio systems at McEntire Air National Guard Base (ANGB).

The committee notes that current plans for this new air traffic control tower anticipate the continued use of outdated radio systems and believes that flight safety will be significantly enhanced with the installation of modern digital radios.

Consequently, the committee recommends $5.2 million for air traffic control and landing systems, an increase of $500 thousand, to upgrade the air traffic control tower radio system at McEntire ANGB.

Combat arms training system (CATS)

The budget request contained $12.0 million for base procured equipment but included no funds for CATS. CATS is a computer-based simulation system that provides marksmanship training for security force personnel as well as training to deal with less-than-lethal judgmental scenarios.

The committee notes that the Air Force has also recognized the value of CATS and has authorized Air Force reserve component category "C" personnel to qualify on this trainer instead of conducting live-fire training, which saves substantial live training ammunition costs. The committee also notes the need for additional CATS for Air National Guard (ANG) security force units to meet the demanding training requirement for both their wartime and peacetime missions. These units must be capable of performing both combat and police missions, which requires that they be fully trained to respond to situations of varying levels of threat, including anti-terrorism training, to protect the 72 ANG sites located throughout the United States. Since the Air Force increasingly relies on ANG security forces for overseas deployments and for anti-terrorism missions, the committee views the training proficiency provided by CATS to be imperative.

Therefore, the committee recommends $17.0 million for base procured equipment, an increase of $5.0 million, for the CATS.

Laser eye protection

The budget request contained $7.7 million for items less than $5.0 million, of which $2.8 million was included for clear laser eye protection for infrared (CLEPIR) spectacles.

CLEPIR spectacles reflect infrared laser energy wavelengths away from the eye while allowing the transmission of other light wavelengths such that CLEPIR spectacles can be used day or night and in conjunction with night vision goggles. The committee understands that the Air Force requires additional CLEPIR spectacles for use in Europe and Southwest Asia and notes that increased CLEPIR spectacle production in fiscal year 2002 would provide for a more economic production rate.

Accordingly, the committee recommends $11.7 million for items less than $5.0 million, an increase of $4.0 million, for CLEPIR spectacles.

Senior scout

The budget request contained $2.0 million for intelligence communications equipment but included no funds to upgrade Senior Scout equipment. Senior Scout is an intelligence, surveillance, and reconnaissance suite of equipment, configured in a shelter capable of installation on C–130E or C–130H aircraft, that provides communications and electronic signals intelligence collection.

The committee notes that Senior Scout mission data management processors currently use 16–year old technology and are not compatible with modern data storage or retrieval systems. Consequently, the committee recommends an increase of $820 thousand to update the Senior Scout data management processor.

The committee also notes that joint tactical information dissemination system (JTIDS) capability is not fully implemented in the Senior Scout suite and recommends an increase of $3.6 million to procure and install JTIDS connectivity equipment.

The committee understands that of the three existing Senior Scout shelters, one is an older configuration and requires updating to avoid the future operating costs of maintaining two different configurations. Accordingly, the committee recommends an increase of $2.8 million to modernize the third Senior Scout shelter.

Finally, the committee has learned that the Senior Scout ground data reduction (GDR) system, used to refine emitter location data, contains legacy computer equipment that is no longer commercially supportable. Therefore, the committee recommends an increase of $1.6 million to modernize the GDR system.

In total, the committee recommends $10.8 million for intelligence communications equipment, an increase of $8.8 million, to upgrade Senior Scout equipment.

Supply asset tracking system (SATS)

The budget request contained $14.4 million for mechanized material handling equipment but included no funds for SATS.

SATS provides total asset visibility and reduces documentation at the base level by incorporating radio frequency terminals and smart cards that electronically confirm each transaction and eliminate documentation in the delivery process.

The committee notes that Congress has provided additional funds for SATS installation over the past two years and, consistent with these actions, recommends $22.4 million for mechanized material handling equipment, an increase of $8.0 million, to continue the installation of this system at Air Force bases worldwide.

Theater air control system improvement (TACSI)

The budget request contained $15.1 million for TACSI, but included no funds to initiate a technology insertion and sustainment program for the Air National Guard's (ANG) AN/TYQ–23 modular control equipment (MCE) operations modules.

The AN/TYQ–23 MCE operations module is used to manage air operations in a deployed location. The committee notes that the

Marine Corps also uses the AN/TYQ–23 MCE and has embarked on a technology insertion program to replace their operations modules with new software and hardware that improves performance and is more sustainable. The committee understands that this technology insertion and sustainment upgrade program will ensure that the AN/TYQ–23 MCE operations modules are viable to perform contingency operational deployment missions for at least 10 additional years.

Consequently, the committee recommends $30.1 million for TACSI, an increase of $15.0 million, to initiate a technology insertion and sustainment program for the ANG's AN/TYQ–23 MCE operations modules.

PROCUREMENT, DEFENSE-WIDE

Overview

The budget request contained $1,604.0 million for Procurement, Defense-Wide in fiscal year 2002. The committee recommends authorization of $2,267.3 million for fiscal year 2002.

The committee recommends approval of the request except for those programs adjusted in the following table. Unless otherwise specified, adjustments are without prejudice and based on affordability considerations.

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
	PROCUREMENT, DEFENSE-WIDE						
	MAJOR EQUIPMENT						
	MAJOR EQUIPMENT, OSD/WHS						
1	MOTOR VEHICLES, WHS	-	-			-	-
2	MAJOR EQUIPMENT, OSD	-	87,189		(10,000)	-	77,189
	Mentor-Protégé				[-10,000]		[-10,000]
3	MAJOR EQUIPMENT, WHS	-	18,836			-	18,836
	MAJOR EQUIPMENT, NSA					-	-
4	DEFENSE CRYPTOLOGIC PROGRAM					-	-
5	CONSOLIDATED CRYPTOLOGIC PROGRAM					-	-
6	INFORMATION SYSTEMS SECURITY PROGRAM					-	-
7	DEFENSE AIRBORNE RECONNAISSANCE PRGM					-	-
8	DEFENSE COUNTERDRUG INTELLIGENCE PROGRAM	-	-			-	-
	MAJOR EQUIPMENT, DISA						
9	MOBILE SATELLITE SYSTEM TECH	-	-			-	-
10	INFORMATION SYSTEMS SECURITY	-	43,211			-	43,211
11	CONTINUITY OF OPERATIONS	-	3,288			-	3,288
12	DEFENSE MESSAGE SYSTEM	-	19,062			-	19,062
13	GLOBAL COMMAND AND CONTROL SYS	-	3,550			-	3,550
14	GLOBAL COMBAT SUPPORT SYSTEM	-	1,843			-	1,843
15	STANDARD TACTICAL ENTRY POINT	-	-			-	-
16	TELEPORTS	-	97,351			-	97,351
17	ITEMS LESS THAN $5M	-	29,580			-	29,580
18	DRUG INTERDICTION SUPPORT	-	-			-	-

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
	MAJOR EQUIPMENT, DIA					-	-
19	INTELLIGENCE AND COMMUNICATIONS					-	-
20	UNDISTRIBUTED NFIP ADJUSTMENTS					-	-
21	HEADQUARTERS MANAGEMENT DIA					-	-
	MAJOR EQUIPMENT, DLA						
22	MAJOR EQUIPMENT	-	12,805			-	12,805
	MAJOR EQUIPMENT, DCAA						
23	MAJOR EQUIPMENT ITEMS LESS THAN $5.0M	-	1,500			-	1,500
	MAJOR EQUIPMENT, TJS						
24	MAJOR EQUIPMENT, TJS	-	35,380			-	35,380
	BALLISTIC MISSILE DEFENSE ORGANIZATION						
25	PATRIOT PAC-3	-	-	72	676,574	72	676,574
	Transfer from MPA			[+72]	[+676,574]	[+72]	[+676,574]
26	NATIONAL MISSILE DEFENSE	-	-			-	-
27	C4I	-	-			-	-
28	NAVY AREA TBDM PROGRAM	-	-		6,983	-	6,983
	Transfer from WPN				[+6,983]		[+6,983]
	MAJOR EQUIPMENT, DHRA						
29	PERSONNEL ADMINISTRATION	-	7,352			-	7,352
	NATIONAL IMAGERY AND MAPPING AGENCY						
30	MAJOR EQUIPMENT, NIMA					-	-
	DEFENSE THREAT REDUCTION AGENCY						
31	VEHICLES	-	145			-	145
32	OTHER MAJOR EQUIPMENT	-	24,480			-	24,480
	DEFENSE SECURITY COOPERATION AGENCY						

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
33	OTHER MAJOR EQUIPMENT	-	200			-	200
	MAJOR EQUIPMENT, AFIS						
34	MAJOR EQUIPMENT, AFIS	-	5,369			-	5,369
	MAJOR EQUIPMENT, DODDE						
35	AUTOMATION/EDUCATIONAL SUPPORT AND LOGISTICS	-	1,576			-	1,576
	MAJOR EQUIPMENT, DCMA						
36	MAJOR EQUIPMENT	-	31,413			-	31,413
	TOTAL MAJOR EQUIPMENT		**424,130**		**673,557**		**1,097,687**
	SPECIAL OPERATIONS COMMAND						
	AVIATION PROGRAMS						
37	SOF ROTARY WING UPGRADES	-	79,084			-	79,084
38	SOF TRAINING SYSTEMS	-	-			-	-
39	MC-130H COMBAT TALON II	-	10,427			-	10,427
40	CV-22 SOF MODIFICATION	-	28,202		(28,202)	-	-
41	AC-130U GUNSHIP ACQUISITION	-	8,705			-	8,705
42	C-130 MODIFICATIONS	-	8,176			-	8,176
43	AIRCRAFT SUPPORT	-	1,763			-	1,763
	SHIPBUILDING						
44	ADVANCED SEAL DELIVERY SYS	-	52,411			-	52,411
44	ADVANCED SEAL DELIVERY SYS	-	(18,972)			-	(18,972)
45	ADVANCED SEAL DELIVERY SYS	-	-			-	-
45	ADVANCED SEAL DELIVERY SYS	-	-			-	-
45	ADVANCED SEAL DELIVERY SYS	-	13,697			-	13,697

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
46	MK VIII MOD 1 - SEAL DELIVERY VEH	-	504			-	504
47	SUBMARINE CONVERSION	-	-			-	-
	AMMUNITION PROGRAMS						
48	SOF ORDNANCE REPLENISHMENT	-	31,415			-	31,415
49	CONVENTIONAL AMMO WORKING CAPITAL FUND	-	1,509			-	1,509
50	SOF ORDNANCE ACQUISITION	-	5,635			-	5,635
	OTHER PROCUREMENT PROGRAMS						
51	COMM EQUIPMENT & ELECTRONICS	-	41,404			-	41,404
52	SOF INTELLIGENCE SYSTEMS	-	8,133		5,000	-	13,133
	Portable Intelligence Collection and Relay Capability				[+5,000]		[+5,000]
53	SOF SMALL ARMS & WEAPONS	-	6,936			-	6,936
54	MARITIME EQUIPMENT MODS	-	1,660			-	1,660
55	SOF COMBATANT CRAFT SYSTEMS	-	6,042			-	6,042
56	SPARES AND REPAIR PARTS	-	5,036			-	5,036
57	SOF MARITIME EQUIPMENT	-	2,975			-	2,975
58	DRUG INTERDICTION	-	-			-	-
59	MISCELLANEOUS EQUIPMENT	-	8,111			-	8,111
60	SOF PLANNING AND REHEARSAL SYSTEM	-	1,448			-	1,448
61	SOF OPERATIONAL ENHANCEMENTS	-	102,571			-	102,571
62	PSYOP EQUIPMENT	-	2,780			-	2,780
	TOTAL SPECIAL OPERATIONS COMMAND		**409,652**		**(23,202)**		**386,450**
	CHEMICAL/BIOLOGICAL DEFENSE						
	CBDP						

TITLE I - PROCUREMENT

(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
63	INDIVIDUAL PROTECTION	-	114,327			-	114,327
64	DECONTAMINATION	-	15,196			-	15,196
65	JOINT BIOLOGICAL DEFENSE PROGRAM	-	155,916			-	155,916
66	COLLECTIVE PROTECTION	-	38,940		13,000	-	51,940
67	CONTAMINATION AVOIDANCE	-	24,330			-	24,330
	TOTAL CHEMICAL/BIOLOGICAL DEFENSE		**348,709**		**13,000**		**361,709**
999	CLASSIFIED PROGRAMS		421,500			-	421,500
	TOTAL PROCUREMENT, DEFENSE-WIDE		**1,603,991**		**663,355**		**2,267,346**

Items of Special Interest

Chemical/biological defense procurement program

The budget request also contained a total of $348.7 million for chemical/biological defense (CBD) procurement, including $114.3 million for procurement of individual protection equipment, $15.2 million for decontamination, $155.9 million for the joint biological defense program, $38.9 million for collective protection, and $24.3 million for contamination avoidance.

Anthrax vaccination immunization program

The committee is concerned with the lack of progress in the completion of the contractor submitting a Biologic License Application Supplement for production of Anthrax Vaccine Adsorbed (AVA). Accordingly, if by February 1, 2002, the Secretary of Defense determines that the contractor has failed to submit to the U.S. Food and Drug Administration (FDA) a completed Biologic License Application Supplement for production of AVA, then the committee directs that the Secretary review all contracts for the production, fill and packaging of the AVA and report to the congressional defense committees the results of this review no later than April 1, 2002. If based on that review, or at the conclusion of FDA's review of the Biologic License Application Supplement, discrepancies are found that cannot be resolved in a fiscally prudent manner then the Secretary should not request funds to continue the current production contract in future budget submissions, but should take action to procure a suitable vaccine from an alternative source.

Chemical/biological defense collective protection shelters

The committee recommends $51.9 million for procurement of collective protection equipment, an increase of $13.0 million, for procurement of CBD collective protection shelters.

Portable intelligence collection and relay capability (PICRC)

The budget request contained $8.1 million for special operations forces (SOF) intelligence systems but included no funds for the PICRC.

The PICRC integrates commercial-off-the-shelf, full-dimensional mapping and display software; desktop computers; hand-held computing devices; and wireless communications to provide SOF operators with high-resolution imagery for precision navigation, annotation of real-time visual observations, and relaying information to command elements.

The committee understands that this system would significantly enhance SOF capabilities to accurately collect, quickly report, and promptly act upon real-time intelligence data. Therefore, the committee recommends $13.1 million for SOF intelligence systems, an increase of $5.0 million, for procurement of PICRC systems.

Chemical Agents and Munitions Destruction, Defense

Overview

As described elsewhere in this report, the committee recommends transferring the budget request of $1,153.6 million for Chemical

Agents and Munitions Destruction, Army (CAMD, A) to Chemical Agents and Munitions Destruction, Defense (CAMD, D), and recommends a total of $1,078.6 million for Chemical Agents and Munitions Destruction, Defense, including $192.9 million for research, development, test, and evaluation, $157.2 million for procurement, and $728.5 for operations and maintenance. Unless otherwise specified, adjustments are without prejudice and based on affordability consideration.

TITLE I - PROCUREMENT
(Dollars in Thousands)

	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST		COMMITTEE CHANGE FROM REQUEST		FY 2002 COMMITTEE RECOMMENDATION	
		QUANTITY	COST	QUANTITY	COST	QUANTITY	COST
	CHEM AGENTS & MUNITIONS DESTRUCTION, DEFENSE						
	CHEM AGENTS & MUNITIONS DESTRUCT-RDT&E						
	RESEARCH AND DEVELOPMENT						
1	CHEM DEMILITARIZATION - RDTE	-	-		192,879	-	192,879
	PROCUREMENT						
2	CHEM DEMILITARIZATION - PROC	-	-		157,158	-	157,158
	OPERATION AND MAINTENANCE						
3	CHEM DEMILITARIZATION - O&M	-	-		728,520	-	728,520
	TOTAL CHEM AGENTS & MUNITIONS DESTRUCTION, DEFENSE		**-**		**1,078,557**		**1,078,557**
1	MISCELLANEOUS EQUIPMENT	-	-			-	-
2	MISCELLANEOUS EQUIPMENT	-	-			-	-
3	MISCELLANEOUS EQUIPMENT	-	-			-	-
4	MISCELLANEOUS EQUIPMENT	-	-			-	-
5	MISCELLANEOUS EQUIPMENT	-	-			-	-
6	MISCELLANEOUS EQUIPMENT	-	-			-	-
1	DOMESTIC RADIATION HARDENED ELECTRONICS	-	50,000			-	50,000

Items of Special Interest

Chemical agents and munitions destruction

The committee notes that chemical demilitarization facilities for 95 percent of the stockpile at eight stockpile storage sites in the continental United States are either in operation, under construction, or have had permits granted. To date, 22 percent of the total U.S. stockpile has been destroyed in operational demilitarization facilities at Johnston Atoll and Tooele, Utah. Stockpile demilitarization operations at the former facility have been completed and shutdown of that facility begun. Construction of the Anniston, Alabama, facility was completed in June 2001 and systematization operations have begun at that location, while construction of the Umatilla, Oregon, facility is 98 percent complete and the Pine Bluff, Arkansas, facility is 53 percent complete. Only facilities at the Pueblo Chemical Depot, Colorado, and Lexington-Blue Grass Army Depot, Kentucky, which are being addressed by the Assembled Chemical Weapons Assessment (ACWA), are not yet covered. Current law requires the Secretary of Defense to provide recommendations on alternative disposal technologies for these two facilities by the end of the calendar year. The ACWA program evaluation of potential alternative technologies for assembled weapons has been completed and a Defense Acquisition Board review of the program is underway that is expected to provide the basis for Secretary of Defense decision in December 2001, and report to Congress on the demilitarization technologies that will be used at Pueblo and Blue Grass. The review will also assess the overall management and funding of the program and the ability of the program to complete destruction of the stockpile by April 29, 2007, as required by the Chemical Weapons Convention.

Review of program for destruction of lethal chemical agents and munitions

Section 141(a) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65) required the Secretary of Defense to conduct an assessment of the current program for destruction of the United States stockpile of chemical agents and munitions, including the Assembled Chemical Weapons Assessment, for the purposes of significantly reducing the cost of the program and ensuring its completion in accordance with the obligations of the United States under the Chemical Weapons Convention while maintaining maximum protection of the general public, the personnel involved in the program, and the environment. The provision required the Secretary of Defense to report the results of the assessment to Congress by March 1, 2000, including those actions taken, or planned to be taken by the Secretary and any recommendations for additional legislation required to achieve the purposes of the assessment and of the chemical agents and munitions destruction program.

The committee notes that the Secretary of Defense has initiated a Defense Acquisition Board review of the chemical agents and munitions destruction program to assess the results of the Assembled Chemical Weapons Assessment, to make recommendations for the possible use of alternative technologies for destruction of the stock-

pile, and to review the overall management and conduct of the program. As a part of this review, the committee directs the Secretary of Defense to update the assessment required by Public Law 106–65 and to report the results of that updated assessment to the congressional defense committees by March 1, 2002.

LEGISLATIVE PROVISIONS

SUBTITLE A—AUTHORIZATION OF APPROPRIATIONS

Sections 101–107—Authorization of Appropriations

These sections would authorize the recommended fiscal year 2002 funding levels for all procurement accounts.

SUBTITLE B—ARMY PROGRAMS

Section 111—Extension of Multiyear Contract for Family of Medium Tactical Vehicles

This section would amend Section 112 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85) to authorize the Secretary of the Army to extend the existing multiyear procurement contract for one year to continue procuring "A1" variants of the Family of Medium Tactical Vehicles if the Secretary determines that it is necessary to do so in order to prevent a break in production.

Section 112—Repeal of Limitation on Number of Bunker Defeat Munitions that May Be Acquired

This section would repeal Section 116 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337).

SUBTITLE C—AIR FORCE PROGRAMS

Section 121—Responsibility of Air Force for Contracts for All Defense Space Launches

This section would require the Secretary of the Air Force to prepare, negotiate, execute, and manage all Department of Defense contracts for space launch vehicles and space launch services and to report to the congressional defense and intelligence committees on the implementation of this requirement.

Section 122—Multiyear Procurement of C–17 Aircraft

This section would, beginning in fiscal year 2002, authorize the Secretary of Defense to enter into a follow-on multi-year contract or extend the current multi-year contract in order to procure up to 60 additional C–17 aircraft if the Secretary certifies to the congressional defense committees prior to the enactment of the National Defense Authorization Act for Fiscal Year 2002 that it is in the interest of the Department of Defense to proceed with either of these two options.

SUBTITLE D—CHEMICAL MUNITIONS DESTRUCTION

Section 141—Destruction of Existing Stockpile of Lethal Chemical Agents and Munitions

This section would amend section 152 of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104–106; 50 U.S.C. note) to add to the requirements that must be satisfied before the Secretary of Defense may initiate destruction of the chemical munitions stockpile stored at a chemical stockpile destruction site the requirement that emergency preparedness and response capabilities have been established at the site and in the surrounding communities. The section would require the Under Secretary of Defense (Acquisition, Technology, and Logistics) to convene an independent oversight board to make a recommendation to the Under Secretary, no later than six months after the board is convened, whether the destruction of the chemical munitions stockpile should be initiated at a particular chemical stockpile destruction site. Finally, the section would require that the Under Secretary, after considering a negative recommendation of the board, may not recommend beginning destruction of the chemical munitions stockpile at a site until 90 days after the Under Secretary notifies the Congress of his intent to recommend initiation of live agents and munitions destruction operations.

The committee notes that the live chemical agents and munitions destruction operations are scheduled to begin at Anniston Chemical Activity, Alabama, in the third quarter of fiscal year 2002 and encourages the Under Secretary to convene the oversight board for the Anniston site immediately upon enactment of this act. For the other sites for which live agent and munitions destruction operations are scheduled to begin upon completion of construction and systematization operations at the site, the committee recommends that the Under Secretary convene the oversight board no later than nine months prior to the date scheduled for beginning live agents and munitions destruction operations. The committee also recommends the Under Secretary to establish as a goal for the panel appointed for each site the completion of the panel's review of the readiness to begin live agents and munitions destruction operations at the site no later that 120 days prior to the scheduled initiation of such operations.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

OVERVIEW

The budget request contained $47,429.4 million for research, development, test, and evaluation (RDT&E), representing an increase to the amount of $41,008.6 million provided for fiscal year 2001. The committee recommends $47,735.2 million, an increase of $230.5 million to the budget request. The committee also recommends $65.3 million, the requested amount, for Defense Health Program RDT&E funding.

The committee notes that the fiscal year 2002 request for RDT&E funding represents the first significant increase in the past decade, and the first time in six years that the requested amount for RDT&E was greater than the amount provided by Congress in the previous year.

The committee strongly supports this much needed increase and notes that the Department of Defense and the military services have all initiated major efforts to transform military warfighting capabilities to better prepare for future threats and challenges. While supportive of these transformation efforts, the committee remains concerned that the largest portion of the total RDT&E request is contained in the fielded system development category, the area primarily dedicated to upgrades of existing systems. The committee reviewed these program increases and recommended a number of funding transfers specified in the report from mature systems development accounts to science & technology programs which are more representative of transformation.

The committee believes that the amount requested for RDT&E for fiscal year 2002 represents an appropriate level of funding to support initial transformation efforts, but this level of funding is insufficient to support both transformation of the services and continued modernization of legacy capabilities. The committee urges the Secretary of Defense to outline clearly the priorities for RDT&E investment strategies in consonance with the results of the Quadrennial Defense Review results and in coordination with Congress.

TITLE II - RESEARCH DEVELOPMENT, TEST & EVALUATION

(Dollars in Thousands)

ACCOUNT TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
TOTAL, RESEARCH DEVELOPMENT TEST & EVALUATION, ARMY	**6,693,920**	**55,105**	**6,749,025**
RESEARCH AND DEVELOPMENT	4,354,774	101,003	4,455,777
ENGINEERING AND MANUFACTURING DEVELOPMENT	2,339,146	(45,898)	2,293,248
TOTAL, RESEARCH DEVELOPMENT TEST & EVALUATION, NAVY	**11,123,389**	**(260,115)**	**10,863,274**
RESEARCH AND DEVELOPMENT	7,006,175	160,981	7,167,156
ENGINEERING AND MANUFACTURING DEVELOPMENT	4,117,214	(421,096)	3,696,118
TOTAL, RESEARCH DEVELOPMENT TEST & EVALUATION, AIR FORCE	**14,343,982**	**111,671**	**14,455,653**
RESEARCH AND DEVELOPMENT	10,937,781	18,871	10,956,652
ENGINEERING AND MANUFACTURING DEVELOPMENT	3,406,201	92,800	3,499,001
TOTAL, RESEARCH DEVELOPMENT TEST & EVALUATION, DEFENSEWID	**15,050,787**	**323,836**	**15,374,623**
RESEARCH AND DEVELOPMENT	14,669,413	323,836	14,993,249
ENGINEERING AND MANUFACTURING DEVELOPMENT	381,374	0	381,374
TOTAL, OPERATIONAL TEST & EVAL, DEFENSE	**217,355**	**0**	**217,355**
RESEARCH AND DEVELOPMENT	217,355	0	217,355
ENGINEERING AND MANUFACTURING DEVELOPMENT	0	0	0
TOTAL, DEFENSE HEALTH PROGRAM	**65,304**		**65,304**
RESEARCH AND DEVELOPMENT	0	0	0
ENGINEERING AND MANUFACTURING DEVELOPMENT	0	0	0
TOTAL, RESEARCH DEVELOPMENT TEST & EVALUATION	**47,494,737**	**230,497**	**47,725,234**
RESEARCH AND DEVELOPMENT	**37,185,498**	**604,691**	**37,790,189**
ENGINEERING AND MANUFACTURING DEVELOPMENT	**10,243,935**	**(374,194)**	**9,869,741**

ARMY RDT&E

Overview

The budget request contained $6,693.9 million for Army RDT&E. The committee recommends authorization of $6,749.0 million, an increase of $235.8 million and the transfer of $180.7 million for missile defense programs from Army RDT&E to Defense-wide RDT&E.

The committee recommendations for the fiscal year 2002 Army RDT&E program are identified in the table below. Major changes to the Army request are discussed following the table.

TITLE II - RESEARCH, DEVELOPMENT, TEST & EVALUATION

(Dollars in Thousands)

PROGRAM ELEMENT NUMBER	R-1 LINE	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
		RESEARCH, DEVELOPMENT, TEST & EVALUATION, ARMY			
		BASIC RESEARCH			
0601101A	1	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	14,815		14,815
0601102A	2	DEFENSE RESEARCH SCIENCES	138,281		138,281
0601104A	3	UNIVERSITY AND INDUSTRY RESEARCH CENTERS	69,147	10,000	79,147
		Collaboration in biotechnology research			(+10,000)
		TOTAL, BASIC RESEARCH	**222,243**	**10,000**	**232,243**
		RESEARCH AND DEVELOPMENT	222,243	10,000	232,243
		ENGINEERING AND MANUFACTURING DEVELOPMENT	0	0	0
		APPLIED RESEARCH			
0602104A	4	TRACTOR ROSE			
0602105A	5	MATERIALS TECHNOLOGY	13,794		13,794
0602120A	6	SENSORS AND ELECTRONIC SURVIVABILITY	25,797	5,000	30,797
		Passive millimeter-wave imaging			(+5,000)
0602122A	7	TRACTOR HIP	7,741		7,741
0602211A	8	AVIATION TECHNOLOGY	49,265		49,265
0602270A	9	EW TECHNOLOGY	17,449		17,449
0602303A	10	MISSILE TECHNOLOGY	40,112	25,000	65,112
		Low cost inertial guidance technology			(+20,000)
		Short-Range Missile Defense with Optimized Radar Distribution (SWORD)			(+5,000)
0602307A	11	ADVANCED WEAPONS TECHNOLOGY	19,043		19,043
0602308A	12	MODELING AND SIMULATION TECHNOLOGY	20,579		20,579
0602601A	13	COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY	82,441		82,441
0602618A	14	BALLISTICS TECHNOLOGY	61,502		61,502
0602622A	15	CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECHNOLOGY	3,561		3,561
0602623A	16	JOINT SERVICE SMALL ARMS PROGRAM	5,611		5,611
0602624A	17	WEAPONS AND MUNITIONS TECHNOLOGY	35,549		35,549
0602705A	18	ELECTRONICS AND ELECTRONIC DEVICES	27,819	9,000	36,819
		Advanced Display Technology			(+4,000)
		Advanced Fuel Cell Technology			(+5,000)

TITLE II - RESEARCH, DEVELOPMENT, TEST & EVALUATION

(Dollars in Thousands)

PROGRAM ELEMENT NUMBER	R-1 LINE	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
0602709A	19	NIGHT VISION TECHNOLOGY	20,598	2,000	22,598
		Combustion Driven Self-Powered Eye-Safe Laser			(+2,000)
0602712A	20	COUNTERMINE SYSTEMS	16,689		16,689
0602716A	21	HUMAN FACTORS ENGINEERING TECHNOLOGY	16,466	10,800	27,266
		MEDTEAMS			(+7,800)
		Soldier Centered Design Tools for the Army Transformation			(+3,000)
0602720A	22	ENVIRONMENTAL QUALITY TECHNOLOGY	16,150		16,150
0602782A	23	COMMAND, CONTROL, COMMUNICATIONS TECHNOLOGY	24,342		24,342
0602783A	24	COMPUTER AND SOFTWARE TECHNOLOGY	6,154		6,154
0602784A	25	MILITARY ENGINEERING TECHNOLOGY	42,850	3,000	45,850
		Brooks AFB Energy and Sustainability lab			(+3,000)
0602785A	26	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY	16,315		16,315
0602786A	27	WARFIGHTER TECHNOLOGY	27,061	3,000	30,061
		Combat ready food safety			(+3,000)
0602787A	28	MEDICAL TECHNOLOGY	82,494	9,000	91,494
		Hemoglobin Based Oxygen Carrier			(+7,000)
		Metabolically Engineered Tissues for Trauma Care			(+2,000)
0602789A	29	ARMY ARTIFICIAL INTELLIGENCE TECHNOLOGY			0
0602805A	30	DUAL USE SCIENCE AND TECHNOLOGY	10,045		10,045
		TOTAL, APPLIED RESEARCH	**689,427**	**66,800**	**756,227**
		RESEARCH AND DEVELOPMENT	689,427	66,800	756,227
		ENGINEERING AND MANUFACTURING DEVELOPMENT	0	0	0
		ADVANCED TECHNOLOGY DEVELOPMENT			
0603001A	31	WARFIGHTER ADVANCED TECHNOLOGY	60,332	26,093	86,425
		increase			(+2,500)
		Transfer from PE 0203761A			(+23,593)
0603002A	32	MEDICAL ADVANCED TECHNOLOGY	17,541	6,000	23,541
		Special operations medical diagnostic system			(+1,000)
		Volumetrically Controlled Manufacturing			(+5,000)
0603003A	33	AVIATION ADVANCED TECHNOLOGY	44,843	(9,000)	35,843
		decrease			(-9,000)
0603004A	34	WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY	29,684	22,000	51,684

TITLE II - RESEARCH, DEVELOPMENT, TEST & EVALUATION

(Dollars in Thousands)

PROGRAM ELEMENT NUMBER	R-1 LINE	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
		Large caliber training ammunition			(+5,000)
		Trajectory correctable munition			(+17,000)
0603005A	35	COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOGY	193,858	8,000	201,858
		Army Medium Brigade Composite Bridge			(+9,000)
		Conversion of Technical Manuals			(+2,000)
		National Automotive center standardized exchange of product data			(+7,000)
		decrease			(-10,000)
0603006A	36	COMMAND, CONTROL, COMMUNICATIONS ADVANCED TECHNOLOGY	31,865		31,865
0603007A	37	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY	3,120		3,120
0603009A	38	TRACTOR HIKE	10,415		10,415
0603017A	39	TRACTOR RED			0
0603020A	40	TRACTOR ROSE	9,293		9,293
0603105A	41	MILITARY HIV RESEARCH	5,937		5,937
0603122A	42	TRACTOR HIP			0
0603238A	43	GLOBAL SURVEILLANCE/AIR DEFENSE/PRECISION STRIKE TECHNOLOGY DEMONSTRATIO	32,267		32,267
0603270A	44	EW TECHNOLOGY	13,868		13,868
0603313A	45	MISSILE AND ROCKET ADVANCED TECHNOLOGY	59,518	8,500	68,018
		Army Composites Manufacturing and Maintenance Program			(+5,000)
		VCM Composites Technology			(+3,500)
0603322A	46	TRACTOR CAGE	3,312		3,312
0603606A	47	LANDMINE WARFARE AND BARRIER ADVANCED TECHNOLOGY	23,062		23,062
0603607A	48	JOINT SERVICE SMALL ARMS PROGRAM	5,828		5,828
0603654A	49	LINE-OF-SIGHT TECHNOLOGY DEMONSTRATION	57,384	13,072	70,456
		Transfer from Missile Procurement, Army			(+13,072)
0603710A	50	NIGHT VISION ADVANCED TECHNOLOGY	37,081	12,000	49,081
		Dual Use Vision Technology			(+3,000)
		Night Vision Fusion Technology			(+9,000)
0603728A	51	ENVIRONMENTAL QUALITY TECHNOLOGY DEMONSTRATIONS	4,826		4,826
0603734A	52	MILITARY ENGINEERING ADVANCED TECHNOLOGY	4,747		4,747
0603772A	53	ADVANCED TACTICAL COMPUTER SCIENCE AND SENSOR TECHNOLOGY	18,513		18,513

TITLE II - RESEARCH, DEVELOPMENT, TEST & EVALUATION

(Dollars in Thousands)

PROGRAM ELEMENT NUMBER	R-1 LINE	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
		TOTAL, ADVANCED TECHNOLOGY DEVELOPMENT	**667,294**	**86,665**	**753,959**
		RESEARCH AND DEVELOPMENT	667,294	86,665	753,959
		ENGINEERING AND MANUFACTURING DEVELOPMENT	0	0	0
		DEMONSTRATION AND VALIDATION			
0603308A	54	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION (DEM/VAL)	19,491	12,000	31,491
		Family of Systems Simulators (FOSSIM)			(+3,000)
		P3 Micro-Power devices for missile defense applications			(+3,000)
		Supercluster distributed memory technology demonstration			(+4,000)
		Thermionic Technology			(+3,000)
		decrease			(-1,000)
0603619A	55	LANDMINE WARFARE AND BARRIER - ADV DEV	21,651		21,651
0603639A	56	TANK AND MEDIUM CALIBER AMMUNITION	32,986	12,014	45,000
		XM 1007 Anti-Tank Round			(+15,000)
		decrease			(-2,986)
0603653A	57	ADVANCED TANK ARMAMENT SYSTEM (ATAS)	101,461		101,461
0603713A	58	ARMY DATA DISTRIBUTION SYSTEM			0
0603747A	59	SOLDIER SUPPORT AND SURVIVABILITY	17,482	(3,482)	14,000
		decrease			(-3,482)
0603766A	60	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM - ADV DEV	16,749		16,749
0603774A	61	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT	12,756	(2,756)	10,000
		decrease			(-2,756)
0603779A	62	ENVRONMENTAL QUALITY TECHNOLOGY DEM/VAL	7,536	6,500	14,036
		Asbestos Pilot Project			(+2,000)
		Porta Bella environmental technology			(+7,000)
		decrease			(-2,500)
0603782A	63	WARFIGHTER INFORMATION NETWORK-TACTICAL - DEM/VAL	15,075	(5,000)	10,075
		decrease			(-5,000)
0603790A	64	NATO RESEARCH AND DEVELOPMENT	8,633		8,633
0603801A	65	AVIATION - ADV DEV	9,105	10,000	19,105
		Survival radios			(+10,000)
0603802A	66	WEAPONS AND MUNITIONS - ADV DEV	31,670		31,670
0603804A	67	LOGISTICS AND ENGINEER EQUIPMENT - ADV DEV	7,456		7,456

TITLE II - RESEARCH, DEVELOPMENT, TEST & EVALUATION

(Dollars in Thousands)

PROGRAM ELEMENT NUMBER	R-1 LINE	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
0603805A	68	COMBAT SERVICE SUPPORT CONTROL SYSTEM EVALUATION AND ANALYSIS	8,696		8,696
0603807A	69	MEDICAL SYSTEMS - ADV DEV	15,506	3,000	18,506
		International Medical Program Global Satellite System			(+3,000)
0603850A	70	INTEGRATED BROADCAST SERVICE (JMIP/DISTP)	1,985		1,985
0603851A	71	TRACTOR CAGE (DEM/VAL)	3,718		3,718
0603854A	72	ARTILLERY SYSTEMS - DEM/VAL	447,949		447,949
0603856A	73	SCAMP BLOCK II DEM/VAL	9,895		9,895
0603869A	74	MEADS CONCEPTS - DEM/VAL	73,645	(73,645)	0
		transfer to PE 63881C			(-73,645)
		TOTAL, DEMONSTRATION AND VALIDATION	**863,445**	**(41,369)**	**822,076**
		RESEARCH AND DEVELOPMENT	863,445	(41,369)	822,076
		ENGINEERING AND MANUFACTURING DEVELOPMENT	0	0	0
		ENGINEERING AND MANUFACTURING DEVELOPMENT			
0604201A	75	AIRCRAFT AVIONICS	57,474		57,474
0604220A	76	ARMED, DEPLOYABLE OH-58D	2,345		2,345
0604223A	77	COMANCHE	787,866	28,500	816,366
		Transfer from Missile Procurement, Army			(+28,500)
0604270A	78	EW DEVELOPMENT	57,010	9,000	66,010
		Advanced Threat IR Countermeasures/Common Missile Warning System (ATIRCM/CMWS)			(+9,000)
0604280A	79	JOINT TACTICAL RADIO	80,449		80,449
0604321A	80	ALL SOURCE ANALYSIS SYSTEM	42,166	3,500	45,666
		All Source Analysis System - Light			(+3,500)
0604328A	81	TRACTOR CAGE	3,888		3,888
0604329A	82	COMMON MISSILE	16,731		16,731
0604601A	83	INFANTRY SUPPORT WEAPONS		5,000	5,000
		XM303			(+5,000)
0604604A	84	MEDIUM TACTICAL VEHICLES	1,962		1,962
0604609A	85	SMOKE, OBSCURANT AND TARGET DEFEATING SYS-ENG DEV	7,920		7,920
0604611A	86	JAVELIN	492	5,202	5,694
		Transfer from Missile Procurement, Army			(+5,202)
0604619A	87	LANDMINE WARFARE	18,938		18,938
0604622A	88	FAMILY OF HEAVY TACTICAL VEHICLES			0

TITLE II - RESEARCH, DEVELOPMENT, TEST & EVALUATION

(Dollars in Thousands)

PROGRAM ELEMENT NUMBER	R-1 LINE	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
0604633A	89	AIR TRAFFIC CONTROL	2,197		2,197
0604641A	90	TACTICAL UNMANNED GROUND VEHICLE (TUGV)			0
0604642A	91	LIGHT TACTICAL WHEELED VEHICLES	2,523		2,523
0604645A	92	ARMORED SYSTEMS MODERNIZATION (ASM)-ENG. DEV.			0
0604649A	93	ENGINEER MOBILITY EQUIPMENT DEVELOPMENT	9,279		9,279
0604710A	94	NIGHT VISION SYSTEMS - ENG DEV	24,201		24,201
0604713A	95	COMBAT FEEDING, CLOTHING, AND EQUIPMENT	91,002		91,002
0604715A	96	NON-SYSTEM TRAINING DEVICES - ENG DEV	26,319		26,319
0604716A	97	TERRAIN INFORMATION - ENG DEV	8,840		8,840
0604726A	98	INTEGRATED METEOROLOGICAL SUPPORT SYSTEM	1,911		1,911
0604738A	99	JSIMS CORE PROGRAM	30,985		30,985
0604739A	100	INTEGRATED BROADCAST SERVICE			0
0604741A	101	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE - ENG DEV	18,233		18,233
0604742A	102	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT	66,164		66,164
0604746A	103	AUTOMATIC TEST EQUIPMENT DEVELOPMENT	11,582		11,582
0604760A	104	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS) - ENGINEERING DEVELOPMENT	26,058		26,058
0604766A	105	TACTICAL SURVEILLANCE SYSTEMS - ENG DEV	68,205		68,205
0604768A	106	BRILLIANT ANTI-ARMOR SUBMUNITION (BAT)	123,899	9,000	132,899
		Transfer from Missile Procurement, Army			(+9,000)
0604770A	107	JOINT SURVEILLANCE/TARGET ATTACK RADAR SYSTEM	8,093		8,093
0604778A	108	POSITIONING SYSTEMS DEVELOPMENT (SPACE)			0
0604780A	109	COMBINED ARMS TACTICAL TRAINER (CATT) CORE	13,645		13,645
0604783A	110	JOINT NETWORK MANAGEMENT SYSTEM	26,130		26,130
0604801A	111	AVIATION - ENG DEV	2,263	2,500	4,763
		Cockpit Airbag System			(+2,500)
0604802A	112	WEAPONS AND MUNITIONS - ENG DEV	7,046	3,500	10,546
		M240D Testing & Certification			(+3,500)
0604804A	113	LOGISTICS AND ENGINEER EQUIPMENT - ENG DEV	30,673		30,673
0604805A	114	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS - ENG DEV	122,644	15,000	137,644
		Applied Communications Information Networking Program			(+15,000)
0604807A	115	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT - ENG DEV	8,228		8,228
0604808A	116	LANDMINE WARFARE/BARRIER - ENG DEV	89,153	(20,000)	69,153
0604814A	117	ARTILLERY MUNITIONS - EMD	67,258		67,258

TITLE II - RESEARCH, DEVELOPMENT, TEST & EVALUATION

(Dollars in Thousands)

PROGRAM ELEMENT NUMBER	R-1 LINE	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
0604817A	118	COMBAT IDENTIFICATION	3,014		3,014
0604818A	119	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE	50,887		50,887
0604819A	120	LOSAT	21,596		21,596
0604820A	121	RADAR DEVELOPMENT	5,162		5,162
0604823A	122	FIREFINDER	26,956		26,956
0604854A	123	ARTILLERY SYSTEMS - EMD	62,481		62,481
0604865A	124	PATRIOT PAC-3 THEATER MISSILE DEFENSE ACQUISITION - EMD	107,100	(107,100)	0
		transfer to PE 63881C			(-107,100)
0605013A	125	INFORMATION TECHNOLOGY DEVELOPMENT	98,178		98,178
		TOTAL, ENGINEERING AND MANUFACTURING DEVELOPMENT	**2,339,146**	**(45,898)**	**2,293,248**
		RESEARCH AND DEVELOPMENT	0	0	0
		ENGINEERING AND MANUFACTURING DEVELOPMENT	2,339,146	(45,898)	2,293,248
		RDT&E MANAGEMENT SUPPORT			
0604256A	126	THREAT SIMULATOR DEVELOPMENT	16,011		16,011
0604258A	127	TARGET SYSTEMS DEVELOPMENT	25,212		25,212
0604759A	128	MAJOR T&E INVESTMENT	49,897		49,897
0605103A	129	RAND ARROYO CENTER	19,972	(3,000)	16,972
		decrease			(-3,000)
0605301A	130	ARMY KWAJALEIN ATOLL	150,071		150,071
0605326A	131	CONCEPTS EXPERIMENTATION PROGRAM	33,067	(7,500)	25,567
		MANPRINT Analysis			(+2,500)
		decrease			(-10,000)
0605502A	132	SMALL BUSINESS INNOVATIVE RESEARCH			0
0605601A	133	ARMY TEST RANGES AND FACILITIES	114,411		114,411
0605602A	134	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS	34,259		34,259
0605604A	135	SURVIVABILITY/LETHALITY ANALYSIS	27,794	5,000	32,794
		Silent Sentry Surveillance Test			(+5,000)

TITLE II - RESEARCH, DEVELOPMENT, TEST & EVALUATION

(Dollars in Thousands)

PROGRAM ELEMENT NUMBER	R-1 LINE	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
0605605A	136	DOD HIGH ENERGY LASER TEST FACILITY	14,570	20,000	34,570
		High Energy Laser - Low Aspect Target Tracking (HEL-LATT)			(+10,000)
		Tactical High Energy Laser			(+10,000)
0605606A	137	AIRCRAFT CERTIFICATION	3,582		3,582
0605702A	138	METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES	6,890		6,890
0605706A	139	MATERIEL SYSTEMS ANALYSIS	8,884		8,884
0605709A	140	EXPLOITATION OF FOREIGN ITEMS	3,525		3,525
0605712A	141	SUPPORT OF OPERATIONAL TESTING	89,047	10,000	99,047
		Hybrid track technology			(+10,000)
0605716A	142	ARMY EVALUATION CENTER	31,365		31,365
0605801A	143	PROGRAMWIDE ACTIVITIES	69,096	(9,000)	60,096
		decrease			(-9,000)
0605803A	144	TECHNICAL INFORMATION ACTIVITIES	33,749	(5,000)	28,749
		decrease			(-5,000)
0605805A	145	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY	16,072		16,072
0605856A	146	ENVIRONMENTAL COMPLIANCE			0
0605857A	147	ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT	1,733		1,733
0605898A	148	MANAGEMENT HEADQUARTERS (RESEARCH AND DEVELOPMENT)	7,268		7,268
0909999A	149	FINANCING FOR CANCELLED ACCOUNT ADJUSTMENTS			0
		TOTAL, RDT&E MANAGEMENT SUPPORT	**756,475**	**10,500**	**766,975**
		RESEARCH AND DEVELOPMENT	756,475	10,500	766,975
		ENGINEERING AND MANUFACTURING DEVELOPMENT	0	0	0
		OPERATIONAL SYSTEMS DEVELOPMENT			
0603778A	150	MLRS PRODUCT IMPROVEMENT PROGRAM	111,389		111,389
0102419A	151	AEROSTAT JOINT PROJECT OFFICE	30,408	2,000	32,408
		Lightweight x-band radar antenna			(+2,000)
0203610A	152	DOMESTIC PREPAREDNESS AGAINST WEAPONS OF MASS DESTRUCTION			0
0203726A	153	ADV FIELD ARTILLERY TACTICAL DATA SYSTEM	36,969		36,969
0203735A	154	COMBAT VEHICLE IMPROVEMENT PROGRAMS	195,602	8,000	203,602
		decrease			(-12,000)
		Transfer from Missile Procurement, Army			(+20,000)
0203740A	155	MANEUVER CONTROL SYSTEM	40,231		40,231

TITLE II - RESEARCH, DEVELOPMENT, TEST & EVALUATION

(Dollars in Thousands)

PROGRAM ELEMENT NUMBER	R-1 LINE	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
0203744A	156	AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT PROGRAMS	143,631	(5,000)	138,631
		decrease			(-5,000)
0203752A	157	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	13,017	8,000	21,017
		Full authority digital engine control			(+8,000)
0203758A	158	DIGITIZATION	29,302	2,000	31,302
		Full Scale Testing for DISM			(+2,000)
0203759A	159	FORCE XXI BATTLE COMMAND, BRIGADE AND BELOW (FBCB2)	56,872		56,872
0203761A	160	RAPID ACQ PROGRAM FOR TRANSFORMATION	23,593	(23,593)	0
		transfer to PE 63001A			(-23,593)
0203801A	161	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM	8,539		8,539
0203802A	162	OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS	84,935	(6,000)	78,935
		decrease			(-6,000)
0203808A	163	TRACTOR CARD	6,551	5,000	11,551
		Transfer from Missile Procurement, Army			(+5,000)
0208010A	164	JOINT TACTICAL COMMUNICATIONS PROGRAM (TRI-TAC)	21,615		21,615
0208053A	165	JOINT TACTICAL GROUND SYSTEM	5,221		5,221
0301359A	166	SPECIAL ARMY PROGRAM	5,072		5,072
0303028A	167	SECURITY AND INTELLIGENCE ACTIVITIES	452		452
0303140A	168	INFORMATION SYSTEMS SECURITY PROGRAM	8,261		8,261
0303141A	169	GLOBAL COMBAT SUPPORT SYSTEM	94,177		94,177
0303142A	170	SATCOM GROUND ENVIRONMENT (SPACE)	47,647		47,647
0303150A	171	WWMCCS/GLOBAL COMMAND AND CONTROL SYSTEM	13,501		13,501
0305114A	172	TRAFFIC CONTROL, APPROACH AND LANDING SYSTEM-FY 1987 AND PRIOR	785		785
0305204A	173	TACTICAL UNMANNED AERIAL VEHICLES	38,210	(20,000)	18,210
		decrease			(-20,000)
0305206A	174	AIRBORNE RECONNAISSANCE SYSTEMS	6,862	8,000	14,862
		Hyperspectral Long-Wave Imager			(+8,000)
0305208A	175	DISTRIBUTED COMMON GROUND SYSTEMS (JMIP)	85,242		85,242
0708045A	176	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES	45,697	(10,000)	35,697
		decrease			(-10,000)
1001018A	177	NATO JOINT STARS	2,109		2,109
		TOTAL, OPERATIONAL SYSTEMS DEVELOPMENT	**1,155,890**	**(31,593)**	**1,124,297**
		RESEARCH AND DEVELOPMENT	1,155,890	(31,593)	1,124,297

TITLE II - RESEARCH, DEVELOPMENT, TEST & EVALUATION

(Dollars in Thousands)

PROGRAM ELEMENT NUMBER	R-1 LINE	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
		ENGINEERING AND MANUFACTURING DEVELOPMENT	0	0	0
		TOTAL, RESEARCH, DEVELOPMENT, TEST & EVALUATION, ARMY	**6,693,920**	**55,105**	6,749,025
		RESEARCH AND DEVELOPMENT	4,354,774	101,003	4,455,777
		ENGINEERING AND MANUFACTURING DEVELOPMENT	2,339,146	(45,898)	2,293,248

Items of Special Interest

Advanced display technology

The budget request contained $27.8 million in PE 62705A for applied research in electronics and electronic devices; $71.3 million in PE 62236N for warfighter sustainment applied research; and $69.1 million in PE 62202F for human effectiveness applied research, including $4.4 million for applied research in advanced visual displays. No funds were included for advanced high definition displays in the budget request for the Defense Advanced Research Project Agency (DARPA).

The committee notes that the responsibility for supporting the development of advanced high definition display technologies for military applications, which cannot be met by commercial industry, has transitioned from DARPA to the research and development programs of the military departments. The committee report on H. R. 4205 (H. Rept. 106–616) directed the Secretary of Defense to develop a strategy for meeting the Department's requirement for advanced high definition displays and to report the proposed strategy and budget requirements to the congressional defense committees with the submission of the fiscal year 2002 budget request. The Secretary's report indicated that the Department of Defense will make use of global industrial capability where it is available, relying on an highly competitive and rapidly evolving global market. Research and development investments within the Department will be focused on those needs where industry is not yet leading the way and a military advantage is foreseen. DARPA funding for large area, high definition displays ends in fiscal year 2001. Service-funded work in micro-displays for cockpits and immersive head-mounted systems continues through 2005. New initiatives in 25 megapixel and true three-dimensional displays will support transition of the technology for both commercial and military applications.

The committee recommends an increase of $4.0 million in PE 62705A, an increase of $4.0 million in PE 62236N, and an increase of $5.0 million in PE 62202F for applied research in advanced high definition displays for military applications.

All source analysis system

The budget request included $42.2 million in PE 64321A for the All Source Analysis System (ASAS), but included no funds to develop a multi-discipline capability for the Army's stability and support operations.

The committee strongly endorses the Army's objective force concept and supports the effort to transform the current force to a lighter, leaner, stealthier, more lethal, and more mobile one. Further, the committee supports the plan to transition to the objective force by initially fielding interim brigade combat teams. However, the committee is concerned with the Department's lack of commitment to concurrently develop an open-architecture data-exchange capability suitable for both the interim and objective forces at all echelons of command. The committee is aware of the stated plans to develop ASAS-Light as the baseline automated support system for intelligence and electronic warfare for the interim brigades and

the First Digitized Division. To maintain interoperability between ASAS-Light and other automated battle management systems, the committee encourages the Army to develop a multi-discipline capability for the Army's stability and support operations.

Therefore, the committee recommends $45.7 million in PE 64321A, an increase of $3.5 million, to develop this capability.

Applied communications and information networking program

The budget request contained no funds in PE 64805A for the Applied Communications and Information Networking (ACIN) program.

The committee understands that the ACIN program includes projects aimed at integrating commercial off-the-shelf components and adapting commercial technologies to fulfill military communications applications for 21st century warfare. Consistent with its prior years actions to promote increased partnering with commercial industry, the committee recommends an increase of $15.0 million in PE 64805A for ACIN.

Army missile defense systems integration

The budget request contained $19.5 million in PE 63308A for Army missile defense systems integration, but did not include funds for super-cluster memory technology, or P3 micro-power devices. The committee notes that designing defensive missile systems requires sophisticated, powerful simulations that accurately characterize missile flight. The committee is aware that super-cluster distributed memory technology holds promise as a low-cost means to run required simulations quickly.

The committee is also aware that missile defense systems require micro-power devices for autonomous and remote applications.

The committee recommends $31.5 million in PE 63308A, an increase of $4.0 million for the Army Space and Missile Defense Command supervised super-cluster distributed memory technology demonstration, $3.0 million for P3 micro power devices, $3.0 million for family of systems simulators, $3.0 million for thermionics technology, and a decrease of $1.0 million for management savings.

Aviation engineering development

The budget request contained $2.3 million in PE 64801A for aviation engineering development but included no funds for the development of the cockpit air bag system (CABS) for CH–47 Chinook aircraft.

The committee is highly supportive of technological advances that contribute to improved aircraft crashworthiness and aircrew safety, and, therefore, recommends $4.8 million in PE 64801A, an increase of $2.5 million, for the integration of the CABS into the CH–47 Chinook upgrade program.

Brooks Air Force Base energy and sustainability laboratory

The budget request contained $42.9 million in PE 62784A for military engineering technology, but included no funds for the Energy and Sustainability Laboratory (ESL) at Brooks Air Force Base.

The laboratory is a consortium of Air Force and university partners working to improve life-cycle effectiveness of real assets and the infrastructure on the base.

The committee recommends $45.9 million in PE 62784A, an increase of $3.0 million for Army Corps of Engineers' Construction Research Laboratory collaboration with the ESL.

Collaboration in biotechnology research

The budget request contained $69.1 million in PE 61104A for university and industry research, including federated laboratories.

The committee notes that the federated laboratories program is a very successful peer reviewed program. The committee is aware that biotechnology is increasingly important and offers many potential applications in support of the Army's transition to the objective force, such as casualty reduction, improved nutrition, protection from infectious diseases, and chemical/biological agents.

The committee supports effective collaboration between the government, industry and academia and recommends $79.1 million in PE 61104A, an increase of $10.0 million for biotechnology collaborative research.

Combat ready food safety

The budget request contained $27.1 million in PE 62786A for warfighter technology, and included $5.0 million for joint service combat feeding technology.

The committee notes that continued improvement in food processing is important to ensure the safety of ready-to-eat meals.

The committee recommends $30.1 million in PE 62786A, an increase of $3.0 million for research and development of improved meal ready-to-eat processing.

Combustion-driven eye safe laser

The budget request contained $20.6 million in PE 62709A for night vision, but included no funds for combustion-driven eye-safe laser.

The committee is aware that eye-safe lasers are important for military applications, and that the combustion-driven eye-safe laser has potential to meet requirements for several applications.

The committee recommends $22.6 million in PE 2709A, an increase of $2.0 million to complete development of the combustion-driven eye-safe laser.

Comanche

The budget request contained $787.9 million in PE 64223A for Comanche.

The committee notes that the Comanche armed reconnaissance helicopter is the only new Army aviation system under development. The committee further notes that Comanche will provide key capability for the objective force with its state-of-the-art stealthy platform, multiple sensors, and advanced weapons.

The committee continues to support Comanche and recommends the budget request and increases described elsewhere in this report.

Combat vehicle and automotive advanced technology

The budget request contained $193.9 million in PE 63005A for combat vehicle and automotive advanced technology, but included no funds for standardized exchange of product data, document conversion, or the medium brigade composite bridge.

The committee notes that standardized exchange of product data has the potential to increase efficiency and reduce costs of parts, and is aware that the National Automotive Center standardized exchange of product data (N–STEP) initiative is intended to fill this void. The committee is aware that many existing documents require conversion to 2–dimension/3–dimension computer aided design format.

The committee is aware of the need for a lightweight bridge for medium brigades.

The committee recommends $201.9 million in PE 63005A, an increase of $7.0 million for N–STEP, an increase of $9.0 million for Army medium brigade composite bridge, an increase of $2.0 million for conversion of technical manuals, and an undistributed decrease of $10.0 million.

Crusader

The budget request contained $447.9 million in PE 63854A for Crusader.

The committee is aware that the Army considers the Crusader self-propelled howitzer an essential war fighting capability as it transforms itself to a lighter, more lethal, and more logistically efficient force.

The committee notes that developmental firing testing has clearly demonstrated a significantly increased capability. The committee further notes that many attributes such as the high degree of automation, imbedded diagnostics, and improved mobility are clearly technology carriers for future autonomous and semi-autonomous vehicles. The committee is concerned that funds allocated to management appear to be excessive, and directs that $17.9 million of the funds allocated within the program for management be redirected within the Crusader program to develop technology, in particular, to reduce Crusader weight and production costs.

The committee strongly supports continued Crusader development and recommends the budget request.

Dismounted situational awareness system

The budget request contained $29.3 million for digitization in PE 23758A, but included no funds for the dismounted situational awareness system.

The committee is aware that situational awareness is critical for dismounted soldiers. The committee notes that the dismounted situational awareness system (DISM), the result of a very successful commercial-off-the-shelf technology-based small business innovative research effort, is being transitioned to the Army's force XXI battle command brigade and below (FBCB2) as a dismounted extension of the vehicle based system.

The committee recommends $31.3 million in PE 23758A, an increase of $2.0 million, for full scale testing of DISM.

Electronics and electronic devices

The budget request contained $27.8 million in PE 62705A for electronics and electronic devices.

The committee notes that hybrid power systems and other fuel cell applications have the potential to provide more cost effective portable power for future military systems.

The committee recommends an increase of $5.0 million in PE 62705A for hybrid battery-fuel cell and other fuel cell power sources.

Electronic warfare (EW) development

The budget request contained $57.0 million in PE 64270A for the development of EW equipment, of which $43.8 million was for continued development of the Advanced Threat Infrared Countermeasures/Common Missile Warning System (ATIRCM/CMWS).

The ATIRCM system integrates defensive infrared (IR) countermeasures into currently fielded aircraft for more effective protection against a greater number of IR-guided missiles than is provided by currently fielded technology. The CMWS provides warning of a threat IR-guided missile on a variety of tactical aircraft and helicopters.

The committee is aware of a critical requirement to upgrade Army test facilities in order to perform effective tests on integrated helicopter self-protection systems installed on the AH–64D Apache Longbow against multi-mode missile seekers.

Accordingly, the committee recommends $66.0 million for PE 64270A, an increase of $9.0 million, for this purpose.

Environmental quality technology

The budget request contained $7.5 million in PE 63779A for environmental quality technology, but included no funds for either an asbestos removal pilot project or the Porta Bella environmental cleanup technology demonstration.

The committee is aware that asbestos remediation remains a problem within the Department of Defense and notes the need for research to find better, more cost-effective means of remediation, including asbestos conversion.

The committee also notes that while the cleanup of ordnance and explosive wastes at the Porta Bella site is important to the Army and the local community, it has much broader potential benefits because the new technology developed under this pilot program can be used at similar sites elsewhere.

The committee recommends $14.0 million in PE 63779A, an increase of $2.0 million for asbestos conversion research and technology development, an increase of $7.0 million for completion of the Porta Bella environmental cleanup technology demonstration, and a general decrease of $2.5 million.

Full authority digital engine control

The budget request contained $13.0 million in PE 23752A for aircraft engine component improvement, including $11.0 million for improvements to the T700 engine family.

The committee notes that full authority digital engine control (FADEC) improves capability and reliability of aircraft engines.

The committee further notes that development of a dual-channel FADEC will improve engine reliability and aircraft safety.

The committee recommends $21.0 million in PE 23752A, an increase of $8.0 million for completion of FADEC development.

Funding transfers to support transformation

The committee is concerned that the largest area of growth in Army research and development investments has occurred in the category of fielded system development and other mature technologies. While these programs are important, the committee does not believe they support the highest priority efforts directly related to Army transformation. Therefore, the committee recommends the following decreases to Army accounts, to be transferred to other programs within the Army that support higher transformation priorities:

63003A	$9,000,000
63639A	2,986,000
63747A	3,482,000
63774A	2,756,000
63782A	5,000,000
65103A	3,000,000
65326A	10,000,000
65801A	9,000,000
65803A	5,000,000
23735A	12,000,000
23744A	5,000,000
23802A	6,000,000
78045A	10,000,000

High energy laser—low aspect target tracking

The budget request contained no funds for the high energy laser—low aspect target tracking HEL–LATT program.

The committee is aware of the Navy's interest in high energy laser weapons systems for ship self defense. This application is particularly challenging because the inbound target presents a low aspect view to the defender, and the weapons system must track the target in the presence of intense laser reflection. The program will use an existing megawatt class high energy laser and beam director at the Department of Defense high energy laser test facility, and full size targets to verify that a small cross section low altitude target can be simultaneously engaged and tracked.

The committee recommends a $10.0 million increase to PE 65605A and a $10.0 million increase to PE 63114N to support this new start.

Hybrid track technology

The budget request contained $89.0 million in PE 65712A for support of operational testing, but included no funds for testing hybrid track technologies.

The committee is aware that the MATTRACKS program is a commercial version of a technologically advanced independent rubber track system. The committee notes MATTRACKS is a simple bolt-in-place replacement for wheels for vehicles, including the HMMWV, that provides increased traction.

The committee recommends $99.0 million in PE 65712A, an increase of $10.0 million for continued testing and evaluation of hybrid track technology.

Hyperspectral long-wave imager for the tactical environment

The budget request included $6.9 million for Airborne Reconnaissance Operational Systems Development in PE 35206A, but included no funds for hyperspectral long wave imager.

The committee notes the potential benefits of imagery intelligence, measurement and signature intelligence applications, and supports further development of hyperspectral sensors for these uses. The committee is aware of the unique day/night, all-terrain capability offered by the hyperspectral long wave imagery, and supports additional development of enhanced target detection algorithms and improved target detection hardware. The committee further notes the potential tactical applications of long wave infrared and medium wave infrared hyperspectral technology as a means for augmenting U–2 and Global Hawk platforms.

Accordingly, the committee authorizes $14.9 million in PE 35206A, an increase of $8 million for hyper-spectral long wave imager.

Infantry support weapons

The budget request contained no funds in PE 64601A for the development of infantry support weapons.

The XM303 prototype is a lightweight, multi-shot, magazine-fed, semi-automatic delivery system that attaches under both M–16 series and M–4 carbine barrels and launches a variety of non-lethal blunt-force, dye-marking, malodorant, or illuminating projectiles.

The committee understands that this system was initially developed by the Marine Corps, the Department of Defense's executive agent for non-lethal weapons development, but that the Army is now interested in the system's capabilities. Accordingly, the committee recommends an increase of $5.0 million in PE 64601A for accelerated development of the XM303 for Army units and so that it may enter into low-rate initial production sooner.

International medical program global satellite system

The budget request contained $15.5 million in PE 63807A medical systems, and included $1.6 million for telemedicine.

The committee is aware that the International Medical Program Global Satellite System (IMPGSS) successfully demonstrated the medical education component of its program in the Republic of Georgia. The integration of commercially reliable telecommunication capabilities, particularly 'spot-casting', with the education component, however, has yet to be proven.

As a result, the committee recommends $18.5 million in PE 63807A, an increase of $3.0 million for IMPGSS integrated development and delivery concept in at least two countries and strongly recommends that IMPGSS continue to be managed by the Telemedicine and Advanced Technology Research Center at Fort Detrick, Maryland.

Landmine warfare/barrier engineering development

The budget request contained $89.2 million in PE 64808A for landmine warfare/barrier engineering development, of which $21.2 million was for non-self-destruct anti-personnel landmine alternatives (NSD–A).

The committee understands that the Army does not plan to obligate $37.2 million of fiscal year 2001 NSD-A funds prior to the beginning of fiscal year 2002. As a result, the committee believes that these funds can be used to meet fiscal year 2002 requirements.

Accordingly, the committee recommends $69.2 million in PE 64808A for fiscal year 2002, a decrease of $20.0 million.

Lightweight x-band radar antenna

The budget request contained $30.4 million in PE 12419A for the Aerostat Joint Project, but included no funds for micro-mechanical electronics systems (MEMS) based lightweight radar antenna.

The committee is aware that development of a lightweight, MEMS based, electronically steerable x-band radar antenna has the potential to improve performance while reducing weight and power requirements for the joint elevated netted sensor (JLENS).

The committee recommends $32.4 million in PE 12419A, an increase of $2.0 million for design of a lightweight, MEMS based, and electronically steerable antenna.

Medical advanced technology

The budget request contained $17.5 million in PE 63002A for medical advanced technology, but included no funds for special operations medical diagnostic system (SOMDS), or volumetrically controlled manufacturing (VCM).

The committee is aware that the clinical assessment and recording environment (CARE) is being adapted to support special operations forces. The committee notes that the first SOMDS, a beta version of CARE, has undergone successful testing.

The committee also notes that VCM offers the potential to eliminate the current mode of failure in composites, de-lamination, and polymer-fiber interface breakdown, and may also improve composite applications in aerospace and other manufacturing

The committee recommends $23.5 million in PE 63002A, an increase of $1.0 million for SOMDS, and an increase of $5.0 million for VCM. The committee further recommends an increase of $3.5 million in PE 63313A for aerospace applications of VCM.

Medical technology

The budget request contained $82.5 million in PE 62787A for medical technology, but included no funds for hemoglobin-based oxygen carrier.

The committee notes that the military has identified a need for an oxygen carrier capability that is both readily and easily employed in the treatment of combat casualties, and stable at room temperature. The committee is aware that a recent Department of Defense (DOD) Inspector General audit of the Armed Services Blood program indicated that the DOD blood program cannot currently meet its stated requirements, and noted specifically that a hemoglobin-based oxygen carrier would minimize or eliminate the

storage and transportation problems identified in the report. The committee is also aware that unlike human blood, a hemoglobin-based oxygen carrier has an extended life, making it more adaptive to a wide range of military deployment conditions. The committee believes that a hemoglobin-based oxygen carrier offers significant potential benefits for the military.

The committee is also aware that a need exists to develop technologies that would permit the long-term storage of cells and tissues needed to treat battlefield casualties.

The committee recommends $91.5 million in PE 62787A, an increase of $7.0 million for room temperature stable oxygen therapeutic drugs, in particular hemoglobin-based oxygenated carriers, and an increase of $2.0 million for metabolically engineered tissues for trauma care.

MedTeams

The budget request contained $16.5 million in PE 62716A for human factors engineering, but included no funds for the Emergency Team Coordination program (MedTeams).

The committee notes that the Army MedTeams research in emergency departments showed an 80 percent reduction in clinically significant errors. The committee recognizes that MedTeams research has significant life saving potential in a broader base of medical settings.

The committee recommends an increase of $7.8 million in PE 62716A for MedTeams.

Missile and rocket advanced technology

The budget request contained $59.5 million in PE 63313A for missile and rocket advanced technology, but included no funds for the Army composites manufacturing program.

The committee notes that many existing weapon systems are being extended beyond their planned life. The committee is aware of new manufacturing and materials technologies that are being developed that have potential use to cost-effectively extend existing systems lives.

The committee recommends an increase of $5.0 million in PE 63313A for composites manufacturing and maintenance technology.

Missile technology

The budget request contained $40.1 million in PE 62303A for missile technology, including funds for integrated guidance systems, but no funds for short-range missile defense with optimized radar distribution (SWORD).

The committee notes that the Army has initiated a competitive development program for highly integrated, jam-proof, microelectromechanical systems (MEMS) based inertial measurement unit-geo positioning systems (IMU–GPS) that is essential to achieving the goal of affordable precision weapons. The committee also notes that development of these technologies including deep integration have the potential to reduce the cost of precision weapons and other devices, thereby saving billions of dollars for the Department of Defense.

The committee is also aware that the Army over the last ten years has investigated interferometry to develop a highly accurate radar system. The committee notes that the current SWORD concept uses this technology to support the counter air munitions defense mission to protect against saturation attacks.

Therefore, the committee recommends $65.1 million in PE 62303A, an increase of $20.0 million for continued development of a fully integrated IMU–GPS, and an increase of $5.0 million for continued evaluation of SWORD.

Night vision advanced technology

The budget request contained $37.1 million in PE 63710A for night vision.

The committee notes that superiority in night vision is fundamental to successful warfighting. The committee is aware that recent advances in digital fusion of image intensification and infrared have been demonstrated to significantly improve night vision.

The committee is also aware that the Army prototype helmet mounted infrared sensor has direct applicability to Department of Defense and civilian firefighting personnel, and increases safety in smoke and other obscurants.

The committee recommends $49.1 million in PE 63710A, an increase of $9.0 million for continued development of digital night vision fusion technology, and an increase of $3.0 million for helmet mounted infrared sensor.

Passive millimeter-wave imaging

The budget request contained $25.8 million in PE 62120A for sensors and electronic survivability, but included no funds for passive millimeter-wave (PMW) imaging.

The committee is aware that PMW imaging has demonstrated the potential to improve airborne remote sensing capability in the dark and obscurant environments such as smoke and fog. The committee notes that terrain and obstacle avoidance benefits have also been demonstrated.

The committee recommends $30.8 million in PE 62120A, an increase of $5.0 million for continued development of PMW advanced imaging technology.

Silent sentry surveillance test

The budget request contained $27.8 million in PE 65604A for survivability/lethality analysis, but included no funds for Silent Sentry, a passive medium range surveillance technology that exploits commercial radio and television signals.

The committee recommends $32.8 million in PE 65604A, an increase of $5.0 million for Silent Sentry surveillance testing.

Soldier-centered design tools for the Army transformation

The budget request included $16.5 million for Human Factors Engineering Technology in PE 62716A, but included no funding for the Army's manpower and personnel integration (MANPRINT) program.

The committee views MANPRINT modeling technologies as an excellent initiative for reducing the Department's operations and

maintenance costs through improvements in weapon systems design integrated of manpower, personnel, training, health hazard, safety, human factors and soldier survivability concerns. The committee further believes that MANPRINT modeling successes on the Comanche weapon system can serve as a basis for optimizing the performance of the Army's anticipated objective force. The committee encourages the Army to examine the full potential of MANPRINT's soldier-centered design that may enhance and improve objective force performance during a wider range of operations and in extreme environments.

Therefore, the committee recommends $19.5 million in PE 62716A, an increase of $3.0 million for MANPRINT.

Survival radios

The budget request contained $9.1 million in PE 63801A for aviation system improvement, but included no funds to continue improvement of survival radios.

The committee notes that the combat survivor evader locator (CSEL) is not yet fielded. The committee is aware that until CSEL is operational, the PRC–112 survival radio capability must be maintained to support the warfighter. The committee supports the Army's Sustainment Center program to provide reliability, supportability, and commercial technology insertion enhancements to improve the functionality of the PRC–112 survival radio until the replacement is fully fielded.

The committee therefore recommends $19.1million in PE 63801A, an increase of $10.0 million for the PRC–112 survival radio.

Tactical high energy laser

The budget request included no funds to the Tactical High Energy Laser (THEL), a high energy chemical laser system jointly developed by the United States and Israel, and designed to demonstrate the feasibility of defeating short range rockets using directed energy.

The committee is aware of THEL test activities at White Sands Missile Range, New Mexico, which have recently culminated in the simultaneous engagement of two targets. The committee understands that the original scope of work for THEL is complete, but believes options to develop a mobile version should be explored.

The committee recommends a $10.0 million increase to PE 65605A for THEL in fiscal year 2002, and urges the Secretary of Defense to continue cooperative development efforts with Israel for this important new capability.

Tactical unmanned aerial vehicle

The budget request contained $38.2 million in PE 35204A for tactical unmanned aerial vehicles.

The committee notes that despite a thorough competitive selection of a commercial-off-the-shelf tactical unmanned aerial vehicle (TUAV), development has been slowed by a series of seemingly unrelated mishaps. The committee is aware that an independent review panel, created to assess the program, is expected to make recommendations soon, and a six-month to a year delay in fielding is expected.

Therefore the committee recommends $18.2 million in PE 35204A, a reduction of $20 million, without prejudice.

Weapons and munitions

The budget request contained $7.0 million in PE 64802A for the development of weapons and munitions but included no funds for airworthiness testing and development and flight safety certification of M240D helicopter door-mounted machine guns.

The committee understands that the Army has a new requirement for M240D door guns for UH–60 Blackhawks. The committee also understands that the cost to complete the necessary airworthiness and flight safety certifications for the "D" variant to enter into low rate initial production is $3.5 million, and that without these funds a three to four year delay in fielding this weapon could occur.

In order to complete flight testing, airworthiness certification, and begin procuring new M240D helicopter door-mounted machine guns at low-rate initial production sooner, the committee recommends $10.5 million in PE 64802A, an increase of $3.5 million.

Weapons and munitions advanced technology

The budget request contained $29.7 million in PE 63004A for weapons and munitions advanced technology, but included no funds for a large caliber training round or the trajectory correctable munition.

The committee is aware that past efforts to develop large caliber training rounds with reduced explosive charges has been difficult due to production costs for small quantities of such rounds. The committee believes that new technology may offer a potential solution to this problem.

The committee is aware that the trajectory correctable munition being developed through the memorandum of understanding between the United States and Sweden has made significant progress and met key milestones. The committee notes that precision weapons are essential for the objective force.

The committee recommends $51.7 million in PE 63004A, an increase of $5.0 million in PE 63004A for development of affordable, low explosive 120mm and 155mm training rounds and an increase of $17.0 million for TCM.

NAVY RDT&E

Overview

The budget request contained $11,123.4 million for Navy RDT&E. The committee recommends authorization of $10,863.3 million, an increase of $128.4 million, and the transfer of $388.5 million for missile defense programs from Navy RDT&E to Defense-wide RDT&E.

The committee recommendations for the fiscal year 2002 Navy RDT&E program are identified in the table below. Major changes to the Navy request are discussed following the table.

TITLE II - RESEARCH, DEVELOPMENT, TEST & EVALUATION

(Dollars in Thousands)

PROGRAM ELEMENT NUMBER	R-1 LINE	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
		RESEARCH, DEVELOPMENT, TEST & EVALUATION, NAVY			
		BASIC RESEARCH			
0601152N	1	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	16,291		16,291
0601153N	2	DEFENSE RESEARCH SCIENCES	389,829		389,829
		TOTAL, BASIC RESEARCH	**406,120**	**0**	**406,120**
		RESEARCH AND DEVELOPMENT	406,120	0	406,120
		ENGINEERING AND MANUFACTURING DEVELOPMENT	0	0	0
		APPLIED RESEARCH			
0602111N	3	AIR AND SURFACE LAUNCHED WEAPONS TECHNOLOGY			0
0602114N	4	POWER PROJECTION APPLIED RESEARCH	66,322	4,000	70,322
		Embedded Software Engineering Research Initiative			(+4,000)
0602121N	5	SHIP, SUBMARINE & LOGISTICS TECHNOLOGY			0
0602122N	6	AIRCRAFT TECHNOLOGY			0
0602123N	7	FORCE PROTECTION APPLIED RESEARCH	117,072	300	117,372
		Submarine Electrical Power			(+300)
0602131M	8	MARINE CORPS LANDING FORCE TECHNOLOGY	31,248		31,248
0602232N	9	MARINE CORPS LANDING FORCE TECHNOLOGY			0
0602233N	10	HUMAN SYSTEMS TECHNOLOGY			0
0602234N	11	MATERIALS, ELECTRONICS AND COMPUTER TECHNOLOGY			0
0602235N	12	COMMON PICTURE APPLIED RESEARCH	83,557	7,088	90,645
		Advanced Display Technology			(+4,000)
		Hybrid Fiber Optic Wireless Communication			(+2,000)
		SEADEEP			(+3,000)
		decrease			(-1,912)
0602236N	13	WARFIGHTER SUSTAINMENT APPLIED RESEARCH	71,294	11,000	82,294
		COTS Carbon Fiber Qualification			(+2,000)
		Formable Aligned Carbon Thermo Sets			(+4,000)
		Detection and Identification of Human Pathogens			(+2,000)
		Knowledge-Based Ship System Diagnosis and Repair			(+3,000)
0602270N	14	ELECTRONIC WARFARE TECHNOLOGY			0

TITLE II - RESEARCH, DEVELOPMENT, TEST & EVALUATION

(Dollars in Thousands)

PROGRAM ELEMENT NUMBER	R-1 LINE	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
0602271N	15	RF SYSTEMS APPLIED RESEARCH	62,141	21,300	83,441
		Laser Welding and Cutting			(+4,300)
		Wideband Gap Semi-Conductor Technology			(+7,000)
		Vacuum Electronics			(+10,000)
0602314N	16	UNDERSEA WARFARE SURVEILLANCE TECHNOLOGY			0
0602315N	17	MINE COUNTERMEASURES, MINING AND SPECIAL WARFARE			0
0602435N	18	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH	50,738		50,738
0602633N	19	UNDERSEA WARFARE WEAPONRY TECHNOLOGY			0
0602747N	20	UNDERSEA WARFARE APPLIED RESEARCH	76,510	10,000	86,510
		Non-Acoustic Anti-Submarine Warfare			(+10,000)
0602782N	21	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH	57,668		57,668
0602805N	22	DUAL USE SCIENCE AND TECHNOLOGY PROGRAM	10,000	(8,000)	2,000
		decrease			(-8,000)
		TOTAL, APPLIED RESEARCH	**626,550**	**45,688**	**672,238**
		RESEARCH AND DEVELOPMENT	626,550	45,688	672,238
		ENGINEERING AND MANUFACTURING DEVELOPMENT	0	0	0
		ADVANCED TECHNOLOGY DEVELOPMENT			
0603114N	23	POWER PROJECTION ADVANCED TECHNOLOGY	76,410	18,000	94,410
		Affordable Weapon			(+10,000)
		DP-2 Thrust Vectoring System Concept Demonstration			(+8,000)
		HEL-Low Aspect Target Tracking			(+10,000)
		decrease			(-10,000)
0603123N	24	FORCE PROTECTION ADVANCED TECHNOLOGY	85,297	46,703	132,000
		Advanced Water Jet AWJ-21			(+6,000)
		DC Homopolar Motor Program			(+4,000)
		Direct Ship Service Fuel Cell			(+7,000)
		Electric Propulsion/Ship Power Systems Distributed Test Bed			(+10,000)
		Littoral Support Craft-Experimental			[39,000]
		SEALs MkV patrol craft modification			(+6,000)
		decrease			(-5,297)
0603217N	25	AIR SYSTEMS AND WEAPONS ADVANCED TECHNOLOGY			0
0603235N	26	COMMON PICTURE ADVANCED TECHNOLOGY	48,583	2,000	50,583

TITLE II - RESEARCH, DEVELOPMENT, TEST & EVALUATION

(Dollars in Thousands)

PROGRAM ELEMENT NUMBER	R-1 LINE	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
		Extending the Littoral Battlespace			(+2,000)
0603236N	27	WARFIGHTER SUSTAINMENT ADVANCED TECHNOLOGY	57,685	9,930	67,615
		decrease			(-5,000)
		Real Time Heart Rate Variability Technology			(+8,930)
		Naval Environmental Compliance Operations Monitoring System			(+6,000)
0603238N	28	PRECISION STRIKE AND AIR DEFENSE TECHNOLOGY			0
0603270N	29	ADVANCED ELECTRONIC WARFARE TECHNOLOGY			0
0603271N	30	RF SYSTEMS ADVANCED TECHNOLOGY	76,876	(10,000)	66,876
		Vacuum Electronics			(+5,000)
		decrease			(-15,000)
0603508N	31	SURFACE SHIP & SUBMARINE HM&E ADVANCED TECHNOLOGY			0
0603640M	32	MARINE CORPS ADVANCED TECHNOLOGY DEMONSTRATION (ATD)	51,310	21,000	72,310
		increase			(+21,000)
0603706N	33	MEDICAL DEVELOPMENT			0
0603707N	34	MANPOWER, PERSONNEL AND TRAINING ADV TECH DEV			0
0603712N	35	ENVIRONMENTAL QUALITY AND LOGISTICS ADVANCED TECHNOLOGY			0
0603727N	36	JOINT EXPERIMENTATION	118,802		118,802
0603729N	37	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY	17,678	4,000	21,678
		Organ Transfer Technology			(+4,000)
0603747N	38	UNDERSEA WARFARE ADVANCED TECHNOLOGY	56,303	10,000	66,303
		Non-Acoustic Anti-Submarine Warfare			(+10,000)
0603758N	39	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS	43,277	42,000	85,277
		increase			(+42,000)
0603782N	40	MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY	48,279		48,279
0603792N	41	ADVANCED TECHNOLOGY TRANSITION			0
0603794N	42	C3 ADVANCED TECHNOLOGY			0
		TOTAL, ADVANCED TECHNOLOGY DEVELOPMENT	**680,500**	**143,633**	**824,133**
		RESEARCH AND DEVELOPMENT	680,500	143,633	824,133
		ENGINEERING AND MANUFACTURING DEVELOPMENT	0	0	0

TITLE II - RESEARCH, DEVELOPMENT, TEST & EVALUATION

(Dollars in Thousands)

PROGRAM ELEMENT NUMBER	R-1 LINE	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
		DEMONSTRATION AND VALIDATION			
0603207N	43	AIR/OCEAN TACTICAL APPLICATIONS	32,332		32,332
0603216N	44	AVIATION SURVIVABILITY	25,572	(17,900)	7,672
		decrease			(-17,900)
0603237N	45	STALL/SPIN INHIBITORS (H)	50,000	(50,000)	0
		decrease			(-50,000)
0603254N	46	ASW SYSTEMS DEVELOPMENT	12,922	5,000	17,922
		Project Bear Trap			(+5,000)
0603261N	47	TACTICAL AIRBORNE RECONNAISSANCE	1,934		1,934
0603382N	48	ADVANCED COMBAT SYSTEMS TECHNOLOGY	3,458	(3,458)	0
		decrease			(-3,458)
0603502N	49	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES	135,284	12,000	147,284
		Surface Navy Integrated UnderSea Tactical Technology			(+12,000)
0603506N	50	SURFACE SHIP TORPEDO DEFENSE	4,818	5,000	9,818
		Surface Ship Torpedo Defense			(+5,000)
0603512N	51	CARRIER SYSTEMS DEVELOPMENT	165,150		165,150
0603513N	52	SHIPBOARD SYSTEM COMPONENT DEVELOPMENT	288,382	(25,000)	263,382
		decrease			(-25,000)
0603525N	53	PILOT FISH	99,600		99,600
0603527N	54	RETRACT LARCH	50,441		50,441
0603536N	55	RETRACT JUNIPER			0
0603542N	56	RADIOLOGICAL CONTROL	1,056		1,056
0603553N	57	SURFACE ASW	3,724		3,724
0603559N	58	SSGN COVERSION	30,000		30,000
0603561N	59	ADVANCED SUBMARINE SYSTEM DEVELOPMENT	110,766	4,543	115,309
		Advanced Composite Sail Phase II			(+15,000)
		Advanced Submarine System Design, decrease			(-10,457)
0603562N	60	SUBMARINE TACTICAL WARFARE SYSTEMS	5,405		5,405
0603563N	61	SHIP CONCEPT ADVANCED DESIGN	1,949	(1,949)	0
		decrease			(-1,949)
0603564N	62	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES	14,922	(10,000)	4,922
		decrease			(-10,000)
0603570N	63	ADVANCED NUCLEAR POWER SYSTEMS	175,176	(2,100)	173,076

TITLE II - RESEARCH, DEVELOPMENT, TEST & EVALUATION

(Dollars in Thousands)

PROGRAM ELEMENT NUMBER	R-1 LINE	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
		decrease			(-2,100)
0603573N	64	ADVANCED SURFACE MACHINERY SYSTEMS	3,921		3,921
0603576N	65	CHALK EAGLE	35,313		35,313
0603582N	66	COMBAT SYSTEM INTEGRATION	42,915	25,000	67,915
		Common Command and Decision System			(+25,900)
		Wideband Optically Multiplexed Beamforming Architecture			(+4,000)
		decrease			(-4,900)
0603609N	67	CONVENTIONAL MUNITIONS	22,299		22,299
0603611M	68	MARINE CORPS ASSAULT VEHICLES	263,066	(23,066)	240,000
		decrease			(-23,066)
0603635M	69	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM	25,957	15,000	40,957
		Lightweight 155MM howitzer			(+5,000)
		Low Observable Signature Ejection Technology			(+5,000)
		Marine Corps Urban Operations Environmental Laboratory			(+5,000)
0603654N	70	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	12,918		12,918
0603658N	71	COOPERATIVE ENGAGEMENT	74,231		74,231
0603713N	72	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT	16,077		16,077
0603721N	73	ENVIRONMENTAL PROTECTION	46,117		46,117
0603724N	74	NAVY ENERGY PROGRAM	5,025		5,025
0603725N	75	FACILITIES IMPROVEMENT	1,728	2,400	4,128
		Photovoltaic Energy Savings Initiative			(+2,400)
0603734N	76	CHALK CORAL	48,187		48,187
0603739N	77	NAVY LOGISTIC PRODUCTIVITY	11,735	11,500	23,235
		Compatible processor upgrade program			(+6,500)
		Rapid Retargeting			(+5,000)
0603746N	78	RETRACT MAPLE	148,856	9,000	157,856
		Classified Programs			(+9,000)
0603748N	79	LINK PLUMERIA	62,601		62,601
0603751N	80	RETRACT ELM	22,200		22,200
0603755N	81	SHIP SELF DEFENSE - DEM/VAL	8,353		8,353
0603764N	82	LINK EVERGREEN	26,151		26,151
0603787N	83	SPECIAL PROCESSES	58,858		58,858
0603790N	84	NATO RESEARCH AND DEVELOPMENT	11,551		11,551

TITLE II - RESEARCH, DEVELOPMENT, TEST & EVALUATION

(Dollars in Thousands)

PROGRAM ELEMENT NUMBER	R-1 LINE	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
		VECTOR Study and Analysis			[1,000]
0603795N	85	LAND ATTACK TECHNOLOGY	130,993	45,200	176,193
		Advanced Land Attack Missile Program			(+20,000)
		Distributed Common Ground Station			(+25,200)
0603800N	86	JOINT STRIKE FIGHTER (JSF) - DEM/VAL			0
0603851M	87	NONLETHAL WEAPONS - DEM/VAL	34,008	(10,000)	24,008
		decrease			(-10,000)
0603857N	88	ALL SERVICE COMBAT IDENTIFICATION EVALUATION TEAM (ASCIET)	13,530		13,530
0603879N	89	SINGLE INTEGRATED AIR PICTURE (SIAP) SYSTEM ENGINEER (SE)	43,140		43,140
0603889N	90	COUNTERDRUG RDT&E PROJECTS			0
0604327N	91	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM			0
0604707N	92	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINEERING SUPPORT	32,259		32,259
		TOTAL, DEMONSTRATION AND VALIDATION	**2,414,880**	**(8,830)**	**2,406,050**
		RESEARCH AND DEVELOPMENT	2,414,880	(8,830)	2,406,050
		ENGINEERING AND MANUFACTURING DEVELOPMENT	0	0	0
		ENGINEERING AND MANUFACTURING DEVELOPMENT			
0603208N	93	TRAINING SYSTEM AIRCRAFT			0
0604212N	95	OTHER HELO DEVELOPMENT	64,392	2,000	66,392
		Laser Aim Scoring System			(+2,000)
0604214N	96	AV-8B AIRCRAFT - ENG DEV	32,897		32,897
0604215N	97	STANDARDS DEVELOPMENT	120,552	6,500	127,052
		Metrology Projects			(+6,500)
0604216N	98	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT	149,418		149,418
0604217N	99	S-3 WEAPON SYSTEM IMPROVEMENT	428		428
0604218N	100	AIR/OCEAN EQUIPMENT ENGINEERING	6,346		6,346
0604221N	101	P-3 MODERNIZATION PROGRAM	3,220		3,220
0604231N	102	TACTICAL COMMAND SYSTEM	64,832		64,832
0604234N	103	COMMON STRATEGIC ROTARY LAUNCHER (H)	96,000		96,000

TITLE II - RESEARCH, DEVELOPMENT, TEST & EVALUATION

(Dollars in Thousands)

PROGRAM ELEMENT NUMBER	R-1 LINE	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
0604235N	104	NAVY AREA MISSILE DEFENSE	388,496	(388,496)	0
		transfer to PE 63881C			(-388,496)
0604245N	105	H-1 UPGRADES	170,068		170,068
0604261N	106	ACOUSTIC SEARCH SENSORS	16,825		16,825
0604262N	107	V-22A	546,735	(100,000)	446,735
0604264N	108	AIR CREW SYSTEMS DEVELOPMENT	7,717		7,717
0604270N	109	EW DEVELOPMENT	112,473	14,000	126,473
		Follow-on Support Jammer			(+10,000)
		LOCO GPSI			(+4,000)
0604300N	110	SC-21 TOTAL SHIP SYSTEM ENGINEERING	355,093		355,093
0604307N	111	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING	262,037	14,900	276,937
		Operational Readiness Testing System Network			(+6,000)
		Peripheral Consolidation Program			(+8,900)
0604311N	112	LPD-17 CLASS SYSTEMS INTEGRATION	1,001		1,001
0604312N	113	TRI-SERVICE STANDOFF ATTACK MISSILE	1,946		1,946
0604366N	114	STANDARD MISSILE IMPROVEMENTS	1,309		1,309
0604373N	115	AIRBORNE MCM	52,041		52,041
0604503N	116	SSN-688 AND TRIDENT MODERNIZATION	43,706	25,000	68,706
		Multipurpose Processor			(+25,000)
0604504N	117	AIR CONTROL	12,821		12,821
0604507N	118	ENHANCED MODULAR SIGNAL PROCESSOR	1,013		1,013
0604512N	119	SHIPBOARD AVIATION SYSTEMS	16,375	5,000	21,375
		Aviation-Shipboard Information Technology Initiative			(+5,000)
0604518N	120	COMBAT INFORMATION CENTER CONVERSION	5,392		5,392
0604524N	121	SUBMARINE COMBAT SYSTEM			0
0604528N	122	SWATH (SMALL WATERPLANE AREA TWIN HULL) OCEANOGRAPHIC SHIP			0
0604558N	123	NEW DESIGN SSN	201,596		201,596
0604561N	124	SSN-21 DEVELOPMENTS	5,770		5,770
0604562N	125	SUBMARINE TACTICAL WARFARE SYSTEM	29,246		29,246
0604567N	126	SHIP CONTRACT DESIGN/ LIVE FIRE T&E	130,388		130,388
0604574N	127	NAVY TACTICAL COMPUTER RESOURCES	3,836		3,836
0604601N	128	MINE DEVELOPMENT			0
0604603N	129	UNGUIDED CONVENTIONAL AIR-LAUNCHED WEAPONS	12,890		12,890

TITLE II - RESEARCH, DEVELOPMENT, TEST & EVALUATION

(Dollars in Thousands)

PROGRAM ELEMENT NUMBER	R-1 LINE	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
0604610N	130	LIGHTWEIGHT TORPEDO DEVELOPMENT	10,310		10,310
0604618N	131	JOINT DIRECT ATTACK MUNITION	56,285		56,285
0604654N	132	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	8,123		8,123
0604703N	133	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS	1,300		1,300
0604710N	134	NAVY ENERGY PROGRAM	3,157		3,157
0604721N	135	BATTLE GROUP PASSIVE HORIZON EXTENSION SYSTEM	8,130		8,130
0604727N	136	JOINT STANDOFF WEAPON SYSTEMS	26,852		26,852
0604755N	137	SHIP SELF DEFENSE - EMD	52,163		52,163
0604756N	138	ADVANCED DISTRIBUTED LEARNING	33,530		33,530
0604757N	139	MEDICAL CHEMICAL DEFENSE LIFE MATERIAL (H)	41,670		41,670
0604771N	140	MEDICAL DEVELOPMENT	5,455		5,455
0604777N	141	NAVIGATION/ID SYSTEM	23,884		23,884
0604784N	142	DISTRIBUTED SURVEILLANCE SYSTEM	34,711		34,711
0604800N	143	JOINT STRIKE FIGHTER (JSF) - EMD	767,259		767,259
0604805N	144	COMMERCIAL OPERATIONS AND SUPPORT SAVINGS INITIATIVE			0
0604910N	145	SMART CARD	896		896
0605013M	146	INFORMATION TECHNOLOGY DEVELOPMENT	11,031		11,031
0605013N	147	INFORMATION TECHNOLOGY DEVELOPMENT	49,333		49,333
0605014N	148	DEFENSE INTEGRATED MILITARY HUMAN RESOURCES SYSTEM (DIMHRS) - RDT&E	47,184		47,184
0605015N	149	JOINT COUNTER-INTELLIGENCE ASSESSMENT GROUP (JCAG) - RDT&E	6,000		6,000
0508713N	150	NAVY STANDARD INTEGRATED PERSONNEL SYSTEM (NSIPS)	13,082		13,082
		TOTAL, ENGINEERING AND MANUFACTURING DEVELOPMENT	**4,117,214**	**(421,096)**	**3,696,118**
		RESEARCH AND DEVELOPMENT	0	0	0
		ENGINEERING AND MANUFACTURING DEVELOPMENT	4,117,214	(421,096)	3,696,118
		RDT&E MANAGEMENT SUPPORT			
0604256N	151	THREAT SIMULATOR DEVELOPMENT	30,110		30,110
0604258N	152	TARGET SYSTEMS DEVELOPMENT	49,511		49,511
0604759N	153	MAJOR T&E INVESTMENT	41,804		41,804
0605152N	154	STUDIES AND ANALYSIS SUPPORT - NAVY	6,679	(2,679)	4,000
		decrease			(-2,679)
0605154N	155	CENTER FOR NAVAL ANALYSES	44,891		44,891
0605155N	156	FLEET TACTICAL DEVELOPMENT	2,912		2,912

TITLE II - RESEARCH, DEVELOPMENT, TEST & EVALUATION

(Dollars in Thousands)

PROGRAM ELEMENT NUMBER	R-1 LINE	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
0605502N	157	SMALL BUSINESS INNOVATIVE RESEARCH			0
0605804N	158	TECHNICAL INFORMATION SERVICES	951	12,000	12,951
		Commercialization of Advanced Technology			(+6,000)
		Supply Chain Best Practices			(+6,000)
0605853N	159	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT	21,628	(3,000)	18,628
		decrease			(-3,000)
0605856N	160	STRATEGIC TECHNICAL SUPPORT	2,391		2,391
0605861N	161	RDT&E SCIENCE AND TECHNOLOGY MANAGEMENT	54,825		54,825
0605862N	162	RDT&E INSTRUMENTATION MODERNIZATION	11,601		11,601
0605863N	163	RDT&E SHIP AND AIRCRAFT SUPPORT	71,735		71,735
0605864N	164	TEST AND EVALUATION SUPPORT	277,414	(7,414)	270,000
		decrease			(-7,414)
0605865N	165	OPERATIONAL TEST AND EVALUATION CAPABILITY	11,649		11,649
0605866N	166	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT	3,433		3,433
0605867N	167	SEW SURVEILLANCE/RECONAISSANCE SUPPORT	12,693		12,693
0605873M	168	MARINE CORPS PROGRAM WIDE SUPPORT	9,614		9,614
0305885N	169	TACTICAL CRYPTOLOGIC ACTIVITIES	85,000		85,000
0909999N	170	FINANCING FOR CANCELLED ACCOUNT ADJUSTMENTS			0
		TOTAL, RDT&E MANAGEMENT SUPPORT	**738,841**	**(1,093)**	**737,748**
		RESEARCH AND DEVELOPMENT	738,841	(1,093)	737,748
		ENGINEERING AND MANUFACTURING DEVELOPMENT	0	0	0
		OPERATIONAL SYSTEMS DEVELOPMENT			
0604227N	174	HARPOON MODIFICATIONS			0
0604805N	175	COMMERCIAL OPERATIONS AND SUPPORT SAVINGS INITIATIVE			0
0101221N	176	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	43,322	9,800	53,122
		Radiation Hardened Electronics Applications Programs			(+9,800)
0101224N	177	SSBN SECURITY TECHNOLOGY PROGRAM	34,091		34,091
0101226N	178	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT	996		996

TITLE II - RESEARCH, DEVELOPMENT, TEST & EVALUATION

(Dollars in Thousands)

PROGRAM ELEMENT NUMBER	R-1 LINE	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
0101402N	179	NAVY STRATEGIC COMMUNICATIONS	4,205	(4,205)	0
		decrease			(-4,205)
0204136N	180	F/A-18 SQUADRONS	253,257	(39,000)	214,257
		Fuel Cell Second Source			(+1,000)
		Joint Helmet Mounted Cueing System (JHMCS)			(+10,000)
		decrease			(-50,000)
0204152N	181	E-2 SQUADRONS	20,583	10,000	30,583
		E2-C2 Eight Blade Composite Propeller			(+10,000)
0204163N	182	FLEET TELECOMMUNICATIONS (TACTICAL)	21,136	(10,900)	10,236
		decrease			(-10,900)
0204229N	183	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC)	76,036	(2,222)	73,814
		decrease			(-2,222)
0204311N	184	INTEGRATED SURVEILLANCE SYSTEM	20,041		20,041
0204413N	185	AMPHIBIOUS TACTICAL SUPPORT UNITS	24,387	0	24,387
		decrease			(-10,000)
		Expeditionary Warfare Testbed - Supporting Arms Technology Insertion			(+10,000)
0204571N	186	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT	22,407		22,407
0204575N	187	ELECTRONIC WARFARE (EW) READINESS SUPPORT	7,659	(2,300)	5,359
		decrease			(-2,300)
0205601N	188	HARM IMPROVEMENT	13,630	10,000	23,630
		AARGM			(+10,000)
0205604N	189	TACTICAL DATA LINKS	39,362	(7,700)	31,662
		decrease			(-7,700)
0205620N	190	SURFACE ASW COMBAT SYSTEM INTEGRATION	28,119	(3,900)	24,219
		decrease			(-3,900)
0205632N	191	MK-48 ADCAP	17,130	10,000	27,130
		Torpedo Rapid COTS Insertion			(+10,000)
0205633N	192	AVIATION IMPROVEMENTS	41,430		41,430
0205658N	193	NAVY SCIENCE ASSISTANCE PROGRAM	4,945		4,945
0205667N	194	F-14 UPGRADE			0
0205675N	195	OPERATIONAL NUCLEAR POWER SYSTEMS	55,202		55,202
0206313M	196	MARINE CORPS COMMUNICATIONS SYSTEMS	104,835		104,835
0206623M	197	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS	43,935		43,935

TITLE II - RESEARCH, DEVELOPMENT, TEST & EVALUATION

(Dollars in Thousands)

PROGRAM ELEMENT NUMBER	R-1 LINE	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
0206624M	198	MARINE CORPS COMBAT SERVICES SUPPORT	8,483		8,483
0207161N	199	TACTICAL AIM MISSILES	16,402		16,402
0207163N	200	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	10,795	(1,000)	9,795
		decrease			(-1,000)
0303109N	203	SATELLITE COMMUNICATIONS (SPACE)	54,230	(10,000)	44,230
		decrease			(-10,000)
0303140N	204	INFORMATION SYSTEMS SECURITY PROGRAM	20,942	25,000	45,942
		Navy's Intelligent Agent Security Module			(+25,000)
0305160N	206	NAVY METEOROLOGICAL AND OCEAN SENSORS-SPACE (METOC)	23,492	(1,900)	21,592
		decrease			(-1,900)
0305188N	207	JOINT C4ISR BATTLE CENTER (JBC)	13,618	(13,618)	0
		decrease			(-13,618)
0305192N	208	JOINT MILITARY INTELLIGENCE PROGRAMS	7,179		7,179
0305204N	209	TACTICAL UNMANNED AERIAL VEHICLES	66,349		66,349
0305206N	210	AIRBORNE RECONNAISSANCE SYSTEMS	5,736	9,500	15,236
		Electro-optical Framing Reconnaissance			(+9,500)
0305207N	211	MANNED RECONNAISSANCE SYSTEMS	29,232	5,000	34,232
		Advanced Multiband Surveillance Systems			(+5,000)
0305208N	212	DISTRIBUTED COMMON GROUND SYSTEMS	4,467	1,000	5,467
		Precision Targeting Systems Modernization & Enhancement			(+1,000)
0305927N	213	NAVAL SPACE SURVEILLANCE	4,237		4,237
0308601N	214	MODELING AND SIMULATION SUPPORT	7,828	3,000	10,828
		SPAWAR Enhanced Modeling and Simulation Initiatives			(+3,000)
0702207N	215	DEPOT MAINTENANCE (NON-IF)	13,569	(4,972)	8,597
		decrease			(-4,972)
0708011N	216	INDUSTRIAL PREPAREDNESS	70,605		70,605
0708730N	217	MARITIME TECHNOLOGY (MARITECH)	20,065		20,065
XXXXXX	999	Classified Programs	885,347		885,347
		TOTAL, OPERATIONAL SYSTEMS DEVELOPMENT	**2,139,284**	**(18,417)**	**2,120,867**
		RESEARCH AND DEVELOPMENT	2,139,284	(18,417)	2,120,867
		ENGINEERING AND MANUFACTURING DEVELOPMENT	0	0	0
		TOTAL, RESEARCH, DEVELOPMENT, TEST & EVALUATION, NAVY	**11,123,389**	**(260,115)**	**10,863,274**

TITLE II - RESEARCH, DEVELOPMENT, TEST & EVALUATION

(Dollars in Thousands)

PROGRAM ELEMENT NUMBER	R-1 LINE	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
		RESEARCH AND DEVELOPMENT	7,006,175	160,981	7,167,156
		ENGINEERING AND MANUFACTURING DEVELOPMENT	4,117,214	(421,096)	3,696,118

Items of Special Interest

Advanced anti-radiation guided munition (AARGM)

The budget request contained $13.6 million in PE 25601N for improvements in the High-speed Anti-radiation Missile, but included no funds for the advanced anti-radiation guided munition (AARGM) program.

The committee notes the AARGM program development of advanced seeker, guidance and control technologies that, when integrated on the existing High-speed Anti-Radiation Missile (HARM) airframe, should provide a significant improvement in the U.S. capability for suppression of enemy air defenses (SEAD). The committee understands that AARGM test firings indicate substantial progress to date and that four additional test firings in 2001 will complete the demonstration program. The committee further understands that the AARGM program will compete for funding and entry into the system design and development phase in the Navy's fiscal year 2003 program objective memorandum.

The committee has strongly supported the development and demonstration of AARGM and believes that this Small Business Innovative Research (SBIR) program and the Quick Bolt Advanced Concept Technology Demonstration program utilizing AARGM both offer the potential to satisfy critical military requirements for lethal SEAD and attack of time-critical targets. The committee recommends $23.6 million in PE 25601N, an increase of $10.0 million for continuation of the risk reduction and productibility phase of the AARGM program.

Advanced composite sail phase II

The budget request contained $110.8 million in PE 63561N for advanced submarine system development, demonstration, and validation, including $6.1 million for continued development of the advanced composite sail.

The committee notes that the Navy's technology insertion plan for the Virginia class submarine includes installation of an advanced sail on the seventh Virginia class submarine. The advanced sail program is intended to provide substantial additional payload capacity and stealth improvements over conventional submarine sails. Program milestones include completion of advanced composite sail development and transition of the project to the Virginia class submarine program. The committee understands that the results of the program and lessons learned from other Navy composites programs have identified the need for a phase II advanced composite sail development program that will incorporate full-scale design features and meet the complete spectrum of full-scale load specifications that were not addressed in phase I of the program.

The committee recommends an increase of $15.0 million in PE 63561N for Phase II of the Advanced Composite Sail development program.

Advanced multi-band surveillance systems

The budget request contained $29.2 million in PE 35207N for manned reconnaissance systems operational systems development.

The committee recommends $34.2 million in PE 35207N, an increase of $5.0 million to accelerate the development of advanced multi-band surveillance systems as discussed in the classified annex.

Aegis combat systems engineering

The budget request contained $262.0 million in PE 64307N for Aegis combat systems engineering, of which $345 thousand was included for continued development of the operational readiness test system (ORTS) on Aegis combat systems.

The ORTS is the primary testing and condition assessment system for the Aegis SPY 1 radar and the Aegis Mk99 fire control radar system.

The committee also notes the need for system engineering and development of equipment upgrades and replacements for major Aegis weapon system computer peripheral subsystems. For example, Aegis Baselines 1–6, Phase III, utilize several types and variants of obsolete peripheral equipment to upload computer programs to the critical UYK–7 and UYK–43 tactical computers used for command and decision, weapons control, and fire control processing. The committee believes that technology refreshment and consolidation of this peripheral equipment will ensure the continued operational integrity of the Aegis weapon system, as well as reduce its ownership cost.

Therefore, the committee recommends $276.9 million in PE 64307N, an increase of $6.0 million to accelerate ORTS upgrades for the Aegis SPY 1 radar and Mk99 fire control radar system, and an increase of $8.9 million for additional computer peripheral technology refreshment and consolidation in the Aegis weapon system. In total, the committee recommends an increase of $14.9 million for Aegis combat systems engineering.

Aviation-shipboard information technology initiative

The budget request contained $16.4 million in PE 64512N for shipboard aviation systems development but included no funds for development of the integrated aviation-shipboard information technology initiative (IAS/ITI), which would upgrade and integrate aircraft carrier information systems to improve the effectiveness of carrier aircraft launch and recovery operations.

The committee notes that the Navy views the IAS/ITI as a promising technology for both its next-generation aircraft carriers and those currently in service which can enhance accuracy and minimize latency of information, distribute information where required, improve shipboard aircraft sortie rates and safety, and reduce carrier operating costs.

Accordingly, the committee recommends $21.4 million in PE 64512N, an increase of $5.0 million, for development of the IAS/ITI.

Combat systems integration

The budget request contained $42.9 million in PE 63582N for combat systems integration demonstration and validation.

Common command and decision system

The common command and decision (CC&D) program is a preplanned product improvement (P3I) to the Aegis Weapon System (AWS) and the Ship Self Defense System (SSDS) Mk2 that replaces the command and decision capability presently in these systems with a common set of application computer programs and associated supporting software infrastructure which will perform selected command and decision functions in an identical manner across multiple Surface Navy ships. The committee report on H.R. 4205 (H. Rept. 106–616) directed the Secretary of the Navy to report to the congressional defense committees on the Navy's program plan and funding for the CC&D P3I program.

The committee notes that the Navy has established a collaborative development program involving the AWS and SSDS Mk 2 combat systems integrators, innovative small business experts in the use of middleware, and Navy combat system development experts all working together in an integrated process team. The phased program will build on the Advanced Processor Build techniques developed and proven in the Submarine Acoustic Rapid Commercial-off-the-shelf Insertion (A–RCI) program. The program of record would result in initial introduction of the CC&D system in the fleet in 2010. The Secretary's report, however, notes that it is technically and programmatically possible to develop an executable CC&D capability by early calendar year 2005 but funding constraints do not currently support this timeline.

The committee strongly believes that the Navy should accelerate the program for upgrade and insertion of advanced technology in combat systems of legacy surface ships of the battle fleet. Accordingly, the committee recommends an increase of $25.9 million in PE 63582N to accelerate development of the CC&D system.

Wideband optically multiplexed beam-forming architecture

The committee notes that Congress previously provided funds for a cooperative program for research, development, and demonstration of a prototype optically multiplexed, wideband, radar beam-forming array that uses optical wavelength-division multiplexing (WDM). The committee also notes that the use of optical WDM is expected to reduce hardware complexity and system cost in a wideband electronically-steered active radar antenna that has high instantaneous bandwidth and the resolution necessary for theater ballistic missile defense and ship self defense in a littoral environment.

The committee recommends an increase of $4.0 million in PE 63582N to complete the demonstration project for the wideband optically multiplexed beam-forming architecture.

Common picture applied research

The budget request contained $83.6 million in PE 62235N for common picture applied research.

Hybrid fiber optic wireless communication

The committee notes the progress in the development of an advanced hybrid fiber optic/wireless communication system with very high bandwidth, mobility, and low probability of intercept. The

overall goal of the program is to develop a versatile, mobile, secure communication system for military and commercial use, which combines the most desirable features of fiber optic and wireless communications technologies. The first year effort resulted in production of critical components of the system and a proof of concept demonstration.

The committee recommends an increase of $2.0 million in PE 62235N to continue the program for applied research in hybrid fiber optic wireless communications.

SEADEEP

The committee recognizes that integration of the submarine into emerging naval tactical missions requires a rapid transfer of large volumes of data that is not currently available to submarines operating at speed and depth in the ocean. This limitation severely constrains the submarine's tactical operational role in support of expeditionary and strike operations. The committee believes that the advent of new technology and new communications architectures presents the opportunity to revisit the concept of submarine laser communications.

The committee recommends an increase of $3.0 million in PE 62235N for SEADEEP, a project to develop a system concept of operations and demonstrate the feasibility of high-speed data transmission using laser communications between a high altitude aircraft and submarine.

E–2/C–2 eight-blade composite propeller

The budget request contained $20.6 million in PE 24152N for E–2 squadrons operational systems development, including $7.1 million for E–2C improvements, but included no funds for completion of an eight-blade composite propeller for E–2C and C–2A aircraft.

The committee notes that the Navy is seeking solutions to operational limitations encountered with the propeller systems used on E–2C and C–2A aircraft. In response to directions contained in the committee report on H.R. 1110 (H. Rept. 105–132) the Navy began a program for design, development, test, and production of the eight-blade composite propeller for the E–2C and C–2A. Congress provided an additional $4.0 million for the program in fiscal year 2001 to flight test the new propeller system on the C–2A aircraft sequentially with the E–2C flight test program.

The committee recommends $30.6 million in PE 24152N, an increase of $10.0 million to complete the program for development and evaluation of an eight bladed composite propeller system for the E–2C and C–2A aircraft.

Electronic warfare (EW) development

The budget request contained $112.5 million in PE 64270N for electronic warfare development, but included no funds to evaluate the location of global positioning system interferers (LOCO GPSI) system in fleet operations or for follow-on support jamming aircraft pre-engineering and manufacturing development (EMD) risk reduction activities.

LOCO GPSI is a state-of-the-art precision surveillance and targeting system for location of global positioning systems interferers

that is designed to protect global positioning system-guided weapons against jamming and interference. The committee understands that naval operational fleet commanders have requested that the LOCO GPSI system participate in several fleet exercises in fiscal year 2002 to demonstrate and evaluate the military utility of this system. Accordingly, the committee recommends an increase of $4.0 million to evaluate LOCO GPSI capabilities in fleet operations.

The committee understands that the Airborne Electronic Attack Analysis of Alternatives is scheduled to be complete in December 2001 and believes that this analysis will conclude that development of a follow-on support jamming aircraft will be required to replace the aging EA–6B. To accelerate the development of an EA–6B successor, the committee recommends an increase of $10.0 million for pre-EMD risk reduction activities.

In total, the committee recommends $126.5 million in PE 64270N, an increase of $14.0 million.

Electro optical framing reconnaissance

The budget request contained $5.7 million in PE 35206N for airborne reconnaissance, but included no funds for electro-optical (EO) framing.

The committee is aware of developmental EO framing processing techniques that will provide real-time precision strike targeting capability.

The committee recommends an increase of $9.5 million in PE 35206N for continuation of F–14 TARPS/CD precision strike hardware development, continued development of integrated electronic shutter upgrade to SHARP sensors, and evaluation and systems engineering of cellular neural network technology in support of EO framing processing techniques.

Embedded software engineering research initiative

The budget request contained $66.3 million in PE 62114N for power projection applied research.

The committee notes that a majority of all current computer applications are embedded systems and almost all defense systems have one or more embedded computers. While embedded software is becoming increasingly large and complex, advances in technology for development of embedded software systems is lagging, resulting in high development costs, long development cycles, and error-prone products.

The committee recommends $70.3 million in PE 62114N, an increase of $4.0 million to begin an initiative in Embedded Software Engineering Research, focused on the development of structured design and manufacturing capabilities for the deployment, control, integration and utilization of embedded software systems.

Expeditionary warfare testbed—supporting arms technology insertion

The budget request contained $24.4 million in PE 24413N for amphibious tactical support units operational systems development.

The committee recognizes the need for better integration and interoperability of expeditionary forces. Force commanders have

identified the need for additional development and integration in the supporting arms coordinating center (SACC) of the force headquarters. The committee understands that the Naval Sea Systems Command's expeditionary warfare test bed will be used to develop applications of new technologies and refine technology requirements for SACC systems used in expeditionary operations.

To support this initiative the committee recommends an increase of $10.0 million in PE 24413N for supporting arms technology insertion in the expeditionary warfare testbed.

The committee encourages the Assistant Secretary of the Navy (Research, Development, and Acquisition) to oversee and guide this expeditionary warfare program and to use the Navy's National Technology Alliance in support of technology development.

Extending the littoral battlespace

The budget request contained $48.6 million in PE 63235N for common picture advanced technology development, including $1.0 million for the extended littoral battlespace project.

The committee notes that the Office of Naval Research sponsored the Extending The Littoral Battlespace Advanced Concept Technology Demonstration (ELB ACTD) to provide command, control, communications and intelligence in an extended littoral battlespace. The ELB ACTD integrates commercial-off-the-shelf and government-furnished technology in a military setting to showcase the benefits of advanced networking, global positioning systems, and other information technology applications. The committee notes that the budget request supports the transition of technologies, hardware, and software to the military user; demonstration/post-demonstration analysis and assessment of the military utility of the ELB system concept; and residual support of equipment fielded with the Amphibious Ready Group/Marine Expeditionary Unit that participated in the ACTD.

The committee recommends $50.6 million in PE 63235N, an increase of $2.0 M for support and upgrade/technical refreshment of the ELB ACTD equipment fielded with the ARG/MEU.

F/A–18 improvements

The budget request contained $253.3 million in PE 24136N for F/A–18 squadrons operational systems development.

Fuel cell second source

The committee understands that the Navy currently has only a single vendor that is qualified to manufacture polyurethane fuel cells for the F/A–18 aircraft. Due to the increased demand for fuel cells for the aircraft and insufficient production capacity, the Navy is not able to meet all operational requirements and is investigating additional manufacturing capability for F/A–18 fuel cells.

The committee recommends an increase of $1.0 million in PE 24136N for qualification of an additional production source for F/A–18 fuel cells.

Joint helmet mounted cueing system (JHMCS)

The budget request included $0.4 million to complete development of the Joint Helmet Mounted Cueing System.

The committee notes that the joint helmet mounted cueing system, when combined with state of the art missile systems currently in development provides a significant improvement in air-to-air combat capability and survivability. The committee is also aware that this improved capability is essential to the success of the Navy's F/A–18 E/F strike fighter aircraft currently being deployed. For fiscal year 2001, Congress provided $3.5 million for continued development of the joint helmet mounted cueing systems for the F/A–18C/D fighter.

The committee recommends an increase of $10.0 million in PE 24136N to accelerate the completion of development, evaluation, and fielding of the Joint Helmet Mounted Cueing System for the F/A–18 and other aircraft.

Force protection advanced technology

The budget request contained $85.3 million in PE 63123N for force protection advanced technology development.

Advanced water jet AWJ–21

The committee notes that the advanced waterjet propulsor (AWJ–21) was originally developed in a three-year industry/government cost-shared project under the Maritime Technology (MARITECH) program. The committee also notes that potential applications of the advanced water jet propulsor technology are being considered for the Navy's small combat craft program. The committee understands that the AWJ–21 has the potential for being a low-cost/high-performance propulsor option for future ships that require reduced signature and increased operational maneuverability. The committee also understands that additional testing at a one-fourth-scale level demonstrator at sea and testing in the large cavitation tunnel will be required to validate analytical predictions of critical performance parameters.

The committee recommends an increase of $6.0 million in PE 63123N for continuation of the AWJ–21 development and demonstration project.

DC Homopolar Motor

The budget request included $60.3 million for advanced development of surface ship and submarine hull, mechanical, and electrical technology that includes the development of superconducting and permanent magnetic ship-propulsion electric motors.

The committee understands that the Office of Naval Research has initiated a project for development of a 5000 shaft-horsepower superconducting, direct current, homopolar motor that may be used in the experimental littoral support craft program.

The committee recommends an increase of $4.0 million in PE 63123N to complete development and at-sea testing of the DC homopolar motor.

Direct ship service fuel cell

The committee recommends an increase of $7.0 million in PE 63123N for development of a direct ship service fuel cell technology demonstrator for technology validation and training of ship sys-

tems engineers, designers, system integrators, operators and engineering students.

Electric propulsion/ship power systems distributed test bed

The committee notes that the Navy's next generation surface combatants will rely heavily on the use of electrical power and its applications to naval ship systems including integrated power systems, electric drive, and configurable zonal systems. New technologies, manufacturing processes, innovative approaches, techniques and method, and advanced materials will be on the critical path for the development and integration of these high power, electricity-based systems. The committee notes that an understanding of these factors and the interactions of the various components, and the ability to design and evaluate the performance of the system, both in simulation and with hardware-in-the-loop will be critical to the design of efficient and cost-effective electrical propulsion systems that meet naval requirements and of the all-electric ship itself. As a part of the Navy's program leading to the development of an all-electric ship, the committee continues to support the development of a virtual, distributed test bed which will provide the software and hardware modeling tools for shipboard machinery design and allow government and industry ship designers and engineers to evaluate machinery alternatives in a virtual prototype before committing to full-scale development.

The committee recommends an increase of $10.0 million in PE 63123N to continue the program for advanced development of a distributed test bed for electric propulsion and ship power systems.

Littoral support craft—experimental

The budget request in PE 63123N contained $85.3 million for force protection advanced technology development, including $20.0 million for the development and demonstration of experimental craft for littoral support operations.

The committee notes progress made by the Office of Naval Research in the development of designs and operational concepts for a littoral support craft: a fast (above 40 knots), high performance, low cost platform that could be an effective adjunct to the major surface combatant and carrier battle group. The craft would be compliant with the Navy concept for operations in the littoral and would fulfill fleet requirements for providing supporting command, control, communications and combat systems in the region from the shore to other surface combatants operating 75 miles or greater from the shore. The committee also notes the progress that ONR has made in the development and evaluation of important components and sub-systems that might be used on a littoral support craft. The committee strongly supports ONR proposals for a phased program for development of an experimental littoral support craft demonstrator (LSC–X) that would provide the basis for operational experiments on the contribution that such a craft and its variants could make to naval operations in the littoral.

Accordingly, the committee recommends a total of $39.0 million in PE 63123N for development and demonstration of the LSC–X, including an increase of $19.0 million to the ONR program for de-

velopment and demonstration of experimental craft for littoral support operations.

SEALs Mark V patrol craft modification

The committee report on H.R. 4205 (H. Rept. 106–616) directed the Secretary of the Navy to report to the congressional defense committees on the Navy's plan for transition of Project M (an active noise and vibration cancellation system developed in the advanced submarine technology program) from the Navy's science and technology base to potential applications in Navy propulsion and other machinery systems. Subsequently, the Office of Naval Research advised the committee that a project had been established to evaluate the ability of Project M technology to mitigate the high shock and vibration experienced by the Navy SEALs Mark V patrol craft crew and passengers in high-speed special operations.

The committee recommends an increase of $6.0 million in PE 63123N for continuation of the program for application of Project M technology to mitigate physical shock to crew and passengers in the Mark V patrol craft.

Funding transfers to support transformation

The committee is concerned that the largest area of growth in Navy research and development investments has occurred in the category of fielded system development and other mature technologies. While these programs are important, the committee does not believe they support the highest priority efforts directly related to Navy transformation. In light of the delay in the program downselect decision, the committee also notes its concerns about the ability of the Navy to execute the DD–21 land attack destroyer. Finally, the committee notes that no justification was provided for an apparent new program start in PE 63237N.

Therefore, the committee recommends the following decreases to Navy accounts to be transferred to other programs within the Navy that support higher transformation priorities.

62235N	$1,912,000
62805N	8,000,000
63114N	10,000,000
63123N	5,297,000
63236N	5,000,000
63271N	15,000,000
63216N	17,900,000
63237N	50,000,000
63382N	3,458,000
63513N	25,000,000
63561N	10,457,000
63563N	1,949,000
63564N	10,000,000
63570N	2,100,000
63582N	4,900,000
63611M	23,066,000
63851M	10,000,000
64262N	100,000,000
65152N	2,679,000
65853N	3,000,000
65864N	7,414,000
11402N	4,205,000
24136N	50,000,000

24163N	10,900,000
24229N	2,222,000
24413N	10,000,000
24575N	2,300,000
25604N	7,700,000
25620N	3,900,000
27163N	1,000,000
33109N	10,000,000
35160N	1,900,000
35188N	13,618,000
72207N	4,972,000

Land attack standard missile

The budget request contained $131.0 million in PE 63795N for Land Attack Technology, including $34.5 million for development of the Land Attack Standard Missile (LASM). The committee recommends the budget request for LASM. As addressed elsewhere in this report, the committee notes that the Department of Defense has decided to endorse the Navy's proposal to acquire LASM as an interim capability for the Navy land attack mission and to develop an Advanced Land Attack Missile (ALAM) as soon as possible for the DD–21 land attack destroyer and for other Navy combatants. LASM, an adaptation of the Navy's Standard Missile, entered engineering and manufacturing development in July 2000, completed a preliminary design review in December 2000, and also conducted a successful warhead test in February 2001. Initial operational capability for LASM is planned in fiscal year 2004. The committee also notes a number of informal proposals for development of more advanced warheads for LASM.

The committee has strongly supported the LASM program, as well as the development of ALAM. Elsewhere in this report, the committee has recommended a legislative provision (Sec. 212) that would require the Secretary of Defense to establish a competitive program for the development of ALAM, would provide $20.0 million for that program, and would require the Secretary to report the program plan, schedule, and funding required for the Advanced Land Attack Missile program to the congressional defense committees with the submission of the fiscal year 2003 budget request. The committee directs that the Secretary also provide a report that describes the operational requirement for LASM and the program plan, schedule, and funding for development and acquisition of LASM with the submission of the fiscal year 2003 budget request.

Laser aim scoring system (LASS)

The budget request contained $64.4 million in PE 64212N for anti-submarine warfare (ASW) and other helicopter development but included no funds for the sea-target LASS.

The sea-target LASS would be mounted on a Navy remote-controlled target boat, which, when lased by a pilot practicing delivery of a Hellfire missile, would provide immediate aiming feedback to the pilot that would inform where the missile would have hit or why it would have missed. The committee understands that combat delivery of the Hellfire missile requires considerable pilot laser aiming skill since it is conducted in a moving helicopter and directed at a moving at-sea target. The committee further understands that the Navy's SH–60 and HH–60 pilots have limited pro-

ficiency in this skill since Hellfire pilot laser aiming training is accomplished in a ground-based flight trainer which lacks the both the helicopter and target motion and the ability to determine why a missile would have been ineffective against its intended target. The committee notes that Army helicopter pilots maintain Hellfire laser aiming proficiency by using a stationary LASS on their target practice ranges, and believes that a similar sea-target LASS could address the Navy training deficiency by allowing in-flight practice laser designation against a moving at-sea target while also providing immediate laser aiming result feedback to the pilot.

Accordingly, the committee recommends $66.4 million in 64212N, an increase of $2.0 million, to develop the sea-target LASS.

Laser welding and cutting

The budget request contained $62.1 million in PE 62271N for radio frequency systems applied research.

The committee understands that the technology of laser welding and cutting applied to ship construction is anticipated to reduce ship construction costs significantly and afford greater design flexibility. The committee encourages the development of laser welding technologies that have demonstrated the potential to provide higher quality and lower costs for building Navy ships.

The committee recommends an increase of $4.3 million in PE 62271N for the development and application to naval ship construction of laser welding and cutting technology and techniques.

Marine Corps ground combat/support system

The budget request contained $26.0 million in PE 63635M combat supporting arms systems and included $18.2 million for the lightweight 155mm towed howitzer, but no funds for the Marine Corps urban environmental laboratory for low observable signature ejection technology.

The committee continues to support development of the lightweight 155mm towed howitzer for the Marine Corps and Army. The committee is aware that a Marine Corps urban environmental laboratory has been established to provide assessment, analysis and remediation of capabilities to ensure predictable and minimum environmental damage from traditional and non-traditional capabilities used in urban missions. The committee also notes that the Marine Corps needs weapons with low observable ejection signatures.

The committee recognizes that the Marine Corps will require a capability non-explosive fire from enclosures in order to operate effectively in military operations in urbanized terrain engagements. Innovative standoff door-breaching munition (ISOD) technology will enable forces engaged in the urban battleground to breach doors and other similar structures from a standoff distance of up to 100 meters without exposing Marines to direct hostile fire. The committee is encouraged by the Marine Corps' pursuit of this technology and supports the Marine Corps' efforts to examine the broad application of ISOD to both regular and special operations forces. The committee requests that the Commandant of the Marine Corps keep the defense committees informed of the progress of this initiative.

The committee recommends $41.0 million in PE 63635M, an increase of $5.0 million for the lightweight 155mm towed howitzer, an increase of $5.0 million for the urban environmental laboratory, and an increase of $5.0 million for low observable signature ejection technology.

Metrology projects

The budget request contained $120.6 million in PE 64215N for standards development, but included no funds for the Navy metrology program. The budget request also included $1.5 million in PE 72207F for Air Force metrology program research and development. The metrology program develops new measurement standards and capabilities to support the development, test, evaluation, and maintenance of the leading-edge technology deployed in emerging military systems.

The committee understands that shortfalls in metrology budgets have led to the erosion of critical calibration standards development and measurement services and that this situation negatively affects the development and support of new weapons systems.

Consequently, the committee recommends $127.1 million in PE 64215N, an increase of $6.5 million for the Navy metrology program. The committee also recommends $5.5 million in PE 72207F, an increase of $4.0 million for the Air Force metrology program.

Multipurpose processor

The budget request contained $43.7 million in PE 64503N for submarine system equipment development, including $36.0 million for submarine sonar improvements that also included the acoustic rapid commercial-off-the-shelf insertion (A–RCI) program.

The A–RCI program upgrades current submarine sonar systems with open architecture commercial-off-the-shelf computer technology that uses advanced processing builds (APB) and multipurpose processor (MPP) middleware architecture developed under small business innovative research to provide continued upgrades as technology develops. Full implementation is currently planned for fiscal year 2008, but conversion of all submarines can be accelerated to fiscal year 2004 with additional funds.

The committee notes that the Chief of Naval Operations identified $225.0 million in fiscal year 2002 unfunded requirements for A–RCI in submarine sonar systems. The committee believes that this technology upgrade is essential for the submarine fleet and, therefore, recommends $68.7 million in PE 64503N, an increase of $25.0 million to accelerate the A-RCI program for application of the APB/MPP technology insertion process in submarine and other naval sonar systems.

Navy's intelligent agent security module

The budget request contained $20.9 million in PE 33140N for the Navy's information systems security program.

The committee notes the progress being made in the development of intelligent agent security modules (IASM) in the Navy's information systems security program, but also notes the need to improve IASM system capability to identify and respond to attacks on the information network. The Navy has stated that the IASM is in-

tended for deployment at the tactical network operations center, shipboard, and at the fleet information warfare center. The IASM will enhance network security by correlating information from multiple security products; derive a concise, accurate assessment of malicious actions and unauthorized use; and recommend actions to respond to and terminate an attack to network administrators.

Accordingly, the committee recommends $45.9 million in PE 33140N, an increase of $25.0 million to increase the capability of the IASM system to identify and respond to attacks on the network, expand the period through which attack trends can be assessed, and provide enhanced countermeasures to respond to a specific type of attack.

Navy logistics productivity

The budget request contained $11.7 million in PE 63739N for Navy logistics productivity demonstration and validation.

Compatible processor upgrade program

The committee understands that compatible processor upgrade program (CPUP) system-on-a-chip processor products are used to modernize existing computer systems while preserving legacy software and infrastructure, adapt commercial designs for high radiation environments, and optimize system designs. Congress provided $3.5 million in fiscal year 2001 to initiate a program for the development of application-specific CPUP processors to upgrade the capability of the Navy's AN/AYK–14, AN/AYK–44, and AN/UYK–20 computers at a fraction of the cost and time required to reengineer legacy software for new computer systems.

The committee recommends an increase of $6.5 million in PE 63739N for continuation of the compatible processor upgrade program (CPUP).

Rapid retargeting

The committee notes that, within the logistics productivity program, the Navy has implemented a rapid retargeting project to address obsolete designs in electronic systems.

The project provides the technology to eliminate obsolete components and reduce multiple electronic modules to single programmable designs. The committee understands that the rapid retargeting process is also being employed to replace different types of standard electronic modules with programmable commercial-off-the-shelf components, thereby reducing the requirements for spare parts on board naval vessels.

The committee recommends an increase of $5.0 million in PE 63739N to continue the rapid retargeting project.

Non-acoustic anti-submarine warfare

The budget request contained $76.5 million in PE 62747N for undersea warfare applied research and $56.3 million in PE 63747N for undersea warfare advanced technology development.

The committee recommends $86.5 million in PE 62747N, an increase of $10.0 million for applied research in non-acoustic anti-submarine warfare technology and $66.3 million in PE 63747N, an increase of $10.0 million for advanced development in non-acoustic

anti-submarine warfare technology. Elsewhere in this report the committee has recommended an increase of $10.0 million to investigate the ability of the JSTARS radar to image the ocean surface.

Oceanographic survey of continental shelf beyond U.S. exclusive economic zone

The committee notes that Articles 76 and 77 of the United Nations Convention on the Law of the Sea secure coastal States' sovereign rights over the natural resources of the continental shelf and establish a formula for determining whether and how a State may claim an outer shelf limit beyond the State's exclusive economic zone (EEZ). The United Nations Commission on the Limits of the Continental Shelf has established guidelines on the scientific and technical evidence, including undersea bathymetric and seismic data from the continental shelf, that will be considered with respect to coastal State submissions. The outer limits based on the commission's recommendations will be final and binding under the Convention. The committee also notes that, although the United States is not now a party to the Convention, should it accede to the treaty in the future, it should be able to establish final and binding limits to two areas adjacent to its EEZ off the coast of Alaska, the Chukchi Cap and part of the Donut Hull, and smaller areas in the Gulf of Mexico and the Atlantic Ocean. The committee believes that the United States should have the data available that would be necessary to determine whether claims from other coastal States might overlap with potential U.S. claims.

The committee encourages the Secretary of the Navy, in conjunction with the Administrator of the National Oceanic and Atmospheric Administration, to identify the scope of the bathymetric, seismic, and other data that would need to be gathered to support United States' claims for establishment of outer shelf limits under the Convention, develop a plan for gathering that data, and determine the surface and subsurface oceanographic survey resources that would need to be committed to the effort.

Organ transfer technology

The budget request contained $17.7 million in PE 63729N for warfighter protection advanced technology development.

The committee notes developments in immune therapies by investigators at the Naval Medical Research Center that have been shown to prevent the rejection of tissue and organ transplants without the need for continuous use of immunosuppressive drugs. The committee believes that the ability to transplant massive tissue segments without rejection could revolutionize the treatment of combat casualties who suffer significant tissue loss or organ damage from blast, missile fragments, or burns. In fiscal year 2001, the Chief of Naval Research initiated a program to capitalize on these newly developed methods of treatment and Congress provided $3.0 million to initiate a clinical trials program.

The committee recommends $21.7 million in PE 63729N, an increase of $4.0 million to continue the program for clinical trials in organ transplant and transfer technology. The committee urges the Chief of Naval Research to include funding for completion of the clinical trials program in future budget requests.

Photovoltaic energy savings initiative

The budget request contained $1.7 million in PE 63725N for demonstration and validation of improvements in naval facilities.

The committee notes that rising energy costs and increased concerns among the military services about the effect of gaseous emissions on the environment have sparked greater interest in developing renewable energy sources. The committee understands that proposals have been made for development of a multi-megawatt photovoltaic energy park on naval installations to generate electricity from the sun for this purpose. Under the proposal, a cooperative agreement would be established between industry and the federal government that would result in fuel savings under the federally funded share of the program being returned to the federal government.

The committee recommends $4.1 million in PE 63725N, including an increase of $2.4 million in PE 63725N for demonstration of the photovoltaic energy savings initiative.

Power projection advanced technology

The budget request contained $76.4 million in PE 63114N for power projection advanced technology development.

Affordable weapon

The Office of Naval Research (ONR) affordable weapons program is an advanced technology demonstration to design, develop and build a 600 mile range, 200lbs. payload, precision strike missile with global positioning system/inertial navigation system guidance and control and a data link. The missile is built using commercial-off-the-shelf components (COTS) and will have an estimated cost in production of approximately $30,000 per missile and fly within two years of contract initiation. The objective of the ONR program is to demonstrate the breakthroughs in (1) technology and systems integration that permit the development of a low-cost, precision guided missile using primarily COTS components and (2) acquisition reform that permits definition of costs within the first ten production units and manufacturing changes that can be accomplished at low cost with small unit buys. The committee notes that ONR initiated the program in July 1999 and accomplished air vehicle first flight in September 2000. The committee believes that, if successful, the ONR affordable missile program will establish a new paradigm for the development and production of precision strike missile systems.

The committee recommends an increase of $10.0 million in PE 63114N for advanced technology development and demonstration of the affordable weapon.

DP–2 thrust vectoring system concept demonstration

The budget request contained no funds for continuation of the DP–2 thrust vectoring system proof-of-concept demonstration.

DP–2 is a proof-of-concept program to demonstrate the use of thrust vector control to achieve vertical takeoff and conventional takeoff capabilities in a one-half scale flight test vehicle. The technology offers the potential for a low cost, medium range aircraft of advanced composite construction.

The committee notes the progress to date in the DP–2 program in the design and fabrication of large, precise composite structures, the design of the flight control system, and ground test of the system leading to the initial hover test in June 2001. The committee also notes technical issues that were encountered during the hover test that will necessitate additional analysis and potential redesign before a successful hover test can be accomplished. The committee believes that the potential of the DP–2 proof-of-concept program justifies these efforts.

Accordingly, the committee recommends an increase of $8.0 million in PE 63114N to continue the project for development and demonstration of the DP–2 thrust vectoring system in an affordable airframe.

Precision targeting systems modernization and enhancement

The budget request contained $4.5 million in PE 35208N for distributed ground systems operational systems development.

The committee notes that the Joint Service Imagery Processing System—Navy (JSIPS–N), the Navy's portion of the distributed common ground system, is being installed on aircraft carriers, amphibious assault ships, selected fleet flagships, and shore sites to receive and exploit imagery reports from multiple sensors and assist strike and amphibious operations planners and tactical aviators in planning the delivery of precision weapons. The committee understands that the digital imagery workstation suite (DIWS) component of JSIPS–N should be upgraded to provide a state-of-the-art targeting capability, smaller equipment footprint aboard ship, and increased reliability.

The committee recommends $5.5 million in PE 35208N, an increase of $1.0 million to accelerate the program for development, testing, and integration of the upgraded DIWS.

Project Bear Trap

The budget request contained $12.9 million in PE 63254N for anti-submarine warfare systems demonstration and validation, including support for Project Bear Trap.

The budget request supports hardware and software development for the rapid prototyping of advanced capability acoustic and non-acoustic ASW sensors, as well as data collection and analysis for threat assessment and environmental characterization. The committee notes the progress being made in the evaluation and development of the phenomena of nonlinear dynamics and stochastic resonance (NDSR) for acoustic, magnetic, and other ASW sensor and signal processing applications.

The committee recommends $17.9 million in PE 63254N, an increase of $5.0 million for Project Beartrap to continue the development, demonstration, and evaluation of NDSR technology for ASW applications and to continue the Beartrap environmental characterization program.

Radiation-hardened electronics applications

The budget request contained $43.3 million in PE 11221N for strategic submarine and weapons systems support.

Radiation-hardened integrated circuits are necessary for systems such as the guidance system for the Trident missile. The radiation-hardened electronics application program (RHEAP) is a Navy-sponsored initiative to improve the efficiency of production of critical, radiation-hardened integrated circuits through the use of advanced simulation and modeling tools. The program addresses the transition between the science and technology that develops more capable integrated circuit chips and the commercial production of those next generation chips. Benefits of RHEAP include improving the return on the science and technology investment in the development of advanced microelectronics, reducing the cost of production by commercial laboratories, and reducing the time and effort required to mature a research and development semi-conductor wafer prototype to a production-ready product

The committee recommends $53.1 million in PE 11221N, including an increase of $9.8 million for development of advanced RHEAP tools for modeling, simulation and fabrication of radiation-hardened circuits.

SPAWAR enhanced modeling and simulation initiatives

The budget request contained $7.8 million in PE 38601N for support of Navy modeling and simulation.

The committee notes continued advances in modeling and simulation for command, control, communications, computers, intelligence, surveillance, and reconnaissance (C4ISR) systems. These advances demonstrate the use of efficient systems engineering and business practices and leverage simulation-based acquisition applied to the assessment, planning, testing, and technology insertion for C4ISR systems. The committee also notes continuing progress in modeling and simulation systems engineering initiatives that aid operations analysis, and engineering assessment. The committee supports the development and understanding of new modeling and simulation tools that will assist in more effective decision-making and in the design of C4ISR systems and information architectures.

Accordingly, the committee recommends $10.8 million in PE 38601N, an increase of $3.0 million to continue initiatives for the development of improvements in C4ISR modeling and simulation.

Submarine electrical power

The budget request contained $117.1 million in PE 62123N for force protection applied research.

The committee notes that some nuclear submarines, which are nearing the end of their hull service life and being decommissioned may still have significant life remaining in the submarine nuclear reactor core that could, with appropriate modification to the steam generating system, provide a source of power for on-shore activities when connected to the on-shore power grid. Such a capability would be useful in augmenting the power grid in an area where there is a submarine basing and support capability.

The committee recommends $117.4 million in PE 62123N, an increase of $300 thousand to initiate a study on the potential utility and application of submarine-generated steam and electrical power for augmentation of on-shore power grids.

Supply chain best practices

The budget request contained $1.0 million in PE 65804N for technical information services that support cooperative advanced technology initiatives between the Navy and U.S. industry with the goals of improving affordability and reducing life cycle costs of new and modernized Navy systems.

The committee recommends an increase of $6.0 million in PE 654804N to continue the program for development and adoption of industrial and logistical best business and management practices among government and industry in support of defense systems. The committee expects that the Office of Naval Research will include funding for this program in future Navy budgets.

Surface navy integrated undersea tactical technology

The budget request contained $135.3 million in PE 63502N for surface and shallow water mine countermeasures systems demonstration and validation.

The committee understands that in order to effectively conduct the Navy's core anti-submarine warfare (ASW) and mine warfare (MIW) missions, naval forces must be able to reliably detect, locate, and target mines and enemy submarines, respond rapidly and decisively to these hostile contacts, and provide all commanders with a common picture of the undersea battlespace. The committee notes the need for development of a common undersea picture that would incorporate input data from existing and enhanced undersea warfare systems.

The committee recommends $147.3 million in PE 63502N, an increase of $12.0 million for the Surface Navy Integrated Undersea Tactical Technology project. The committee expects that this effort will be coordinated with other Navy and joint programs for development of technology and systems to provide a common picture of the tactical undersea battlespace.

Surface ship torpedo defense

The budget request contained $4.8 million in PE 63506N for surface ship torpedo defense (SSTD) demonstration and validation.

The committee understands that the fiscal year 2002 plan for the SSTD program includes continued development of the tripwire torpedo defense system for large deck ships and DDG–51 Flight IIA ships and continued development of the anti-torpedo torpedo countermeasure for surface ships.

The committee recommends $9.8 million in PE 63506N, an increase of $5.0 million to accelerate the program for development and fielding of SSTD systems to the fleet.

Telemedicine for minimally invasive surgery

The committee notes the progress made in the application of telemedicine to surgical procedures that allow an experienced surgeon to perform a procedure from a remote location using telecommunications technology and sophisticated robotic systems. The committee believes that the technology has the potential to increase significantly the availability of specialized surgical skills to deployed military personnel and the civilian community throughout the world. The committee directs the Secretary of the Navy, in con-

sultation with the Secretary of Health and Human Services, to review the telemedicine program and consider the establishment of a pilot project for further application of telemedicine technology to minimally invasive surgical procedures. The committee believes that such a project would provide valuable data on human subject outcomes, equipment use and set-up, the quality of data transmission for remote applications, and the infrastructure required to support such telesurgery. The committee directs that the Secretary of the Navy report the results of the review and recommendations regarding the establishment of such a pilot project with the submission of the fiscal year 2003 budget request.

Titanium watertight door and hatch cover

The budget request contained $130.4 million in PE 64567N for ship contract design/live fire test and evaluation but included no funds for evaluating a watertight door or hatch cover made from titanium.

The committee is concerned about the continuing high cost to maintain weather decks of surface combatants and notes that the use of titanium, rather than steel, to construct these decks could produce potentially significant life-cycle cost savings, since titanium is lighter, stronger, and easier to maintain than steel, as well non-corrosive in seawater. Therefore, from within the funds requested, which the committee recommends, the committee strongly urges the Secretary of the Navy to use $1.0 million to initiate a pilot program, using titanium, to produce a watertight door and hatch cover on a flight 2A DDG–51 destroyer.

Torpedo rapid COTS insertion

The budget request contained $17.1 million in PE 25632N for MK–48 Advanced Capability Torpedo operational systems development, but included no funding for insertion of advanced commercial-off-the-shelf (COTS) technology into the Mk 48 ADCAP torpedo.

The committee is concerned that the performance of the MK–48 submarine-launched torpedo in littoral waters is far less than desired. The committee is that the advanced rapid COTS insertion (A–RCI) program, which uses advanced processing builds (APB) and a multi-purpose processor (MPP) hardware architecture developed under small business innovative research, has successfully and very cost effectively improved the performance of submarine sonar systems. The committee believes that a similar A–RCI program for the MK–48 torpedo, which leverages the experience gained in the submarine sonar program, could have significant potential to cost effectively improve performance of the MK–48 torpedo in the demanding littoral waters sonar environment.

Therefore, the committee recommends $27.1 million in PE 25632N, an increase of $10.0 million to extend the application of the advanced processing build/multipurpose processor technology insertion process to the MK–48 ADCAP torpedo.

Vacuum electronics

The budget request contained $62.1 million in PE 62271N for applied research in radio frequency technology, including $6.5 million

for vacuum electronics; and $76.9 million in PE 63271N for radio frequency advanced technology development.

The committee report on H.R. 1402 (H. Rept. 106–162) noted the committee's support for a robust vacuum electronics research and development program in the Department of Defense and other federal agencies. The committee has reviewed the results of the Secretary of the Navy's recent report to Congress on the DOD vacuum electronics program and the DOD's April 2001 Technology Area Review and Assessment (TARA) on creating a balanced tri-service investment strategy for RF vacuum electronics and solid state power technologies. The committee endorses the TARA views on the criticality of support for both vacuum electronics and solid-state power technologies. The committee notes the TARA review's recommendations for increased funding in the tri-service vacuum electronics program and for establishment of a combined tri-service initiative to rapidly advance wide bandgap semiconductor device technology to enable advanced military radar and other systems requiring power electronics in the mid-to-long term.

The committee recommends $16.5 million in PE 62271N for applied research in vacuum electronics, an increase of $10.0 million; and an increase of $5.0 million in PE 63271N for vacuum electronics advanced technology development. The committee has recommended a legislative provision (Section 244) that would accelerate the program for development of advanced solid state, wide bandgap semiconductor technology. The committee expects the Under Secretary of Defense (Acquisition, Technology, and Logistics) through the Director of Defense Research and Engineering to ensure a balanced investment strategy for vacuum electronics and solid state power technologies that will meet DOD requirements for current and future systems that use radio frequency power electronics.

VECTOR study and analysis

The budget request contained $11.6 million in PE 63790N for the cooperative NATO research and development program.

The committee is aware that a funding shortfall has developed in the VECTOR program, which is due in large part to a lower-than-expected contribution provided by the Federal Republic of Germany for fiscal year 2002. The committee is concerned with the numerous executability problems experienced in this program and remains concerned about the feasibility and follow-on applications of this technology.

The committee recommends that the Secretary of the Navy review VECTOR's technological feasibility, assess its potential follow-on applications in accordance with the Navy's future force structure plans, and examine in particular the possible incorporation of VECTOR technology applied to manned and unmanned naval aircraft in the inventory.

The committee recommends $11.6 million in PE 63790 N, including $1.0 million for the VECTOR study and analysis program.

Warfighter sustainment advanced technology

The budget request contained $48.6 million in PE 63236N for warfighter sustainment advanced technology development.

Naval environmental compliance operations monitoring system

The committee understands that proposals have been made for establishment of a naval environmental compliance operations monitoring system (NECOSM), a two-pronged effort to increase capabilities for situational awareness and pollution prevention. The first effort would involve implementing monitoring and control technology modules that were identified during a previously funded baseline survey and cost analysis. The second effort would use environmental analysis, cost, and compliance driven needs assessment to identify high priority projects for implementation of NECOSM. The committee recommends an increase of $6.0 million in PE 63236N for development and application of advanced technology leading to a Naval Environmental Compliance Operations Monitoring System.

Real time heart rate variability monitor

The committee understands that real time heart rate variability technology has the potential for enhancing on-site assessment of disease and trauma by enabling physiological measurement of nervous system functioning and balance. The committee believes that improvements in these areas can lead to improved treatment and victim survivability. The committee also believes that the technology may permit the early detection and treatment of the effects of weapons of mass destruction.

The committee recommends an increase of $8.9 million in PE 63236N for advanced development and demonstration of applications for real time heart rate variability technology.

Warfighter sustainment applied research

The budget request contained $71.3 million in PE 62236N for warfighter sustainment applied research.

Commercial off-the-shelf (COTS) carbon fiber qualification

The committee notes that Navy and other DOD aircraft and weapons systems must use a high-priced carbon fiber available only from a single source to reinforce composite structures. As a result of the development of a new qualification protocol, the Navy and the Joint Strike Fighter program now have the means to qualify new commercially available fibers for use in advanced composite structures.

The committee recommends an increase of $2.0 million in PE 62236N for qualification of commercially available carbon fibers for aircraft and missile applications.

Detection and identification of human pathogens

Recent advances and maturing of design and technology have enabled portable, cost-effective fabrication and demonstration of high-sensitivity, high spectral-resolution sensors for the detection and identification of spectral signatures emitted by pathogens. The committee believes that such sensors provide the potential for the development of active, high-resolution, broadband spectral sensing instruments for real-time in vivo detection and identification of human pathogens.

The committee recommends an increase of $2.0 million in PE 62236N for applied research in the detection and identification of human pathogens.

Formable aligned carbon thermo sets

The committee understands that a new composite technology known as formable aligned carbon thermo sets (FACTS) has the potential for markedly reducing the cost of composites and for enabling the production of more complex composite structures in aircraft structures and other applications where flexibility in design and fabrication of the structure is needed. Successful development of the technology will lead to reductions in the cost of production of existing composite structures, increase the percentage of composites in the system design, and significantly reduce operations and maintenance costs.

The committee recommends an increase of $4.0 million in PE 62236N to accelerate the Navy's program research and development program in formable aligned carbon thermo sets.

Knowledge-based ship system diagnosis and repair

The committee notes the establishment by the Navy of a collaborative program for the development of a new system to remotely monitor Navy ships and enable off-board technical experts to assist on-board technicians that are part of the ship's crew in ship maintenance and repair. The committee believes that successful development and implementation of this new approach to knowledge-based system diagnosis and repair could be increasingly important as the Navy make the transition to ships with reduced number of personnel and as electronic equipment and other ships systems continues to be more complex and powerful.

The committee recommends an increase of $3.0 million in PE 62236N for applied research in knowledge-based ship system diagnosis and repair.

AIR FORCE RDT&E

Overview

The budget request contained $14,344.0 million for Air Force RDT&E. The committee recommends authorization of $14,455.6 million, an increase of $111.7 million.

The committee recommendations for the fiscal year 2002 Air Force RDT&E program are identified in the table below. Major changes to the Air Force request are discussed following the table.

TITLE II - RESEARCH, DEVELOPMENT, TEST & EVALUATION

(Dollars in Thousands)

PROGRAM ELEMENT NUMBER	R-1 LINE	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
		RESEARCH, DEVELOPMENT, TEST & EVALUATION, AIR FORCE			
		BASIC RESEARCH			
0601102F	1	DEFENSE RESEARCH SCIENCES	220,869		220,869
		TOTAL, BASIC RESEARCH	**220,869**	**0**	**220,869**
		RESEARCH AND DEVELOPMENT	220,869	0	220,869
		ENGINEERING AND MANUFACTURING DEVELOPMENT	0	0	0
		APPLIED RESEARCH			
0602102F	2	MATERIALS	77,164	12,500	89,664
		Free Electron Laser			(+5,500)
		Special Aerospace Materials and Manufacturing Processes			(+$4,500)
		Thermal Management for Space Structures			(+2,500)
0602201F	3	AEROSPACE VEHICLE TECHNOLOGIES	97,465		97,465
0602202F	4	HUMAN EFFECTIVENESS APPLIED RESEARCH	69,080	4,000	73,080
		Advanced Display Technology			(+4,000)
0602203F	5	AEROSPACE PROPULSION	149,211	15,500	164,711
		Integrated High Payoff Rocket Propulsion Tech			(+9,500)
		Pulse Detonation Engine			(+6,000)
0602204F	6	AEROSPACE SENSORS	84,149	(14,100)	70,049
		decrease			(-14,100)
0602269F	7	HYPERSONIC TECHNOLOGY PROGRAM			0
0602601F	8	SPACE TECHNOLOGY	61,086		61,086
0602602F	9	CONVENTIONAL MUNITIONS	49,270		49,270
0602605F	10	DIRECTED ENERGY TECHNOLOGY	36,678	(5,700)	30,978
		decrease			(-5,700)
0602702F	11	COMMAND CONTROL AND COMMUNICATIONS	61,659	(5,200)	56,459
		decrease			(-5,200)
0602805F	12	DUAL USE SCIENCE AND TECHNOLOGY PROGRAM	10,417		10,417
		TOTAL, APPLIED RESEARCH	**696,179**	**7,000**	**703,179**
		RESEARCH AND DEVELOPMENT	696,179	7,000	703,179
		ENGINEERING AND MANUFACTURING DEVELOPMENT	0	0	0
		ADVANCED TECHNOLOGY DEVELOPMENT			

TITLE II - RESEARCH, DEVELOPMENT, TEST & EVALUATION

(Dollars in Thousands)

PROGRAM ELEMENT NUMBER	R-1 LINE	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
0603106F	13	LOGISTICS SYSTEMS TECHNOLOGY			0
0603112F	14	ADVANCED MATERIALS FOR WEAPON SYSTEMS	32,748	10,500	43,248
		Ceramic matrix composites for engines			(+2,000)
		Materials Technologies for Aging Aircraft			(+4,000)
		Special Aerospace Materials and Manufacturing Processes			(+$4,500)
0603202F	15	AEROSPACE PROPULSION SUBSYSTEMS INTEGRATION			0
0603203F	16	ADVANCED AEROSPACE SENSORS	55,809	5,000	60,809
		Advanced Aerospace Sensors			(+5,000)
0603205F	17	FLIGHT VEHICLE TECHNOLOGY			0
0603211F	18	AEROSPACE TECHNOLOGY DEV/DEMO	26,269	2,000	28,269
		Access-to-Space Joint System Program Office			(+2,000)
0603216F	19	AEROSPACE PROPULSION AND POWER TECHNOLOGY	114,335		114,335
0603227F	20	PERSONNEL, TRAINING AND SIMULATION TECHNOLOGY			0
0603231F	21	CREW SYSTEMS AND PERSONNEL PROTECTION TECHNOLOGY	32,356		32,356
0603245F	22	FLIGHT VEHICLE TECHNOLOGY INTEGRATION			0
0603253F	23	ADVANCED SENSOR INTEGRATION			0
0603270F	24	ELECTRONIC COMBAT TECHNOLOGY	28,221		28,221
0603302F	25	SPACE AND MISSILE ROCKET PROPULSION		19,100	19,100
		Air Force Research Laboratory Test Stands			(+12,600)
		Integrated High Payoff Rocket Propulsion Tech			(+6,500)
0603311F	26	BALLISTIC MISSILE TECHNOLOGY			0
0603401F	27	ADVANCED SPACECRAFT TECHNOLOGY	54,528	15,000	69,528
		Low cost launch technology (Scorpious)			(+15,000)
0603410F	28	SPACE SYSTEMS ENVIRONMENTAL INTERACTIONS TECHNOLOGY			0
0603444F	29	MAUI SPACE SURVEILLANCE SYSTEM (MSSS)	6,484		6,484
0603601F	30	CONVENTIONAL WEAPONS TECHNOLOGY	37,617	8,000	45,617
		Low Cost Autonomous Attack System (LOCAAS)			(+8,000)
0603605F	31	ADVANCED WEAPONS TECHNOLOGY	43,758	(5,000)	38,758
		decrease			(-5,000)
0603723F	32	ENVIRONMENTAL ENGINEERING TECHNOLOGY		3,000	3,000
		Texas Regional Institute for Environmental Studies			(+3,000)
0603726F	33	AEROSPACE INFO TECH SYS INTEGRATION			0
0603789F	34	C3I ADVANCED DEVELOPMENT	32,644		32,644

TITLE II - RESEARCH, DEVELOPMENT, TEST & EVALUATION

(Dollars in Thousands)

PROGRAM ELEMENT NUMBER	R-1 LINE	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
0603876F	35	SPACE-BASED LASER			0
0603XXXF	XX	WARFIGHTER RAPID ACQUISITION PROCESS (WRAP) RAPID TRANSITION FUND		74,200	74,200
		increase			(+24,000)
		transfer from PE 23761F			(+50,200)
		TOTAL, ADVANCED TECHNOLOGY DEVELOPMENT	**464,769**	**131,800**	**596,569**
		RESEARCH AND DEVELOPMENT	464,769	131,800	596,569
		ENGINEERING AND MANUFACTURING DEVELOPMENT	0	0	0
		DEMONSTRATION AND VALIDATION			
0603260F	36	INTELLIGENCE ADVANCED DEVELOPMENT	4,482		4,482
0603319F	37	AIRBORNE LASER PROGRAM			0
0603421F	38	NAVSTAR GLOBAL POSITIONING SYSTEM III	78,358		78,358
0603430F	39	ADVANCED EHF MILSATCOM (SPACE)	549,659	(27,000)	522,659
		decrease			(-27,000)
0603432F	40	POLAR MILSATCOM (SPACE)	18,724	(5,000)	13,724
		decrease			(-5,000)
0603434F	41	NATIONAL POLAR-ORBITING OPERATIONAL ENVIRONMENTAL SATELLITE SYS (SPACE)	157,394		157,394
0603438F	42	SPACE CONTROL TECHNOLOGY	33,022	(10,000)	23,022
		decrease			(-10,000)
0603617F	43	COMMAND, CONTROL, AND COMMUNICATION APPLICATIONS			0
0603742F	44	COMBAT IDENTIFICATION TECHNOLOGY	11,523		11,523
0603790F	45	NATO RESEARCH AND DEVELOPMENT	5,616		5,616
0603800F	46	JOINT STRIKE FIGHTER			0
0603850F	47	INTEGRATED BROADCAST SERVICE (DEM/VAL)	20,529	(3,000)	17,529
		decrease			(-3,000)
0603851F	48	INTERCONTINENTAL BALLISTIC MISSILE - DEM/VAL	44,484		44,484
0603854F	49	WIDEBAND GAPFILLER SYSTEM RDT&E (SPACE)	96,670		96,670
0603856F	50	AIR FORCE/NATIONAL PROGRAM COOPERATION (AFNPC)	4,433	(4,433)	0
		decrease			(-4,433)

TITLE II - RESEARCH, DEVELOPMENT, TEST & EVALUATION

(Dollars in Thousands)

PROGRAM ELEMENT NUMBER	R-1 LINE	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
0603859F	51	POLLUTION PREVENTION (DEM/VAL)	2,688	(2,688)	0
		decrease			(-2,688)
0603860F	52	JOINT PRECISION APPROACH AND LANDING SYSTEMS - DEM/VAL	9,554	5,000	14,554
		JPALS			(+5,000)
0604327F	53	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM			0
		TOTAL, DEMONSTRATION AND VALIDATION	**1,037,136**	**(47,121)**	**990,015**
		RESEARCH AND DEVELOPMENT	1,037,136	(47,121)	990,015
		ENGINEERING AND MANUFACTURING DEVELOPMENT	0	0	0
		ENGINEERING AND MANUFACTURING DEVELOPMENT			
0603840F	54	GLOBAL BROADCAST SERVICE (GBS)	34,544		34,544
0604012F	55	JOINT HELMET MOUNTED CUEING SYSTEM (JHMCS)	5,960		5,960
0604201F	56	INTEGRATED AVIONICS PLANNING AND DEVELOPMENT			0
0604222F	57	NUCLEAR WEAPONS SUPPORT	13,120		13,120
0604226F	58	B-1B	194,507	(42,000)	152,507
		Transfer to O&M Air National Guard			(-42,000)
0604227F	59	DISTRIBUTED MISSION TRAINING (DMT)			0
0604233F	60	SPECIALIZED UNDERGRADUATE PILOT TRAINING	4,885		4,885
0604239F	61	F-22 EMD	865,464		865,464
0604240F	62	B-2 ADVANCED TECHNOLOGY BOMBER	155,004	90,000	245,004
		Link 16/CID/IFR			(+63,000)
		EGBU-28			(+27,000)
0604251F	63	SPACE-BASED RADAR EMD	50,000		50,000
0604270F	64	EW DEVELOPMENT	41,267	13,300	54,567
		PLAID			(+13,300)
0604328F	65	EXTENDED RANGE CRUISE MISSILE (ERCM)	40,235		40,235
0604329F	66	SMALL DIAMETER BOMB (SDB) (DEM/VAL)	40,000		40,000
0604441F	67	SPACE BASED INFRARED SYSTEM (SBIRS) HIGH EMD	405,229		405,229
0604442F	68	SPACE BASED INFRARED SYSTEM (SBIRS) LOW EMD			0
0604479F	69	MILSTAR LDR/MDR SATELLITE COMMUNICATIONS (SPACE)	232,084	6,500	238,584
		Satellite Planning & Information Network			(+6,500)
0604600F	70	MUNITIONS DISPENSER DEVELOPMENT			0
0604602F	71	ARMAMENT/ORDNANCE DEVELOPMENT	3,838		3,838

TITLE II - RESEARCH, DEVELOPMENT, TEST & EVALUATION

(Dollars in Thousands)

PROGRAM ELEMENT NUMBER	R-1 LINE	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
0604604F	72	SUBMUNITIONS	4,809		4,809
0604617F	73	AGILE COMBAT SUPPORT	6,674		6,674
0604618F	74	JOINT DIRECT ATTACK MUNITION	27,956		27,956
0604703F	75	AEROMEDICAL/CHEMICAL DEFENSE SYSTEMS			0
0604706F	76	LIFE SUPPORT SYSTEMS	4,586		4,586
0604708F	77	CIVIL, FIRE, ENVIRONMENTAL, SHELTER ENGINEERING			0
0604727F	78	JOINT STANDOFF WEAPONS SYSTEMS			0
0604735F	79	COMBAT TRAINING RANGES	25,943		25,943
0604740F	80	INTEGRATED COMMAND &; CONTROL APPLICATIONS (IC2A)	224		224
0604750F	81	INTELLIGENCE EQUIPMENT	1,323		1,323
0604754F	82	TACTICAL DATA LINK INFRASTRUCTURE	17,648		17,648
0604762F	83	COMMON LOW OBSERVABLES VERIFICATION SYSTEM (CLOVERS)	6,713		6,713
0604779F	84	TACTICAL DATA LINK INTEROPERABILITY	5,677		5,677
0604800F	85	JOINT STRIKE FIGHTER EMD	769,511	10,000	779,511
		Alternative Engine Program			(+10,000)
0604805F	86	COMMERCIAL OPERATIONS AND SUPPORT SAVINGS INITIATIVE			0
0604851F	87	INTERCONTINENTAL BALLISTIC MISSILE - EMD	81,086		81,086
0604853F	88	EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE) - EMD	320,321		320,321
0605011F	89	RDT&E FOR AGING AIRCRAFT	20,115	15,000	35,115
		Aging Landing Gear Life Extension			(+15,000)
0207249F	90	PRECISION ATTACK SYSTEMS PROCUREMENT	5,984		5,984
0305176F	91	COMBAT SURVIVOR EVADER LOCATOR	11,486		11,486
0401318F	92	CV-22	10,008		10,008
		TOTAL, ENGINEERING AND MANUFACTURING DEVELOPMENT	**3,406,201**	**92,800**	**3,499,001**
		RESEARCH AND DEVELOPMENT	0	0	0
		ENGINEERING AND MANUFACTURING DEVELOPMENT	3,406,201	92,800	3,499,001
		RDT&E MANAGEMENT SUPPORT			
0604256F	93	THREAT SIMULATOR DEVELOPMENT	38,153		38,153

TITLE II - RESEARCH, DEVELOPMENT, TEST & EVALUATION

(Dollars in Thousands)

PROGRAM ELEMENT NUMBER	R-1 LINE	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
0604759F	94	MAJOR T&E INVESTMENT	49,857	10,000	59,857
		Laser Induced Surface Improvement			(+6,000)
		Propulsion Wind Tunnel (PWT) Upgrade			(+4,000)
0605101F	95	RAND PROJECT AIR FORCE	25,098	(5,000)	20,098
		decrease			(-5,000)
0605306F	96	RANCH HAND II EPIDEMIOLOGY STUDY	10,950		10,950
0605502F	97	SMALL BUSINESS INNOVATION RESEARCH			0
0605712F	98	INITIAL OPERATIONAL TEST & EVALUATION	28,998		28,998
0605807F	99	TEST AND EVALUATION SUPPORT	396,583	(13,600)	382,983
		decrease			(-13,600)
0605854F	100	POLLUTION PREVENTION			0
0605860F	101	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE)	8,538	11,000	19,538
		Missile Technology Demonstration (MTD)-3B			(+11,000)
0605864F	102	SPACE TEST PROGRAM (STP)	50,523	5,000	55,523
		High Accuracy Network Demonstration System			(+5,000)
0804731F	103	GENERAL SKILL TRAINING	309		309
0909900F	104	FINANCING FOR EXPIRED ACCOUNT ADJUSTMENTS			0
0909980F	105	JUDGMENT FUND REIMBURSEMENT	10,000	(10,000)	0
		decrease			(-10,000)
1001004F	106	INTERNATIONAL ACTIVITIES	3,846		3,846
		TOTAL, RDT&E MANAGEMENT SUPPORT	**622,855**	**(2,600)**	**620,255**
		RESEARCH AND DEVELOPMENT	622,855	(2,600)	620,255
		ENGINEERING AND MANUFACTURING DEVELOPMENT	0	0	0
		OPERATIONAL SYSTEMS DEVELOPMENT			
0101113F	107	B-52 SQUADRONS	66,874		66,874
0101120F	108	ADVANCED CRUISE MISSILE	2,487		2,487
0101122F	109	AIR-LAUNCHED CRUISE MISSILE (ALCM)	6,841		6,841
0102325F	110	ATMOSPHERIC EARLY WARNING SYSTEM			0
0102326F	111	REGION/SECTOR OPERATION CONTROL CENTER MODERNIZATION PROGRAM			0
0102411F	112	NORTH ATLANTIC DEFENSE SYSTEM			0

TITLE II - RESEARCH, DEVELOPMENT, TEST & EVALUATION

(Dollars in Thousands)

PROGRAM ELEMENT NUMBER	R-1 LINE	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
0203761F	113	WARFIGHTER RAPID ACQUISITION PROCESS (WRAP) RAPID TRANSITION FUND	30,247	(30,247)	0
		transfer to PE 63XXXF			(-30,247)
0207027F	114	AC2ISR CENTER			0
0207028F	115	JOINT EXPEDITIONARY FORCE EXPERIMENT	64,005	(29,400)	34,605
		decrease			(-29,400)
0207131F	116	A-10 SQUADRONS	3,049		3,049
0207133F	117	F-16 SQUADRONS	110,797	(30,000)	80,797
		decrease			(-30,000)
0207134F	118	F-15E SQUADRONS	101,439	(25,500)	75,939
		decrease			(-25,500)
0207136F	119	MANNED DESTRUCTIVE SUPPRESSION	22,239		22,239
0207138F	120	F-22 SQUADRONS	16,092	(15,100)	992
		decrease			(-15,100)
0207141F	121	F-117A SQUADRONS	2,305		2,305
0207161F	122	TACTICAL AIM MISSILES	5,771		5,771
0207163F	123	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	57,702		57,702
0207247F	124	AF TENCAP	10,811	3,000	13,811
		GPS - Jammer Detection and Location System			(+3,000)
0207248F	125	SPECIAL EVALUATION PROGRAM	100,027	3,500	103,527
		classified			(+3,500)
0207253F	126	COMPASS CALL	3,908		3,908
0207268F	127	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	175,101	(25,500)	149,601
		decrease			(-25,500)
0207277F	128	CSAF INNOVATION PROGRAM	1,961	(1,961)	0
		decrease			(-1,961)
0207320F	129	SENSOR FUSED WEAPONS			0
0207325F	130	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM)	79,197		79,197
0207410F	131	AEROSPACE OPERATIONS CENTER (AOC)	19,514	(10,000)	9,514
		decrease			(-10,000)
0207412F	132	CONTROL AND REPORTING CENTER (CRC)	7,047		7,047
0207417F	133	AIRBORNE WARNING AND CONTROL SYSTEM (AWACS)	39,787		39,787
0207423F	134	ADVANCED COMMUNICATIONS SYSTEMS	9,324		9,324
0207424F	135	EVALUATION AND ANALYSIS PROGRAM	204,467		204,467

TITLE II - RESEARCH, DEVELOPMENT, TEST & EVALUATION

(Dollars in Thousands)

PROGRAM ELEMENT NUMBER	R-1 LINE	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
0207433F	136	ADVANCED PROGRAM TECHNOLOGY	107,716	10,500	118,216
		classified			(+10,500)
0207438F	137	THEATER BATTLE MANAGEMENT (TBM) C4I	37,331		37,331
0207581F	138	JOINT SURVEILLANCE AND TARGET ATTACK RADAR SYSTEM (JOINT STARS)	147,859	99,000	246,859
		JSTARS Ocean Surveillance			(+10,000)
		Multi-Platform Radar Technology Insertion Program			(+89,000)
0207590F	139	SEEK EAGLE	17,833		17,833
0207591F	140	ADVANCED PROGRAM EVALUATION	82,397		82,397
0207601F	141	USAF MODELING AND SIMULATION	25,345	2,000	27,345
		Synthetic Theater Operations Research Model (STORM)			(+2,000)
0207605F	142	WARGAMING AND SIMULATION CENTERS	5,033		5,033
0207701F	143	FULL COMBAT MISSION TRAINING	3,763		3,763
0208006F	144	MISSION PLANNING SYSTEMS	16,904		16,904
0208021F	145	INFORMATION WARFARE SUPPORT	1,803		1,803
0208031F	146	WAR RESERVE MATERIEL - EQUIPMENT/SECONDARY ITEMS			0
0208060F	147	THEATER MISSILE DEFENSES			0
0208160F	148	TECHNICAL EVALUATION SYSTEM	154,621		154,621
0208161F	149	SPECIAL EVALUATION SYSTEM	42,334		42,334
0301357F	154	NUDET DETECTION SYSTEM			0
0302015F	156	E-4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC)	23,359		23,359
0303110F	157	DEFENSE SATELLITE COMMUNICATIONS SYSTEM (SPACE)	3,895		3,895
0303112F	158	AIR FORCE COMMUNICATIONS (AIRCOM)	31,828		31,828
0303131F	159	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	5,982		5,982
0303140F	160	INFORMATION SYSTEMS SECURITY PROGRAM	7,936		7,936
0303141F	161	GLOBAL COMBAT SUPPORT SYSTEM	48,911		48,911
0303150F	162	GLOBAL COMMAND AND CONTROL SYSTEM	3,521		3,521
0303401F	163	COMMUNICATIONS SECURITY (COMSEC)	4,131		4,131
0303601F	164	MILSATCOM TERMINALS	41,763		41,763
0304311F	166	SELECTED ACTIVITIES	79,208		79,208
0305099F	167	GLOBAL AIR TRAFFIC MANAGEMENT (GATM)	9,331		9,331
0305110F	168	SATELLITE CONTROL NETWORK (SPACE)	56,349		56,349
0305111F	169	WEATHER SERVICE	11,452		11,452
0305114F	170	AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (ATCALS)	26,982		26,982

TITLE II - RESEARCH, DEVELOPMENT, TEST & EVALUATION

(Dollars in Thousands)

PROGRAM ELEMENT NUMBER	R-1 LINE	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
0305128F	171	SECURITY AND INVESTIGATIVE ACTIVITIES	472		472
0305144F	173	TITAN SPACE LAUNCH VEHICLES (SPACE)	21,293		21,293
0305159F	174	DEFENSE RECONNAISSANCE SUPPORT ACTIVITIES (SPACE)	46,578		46,578
0305160F	175	DEFENSE METEOROLOGICAL SATELLITE PROGRAM (SPACE)	12,259		12,259
0305164F	176	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE)	53,093		53,093
0305165F	177	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE AND CONTROL SEGMENTS)	186,459		186,459
0305182F	179	SPACELIFT RANGE SYSTEM (SPACE)	65,097		65,097
0305202F	180	DRAGON U-2 (JMIP)	32,804		32,804
0305205F	181	ENDURANCE UNMANNED AERIAL VEHICLES	190,237		190,237
0305206F	182	AIRBORNE RECONNAISSANCE SYSTEMS	77,766	19,500	97,266
		Combat Sent Passive Airborne Ranging			(+4,500)
		Theater Airborne Reconnaissance Systems			(+15,000)
0305207F	183	MANNED RECONNAISSANCE SYSTEMS			0
0305208F	184	DISTRIBUTED COMMON GROUND SYSTEMS	11,429	22,500	33,929
		Distributed Common Ground Station			(+22,500)
0305906F	185	NCMC - TW/AA SYSTEM	15,797		15,797
0305910F	186	SPACETRACK (SPACE)	32,591	(20,000)	12,591
		decrease			(-20,000)
0305911F	187	DEFENSE SUPPORT PROGRAM (SPACE)	6,363		6,363
0305913F	188	NUDET DETECTION SYSTEM (SPACE)	18,823		18,823
0305917F	189	SPACE ARCHITECT			0
0308601F	190	MODELING AND SIMULATION SUPPORT			0
0308699F	191	SHARED EARLY WARNING (SEW)	3,697		3,697
0401115F	192	C-130 AIRLIFT SQUADRON	80,533		80,533
0401119F	193	C-5 AIRLIFT SQUADRONS	166,508	(30,000)	136,508
		decrease			(-30,000)
0401130F	194	C-17 AIRCRAFT	110,619		110,619
0401134F	195	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM)	62,530	(22,500)	40,030
		decrease			(-22,500)
0401214F	196	AIR CARGO MATERIAL HANDLING (463-L) (NON-IF)			0
0401218F	197	KC-135S	5,416		5,416
0401219F	198	KC-10S	22,774		22,774
0404011F	199	SPECIAL OPERATIONS FORCES			0

TITLE II - RESEARCH, DEVELOPMENT, TEST & EVALUATION

(Dollars in Thousands)

PROGRAM ELEMENT NUMBER	R-1 LINE	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
0702207F	200	DEPOT MAINTENANCE (NON-IF)	1,542	4,000	5,542
		Joint Service Metrology R&D Support			(+4,000)
0708011F	201	INDUSTRIAL PREPAREDNESS	53,782	6,000	59,782
		Bipolar Wafer Cell Nickel-Metal Hydride Battery			(+2,500)
		Special Aerospace Materials and Manufacturing Processes			(+3,500)
0708026F	202	PRODUCTIVITY, RELIABILITY, AVAILABILITY, MAINTAIN. PROG OFC (PRAMPO)	20,689		20,689
0708071F	203	JOINT LOGISTICS PROGRAM - AMMUNITION STANDARD SYSTEM	106		106
0708611F	204	SUPPORT SYSTEMS DEVELOPMENT	24,221		24,221
0708612F	205	COMPUTER RESOURCES SUPPORT IMPROVEMENT PROGRAM (CRSIP)	2,376		2,376
0901218F	206	CIVILIAN COMPENSATION PROGRAM	7,019		7,019
1001018F	207	NATO JOINT STARS			0
XXXXXX	999	Classified Programs	4,424,521		4,424,521
		TOTAL, OPERATIONAL SYSTEMS DEVELOPMENT	**7,895,973**	**(70,208)**	**7,825,765**
		RESEARCH AND DEVELOPMENT	7,895,973	(70,208)	7,825,765
		ENGINEERING AND MANUFACTURING DEVELOPMENT	0	0	0
		TOTAL. RESEARCH, DEVELOPMENT, TEST & EVALUATION, AIR FORCE	**14,343,982**	**111,671**	**14,455,653**
		RESEARCH AND DEVELOPMENT	10,937,781	18,871	10,956,652
		ENGINEERING AND MANUFACTURING DEVELOPMENT	3,406,201	92,800	3,499,001

Items of Special Interest

Access to space

The budget request included $26.3 million for the demonstration and transition of Aerospace Structures in PE 63211F.

The committee recognizes the growing significance of space operational capability and that dependable and low-cost access to space may require the use of highly-specialized aerospace vehicles and structures. To address these evolving challenges, the committee urges the Secretary of the Air Force to establish a joint program office with Army and Navy representation to define required technology investments for access-to-space, to perform current and future Air Force capability assessments, to develop an integrated plan for low-cost access to space, and initiate studies and development activities in support of such a plan. Further, the committee strongly urges coordination between the Aeronautical Systems Center, the Space and Missile Center, the Air Force Research Laboratory, and the National Aeronautics and Space Administration (NASA).

Accordingly, the committee authorizes $28.3 million in PE 63211F, an increase of $2.0 million to address this access-to-space priority.

Advanced aerospace sensors

The budget request contained $55.8 million in PE 63203F for advanced aerospace sensors.

The committee believes that advanced sensors are essential to support future warfighter requirements and therefore recommends $60.8 million in PE 63203F, an increase of $5.0 million for advanced aerospace sensors.

Aerospace propulsion

The budget request contained $149.2 million in PE 62203F for aerospace propulsion.

The committee notes the recent efforts by the Department of Defense to ensue adequate funding in this critical Air Force applied research account. The committee is aware of a small business innovative research effort, the Pulse Detonation Engine (PDE), which has been in development for several years and appears ready for fabrication and test of a flight-worthy PDE. The committee recommends an increase of $6.0 million in PE 62203F to contain PDE efforts.

The committee also continues to support Air Force investments in Integrated High Payoff Rocket Propulsion Technology (IHPRPT) and recommends an increase of $9.5 million in PE 62203F and an increase of $6.5 million on PE 63302F for continued investments in IHPRPT.

Aging landing gear life extension (ALGLE) program

The budget request contained $20.1 million in PE 65011F for development of products and services to improve the performance of aging aircraft systems but included no funds for the ALGLE program.

The ALGLE program addresses the operational, safety and maintenance consequences of increased mishaps resulting from landing gear failures as well as unacceptable mission incapable rates for KC–135, C–130, C–5 and F–16 aircraft that are attributable to either unavailable or unreliable landing gear assets. The committee notes that the ALGLE program is prototyping new landing gear component modifications, developing new repair techniques, and exploiting new technologies. The committee understands that these efforts have already resulted in life cycle cost reductions of over $46.0 million and believes that this program should continue to address the Air Force's aging landing gear problems in fiscal year 2002 and in subsequent years.

Accordingly, the committee recommends $35.1 million in PE 65011F, an increase of $15.0 million, for continuation of the ALGLE program.

Airborne reconnaissance system

The budget request contained $77.8 million in PE 35206F for airborne systems, but included no funds for theater airborne reconnaissance system (TARS) or Combat Sent passive airborne ranging.

The committee recommends $97.3 million in PE 35206F, an increase of $4.5 million for Combat Sent passive airborne ranging and an increase of $15.0 million for TARS development.

Assessment relating to gasoline and diesel engine fuel systems

The committee encourages the Secretary of Defense to assess the potential for developing a program that would require all military services to maintain gasoline and diesel engine fuel systems using engine decarbonizing systems. The assessment should address the costs and benefits of a requirement that the equipment and cleaning agents used in decarbonizing engines be tested and approved by entities such as the Management and Equipment Evaluation Program (MEEP) of the Department of the Air Force or similar testing entities in the other military services. Consideration should be given to requirements that cleaning agents are non-carcinogenic, non-flammable, and non-hazardous, as documented by the Material Safety Data Sheets (MSDS) required by the U.S. Environmental Protection Agency, and that the use of transmission fluid exchange equipment that is capable of exchanging virtually all contaminated automatic transmission fluid (ATF) with new ATF.

Bipolar wafer cell nickel-metal hydride battery

The budget request contained $53.8 million in PE 78011F for the Air Force's manufacturing technology program.

The committee notes that the Air Force has been developing a bipolar wafer-cell nickel-metal hydride (NiMH) replacement battery for the F–16 aircraft that has the potential to provide significantly higher power than nickel-cadmium batteries. The committee understands that the use of bipolar wafer-cell NiMH batteries could lead to significant savings from reduced procurement and maintenance of existing nickel-cadmium batteries.

The committee recommends an increase of $2.5 million in PE 78011F for to complete manufacturing technology development and testing of a bipolar wafer-cell NiMH battery for the F–16 aircraft.

Commercial imagery strategy

The committee believes that the United States should prioritize the use of commercial remote sensing as envisioned in Presidential Decision Directive–23. Moreover, the committee believes that allocating certain imagery requirements to the U.S. commercial remote sensing industry will permit National Technical Means to focus on high priority intelligence requirements. Thus, the committee continues to support use of commercial satellite imagery and geo-spatial products and services to satisfy the non-time-critical low and medium resolution requirements of the Secretary of Defense, including the regional Commanders-in-Chief, and the Intelligence Community.

The committee also understands that the Administration is developing a commercial imagery strategy to support these requirements and strongly endorses the development and implementation of such a strategy. The committee believes, however, that the U.S. government must become a reliable, long-term customer of commercial imagery if the strategy is to be successful. The committee recognizes that there are budgetary and contract authority issues, but does not believe they are beyond solution.

Therefore, the committee directs the Secretary of Defense, in consultation with the Director of Central Intelligence, to plan and carry out a program to purchase a majority of their non-time-critical low and medium resolution imagery requirements from the U.S. commercial remote sensing industry by 2005.

Free electron laser

The budget request contained $77.2 million in PE 62102F for Materials, but included no funds for free electron laser.

The committee notes the progress achieved in Navy free electron laser (FEL) development and urges the Secretary of the Air Force to continue collaborative efforts including the addition of ultra violet capability to the Navy's FEL demonstration to examine aerospace applications.

The committee recommends an increase of $5.5 million in PE 62102F for FEL.

Funding transfers to support transformation

The committee is concerned that the largest area of growth in Air Force research and development (R&D) investments has occurred in the category of fielded system development and other mature technologies. Other areas included increases greater than previously forecast, apparently excessive management funding, or unobligated prior year funding. The committee believes that the highest priority for R&D investments should be to fund efforts directly related to transformation and future capabilities. Therefore, the committee recommends the following decreases to Air Force accounts, to be transferred to other programs within the Air Force that support transformation and future system development:

62204F	$14,100,000
62605F	5,700,000
62702F	5,200,000
63605F	5,000,000
63430F	27,000,000

63432F	5,000,000
63438F	10,000,000
63850F	3,000,000
63856F	4,433,000
63859F	2,688,000
65101F	5,000,000
65807F	13,600,000
99980F	10,000,000
27028F	29,400,000
27133F	30,000,000
27134F	25,500,000
27138F	15,100,000
27268F	25,500,000
27277F	1,961,000
27410F	10,000,000
35910F	20,000,000
41119F	30,000,000
41134F	22,500,000

GPS jammer detection and location system

The budget request contained $10.8 million in 27247F for Air Force tactical exploitation of national capabilities, but included no funds for GPS jammer detection and location system (GPS–JLOC).

The committee notes that mission planning tools, tactics, and procedures must be developed for countering jamming of GPS. The committee is aware that a GPS jammer detection and location system has been developed under a Phase II small business innovative research (SBIR) program and further notes that GPS–JLOC appears ready to transition to an operational capability under SBIR Phase III.

The committee recommends $3.8 million in PE 27247F, an increase of $3.0 million for GPS–JLOC.

High accuracy network demonstration system

The budget program included $50.5 million in PE 65864F for the Space Test Program (STP).

The committee supports the STP initiative as an effort for advancing space technology and enabling future U.S. space superiority in a cost effective manner. The committee is aware of an orbit-identification and determination capability that may reduce errors and costs in the current space-object maintenance catalog. The technology may improve ephemeris determination for Defense Support Program satellites by as much as 50 percent through the use of highly accurate angular observations from a family of low-cost optical sensors called the High Accuracy Network Determination System (HANDS). The committee notes the expected low-cost nature of HANDS and encourages the Air Force to pursue opportunities in this area.

Accordingly, the committee authorizes $55.5 million in PE 65864F for HANDS, an increase of $5.0 million over the request.

Joint precision approach landing system

The budget request contained $9.6 million in PE 63860F for joint precision approach landing systems (JPALS).

The committee is aware that the basic requirement for joint precision approach landing system is to provide a rapidly deployable, adverse weather and terrain, survivable, maintainable, interoperable precision approach and landing system for land and sea. The

committee notes that JPALS will replace existing, obsolete landing systems in the fleet and ashore.

The committee recommends $14.6 million in PE 63860F for JPALS.

Joint STARS multi-platform radar technology insertion program

The budget request contained $147.8 million in PE 27581F for Joint STARS system development, but contained no funds for Multi-Platform Radar Technology Insertion Program (RTIP).

The committee notes the tremendous contributions of Joint STARS aircraft to ground warfare and warfighter situational awareness and fully supports the planned improvements inherent in the RTIP effort that will enhance ground surveillance, precision targeting, and battlefield coordination. However, the committee is concerned with the operational limitations experienced by the Joint STARS fleet refurbished airframes and believes that the Air Force should thoroughly assess utilization of RTIP technology on other, more modern, airframes.

Therefore, the committee recommends $246.8 million in PE 27581F, an increase of $89.0 million for Multi-Platform RTIP and an increase of $10.0 million for Joint STARS ocean surveillance capability testing.

Joint strike fighter (JSF) alternate engine

The budget request contained $769.5 million in PE 64800F to begin the engineering and manufacturing development phase of the JSF program, but included no funds to reduce development schedule risk of the alternate engine common hardware components.

The JSF program will develop and field a family of aircraft that meets the needs of the Navy, Air Force, Marine Corps, and allies with commonality among the variants to minimize life cycle costs. The committee notes that the JSF joint program office (JPO) has encouraged two engine manufacturers to work together on the co-development of propulsion components which are common to both the JSF's current F–119 engine and the F–120 alternate engine and understands that this effort will develop two interchangeable propulsion systems while preserving the proprietary interests of each manufacturer. The committee also understands that the JPO supports production of the F–120 alternate engine as part of the low-rate initial JSF production scheduled for fiscal year 2009 but believes that increased funding in fiscal year 2002 is required to reduce development schedule risk of the common hardware components.

Accordingly, the committee recommends $779.5 million in PE 64800F, an increase of $10.0 million, to reduce development schedule risk of the JSF alternate engine common hardware components.

Low cost autonomous attack system

The budget request contained $37.6 million in PE 63601F, including $8.0 million for the Low Cost Autonomous Attack System (LOCAAS).

The committee supports continued development of precision guided munitions (PGMs) such as LOCAAS and notes that the LOCAAS program is preparing for final development to address the

PGM requirements for area search weapons not addressed by the Air Force Small Diameter Bomb development program.

The committee recommends an increase of $8.0 million in PE 63601F to continue LOCAAS development.

Low cost launch technology

The budget request contained $54.5 million in PE 63401F for advanced spacecraft technology, but included no funds for low cost launch technology. The committee is aware of several low cost launch concepts and technologies that offer the potential to reduce space launch costs tremendously. The committee notes that the Scorpius program has successfully demonstrated reduced cost launch capabilities.

The committee recommends $69.5 million in PE 63401F, an increase of $15.0 million for low cost launch technologies, including Scorpius.

Major T&E investment

The budget request contained $49.9 million in PE 64759F for test & evaluation investments, but included no funds for the Propulsion Wind Tunnel (PWT) Upgrade project or the Laser Induced Surface Improvement (LISI) project.

The committee notes that previous year budget requests by the Air Force included funding to initiate the PWT Upgrade project, but sufficient funding has not yet been committed to complete this project. The committee also notes that the Air Force has explored the cost savings and improved wear and corrosion resistance demonstrated by components treated with the LISI process.

Therefore, the committee recommends $59.9 million in PE 64759F, an increase of $4.0 million, for completion of the PWT Upgrade project and an increase of $6.0 million for continued development of the LISI project.

Materials technologies for aging aircraft

The budget request included $32.7 million in PE 63112F for Advanced Materials for Weapon Systems.

The committee recognizes that future aeronautical capability will largely depend on significant improvements in advanced materials technologies that promise to extend the lifespan and reduce the total life cycle costs of future aerospace vehicles. While the committee notes that the Air Force has experienced some success in developing and implementing new aging aircraft technologies, it encourages the service to increase overall effort in this area.

Therefore, the committee recommends an increase of $4.0 million in PE 63112F to address this priority.

Missile Technology demonstration-3B

The budget request contained $8.5 million in PE 65860F for rocket systems launch programs, but included no funds for the Missile Technology Demonstration (MTD)–3B.

The committee notes that the MTD effort represents the primary high-speed weapon system technology platform within the Department of Defense and urges the Secretary of the Air Force to reas-

sess funding priorities giving full weight to the importance of the MTD program.

The committee recommends an increase of $11.0 million to PE 65860F for continued support of MTD–3B.

Non-space SIGINT architecture

The committee notes that the programs that make up the Joint SIGINT Architecture Family (JSAF) continue to experience significant programmatic setbacks despite the efforts of program officials and their industry partners. The Low Band Subsystem (LBSS) program was recently terminated after a seemingly endless series cost, schedule and performance difficulties and the High Band Subsystem program is reportedly facing similar difficulties with eventual termination possible. Moreover, the reported ability of the JSAF programs to allow full interoperability within emerging Department of Defense command, control, communications and intelligence architectures as originally envisioned was never realized and was not even possible without coordinated wide-band communications improvements throughout all the ISR platforms. The committee is concerned that the JSAF efforts have drained funding from reasonable alternatives for the near term.

The committee believes the JSAF program has failed with respect to its original objectives. The committee believes that this is not just another case of poor program performance, but indeed, this was a management approach failure that has denied the Department an achievable joint SIGINT architecture and the very objectives it was to solve. As a result, an adequate joint SIGINT architecture is still not available, critical SIGINT modernization efforts have not occurred, and interoperability is limited. The committee is convinced a joint architecture, replete with the ability to share system upgrades is achievable. But, it will have to be done by the platform program offices working together in a collaborative set of efforts. The committee believes that this cannot be realized by a program office independent of the platform developers, nor can it be done without a plan for achieving system-level interoperability.

Accordingly, the committee directs that Secretary of the Air Force, as principal acquisition executive for JSAF programs, to develop a comprehensive, non-space SIGINT system architecture plan for the post 2007 time frame. This plan shall provide for a digital, open architecture that uses only non-proprietary commercial standards and standardized, well-defined interfaces. Further, the systems in this architecture must include the ability to be reprogrammed through software changes to be periodically upgraded as well as to meet emerging time-critical requirements. The non-space SIGINT architecture plan shall be provided to the congressional defense and intelligence committees not later than May 31, 2002.

Precision location and identification (PLAID)

The budget request contained $41.3 million in PE 64270F for electronic warfare (EW) development, of which $1.8 million was included for the PLAID technology program.

The PLAID technology program will enhance aircrew situational awareness by providing accurate ground emitter location and unambiguous identification. The committee understands that the Air

Force plans to conduct a competition to advance the engineering manufacturing and development (EMD) phase of the PLAID technology program and further understands that, upon completion of the EMD phase, the PLAID upgrade will be installed on over 1,800 Air Force aircraft. Due to its successful flight and ground test evaluations, the committee believes that the PLAID technology EMD phase should be accelerated.

Therefore, the committee recommends $54.6 million in PE 64270F, an increase of $13.3 million, to accelerate the PLAID technology EMD phase.

Satellite planning information network (SPIN)

The budget request contained $232.1 million in PE 64479F for development of the military strategic and tactical relay (MILSTAR) communications satellite, but included no funds for the SPIN development.

The SPIN is a web-based satellite communications management technology that utilizes the Department's existing secret internet protocol router to expand the flexibility and efficiency of military satellite communications. The committee notes that the demand for military satellite communications continues to rise, and believes that development efforts of programs such as the SPIN should be undertaken to more efficiently use these resources.

Consequently, the committee recommends $238.6 million in PE 64479F, an increase of $6.5 million, to develop the SPIN technology.

Space and missile rocket propulsion

The budget request contained no funds in PE 63302F for Space and Missile Rocket Propulsion.

The committee notes the importance of continued investments in advanced space and missile propulsion technology and recommends an increase of $12.6 million in PE 63302F to modernize Air Force Research Laboratory large rocket test stands for higher pressure requirements and improved instrumentation.

Special aerospace metals and manufacturing processes

The budget request contained $77.2 million in PE 62102F for applied research and $32.7 million in PE 63122F for advanced development of materials technologies for aerospace systems and $53.8 million in PE 78011F for the Air Force's manufacturing technology program.

The committee continues to support the need for advances in special aerospace metals and metal alloys for aircraft and space vehicle structures, propulsion, components, and weapon systems. The Department of Defense needs materials that are lightweight, high strength, high performance, and capable of withstanding the stressing environments that are experienced by terrestrial and aerospace systems, and for the development and optimization of manufacturing processes for these materials.

The committee recommends increases of $4.5 million in PE 62102F, $4.5 million in PE 63112F, and $3.5 million in PE 78011F to continue the program for the development and demonstration of

special aerospace materials and materials manufacturing processes.

Synthetic Theater Operations Research Model

The budget request included $25.3 million in PE 27601F for Modeling and Simulation, but included no funding for the Synthetic Theater Operations Research Model (STORM).

The committee supports the Air Force Modeling and Simulation program and recognizes the potential savings and enhanced training levels associated with these initiatives. As training costs escalate, the committee continues to encourage alternative cost-saving training techniques particularly as potential threats continue to evolve. The committee is aware that STORM, a program in its fifth year of development, is a next generation simulation designed specifically to meet needs for a greater understanding of the impact of information technology on force structure and operational concepts.

Therefore, the committee recommends $27.3 million in PE 27601F, an increase of $2.0 million for the continued development of STORM.

Texas regional institute for environmental studies

The budget request contained no funds in PE 63723F for environmental engineering technology.

The committee continues to support the ongoing Texas regional institute for environmental studies (TRIES) research and development demonstration program, and recommends $3.0 million in PE 63723F for a joint TRIES—Brooks Air Force Base Institute of Environment, Safety and Occupational Health Risk environmental demonstration program addressing environmental issues unique to the southwest border region.

DEFENSE-WIDE RDT&E

Overview

The budget request contained $15,050.8 million for Defense-Wide RDT&E. The committee recommends authorization of $15,374.6 million, a decrease of $245.2 million and the transfer of $569.2 million for missile defense programs from Army and Navy RDT&E to Defense-wide RDT&E.

The committee recommendations for the fiscal year 2002 Defense-Wide RDT&E program are identified in the table below. Major changes to the Defense-Wide request are discussed following the table.

TITLE II - RESEARCH, DEVELOPMENT, TEST & EVALUATION

(Dollars in Thousands)

PROGRAM ELEMENT NUMBER	R-1 LINE	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
		RESEARCH, DEVELOPMENT, TEST & EVAL, DEFENSEWIDE			
		BASIC RESEARCH			
0601101D8Z	1	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	2,097		2,097
0601101E	2	DEFENSE RESEARCH SCIENCES	121,003		121,003
0601103D8Z	3	UNIVERSITY RESEARCH INITIATIVES	240,374	3,000	243,374
		MEMS Sensors			(+3,000)
0601105D8Z	4	FORCE HEALTH PROTECTION	26,952		26,952
0601108D8Z	5	HIGH ENERGY LASER RESEARCH INITIATIVES	11,877		11,877
0601111D8Z	6	GOVERNMENT/INDUSTRY COSPONSORSHIP OF UNIVERSITY RESEARCH	3,421		3,421
0601114D8Z	7	DEFENSE EXPERIMENTAL PROGRAM TO STIMULATE COMPETITIVE RESEAR	9,901		9,901
0601384BP	8	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	39,066	2,000	41,066
		Chemical and Biological Agent Detection via Optical Computing			(+2,000)
		TOTAL, BASIC RESEARCH	**454,691**	**5,000**	**459,691**
		RESEARCH AND DEVELOPMENT	454,691	5,000	459,691
		ENGINEERING AND MANUFACTURING DEVELOPMENT	0	0	0
		APPLIED RESEARCH			
0602110E	9	NEXT GENERATION INTERNET			0
0602173C	10	SUPPORT TECHNOLOGIES - APPLIED RESEARCH			0
0602227D8Z	11	MEDICAL FREE ELECTRON LASER	14,660	5,000	19,660
		Medical free electron laser			(+5,000)
0602228D8Z	12	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES (HBCU) SCIENCE	14,484		14,484
0602234D8Z	13	LINCOLN LABORATORY RESEARCH PROGRAM	21,969		21,969
0602301E	14	COMPUTING SYSTEMS AND COMMUNICATIONS TECHNOLOGY	382,294	(70,000)	312,294
		decrease			(-70,000)
0602302E	15	EMBEDDED SOFTWARE AND PERVASIVE COMPUTING	75,561	(5,000)	70,561
		decrease			(-5,000)
0602383E	16	BIOLOGICAL WARFARE DEFENSE	140,080	10,000	150,080
		Asymmetric Protocols for Biological Defense			(+10,000)
0602384BP	17	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	125,481	(16,000)	109,481
		CB Regenerative Air Filtration Systems			(+4,000)
		decrease			(-20,000)
0602702E	18	TACTICAL TECHNOLOGY	173,885	(9,000)	164,885

TITLE II - RESEARCH, DEVELOPMENT, TEST & EVALUATION

(Dollars in Thousands)

PROGRAM ELEMENT NUMBER	R-1 LINE	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
		decrease			(-9,000)
0602708E	19	INTEGRATED COMMAND AND CONTROL TECHNOLOGY			0
0602712E	20	MATERIALS AND ELECTRONICS TECHNOLOGY	358,254	(8,500)	349,754
		Materials and Electronics Technology			(+9,500)
		decrease			(-18,000)
0602715BR	21	NUCLEAR SUSTAINMENT &; COUNTERPROLIFERATION TECHNOLOGIES	295,132	(30,000)	265,132
		Thermobaric Warhead Development			(+5,000)
		decrease			(-35,000)
0602787D8Z	22	MEDICAL TECHNOLOGY	8,971		8,971
0602890D8Z	23	HIGH ENERGY LASER RESEARCH	36,005		36,005
0305108K	24	COMMAND AND CONTROL RESEARCH			0
		TOTAL, APPLIED RESEARCH	**1,646,776**	**(123,500)**	**1,523,276**
		RESEARCH AND DEVELOPMENT	1,646,776	(123,500)	1,523,276
		ENGINEERING AND MANUFACTURING	0	0	0
		ADVANCED TECHNOLOGY DEVELOPMENT			
0603002D8Z	25	MEDICAL ADVANCED TECHNOLOGY	2,086		2,086
0603104D8Z	26	EXPLOSIVES DEMILITARIZATION TECHNOLOGY	8,815	5,000	13,815
		Tactical Missile Recycling			(+5,000)
0603121D8Z	27	SO/LIC ADVANCED DEVELOPMENT	8,799		8,799
0603122D8Z	28	COMBATING TERRORISM TECHNOLOGY SUPPORT	42,243	10,000	52,243
		Facial Recognition Technology			(+2,000)
		Electrostatic Decontamination System			(+8,000)
0603160BR	29	COUNTERPROLIFERATION ADVANCED DEVELOPMENT TECHNOLOGIES	89,772	3,000	92,772
		Counterproliferation Analysis and Planning System			[12,000]
0603173C	30	SUPPORT TECHNOLOGIES - ADVANCED TECHNOLOGY DEVELOPMENT			0
0603174C	31	SPACE BASED LASERS (SBL)			0
0603175C	32	BALLISTIC MISSILE DEFENSE TECHNOLOGY	112,890		112,890
0603225D8Z	33	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT	19,178		19,178
0603232D8Z	34	AUTOMATIC TARGET RECOGNITION	7,716		7,716

TITLE II - RESEARCH, DEVELOPMENT, TEST & EVALUATION

(Dollars in Thousands)

PROGRAM ELEMENT NUMBER	R-1 LINE	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
0603285E	35	ADVANCED AEROSPACE SYSTEMS	153,700	(25,000)	128,700
		decrease			(-25,000)
0603384BP	36	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM - ADVANCED DEVELOPMENT	69,249	(10,000)	59,249
		decrease			(-10,000)
0603704D8Z	37	SPECIAL TECHNICAL SUPPORT	11,019	10,000	21,019
		Complex systems design			(+10,000)
0603711BR	38	ARMS CONTROL TECHNOLOGY	52,474		52,474
0603712S	39	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS	30,373		30,373
0603716D8Z	40	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM	69,376	(30,000)	39,376
		decrease			(-30,000)
0603727D8Z	41	JOINT WARFIGHTING PROGRAM	7,613		7,613
0603728D8Z	42	AGILE PORT DEMONSTRATION			0
0603738D8Z	43	COOPERATIVE DOD/VA MEDICAL RESEARCH		5,000	5,000
		Implantable cardioverter defibrillator			(+5,000)
0603739E	44	ADVANCED ELECTRONICS TECHNOLOGIES	177,264	(8,000)	169,264
		decrease			(-8,000)
0603750D8Z	45	ADVANCED CONCEPT TECHNOLOGY DEMONSTRATIONS	148,917	(20,000)	128,917
		decrease			(-20,000)
0603755D8Z	46	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM	188,376	(20,000)	168,376
		decrease			(-20,000)
0603760E	47	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS	117,451		117,451
0603762E	48	SENSOR AND GUIDANCE TECHNOLOGY	203,095	(4,000)	199,095
		decrease			(-4,000)
0603763E	49	MARINE TECHNOLOGY	41,497		41,497
0603764E	50	LAND WARFARE TECHNOLOGY	153,067		153,067
0603765E	51	CLASSIFIED DARPA PROGRAMS	142,395	(5,000)	137,395
		decrease			(-5,000)
0603781D8Z	52	SOFTWARE ENGINEERING INSTITUTE	21,091		21,091
0603805S	53	DUAL USE APPLICATION PROGRAMS			0
0603826D8Z	54	QUICK REACTION PROJECTS	25,000	41,000	66,000
		increase			(+41,000)
0603832D8Z	55	JOINT WARGAMING SIMULATION MANAGEMENT OFFICE	45,065		45,065
0603924D8Z	56	HIGH ENERGY LASER ADVANCED TECHNOLOGY PROGRAM	16,005		16,005

TITLE II - RESEARCH, DEVELOPMENT, TEST & EVALUATION

(Dollars in Thousands)

PROGRAM ELEMENT NUMBER	R-1 LINE	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
0605160D8Z	57	COUNTERPROLIFERATION SUPPORT	1,781		1,781
		TOTAL, ADVANCED TECHNOLOGY DEVELOPMENT	**1,966,307**	**(48,000)**	**1,918,307**
		RESEARCH AND DEVELOPMENT	1,966,307	(48,000)	1,918,307
		ENGINEERING AMD MANUFACTURING DEVELOPMENT	0	0	0
		DEMONSTRATION AND VALIDATION			
0603228D8Z	59	PHYSICAL SECURITY EQUIPMENT	33,543	16,000	49,543
		Backscatter Mobile Truck System			(+16,000)
0603709D8Z	60	JOINT ROBOTICS PROGRAM	11,302		11,302
0603714D8Z	61	ADVANCED SENSOR APPLICATIONS PROGRAM	15,780		15,780
0603736D8Z	62	CALS INITIATIVE	1,614		1,614
0603851D8Z	63	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM	25,314	(3,000)	22,314
		decrease			(-3,000)
0603861C	64	THEATER HIGH-ALTITUDE AREA DEFENSE SYSTEM - TMD - DEM/VAL			0
0603868C	65	NAVY THEATER WIDE MISSILE DEFENSE SYSTEM			0
0603869C	66	MEADS CONCEPTS - DEM/VAL			0
0603870C	67	BOOST PHASE INTERCEPT THEATER MISSILE DEFENSE ACQUISITION - DEM/VAL			0
0603871C	68	NATIONAL MISSILE DEFENSE - DEM/VAL			0
0603872C	69	JOINT THEATER MISSILE DEFENSE - DEM/VAL			0
0603873C	70	FAMILY-OF SYSTEMS ENGINEERING AND INTEGRATION (FOS E&I)			0
0603874C	71	BMD TECHNICAL OPERATIONS			0
0603875C	72	INTERNATIONAL COOPERATIVE PROGRAMS			0
0603876C	73	THREAT AND COUNTERMEASURES			0
0603880C	74	BALLISTIC MISSILE DEFENSE SYSTEM SEGMENT	779,584	(25,000)	754,584
		Systems Integration and Engineering			(-25,000)
0603881C	75	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT	988,180	589,241	1,577,421
		Arrow System Improvement Program increase			(+30,000)
		transfer from PE 64235N for Navy Area			(+388,496)
		transfer from PE 63869A for MEADS			(+73,645)
		transfer from PE 64865A for Patriot PAC=3 Theater Missile Defense Acquisition			(+107,100)
		decrease to Navy Area			(-10,000)
0603882C	76	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT	3,940,534	(30,000)	3,910,534
		Mid-Course Concept Definition			(-30,000)

TITLE II - RESEARCH, DEVELOPMENT, TEST & EVALUATION

(Dollars in Thousands)

PROGRAM ELEMENT NUMBER	R-1 LINE	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
0603883C	77	BALLISTIC MISSILE DEFENSE BOOST DEFENSE SEGMENT	685,363	(75,000)	610,363
		decrease			(-75,000)
0603884BP	78	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM - DEM/VAL	82,636	19,000	101,636
		Chemical and Biological Mass Spectrometer			(+10,000)
		Mobile Chemical Agent Detector			(+9,000)
0603884C	79	BALLISTIC MISSILE DEFENSE SENSORS	495,600	(25,000)	470,600
		SBIRS-Low			(-25,000)
0603892D8Z	80	ASAT			0
0603920D8Z	81	HUMANITARIAN DEMINING	13,512		13,512
0603923D8Z	82	COALITION WARFARE	12,943	(3,000)	9,943
		decrease			(-3,000)
0604722D8Z	83	JOINT SERVICE EDUCATION AND TRAINING SYSTEMS DEVELOPMENT			0
0901585C	84	PENTAGON RESERVATION			0
		TOTAL, DEMONSTRATION AND VALIDATION	**7,085,905**	**463,241**	**7,549,146**
		RESEARCH AND DEVELOPMENT	7,085,905	463,241	7,549,146
		ENGINEERING AND MANUFACTURING DEVELOPMENT	0	0	0
		ENGINEERING AND MANUFACTURING DEVELOPMENT			
0604384BP	85	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM - EMD	159,943		159,943
0604709D8Z	86	JOINT ROBOTICS PROGRAM - EMD	13,197		13,197
0604764K	87	ADVANCED IT SERVICES JOINT PROGRAM OFFICE (AITS-JPO)	14,254		14,254
0604771D8Z	88	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS)	16,572		16,572
0604805D8Z	89	COMMERCIAL OPERATIONS AND SUPPORT SAVINGS INITIATIVE			0
0604861C	90	THEATER HIGH-ALTITUDE AREA DEFENSE SYSTEM - TMD - EMD			0
0604865C	91	PATRIOT PAC-3 THEATER MISSILE DEFENSE ACQUISITION - EMD			0
0604867C	92	NAVY AREA THEATER MISSILE DEFENSE - EMD			0
0605013BL	93	INFORMATION TECHNOLOGY DEVELOPMENT	2,469		2,469
0605013D8Z	94	INFORMATION TECHNOLOGY DEVELOPMENT			0
0605014S	95	INFORMATION TECHNOLOGY DEVELOPMENT (DHRA)			0
0605014SE	96	INFORMATION TECHNOLOGY DEVELOPMENT			0
0605015BL	97	INFORMATION TECHNOLOGY DEVELOPMENT-STANDARD PROCUREMENT SYSTEM (SPS)	9,747		9,747
0605016D8Z	98	FINANCIAL MANAGEMENT MODERNIZATION PROGRAM	100,000		100,000
0303129K	99	DEFENSE MESSAGE SYSTEM	11,423		11,423

TITLE II - RESEARCH, DEVELOPMENT, TEST & EVALUATION

(Dollars in Thousands)

PROGRAM ELEMENT NUMBER	R-1 LINE	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
0303140K	100	INFORMATION SYSTEMS SECURITY PROGRAM	11,767		11,767
0303141K	101	GLOBAL COMBAT SUPPORT SYSTEM	16,483		16,483
0305840K	102	ELECTRONIC COMMERCE	25,519		25,519
		TOTAL, ENGINEERING AND MANUFACTURING DEVELOPMENT	**381,374**	**0**	**381,374**
		RESEARCH AND DEVELOPMENT	0	0	0
		ENGINEERING AND MANUFACTURING DEVELOPMENT	381,374	0	381,374
		RDT&E MANAGEMENT SUPPORT			
0603858D8Z	103	UNEXPLODED ORDNANCE DETECTION AND CLEARANCE	1,165		1,165
0604943D8Z	104	THERMAL VICAR	5,952		5,952
0605104D8Z	105	TECHNICAL STUDIES, SUPPORT AND ANALYSIS	33,805	(2,000)	31,805
		Joint Technology Applications Analysis Pilot Program			(+1,000)
		decrease			(-3,000)
0605110BR	106	CRITICAL TECHNOLOGY SUPPORT	3,313		3,313
0605114E	107	BLACK LIGHT	5,000		5,000
0605116D8Z	108	GENERAL SUPPORT TO C3I	21,061	(5,000)	16,061
		decrease			(-5,000)
0605117D8Z	109	FOREIGN MATERIAL ACQUISITION AND EXPLOITATION	31,951		31,951
0605123D8Z	110	INTERAGENCY EXPORT LICENSE AUTOMATION	10,559		10,559
0605124D8Z	111	DEFENSE TRAVEL SYSTEM	29,955	(10,000)	19,955
		decrease			(-10,000)
0605126J	112	JOINT THEATER AIR AND MISSILE DEFENSE ORGANIZATION	26,865		26,865
0605128D8Z	113	CLASSIFIED PROGRAM USD(P)			0
0605130D8Z	114	FOREIGN COMPARATIVE TESTING	30,907		30,907
0605160BR	115	COUNTERPROLIFERATION SUPPORT			0
0605384BP	116	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	31,276		31,276
0605502D8Z	117	SMALL BUSINESS INNOVATIVE RESEARCH			0
0605502E	118	SMALL BUSINESS INNOVATIVE RESEARCH			0
0605710D8Z	119	CLASSIFIED PROGRAMS - C3I	56,653		56,653
0605790D8Z	120	SMALL BUSINESS INNOVATION RESEARCH/CHALLENGE ADMINISTRATION	2,068		2,068
0605798S	121	DEFENSE TECHNOLOGY ANALYSIS	5,109		5,109
0605801K	122	DEFENSE TECHNICAL INFORMATION SERVICES (DTIC)	44,228		44,228
0605803S	123	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION			0

TITLE II - RESEARCH, DEVELOPMENT, TEST & EVALUATION

(Dollars in Thousands)

PROGRAM ELEMENT NUMBER	R-1 LINE	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
0605803SE	124	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION	8,834		8,834
0605804D8Z	125	DEVELOPMENT TEST AND EVALUATION	46,382		46,382
0605898E	126	MANAGEMENT HEADQUARTERS (RESEARCH AND DEVELOPMENT)DARPA	36,937		36,937
0901585C	127	PENTAGON RESERVATION	6,571		6,571
0901598C	128	MANAGEMENT HEADQUARTERS-BMDO	27,758		27,758
		TOTAL, RDT&E MANAGEMENT SUPPORT	**466,349**	**(17,000)**	**449,349**
		RESEARCH AND DEVELOPMENT	466,349	(17,000)	449,349
		ENGINEERING AND MANUFACTURING DEVELOPMENT	0	0	0
		OPERATIONAL SYSTEMS DEVELOPMENT			
0604805D8Z	129	COMMERCIAL OPERATIONS AND SUPPORT SAVINGS INITIATIVE	10,805	6,195	17,000
		Transfer			(-10,805)
		Aircraft Affordability Initiative (EW Digital PIP)			(+17,000)
0605127T	130	PARTNERSHIP FOR PEACE (PFP) INFORMATION MANAGEMENT SYSTEM	1,922		1,922
0208045K	131	C4I INTEROPERABILITY	41,389		41,389
0208052J	132	JOINT ANALYTICAL MODEL IMPROVEMENT PROGRAM	12,163		12,163
0300205R	133	INFORMATION TECHNOLOGY SYSTEMS	550		550
0302016K	137	NATIONAL MILITARY COMMAND SYSTEM-WIDE SUPPORT	1,014		1,014
0302019K	138	DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION	6,544		6,544
0303126K	139	LONG HAUL COMMUNICATIONS (DCS)	10,744		10,744
0303127K	140	SUPPORT OF THE NATIONAL COMMUNICATIONS SYSTEM	4,968		4,968
0303131K	141	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	6,988		6,988
0303140G	142	INFORMATION SYSTEMS SECURITY PROGRAM	414,844		414,844
0303149J	143	C4I FOR THE WARRIOR	9,622		9,622
0303149K	144	C4I FOR THE WARRIOR			0
0303153K	145	JOINT SPECTRUM CENTER	8,849		8,849
0303610K	146	TELEPORT PROGRAM	14,371		14,371
0304210BB	147	SPECIAL RECONNAISSANCE CAPABILITIES (SRC) PROGRAM	4,422		4,422
0305102BQ	149	DEFENSE IMAGERY AND MAPPING PROGRAM	115,209	24,200	139,409
		Commercial joint mapping and visualization toolkit			(+15,000)
		Geographic synthetic aperture radar airborne mapping system			(+9,200)
0305127V	150	FOREIGN COUNTERINTELLIGENCE ACTIVITIES	664		664
0305146D8Z	151	DEFENSE JOINT COUNTERINTELLIGENCE PROGRAM (JMIP)	5,977		5,977

TITLE II - RESEARCH, DEVELOPMENT, TEST & EVALUATION

(Dollars in Thousands)

PROGRAM ELEMENT NUMBER	R-1 LINE	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
0305190D8Z	152	C3I INTELLIGENCE PROGRAMS	10,552		10,552
0305191D8Z	153	TECHNOLOGY DEVELOPMENT	40,000		40,000
0305202G	154	DRAGON U-2 (JMIP)	4,019		4,019
0305206G	155	AIRBORNE RECONNAISSANCE SYSTEMS	16,515		16,515
0305207G	156	MANNED RECONNAISSANCE SYSTEMS	4,556		4,556
0305208L	159	DISTRIBUTED COMMON GROUND SYSTEMS	1,006		1,006
0305885G	161	TACTICAL CRYPTOLOGIC ACTIVITIES	105,455		105,455
0305889G	162	COUNTERDRUG INTELLIGENCE SUPPORT			0
0708011S	163	INDUSTRIAL PREPAREDNESS	17,544		17,544
0902298J	164	MANAGEMENT HEADQUARTERS (OJCS)	11,312		11,312
0902740J	165	JOINT SIMULATION SYSTEM			0
1160279BB	166	SMALL BUSINESS INNOVATIVE RESEARCH/SMALL BUS TECH TRANSFER PILOT PROG			0
1160401BB	167	SPECIAL OPERATIONS TECHNOLOGY DEVELOPMENT			0
1160402BB	168	SPECIAL OPERATIONS ADVANCED TECHNOLOGY DEVELOPMENT			0
1160404BB	169	SPECIAL OPERATIONS TACTICAL SYSTEMS DEVELOPMENT			0
1160405BB	170	SPECIAL OPERATIONS INTELLIGENCE SYSTEMS DEVELOPMENT			0
1160407BB	171	SOF MEDICAL TECHNOLOGY DEVELOPMENT			0
1160408BB	172	SOF OPERATIONAL ENHANCEMENTS	85,109		85,109
1160444BB	173	SOF ACQUISITION	252,334	13,700	266,034
		Lightweight Counter-Mortar Radar			(+3,000)
		Solid-state synthetic aperture radar			(+7,500)
		Special Reconnaissance Tool Kit			(+3,200)
XXXXXXX	999	Classified Programs	1,829,938		1,829,938
		TOTAL, OPERATIONAL SYSTEMS DEVELOPMENT	**3,049,385**	**44,095**	**3,093,480**
		RESEARCH AND DEVELOPMENT	3,049,385	44,095	3,093,480
		ENGINEERING AND MANUFACTURING DEVELOPMENT	0	0	0
		TOTAL. RESEARCH, DEVELOPMENT, TEST & EVALUATION, DEFENSE WIDE	**15,050,787**	**323,836**	**15,374,623**
		RESEARCH AND DEVELOPMENT	14,669,413	323,836	14,993,249
		ENGINEERING AND MANUFACTURING DEVELOPMENT	381,374	0	381,374

Items of Special Interest

Aircraft affordability initiative

The budget request contained $10.8 million in PE 64805D8Z for the Department of Defense Commercial Operations and Support Savings Initiative (COSSI).

The committee notes that the stated goal of COSSI is to adapt commercial technologies to reduce operations and support (O&S) costs and improve overall weapons systems performance.

The committee is aware of a promising technology for improving electronic warfare (EW) performance and reducing the overall cost of future and existing aircraft. Initiated in fiscal year 2001, the digital EW product improvement program (EW PIP) has utilized recent technological advancements to permit the conversion of analogue-based EW receivers to digital electronics. The committee understands that digital receivers will substantially decrease the supportability cost and risk of an aircraft's EW system and simultaneously increase combat performance. The committee further understands that if introduced to the F–22 fighter, the digital EW PIP should reduce aircraft weight by more than 30 pounds and power consumption by more than 600 watts. The committee is encouraged by these anticipated gains and improvements and urges the Department to also consider the introduction of digital EW PIP on other aircraft, such as the Joint Strike Fighter, F–15s, and as well as other military and space platforms.

The committee recommends $17.0 million in PE 6480D8Z to complete requisite systems software development and to design, build, and bench-test the F–22 RW/DF Digital Receiver and two associated modules.

Backscatter mobile truck system

The budget request contained $33.5 million in PE 63228D8Z for demonstration and validation of physical security equipment.

The committee notes the requirement for deployed forces to be capable of detecting explosives, weapons, or other systems or items of potential use in acts of terrorism. The committee also notes that there are commercial-off-the-shelf (COTS) mobile truck-mounted systems capable of detecting organic materials in confused and cluttered operational environments using both backscatter and standard transmission x-ray technology, that, if successful and cost-effective in comparison to other cargo screening and surveillance systems, could be used to improve the anti-terrorism posture of U.S. military bases and forces.

The committee recommends $49.5 million in PE 63228D8Z, an increase of $16.0 million to test and evaluate COTS mobile truck-mounted cargo screening and surveillance systems that employ backscatter and standard transmission x-ray technology.

Ballistic Missile Defense Organization (BMDO)

The budget request contained $7,036.5 million for the RDT&E program elements of BMDO.

The committee recommends $7,470.7 million, an increase of $434.2 million. The increase results from disapproving the requested transfer of RDT&E activities for Patriot Advanced Capa-

bility-3 (PAC–3), Medium Extended Air Defense System (MEADS), and Navy Area to the military departments.

Technology

The budget request contained $112.0 million in PE 63175C for advanced technology development.

The committee recommends the budget request for technology. The committee strongly believes that a robust technology development program is the key to enhanced future capabilities to counter more sophisticated threats. The committee notes that BMDO investment in technology is only 1.5 percent of the total budget request, and strongly recommends significantly increasing this investment in future budget cycles.

Ballistic missile defense system

The budget request contained $779.6 million in PE 63880C for ballistic missile defense (BMD) system development.

The committee recommends $754.6 million, a decrease of $25.0 million. The committee believes that two systems engineering and integration fourth quarter starts, for updates to the manufacturing technology program and the threat systems engineering library, can be deferred to fiscal year 2003.

The committee notes that the BMD system segment consolidates activities conducted under a number of program elements in previous years. They include battle management command and control development, family of systems integration activities, threat representative target development, and countermeasures programs. The committee is especially encouraged by the increased priority given to assessment of countermeasures, and specifically the Hercules project, which provides a venue for vetting potential countermeasures against projected system capabilities.

The committee observes that this program element, which includes target development and countermeasures assessment, is essential to the implementation of an operationally realistic test capability.

Terminal defense segment

The budget request contained $988.2 million in PE 63881C for the terminal defense segment.

The committee recommends $1,577.4 million, an increase of $589.2 million. This increase reflects incorporation of RDT&E activities for PAC–3, MEADS, and Navy Area into this program element as a result of the committee's recommendation to disapprove the transfer of those programs to the services. The committee also recommends an increase of $30.0 million to accelerate development of the Arrow System Improvement Program to counter advanced threats to the national security of Israel posed by emerging systems, as represented by the Shahab series of ballistic missiles. The committee believes that technical development of missile defense by the Department of Defense benefits from continued cooperation with the government of Israel.

The budget request included $73.6 million for MEADS in Army research and development. The committee recommends transfer of MEADS back to BMDO, but supports the objective of providing a

mobile theater defense capability for the U.S. and the allies, and encourages greater participation in the program by the members of North Atlantic Treaty Organization.

The committee is concerned by the significant projected cost overrun and schedule slip recently announced in the Navy Area program. Production delivery of the Navy Area interceptor appears to be delayed by approximately 20 months until fiscal year 2007. The committee notes that Navy Area is the Navy's "first to field" antiballistic missile capability and first unit equipped was to have closely followed the fielding schedule of PAC–3. Further, the committee is disturbed by the absence of Navy commitment to vigorously pursue this effort given other demands on its budget, and disapproves the transfer of Navy Area from BMDO to the Navy. The committee recommends a decrease of $10.0 million for this program.

Midcourse defense segment

The budget request contained $3,940.5 million in PE 63882C for the midcourse defense segment.

The committee recommends $3,910.5 million for the midcourse defense segment, including a decrease of $30.0 million to the sea-based midcourse project. Within the sea-based mid-course project, the committee recommends the budget request of $260.0 million for the Aegis LEAP Interceptor demonstration program, the precursor to a Navy theater wide capability to defeat ballistic missiles. The committee recommends $30.0 million, a decrease of $30.0 million, for concept definition studies related to a new sea-based midcourse capability against intermediate and long range threats. The committee believes that ongoing, competitive radar development activities will greatly influence the course this effort will take.

The committee recommends $3,230.7 million, the budget request, for the ground based midcourse project, including $786.5 million for the fiscal year 2004 Pacific missile defense test bed, including infrastructure upgrades and construction at Fort Greely, Kodiak Island, Shemya Island, and Kwajelein Atoll. The committee believes that such improvements to the infrastructure that add operational realism to testing, coupled with an aggressive test program, are crucial to the expeditious development and demonstration of a viable ground-based midcourse defense. The committee notes that the upgraded test infrastructure will also, in the near term, support testing of sea-based and integrated "family of systems" concepts.

Boost defense segment

The budget request contained $685.4 million in PE 63883C for the boost phase defense segment.

The committee recommends $610.4 million, a decrease of $75.0 million, for this program element. The committee recommends $25.0 million, a decrease of $25.0 million, for the sea-based boost project, reflecting the committee's view that concept definition and operational assessment should precede hardware design, development, and testing. The committee recommends $400.0 million for the air-based boost project (airborne laser), a decrease of $10.0 million. The block 2008 full power optics for the airborne laser are not required for the fiscal year 2003 half power shoot down demonstra-

tion, which the committee sees as a critical indicator of the continued viability of the effort. The committee recommends $152.0 million, a decrease of $38.0 million, for the space-based boost defense project. The committee is concerned that the space-based laser (SBL) integrated flight experiment, has requested funding of $200 million this year, with the experiment a decade or more out. The committee recommends a decrease of $28.0 million to hold SBL to the level of the original fiscal year 2002 program of record, and suggests that BMDO consider other, more near term space-based demonstrations. The committee recommends $5.0 million for space-based kinetic energy boost phase intercept concept definition, a decrease of $10.0 million, and believes $2.0 million in savings can be found in program operations savings in this program element.

Sensors segment

The budget request contained $495.6 million in PE 63884C for sensor development.

The committee recommends $470.6 million, a decrease of $25.0 million from the budget request. The committee notes that the Space-based Infrared System-low (SBIRS) has experienced significant growth over the level forecast for fiscal year 2001. The committee fully supports SBIRS-low, but places lower near term priority on SBIRS than other elements in the budget request as the first satellites will not be available to begin supporting test activities until fiscal year 2007.

The committee recommends the budget request of $75.3 million to complete detailed design for the Russian-American Observation Satellite program. The committee believes that cooperative threat reduction should include missile defense activities that reduce the risk of an undetected launch event.

Chemical/biological defense research, development, test and evaluation program

The budget request contained a total of $507.7 million for chemical/biological defense, including $39.1 million in PE 61384BP for basic research, $125.5 million in PE 62384BP for applied research, $69.2 million in PE 63384BP for advanced technology development, $82.6 million in PE 63884BP for demonstration/validation, $159.9 million in PE 64384BP for engineering and manufacturing development, and $31.3 million in PE 65384BP for RDT&E management support. The budget request also contained $140.1 million in PE 62383E for the Defense Advanced Research Projects Agency (DARPA) biological defense research program.

The committee recommends a total of $502.7 million for chemical/biological defense RDT&E, a decrease of $5.0 million to the budget request. The committee also recommends a total of $150.1 million in PE 62383E for the DARPA biological warfare defense program, an increase of $10.0 million. Elsewhere in this report the committee has recommended an increase of $13.0 million for the procurement of collective protection shelters, and has also provided guidance regarding the contracts for procurement of anthrax vaccine.

In order to insure an integrated chemical/biological defense program within the Department of Defense (DOD), section 1793 of the

National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160) mandated the coordination and integration of all DOD chemical/biological defense programs and the funding of these programs in a defense-wide account, separate from the accounts of the military departments. The committee believes that the Department has made considerable progress in improving cooperation among the military departments. The committee has previously noted a growing tendency to fund individual chemical/biological defense projects within the military services and again emphasizes that this practice violates the intent and purpose of Congress in establishing the consolidated program.

The committee also emphasizes the necessity for the objectives of the DARPA biological defense program to be coordinated closely and integrated with the overall Department of Defense chemical and biological defense program, and expects the Secretary of Defense to ensure that such an integrated program is established and maintained.

The committee continues to support initiatives for research, development, and demonstration of advanced chemical and biological defense technologies and systems. These initiatives should compete for funding within the appropriate program elements of the joint chemical and biological defense program and the DARPA biological defense program on the basis of technical merit and the anticipated ability of the technology or system to meet joint and service unique needs.

Research in percutaneous, optical, and pulmonary effects of mustard agent

The committee notes that the United States concentrated its research in the effects of mustard agent on the human body on the percutaneous effects of mustard on the skin, while U.S. allies focused on the effects of mustard agent and agent vapors on the eyes and on the pulmonary system. The committee understands that the research activities of U.S. allies in these areas have been reduced and that the U.S. research program in the effects of mustard agent now focuses on all three areas: percutaneous, optical, and pulmonary. The committee encourages a balanced, threat-focused research effort on the effects of mustard and other chemical agents on the human body and the identification and development of promising technologies for protection and treatment against such agents.

Optical computing device materials for chemical sensors

The committee recommends $41.1 million in PE 61384BP, an increase of $2.0 million to continue the basic research program in organic and inorganic optical computing device materials for use in standoff sensors for detection and identification of chemical agents.

Chemical/biological regenerative air filtration systems

The committee recommends an increase of $4.0 million in PE 62384BP to accelerate the program for applied research in chemical/biological regenerative air filtration technology.

Chemical and biological mass spectrometer

The committee understands that the Army's Chemical and Biological Mass Spectrometer (CBMS II) upgrade project will provide the capability to detect and identify chemical and biological warfare agents in very low concentrations. The committee recommends an increase of $10.0 million in PE 63884BP to continue the capability assessment, system optimization, and enhanced field-testing the chemical and biological agent mass spectrometer upgrade.

Mobile chemical agent detector

The committee notes the progress made in the development of a mobile chemical agent detector (MCAD) for the Marine Corps' Chemical/Biological Incident Response Force (CBIRF) and the recent testing of the system. The committee also notes the Marine Corps Systems Command's efforts to integrate, test and develop concepts for an aerial chemical agent detection system for manned and unmanned air platforms in support of the CBIRF and strongly recommends that the technology be assessed for application to the operational requirements for standoff chemical and biological agent detectors for all the military services as an integral part of the Defense-wide chemical/biological defense program.

The committee recommends an increase of $9.0 million in PE 63884BP for continued development, demonstration, and validation of the MCAD for support of the Marine Corps CBIRF and for the other military services.

Asymmetric protocols for biological defense

The committee recommends $150.1 million in PE 62383E for the DARPA biological defense research program, including $10.0 million for research, development, and demonstration of asymmetric protocols for biological defense with emphasis on enhancing individual non-specific immunities to and blocking pathogens from biological threat agents.

Complex systems design

The budget request contained $11.0 million in PE 63704D8Z for special technical support, but included no funds for complex systems design.

The committee notes that the effort to develop an integrated digital environment for complex systems design has progressed significantly and remains ahead of schedule. The committee is aware that this development is fundamental to improving the acquisition process and minimizing life-cycle costs for future systems. The committee further notes that manpower, personnel, training, health hazard, human factors, and personnel survivability (MANPRINT) are among important factors to be addressed during the complex design process.

The committee strongly supports improvements in the acquisition process and recommends $21.0 million in PE 63704D8Z, an increase of $10.0 million for complex systems design, and an increase of $2.5 million in PE 65326A for MANPRINT activities within complex system design.

Counterproliferation analysis and planning system

The budget request contained $89.8 million in PE 63160BR for advanced development of counterproliferation technologies, including $9.0 million for the counterproliferation and analysis system (CAPS).

The CAPS program responds to the need for a comprehensive and timely counterproliferation target planning tool to assist combatant commanders in the conduct of their contingency plan targeting responsibilities and provides a thorough description of nuclear, biological, chemical, and means of delivery proliferation program in countries of specific concern to the combatant commanders. The budget request would complete detailed analysis on the first group of countries identified by the combatant commanders and begin analysis on the second group of countries.

The committee recommends $92.8 million in PE 63160BR, an increase of $3.0 million to the budget request and providing a total of $12.0 million for continued development of the CAPS program to meet the requirements of the combatant commanders.

Defense imagery and mapping program

The budget request contained $115.2 million in PE 35102BQ for the Defense imagery and mapping program, but included no funds for the commercial joint mapping and visualization toolkit, or for the geographic synthetic aperture radar (GeoSAR).

The committee is aware that applying commercial technology to defense and intelligence applications, has potential to reduce costs and while increasing performance. The committee is also aware that software commonality also offers many potential savings.

The committee is aware that the airborne GeoSAR is being developed to provide a dual band interferometric radar that is able to provide the military high resolution, three dimensional maps of the earth, above, through, and below the vegetation canopy.

The committee recommends $139.4 million in PE 35102BQ, an increase of $15 million for development of a common commercial technology-based joint mapping toolkit interface to enhance and customize intelligence, navigation and mission planning functions, and an increase of $9.2 million for completion of GeoSAR development and demonstration.

Distributed common ground station/networking ISR assets

The budget request included $85.2 million in PE 35208A, $131.0 million in PE 63795N, and $11.4 million in PE 35208F for continued development of the Services' efforts with respect to networking Intelligence Surveillance and Reconnaissance (ISR) assets, especially the Distributed Common Ground Station (DCGS).

The committee strongly supports network-centric ISR developments that lead to the objective of network-centric warfare. The committee believes that a fully networked ISR enterprise will allow the more effective use of existing ISR platforms and systems, dramatically reducing the time required to prosecute time critical targets. The committee believes the technologies and techniques pursued under efforts such as the Network-Centric Collaborative Targeting (NCCT) initiative, the Naval Fires Network (NFN), the Dynamic Time Critical War Capability "5 Minute War," and the Com-

mand and Control, Sensor and Reconnaissance Tasking System (CSMARTS) are some of the most critical developments for the Department's transformation activities. Each of these initiatives use existing platforms to produce a more capable effects-based warfighting outcome. Therefore, the committee believes these network-centric approaches must be given highest priority.

The committee recommends that funding requested within the foregoing program elements be focused on developing the infrastructure for network-centric ISR solutions and prototyping these solutions. The committee directs the Service Secretaries to provide the congressional defense and intelligence committees a report no later that February 1, 2002 on how each plans to prioritize DCGS developmental efforts on network-centric ISR warfare.

The committee recommends an increase of $25.2 million in PE 63795N for rapidly transitioning the Naval Fires Network, or a similar capability, from an experimental system to a float prototype aboard the USS LINCOLN and/or the USS STENNIS. Further, the committee recommends $33.9 million in PE 35208F, an increase of $22.5 million, for the development and deployment of the NCCT functionality in the Air Force's DCGS to promote network-centric ISR capabilities for use within the Air Operations Center.

Distributed operational testing capabilities

The committee is concerned that resurgence in acquisition spending over the next decade will place unacceptable pressure on an already downsized Test & Evaluation infrastructure. The committee is aware of the potential of a small investment on distributed testing capabilities to significantly increase the capacity and responsiveness of Department of Defense major test facilities in meeting new demands for operational testing for concept development and experimentation, and to ensure interoperability, suitability, and effectiveness of deployed systems. The committee urges the Secretary of Defense to request increased funds in Defense-wide Central Test and Evaluation Investment Development (CTEIP) in fiscal year 2003 for distributed operational test infrastructure. This increase in funding should support standards and protocols being developed in the Army's Virtual Proving Ground, the Navy's Distributed Engineering Plant, and the Joint Synthetic Battle Space and Foundation Initiatives 2010.

Electrostatic decontamination system

The budget request contained $42.2 million in PE 63122D8Z for advanced technology development under the interagency combating terrorism technology support program.

The committee notes the progress being made in the development and limited evaluation of an initial laboratory prototype electrostatic decontamination system that could provide an environmentally-safe, non-corrosive, and affordable chemical and biological agent decontamination capability for the military services.

The committee recommends an increase of $8.0 million in PE 63122D8Z to complete advanced technology development of the electrostatic decontamination system, including testing against chemical and live biological warfare agents, independent laboratory confirmation of performance, and delivery of a field prototype sys-

tem for testing and evaluation by Department of Defense and interagency users.

Facial recognition technology

The budget request contained $42.2 million in PE 63122D8Z for combating terrorism technology support (CTTS).

The committee supports aggressive development of advanced technology to control access to critical facilities, in particular biometric technology such as the principal component method of facial recognition.

The committee recommends an increase of $2.0 million in PE 63122D8Z for facial recognition.

Funding transfers to support transformation DW

The committee is concerned that the largest area of growth in Defense-wide research and development (R&D) investments, far exceeding increases proposed by the military services, has occurred in the Defense Threat Reduction Agency and in the Defense Advanced Research Project Agency. Several other defense-wide programs appear to have excessive management funding, non-specific programs, or support fielded system development and other mature technologies. Other programs included un-forecast increases, apparently excessive management funding or unobligated prior year funding. The committee believes that the highest priority for R&D investments in fiscal year is 2002 to fund activities directly related to transformation and future capabilities. Therefore, the committee recommends the following decreases to Defense-wide accounts, to be transferred to other programs within the Services that support transformation and future system development:

62301E	$70,000,000
62302E	5,000,000
62384BP	20,000,000
62702E	9,000,000
62712E	18,000,000
62715BR	35,000,000
63285E	25,000,000
63384BP	10,000,000
63716D8Z	30,000,000
63739E	8,000,000
63750D8Z	20,000,000
63755D8Z	20,000,000
63762E	4,000,000
63765E	5,000,000
63851D8Z	3,000,000
63923D8Z	3,000,000
65104D8Z	3,000,000
65116D8Z	5,000,000
65124D8Z	10,000,000
64805D8Z	10,805,000

DARPA "Exoskeleton Project"

The committee recommends that $4.0 million of the decrease in PE 62712E be assessed against the DARPA exoskeleton project for enhancement of soldier physical performance. The committee finds the project of questionable value and largely duplicative of work done in the 1950s and the 1970s that was subsequently discarded because of limited operational utility and adverse impact on the human body.

Global infrastructure data conversion initiative & document exploitation

The committee is aware that the Department of Defense (DOD) has a substantial requirement to standardize document exploitation material that is resident at various DOD departments and agencies. This legacy material, which includes foreign language and analytical reports, is currently in non-useable form, and needs to be normalized into a formatted database. The committee believes the Department should move forward to convert sensitive, legacy Document Exploitation (Doc Ex) material into a standard useable format, database, and media construct for use within the Department.

In addition, the committee encourages the Department to continue with its Global Infrastructure Data Conversion initiative, which converts engineering data into a digital form to ensure that critical worldwide infrastructure information can be utilized by military analysts, mission planners, and counterintelligence specialists in support of the warfighter. The committee recommends that the Department continue this effort, which supports Technology Protection and Counter-Intelligence communities.

High energy laser research and development

The committee recognizes the potential of directed energy in general, and high energy lasers (HEL) in particular, for future military applications across the services. The committee is encouraged by the progress shown by the technical community, but also understands some of the shortfalls of currently proposed concepts, and believes it is necessary to proceed on a broad and coordinated front to develop a wide range of technologies for weapons applications.

Accordingly, Subtitle D of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106–398) included a number of provisions governing the funding, organization, management, and oversight of the high energy laser programs of the Department of Defense. Among them, section 242 directed implementation of the High Energy Laser Master Plan establishing a Joint Technology Office (JTO). Section 243 directed designation of a single senior civilian official in the Office of the Secretary of Defense (the "designated official") with broad authority and responsibility for management of high energy laser research. Section 248 required an annual report assessing management structure, funding, technical progress, and performance. Section 250 directed the Secretary of Defense, in consultation with the Deputy Undersecretary of Defense for Science and Technology, to evaluate the expansion of the HEL management structure to encompass directed energy programs based on other physics principals.

In response to section 250 of Public Law 106–398, the Deputy Undersecretary of Defense for Science and Technology (also the "designated official") provided to the congressional defense committees the Report of the Directed Energy Review Panel, dated March 15, 2001, which recommended that HEL JTO not be expanded at this time to encompass directed energy programs based on other physics principals, citing scarce resources and a potentially detrimental diffusion of focus. The Panel also recommended revisiting this issue on a regular basis.

The committee concurs, believing that it is valuable to continue to assess the potential of other directed energy technologies for military applications as they develop, and to reconsider inclusion of those programs in the HEL management structure. Therefore, the committee directs the Secretary of Defense to revise the Panel's recommendations on an annual basis, and include those recommendations in the annual report required under section 248 of Public Law 106–398. In addition, the committee encourages the "designated official" to coordinate HEL programs with those overseeing other directed energy programs, including the High Power Microwave Steering Group.

Implantable cardioverter defibrillator

The budget request contained no funds in PE 63738D8Z for cooperative medical research between the Department of Defense and the Department of Veterans Affairs.

The committee notes that implantation of cardioverter defibrillators was pioneered by clinical research in conjunction with veterans centers, where trials using the defibrillators have reduced cardiac death by a factor of five. The committee is aware that additional research is required on the efficacy of antiarrhythmic drugs with implantable cardioverter defibrillators.

The committee recommends an increase of $5.0 million and directs that it only be used for a joint research program on efficacy of antiarrythmic drugs with implantable cardioverter defibrillators conducted at the Washington, D.C. Veterans Center.

Joint technology applications analysis pilot program

The budget request contained $33.8 million in PE 65104D8Z for technical studies, support, and analysis.

The committee notes that the National Defense University has established a Center for National Security Policy to investigate the implications of technological innovation on U.S. national security policy and military plans. The committee also notes the findings of a recent study conducted by the Center for Strategic and International Studies that concluded that the Department of Defense can "no longer depend on a dedicated defense industrial base, but will need to find ways to link advanced commercial technologies to improved military capabilities." To meet these goals the President of the National Defense University has indicated that the military services and defense agencies will need to rely more directly on the commercial information technology industry to gain prompt access to leading-edge capabilities and has proposed a pilot program between the university and the commercial information technology industry. The purpose of the program is to find practical ways in which the defense information technology community can gain a mutual understanding of defense needs and industry capabilities and identify opportunities to integrate information technology innovations into the U.S. military strategy.

The committee recommends an increase of $1.0 million in PE 65104D8Z for a pilot program in joint technology applications analysis to establish a pilot program to enhance communications between the Department of Defense and the information technology industry.

Medical free electron laser

The budget request contained $14.7 million in PE 62227D8Z for the medical free electron laser (MFEL).

The committee is aware that the MFEL program is a peer-reviewed program that has continued to make significant advances in medical applications ranging from painless burn debreeding to bone cutting and improved cancer detection.

The committee supports the MFEL program and recommends $19.7 million in PE 62227D8Z, an increase of $5.0 million for MFEL.

Microelectromechanical systems (MEMS) sensors

The budget request contained $240.4 million in PE 61103D8Z for university research initiatives.

The committee notes that the ability to accurately estimate temperature, vibration, strain and angular rotation in a bearing during the operation of the machine in which the bearing is installed would provide the capability for identifying inordinate wear, operating anomalies, or impending failure of a critical bearing assembly and permit replacement of the assembly before the bearing failed or adversely affected the performance of the machine. Such a capability in critical roller bearing assemblies in aircraft engines, tank transmissions, and ship and submarine propulsors should result in increased performance, extended life, and reduced life cycle maintenance and support costs for the weapon system in which the bearing assemblies would be installed. The committee believes that roller bearings with integrated sensors that incorporate microelectromechanical systems technology have great potential for providing such a capability.

The committee recommends $243.4 million in PE 61103D8Z, an increase of $3.0 million for the development of integrated MEMS sensors for the determination of temperature, vibration, strain, and angular rotation in rolling element bearings.

More efficient science and technology investment

The committee is aware that defense science & technology (S&T) investment is critical to maintaining U.S. military superiority. The committee notes that an efficient investment strategy, especially in view of the diversity of the technology challenges and fiscally constrained S&T funding, should focus on those technologies that are identified as critical to defense transformation. The committee that S&T originated by the Department of Defense must avoid duplication of efforts ongoing in the private sector as well as unnecessary duplication of effort between government laboratories and research centers.

Therefore, the committee directs the secretaries of the military departments to assess their S&T investments in service laboratories and research centers, as well as industry and academia, to ensure that these investments fully support the ongoing transformation of the force. The committee further directs the Secretary of Defense to assess/integrate the findings of the service secretaries and to report to the congressional defense committees upon submission of the President's budget, the results of the assessments and how investments judged inappropriate have been redirected within

the S&T programs of the Department of Defense for the budget request for fiscal year 2003.

Special operations forces acquisition

The budget request contained $252.3 million in PE 116444BB for SOF acquisition programs, but included no funds for several important development efforts. The committee notes that low-cost solid-state synthetic aperture radar is to be optimized to meet special operations requirements for target detection in high sea states and high ground clutter environments. The committee is also aware of a radar development to automatically detect and locate enemy mortar firing positions. Additionally, the committee is aware that the Special Operations Command (SOCOM) is developing a reconnaissance tool kit to allow special operations forces (SOF) to tailor communications and other capabilities to specific mission requirements.

The committee recommends $266.0 million PE 116444BB, an increase of $7.5 million for solid-state synthetic aperture radar, an increase of $3.0 million for lightweight counter-mortar radar, and an increase of $3.2 million for the special reconnaissance tool kit.

Tactical missile recycling

The budget request contained $8.8 million in PE 63104D8Z for advanced development of explosives demilitarization technology.

The committee notes the development by the Army's Aviation and Missile Command of technologies for recycling of tactical missiles, including: disassembly, energetics removal, warhead processing, energetics size reduction, energetics processing, slurry explosive manufacturing, hardware decontamination, and shipping and receiving modules. The committee believes that the missile recycling capabilities (MRC) efforts should be transitioned to establish an organic MRC at an appropriate Army depot with a tactical missile disposal and recycling mission.

The committee recommends $13.8 million in PE 63104D8Z, an increase of $5.0 million to support the transition of the tactical missile recycling capabilities developed by the Army's Aviation and Missile Command to an appropriate Army depot.

Thermobaric warhead development

The budget request contained $295.1 million in PE 62715BR for applied research in nuclear sustainment and counterproliferation technologies, including $40.5 million for applied research in technologies including thermobaric warheads defeat hard targets. The budget request also contained $2.9 million in PE 63609N for the Navy's insensitive munitions advanced development program.

The committee notes that the Russians developed thermobaric materials and have weaponized thermobaric explosive formulations that demonstrate impressive capabilities to generate pressure and thermal effects much greater than conventional high explosives. Parallel work in research and development of these materials has been proceeding in the United States. Defense Threat Reduction Agency (DTRA) applied research for fiscal year 2002 focuses on the development of a thermobaric warhead payload that is optimized

for hard and deeply buried targets and destruction of weapons of mass destruction.

The committee believes that thermobaric warheads offer the potential for greater performance and lower cost than conventional high explosives while providing a more insensitive warhead and therefore a safer option to conventional warheads.

The committee recommends an increase of $5.0 million in PE 62715BR in applied research for thermobaric warheads. The committee recommends coordination of the DTRA program with the Navy's insensitive munitions program.

U.S.-Israel boost phase intercept

The committee considers boost phase intercept programs to be of the highest importance for the protection of the United States, our forces overseas, and American allies and friends. In previous years, Congress provided funds for a U.S.-Israel boost phase intercept study, and in fiscal year 2000, the Director of the Ballistic Missile Defense Organization (BMDO) reported positively on the technical and operational feasibility of a joint U.S.-Israel boost phase intercept program utilizing unmanned aerial vehicles to destroy ballistic missile launchers following a missile launch. The Director has indicated that a decision on whether to fund the U.S. share of such a cooperative program with Israel would be made in conjunction with preparation of the fiscal year 2003 budget.

The committee encourages the Department of Defense to negotiate an agreement with and undertake a joint-Boost Phase Launcher Intercept program with Israel at the earliest possible date and to consider other cooperative programs involving sea-based or space-based programs. The committee believes this program and other joint cooperative programs would make an important contribution to Israel and the security of American forces deployed in the Middle East. It would also enhance regional deterrence. The lessons of such a program could be applied to other American missile defense efforts.

The committee also urges the Secretary of Defense to examine whether we can include American allies and Russia in future joint missile defense programs. This cooperation could both enhance protection to our forces overseas and build international support and understanding for our ballistic missile defense efforts.

Warfighter rapid acquisition programs

The budget request contained $23.6 million in PE 23761A for Rapid Acquisition Program for Transformation (RAPT), $51.3 million in PE 63640M for Marine Corps Advanced Technology Demonstration, $43.3 million in PE 63758N for Navy Warfighting Experiments and Demonstrations, $50.2 million in PE 23761F for the Warfighter Rapid Acquisition Process (WRAP) rapid transition fund, and $25.0 million in PE 63826D8Z for Quick Reaction Projects.

The committee notes the significant funding commitments for rapid acquisition programs by the military services and strongly supports the efforts of the Secretary of Defense and the service secretaries of the military departments to accelerate the delivery of new technologies and increased capability to the warfighter. Al-

though all of the rapid acquisition programs share similar goals of shortening acquisition time and rapid fielding of new technologies, the committee notes variations in approaches and believes that all of the programs should contain several common but essential elements. Candidates for rapid acquisition programs should be reviewed at the secretariat and service chief level, using competitive selection criteria, and assessed on business-based analyses including cost savings and impact on current acquisition programs, as well as improved capability. If selected for transition to acquisition, the services must ensure that sufficient funding is programmed to fully develop and acquire the selected candidates.

The committee supports the tremendous potential for cost savings and increased capability through the use of the Army RAPT and recommends $86.4 million in PE 63001A, an increase of $2.5 million and a transfer of $23.6 million from PE 23761A. The committee urges the Secretary of the Army to review the following projects for consideration as candidates for the Army RAPT:

Hybrid Battery-Fuel Cell
Joint Service Metrology R&D Support
Trajectory Optimized High Altitude Targeting (Top Hat)
Warfighter Advanced Technology Expandable Shelter

The committee also supports the Marine Corps Advanced Technology Demonstration and recommends $72.3 million in PE 63640M, an increase of $21.0 million. The committee urges the Commandant to review the following projects for consideration as candidates:

Fast Refueling System
Improved Long Range Rifle
Mobile Counter Fire System
Modular Ride-Along Air Filter Cleaning System
Quadrupole Resonance/Landmine Detection

The committee supports the initiation of the Navy Warfighting Experiments and Demonstrations and recommends authorization of $85.3 million in PE 63758N, an increase of $42.0 million. The committee urges the Secretary of the Navy to review the following projects for consideration as candidates for the Navy Warfighting Experiments and Demonstrations program:

Air Crane
Geotrak Positioning Technology
Interrogator for High-Speed Retro-Reflectometer Communication
Transportable Anti-Intrusion Pontoon Barrier System (TABS)
Web Centric ASW Net

The committee supports the pursuit of cost savings and increased capability through the use of the Air Force WRAP rapid transition funding and recommends authorization of $74.2 million in PE 63XXXF, an increase of $24.0 million and a transfer of $50.2 million from PE 23761F. The committee urges the Secretary of the Air Force to review the following projects for consideration as candidates for the Air Force WRAP:

Imaging and Target Support
TechSat 21/MicroSat

The committee believes that each of the service programs should conduct reviews of candidate projects using procedures defined for the defense-wide Challenge Program outlined in the legislative provision Sec. 244 described elsewhere in this report. The committee directs the service secretaries to provide a report outlining their rapid acquisition candidate review process, plan for transition of selected candidates, level of leadership represented on the review panel, and plan to ensure that sufficient funding is programmed to support acquisition. The reports shall be submitted with budget request justification materials accompanying the fiscal year 2003 defense budget request.

OPERATIONAL TEST AND EVALUATION, DEFENSE

Overview

The budget request contained $217.4 million for Operational Test and Evaluation RDT&E. The committee recommends authorization of $217.4 million.

The committee recommendations for the fiscal year 2002 Operational Test and Evaluation RDT&E program are identified in the table below. Major changes to the Operational Test and Evaluation request are discussed following the table.

TITLE II - RESEARCH, DEVELOPMENT, TEST & EVALUATION

(Dollars in Thousands)

PROGRAM ELEMENT NUMBER	R-1 LINE	PROGRAM TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
		OPERATIONAL TEST & EVAL, DEFENSE			
0603941D8Z	1	TEST, EVALUATION SCIENCE AND TECHNOLOGY	16,000		16,000
0604940D8Z	2	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP)	113,642		113,642
0605118D8Z	3	OPERATIONAL TEST AND EVALUATION	17,379		17,379
0605131D8Z	4	LIVE FIRE TESTING	9,887		9,887
0605804D8Z	5	DEVELOPMENT TEST AND EVALUATION	59,447		59,447
0605806D8Z	6	IMPLEMENTING DSB RECOMMENDATIONS	1,000		1,000
		TOTAL, OPERATIONAL TEST & EVAL, DEFENSE	**217,355**	**0**	**217,355**
		RESEARCH AND DEVELOPMENT	217,355	0	217,355
		ENGINEERING AND MANUFACTURING DEVELOPMENT	0	0	0
		Defense Health Plan			
		TOTAL, DEFENSE HEALTH PLAN	**0**	**0**	**0**
		RESEARCH AND DEVELOPMENT	0	0	0
		ENGINEERING AND MANUFACTURING DEVELOPMENT	0	0	0

LEGISLATIVE PROVISIONS

SUBTITLE A—AUTHORIZATION OF APPROPRIATIONS

Section 201—Authorization of Appropriations

This section would establish RDT&E funding levels for the Department of Defense for fiscal year 2002.

Section 202—Amount for Basic and Applied Research

This section would establish basic and applied research funding levels for the Department of Defense for fiscal year 2002.

SUBTITLE B—PROGRAM REQUIREMENTS, RESTRICTIONS, AND LIMITATIONS

Section 211—Cooperative Department of Defense-Department of Veterans Affairs Medical Research Program

This section would require that of the funds authorized to be appropriated by Section 201(4), $5,000,000 shall be available only for Cooperative Department of Defense-Department of Veterans Affairs medical research program. This section would also require the Secretary of Defense to transfer such amount to the Secretary of Veterans Affairs for such purposes after 30 days of the date of enactment of this Act.

Section 212—Advanced Land Attack Missile Program

This provision would direct the Secretary of Defense to establish a competitive program for the development of an advanced land attack missile (ALAM) for the DD–21 Land Attack Destroyer and other naval combatants and would recommend authorization of $20.0 million in PE 63795 for that purpose. The provision would also direct the Secretary of Defense to submit to the congressional defense committees with the fiscal year 2003 budget request a report providing the program plan, schedule and funding required for the ALAM program.

The committee notes the letter from the Under Secretary of Defense (Acquisition and Technology) to the Chairman, House Armed Services Committee, dated August 25, 1999, that endorsed the Navy's proposal to acquire the Land Attack Standard Missile (LASM) as an interim capability and to develop an ALAM as soon as possible. The letter also stated that the Navy would pursue a multi-team industry competition for development of ALAM. The committee also notes the Milestone 0 Acquisition Decision Memorandum, dated February 22, 2000, that designated the ALAM as a major defense acquisition program. The committee further notes that the Navy's ALAM program plan and funding included in the fiscal year 2001 budget request provided for completion of an ALAM analysis of alternatives and entry into the program risk and reduction phase in fiscal year 2001, competition and early prototyping by three to four contractors leading to an ALAM down-select/"fly-off" by the end of fiscal year 2003, with delivery of the ALAM system to the fleet in early fiscal year 2009.

In the statement of managers that accompanied the conference report on H.R. 4205 (H. Rept. 106–945), the conferees placed a high priority on completing the analysis of alternatives to determine the appropriate course of action for providing Naval fire support and directed the Secretary of the Navy to report to the congressional defense committees with the submission of the fiscal year 2002 budget request on recommended revisions to the ALAM program. The committee is concerned that the report has not been received.

The committee further notes that in April 2002 the Comptroller of the Navy executed a below-threshold reprogramming which redirected funds authorized and appropriated for ALAM and effectively halted the ALAM program.

The committee believes that in the absence of a program review appropriate to a major defense acquisition program the Navy's redirection of fiscal year 2001 funding for ALAM and failure to request funding to continue the program in the fiscal year 2002 budget request contravenes the direction previously provided to the Navy and reported to Congress by the Under Secretary of Defense (Acquisition, Technology, and Logistics) to develop ALAM as soon as possible and pursue a multi-team industry competition for that development.

Section 213—Collaborative Program for Development of Advanced Radar Systems for Naval Applications

This section would require the Secretary of Defense to carry out a program to develop and demonstrate advanced technologies and concepts leading to advanced radar systems for naval and other applications. The program would be carried out under a memorandum of agreement between the Director of Defense Research and Engineering (DDR&E), the Secretary of the Navy, and the Director of the Defense Advanced Research Projects Agency (DARPA), and would include activities needed to develop and deploy advanced electronics materials needed to extend the range and sensitivity of naval radars. The joint effort would place particular emphasis on the development and maturation of high frequency and high power wide bandgap semi-conductor materials and devices and the identification of the weapon and sensor systems that would use the new technology.

The committee notes that the Navy's June 2000 report to the congressional defense committees on the Surface Navy Radar Roadmap identified increased demands on radar performance and performance goals to meet the operational requirements expected in 2015 and cited advances in wide bandgap semi-conductor materials, such as silicon carbide and gallium nitride, that would be required to achieve increased range, advanced discrimination, and signal processing capabilities needed for advanced theater ballistic missile defense radars. The committee understands that the March 2001 Technology Assessment for the Surface Navy Radar Roadmap concluded that to achieve these capabilities in fiscal year 2009 to meet the 2015 operational capability requires a generational change in high power amplifiers, device and array thermal management, digital radar, processing algorithms, and processor independent system software. The committee notes that advances in wide bandgap semi-conductor materials and devices are key to that

technology development. The committee also understands that the December 2000 Special Technology Review on RF Applications for Wide Bandgap Technology by the Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics recommended an increased science and technology investment in wide bandgap materials, devices, circuits, and packaging that would total approximately $50 million per year over a five-year period beginning in fiscal year 2002.

The budget request contained $41.0 million in PE 62712E for the DARPA applied research program in high frequency wide bandgap semiconductor electronics and high power wide bandgap semiconductor electronics. The committee understands that the budget request contained $5.0 million in PE 61153N and $3.5 million in PE 62271N for the Navy's applied research program in wide bandgap semiconductor technology. The provision would authorize $41.0 million for DARPA for research and maturation of high frequency and high power wide bandgap semiconductor electronics technology to carry out the collaborative program established under the memorandum of agreement and $15.5 million for the Navy to carry out its responsibilities under the memorandum of agreement for the collaborative program, an increase of $7.0 million to the budget request.

Finally, the committee encourages the Director of the Ballistic Missile Defense Organization to become a party to the memorandum of agreement for the collaborative program and to identify the BMDO's contribution to the program in the joint report to be submitted to the congressional defense committees by January 31, 2002.

SUBTITLE C—BALLISTIC MISSILE DEFENSE

Section 231—Transfer of Responsibility for Procurement for Missile Defense Programs from Ballistic Missile Defense Organization to Military Departments

The section would amend section 224 of title 10, United States Code to require that the budget submitted to Congress by the Department of Defense for research, development, test and evaluation (RDT&E) of any Department of Defense missile defense program be set forth under the account for Defense-wide RDT&E, and within that account, under the sub-account for BMDO.

This section would further require the Secretary of Defense to establish, and submit to Congress, criteria for transferring missile defense programs from BMDO to the military departments. The criteria would be developed to ensure the viability of the program as it passes to the military departments.

The section would also require the Secretary of Defense to notify the congressional defense committees of the Secretary's intent to transfer a missile defense program to the military departments 60 days in advance of such action.

Section 232—Repeal of Program Element Requirements for Ballistic Missile Defense Programs

This section would strike section 223 of title 10, United States Code, which defines the statutory program element structure for budget justification materials submitted to Congress by the Department of Defense for activities of the Ballistic Missile Defense Organization (BMDO).

Section 233—Support of Ballistic Missile Defense Activities of the Department of Defense by the National Laboratories of the Department of Energy

This section would, at the discretion of the director of BMDO, make available from funds authorized to be appropriated pursuant to section 201(4) up to $25.0 million for research, development, and demonstration activities at the national laboratories of the Department of Energy (DOE) in support of missions of BMDO. The provision would make available to the Director of BMDO, acting in consultation with the Administrator of the Nuclear National Security Administration (NNSA), the resources of the national laboratories of the DOE to address critical missile defense needs. The availability of the funds would be subject to provision of matching funds by NNSA. Activities would be conducted under the terms of a memorandum of understanding between the Secretary of Defense and the Secretary of Energy for the use of national laboratories for ballistic missile defense programs.

The committee believes that the national laboratories of the National Nuclear Security Administration present a largely untapped source of experience and expertise relevant to one of the nation's highest priorities, ballistic missile defense. The committee further believes that activities in support of missile defense are consistent with the laboratories' national security mission, will not significantly impede the laboratories in carrying out their important role of guaranteeing the safety, reliability and performance of nuclear weapons, and may in fact present new opportunities as the strategic stockpile draws down. The committee is disturbed by the apparent lack of interest shown by the laboratories in the last several years, especially given their unique qualifications to address certain aspects of missile defense. The committee strongly urges the Departments of Defense and the Department of Energy to move beyond the negotiation of memoranda, and begin to apply the resources of the national laboratories to this great challenge in a meaningful way.

Section 234—Missile Defense Testing Initiative

This section would require the Secretary of Defense to develop necessary infrastructure and to implement a rigorous test regimen for ballistic missile defense programs. This section would require testing in as realistic a manner as is practicable, taking into consideration the planned operational concepts for each system, and continued testing after deployment.

The committee is aware of shortfalls in testing of ballistic missile defense systems, including those recently expressed by the Director of Operational Test and Evaluation and the Panel on Reducing

Risk in Ballistic Missile Defense Flight Test Programs. The committee is similarly concerned about both the realism of the geometry that the current test infrastructure can support, as well as the limited range of engagement conditions (speed, altitude, crossing angle, etc.) accommodated. The committee also believes that test planning and infrastructure has not been adequate to support operationally realistic testing of the ground-based midcourse system, such as engagement of a single target with multiple interceptors ("shoot-look-shoot") or engagement of multiple targets with multiple interceptors, nor has it fully exploited opportunities for demonstration of interoperability ("family of systems") concepts. The committee notes that much more can, and must, be accomplished prior to flight testing, and strongly endorses ground testing at the highest level of integration as possible.

While recognizing the necessity of extensive testing, the committee places a high priority on value and believes that approaches, such as "campaign testing" where multiple tests are conducted in rapid succession, can significantly reduce the average cost per test, delivering more realistic data for less cost. Historically, missile systems have required extensive and rigorous testing to ensure performance and reliability, often suffering high failure rates initially. Rigorous testing is especially crucial in missile defense due to the magnitude of the technical challenges and the complexity of the systems required to meet those challenges. The committee expects that there will be failures in a rigorous test program, and cautions against placing great significance on either the success or failure of any single event.

Section 235—Missile Defense System Test Bed Facilities

This section would clarify section 2353 of title 10, United States Code governing the use of Research, Development, Test, and Evaluation (RDT&E) funds in fiscal year 2002 for the specific purpose of construction of a missile defense test bed. This section would authorize the Secretary of Defense to use funds made available to the Department of Defense for RDT&E to acquire, improve, or construct missile defense system test bed facilities that also have general utility. The provision limits the total cost of such activities to not more than $500.0 million. The section would also authorize the use of RDT&E funds to mitigate the impact on local community services or facilities resulting from the construction or operation of missile defense system test bed facilities, provided that the Secretary of Defense determines that there is an immediate and substantial need as a direct result of such activities.

SUBTITLE D—OTHER MATTERS

Section 241—Establishment of Unmanned Aerial Vehicle Joint Operational Test Bed System

This section would require the Secretary of the Defense to establish of a Joint Forces Command (JFCOM) Unmanned Aerial Vehicle (UAV) Joint Operational Test Bed System (JOTBS) and to transfer two Predator UAVs, tactical control system (TCS) ground station and assorted equipment from the Navy to JFCOM within

90 days of enactment of this Act. This section would further provide for the transfer of two Predator UAVs from JFCOM to the Air Force when no longer required for the JFCOM JOTBS.

The committee notes that the report accompanying the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106–398), directed the Secretary of the Navy to transfer custody of two Predator unmanned aerial vehicles (UAV) and the associated TCS ground station to the Joint Forces Command (JFCOM) for use in the joint operational test bed system (JOTBS).

The committee is seriously concerned that the Secretary has not carried out this transfer. Therefore, the committee recommends a provision (Sec. 241) that would require that this transfer be made promptly, and that the Commander-in-Chief, JFCOM complete establishment of an independent JOTBS. The committee is aware that JFCOM promulgated a JOTBS Strategic Plan May 2000 that provides clear direction for such an independent test bed.

The committee observes that Congress established JFCOM because the services do not inherently have a joint perspective and that joint interoperability of intelligence, reconnaissance and surveillance (ISR) and other systems is essential for an enhanced future military capability. Therefore, the committee believes that in order to be fully successful, the JOTBS must be independent of the services.

The committee further observes that CINC JFCOM's failure to complete establishment of the independent JOTBS raises questions over the ability of JFCOM to effectively carry out its mission in the face of resistance by a service. The Predator UAV is an Air Force platform and therefore, when and if Joint Forces Command no longer requires the two Predator UAVs, the committee directs that custody shall be transferred to the Air Force.

Section 242—Demonstration Project to Increase Small Business and University Participation in Office of Naval Research Efforts to Extend Benefits of Science and Technology Research to Fleet

This section would authorize that the Secretary of the Navy, acting through the Chief of Naval Research, to carry out a demonstration project to explore ways to increase and expand small business and university participation in research efforts beneficial to the fleet. This section would require that the Secretary establish a Navy Technology Extension Center at a location to be selected and would permit participants in the Small Business Innovation Research Program (SBIR) and Small Business Technology Transfer Program (STTR) that are awarded contracts by the Office of Naval Research to access and use Navy facilities without charge for the purpose of carrying out those contracts. This section would also permit universities, institutions of higher learning, and Federally Funded Research and Development Centers collaborating with SBIR and STTR participants to use Navy facilities.

The committee notes a number of initiatives to encourage small business and university participation in the Department of Defense (DOD) program to extend the benefits of research in science and technology to the military components. However, the committee is concerned that there is no overall program to develop a comprehensive science and technology partnership between small businesses,

universities, and Department of Defense research facilities. The committee believes that there is much that could be gained by all participants in such partnerships, and that the lesson learned in the demonstration project might be applied to other DOD research programs to the benefit of all the military departments and defense agencies.

Section 243—Management Responsibility for Navy Mine Countermeasures Programs

This section would amend section 216 of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (Public Law 102–190), and would extend the implementation of the Management Responsibility for Navy Mine Countermeasures Programs through fiscal year 2008.

The committee believes that the requirement that the Secretary of Defense and the Chairman of the Joint Chiefs of Staff provide an annual certification of the adequacy of the Navy's mine countermeasures program has had a positive impact on the program, increasing the visibility of and attention paid to the program by officials in the Department of Defense and the Department of the Navy. The committee notes the direction contained in the committee report on H.R. 3616 (H. Rept. 105–532) that the annual certification by the Secretary of Defense and the Chairman of the Joint Chiefs of Staff address the adequacy of funding for the mine countermeasures program for the budget year through the end of the future years defense program and also include objective measures against which the Navy's progress in enhancing its mine countermeasures capabilities can be evaluated.

Section 244—Program to Accelerate the Introduction of Innovative Technology in Defense Acquisition Programs

This section would direct the Secretary of Defense to establish a program to provide increased opportunities for the introduction of innovative technology in acquisition programs of the Department of Defense and would provide $40.0 million in PE 63826D8Z for the program.

The committee notes the actions taken by the Department in response to section 818 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261) and initial improvements in facilitating the rapid transition into Defense acquisition programs of technologies developed in successful Small Business Innovative Research (SBIR) phase two projects. The committee also notes the initial actions taken by the Department in response to section 812 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65) with the objective of fostering competition wherever possible to create incentives for the development and rapid insertion into Defense acquisition programs of technological innovations developed by commercial firms, including small technology companies.

This section would place increased emphasis on the program for introduction of innovative and cost-saving technology into Defense acquisition programs by requiring the Secretary of Defense to establish a "Challenge Program" to provide individuals or activities

within or outside the Department of Defense the opportunity to propose alternatives ("challenge proposals") at the component, subsystem, or system level of an existing Defense acquisition program that would result in improvements in the program. This section would also require the Secretary to establish a panel of highly qualified scientists and engineers to review and evaluate challenge proposals and make recommendations to the Under Secretary of Defense (Acquisition, Technology, and Logistics) regarding the incorporation of the challenge proposal in the challenged Defense acquisition program. This section would also require that, in the event the panel finds that the challenge proposal will result in improvements in performance, affordability, manufacturability, or operational capability at the component, subsystem, or system level of the challenged acquisition program, which are substantially superior to the incumbent component, subsystem, or system, the Secretary would carry out a plan to acquire and implement the challenge proposal. This section would also require the Secretary to ensure the elimination of conflicts of interest in carrying out each review and evaluation of challenge proposals that are submitted to the panel. Finally, the provision would require the Secretary to submit a report to Congress on the implementation of the "Defense Challenge" program.

The budget request contained $25.0 million in PE 63826D8Z for the Quick Reaction Projects initiative. The committee recommends $66.0 million in PE63826D8Z, including $40.0 million for the Defense Challenge program. The committee believes that the introduction of innovative technology into Defense systems through the Defense Challenge program and the Quick Reaction Projects Initiative possess a tremendous potential for achievement of cost-savings and increased operational capability for U.S. armed forces. The committee urges the Under Secretary of Defense (Acquisition, Technology, and Logistics) to review the following projects for consideration as candidates for the Quick Reaction Projects and Defense Challenge program:

Microwave Ferrite Components

Miniature Interceptor Technology

Pacific Fleet Force Protection Technology Testbed

Radio Frequency Vulnerability

"Spray Cooling" Optimizing Electronics for Advanced Controlled Environment Systems

TITLE III—OPERATION AND MAINTENANCE

OVERVIEW

The budget request for operation and maintenance represents an increase of $17.8 billion (38.4 percent) over spending levels authorized and appropriated for fiscal year 2001. Although the committee is encouraged by this increased level of attention to the critical readiness accounts, the committee is concerned that savings assumptions presented in the amended budget request are unattainable. As an example, of the nearly $1.0 billion in savings assumed through the enacting of management reforms, $140.0 million is based on a change in the operation of the maintenance and repair depots, and $190.0 million is based on a change to section 276a of title 40, United States Code, (46 Stat. 1494) commonly referred to as the Davis-Bacon Act. Both of these proposals would require legislation that has been historically unsuccessful. The committee is troubled by the decision to assume substantial savings associated with proposed legislation, prior to Congress being afforded an opportunity to debate and enact into law the requested proposals. The legislative changes assumed in the amended budget request are significant policy changes that need complete and thorough debate within Congress. The committee believes that these proposed savings initiatives are premature and, therefore, recommends an undistributed reduction of $330.0 million in the operation and maintenance accounts to offset these assumed savings. The committee further expects the Secretary of Defense to apply this reduction within the defense-wide operation and maintenance accounts and not to the individual military services.

The committee understands that a significant portion of the proposed increases for operation and maintenance funding is related to increased fuel, spare parts, energy costs, along with an attempt at arresting the decline in military installation infrastructure. In addition, the committee notes that even with the increases recommended in the amended budget request, the chiefs of the military services reported nearly a $10.0 billion shortfall in operation and maintenance funding for fiscal year 2002. Despite increased funding, there is no significant increase in planned operations by the military services in fiscal year 2002. In fact, the Department of the Army is decreasing its normal operation tempo for its combat vehicles. Although the budget request provided increased funding for the historically under-funded real property maintenance accounts, this increase merely arrests the decline that has occurred over many years. The committee believes that the Department of Defense must sustain this offset by devoting significant resources over a multi-year program to facility sustainment and renovations.

The committee conducted a series of hearings in an effort to obtain a more accurate and detailed assessment of current and near-

term readiness and to determine to what extent the amended budget request supports readiness requirements. As in the past recent years, the evidence received during the hearings was of an overextended force struggling to maintain acceptable readiness levels in an environment of declining human and budgetary resources. The committee continues to hear significant complaints about lack of spare parts, aging equipment, decaying infrastructure, growing equipment and facilities' backlogs, and the difficulties of conducting quality training and operational deployments with significant personnel shortages.

The committee continues to believe that DOD must continue to take steps to reduce costs in non-readiness related accounts. At the same time, DOD must provide more aggressive oversight of the military departments' proposals to reduce costs through contracting out and privatization. The committee fully supports well developed and justified programs that will reduce costs; but, at a time when readiness shortfalls continue to grow, the committee does not believe that poorly developed and uncoordinated new programs, or funding for administrative and support activities, such as headquarters management, should be increasing. As an example, the committee believes the Navy-Marine Corps Intranet (NMCI) program to be a well-intentioned and potentially beneficial program. However, again this year, the Department of the Navy has failed to adequately provide the committee with the specific funding and budgetary data necessary for the committee to provide full approval of this program. Consistent with past practice, the committee has identified spending that does not directly support military readiness and has reprioritized it into other areas.

TITLE III - OPERATION AND MAINTENANCE

(Dollars in Thousands)

ACCOUNT/BA/AG/SAG	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
OPERATION AND MAINTENANCE, ARMY	21,191,680	(176,400)	21,015,280
OPERATION AND MAINTENANCE, NAVY	26,961,382	(373,420)	26,587,962
OPERATION AND MAINTENANCE, MARINE CORPS	2,892,314	5,800	2,898,114
OPERATION AND MAINTENANCE, AIR FORCE	26,146,770	(335,308)	25,811,462
OPERATION AND MAINTENANCE, DEFENSE-WIDE	12,518,631	(596,500)	11,922,131
OPERATION AND MAINTENANCE, ARMY RESERVE	1,787,246	27,000	1,814,246
OPERATION AND MAINTENANCE, NAVY RESERVE	1,003,690	-	1,003,690
OPERATION AND MAINTENANCE, MARINE CORPS RESERVE	144,023	-	144,023
OPERATION AND MAINTENANCE, AIR FORCE RESERVE	2,029,866	(12,000)	2,017,866
OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD	3,677,359	28,000	3,705,359
OPEATIONS AND MAINTENANCE, AIR NATIONAL GUARD	3,867,361	100,000	3,967,361
ENVIRONMENTAL RESTORATION, ARMY	389,800	-	389,800
ENVIRONMENTAL RESTORATION, NAVY	257,517	-	257,517
ENVIRONMENTAL RESTORATION, AIR FORCE	385,437	-	385,437
ENVIRONMENTAL RESTORATION, DEFENSE-WIDE	23,492	-	23,492
ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES	190,255	-	190,255
DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES	820,381	-	820,381
OVERSEAS CONTINGENCIES	2,844,226	-	2,844,226
PENTAGON RENOVATION	-		-
OFFICE OF THE INSPECTOR GENERAL	152,021	-	152,021
UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES	9,096	-	9,096
OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AFFAIRS	49,700	-	49,700
SUPPORT OF INTERNATIONAL SPORTING COMPETITIONS	15,800		15,800
PAYMENT TO KAHO'OLAWE ISLAND	25,000	-	25,000

TITLE III - OPERATION AND MAINTENANCE

(Dollars in Thousands)

ACCOUNT/BA/AG/SAG	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
DEFENSE HEALTH PROGRAM	17,565,750	5,000	17,570,750
COOPERATIVE THREAT REDUCTION	403,000	-	403,000
TOTAL OPERATION & MAINTENANCE	**125,351,797**	**(1,327,828)**	**124,023,969**
DEFENSE WORKING CAPITAL FUNDS	1,951,986	-	1,951,986
NATIONAL DEFENSE SEALIFT FUND	506,408	(98,700)	407,708
TOTAL WORKING CAPTIAL FUNDS	**2,458,394**	**(98,700)**	**2,359,694**

TITLE III - OPERATION AND MAINTENANCE
(Dollars in Thousands)

LINE	ACCOUNT/BA/AG/SAG	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
	OPERATION AND MAINTENANCE, ARMY			
	BUDGET ACTIVITY 01: OPERATING FORCES			
	LAND FORCES	3,303,009	0	3,303,009
1	DIVISIONS	1,171,981		1,171,981
2	CORPS COMBAT FORCES	341,802		341,802
3	CORPS SUPPORT FORCES	315,109		315,109
4	ECHELON ABOVE CORPS SUPPORT FORCES	476,280		476,280
5	LAND FORCES OPERATIONS SUPPORT	997,837		997,837
	LAND FORCES READINESS	2,410,691	0	2,410,691
6	FORCE READINESS OPERATIONS SUPPORT	1,132,933		1,132,933
7	LAND FORCES SYSTEMS READINESS	467,197		467,197
8	LAND FORCES DEPOT MAINTENANCE	810,561		810,561
	LAND FORCES READINESS SUPPORT	4,554,852	0	4,554,852
9	BASE OPERATIONS SUPPORT	2,799,321		2,799,321
10	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION (OPERATING FORCES)	1,178,502		1,178,502
11	MANAGEMENT & OPERATIONAL HEADQUARTERS	234,907		234,907
12	UNIFIED COMMANDS	77,907		77,907
13	MISCELLANEOUS ACTIVITIES	264,215		264,215
	TOTAL, BA 01: OPERATING FORCES	**10,268,552**	**0**	**10,268,552**
	BUDGET ACTIVITY 02: MOBILIZATION			

TITLE III - OPERATION AND MAINTENANCE
(Dollars in Thousands)

LINE	ACCOUNT/BA/AG/SAG	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
	MOBILITY OPERATIONS	581,884	0	581,884
14	STRATEGIC MOBILIZATION	385,289		385,289
15	ARMY PREPOSITIONED STOCKS	133,675		133,675
16	INDUSTRIAL PREPAREDNESS	46,442		46,442
17	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION (MOBILITY OPERATIONS)	16,478		16,478
	TOTAL, BA 02: MOBILIZATION	**581,884**	**0**	**581,884**
	BUDGET ACTIVITY 03: TRAINING AND RECRUITING			
	ACCESSION TRAINING	439,240	0	439,240
18	OFFICER ACQUISITION	79,842		79,842
19	RECRUIT TRAINING	17,265		17,265
20	ONE STATION UNIT TRAINING	20,485		20,485
21	SENIOR RESERVE OFFICERS' TRAINING CORPS	183,376		183,376
22	BASE OPERATIONS SUPPORT (ACCESSION TRAINING)	80,840		80,840
23	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION (ACCESSION TRAINING)	57,432		57,432
	BASIC SKILL/ ADVANCE TRAINING	2,564,753	0	2,564,753
24	SPECIALIZED SKILL TRAINING	261,446		261,446
25	FLIGHT TRAINING	403,105		403,105
26	PROFESSIONAL DEVELOPMENT EDUCATION	114,373		114,373
27	TRAINING SUPPORT	485,815		485,815
28	BASE OPERATIONS SUPPORT (BASIC SKILL/ADVANCED TRAINING)	898,129		898,129
29	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION (BASIC SKILL/ADV TRAINING)	401,885		401,885

TITLE III - OPERATION AND MAINTENANCE
(Dollars in Thousands)

LINE	ACCOUNT/BA/AG/SAG	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
	RECRUITING/OTHER TRAINING	1,094,314	0	1,094,314
30	RECRUITING AND ADVERTISING	442,612		442,612
31	EXAMINING	78,260		78,260
32	OFF-DUTY AND VOLUNTARY EDUCATION	142,515		142,515
33	CIVILIAN EDUCATION AND TRAINING	82,563		82,563
34	JUNIOR RESERVE OFFICERS' TRAINING CORPS	88,873		88,873
35	BASE OPERATIONS SUPPORT (RECRUIT/OTHER TRAINING)	259,491		259,491
	TOTAL, BA 03: TRAINING AND RECRUITING	**4,098,307**	**0**	**4,098,307**
	BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES			
	SECURITY PROGRAMS	479,506	0	479,506
36	SECURITY PROGRAMS	479,506		479,506
	LOGISTICS OPERATIONS	1,899,844	(2,640)	1,897,204
37	SERVICEWIDE TRANSPORTATION	517,218	(21,000)	496,218
38	CENTRAL SUPPLY ACTIVITIES	454,682		454,682
39	LOGISTICS SUPPORT ACTIVITIES	570,911		570,911
	MAINTENANCE AIT/RFID		9,000	9,000
	REPLACEMENT CONTAINERS, FT. DRUM		1,000	1,000
	ELECTRONIC MAINTENANCE & POINT-TO-POINT WIRING		4,000	4,000
	WAGE GRADE EMPLOYEES		4,360	4,360
40	AMMUNITION MANAGEMENT	357,033		357,033
	SERVICEWIDE SUPPORT	3,628,431	(80,000)	3,548,431
41	ADMINISTRATION	536,030	(30,000)	506,030

TITLE III - OPERATION AND MAINTENANCE
(Dollars in Thousands)

LINE	ACCOUNT/BA/AG/SAG	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
41	SERVICEWIDE COMMUNICATIONS	532,013	(12,600)	519,413
42	MANPOWER MANAGEMENT	160,159	(6,400)	153,759
43	OTHER PERSONNEL SUPPORT	175,429		175,429
44	OTHER SERVICE SUPPORT	615,653	(11,800)	603,853
45	ARMY CLAIMS	112,947		112,947
46	REAL ESTATE MANAGEMENT	51,431		51,431
47	BASE OPERATIONS SUPPORT (SERVICEWIDE SUPPORT)	1,167,160	(19,200)	1,147,960
48	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION (SERVICEWIDE SUPPORT)	277,609		277,609
	SUPPORT OF OTHER NATIONS	235,156	(47,000)	188,156
500	INTERNATIONAL MILITARY HEADQUARTERS	180,812	(47,000)	133,812
510	MISC. SUPPORT OF OTHER NATIONS	54,344		54,344
51	EXPANSION OF NATO			
	TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	**6,242,937**	**(129,640)**	**6,113,297**
	UNDISTRIBUTED			
	REDUCTION IN STRATEGIC SOURCING (A-76 STUDIES)		(8,360)	(8,360)
	M-GATORS		6,600	6,600
	INFORMATION TECHNOLOGY SYSTEM, ARMY		(20,000)	(20,000)
	CONSULTANTS, ARMY		(25,000)	(25,000)
	TOTAL, UNDISTRIBUTED		**(46,760)**	**(46,760)**
	TOTAL OPERATION AND MAINTENANCE, ARMY	**21,191,680**	**(176,400)**	**21,015,280**
	OPERATION AND MAINTENANCE, NAVY			

TITLE III - OPERATION AND MAINTENANCE
(Dollars in Thousands)

LINE	ACCOUNT/BA/AG/SAG	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
	BUDGET ACTIVITY 01: OPERATING FORCES			
	AIR OPERATIONS	5,232,152	0	5,232,152
1	MISSION AND OTHER FLIGHT OPERATIONS	3,206,849		3,206,849
2	FLEET AIR TRAINING	950,969		950,969
3	INTERMEDIATE MAINTENANCE	62,487		62,487
4	AIR OPERATIONS AND SAFETY SUPPORT	103,355		103,355
5	AIRCRAFT DEPOT MAINTENANCE	854,298		854,298
6	AIRCRAFT DEPOT OPERATIONS SUPPORT	54,194		54,194
	SHIP OPERATIONS	7,496,086	0	7,496,086
7	MISSION AND OTHER SHIP OPERATIONS	2,315,172		2,315,172
8	SHIP OPERATIONAL SUPPORT AND TRAINING	545,279		545,279
9	INTERMEDIATE MAINTENANCE	387,282		387,282
10	SHIP DEPOT MAINTENANCE	2,917,829		2,917,829
11	SHIP DEPOT OPERATIONS SUPPORT	1,330,524		1,330,524
	COMBAT OPERATIONS/SUPPORT	1,798,072	0	1,798,072
12	COMBAT COMMUNICATIONS	384,534		384,534
13	ELECTRONIC WARFARE	15,466		15,466
14	SPACE SYSTEMS & SURVEILLANCE	182,165		182,165
15	WARFARE TACTICS	163,864		163,864
16	OPERATIONAL METEOROLOGY & OCEANOGRAPHY	258,051		258,051
17	COMBAT SUPPORT FORCES	618,874		618,874
18	EQUIPMENT MAINTENANCE	173,381		173,381

TITLE III - OPERATION AND MAINTENANCE
(Dollars in Thousands)

LINE	ACCOUNT/BA/AG/SAG	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
19	DEPOT OPERATIONS SUPPORT	1,737		1,737
	WEAPONS SUPPORT	1,381,683	0	1,381,683
20	CRUISE MISSILE	124,342		124,342
21	FLEET BALLISTIC MISSILE	812,743		812,743
22	IN-SERVICE WEAPONS SYSTEMS SUPPORT	47,762		47,762
23	WEAPONS MAINTENANCE	396,836		396,836
	WORKING CAPITAL FUND SUPPORT	1,421	0	1,421
24	NWCF SUPPORT	1,421		1,421
	BASE SUPPORT	3,591,983	0	3,591,983
25	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	1,019,891		1,019,891
26	BASE SUPPORT	2,572,092		2,572,092
	TOTAL, BA 01: OPERATING FORCES	**19,501,397**	**0**	**19,501,397**
	BUDGET ACTIVITY 02: MOBILIZATION			
	READY RESERVE AND PREPOSITIONING FORCES	506,394	0	506,394
27	SHIP PREPOSITIONING AND SURGE	506,394		506,394
	ACTIVATIONS/INACTIVATIONS	267,155	0	267,155
28	AIRCRAFT ACTIVATIONS/INACTIVATIONS	5,506		5,506
29	SHIP ACTIVATIONS/INACTIVATIONS	261,649		261,649

TITLE III - OPERATION AND MAINTENANCE
(Dollars in Thousands)

LINE	ACCOUNT/BA/AG/SAG	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
	MOBILIZATION PREPAREDNESS	42,470	0	42,470
30	FLEET HOSPITAL PROGRAM	23,803		23,803
31	INDUSTRIAL READINESS	1,177		1,177
32	COAST GUARD SUPPORT	17,490		17,490
	TOTAL, BA 02: MOBILIZATION	**816,019**	**0**	**816,019**
	BUDGET ACTIVITY 03: TRAINING AND RECRUITING			
	ACCESSION TRAINING	182,831	0	182,831
33	OFFICER ACQUISITION	96,581		96,581
34	RECRUIT TRAINING	6,724		6,724
35	RESERVE OFFICERS TRAINING CORPS	79,526		79,526
	BASIC SKILLS AND ADVANCED TRAINING	977,690	2,000	979,690
36	SPECIALIZED SKILL TRAINING	306,012		306,012
37	FLIGHT TRAINING	367,343		367,343
38	PROFESSIONAL DEVELOPMENT EDUCATION	111,404		113,404
	Aviation Depot Apprenticeship Program		2,000	
39	TRAINING SUPPORT	192,931		192,931
	RECRUITING, AND OTHER TRAINING AND EDUCATION	428,948	0	428,948
40	RECRUITING AND ADVERTISING	238,727		238,727
41	OFF-DUTY AND VOLUNTARY EDUCATION	97,957		97,957
42	CIVILIAN EDUCATION AND TRAINING	59,745		59,745
43	JUNIOR ROTC	32,519		32,519

TITLE III - OPERATION AND MAINTENANCE
(Dollars in Thousands)

LINE	ACCOUNT/BA/AG/SAG	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
	BASE SUPPORT	561,364	0	561,364
44	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	195,939		195,939
45	BASE SUPPORT	365,425		365,425
	TOTAL, BA 03: TRAINING AND RECRUITING	**2,150,833**	**2,000**	**2,152,833**
	BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES			
	SERVICEWIDE SUPPORT	1,702,647	(40,000)	1,662,647
46	ADMINISTRATION	692,748	(40,000)	652,748
47	EXTERNAL RELATIONS	4,131		4,131
48	CIVILIAN MANPOWER & PERSONNEL MGT	111,789		111,789
49	MILITARY MANPOWER & PERSONNEL MGT	94,896		94,896
50	OTHER PERSONNEL SUPPORT	195,729		195,729
51	SERVICEWIDE COMMUNICATIONS	603,354		603,354
52	MEDICAL ACTIVITIES	0		
	LOGISTICS OPERATIONS AND TECHNICAL SUPPORT	1,801,745	(49,600)	1,752,145
53	SERVICEWIDE TRANSPORTATION	185,483		185,483
54	ENVIRONMENTAL PROGRAMS	0		0
55	PLANNING, ENGINEERING & DESIGN	343,754	(6,600)	337,154
56	ACQUISITION AND PROGRAM MANAGEMENT	723,156	(43,000)	680,156
57	AIR SYSTEMS SUPPORT	400,955		400,955
58	HULL, MECHANICAL & ELECTRICAL SUPPORT	52,908		52,908
59	COMBAT/WEAPONS SYSTEMS	40,850		40,850
60	SPACE & ELECTRONIC WARFARE SYSTEMS	54,639		54,639

TITLE III - OPERATION AND MAINTENANCE
(Dollars in Thousands)

LINE	ACCOUNT/BA/AG/SAG	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
	SECURITY PROGRAMS	673,912	0	673,912
61	SECURITY PROGRAMS	673,912		673,912
	SUPPORT OF OTHER NATIONS	9,994	0	9,994
62	INTERNATIONAL HDQTRS & AGENCIES	9,994		9,994
	BASE SUPPORT	304,835	2,000	306,835
63	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	102,588		102,588
64	BASE SUPPORT	202,247		204,247
	ATC Corrosion Control		2,000	
	TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	**4,493,133**	**(87,600)**	**4,405,533**
	UNDISTRIBUTED			
	REDUCTION IN STRATEGIC SOURCING (A-76 STUDIES)		(53,560)	(53,560)
	NMCI REDUCTION		(125,000)	(125,000)
	INFORMATION THCHNOLOGY CENTER		(35,000)	(35,000)
	ENTERPRISE RESOURCE PLANNING		(33,000)	(33,000)
	WAGE GRADE EMPLOYEES		3,560	3,560
	INFORMATION TECHNOLOGY SYSTEM, NAVY		(20,000)	(20,000)
	CONSULTANTS, NAVY		(25,000)	(25,000)
	UNITED THROUGH READING PROGRAM		180	180
	TOTAL, UNDISTRIBUTED		**(287,820)**	**(287,820)**
	TOTAL OPERATION AND MAINTENANCE, NAVY	**26,961,382**	**(373,420)**	**26,587,962**

TITLE III - OPERATION AND MAINTENANCE
(Dollars in Thousands)

LINE	ACCOUNT/BA/AG/SAG	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
	OPERATION AND MAINTENANCE, MARINE CORPS			
	BUDGET ACTIVITY 01: OPERATING FORCES			
	EXPEDITIONARY FORCES	2,031,699	0	2,031,699
1	OPERATIONAL FORCES	459,739		459,739
2	FIELD LOGISTICS	257,952		257,952
3	DEPOT MAINTENANCE	107,849		107,849
4	BASE SUPPORT	842,631		842,631
5	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	363,528		363,528
	USMC PREPOSITIONING	88,675	0	88,675
6	MARITIME PREPOSITIONING	83,506		83,506
7	NORWAY PREPOSITIONING	5,169		5,169
	TOTAL, BA 01: OPERATING FORCES	2,120,374	0	2,120,374
	BUDGET ACTIVITY 03: TRAINING AND RECRUITING			
	ACCESSION TRAINING	95,710	0	95,710
8	RECRUIT TRAINING	11,053		11,053
9	OFFICER ACQUISITION	317		317
10	BASE SUPPORT	62,055		62,055
11	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	22,285		22,285
	BASIC SKILLS AND ADVANCED TRAINING	229,287	0	229,287

TITLE III - OPERATION AND MAINTENANCE
(Dollars in Thousands)

LINE	ACCOUNT/BA/AG/SAG	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
12	SPECIALIZED SKILLS TRAINING	32,280		32,280
13	FLIGHT TRAINING	170		170
14	PROFESSIONAL DEVELOPMENT EDUCATION	8,553		8,553
15	TRAINING SUPPORT	95,066		95,066
16	BASE SUPPORT	65,140		65,140
17	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	28,078		28,078
	RECRUITING AND OTHER TRAINING EDUCATION	**158,667**	**0**	**158,667**
18	RECRUITING AND ADVERTISING	109,012		109,012
19	OFF-DUTY AND VOLUNTARY EDUCATION	21,994		21,994
20	JUNIOR ROTC	12,808		12,808
21	BASE SUPPORT	12,209		12,209
22	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	2,644		2,644
	TOTAL, BA 03: TRAINING AND RECRUITING	**483,664**	**0**	**483,664**
	BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES			
	SERVICEWIDE SUPPORT	**288,276**	**5,800**	**294,076**
23	SPECIAL SUPPORT	209,125		209,125
24	SERVICEWIDE TRANSPORTATION	31,118		31,118
25	ADMINISTRATION	29,895		29,895
26	BASE SUPPORT	16,335		16,335
27	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	1,803		1,803
	FULL SPECTRUM BATTLE EQUIPMENT		6,800	6,800
	REDUCTION IN STRATEGIC SOURCING (A-76 STUDIES)		(1,000)	(1,000)

TITLE III - OPERATION AND MAINTENANCE
(Dollars in Thousands)

LINE	ACCOUNT/BA/AG/SAG	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
	TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	**288,276**	**5,800**	**294,076**
	TOTAL OPERATION AND MAINTENANCE, MARINE CORPS	**2,892,314**	**5,800**	**2,898,114**
	OPERATION AND MAINTENANCE, AIR FORCE			
	BUDGET ACTIVITY 01: OPERATING FORCES			
	AIR OPERATIONS	**10,800,750**	**0**	**10,800,750**
1	PRIMARY COMBAT FORCES	3,247,230		3,247,230
2	PRIMARY COMBAT WEAPONS	325,948		325,948
3	COMBAT ENHANCEMENT FORCES	234,838		234,838
4	AIR OPERATIONS TRAINING	1,227,042		1,227,042
5	DEPOT MAINTENANCE	1,361,089		1,361,089
6	COMBAT COMMUNICATIONS	1,356,865		1,356,865
7	BASE SUPPORT	2,212,409		2,212,409
8	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	835,329		835,329
	COMBAT RELATED OPERATIONS	**1,860,599**	**0**	**1,860,599**
9	GLOBAL C3I AND EARLY WARNING	843,775		843,775
10	NAVIGATION/WEATHER SUPPORT	170,965		170,965
11	OTHER COMBAT OPS SUPPORT PROGRAMS	404,665		404,665
12	JCS EXERCISES	37,839		37,839
13	MANAGEMENT/OPERATIONAL HEADQUARTERS	174,580		174,580
14	TACTICAL INTEL AND OTHER SPECIAL ACTIVITIES	228,775		228,775

TITLE III - OPERATION AND MAINTENANCE
(Dollars in Thousands)

LINE	ACCOUNT/BA/AG/SAG	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
	SPACE OPERATIONS	1,415,281	0	1,415,281
15	LAUNCH FACILITIES	258,792		258,792
16	LAUNCH VEHICLES	147,510		147,510
17	SPACE CONTROL SYSTEMS	251,738		251,738
18	SATELLITE SYSTEMS	53,780		53,780
19	OTHER SPACE OPERATIONS	146,175		146,175
20	BASE SUPPORT	425,643		425,643
21	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	131,643		131,643
	TOTAL, BA 01: OPERATING FORCES	**14,076,630**	**0**	**14,076,630**
	BUDGET ACTIVITY 02: MOBILIZATION			
	MOBILITY OPERATIONS	3,618,048	0	3,618,048
22	AIRLIFT OPERATIONS	2,056,383		2,056,383
23	AIRLIFT OPERATIONS C3I	37,706		37,706
24	MOBILIZATION PREPAREDNESS	169,421		169,421
25	DEPOT MAINTENANCE	296,014		296,014
26	PAYMENTS TO TRANSPORTATION BUSINESS AREA	473,243		473,243
27	BASE SUPPORT	487,654		487,654
28	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	97,627		97,627
	TOTAL, BA 02: MOBILIZATION	**3,618,048**	**0**	**3,618,048**
	BUDGET ACTIVITY 03: TRAINING AND RECRUITING			
	ACCESSION TRAINING	267,644	0	267,644

TITLE III - OPERATION AND MAINTENANCE
(Dollars in Thousands)

LINE	ACCOUNT/BA/AG/SAG	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
29	OFFICER ACQUISITION	66,566		66,566
30	RECRUIT TRAINING	5,943		5,943
31	RESERVE OFFICER TRAINING CORPS (ROTC)	64,289		64,289
32	BASE SUPPORT (ACADEMIES ONLY)	70,412		70,412
33	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION (ACADEMIES ONLY)	60,434		60,434
	BASIC SKILLS AND ADVANCED TRAINING	**1,873,452**	**0**	**1,873,452**
34	SPECIALIZED SKILL TRAINING	310,216		310,216
35	FLIGHT TRAINING	657,993		657,993
36	PROFESSIONAL DEVELOPMENT EDUCATION	115,049		115,049
37	TRAINING SUPPORT	83,778		83,778
38	DEPOT MAINTENANCE	14,748		14,748
39	BASE SUPPORT (OTHER TRAINING)	543,005		543,005
40	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION (OTHER TRAINING)	148,663		148,663
	RECRUITING, AND OTHER TRAINING AND EDUCATION	**358,653**	**0**	**358,653**
41	RECRUITING AND ADVERTISING	139,189		139,189
42	EXAMINING	3,640		3,640
43	OFF DUTY AND VOLUNTARY EDUCATION	91,757		91,757
44	CIVILIAN EDUCATION AND TRAINING	82,238		82,238
45	JUNIOR ROTC	41,829		41,829
	TOTAL, BA 03: TRAINING AND RECRUITING	**2,499,749**	**0**	**2,499,749**
	BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES			
	LOGISTICS OPERATIONS	**3,366,144**	**(41,000)**	**3,325,144**

TITLE III - OPERATION AND MAINTENANCE
(Dollars in Thousands)

LINE	ACCOUNT/BA/AG/SAG	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
46	LOGISTICS OPERATIONS	1,052,171		1,052,171
47	TECHNICAL SUPPORT ACTIVITIES	404,678		404,678
48	SERVICEWIDE TRANSPORTATION	249,055	(41,000)	208,055
49	DEPOT MAINTENANCE	305,525		305,525
50	BASE SUPPORT	1,115,273		1,115,273
51	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	239,442		239,442
	SERVICEWIDE ACTIVITIES	**1,741,124**	**(122,400)**	**1,618,724**
52	ADMINISTRATION	213,767	(53,000)	160,767
53	SERVICEWIDE COMMUNICATIONS	342,864	(40,000)	302,864
54	PERSONNEL PROGRAMS	164,480	(18,000)	146,480
55	RESCUE AND RECOVERY SERVICES	72,375		72,375
56	ARMS CONTROL	34,742		34,742
57	OTHER SERVICEWIDE ACTIVITIES	602,561	(11,400)	591,161
58	OTHER PERSONNEL SUPPORT	36,984		36,984
59	CIVIL AIR PATROL CORPORATION	18,303		18,303
60	BASE SUPPORT	233,256		233,256
61	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	21,792		21,792
	SECURITY PROGRAMS	**824,906**	**(62,908)**	**761,998**
62	SECURITY PROGRAMS	824,906	(62,908)	761,998
	SUPPORT TO OTHER NATIONS	**20,169**	**(8,000)**	**12,169**
63	INTERNATIONAL SUPPORT	20,169	(8,000)	12,169
	TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	**5,952,343**	**(234,308)**	**5,718,035**

TITLE III - OPERATION AND MAINTENANCE
(Dollars in Thousands)

LINE	ACCOUNT/BA/AG/SAG	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
	UNDISTRIBUTED			
	ACTIVE DUTY MILITARY PERSONNEL UNDEREXECUTION SUPPORT		(75,000)	(75,000)
	REDUCTION IN STRATEGIC SOURCING (A-76 STUDIES)		(8,320)	(8,320)
	WAGE GRADE EMPLOYEES		4,320	4,320
	SPARES INFORMATION SYSTEM		7,000	7,000
	AGING PROPULSION SYSTEM LIFE EXTENSION		10,000	10,000
	SCOT LIFE SUPPORT SYSTEM		6,000	6,000
	INFORMATION TECHNOLOGY SYSTEM, AIR FORCE		(20,000)	(20,000)
	CONSULTANTS, AIR FORCE		(25,000)	(25,000)
	TOTAL, UNDISTRIBUTED		**(101,000)**	**(101,000)**
	TOTAL OPERATION AND MAINTENANCE, AIR FORCE	**26,146,770**	**(335,308)**	**25,811,462**
	OPERATION AND MAINTENANCE, DEFENSE-WIDE			
	BUDGET ACTIVITY 1: OPERATING FORCES			
1	JOINT CHIEFS OF STAFF	373,832		373,832
2	SPECIAL OPERATIONS COMMAND	1,404,797		1,404,797
3	PROBLEM DISBURSEMENTS			0
	TOTAL, BUDGET ACTIVITY 1:	**1,778,629**	**0**	**1,778,629**
	BUDGET ACTIVITY 2: MOBILIZATION			
5	DEFENSE LOGISTICS AGENCY	44,691		44,691
	TOTAL, BUDGET ACTIVITY 2:	**44,691**	**0**	**44,691**

TITLE III - OPERATION AND MAINTENANCE
(Dollars in Thousands)

LINE	ACCOUNT/BA/AG/SAG	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
	BUDGET ACTIVITY 3: TRAINING AND RECRUITING			
6	AMERICAN FORCES INFORMATION SERVICE	11,135		11,135
7	DEFENSE ACQUISITION UNIVERSITY	101,196		101,196
8	DEFENSE CONTRACT AUDIT AGENCY	3,833		3,833
9	DEFENSE FINANCE AND ACCOUNTING SERVICE	8,900		8,900
10	DEFENSE HUMAN RESOURCES ACTIVITY	86,190		86,190
11	DEFENSE SECURITY SERVICE	7,590		7,590
12	DEFENSE THREAT REDUCTION AGENCY	1,246		1,246
13	SPECIAL OPERATIONS COMMAND	53,573		53,573
	TOTAL, BUDGET ACTIVITY 3:	**273,663**	**0**	**273,663**
	BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES			
14	AMERICAN FORCES INFORMATION SERVICE	96,637		96,637
15	CIVIL MILITARY PROGRAMS	94,596		94,596
16	CLASSIFIED PROGRAMS	4,718,802		4,718,802
17	DEFENSE CONTRACT AUDIT AGENCY	354,348	(7,400)	346,948
18	DEFENSE CONTRACT MANAGEMENT AGENCY	948,932	(6,900)	942,032
19	DEFENSE FINANCE AND ACCOUNTING SERVICE	1,492		1,492
20	DEFENSE HUMAN RESOURCES ACTIVITY	198,157	(24,000)	174,157
21	DEFENSE INFORMATION SYSTEMS AGENCY	803,122	(41,000)	762,122
22	DEFENSE LOGISTICS AGENCY	191,990		208,490
	Defense Wide, Other Logistics Programs		(3,500)	
	CTMA Depot-Level Activities		20,000	
23	DEFENSE LEGAL SERVICES AGENCY	12,075		12,075
24	DEPARTMENT OF DEFENSE DEPENDENTS EDUCATION	1,465,814		1,465,814

TITLE III - OPERATION AND MAINTENANCE
(Dollars in Thousands)

LINE	ACCOUNT/BA/AG/SAG	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
25	DEFENSE POW /MISSING PERSONS OFFICE	15,211		16,211
	Travel for Families of Korean/Cold War Missing		1,000	
26	DEFENSE SECURITY COOPERATION AGENCY	65,211	(7,100)	58,111
27	DEFENSE SECURITY SERVICE	87,118		87,118
28	DEFENSE THREAT REDUCTION AGENCY	258,597	(4,900)	253,697
29	OFFICE OF ECONOMIC ADJUSTMENT	16,972		16,972
30	OFFICE OF THE SECRETARY OF DEFENSE	437,141	(19,400)	451,001
	Impact Aid		30,000	
	Legacy		2,000	
	Wage Grade Employees		1,260	
31	SPECIAL OPERATIONS COMMAND	46,891		46,891
32	SPECIAL ACTIVITIES	115,000		115,000
33	JOINT CHIEFS OF STAFF	169,340	(9,500)	159,840
34	WASHINGTON HEADQUARTERS SERVICES	324,202	(44,000)	280,202
	TOTAL, BUDGET ACTIVITY 4:	**10,421,648**	**(113,440)**	**10,308,208**
	UNDISTRIBUTED			
	REDUCTION IN STRATEGIC SOURCING (A-76 STUDIES)		(5,260)	(5,260)
	FOREIGN CURRENCY ACCOUNT		(104,800)	(104,800)
	INFORMATION TECHNOLOGY SYSTEM, DEFENSE WIDE		(20,000)	(20,000)
	CONSULTANTS, DEFENSE WIDE		(25,000)	(25,000)
	ELECTRONIC VOTING DEMONSTRATION PROJECT		2,000	2,000
	UNREALIZED SAVINGS		(330,000)	(330,000)
	TOTAL, UNDISTRIBUTED		**(483,060)**	**(483,060)**

TITLE III - OPERATION AND MAINTENANCE
(Dollars in Thousands)

LINE	ACCOUNT/BA/AG/SAG	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
	TOTAL OPERATION AND MAINTENANCE, DEFENSE-WIDE	**12,518,631**	**(596,500)**	**11,922,131**
	OPERATION AND MAINTENANCE, ARMY RESERVE			
	BUDGET ACTIVITY 01: OPERATING FORCES			
	LAND FORCES	**751,727**	**0**	**751,727**
1	DIVISION FORCES	14,382		14,382
2	CORPS COMBAT FORCES	24,571		24,571
3	CORPS SUPPORT FORCES	232,891		232,891
4	ECHELON ABOVE CORPS FORCES	115,183		115,183
5	LAND FORCES OPERATIONS SUPPORT	364,700		364,700
	LAND FORCES READINESS	**260,480**	**27,000**	**287,480**
6	FORCES READINESS OPERATIONS SUPPORT	139,280		166,280
	Controlled Humidity Preservation		25,000	
	Cold Weather Gear (ECWCS)		2,000	
7	LAND FORCES SYSTEM READINESS	60,481		60,481
8	DEPOT MAINTENANCE	60,719		60,719
	LAND FORCES READINESS SUPPORT	**569,994**	**0**	**569,994**
9	BASE SUPPORT	406,137		406,137
10	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	161,321		161,321
11	ADDITIONAL ACTIVITIES	2,536		2,536
	TOTAL, BA 01: OPERATING FORCES	**1,582,201**	**27,000**	**1,609,201**

TITLE III - OPERATION AND MAINTENANCE
(Dollars in Thousands)

LINE	ACCOUNT/BA/AG/SAG	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
	BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES			
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES	205,045	0	205,045
12	ADMINISTRATION	39,256		39,256
13	SERVICEWIDE COMMUNICATIONS	30,865		30,865
14	PERSONNEL/FINANCIAL ADMINISTRATION (MANPOWER MANAGEMENT)	44,201		44,201
15	RECRUITING AND ADVERTISING	90,723		90,723
	TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	205,045	0	205,045
	TOTAL OPERATION AND MAINTENANCE, ARMY RESERVE	1,787,246	27,000	1,814,246
	OPERATION AND MAINTENANCE, NAVY RESERVE			
	BUDGET ACTIVITY 01: OPERATING FORCES			
	RESERVE AIR OPERATIONS	541,351	0	541,351
1	MISSION AND OTHER FLIGHT OPERATIONS	405,515		405,515
3	INTERMEDIATE MAINTENANCE	17,223		17,223
4	AIR OPERATION AND SAFETY SUPPORT	1,961		1,961
5	AIRCRAFT DEPOT MAINTENANCE	116,328		116,328
6	AIRCRAFT DEPOT OPS SUPPORT	324		324
	RESERVE SHIP OPERATIONS	128,758	0	128,758
7	MISSION AND OTHER SHIP OPERATIONS	46,572		46,572
8	SHIP OPERATIONAL SUPPORT AND TRAINING	623		623
9	INTERMEDIATE MAINTENANCE	7,053		7,053

TITLE III - OPERATION AND MAINTENANCE
(Dollars in Thousands)

LINE	ACCOUNT/BA/AG/SAG	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
10	SHIP DEPOT MAINTENANCE	71,858		71,858
11	SHIP DEPOT OPERATIONS SUPPORT	2,652		2,652
	RESERVE COMBAT OPERATIONS SUPPORT	**37,579**	**0**	**37,579**
12	COMBAT SUPPORT FORCES	37,579		37,579
	RESERVE WEAPONS SUPPORT	**5,531**	**0**	**5,531**
13	WEAPONS MAINTENANCE	5,531		5,531
	BASE SUPPORT	**199,148**	**0**	**199,148**
14	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	51,102		51,102
15	BASE SUPPORT	148,046		148,046
	TOTAL, BA 01: OPERATING FORCES	**912,367**	**0**	**912,367**
	BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES			
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES	**91,323**	**0**	**91,323**
16	ADMINISTRATION	11,131		11,131
17	CIVILIAN MANPOWER & PERSONNEL	1,934		1,934
18	MILITARY MANPOWER & PERSONNEL	34,625		34,625
19	SERVICEWIDE COMMUNICATIONS	37,355		37,355
20	COMBAT/WEAPONS SYSTEM	5,606		5,606
21	OTHER SERVICEWIDE SUPPORT	672		672
	CANCELLED ACCOUNTS	**0**	**0**	**0**
22	CANCELLED ACCOUNTS	0		0

TITLE III - OPERATION AND MAINTENANCE
(Dollars in Thousands)

LINE	ACCOUNT/BA/AG/SAG	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
	TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	**91,323**	**0**	**91,323**
	TOTAL OPERATION AND MAINTENANCE, NAVY RESERVE	**1,003,690**	**0**	**1,003,690**
	OPERATION AND MAINTENANCE, MARINE CORPS RESERVE			
	BUDGET ACTIVITY 01: OPERATING FORCES			
	MISSION FORCES	**112,463**	**0**	**112,463**
1	OPERATING FORCES	50,898		50,898
2	DEPOT MAINTENANCE	7,784		7,784
3	BASE SUPPORT	25,610		25,610
4	TRAINING SUPPORT	18,144		18,144
5	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	10,027		10,027
	TOTAL, BA 01: OPERATING FORCES	**112,463**	**0**	**112,463**
	BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES			
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES	**31,560**	**0**	**31,560**
6	SPECIAL SUPPORT	8,596		8,596
7	SERVICEWIDE TRANSPORTATION	491		491
8	ADMINISTRATION	8,632		8,632
9	BASE SUPPORT	5,719		5,719
10	RECRUITING AND ADVERTISING	8,122		8,122

TITLE III - OPERATION AND MAINTENANCE
(Dollars in Thousands)

LINE	ACCOUNT/BA/AG/SAG	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
	TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	**31,560**	**0**	**31,560**
	TOTAL OPERATION AND MAINTENANCE, MARINE CORPS RESERVE	**144,023**	**0**	**144,023**
	OPERATION AND MAINTENANCE, AIR FORCE RESERVE			
	BUDGET ACTIVITY 01: OPERATING FORCES			
	AIR OPERATIONS	**1,934,302**	**0**	**1,934,302**
1	PRIMARY COMBAT FORCES	1,260,511		1,260,511
2	MISSION SUPPORT OPERATIONS	61,637		61,637
3	DEPOT MAINTENANCE	328,507		328,507
4	BASE SUPPORT	38,521		38,521
5	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	245,126		245,126
	TOTAL, BA 01: OPERATING FORCES	**1,934,302**	**0**	**1,934,302**
	BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES			
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES	**95,564**	**0**	**95,564**
6	ADMINISTRATION	52,083		52,083
7	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	11,848		11,848
8	RECRUITING AND ADVERTISING	24,466		24,466
9	OTHER PERSONNEL SUPPORT	6,547		6,547
10	AUDIOVISUAL	620		620

TITLE III - OPERATION AND MAINTENANCE
(Dollars in Thousands)

LINE	ACCOUNT/BA/AG/SAG	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
	TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	**95,564**	**0**	**95,564**
	UNDISTRIBUTED			
	RESERVE MILITARY PERSONNEL UNDEREXECUTION SUPPORT		(12,000)	(12,000)
	TOTAL, UNDISTRIBUTED		**(12,000)**	**(12,000)**
	TOTAL OPERATION AND MAINTENANCE, AIR FORCE RESERVE	**2,029,866**	**(12,000)**	**2,017,866**
	OPERATION AND MAINTENNCE, ARMY NATIONAL GUARD			
	BUDGET ACTIVITY 01: OPERATING FORCES			
	LAND FORCES	**1,817,193**	**0**	**1,817,193**
1	DIVISIONS	472,117		472,117
2	CORPS COMBAT FORCES	565,861		565,861
3	CORPS SUPPORT FORCES	280,054		280,054
4	ECHELON ABOVE CORPS FORCES	476,828		476,828
5	LAND FORCES OPERATIONS SUPPORT	22,333		22,333
	LAND FORCES READINESS	**308,487**	**0**	**308,487**
6	FORCE READINESS OPERATIONS SUPPORT	19,354		19,354
7	LAND FORCES SYSTEMS READINESS	95,719		95,719
8	LAND FORCES DEPOT MAINTENANCE	193,414		193,414
	LAND FORCES READINESS SUPPORT	**1,327,787**	**2,000**	**1,329,787**

TITLE III - OPERATION AND MAINTENANCE
(Dollars in Thousands)

LINE	ACCOUNT/BA/AG/SAG	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
9	BASE OPERATIONS SUPPORT	538,487		538,487
10	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	351,768		351,768
11	MANAGEMENT & OPERATIONAL HEADQUARTERS	399,117		399,117
12	MISCELLANEOUS ACTIVITIES	38,415		38,415
	SPECIAL TRAINING		2,000	2,000
	COLD WEATHER GEAR (ECWCS)		6,000	6,000
	TOTAL, BA 01: OPERATING FORCES	**3,453,467**	**8,000**	**3,461,467**
	BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES			
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES	**223,892**	**20,000**	**243,892**
13	STAFF MANAGEMENT	84,106		84,106
14	INFORMATION MANAGEMENT	21,070		21,070
15	PERSONNEL ADMINISTRATION	35,902		35,902
16	RECRUITING AND ADVERTISING	82,814		82,814
	MILITARY TECHNICIANS (DUAL STATUS)		20,000	20,000
	TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	**223,892**	**0**	**223,892**
	TOTAL OPERATION AND MAINTENACE, ARMY NATIONAL GUARD	**3,677,359**	**28,000**	**3,705,359**
	OPERATION AND MAINTENANCE, AIR NATIONAL GUARD			
	BUDGET ACTIVITY 01: OPERATING FORCES			
	AIR OPERATIONS	**3,854,448**	**100,000**	**3,954,448**

TITLE III - OPERATION AND MAINTENANCE
(Dollars in Thousands)

LINE	ACCOUNT/BA/AG/SAG	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
1	AIRCRAFT OPERATIONS	2,545,143		2,645,143
	Continued B-1B Operations		100,000	
2	MISSION SUPPORT OPERATIONS	348,442		348,442
3	BASE SUPPORT	377,859		377,859
4	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	92,092		92,092
5	DEPOT MAINTENANCE	490,912		490,912
	TOTAL, BA 01: OPERATING FORCES	**3,854,448**	**100,000**	**3,954,448**
	BUDGET ACTIVITY 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES			
	SERVICEWIDE ACTIVITIES	**12,913**	**0**	**12,913**
6	ADMINISTRATION	2,935		2,935
7	RECRUITING AND ADVERTISING	9,978		9,978
	TOTAL, BA 04: ADMINISTRATION & SERVICEWIDE ACTIVITIES	**12,913**	**0**	**12,913**
	TOTAL OPERATION AND MAINTENANCE, AIR NATIONAL GUARD	**3,867,361**	**100,000**	**3,967,361**
	TRANSFER ACCOUNTS			
1	ENVIRONMENTAL RESTORATION, ARMY	389,800		389,800
2	ENVIRONMENTAL RESTORATION, NAVY	257,517		257,517
3	ENVIRONMENTAL RESTORATION, AIR FORCE	385,437		385,437
4	ENVIRONMENTAL RESTORATION, DEFENSE-WIDE	23,492		23,492
5	ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES	190,255		190,255
6	DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES	820,381		820,381
7	OVERSEAS CONTINGENCIES	2,844,226		2,844,226

TITLE III - OPERATION AND MAINTENANCE
(Dollars in Thousands)

LINE	ACCOUNT/BA/AG/SAG	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
8	PENTAGON RENOVATION	0		
	TOTAL, O&M, TRANSFER ACCOUNTS	**4,911,108**	**0**	**4,911,108**
	MISCELLANEOUS			
9	OFFICE OF THE INSPECTOR GENERAL (O&M)	152,021		152,021
10	U.S. COURT OF APPEALS FOR THE ARMED FORCES	9,096		9,096
11	SUPPORT OF INTERNATIONAL SPORTING COMPETITIONS	15,800		15,800
12	OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AFFAIRS	49,700		49,700
13	PAYMENT TO KAHO'OLAWE ISLAND	25,000		25,000
14	DEFENSE HEALTH PROGRAM (O&M)	17,565,750		17,570,750
15	Travel Expenses for Guardian of Minor Child		5,000	
16	FORMER SOVIET UNION THREAT REDUCTION	403,000		403,000
	TOTAL, MISCELLANEOUS	**18,068,346**	**5,000**	**18,073,346**
	TOTAL OPERATION AND MAINTENANCE TITLE:	**125,351,797**	**(1,327,828)**	**124,023,969**

ITEMS OF SPECIAL INTEREST

BUDGET REQUEST ADJUSTMENTS

The committee recommends the following adjustments to the fiscal year 2002 amended budget request:

[In millions of dollars]

Department of the Army Adjustments:	
Automated Identification Technology (AIT/RFID)	+$9.0
M-Gators	+6.6
Replacement Containers, Fort Drum	+1.0
Electronic Maintenance and Point to Point Wiring	+4.0
Wage Grade Employees	+4.36
BA–4 Administration	−30.0
BA–4 International Military Headquarters	−47.0
BA–4 Servicewide Transportation	−21.0
BA–4 Servicewide Communications	−12.6
BA–4 Manpower Management	−6.4
BA–4 Other Servicewide Support	−11.8
BA–4 Base Operations Support	−19.2
Reduction in Strategic Sourcing (A–76 Studies)	−8.36
Advisory and Assistance Services	−25.0
Information Technology Automated Information System	−20.0
Army Reserve Controlled Humidity Preservation	+25.0
Army Reserve Cold Weather Clothing (ECWCS)	+2.0
Army National Guard Cold Weather Clothing (ECWCS)	+6.0
Army National Guard Special Training	+2.0
Department of the Navy Adjustments:	
BA–3 Depot Apprenticeship Program	+2.0
Wage Grade Employees	+3.56
ATC Corrosion Control	+2.0
BA–4 Administration	−40.0
BA–4 Acquisition and Program Management	−43.0
BA–4 Planning, Engineering and Design	−6.6
Reduction in Strategic Sourcing (A–76 Studies)	−53.56
NMCI Reduction	−125.0
Information Technology Center	−35.0
Enterprise Resource Planning	−33.0
Advisory and Assistance Services	−25.0
Information Technology Automated Information System	−20.0
USMC Full Spectrum Battle Equipment	6.8
USMC Reduction in Strategic sourcing (A–76)	−1.0
Department of the Air Force Adjustments:	
SPARES Information System	+7.0
Aging Propulsion Systems Life Extension	+10.0
SCOT Life Support System	+6.0
Wage Grade Employees	+4.32
BA–4 Administration	−53.0
BA–4 Servicewide Communications	−40.0
BA–4 Servicewide Transportation	−41.0
BA–4 Other Servicewide Activities	−11.4
BA–4 Security Programs	−62.9
BA–4 Personnel Programs	−18.0
BA–4 International Support	−8.0
Military Personnel Underexecution Support	−75.0
Reduction in Strategic Sourcing (A–76 Studies)	−8.32
Advisory and Assistance Services	−25.0
Information Technology Automated Information System	−20.0
Air Force Reserve Military Personnel Underexecution	−12.0
Air National Guard, Continued B–1B Operations	+100.0
Office, Secretary of Defense Adjustments:	
Impact Aid	+30.0
Legacy Program	+2.0
Wage Grade Employees	+1.26
OSD Program Growth	−19.4

Defense-wide Activities Adjustments:	
Washington Headquarters Service	−44.0
Defense Human Resources Activity	−24.0
Defense Contract Audit Agency	−7.4
Defense Contract Management Agency	−6.9
Defense Information Systems Agency	−41.0
Defense Logistics Agency	−3.5
Commercial Technology for Maint. Activities (CTMA)	+20.0
Defense Security Cooperation Agency	−7.1
Defense Threat Reduction Agency	−4.9
BA–4 Joint Chiefs of Staff	−9.5
Information Technology Automated Information System	−20.0
Reductions in Strategic Sourcing (A–76 Studies)	−5.26
Advisory and Assistance Services	−25.0
Unrealized Savings	−330.0

Advisory and Assistance Services

The committee continues to believe that funding for Advisory and Assistance Services is in excess of the needs of the Department of Defense. Therefore, the committee recommends the following decreases for this function:

[In millions of dollars]

Army	$25.0
Navy	25.0
Air Force	25.0
Defense Agencies	25.0

Excess Foreign Currencies Reductions

Since the submission of the budget request, the U.S. dollar has increased in value compared to various foreign currencies. As a result, the committee believes that the budget request is overstated. Therefore, the committee recommends a reduction in this account of $104.8 million to be apportioned to the military services by the Department of Defense.

Strategic Sourcing (A–76)

The committee has expressed for several years concerns over the process by which government positions are analyzed for possible conversion to a contractor position pursuant to Office of Management and Budget Circular A–76. One concern with the process is the cost of the studies. The Secretary of Defense recommended that an additional 3,200 positions be studied in fiscal year 2002 over that which the services planned to study. The Department provided to the defense agencies and military services $16 million or $5,000 for each position to be studied. The committee does not believe it is appropriate to increase the number of positions to be studied. The committee, therefore, recommends those additional 3,200 positions not be studied and the funding for these studies be reduced. In addition, in light of the Department's belief that for each position to be studied the services and agencies require $5,000, the committee is reducing the number of positions the Department of Army and Department of Air Force can study to reflect the funding the services requested to conduct A–76 studies. The number of positions that can be studied in the Department of Navy and by defense agencies is limited to the number of positions identified to be studied in the Department's program budget decision. The com-

mittee recommends the following reductions due to reduced A–76 studies:

[In millions of dollars]

Army	$8.36
Navy	53.56
Air Force	8.32
Marine Corps	1.0
Defense Activities	5.26

OTHER ITEMS OF SPECIAL INTEREST

Corrosion Prevention and Control

The committee understands recent Department of Defense (DOD) studies reveal that corrosion prevention costs roughly $10 billion per year. As an example, the Army's Tank and Automotive Command found that corrosion damage annually costs $850 per truck. The committee is concerned that the cost of damage caused by corrosion to the department's vehicle fleet and facilities needs to be significantly reduced or the military services will continue to shoulder an unneeded economic burden, which will adversely affect readiness and equipment availability and reliability.

The committee continues to monitor with interest the efforts within the military services to reduce the related costs to control corrosion, and is particularly encouraged by the recent increased emphasis on finding ways to cut the cost of maintaining their massive amounts of equipment, facilities and infrastructure. The committee is concerned, however, that the efforts within DOD continues to be disjointed and it appears there is no office within DOD solely responsible to collect, review, validate, and distribute information on proven corrosion prevention methods and products. The absence of leadership on this issue means that no single comprehensive plan exists and adequate program management and funding specifically for the eradication of the problems associated with corrosion is not planned in future budgeting. Moreover, decisions concerning corrosion prevention and control are left to unit commanders, or more likely, to service maintenance personnel. The committee believes that the military services are in need of programmatic and technical leadership if DOD is to reduce its corrosion related costs and the resultant adverse impact on readiness.

The committee is aware of many existing efforts within private industry to perfect products and methods to be used to successfully fight corrosion and infrastructure degradation. The committee is particularly interested in the unique capabilities of Ambient Temperature Cure (ATC) glass coating. These coatings cost little to produce and apply, are environmentally safe, have the potential for enormous savings in cost avoidance in both energy savings and infrastructure degradation, and are particularly beneficial to those units that must perform their assigned missions in a heavy salt environment on or near the sea.

The committee believes that DOD should do more to take advantage of new technologies, such as ATC, and recommends an increase of $2.0 million for the Department of the Navy to a conduct pilot project at Naval Air Station, Jacksonville, Florida utilizing ATC technology. In addition, the committee strongly urges the Sec-

retary of Defense to establish a single office within DOD to coordinate corrosion prevention and control issues with the military services and with the overall responsibility to develop and execute a department wide action plan for how to combat corrosion.

Information Systems

The committee continues to be concerned with the control and oversight the chief information officers (CIOs) of the Department of Defense and the military services are exercising over development and fielding of information systems. The committee believes that CIOs must exercise their authority and promote and endorse joint and interoperable systems that meet validated requirements, but also limit or halt development of systems that do not comply with the requirements of section 811 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106–398). For example, the committee is concerned that each of the services are developing their own version of the Global Command Support System (GCSS). The committee is equally concerned with the Defense Integrated Military Human Resources System, which has received almost $200 million in funding, yet the requirements for this system are still being developed without even an initial fielding of a system.

Therefore, the committee recommends a reduction in funding for information systems as follows:

[In millions of dollars]

Army	$20.0
Navy	20.0
Air Force	20.0
Defense Agencies	20.0

Enterprise Resource Planning

The committee believes that enterprise resource planning could be a valuable tool to the Department of the Navy. Unfortunately, despite repeated requests by the committee, the Navy did not provide the committee with the basic information required to support this initiative. Therefore, the committee recommends a reduction of $33.0 million in the Navy account.

ENVIRONMENTAL ISSUES

Environmental Restoration Activities

For the sustainable future use of land that contains unexploded ordnance (UXO) and discarded military equipment that has aged, there must be proper site planning, investigation, cleanup, and finally site closeout. The committee recognizes this can be a complex process with difficult technical challenges. Yet, the committee is concerned with the Department of Defense's (DOD) slow pace of progress and level of effort toward restoring and preserving property on Guam, and other areas, where extensive military activities occurred during the various phases of World War II. The committee strongly encourages DOD to be more aggressive in the management and clearance of UXOs and other DOD-related weaponry at former military sites, especially in Guam.

Vernon Hills NIKE Missile Site

The committee is concerned with reports of toxic contamination at a former NIKE missile battery site located in Vernon Hills, Illinois. The committee understands that the Department of the Navy is transferring ownership of the land to the Village of Vernon Hills where the land will be used to provide recreation and athletic facilities, a veterans' memorial, and a storm water retention area. The committee recommends that the Secretary of the Navy review the current land transfer plan and ensure that remediation is completed in accordance with all applicable federal and state laws.

MORALE, WELFARE, AND RECREATION ISSUES

Access to Slot Machines

The committee understands that the Secretary of Defense is preparing the report on the impact of slot machines on military communities overseas required by section 336 of the National Defense Authorization Act for Fiscal Year 2001 (Public Law 106–398). The committee intends to review the report carefully and take appropriate action based on the information provided. In the interim, the committee is disturbed to learn of several instances in Germany and Italy where unmonitored slot machines are easily accessible by children. The committee found one case where slot machines were placed in an unobserved hallway in a club located in a military housing area and another instance where several slot machines were located in a snack bar where military high school students ate lunch. The committee does not need the forthcoming report to determine that slot machines should not be accessible by children. The committee therefore directs the Secretary of Defense to review the locations at which slot machines are installed and ensure that no machines are accessible by minors.

Military Exchange Private Label Manufacturers

The committee believes that the three military exchange systems perform a vital mission in bringing an array of products and services to military members and their families serving throughout the world. Part of that mission is providing a touch of home, and is represented by the many brand name products sold by military exchanges. Another part of that mission is savings, which are provided to some degree by private label goods sold by the exchanges. Private label programs are increasing, with Army and Air Force Exchange private label goods manufactured in some 70 factories located in 18 countries and with sales approaching $50.0 million annually. The committee is concerned that the exchanges have no knowledge of worker conditions at these widespread factories. While the committee understands that no national standard exists under which worker conditions at these factories may be judged, the committee believes that the exchanges should at minimum be able to assure its patrons that none of its products are manufactured with child or forced labor. The committee also does not wish the exchanges to lag behind the generally accepted practices of responsible domestic retailers. The committee believes that the exchanges may rely upon the manufacturers of brand name products

to monitor the production of their own goods, but believes the exchanges should have visibility of the conditions under which their private label goods are produced. Accordingly, the committee directs the Secretary of Defense to ensure the military exchanges implement a program that assures that private label exchange merchandise is not produced by child or forced labor.

OTHER ISSUES

Army's Capital Investment Program for Depot Facilities

The committee is pleased with the Army's initiative to increase funds for the sustainment, restoration, and modernization of its facilities. The committee is also pleased with the Army's Capital Investment Program for its depot facilities. The committee directs the Secretary of the Army to submit a comprehensive plan for implementing the Army's Capital Investment Program to the House Committee on Armed Services and the Senate Committee on Armed Services by March 1, 2002. The plan should include the following:

(1) The core logistics capabilities, competencies, and components necessary for current and future weapons systems;

(2) The current state of existing facilities and equipment; and

(3) A capital needs plan to upgrade the depots to meet current and future core requirements, continue technology infusion in the production process, and an estimate of the total investment costs required to implement the plan.

Army Workload and Performance System

The committee has consistently endorsed the Army Workload and Performance System (AWPS) as an initiative to correct systemic problems in the Army's manpower requirements determination process. The committee remains concerned that AWPS system requirements, which would allow command-level cost management capabilities, have not been achieved. The committee also notes with concern that the installation of the AWPS Decision Support System—which would allow Army management to evaluate the efficiency of its maintenance depots, the actual cost of depot-level repair, and develop a best-value determination model to examine the economics of depot versus private-sector repair—is two years behind schedule. Therefore, the committee directs the Secretary of the Army not to reallocate depot maintenance workload from the public to the private sector until the Army has achieved full implementation of the Army Workload and Performance System in the depots as detailed in the AWPS Master Plan dated June 8, 2001. This restriction on workload allocation would remain in place until the Secretary of the Army certifies to Congress that the Army Workload and Performance System is fully implemented in the depots and the General Accounting Office has reviewed the certification.

Automated Document Conversion System Program

The committee understands that the Department of Defense (DOD) has a continuing requirement for data capture and conversion support for its weapons systems and logistics databases, and the Automated Document Conversion System (ADCS) effort in fiscal year 2002 will collect, digitize and electronically warehouse systems engineering data, technical manuals, and acquisition information, that will allow the warfighter to request weapon's systems support and logistics services on a near real-time basis. This program supports the efforts to bring the DOD into a paperless environment by the end of fiscal year 2002. Further, the digitizing of logistics data supports a CJCS requirement to improve logistics services necessary to deploy forces quickly.

Automatic Inventory Technology

The committee recognizes the long-standing and continuous issue of inventory control within the Department of Defense, and that the Department of the Army has made significant strides in controlling ammunition inventories using Automatic Inventory Technology/Radio Frequency Identification (AIT/RFID) for ammunition. Further, the recent test and evaluation of the AIT/RFID for Maintenance conducted at Corpus Christi Army Aviation Depot, Texas, demonstrated the real time capability of the system for locating parts and components in a production line environment, thereby, significantly reducing down time for major combat equipment during the recapitalization process. The results of the Corpus Christi pilot program concluded that using Maintenance AIT/RFID equipment significantly enhanced productivity within the depot. The committee strongly believes that the Department of the Army should increase the utilization of AIT/RFID to provide this capability for other Army maintenance depots and recommends an increase of $9.0 million for this purpose.

Commercial Technologies for Maintenance Activities

The committee continues to believe that the Commercial Technologies for Maintenance Activities (CTMA) program, created by the Department of Defense (DOD) in 1998 to bring the most modern and advanced manufacturing capabilities from commercial industry to depot and related maintenance activities, is valuable as a technology resource which will have a positive effect on the efficiency and effectiveness of the Department's industrial activities. The CTMA program is a by-product of section 361 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85) that required DOD to re-engineer industrial processes and adopt best-business practices at their depot-level activities. Therefore, the committee recommends the addition of $20.0 million for the Defense Logistics Agency to pursue strategies for re-engineering at depot-level activities that will lower operations and sustainment costs. The committee believes the addition of these funds will allow depot-level activities to participate in manufacturing technology demonstration projects in collaboration with more than 220 of the leading U.S. manufacturers.

Distance Learning Implementation Program

The committee remains concerned that insufficient resources are being applied to exploit the potential that distance learning technology offers to enhance training and readiness. There is wide acceptance that distance learning technologies have the potential to deliver training to military members and support the delivery of "learner centric" quality training when and where the training is needed. More importantly, distance learning improves readiness by providing greater access to military training and education at a lower cost. The committee is aware of the initiatives under consideration in the Army's Total Army Distance Learning Program (TADLP) and the National Guard Distributive Training Technology Program (DTTP). However, the resources presently allocated for these programs are not sufficient to meet future needs in a responsive manner. The committee anticipates that the Department of the Army will use funds authorized for distance learning to develop a comprehensive and executable implementation plan that will more expeditiously exploit distance learning technologies. The committee believes that a high priority should be given to those programs focused on enhancing training and development in the reserve components, especially in the National Guard.

Hunter Tactical Unmanned Aerial Vehicle

The committee believes that the Hunter Tactical Unmanned Aerial Vehicle (TUAV) system has demonstrated that it is effective and reliable in supporting Army and joint combat operations, warfighter exercises, and unmanned aerial vehicle tactics, techniques and procedures development. The committee also noted that user demands on the Hunter system exceed current availability and are expected to grow. Therefore, the committee strongly urges that the Army maintain the Hunter system in an operational status by continuing to adequately fund the system until a replacement which meets the Army TUAV objective requirements is available.

Navy-Marine Corps Intranet

This section would permanently exclude the Marine Corps from the Navy's initiative known as the Navy-Marine Corps Internet (NMCI). This section would also continue the exclusion of the shipyards and naval aviation depots from the NMCI in fiscal year 2002.

The committee continues to support the Department of the Navy's intention to use a cohesive and coordinated computer network and supports initiatives that promote interoperability, as well as effective and efficient communications. The Department of the Navy has presumed and budgeted large savings with the implementation of NMCI, which the committee believes cannot be achieved and puts this program at risk. The committee continues to receive conflicting, vague, and unsupportable funding data on this program. In addition, despite repeated requests, the Department of the Navy has failed to provide funding information relating to depots. In light of these concerns the committee directs the Secretary of Defense to analyze NMCI funding documents with particular focus on the savings the Navy anticipates, and to include an

analysis of whether those savings have been achieved or are achievable. The results of this review shall be provided to the Secretary of the Navy along with the analysis required by section 814 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106–398).

Non-nuclear Ship Maintenance

The committee understands that the Department of the Navy maintains a policy that large non-nuclear ship maintenance on the west coast of the United States is assigned primarily to non-nuclear capable private shipyards in an effort to reduce the overall cost for ship maintenance. This policy enables the Navy to focus its nuclear ship repair requirements in its nuclear capable shipyards with a specially trained and experienced workforce. The committee also understands that the Department of the Navy does not apply this policy to the assignment of ship maintenance on the east coast of the United States. Although it may be necessary to occasionally balance ship maintenance requirements in nuclear capable Naval shipyards by the assignment of non-nuclear ship maintenance, the committee questions whether the increased cost of this work is fully justified. Therefore, the committee directs the Secretary of the Navy to apply the west coast non-nuclear ship maintenance policy to the east coast, or provide the House Committee on Armed Services and the Senate Committee on Armed Services by January 31, 2002, with a report specifying why this policy cannot be implemented.

LEGISLATIVE PROVISIONS

SUBTITLE A—AUTHORIZATION OF APPROPRIATIONS

Section 301—Operation and Maintenance Funding

This section would authorize $124,024.0 million in operations and maintenance funding for the Armed Forces and other activities and agencies of the Department of Defense.

Section 302—Working Capital Funds

This section would authorize $2,359.7 million for Working Capital Funds of the Department of Defense.

Section 303—Armed Forces Retirement Home

This section would authorize $71.44 million from the Armed Forces Retirement Trust Fund for the operation of the Armed Forces Retirement Home, including the U.S. Soldiers' and Airmen's Home and the Naval Home.

Section 304—Transfer from National Defense Stockpile Transaction Fund

This section would authorize the Secretary of Defense to transfer not more than $150.0 million from the amounts received from sales in the National Defense Stockpile Transaction Fund to the operation and maintenance accounts of the military services.

SUBTITLE B—ENVIRONMENTAL PROVISIONS

Section 311—Inventory of Explosive Risk Sites at Former Military Ranges

This section would require the Secretary of Defense to develop and maintain an inventory of current and former military ranges that are known or suspected to contain abandoned military munitions.

Section 312—National Security Impact Statements

This section would require the Secretary of Defense to examine the impact a proposed action could have on national security when the Secretary is required to conduct an environment impact statement (EIS), environmental assessment (EA), or to comment on EIS or EA developed by another federal agency.

Section 313—Reimbursement for Certain Costs in Connection with Hooper Sands Site, South Berwick, Maine

This section would authorize the Secretary of the Navy to reimburse the Environmental Protection Agency approximately $1.0 million for the cleanup of a former Navy facility in South Berwick, Maine.

Section 314—River Mitigation Studies

This section would authorize the Secretary of Defense to conduct studies of the Sabine River and the Delaware River in order to identify the level of effort and funding necessary to remove debris left in the rivers from the shipbuilding industry.

Section 315—Elimination of Annual Report on Contractor Reimbursement for Costs of Environmental Response Actions

This section would eliminate the requirement for an annual report on payments the Secretary of Defense made to contractors for costs of environmental response actions.

SUBTITLE C—COMMISSARIES AND NONAPPROPRIATED FUND INSTRUMENTALITIES

Section 321—Reserve Component Commissary Benefits

This section would authorize immediate eligibility for commissary benefits for members of the reserve components. Currently, reserve members are not eligible to shop in commissaries until they have served a year in a reserve unit. The committee believes that in light of the reserve components' increased participation in all manner of military operations, reserve members should be entitled to commissary benefits upon entry into reserve service.

Section 322—Reimbursement for Noncommissary Use of Commissary Facilities

This section would amend section 2685 of title 10, United States Code, to require the secretary of a military department to reim-

burse the commissary surcharge account for the residual value of any commissary facility constructed in whole or in part with commissary surcharge funds when that facility is converted to military use. Since commissary surcharge funds are generated by patron purchases, the committee believes that capital assets purchased with those funds properly belong to the patrons and not to the military departments.

Section 323—Civil Recovery for Nonappropriated Fund Instrumentality Costs Related to Shoplifting

This section would authorize the military exchanges to pursue federal debt collection remedies against shoplifters in the military exchange stores. The exchanges currently have no effective means to recover the cost of shoplifting and security expenses, amounting to more than $25.0 million annually. This section would provide a mechanism outside formal judicial proceedings that would permit the exchanges to recover some shoplifting losses.

SUBTITLE D—WORKFORCE AND DEPOT ISSUES

Section 331—Fiscal Year 2002 Limitations on Workforce Reviews

This section would limit the number of full time equivalents that can be studied for possible conversion from the government workforce to the contractor workforce. The committee is increasingly concerned with the outsourcing process and believes the agencies and services have not properly funded or properly trained personnel involved in the effort needed to conduct a proper analysis. The committee does not support the Department's initiative to study an additional 3,200 full time equivalents for possible outsourcing in fiscal year 2002. In addition, the committee does not support the agencies and the services initiating more studies than are properly funded.

Section 332—Applicability of Core Logistics Capability Requirements to Nuclear Aircraft Carriers

This section would amend section 2464 of title 10, United States Code, to clarify that the exclusion from maintaining core logistics capabilities for nuclear aircraft carriers, as specified in section 2464, is meant solely for the process of refueling nuclear aircraft carriers. This section is necessary to clarify that nuclear aircraft carriers are to maintain the same core logistics capabilities as all other ships of the United States Navy.

Section 333—Continuation of Contractor Manpower Reporting System in Department of the Army

This section would amend section 343 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65) to require the Secretary of the Army to report annually on the size of the contractor workforce. The section would also require the Comptroller General of the U.S. to provide Congress with an evaluation of each report submitted by the Secretary of the Army.

Section 334—Limitation on Expansion of Wholesale Logistics Modernization Program

This section would prohibit the Secretary of the Army from expanding the Wholesale Logistics Modernization Program beyond the original legacy systems included in the scope of the contract awarded in December 1999 until the Secretary of the Army certifies to Congress that the original legacy systems have been successfully replaced. The section would also require the General Accounting Office to provide Congress with an evaluation of the certification provided by the Secretary of the Army.

Section 335—Pilot Project for Exclusion of Certain Expenditures from Limitation on Private Sector Performance of Depot-Level Maintenance

This section would amend section 2474 of title 10, United States Code, to authorize a pilot project, applicable only to three Air Force depots, that would exclude work performed in a public depot under a public-private partnership from the restrictions on private sector work established by that section.

Section 336—Protections for Purchasers of Articles and Services Manufactured or Performed by Working-Capital Funded Industrial Facilities of the Department of Defense

This section would amend section 2563 of title 10, United States Code to permit a private sector entity that has contracted with the public sector in a working-capital funded activity of the Department of Defense, to file a claim if the public sector fails to comply with quality, schedule, or cost performances required in the contract. This section would also apply to section 2474 of title 10, United States Code.

SUBTITLE E—DEFENSE DEPENDENTS EDUCATION

Section 341—Assistance to Local Educational Agencies that Benefit Dependents of Members of the Armed Forces and Department of Defense Civilian Employees

This section would authorize $30.0 million for educational assistance to local education agencies where the standard for the minimum level of education within the state could not be maintained because of the large number of military connected students.

Section 342—Availability of Auxiliary Services of Defense Dependents' Education System for Dependents Who Are Home School Students

This section would require the Department of Defense (DOD) to provide support for home-schooled students overseas who are otherwise eligible to attend DOD schools. This support would include participation in extracurricular activities such as sports teams, clubs, and music programs, as well as attendance in individual academic classes.

Section 343—Report Regarding Compensation for Teachers Employed in Teaching Positions in Overseas Schools Operated by the Department of Defense

This section would require the Secretary of Defense to evaluate the method by which compensation is fixed for teachers employed by Department of Defense overseas schools. Section 903 of title 20, United States Code, requires that these salaries be based on the average range of salaries paid for similar positions in large urban school systems. This section would require the Secretary to report to Congress on the results of his evaluation and would also require him to recommend whether this compensation should be based upon the average range of salaries paid for similar positions by Washington, D.C., area school systems.

SUBTITLE F—OTHER MATTERS

Section 351—Availability of Excess Defense Personal Property to Support Department of Veterans Affairs Initiative to Assist Homeless Veterans

This section would permit the Secretary of Defense to make excess clothing, shoes, sleeping bags, and related non-lethal excess supplies available, without reimbursement, to the Secretary of Veterans Affairs for distribution to homeless veterans and programs assisting homeless veterans.

Section 352—Continuation of Limitations on Implementation of Navy-Marine Corps Intranet Contract

This section would exclude the Marine Corps from the Navy's initiative known as the Navy-Marine Corps Intranet. This section would also continue the exclusion of the shipyards and naval aviation depots from the Navy Marine Corps Intranet in fiscal year 2002.

Section 353—Completion and Evaluation of Current Demonstration Programs to Improve Quality of Personal Property Shipments of Members

This section would require the Secretary of Defense to complete all demonstration programs in the Department of Defense that were designed to improve the movement of household goods of members of the Armed Forces that were being conducted on or after October 1, 2000. The section would also require the Secretary of Defense to submit to Congress an evaluation not later than August 31, 2002.

Section 354—Expansion of Entities Eligible for Loan, Gift, and Exchange of Documents, Historical Artifacts, and Obsolete Combat Materiel

This section would authorize the exchange of defense relics to a greater number of local authorities.

SUBTITLE G—SERVICE CONTRACTING REFORM

Section 361—Short Title

This section would identify this subtitle as the "Department of Defense Service Contracting Reform Act of 2001".

Section 362—Required Cost Savings Level for Change of Function to Contractor Performance

This section would amend section 2461 of title 10, United States Code, to require that a contractor's cost must be at least 10 percent less expensive than the federal government's most efficient organization to be successful in a public/private competition under Office of Management and Budget Circular A–76.

Section 363—Applicability of Study and Reporting Requirements to New Commercial or Industrial Type Functions

This section would require the Secretary of Defense to conduct an A–76 study for each new function the Department of Defense intends to establish in order to determine whether the function should be performed by a government employee or a contractor employee.

Section 364—Repeal of Waiver for Small Functions

This section would repeal section 2461 of title 10, United States Code that currently waives the applicability of Office of Management and Budget Circular A–76 or functions with 50 employees or less.

Section 365—Requirement for Equity in Public-Private Competitions

This section would require that for each government held position studied under Office of Management and Budget Circular A–76, approximately the same number of contractor held positions must also be studied for possible conversion to the public sector.

Section 366—Reporting Requirements Regarding Department of Defense's Service Contractor Workforce

This section would require Department of Defense (DOD) contractors and subcontractors to report to a secure DOD website, direct and indirect man-hour cost information, and would require the Secretary of Defense and the military secretaries to submit to Congress a report on the cost information data collected. The section would also require the Comptroller General of the United States to review this data. This section would require the Secretary of Defense and the secretaries of the military departments to publish for the public the non-proprietary data from these reports.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

LEGISLATIVE PROVISIONS

SUBTITLE A—ACTIVE FORCES

Section 401—End Strengths for Active Forces

This section would authorize the following end strengths for active duty personnel of the armed forces as of September 30, 2002.

Service	FY 2001 authorized and floor	FY 2002		Change from	
		Request	Committee recommendation	FY 2002 request	FY 2001 authorized
Army	480,000	480,000	480,000	0	0
Navy	372,642	376,000	376,000	0	3,358
USMC	172,600	172,600	172,600	0	0
Air Force	357,000	358,800	358,800	0	1,800
DOD Total	1,382,242	1,387,400	1,387,400	0	5,158

Section 402—Revision in Permanent End Strength Minimum Levels

This section would amend section 691 of title 10, United States Code, by establishing end strength floors for the active forces at the end strengths contained in the budget request.

SUBTITLE B—RESERVE FORCES

Section 411—End Strengths for Selected Reserve

This section would authorize the following end strengths for the selected reserve personnel, including the end strength for reserves on active duty in support of the reserves, as of September 30, 2002:

Service	FY 2001 authorized	FY 2002		Change from	
		Request	Committee recommendation	FY 2002 request	FY 2001 authorized
Army National Guard	350,526	350,000	350,000	0	(526)
Army Reserve	205,300	205,000	205,000	0	(300)
Naval Reserve	88,900	87,000	87,000	0	(1,900)
Marine Corps Reserve	39,558	39,558	39,558	0	0
Air National Guard	108,022	108,400	108,400	0	378
Air Force Reserve	74,358	74,700	74,700	0	342
DOD Total	866,664	864,658	864,658	0	(2,006)
Coast Guard Reserve	8,000	8,000	8,000	0	0

Section 412—End Strengths for Reserves on Active Duty in Support of the Reserves

This section would authorize the following end strengths for reserves on active duty in support of the reserves as of September 30, 2002:

Service	FY 2001 authorized	FY 2002		Change from	
		Request	Committee recommendation	FY 2002 request	FY 2001 authorized
Army National Guard	22,974	22,974	22,974	0	0
Army Reserve	13,106	13,108	13,108	0	2
Naval Reserve	14,649	14,811	14,811	0	162
Marine Corps Reserve	2,261	2,261	2,261	0	0
Air National Guard	11,170	11,591	11,591	0	421
Air Force Reserve	1,336	1,437	1,437	0	101
DOD Total	65,496	66,182	66,182	0	686

Section 413—End Strengths for Military Technicians (Dual Status)

This section would authorize the following end strengths for military technicians (dual status) as of September 30, 2002:

Service	FY 2001 authorized (floor)	FY 2002		Change from	
		Request	Committee recommendation (floor)	FY 2002 request	FY 2001 authorized
Army National Guard	23,128	23,128	23,128	0	0
Army Reserve	5,921	5,999	5,999	0	78
Air National Guard	22,247	22,422	22,422	0	175
Air Force Reserve	9,785	9,818	9,818	0	33
DOD Total	61,081	61,367	61,367	0	286

Section 414—Fiscal Year 2002 Limitation on Non-Dual Status Technicians

This section would establish the following limits on the numbers of non-dual status technicians as of September 30, 2002:

Service	FY 2001 limit	FY 2002		Change from	
		Request	Committee recommendation (limit)	FY 2002 request	FY 2001 limit
Army National Guard	1,600	1,600	1,600	0	0
Army Reserve	1,195	1,095	1,095	0	(100)
Air National Guard	326	350	350	0	24
Air Force Reserve	10	0	90	90	80
DOD Total	3,131	3,045	3,135	90	4

The committee's recommended increase in the number of Air Force Reserve non-dual status technicians results from revised data provided by that component subsequent to the committee's receipt of the budget request. The committee is concerned about the growth. Noting that the Army Reserve and the Air Force Reserve are required by section 10217 of title 10, United States Code, to reduce the total number of non-dual status technicians in both com-

ponents to no more than 175 by September 30, 2007, the committee urges both components to coordinate their efforts to reach that objective.

Section 415—Limitations on Numbers of Reserve Personnel Serving on Active Duty or Full-Time National Guard Duty in Certain Grades for Administration of Reserve Components

This section would authorize new grade tables for all reserve components of the military departments to limit the number of officers and senior enlisted members serving on active duty or full-time national guard duty for administration of reserves or national guard in the pay grades of 0–6, 0–5, 0–4, E–9, and E–8. The tables would allow the limits for each grade to be adjusted as the total number of such reserve members on active duty increases or decreases.

SUBTITLE C—OTHER MATTERS RELATING TO PERSONNEL STRENGTHS

Section 421—Increase in Percentage by Which Active Component End Strengths for any fiscal year may be increased

This section would authorize the Secretary of Defense to increase active duty end strength of a military service up to two percent above the authorized end strength for that service. The committee notes that current law authorizes the Secretary to increase a service's end strength by one percent. The committee recommends this expanded authority to assist the Secretary in managing dynamic strength fluctuations occurring in the military services as a result of hard-to-predict recruiting and retention variables, as well as variables induced by the movement of reserve component personnel on and off active duty.

Section 422—Active Duty End Strength Exemption for National Guard and Reserve Personnel Performing Funeral Honors Functions

This section would permit members of the reserve components on active duty and members on full-time national guard duty to prepare for and perform funeral honors functions without counting against the active duty end strengths of the armed forces.

Section 423—Increase in Authorized Strengths for Air Force Officers on Active Duty in the Grade of Major

This section would authorize a seven percent increase in the maximum number of officers serving on active duty in the grade of major.

SUBTITLE D—AUTHORIZATION OF APPROPRIATIONS

Section 431—Authorization of Appropriations for Military Personnel

This section would authorize $82,279.1 million to be appropriated for military personnel.

This authorization of appropriations reflects both reductions and increases to the budget request that are itemized below.

[Dollars in millions]

	Military personnel accounts	O&M accounts
RECOMMENDED INCREASES		
Increase TLE to $180 per day and Authorize TLE for Officer First Duty Station	43.0	.....
Authorize Annual Travel for Families of Korean/Cold War Missing	.....	1.0
Electronic Voting Demonstration Project	.....	2.0
Travel Expenses for Guardian of Minor Child	.....	5.0
Equalize Reservists' Aviation Career Incentive Pay with Active Duty Aviators When on Active Duty	10.0	.....
Authorize and Fund Full Pet Quarantine Reimbursement	1.0	.....
Funding for Uniting Through Reading (Navy)	.....	0.18
FY 2002 Effect of Navy FY 2001 Overstrength	13.0	.....
Navy PCS Bow Wave from FY 2001	15.0	.....
Fund Army National Guard FY 2002 Military Techs (Dual Status)	.....	20.0
Army Reserve Component Duty Training Pay	25.0	.....
USMC New Camouflage Utility Uniforms	20.8	.....
Total Recommended Additions	127.8	28.18
RECOMMENDED REDUCTIONS		
Air Force Active Strength and Grade Underexecution	145.00	.....
Air Force Reserve Strength, Grade and Drill Underexecution	10.98	
Total Recommended Reductions	155.98	.....

TITLE V—MILITARY PERSONNEL POLICY

OVERVIEW

The committee believes that the Secretary of Defense, the secretaries of the military departments, and the uniformed military leadership must have effective, current, and flexible personnel management programs and guidance. Accordingly, the committee recommends a variety of initiatives to improve the personnel management systems of the military services.

The committee, which was deeply disappointed that military absentee voters were not offered consistently high quality voting information and assistance during the 2000 election, recommends a series of voting initiatives designed to improve the ability of the Department of Defense managers to comply with the requirements of the Federal Voting Assistance Program and related law. These initiatives are consistent with the findings of post-election reviews conducted by the Comptroller General of the United States and the Department of Defense Inspector General. Included among the initiatives is the testing of electronic voting systems that aim to solve the time and distance challenges that have plagued military voters, particularly those residing at overseas duty locations.

To improve operation of the system created by the Secretary of Defense to provide funeral honors to military veterans and retirees, the committee would include a series of initiatives designed to facilitate the Secretary's program and provide more flexible management tools.

Finally, to ensure that members of the armed services receive the recognition they so richly deserve for serving the nation with dedication and valor, the committee recommends a new Cold War Medal, and a new Korea Defense Service Medal, and a waiver of the time limits for award of decorations. The committee also recommends a review of the decorations awarded to Jewish and Hispanic veterans for possible upgrading to the Medal of Honor.

ITEMS OF SPECIAL INTEREST

Alternative Recruiting Media

The committee is aware that the services are seeking innovative ways to recruit a quality force in the face of increased college attendance, reduced youth population, and a competitive job market. The committee notes that today's youth are more receptive to information from non-traditional media and recommends the services employ these media as recruiting tools where financially feasible. The committee suggests the services explore the use of 3–D film, which can support the fast-moving action style commonly employed in recruiting presentations.

Army Reserve Military Technician Positions

The committee believes that the reserve full time manning program is essential to reserve component readiness and that dual status military technicians are critically important to unit level full time military presence in the Army Reserve. Consequently, the committee has exercised keen oversight in recent years of the Army Reserve's dual status technician program in an effort to ensure that Army Reserve units are staffed with fully qualified dual status military technicians. The committee understands, however, that Army Reserve personnel authorization documents prescribe that numerous headquarters staff positions be filled by military technicians (dual status). This practice results in military technicians (dual status) filling clerical and administrative positions in headquarters, performing exactly the same functions as federal civilian employees. The effect of such authorizations is to undercut congressional intent by maintaining higher than necessary numbers of military technicians (dual status) in headquarters billets that should more properly be filled by civilian employees. Another effect of such authorizations is to create personnel inequities. For example, the military technicians filling these headquarters positions are required to maintain their reserve status while civilian civil service employees filling like jobs in the same organization are not. Therefore, the committee directs the Secretary of the Army to review the Army Reserve's military technician authorizations with the goal of reallocating military technician positions at headquarters staff level to unit level.

Defense Prisoner of War/Missing in Action Office

The committee believes that the Defense Prisoner of War/Missing in Action Office (DPMO) performs a critical mission for the Department of Defense (DOD). The work of this office continues to ensure substantial progress toward the fullest possible accounting for those missing in the nation's past conflicts, coordination and preparation of the effort to locate and recover those missing in future conflicts, and, through its work, stands as a tangible commitment to American families that the fate of Americans missing in the nation's conflicts will be relentlessly pursued. In order to perform effectively its range of missions, DPMO must be adequately resourced. Since its establishment, the DPMO accounting workload has grown dramatically beyond the initial emphasis on the Vietnam War to now encompass World War II, the Korean War, and the Cold War. In addition, it has assumed new missions for all aspects of future recovery operations. Even though the demands upon DPMO have escalated, the committee is disturbed to learn that both civilian and military personnel strengths have steadily declined. The committee notes that since DPMO was established, the organization's civilian billets have decreased by 45 spaces, a 40 percent reduction, and 27 of DPMO's 46 military spaces are temporary billets. The committee believes that increased DPMO personnel resources are required in order for the office to address effectively its assigned missions. The committee therefore directs the Secretary of Defense to increase resources in the fiscal year 2003 budget re-

quest and beyond that will assure that DPMO's requirements to meet its entire range of missions are fully met.

Improved Use of Existing Military Centers for Scientific and Technological Education

The committee continues to be concerned that the military services are not adequately addressing the challenge of producing sufficient numbers of officers with the requisite education in science, engineering, and technology to meet the demands of the environment described in Joint Vision 2020. Reflecting the committee's concerns, the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106–398) required the Secretary of the Air Force to examine how the Air Force Institute of Technology could be more effectively employed to meet the needs of that service for officers with technical education. The committee also believes that the Naval Postgraduate School should have a larger role to play in meeting future Navy requirements for officers educated in the technical, engineering, and scientific disciplines. To that end, the committee directs the Secretary of the Navy to review future officer education requirements and to determine ways in which the Naval Postgraduate School can be more effectively used to meet those requirements.

Review of General and Flag Officer Authorizations

The committee notes that the advocates of increasing the total number of general and flag officers, or exempting general and flag officers from current grade limits, have presented at least six proposals for the committee's consideration. The Secretary of Defense did not request any of these proposals as part of his unified legislative package for the fiscal year 2002 defense authorization bill. These six proposals are only the latest in a long line of similar unsanctioned proposals presented piecemeal to the committee year after year. The committee notes that section 1213 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201) required the Secretary of Defense to conduct a comprehensive review of active and reserve component general and flag officer authorizations and management. The committee still awaits the results of the mandated review. In the absence of such results, the committee spends an inordinate effort each year trying to sort through the merits of the many individual proposals. Acceptance of one simply leads to the proliferation of more the following year. To end this cycle, and to see to it that the Secretary of Defense fulfills the standing requirement of the law, the committee directs the Secretary to conduct the review required by section 1213 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201) and deliver the final results of that review to Congress no later than one year after the date of enactment of this act.

Uniting Through Reading

The committee strongly encourages programs that strengthen military families and improve their quality of life. The Navy's Uniting Through Reading program allows deployed parents and children to communicate during separations, boosts family morale,

eases children's fears about a parent's absence, and reduces anxiety upon reunion. Deployed participants videotape themselves reading aloud and the videos and books are sent back to the families to enable children to watch the video and read along with their parent. The program also encourages videotaping the child's reading and reaction to enable those deployed to see the positive impact they are having on their child's development. The program is expanding to naval bases across the country and the committee recommends that an additional $180,000 be provided to this commendable program.

LEGISLATIVE PROVISIONS

SUBTITLE A—GENERAL PERSONNEL MANAGEMENT AUTHORITIES

Section 501—Enhanced Flexibility for Management of Senior General and Flag Officer Positions

This section would repeal the current limit on the total number of four-star general officers allowed to be on active duty in order to provide the increased flexibility in the assignment and utilization of senior general officers that is required to improve oversight and control of joint and military service operations in space.

Section 502—Original Appointments in Regular Grades for Academy Graduates and Certain Other New Officers

This section would require that graduates of the service academies, as well as Reserve Officer Training Corps distinguished graduates, and distinguished graduates of other officer commissioning programs like officer candidate schools, be given an initial appointment as an officer in the Regular Army, Navy, Marine Corps and Air Force, as long as they meet the criteria for such appointment.

Section 503—Temporary Reduction of the Time-in-Grade Requirement for Eligibility for Promotion for Certain Active-Duty List Officers in Grades of First Lieutenant and Lieutenant (Junior Grade)

This section would authorize the service secretaries to reduce the time-in-grade requirement for promotion to the pay grade of 0–3 from 24 to 18 months during the period ending September 30, 2005. The committee recognizes the need, particularly in the Army, to balance the number of officers serving in the grade of 0–3 with the number of positions where an officer in that grade is required. However, the committee remains concerned that junior officers receive adequate training and experience before being promoted to the grade of 0–3. The committee also expects the service secretaries to address the retention problems believed to be the source of the current grade mismatches and to resume promoting to the grade of 0–3 with 24 months time-in-grade during fiscal year 2006.

Section 504—Increase in Senior Enlisted Active Duty Grade Limit for Navy, Marine Corps, and Air Force

This section would increase the limitation on the authorized daily average number of enlisted members serving on active duty within an armed force in the pay grade of E–8 from two percent to two and one half percent of the total number of enlisted members of that armed force on active duty on the first day of that fiscal year.

Section 505—Authority for Limited Extension of Medical Deferment of Mandatory Retirement or Separation

This section would authorize the secretaries of the military departments to extend for an additional 30 days the deferment of mandatory retirement or separation for medical reasons to provide the member additional time to prepare for retirement or separation.

Section 506—Authority for Limited Extension on Active Duty of Members Subject to Mandatory Retirement or Separation

This section would authorize the secretaries of the military departments to extend for an additional 90 days the deferment of mandatory retirement or separation due to the implementation of stop loss authority to provide the military member additional time to prepare for retirement or separation.

Section 507—Clarification of Disability Severance Pay Computation

This section would authorize disability severance pay to be computed based on the grade to which a member would be promoted regardless of the purpose of the physical examination that identifies the disqualifying physical disability.

Section 508—Officer in Charge of United States Navy Band

This section would permit a Navy limited duty officer who holds the rank of at least lieutenant commander to be detailed to serve in the rank of captain while holding the position of officer in charge of the United States Navy Band.

Section 509—One-Year Extension of Expiration Date for Certain Force Management Authorities

This section would extend through December 31, 2002, certain force drawdown transition authorities. These authorities would include:

(1) Active duty early retirement authority;

(2) Special separation benefit authority;

(3) Voluntary separation incentive authority;

(4) Increased flexibility in the management of selective early retirement boards;

(5) Reduction in time-in-grade requirement for retention of grade upon voluntary retirement;

(6) Reduction of length of commissioned service for voluntary retirement as an officer;

(7) Enhanced travel and transportation allowances and storage of baggage and household effects for certain involuntary separated members;

(8) Increased flexibility for granting educational leave relating to continuing public and community service;

(9) Enhanced health, commissary and family housing benefits;

(10) Increased flexibility in the management of enrollments of dependents in the Defense Dependents' Education System;

(11) Definition of the force reduction transition period for reserve forces;

(12) Force reduction period for reserve retirement authority;

(13) Reduction of length of non-regular service requirements for reserve retirements;

(14) Reserve early retirement authority;

(15) Reduction of time-in-grade requirement for retention of grade upon voluntary reserve retirement;

(16) Increased flexibility in the management of the affiliation of active duty personnel with reserve units; and

(17) Increased flexibility in the management of eligibility for reserve educational assistance.

SUBTITLE B—RESERVE COMPONENT PERSONNEL POLICY

Section 511—Placement on Active-Duty List of Certain Reserve Officers on Active Duty for a Period of Three Years or Less

This section would clarify section 641 of title 10, United States Code, to require members recalled to active duty for three years or less to be placed on the active-duty list unless the service secretary specifies in the service member's orders that the member will be retained on the reserve active-status list.

Section 512—Expanded Application of Reserve Special Selection Boards

This section would authorize reserve special selection boards to consider officers from below the promotion zone who were either not considered for promotion because of administrative error, or were considered but not selected for promotion because of material error. The section would afford reserve officers the same special selection board access as provided to active duty officers.

Section 513—Exception to Baccalaureate Degree Requirement for Appointment of Reserve Officers to Grades Above First Lieutenant

This section would exempt enlisted members commissioned under the Army Officer Candidate School from the requirement to possess a baccalaureate degree before being promoted to the pay grade of captain.

Section 514—Improved Disability Benefits for Certain Reserve Component Members

This section would remove the requirement that reservists must be performing inactive-duty for training at a site that is outside normal commuting distance before being eligible for disability bene-

fits and programs if they incur or aggravate an injury, illness, or disease in the line of duty when remaining overnight at training locations before or between inactive-duty training periods.

Section 515—Time-in-Grade Requirement for Reserve Component Officers with a Non-Service Connected Disability

This section would authorize retirement eligible reserve officers with non-service connected physical disabilities that disqualify the officer from continued service to be retired in the highest grade held by the officer for six months, regardless of other time-in-grade requirements. The section would afford officers with non-service connected disabilities the same retired grade determination process as officers with service connected disabilities.

Section 516—Reserve Members Considered to be Deployed for Purposes of Personnel Tempo Management

This section would amend the definition of deployment for reservists to make it consistent with the definition of deployment applied to active duty members.

Section 517—Funeral Honors Duty Performed by Reserve and Guard Members to be Treated as Inactive-Duty Training for Certain Purposes

This section would authorize reserve and national guard members performing funeral honor duty the same rights, benefits, and protections that would be provided members performing inactive-duty training.

Section 518—Members of the National Guard Performing Funeral Honors Duty While in Non-Federal Status

This section would specify that national guard members when serving on funeral honors details shall be considered members of the armed forces for the purpose of meeting requirements for the minimum number of service members and service affiliation on a funeral honors detail.

Section 519—Use of Military Leave for Funeral Honors Duty by Reserve Members and National Guardsmen

This section would amend section 6323 of title 5, United States Code, to authorize federal employees who are members of the reserve components to use military leave to perform funeral honors duty.

SUBTITLE C—JOINT SPECIALTY OFFICERS AND JOINT PROFESSIONAL MILITARY EDUCATION

Section 521—Nominations for Joint Specialty

This section would provide for the automatic nomination of any officer who, before or after the enactment of this provision, meets the statutory education and service requirements for nomination as a joint specialty officer (JSO). The Secretary of Defense, with the advice of the Chairman of the Joint Chiefs of Staff, would remain

responsible for the actual selection of JSOs from the pool of nominated officers. The committee has heard the concerns of joint staff personnel that there will soon not be enough qualified officers to fill operational joint duty positions. The committee also has learned that there are more than 3,000 officers serving on active duty who, although they have met the joint professional military education and joint service requirements established by the Goldwater-Nichols Department of Defense Reorganization Act of 1986 (Goldwater-Nichols Act), (Public Law 99–433), have not been nominated by their respective military services for selection as joint specialty officers. The committee understands that the reluctance of the military services to nominate these officers is related to concerns that such nomination and subsequent selection of these officers by the Secretary of Defense to be JSOs would adversely affect the ability of the services to meet the promotion standards for JSOs that were established by the Goldwater-Nichols Act. The committee believes that the current policies of the military services to withhold nomination from qualified officers is unfair to those officers and places improper emphasis on meeting a statistical standard rather than producing sufficient numbers of JSOs.

Section 522—Joint Duty Credit

This section would set out the standards and requirements for the Secretary of Defense to award joint duty credit to officers serving in temporary joint task force headquarters that are not engaged in combat or near combat operations. Following Desert Storm, Congress addressed issues related to the proliferating use of temporary joint task forces and the increasing numbers of officers serving abbreviated tours of duty in the headquarters of those joint task forces. The fundamental question was whether service in joint task force headquarters should be credited towards the statutory requirements for qualification as a joint specialty officer. In resolving the issue, Congress amended the Goldwater-Nichols Act to permit service of at least 90 days duration in a joint task force headquarters to be credited, as long as the joint task force was engaged in combat, or near combat, operations. Since Desert Storm, the Department of Defense has employed more than 240 temporary joint task forces that do not meet the combat, or near combat, criteria. In view of this history, as well as the certainty that many officers would likely serve in future temporary joint task force headquarters engaged in military operations other than war, the Chairman of the Joint Chiefs of Staff asked the committee to consider ways in which service in temporary joint task forces engaged in operations other than war might be credited towards joint duty service requirements. In general, the committee does not believe that the intensity and complexity of most military operations other than war rise to the standard for credit established following Desert Storm. However, under certain limited conditions, the committee recognizes that service may be credited when it is in the headquarters of a temporary joint task engaged in peacekeeping or peace enforcement operations where an extremely fragile state of peace and a high potential for hostilities coexist.

Section 523—Retroactive Joint Service Credit for Duty in Certain Joint Task Forces

This section would authorize the Secretary of Defense, after a case-by-case review, to award joint service credit to an officer who served in the headquarters of a temporary joint task force employed by the United States during one or more of nine specific joint operations that began during the period August 1, 1992, and June 11, 1999. The committee believes that the awarding of retroactive joint service credit to officers for these operations is consistent with the new authority granted to the Secretary of Defense in section 522 to award joint duty credit for certain military operations other than war.

Section 524—Revision to Annual Report on Joint Officer Management

This section would change some annual reporting requirements to reflect the committee's recommended amendments to the joint officer management system.

Section 525—Requirement for Selection for Joint Specialty Before Promotion to General or Flag Officer Grade

This section would require that after September 30, 2007, officers promoted to brigadier general or rear admiral (lower half) must be selected as a joint specialty officer (JSO) prior to their promotion.

The Goldwater-Nichols Act intended that future combat leaders of the armed forces would be drawn from the ranks of JSOs. To that end, the Goldwater-Nichols Act established that the proper qualification of an officer for effective service as a JSO required both formal education (joint professional military education) and completion of one "full tour" of joint duty. However, as a precondition for promotion to brigadier general, or rear admiral (lower half), the Goldwater-Nichols Act established a less demanding standard, requiring the completion of one "full tour" of joint duty, but no joint professional military education. Fifteen years after the enactment of the Goldwater-Nichols Act, the committee believes that it is appropriate to move forward to secure the goal that future leaders of the armed forces, especially those entering general officer rank, should be drawn from the ranks of JSOs. The committee holds this view for the following reasons:

(1) Involvement in joint operations is a fact of life for general and flag officers today, and such involvement will be increasingly so in the future. Future standards for qualifying those general and flag officers to operate effectively in the joint environment should not differ from the rest of the officers in the military services.

(2) In the 15 years since enactment of the Goldwater-Nichols Act, the experience of thousands of officers who were educated in the joint professional military education (JPME) system and served in joint duty assignments confirms that the JPME experience is essential, and enhances performance in joint operations.

(3) Requiring future officers to be JSOs as a condition of promotion to brigadier general, or rear admiral (lower half),

would, in effect, add a twelve-week attendance at JPME to the current service requirement.

Section 526—Independent Study of Joint Officer Management and Joint Professional Military Education Reforms

This section would require that the Secretary of Defense commission an independent study of issues related to joint officer management, joint professional military education, and the roles of the Secretary and the Chairman of the Joint Chiefs of Staff in managing and educating joint officers. The section would require the study to be completed by June 30, 2002. The Chairman of the Joint Chiefs of Staff presented the committee with a set of fundamental reforms in the joint officer management and joint officer professional military education systems. The committee, believing that the proposed reforms would have significant implications for joint service, the individual military services, and every officer, wants to move cautiously before making systemic changes. Such was the approach used by this committee when it developed the joint officer management initiatives contained in the Goldwater-Nichols Act, and when it subsequently instituted joint professional military education reforms.

Section 527—Professional Development Education

This section would make the Secretary of Defense the executive agent for funding professional development education operations at the National Defense University, beginning in fiscal year 2003. At present, such funding is split between the Army and the Navy. By taking this action to consolidate the funding responsibility, the committee intends to strengthen the role of the Secretary of Defense in joint professional military education and improve the support of the National Defense University.

Section 528—Authority for National Defense University to Enroll Certain Private Sector Civilians

This section would permit up to 10 private sector employees of organizations relevant to national security to receive instruction at the National Defense University. The committee believes such enrollments will strengthen the educational experience of all military students at the National Defense University.

Section 529—Continuation of Reserve Component Professional Military Education Test

This section would require the Secretary of Defense to continue the concept validation test of the joint professional military education (JPME) course for reserve component officers in fiscal year 2002, and would authorize a broader pilot program in fiscal year 2003 for reserve component JPME, if the Secretary determines that the results of the concept validation merit test it. During fiscal year 2001, the National Defense University undertook a limited concept validation test of a JPME course for reserve component officers. The committee believes that the results of this concept validation

are promising and that further testing of the concept should continue.

SUBTITLE D—MILITARY EDUCATION AND TRAINING

Section 531—Defense Language Institute Foreign Language Center

This section would authorize the commandant of the Defense Language Institute to award an associate of arts degree in a foreign language to graduates of the Institute's Foreign Language Center who meet the requirements for the degree.

Section 532—Authority for the Marine Corps University to Award Degree of Master of Strategic Studies

This section would authorize the president of the Marine Corps University to award the degree of master of strategic studies upon graduates of the Marine Corps War College who meet the requirements for that degree.

Section 533—Increase in Number of Foreign Students Authorized to be Admitted to the Service Academies

This section would increase from 40 to 60 the number of foreign students who may attend each of the service academies at any one time. This section would also give the Secretary of Defense greater authority to waive some or all of the cost of that attendance.

Section 534—Increase in Maximum Age for Appointment as a Cadet or Midshipman in Senior Reserve Officer Training Corps Scholarship Programs

This section would increase the maximum allowable age for the senior Reserve Officer Training Corps scholarship program from age 27 on June 30 of the year in which the officer candidate is expected to be commissioned to age 35 on December 31 of the year in which the officer candidate is expected to be commissioned.

Section 535—Active Duty Participation as a Cadet or Midshipman in Senior ROTC Advanced Training

This section would authorize active duty enlisted members to participate in the senior Reserve Officer Training Corps.

Section 536—Authority to Modify the Service Obligation of Certain ROTC Cadets in Military Junior Colleges Receiving Financial Assistance

This section would authorize the Secretary of the Army to permit military junior college cadets who sign future Guaranteed Reserve Forces Duty (GRFD) contracts to satisfy their service obligation through either active duty service or reserve service in a troop program unit. This section would also permit those military junior college students who signed GRFD contracts between January 1, 1991, and July 11, 2000, to satisfy their service obligation through active duty service rather than service in the reserve component troop units.

Section 537—Modification of Nurse Officer Candidate Accession Program Restriction on Students Attending Educational Institutions with Senior Reserve Officers' Training Programs

This section would remove the restriction on officer candidates from receiving financial assistance while training to be nurses at institutions where Reserve Officer Training Corps (ROTC) programs are present when the officer candidates are ineligible to participate in the ROTC program.

Section 538—Repeal of Limitation on Number on Junior Reserve Officers' Training Corps (JROTC) Units

This section would repeal the current statutory cap of 3,500 Junior Reserve Officers' Training Corps (JROTC) units. The committee notes that this repeal was contained in the budget request and is consistent with the long-standing committee view that JROTC expansion is in the nation's interest.

Section 539—Reserve Health Professionals Stipend Program Expansion

This section would expand the stipend program for reserve health professionals by authorizing medical and dental school students to receive stipends and authorizing continuing compensation for medical and dental school graduates participating in residency programs involving critical wartime specialties.

Section 540—Housing Allowance for the Chaplain for the Corps of Cadets, United States Military Academy

This section would amend the authority of the Secretary of the Army to provide a housing allowance to the Chaplain for the Corps of Cadets at the United States Military Academy to specify that the allowance should be consistent with the allowance provided to a lieutenant colonel.

SUBTITLE E—DECORATIONS, AWARDS, AND COMMENDATIONS

Section 541—Authority for Award of the Medal of Honor to Humbert R. Versace for Valor During the Vietnam War

This section would waive the statutory time limitation for the award of the Medal of Honor to Humbert R. Versace for valor while interned as a prisoner-of-war by the Vietnamese Communist National Liberation Front (Viet Cong) in the Republic of Vietnam.

Section 542—Review Regarding Award of Medal of Honor to Certain Jewish American and Hispanic American War Veterans

This section would require the secretaries of the military departments to review the service records of Jewish and Hispanic veterans from World War II and later periods to determine if the award of the Medal of Honor is appropriate. The secretaries would be obligated to review the records of veterans who were previously awarded the Distinguished Service Cross, the Navy Cross, and the Air Force Cross, and names of veterans submitted to the secretaries during the one-year period beginning with the date of enact-

ment of this provision. In those cases where the secretaries determine that service records support the award of Medals of Honor, the section would also waive the statutory time limitations for award.

Section 543—Authority to Issue Duplicate Medal of Honor

This section would authorize the service secretaries to issue one duplicate Medal of Honor to recipients for display purposes.

Section 544—Authority to Replace Stolen Military Decorations

This section would clarify that the service secretaries are authorized to replace decorations that are considered stolen in addition to those decorations considered lost or destroyed.

Section 545—Waiver of Time Limitations for Award of Navy Distinguished Flying Cross to Certain Persons

This section would waive the statutory time limitations for the award of the Distinguished Flying Cross to individuals recommended for award of the Distinguished Flying Cross by the secretaries of the military departments.

Section 546—Korea Defense Service Medal

This section would require the secretaries of the military departments to issue a campaign medal, to be known as the Korea Defense Service Medal, to members who served in the Republic of Korea or adjacent waters during the period beginning on July 28, 1954, and ending on a future date to be determined by the Secretary of Defense. Members who served in the Republic of Korea and adjacent waters prior to the date of enactment of this provision would be required to apply for award of the medal.

Section 547—Cold War Service Medal

This section would require the secretaries of the military departments to issue a Cold War service medal to persons who served honorably on active duty in the armed forces during the period beginning on September 2, 1945 and ending on December 26, 1991. In order to qualify as an enlisted member, a person would have had to serve a full term of enlistment in an armed force, and reenlisted as an enlisted member or have been appointed an officer. In order to qualify as an officer, a person would have had to complete an initial service obligation as an officer and have served in an armed force after completing the initial service obligation. The secretaries would be authorized to waive the service requirements in the case of disability or hardship separation, or other deserving circumstance.

Section 548—Option to Convert Award of Armed Forces Expeditionary Medal Awarded for Operation Frequent Wind to Vietnam Service Medal

This section would authorize participants in Operation Frequent Wind, the evacuation of Vietnam conducted on April 29 and 30,

1975, to return the award of the Armed Forces Expeditionary Medal and to receive the Vietnam Service Medal in its place.

SUBTITLE F—MATTERS RELATING TO VOTING

Section 551—Voting Assessments and Assistance for Members of the Uniformed Services

This section would require the Department of Defense (DOD) Inspector General to conduct annual random and unannounced assessments of the compliance with the requirements of the Uniformed and Overseas Citizens Absentee Voting Act (Public Law 99–410), DOD regulations regarding the Federal Voting Assistance Program, and other requirements of law at 15 Department of Defense installations. The section would also require the secretaries of the military departments to include an assessment of compliance with the requirements of the Uniformed and Overseas Citizens Absentee Voting Act and DOD regulations regarding the Federal Voting Assistance Program on the list of issues and programs to be reviewed during all management effectiveness reviews and inspections. Additionally, the section would require voting assistance officers appointed under DOD regulations to be appointed with the expectation of serving a minimum of 30 months. Performance evaluation reports pertaining to service members who have been appointed voting assistance officers would be required to include comments on the performance of the individual as a voting assistance officer. Finally, the section would require the Secretary of Defense, during the four months preceding the month during which congressional elections are conducted, to poll all units and ships at sea responsible for collecting and shipping mail to determine if voting materials are awaiting shipment and the length of time that the materials have been held at that location.

Section 552—Electronic Voting Demonstration Project

This section would require the Secretary of Defense to carry out a demonstration project to allow military absentee voters to vote using an electronic voting system. This section would require the Secretary to coordinate with state officials to facilitate the demonstration project. The committee expects the Secretary to actively encourage state election officials to participate in the demonstration project and to take all prudent steps to expand the demonstration project to reach as many military voters as possible. The committee believes that the method for absentee voting that holds the most promise for protecting the voting rights of military members in the future is electronic voting using computers.

SUBTITLE G—MATTERS RELATING TO MILITARY SPOUSES AND FAMILY MEMBERS

Section 561—Improved Financial and Other Assistance to Military Spouses for Job Training and Education

The section would require the Secretary of Defense to examine existing Department of Defense and other federal, state and nongovernmental programs with the objective of improving retention of

military personnel by increasing the employability of military spouses and helping those spouses gain access to financial and other assistance for training and education. The section would also require the Secretary to assess whether the Department should begin a program of direct financial assistance to military spouses for education, job training and related assistance like child care and job-related transportation. The section would also authorize the secretaries of the military departments to make available space in military facilities for non-Department of Defense entities to provide employment-related training for military spouses.

Section 562—Authority to Conduct Surveys of Dependents and Survivors of Military Retirees

This section would expand the authority of the Secretary of Defense to survey families of military members to determine the adequacy of facilities and services provided by the Department of Defense. The section would authorize the Secretary to survey families of retired members in addition to families of active duty members.

Section 563—Clarification of Treatment of Classified Information Concerning Persons in a Missing Status

This section would amend section 1506 of title 10, United States Code, to require the Secretary of Defense to maintain a separate file available for review by next-of-kin that would provide notice of the existence of classified information which may pertain to one or more missing persons. The committee believes that as much information as possible should be provided to the next-of-kin of persons missing from past conflicts.

Section 564—Transportation to Annual Meeting of Next-of-Kin of Persons Unaccounted for from Conflicts after World War II

This section would authorize the Secretary of Defense to provide transportation for the next-of-kin of persons who are unaccounted from the Korean War, the Cold War, the Vietnam War, and the Persian Gulf Conflict to an annual meeting concerning ongoing efforts to resolve the fate of their missing family member.

Section 565—Amendments to Charter of Defense Task Force on Domestic Violence

This section would extend the original three-year authorization of the Defense Task Force on Domestic Violence from October 5, 2002, to April 24, 2003. The section also would authorize reimbursement to be paid to task force members who are not Department of Defense or federal civilian employees. The task force was established by section 591 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65).

SUBTITLE H—MILITARY JUSTICE AND LEGAL MATTERS

Section 571—Requirement that Courts-Martial Consist of Not Less than 12 Members in Capital Cases

This section would amend chapter 47 of title 10, United States Code, to increase the number of required courts-martial members to 12 in cases in which the death penalty may be adjudged as a sentence. The fact that a general court-martial presently may adjudge death with as few as five members contributes to the unfortunate public perception that service members have fewer constitutional protections than civilians and undermines the legitimacy of verdicts in such cases.

The Manual for Courts-Martial requires special procedures in capital cases, and the Court of Appeals for the Armed Forces has recognized the unique status of death penalty cases and attendant systemic burdens in its jurisprudence. Requiring 12 court-members in capital courts-martial would ensure that service members receive the same procedural protections that exist in other death penalty cases, with one exception. Because the military has unique operational considerations not found in civilian society, this section would provide that the convening authority could reduce the number of court members serving in capital cases to no fewer than five members when 12 members are not reasonably available because of physical conditions or military exigencies. In such circumstances, the convening authority would be required to make a written statement of the reasons 12 members could not be obtained. This statement would be appended to the record of trial.

Section 572—Right of Convicted Accused To Request Sentencing by Military Judge

This section would amend chapter 47 of title 10, United States Code, to permit the sentencing phase of trial in courts-martial to be conducted by a military judge sitting alone, rather than by court members.

Under the present court-martial process a military judge alone may not sentence an accused if the accused elects to be tried with court members. Such a result, however, has disadvantages. Sentencing trials involving members may be more lengthy and more complicated than judge-alone proceedings, costing the government time and expense and keeping court members away from their regular duties for extended periods. Moreover, military judges generally have as sound a sense of community and disciplinary norms and mores as court members because they typically preside over many cases at a single installation.

This section would permit a separate choice of forum decision to be made following announcement of findings of guilt or innocence by the court but before evidence on sentencing is received. A request for sentencing by judge alone could be made orally on the record or in writing. Consistent with article 18 of the Uniform Code of Military Justice, section 818 of title 10, United States Code, and Rule for Courts-Martial 201(f)(1)(C), judge-alone sentencing would not be permitted in capital cases.

Section 573—Codification of Requirement for Regulations for Delivery of Military Personnel to Civil Authorities When Charged With Certain Offenses

This section would codify existing regulations by amending section 814 of title 10, United States Code. The section would require the Secretary of Defense to prescribe regulations to provide for the delivery to the appropriate civil authority for trial, a member accused by civil authority of parental kidnapping or a similar offense.

Section 574—Authority To Accept Voluntary Legal Services for Members of the Armed Forces

This section would improve the availability of legal assistance services to members of the armed forces by amending section 1588 of title 10, United States Code, and would expressly authorize the service secretaries to accept voluntary legal services. This section would also protect these volunteers from legal malpractice actions by extending to them the protections of section 1054 of title 10, United States Code.

SUBTITLE I—OTHER MATTERS

Section 581—Shipment of Privately Owned Vehicles When Making Permanent Change of Station Moves Within the United States

This section would authorize the service secretaries to ship a vehicle at government expense from one permanent station inside the continental United States to another permanent station inside the continental United States when such shipment is found to be advantageous and cost effective to the government.

Section 582—Payment of Vehicle Storage Costs in Advance

This section would authorize the secretaries of the military departments to pay vehicle storage costs in advance.

Section 583—Permanent Authority for Use of Military Recruiting Funds for Certain Expenses at Department of Defense Recruiting Functions

This section would make permanent the authority for the secretaries of the military departments to conduct social functions involving recruit candidates and recruits awaiting active duty entry, and other persons known to influence the career decisions of recruitment-age youth.

Section 584—Clarification of Military Recruiter Access to Secondary School Directory Information About Students

This section would specify that secondary schools shall provide directory information to recruiters in the same way that such information is provided to institutions of higher education when the student has indicated a desire or intent to enroll in that institution.

Section 585—Repeal of Requirement for Final Comptroller General Report Relating to Army End Strength Allocations

This section would repeal the requirement for the last report by the Comptroller General of the United States on the Total Army Analysis (TAA) process—the modeling process used by the Army to determine its combat support and combat service support force structure.

Section 586—Posthumous Army Commission in the Grade of Captain in the Chaplains Corps to Ella E. Gibson for Service as Chaplain of the First Wisconsin Heavy Artillery Regiment During the Civil War

This section would authorize and request the President to posthumously appoint Ella E. Gibson to the grade of captain for her service as a chaplain in the First Wisconsin Heavy Artillery Regiment during the Civil War.

Section 587—National Guard Challenge Program

This section, effective October 1, 2002, would eliminate the $62.5 million statutory limit on Department of Defense spending for the National Guard Youth Challenge program, and revise the Department of Defense cost share for each state's program from 60 percent to 75 percent. The section would also repeal section 2033 of title 10, United States Code, which requires that any funding appropriated to the Challenge program above the Department's statutory limit be provided to the Junior Reserve Officers' Training Program.

Section 588—Payment of FEHBP Premiums for Certain Reservists Called to Active Duty in Support of Contingency Operations

This section would authorize federal agencies to pay the employee portion of Federal Employee Health Benefit Program (FEHBP) premiums for federal employees who are members of the reserve component who are called to active duty for more than 30 days. This authority would provide continuity of medical care for the families of reserve component members who are called to active duty for extended periods and will encourage federal employees to volunteer for extended active duty missions.

Section 589—18-month Enlistment Pilot Program

This section would authorize, during the period beginning on October 1, 2003 and ending on December 31, 2007, an 18–month enlistment pilot program to increase the participation of prior service persons in the Selected Reserve and increase the pool of participants in the Individual Ready Reserve. The section would authorize the Secretary of the Army to enlist up to 10,000 soldiers under this program and provide enlistment bonuses and student loan repayments to recruits. Soldiers enlisted under this program will be eligible for assignment to overseas locations. This section would require the Secretary of the Army to report the results of the program to the Senate Committee on Armed Services and the House

Committee on Armed Services not later than December 31, 2007 and December 31, 2012.

Section 590—Per Diem Allowance for Lengthy or Numerous Deployments

This section would amend section 574 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106–398) to expand the scope of the report from the Secretary of Defense that is due not later than March 31, 2002. The Secretary would be required to review section 991 of title 10, United States Code, and section 436 of title 37, United States Code, and include in the report:

(1) A discussion of the experience in tracking and recording deployment of members, and paying members subject to lengthy and numerous deployments a $100 per diem after exceeding 400 days deployed out of the previous 730.

(2) Specific comments regarding the effect on the readiness of the Navy and the Marine Corps of the two provisions given the deployment intensive mission of these services.

(3) Any recommendation for revision of the two provisions.

The committee is aware of concerns expressed by the Chief of Naval Operations and the Commandant of the Marine Corps that the law establishing a management system and per diem payment authority for service members subjected to lengthy and numerous deployments will have unintended fiscal and readiness consequences for the deployment intensive sea services during fiscal year 2002. On the other hand, the committee has heard the Under Secretary of Defense for Personnel and Readiness testify that the fiscal impact of the law can be managed in fiscal year 2002 and the law should be allowed to operate until the services are able to provide data to determine how the law is working.

The committee is concerned that the law should not impose unintended consequences on the services and is committed to understanding what changes to the law may be required. However, the committee is equally concerned that the members of the armed services be spared excessive deployments that are known to stress members and their families and erode the quality of life that is critical to good retention.

This section would also amend section 436 of title 37, United States Code, to require high-deployment per diem be paid from operations and maintenance accounts.

The committee notes that, contrary to guidance included in the statement of managers accompanying section 574 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106–398), the services intend to pay high-deployment per diem out of military personnel accounts. The committee strongly believes that deploying service members in excess of 400 days out of any 730–day period is fundamentally an operational decision driven by operational requirements. As such, the committee considers high-deployment per diem an operational cost that should be paid from operations and maintenance accounts.

Section 591—Congressional Review Period for Change in Ground Combat Exclusion Policy

This section would amend section 542 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160) to change the congressional notification period required of the Secretary of Defense before implementing revised policies concerning the assignment of women to ground combat units or positions. Currently, the Secretary must provide Congress with 90 calendar days notice before making any changes to the ground combat exclusion policy that would either close to female members of the armed services a position or unit that was previously open to them, or open to female members of the armed services a position or unit that was previously closed to them. This section would change the notification period to 60 days of continuous session of Congress.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

OVERVIEW

The committee continues to believe that compensation programs are critical to successful recruiting and retention. Accordingly, the committee recommends a pay raise that combines both across-the-board and targeted increases for mid-grade noncommissioned officers and officers, a new officer accession bonus, and a number of enhancements to special and incentive pays and bonuses.

In addition, the committee recognizes that the rate of reimbursement for the cost of permanent changes of station (PCS) has dropped to 62 cents for every dollar expended by service members and their families. The committee is committed to improving PCS reimbursement rates and to that end proposes a series of initiatives in this bill. These measures include:

(1) An increase in the maximum amount for temporary lodging expense (TLE) from $110 to $180 per day and authorization for officers to receive TLE at their first duty stations.

(2) Advanced payment of vehicle storage costs.

(3) Shipment of privately owned vehicles inside the United States.

(4) Family separation allowances for members serving unaccompanied overseas tours because family members have been medically disqualified from overseas assignment.

(5) A $500 partial dislocation allowance when ordered out of government quarters.

(6) More flexible allowances for travel performed by members between consecutive overseas services.

(7) An increase in the reimbursement rate for the cost of pet quarantine services.

Because the Under Secretary of Defense for Personnel and Readiness testified that he will seek to reform further the PCS reimbursement system, the committee recommends a series of additional measures but delays their implementation date for one year, until January 1, 2003. The committee expects the Secretary of Defense, following completion of the Department of Defense review of the PCS reimbursement system, will make recommendations with regard to the implementation of the following initiatives:

(1) Authority to pay dislocation allowance (DLA) at a member's first duty station.

(2) Increased weight allowance for transportation of household goods for junior enlisted personnel.

(3) Increasing the PCS reimbursement rate for military personnel to the same rate as paid federal civilian employees.

(4) Payment of housing allowance to junior enlisted personnel while traveling between PCS stations.

(5) Dislocation allowance for military couples moving into government quarters.

Finally, the committee would authorize uniformed service retirees to receive disability compensation from the Department of Veterans Affairs without reducing retired pay. Implementation of the provision would be contingent on the President submitting offsets for the increased entitlement spending in a budget request and Congress enacting legislation to provide those specific offsets.

ITEMS OF SPECIAL INTEREST

Additional Reporting Instructions Concerning the Supplemental Subsistence Allowance for Low-Income Members with Dependents

Section 402a of title 37, United States Code, as amended by section 604 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106–398), directs the Secretary of Defense to submit to Congress annual reports specifying the number of members of the armed forces who received the supplemental subsistence allowance during the preceding year. The first report is required on March 1, 2002 and the last report is required on March 1, 2006. The committee is concerned that the reports include sufficient information about the recipients to allow the merits of the program to be evaluated.

Accordingly, the committee directs the Secretary of Defense to include in the first annual report and all reports that follow, statistical analyses of the recipient population regarding rank, family size, non-dependent family members, job specialties, and service. The report shall also make distinctions among recipients based on duty locations being in the United States or overseas (including Alaska and Hawaii), residences being government housing, privatized government housing, or private sector housing, and family income including or not including wage earners in addition to the service member.

Personal and Family Financial Management Programs

The committee is concerned that the secretaries of the military departments are not providing service members sufficient training on the management of personal and family finances, and when personal financial problems do occur, the secretaries are not providing adequate supervision to ensure that service members and their families regain financial security.

Accordingly, the committee directs the secretaries of the military departments to conduct a comprehensive examination of the personal financial management programs operated within their respective departments. The examination shall include at a minimum an assessment of the severity and type of personal financial challenges confronting service members, the magnitude of personal debt accumulated by service members, the adequacy of training and assistance programs available to service members, and the merits of other programs recommended to meet the needs of service members.

The committee further directs the Secretary of Defense to consolidate and review the examinations conducted by the secretaries

of the military departments, identify the best practices from each examination, and assess the need to improve and standardize the programs operated by the secretaries of the military departments. The committee directs the Secretary of Defense to report the findings of his review to the Senate Committee on Armed Services and the House Committee on Armed Services by March 31, 2002.

The Right of Former Prisoners of War Forced to Work as Slave Laborers During World War II to Sue Japanese Corporations for Mistreatment

The committee believes that the inhumane treatment of U.S. prisoners of war (POWs) at the hands of Japanese corporations that benefited from their efforts as slave laborers during World War II is a matter that requires new attention by the United States Government. The committee believes that these POWs are deserving of the opportunity to seek a just settlement from the Japanese corporations in the courts. The committee believes that the success of other claimants in gaining reparations from the Japanese nation for World War II misconduct signals a new era of reconciliation that must now include the U.S. POWs forced to work as slave laborers. The committee believes that the United States government should reconsider its formal opposition to the court actions filed by the U.S. POW slave laborers from World War II and apply the resources of the Department of State and the Department of Justice to the task of assisting these deserving former POWs to obtain proper settlements to their claims.

LEGISLATIVE PROVISIONS

SUBTITLE A—PAY AND ALLOWANCES

Section 601—Increase in Basic Pay for Fiscal Year 2002

This section would increase basic pay a minimum of six percent for all enlisted members of the uniformed services and a minimum of five percent for all officers effective January 1, 2002. The section would provide additional increases to mid-grade and senior noncommissioned officers, and mid-grade officers to maintain incentives to serve throughout the enlisted career and to increase incentives to retain junior officers and highly skilled enlisted members in a competitive private sector economy.

This raise fulfills the President's commitment to add $1.0 billion to pay for the uniformed services. The combined across-the-board and targeted raise would be the equivalent of a 6.9 percent across-the-board raise and would reduce the pay gap between military and private sector pay increases over time from 10.4 percent to 7.5 percent.

Section 602–Basic Pay Rate for Certain Reserve Commissioned Officers with Prior Service as an Enlisted Member or Warrant Officer

This section would authorize reserve component officers in pay grades 0–1, 0–2, or 0–3 who are not on active duty but have accumulated a minimum of 1,460 points credited toward reserve retire-

ment while serving as a warrant officer or as a warrant officer and enlisted member to be paid at the same rate as active duty officers credited with at least four years of service as a warrant officer or as a warrant officer and enlisted member.

Section 603—Subsistence Allowances

This section would make clarifying changes of an administrative nature to the basic allowance for subsistence (BAS) program to facilitate the termination of the transitional BAS program effective January 1, 2002.

Section 604—Eligibility for Basic Allowance for Housing While Between Permanent Duty Stations

This section would require the secretaries of the military departments to pay members of the uniformed services in pay grades below E–4 (with less than 4 years of service) a temporary housing allowance while on travel or leave status between permanent duty stations.

Section 605—Uniform Allowance for Officers

This section would clarify that an additional allowance of $200 for uniforms may be paid to an officer so long as any previous allowance received did not exceed $400.

Section 606—Family Separation Allowance for Certain Members Electing to Serve Unaccompanied Tour of Duty

This section would require the secretaries of the military departments to pay family separation allowance to members of the uniformed services who elect to serve unaccompanied tours of duty because the movement of dependents of the member to the permanent duty station is denied for certified medical reasons.

SUBTITLE B—BONUSES AND SPECIAL AND INCENTIVE PAYS

Section 611—One-Year Extension of Certain Bonus and Special Pay Authorities for Reserve Forces

This section would extend the authority for the special pay for health care professionals who serve in the selected reserve in critically short wartime specialties, the selected reserve reenlistment bonus, the selected reserve enlistment bonus, special pay for enlisted members of the selected reserve assigned to certain high priority units, the selected reserve affiliation bonus, the ready reserve enlistment and reenlistment bonus, and the prior service enlistment bonus until December 31, 2002. The provision would also extend the authority for repayment of educational loans for certain health care professionals who serve in the selected reserve until January 1, 2003.

Section 612—One-Year Extension of Certain Bonus and Special Pay Authorities for Nurse Officer Candidates, Registered Nurses, and Nurse Anesthetists

This section would extend the authority for the nurse officer candidate accession program, the accession bonus for registered nurses, and the incentive special pay for nurse anesthetists until December 31, 2002.

Section 613—One-Year Extension of Other Bonus and Special Pay Authorities

This section would extend the authority for the aviation officer retention bonus, reenlistment bonus for active members, enlistment bonus for active members, special pay for nuclear qualified officers extending the period of active service, nuclear career accession bonus, the nuclear career annual incentive bonus, and the retention bonus for members with critical skills to December 31, 2002.

Section 614—Conforming Accession Bonus for Dental Officers Authority with Authorities for Other Special Pay and Bonuses

This section would conform the expiration date of the accession bonus for dental officers with the expiration dates of other special pays and bonuses. The section would extend the authority to pay accession bonuses to dental officers until December 31, 2002.

Section 615—Additional Type of Duty Resulting in Eligibility for Hazardous Duty Incentive Pay

This section would authorize members of the uniformed services to be paid hazardous duty incentive pay for duties involving regular participation as a member of a team conducting visit, board, search, and seizure aboard vessels in support of maritime interdiction operations.

Section 616—Equal Treatment of Reservists Performing Inactive-Duty Training for Receipt of Aviation Career Incentive Pay

This section would entitle qualified reserve aviators to be paid the full amount of monthly Aviation Career Incentive Pay in the same amount as paid to active duty aviators with the same number of years of aviation service.

Section 617—Secretarial Discretion in Prescribing Submarine Duty Incentive Pay Rates

This section would authorize the Secretary of the Navy to prescribe the amount of submarine duty incentive pay by grade and years of service within a maximum of $1,000 per month. The committee believes this new flexibility will allow the Secretary to respond more quickly to recruiting and retention problems within the submarine force.

Section 618—Imposition of Critical Wartime Skill Requirement for Eligibility for Individual Ready Reserve Bonus

This section would amend the eligibility criteria for payment of a bonus to individuals enlisting, reenlisting, or extending an enlistment in the individual ready reserve. The bonus would no longer be paid to individuals with combat or combat support skills, but would be paid to individuals with a skill or specialty designated by the service secretary as critically short to meet wartime requirements.

Section 619—Installment Payment Authority for 15-Year Career Status Bonus

This section would authorize members of the uniformed services to elect to be paid the 15-year career status bonus in a lump sum or one of a series of annual installment options. Section 322 of title 37, United States Code, requires the 15-year career status bonus for military members entering service on or after August 1, 1986, to be paid in a lump sum of $30,000. The options for annual installment payments would be $15,000 per year over two years, $10,000 per year over three years, $7,500 per year over four years, or $6,000 per year over five years.

Section 620—Accession Bonus for New Officers

This section would authorize the service secretaries to pay an accession bonus of up to $100,000 to officer candidates who enter into written service agreements to accept commissions as officers.

SUBTITLE C—TRAVEL AND TRANSPORTATION ALLOWANCES

Section 631—Minimum Per Diem Rate for Travel and Transportation Allowance for Travel Performed Upon a Change of Permanent Station and Certain Other Travel

This section would require the service secretaries to pay members of the uniformed services ordered to change permanent duty stations the per diem rate established in the federal travel regulation for civilian employees authorized per diem while changing permanent duty stations.

Section 632—Payment or Reimbursement of Temporary Subsistence Expenses

This section would increase from $110 to $180 per day the maximum amount that may be paid to members of the uniformed services as reimbursement for temporary lodging and subsistence expenses incurred in the United States as result of a permanent change of station. The section would also authorize payment for temporary lodging and subsistence expenses to officers reporting to their first permanent duty station.

Section 633—Increased Weight Allowance for Transportation of Baggage and Household Effects for Junior Enlisted Members

This section would increase the maximum weight allowance for shipment of household effects for enlisted military members in

grades E–4 and below. The new allowance for members in pay grade E–4 with less than two years of service would be 8,000 pounds for members with dependents, and 7,000 pounds for members without dependents. The new allowance for members in pay grades E–1 through E–3 would be 8,000 pounds for members with dependents, and 5,000 pounds for members without dependents.

Section 634—Reimbursement of Members for Mandatory Pet Quarantine Fees for Household Pets

This section would authorize an increase from $275 to $675 per change of station in the amount of reimbursement for pet quarantine fees the service secretaries may pay to members of the uniformed services.

Section 635—Availability of Dislocation Allowance for Married Member, Whose Spouse is a Member, Assigned to Military Family Housing

This section would require service secretaries to pay members of the uniformed services who are married to other members and have no dependents a dislocation allowance when the members are assigned to military family housing at a new permanent duty station. The section would specify that only one member of the married couple may receive such a dislocation allowance.

Section 636—Elimination of Prohibition on Receipt of Dislocation Allowance by Members Ordered to First Duty Station

This section would authorize the payment of dislocation allowance to members of the uniformed services ordered from their homes to their first duty stations.

Section 637—Partial Dislocation Allowance Authorized for Housing Moves Ordered for Government Convenience

This section would authorize the service secretaries to pay a $500 partial dislocation allowance to members of the uniformed services who are ordered to occupy or vacate government family housing to permit privatization, renovation, or other reason unrelated to changes in permanent station.

Section 638—Allowances for Travel Performed in Connection with Members Taking Authorized Leave Between Consecutive Overseas Tours

This section would authorize the service secretaries to designate the locations to which members of the uniformed services may travel at government expense while on leave between consecutive overseas tours. Section 411b of title 37, United States Code, specifies that the distance that a member of the uniformed services may travel at government expense when authorized leave tours may not exceed the distance from the overseas duty location to the member's home of record. The committee believes the service secretaries can best determine the travel destination that is most advantageous to the member and cost effective to the government.

Section 639—Funded Student Travel as Part of School-Sponsored Exchange Programs

This section would expand the circumstances for which the service secretaries may pay service members stationed overseas a transportation allowance for dependent students. The section would authorize a transportation allowance for students participating in programs of less than one year located outside the continental United States and approved by the institution in the continental United States normally attended. The section would allow the allowance to be paid so long as the cost of that transportation does not exceed the cost of roundtrip transportation to the institution normally attended.

SUBTITLE D—RETIREMENT AND SURVIVOR BENEFIT MATTERS

Section 641—Contingent Authority for Concurrent Receipt of Military Retired Pay and Veterans' Disability Compensation

This section would authorize retirement qualified members of the uniformed services to receive Department of Veterans Affairs (VA) disability compensation without a reduction in retired pay. In the case of a member who receives a disability retirement, the section would allow the retired pay to be reduced, but only to the extent that the member's retired pay exceeds the amount of retired pay to which the member would have been entitled based solely on the member's years of service. The effective date of the section would be contingent upon completing both of the actions outlined below.

(1) The President must submit a legislative proposal in an annual budget request that fully offsets the "PayGo" costs of the initiative.

(2) Following the submission of the legislative initiative by the President, Congress must enact legislation with the express purpose of offsetting the "PayGo" costs of the initiative.

The committee is opposed to reducing military members' retired pay to offset the receipt of compensation for service connected disabilities paid by the VA. The committee believes that retirees are entitled to receive both the retired pay for which they contributed years of faithful service and the VA compensation for a service connected disability intended to recognize a lifelong limitation on earning potential.

SUBTITLE E—OTHER MATTERS

Section 651—Funeral Honors Duty Allowance for Retired Members

This section would authorize the secretaries of the military departments to pay retired members an allowance for performing funeral honors duty.

TITLE VII—HEALTH CARE PROVISIONS

OVERVIEW

Enactment of the Floyd D. Spence National Defense Authorization Act of Fiscal Year 2001 (Public Law 106–398), brought with it the most significant expansion of health care benefits since implementation, in 1965, of the Civilian Health And Medical Program of the Uniformed Services. The committee commends the Secretary of Defense for the smooth implementation of the TRICARE Senior Pharmacy benefit, which will bring critically important prescription drugs to Medicare eligible military retirees and their eligible family members. The committee is aware that in fiscal year 2002 the Department of Defense must achieve an equally smooth implementation of the new benefits provided to Medicare eligible military retirees and their eligible beneficiaries under the TRICARE For Life program. With this in mind, the committee limited its recommended changes to TRICARE in fiscal year 2002 to only those needed to facilitate implementation of TRICARE For Life or to significantly improve already existing programs.

The committee was gratified that the President's defense health budget request for fiscal year 2002 was based on more realistic cost and budgeting assumptions. This combined with a commitment to fully fund the Defense Health Program (DHP), including the significantly improved benefit, led to a $6 billion, one-year increase in the DHP funding. Nevertheless, the committee remains concerned that funds appropriated for the DHP are disproportionately allocated toward purchasing care in the private sector while the direct care system of military treatment facilities continues to languish from a lack of investment in maintenance and repair of facilities. As a consequence, fewer eligible beneficiaries are able to receive the care they need in the venue they prefer, the military hospitals and clinics of the direct care system. The committee is concerned that this dearth of funding for the direct care system forces patients into the private sector further driving up the cost of the defense health program and severely limiting the resources available for treating patients in the direct care system. At the behest of the Under Secretary of Defense for Personnel and Readiness, the committee has, for the time being, refrained from segregating DHP funds authorized for the operations of military treatment facilities from those funds required to purchase care in the private sector. The committee expects to be kept informed of the Under Secretary's efforts to allocate defense health resources in a manner that will maximize the effectiveness of the entire DHP.

The committee is pleased with the extent to which the defense health personnel in the office of the Secretary of Defense engaged the private non-governmental groups representing the interests of the beneficiaries of the military health care system during delibera-

tions on the implementation of the TRICARE Senior Pharmacy and TRICARE For Life programs. The committee encourages the Secretary to continue to reach out to beneficiaries of the military health care system and to begin to seek similar participation from other key stakeholders including the Department of Defense's managed care support contractors. Early participation of the managed care support contractors could help avoid the unexpected budget overruns experienced for the last few years.

The committee also notes the relatively minuscule efforts made by the Department of Defense and the Department of Veterans Affairs toward increasing medical resource sharing. While the committee requires some specific actions to improve sharing, the committee expects the Secretary of Defense to increase efforts with the Secretary of Veterans Affairs to seek more opportunities to maximize the use of all health care resources in providing services to beneficiaries of the two health care delivery systems keeping in mind the missions of the two Departments.

ITEMS OF SPECIAL INTEREST

Health Care Benefits for Members of the Reserve Components

The committee is aware that the TRICARE health benefits program is a valuable active component recruitment and retention tool and might be a useful tool in the recruitment and retention of national guard and reserve members. Therefore, the committee directs the Secretary of Defense to conduct a study of options for providing TRICARE benefits to all national guard and reserve personnel and their families. The study should evaluate, at a minimum, permitting national guard and reserve personnel to buy into the TRICARE standard level of benefits. In addition to determining the annual premium amount if national guard and reserve members paid the entire amount, the study should also consider the option of cost sharing the annual premium charge between the government and the military member and, alternatively, between the employer and the military member. The committee expects the Secretary of Defense to consider the views of national guard and reserve personnel and their families, the non-governmental groups representing the interests of members of the national guard and reserves, and the employers of national guard and reserve members. For each cost sharing option, the study should evaluate the propensity of both military members and employers to participate in the program. The report shall be submitted to the Senate Committee on Armed Services and the House Committee on Armed Services by March 31, 2002.

Military Health Care System Information Management

The committee notes and applauds the efforts made by the Department of Defense (DOD) to establish and modernize its medical-related clinical, cost, budget, and management information systems. The committee also notes that medicine and the unique missions of military medicine are changing rapidly and is interested in learning the state of the Department's information systems, any gaps or shortcomings in the data collected or its accuracy and time-

liness, and new initiatives that need to be established to correct shortcomings identified. The committee directs the Secretary of Defense to undertake a comprehensive study of DOD medical data systems that are designed to facilitate and/or track management, clinical treatment, system performance evaluation, costs, manpower, and enrollment. The study should examine the capability of present and planned systems to meet stated goals and objectives, progress on implementing systems, shortcomings in existing systems, data systems necessary to implement the new TRICARE For Life benefit, and an assessment of the ability of the Department of Defense to exchange clinical and management information with other federal and state agencies and private sector health services providers in a timely and reliable manner. The committee directs the Secretary of Defense to undertake the study by engaging a federally funded research and development center with experience and expertise in information systems, military health care systems, and military affairs. The committee directs the Secretary of Defense to submit an interim report to the Senate Committee on Armed Services and the House Committee on Armed Services by March 29, 2002, and a final report to the Senate Committee on Armed Services and the House Committee on Armed Services by March 31, 2003.

North Chicago Department of Veterans Affairs Medical Center and Naval Hospital, Great Lakes, Illinois

The committee notes the current resource sharing agreement between the North Chicago Veterans Affairs Medical Center (NCVAMC) and the Naval Hospital, Great Lakes, Illinois (NHGL). These two facilities are in close proximity and offer significant additional opportunities to share services, programs, and facilities. The Department of the Navy is engaged in conducting an economic analysis of the potential requirement for a modern facility to replace the aging NHGL. The Department of Veterans Affairs has an underused inpatient facility at the NCVAMC. The committee directs the Secretary of the Navy and the Secretary of Veterans Affairs to develop a plan to jointly make maximum use of the NCVAMC. The Secretary of the Navy and the Secretary of Veterans Affairs shall consult on further development of joint health care delivery infrastructure, including any future option to replace the NHGL, or to renovate the NCVAMC to better accommodate needs of the Navy to support the Great Lakes Naval Training Station's health care needs. If the two Secretaries determine to further renovate the NCVAMC or propose construction of a new facility, the committee expects these future health care facilities to be jointly operated by the Department of Veterans Affairs and the United States Navy.

TRICARE in Illinois

The committee notes that many TRICARE beneficiaries enrolled for their care in the area of Naval Training Center, Great Lakes, Illinois, are having difficulty securing specialty care under TRICARE. The committee is concerned that many beneficiaries must resort to seeking care outside of the state of Illinois because

of the lack of a robust network of specialty care providers willing to provide services under TRICARE in Illinois. The committee directs the Secretary of Defense to report to the Senate Committee on Armed Services and the House Committee on Armed Services by March 31, 2002, on actions taken to augment the Northern Illinois TRICARE provider network and the extent to which the dearth of network specialty providers has been relieved.

LEGISLATIVE PROVISIONS

SUBTITLE A—TRICARE PROGRAM

Section 701—Implementing Cost-Effective Payment Rates Under the TRICARE Program

This section would implement reforms of TRICARE payment methods to bring consistency of payment methods to all TRICARE programs. The section would require the Secretary of Defense to base TRICARE program payment rates on payment rates used by the Medicare program, or similar rates based on Medicare payment methods. The payment rates would apply to health care services for civilian sector institutional and other non-institutional providers, except where the Secretary of Defense determines the rates to be impractical. The section would also prohibit balance billing of beneficiaries by institutional providers for any amount in excess of the CHAMPUS/TRICARE payment amount, and limit balance billing by non-institutional providers to the 15% rate allowed by Medicare.

Section 702—Waiver of Nonavailability Statement or Preauthorization Requirement

This section would amend section 721 of the National Defense Authorization Act for Fiscal Year 2001 (Public Law 106–398) by requiring the Secretary of Defense to notify the Senate Committee on Armed Services and the House Committee on Armed Services at least sixty days prior to implementing a prior authorization requirement under section 721 and mandating a maximum period for exception decisions made under the authority. The section would also prescribe the geographic limits affected by any specific prior authorization requirement.

Section 703—Improvements in Administration of the TRICARE Program

This section would authorize the Secretary of Defense to enter into new contracts for support of delivery of health care under TRICARE by providing flexibility in the choice of contract vehicle. The section would also permit the Secretary of Defense to reduce the minimum nine-month start-up for new contracts. The committee recognizes that the health care environment in the United States has changed significantly since the first managed care support contracts were awarded in 1994 and that, as a result, the Secretary of Defense may require more flexibility in selecting the most effective contract type for future managed care support contracts.

Section 704—Sub-Acute and Long-Term Care Program Reform

This section would reform the Department of Defense Program for care provided in skilled nursing facilities or at home. Full implementation of the new TRICARE For Life benefits makes it essential to coordinate the benefits structure provided in skilled nursing facilities and through home health programs. The committee is also aware of the unique challenges faced by active duty families supporting a severely disabled family member and includes a subsection which would significantly enhance active duty families' ability to care for these family members, especially when the active duty sponsor is deployed. The committee is also interested in the future relationship between the TRICARE sub-acute care benefit and benefits offered under the Long Term Care Security Act (Public Law 106–265). The section would require the Secretary of Defense to report to the Senate Committee on Armed Services and the House Committee on Armed Services on the feasibility and desirability of establishing direct benefit linkages between TRICARE and the Long Term Care Security Act.

Section 705—Reimbursement of Travel Expenses of a Parent, Guardian or Responsible Family Member of a Minor Covered Beneficiary

This section would amend section 1074i of title 10, United States Code, by requiring the Secretary of Defense to reimburse the reasonable travel expenses of a parent or guardian of a minor who is required to travel for specialty care services outside the limits specified in section 1074i of title 10, United States Code. The committee is concerned that the original provision could be interpreted in a way that would not authorize reimbursement for the reasonable travel expenses of a parent or guardian of a minor eligible beneficiary.

SUBTITLE B—OTHER MATTERS

Section 711—Prohibition Against Requiring Military Retirees to Receive Health Care Solely Through the Department of Defense

This section would prohibit the Secretary of Defense from implementing a policy of forced choice enrollment by military retirees who are eligible for care in the health care facilities and programs of both the Department of Defense and the Department of Veterans Affairs. The committee was pleased with the establishment of the President's Task Force to Improve Health Care Delivery for Our Nation's Veterans (Task Force) and expects the Task Force to address the issue of mandatory enrollment during its deliberations and in the final report. Therefore, the committee believes any mandatory enrollment policy implemented prior to the Task Force's deliberations and report would be premature.

Section 712—Trauma and Medical Care Pilot Program

This section would direct the Secretary of Defense to conduct a pilot program under which the Brooke Army Medical Center and the Wilford Hall Air Force Medical Center in San Antonio, Texas,

(the medical centers) may charge civilians who are not covered TRICARE beneficiaries, fees representing the actual costs of trauma and other medical care provided. The section would also permit the medical centers to use the funds collected under the program for various activities related to trauma training and operation of the medical centers.

Section 713—Enhancement of Medical Product Development

This section would amend section 980 of title 10, United States Code, by authorizing the Secretary of Defense to waive the prohibition against the use of human subjects in research in order to advance research into the treatment of combat casualties. The committee is concerned that current restrictions on the use of human subjects in medical research severely limits the ability to conduct focused trauma treatment research. As a result, many products with direct applicability to the treatment of battle casualties are precluded from the kinds of tests required for approval of the Food and Drug Administration.

Section 714—Repeal of Obsolete Report Requirement

This section would repeal a reporting requirement in the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 1–U.S.C. 1074g note) by striking subsection 701(d). The committee notes that the reporting requirement was superseded by enactment of the TRICARE Senior Pharmacy program.

Section 715—Clarifications and Improvements Regarding the Department of Defense Medicare-Eligible Retiree Health Care Fund

This section would clarify that the Department of Defense Medicare-Eligible Retiree Health Care Fund (Fund) covers all health care programs and activities of the Department of Defense through which health care services are provided to Medicare-eligible military retirees and their eligible dependents, including those programs and activities purchased in the private sector and the programs and activities through which health care services are provided in the direct care system of military treatment facilities. The section would also clarify the applicability of the Fund to the Coast Guard, the commissioned corps of the Public Health Service, and the commissioned corps of the National Oceanic and Atmospheric Administration. The section would also authorize the Secretary of Defense to enter into agreements with the service secretaries responsible for the other uniformed services to arrange for contributions into the Fund by the other service secretaries.

TITLE VIII—ACQUISTION POLICY, ACQUISITION MANAGEMENT AND RELATED MATTERS

ITEMS OF SPECIAL INTEREST

Extraordinary Contractual Actions

The committee is concerned with the Department of Defense (DOD) use of the authority granted in section 1431 of title 50, United States Code, to enter into contracts when it is deemed that such contract would facilitate the national defense. Executive Order 10789, expands upon the statutory authority by stating that contractual provisions which provide that the United States will hold harmless and indemnify the contractor against any claims or losses shall apply only to claims or losses arising out of risks that the contract defines as unusually hazardous or nuclear in nature. In December 2000, DOD entered into an indemnification contract with an entity providing satellite communications and agreed to indemnify the contractor against claims for damages from unusually hazardous risk associated with certain satellites. It is the committee's understanding that the unusually hazardous risk is the concern that some satellites would to fall out of orbit and descend into the Earth's atmosphere. The committee questions whether this concern meets the required standard of an unusually hazardous or nuclear risk. In addition, the committee notes that the contractor relies upon the same satellite constellation to provide military and commercial communications. In other words, the DOD is providing indemnification to a contractor for work that is not unique or solely provided to DOD. The committee expects that DOD will, in the future, use the available statutory discretion with greater prudence.

LEGISLATIVE PROVISIONS

SUBTITLE A—ACQUISITION POLICY AND MANAGEMENT

Section 801—Acquisition Milestones

This section would amend various sections of title 10, United States Code, to update references to the phases of acquisition to reflect changes in Department of Defense acquisition policy.

Section 802—Acquisition Workforce Qualifications

This section would amend section 1724 of title 10, United States Code, to authorize the Secretary of Defense to hire an individual into the acquisition workforce on a three-year probationary period if the individual has a college degree or 24 semester credit hours in business. This probationary period would allow the individual to complete the education requirements defined in title 10, United

States Code. This section would also provide an additional exception to the education requirements for those individuals in the contingency contracting force. This section would also clarify the committee's original intent to grandfather all employment qualifications in effect prior to enactment of section 808 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106–398).

Section 803—Two-Year Extension of Program Applying Simplified Procedures to Certain Commercial Items

This section would extend for two years a pilot program authorizing the Secretary of Defense to use simplified acquisition procedures for the purchase of commercial items not greater than $5.0 million.

Section 804—Contracts for Services to Be Performed Outside the United States

This section would authorize the Secretary of Defense to contract with individuals or organizations to perform services in countries with which the United States has no Status of Forces Agreement (SOFA). In nations with which the United States has negotiated a SOFA, that agreement establishes the procedures by which the Secretary of Defense employs foreign nationals in support of the armed forces. This provision would provide the Secretary of Defense with the authority to contract for local national labor in the absence of a SOFA.

Section 805—Codification and Modification of "Berry Amendment" Requirements

This section would codify the Department of Defense (DOD) domestic source requirements commonly known as the "Berry Amendment". The provision would also require DOD to notify Congress and the public of a decision to waive the domestic source requirement. The waiver would not come into effect until 30 days after congressional notification.

SUBTITLE B—ERRONEOUS PAYMENTS RECOVERY

Section 811—Short Title

This section would name the subtitle as the "Erroneous Payments Recovery Act of 2001."

Section 812—Identification of Errors Made by Executive Agencies in Payments to Contractors and Recovery of Amounts Erroneously Paid

This section would require executive agencies to conduct a program to recover erroneously made payments. Each agency may determine the types of contracts for which recovery activities are most appropriate, based on policy guidelines and procedures the Office of Management and Budget issues.

Section 813–Disposition of Recovered Funds

This section would authorize funds collected under a recovery audit to be available to reimburse executive agencies' and auditors' costs. This section would also authorize a portion of the returned funds to be available to support a management improvement program.

Section 814—Sources of Recovery Services

This section would ensure that executive agencies consider various auditing services within both government and the private sector when carrying out a recovery audit program.

Section 815—Management Improvement Programs

This section would provide an executive agency the option to carry out a management improvement program in order to address problems that contribute to the occurrence of erroneous payments.

Section 816—Reports

This section would require the Director of the Office of Management and Budget to submit an annual report to Congress evaluating executive agencies' recovery audits, the costs the agencies have incurred, and the amount actually recovered.

Section 817—Relationship to Authority of Inspectors General

This section would ensure that nothing in this subtitle impairs the authority of an inspector general.

Section 818—Privacy Protections

This section would prohibit a nongovernmental entity from disclosing the identity of an individual for any purpose other than auditing activity.

Section 819—Definition

This section would define an executive agency.

TITLE IX—DEPARMTENT OF DEFENSE ORGANIZATION AND MANAGEMENT

ITEMS OF SPECIAL INTEREST

Regional Centers and China Center

The committee notes the interest of the Department of Defense in consolidating the legislative authorities under which it operates five regional centers for security studies. However, the Department's proposal would go beyond merely consolidating existing authorities and would broaden and expand the authority to operate some of these centers by allowing DOD to absorb additional costs that are currently not borne by the Department. The committee does not support this action.

Moreover, the committee is concerned about the policy guidance given to the Asia-Pacific Center for Security Studies on the status of Taiwanese nationals participating in conferences with representatives from the People's Republic of China. Accordingly, the committee directs the Secretary to report to the committee no later than December 31, 2001 on the guidance issued by the Department to the Asia-Pacific Center for Security Studies regarding contact with officials from Taiwan and the People's Republic of China and the participation of Chinese and Taiwanese nationals in conferences, symposia, and other activities of the center. In addition, the report should include a description of how the Department's guidance is being implemented by the center.

Finally, the committee notes that the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65) established a Center for the Study of Chinese Military Affairs and required the Department to submit a report to the committee by February 1, 2001 detailing the proposed budget and timetable for initial and full operations of the center. This report has not yet been submitted. The committee is concerned that the Department has not acted expeditiously to implement the requirements established in Public Law 106–65. Consequently, the committee directs the Secretary to submit the required report expeditiously, along with an explanation of the reasons for the delay and any recommendations the Secretary has for ensuring the viability of the center.

LEGISLATIVE PROVISIONS

Section 901—Further Reductions in Defense Acquisition and Support Workforce

This section would reduce the number of personnel assigned to the defense acquisition and support workforce by 13,000 in fiscal year 2002.

The committee continues to believe that the Department of Defense must significantly reorganize and streamline its acquisition structure for a number of reasons. First, the military services' priorities of interoperability and jointness and the increasing sophistication of systems will require advances in the way weapons systems are acquired. Second, at a time of tightening budget constraints, the Department must ensure that combat needs are not crowded out by bloated support costs, including excessive overhead costs from the acquisition workforce.

The committee believes that personnel reductions must be a significant part of any effort to bring the acquisition support costs of the Department in line with the resources dedicated to its combat missions. However, the committee is also concerned with the trend since the mid-1990s to outsource acquisition functions while reducing the number of personnel in acquisition organizations. According to the report required by section 343 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65), the Department paid 734,000 full-time contractors in fiscal year 1999 to perform many acquisition functions at the same time it maintained over 300,000 civilian and military employees in acquisition assignments. The committee is disturbed by this trend and believes it must be addressed as part of a fundamental effort to reform the defense acquisition system.

Section 902—Sense of Congress on Establishment of an Office of Transformation in the Department of Defense

This section would express the sense of Congress on the Administration's decision to establish an Office of Transformation within the Department of Defense (DOD). The committee believes the armed services must implement transformation to meet operational challenges and exploit opportunities resulting from changes in the threat environment and the emergence of new technologies. The committee notes and supports steps that the services have taken so far to promote transformation. However, the committee also notes that the findings of a 1999 Defense Science Board report on transformation concluded that there was no overall DOD vision for transformation, no "road map", no metrics to measure progress, and little sense of urgency. The establishment of an Office of Transformation will begin to address these shortfalls.

To assure the effectiveness of the Office of Transformation, the committee believes three key elements must be in place: The mission and functions of the office must be adequately defined; the Director of Transformation must have direct access to the Secretary of Defense; and the Director should have control of sufficient funding to sponsor key transformation efforts.

The committee believes that the mission of the Director of Transformation should be to develop force transformation strategies ensuring linkage to the military strategic functions of preparing the future military and dissuading potential military competitors. The Director should make recommendations to the Secretary for ensuring a continuous and broadly focused transformation process. The Director should also collaborate on service and joint acquisition and experimentation efforts, selectively fund experimentation efforts,

identify promising operational concepts and technologies, and sponsor other transformation activities as appropriate.

The committee believes the Director should have control of funding adequate for sponsoring selective prototyping efforts, wargames, and studies and analyses, as well as for appropriate staffing of the Office of Transformation. To accomplish these tasks, the committee believes that it is critical that this office be provided sufficient budgetary resources to accomplish its mission.

Section 903—Revised Joint Report On Establishment of National Collaborative Information Analysis Capability

This section would require the Secretary of Defense and the Director of Central Intelligence to submit a revised joint report assessing the alternatives for the establishment of a national collaborative information analysis capability. The report, which would include draft legislation required to establish the preferred architecture, would be required to be submitted coincident with the submission of the budget request for fiscal year 2003.

Section 904—Elimination of Triennial Report by Chairman of the Joint Chiefs of Staff on Roles and Missions of the Armed Forces

This section would amend title 10 to consolidate reporting requirements related to the roles of the Chairman of the Joint Chiefs of Staff and missions of the armed forces. The current law requires that the Chairman review the assignment of the roles and missions of the armed forces every three years, or at the request of the President or the Secretary of Defense, and to prepare a separate report, which is not required to be submitted to Congress. This section would eliminate the current reporting requirement, and require that the Department of Defense's assessment of the roles and missions of the armed services be conducted as part of the Quadrennial Defense Review (QDR) process. The results of the assessment would be included in the final report of the QDR and submitted to Congress.

Section 905—Repeal of Requirement for Semiannual Reports Through March 2003 on Activities of Joint Requirements Oversight Council

This section would repeal section 916 of the National Defense Authorization Act for Fiscal Year 2001 (Public Law 106–398) that requires the Chairman of the Joint Chiefs of Staff to submit a semiannual report to the Senate Committee on Armed Services and the House Committee on Armed Services on specific activities of the Joint Requirements Oversight Council through March 1, 2003.

Section 906—Correction of References to Air Mobility Command

This section would change all references to "Military Airlift Command" contained in title 10 and title 37, United States Code, to "Air Mobility Command."

Section 907—Organizational Alignment Change for Director for Expeditionary Warfare

This section would amend section 5038(a) of title 10, United States Code, with respect to the specific office of the Deputy Chief of Naval Operations within which the Director for Expeditionary Warfare shall be located.

TITLE X—GENERAL PROVISIONS

ITEMS OF SPECIAL INTEREST

ARMS CONTROL IMPLEMENTATION

The budget request contained $228.5 million for arms control implementation activities, representing a slight increase from the fiscal year 2001 appropriated level of $223.6 million. The committee recommends $223.6 million, a decrease of $4.9 million from the budget request.

The budget request contained an increase in the operations and maintenance accounts for the Defense Threat Reduction Agency's arms control implementation program of $18.7 million over the fiscal year 2001 appropriated level. This reflects a 30 percent increase. The committee recommends a $4.9 million reduction to the request without prejudice.

COUNTER-DRUG ACTIVITIES

Overview

The Department of Defense budget request for fiscal year 2002 for counter-drug activities sustains the Department's level of effort in this important area by providing aircraft and ships for detection and monitoring, military personnel, intelligence support, communications systems, and training to domestic and foreign law enforcement agencies. The committee is aware that the Department is currently considering significant changes to its counter-drug program as part of a broader assessment of non-traditional activities. While the committee continues to support a robust counter-drug role for the Department, the committee believes that such a review is appropriate. However, the committee directs the Secretary of Defense to report in advance of any reorganization initiatives in this area proposed to be implemented during fiscal year 2002.

The Department of Defense budget request for fiscal year 2002 contained $820.4 million for drug interdiction and counter-drug activities, in addition to $166.8 million for operational tempo, which is included within the operating budgets of the military services. This represents a net decrease of $161.2 million from the fiscal year 2001 budget in execution primarily as a result of $184.1 million provided to the Department in emergency supplemental appropriations for Colombia contained in the Emergency Supplemental Act, 2000 (Public Law 106–246), which was largely obligated in fiscal year 2001.

The committee recommends an authorization for fiscal year 2002 Department of Defense counter-drug activities as follows:

[Dollars in thousands]

FY02 Drug Interdiction & Counter-Drug Request	$820,381
Educate America's Youth	25,262
Increase Safety of Citizens	78,489
Reduce Health & Social Costs	77,650
Shield America's Frontiers	334,459
Break Drug Sources of Supply	304,521
Recommended Decreases:	
Tethered Aerostat Radar System	5,900
Peru Support	4,000
Counter-Drug Tanker Operations	1,800
Recommended Increases:	
Operation Caper Focus	5,000
Southwest Border Fence	6,700
Recommendation	$820,381

Items of Special Interest

Counter-drug tanker operations

The budget request contained $2.0 million for KC–135 tanker operations in support of counter-drug E–3 Airborne Early Warning and Control System (AWACS) missions. The committee notes that the prior year budget request was only $200,000 for this activity. Accordingly, the committee recommends a decrease of $1.8 million for this activity.

Operation Caper Focus

The committee is aware that the fiscal year 2002 budget request does not fully support Operation Caper Focus, an important initiative to disrupt maritime narcotics trafficking in the Eastern Pacific. The committee continues to support this important operation and, therefore, recommends an increase of $5.0 million for this purpose.

Peru support

The budget request contained $9.2 million for Peru for counter-drug support under section 1033 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85). The committee is aware that not more than $5.0 million will be obligated in fiscal year 2001 for Peru support under section 1033 and, therefore, recommends a decrease of $4.0 million. The committee also notes that the authority under section 1033 with respect to Peru expires at the end of fiscal year 2002.

Southwest border fence

The Southwest border continues to be a heavily utilized drug trafficking corridor into the United States. The committee continues to support fence and road-building activities in this area. Accordingly, the committee recommends an increase of $6.7 million for this purpose.

Tethered Aerostat Radar System

The budget request contained $42.9 million for the Tethered Aerostat Radar System (TARS). The committee supports the transfer of the TARS program to another federal agency in fiscal year 2002 and, therefore, directs that no fiscal year 2002 funding be used for purposes of facility enhancement or aerostat modernization. Ac-

cordingly, the committee recommends a decrease of $5.9 million in the TARS program.

OTHER MATTERS

Classification of Foreign Military Training Reports

The committee is aware that the reports required by section 2011 of title 10, United States Code, and section 2416 of title 22, United States Code, concerning Department of Defense training of foreign military personnel are classified due to the increasing amount of detail with respect to the U.S. military units involved. The committee understands the basis for a certain level of classification but also believes that the information contained in these reports regarding foreign military units trained is important and should, where appropriate, be made available in an unclassified form to the general public.

Counter-Drug Forward Operating Locations

The committee is aware that the requirement for two Caribbean forward operating locations (FOLs) at Curacao and Aruba, Netherlands Antilles, has been impacted by the decision of the Department of Defense to no longer support Air National Guard F–16 deployments to Curacao. The Emergency Supplemental Act, 2000 (Public Law 106–246) contained $43.9 million for infrastructure improvements at Curacao including airfield pavement improvements, installation of aircraft rinse facilities, and construction of a maintenance hanger. As a result of the departure of Air National Guard aircraft from Curacao, the committee believes the Curacao FOL will be sufficient to accommodate Customs Service aircraft and personnel that currently operate from Aruba. Consequently, the committee recommends a provision (sec. 2408) that would prohibit military construction expenditures to develop Aruba as a Forward Operating Location.

Information Security Scholarship Program

The committee is concerned that the Department of Defense has not developed criteria to evaluate the information assurance programs at institutions of higher education not designated as Centers of Academic Excellence in Information Assurance Education. The Department currently requires individuals who have computer and network security skills necessary to meet specific information security assurance requirements. Increasing the number of eligible schools will result in additional qualified individuals. The committee urges the Department to develop the criteria necessary to allow qualified institutions of higher education to participate in the Information Security Scholarship Program.

Potential Reallocation of Radio Frequency Spectrum for Third Generation Mobile Wireless Communications

Section 1062 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65) amended the National Telecommunications and Information Administration Act (section 901 et. seq. of title 47 United States Code) to provide that the DOD

shall not surrender the use of a band of frequencies for which it is the primary user unless an alternative band or bands of frequencies is provided as a replacement and the Secretaries of Commerce and Defense, and the Chairman of the Joint Chiefs of Staff certify that the alternative band or bands provides comparable technical characteristics to maintain essential military capability. Section 1064 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261) requires the private sector to pay relocation costs, in advance, to incumbent Federal entities required to relocate to accommodate commercial uses.

The committee notes the growth of mobile wireless telecommunications and the development of third generation (3G) mobile wireless communications services. An October 2000 Presidential executive memorandum stated the need and urgency for the United States to select radio frequency spectrum (from frequency bands previously identified for consideration by the World Radiocommunication Conference 2000) to satisfy the future needs of citizens and business for mobile voice, high-speed data, and Internet-accessible wireless capability and directed Federal agencies to carry out the selection of the spectrum. The National Telecommunications and Information Administration (NTIA) and the Federal Communications Commission have identified the 1755–1850 MHz and 2500–2690 MHz bands as candidates.

The committee notes that the telecommunications and Internet industry has launched a campaign for reassignment of the frequency bands in question from primary use by the federal government to primary use (if not exclusive use) by the private sector. The industry is particularly interested in the 1755–1850 MHz band because of action by European countries to begin 3G operations in this band. A potential business base of as much as $500 billion is anticipated. Draft legislation that has been proposed that would call for the federal government to vacate at least 60 MHz of the 1755–1850 MHz band by 2004 and the remainder of the band by 2008.

The committee also notes that the Department of Defense (DOD) uses the 1755–1780 MHz band for critical national defense systems, including satellite control, precision guided weapons data links, tactical radio relay, precision guided munitions and combat training systems. The Department argues that uncoordinated sharing of the frequency band with other users is not feasible. The costs of relocating DOD systems from the band to another suitable band (if such a band could be identified) are estimated at $2–4 billion and relocation could not be accomplished until 2010 and beyond for most DOD non-space systems and until 2017 and beyond for legacy space systems (as late as 2030 for some satellites).

The committee further notes the General Accounting Office report "Defense Spectrum Management: More Analysis Needed to Support Spectrum Use Decision for the 1755 to 1850 MHz Band," GAO–01–795, July 2001. The report makes recommendations to the Secretary of Defense and the Secretary of Commerce to more accurately assess the potential impact of reallocation of frequency band and provide the time and guidance to complete the required

planning and analysis before any decision on reallocation of the band might be made.

The committee recognizes the competing issues of national security and economic interest that affect the proposals for potential reallocation of radio frequency spectrum currently reserved for use by the Department of Defense and other Federal agencies to 3G mobile wireless communication services. However, the committee believes that the first priority for the federal government is to ensure the national security of the United States and its people.

The committee reemphasizes the requirement contained in Section 1062 of Public Law 106–65 that alternate radio frequency spectrum with comparable technical characteristics to maintain essential military capability operational capabilities must be available for use by the DOD, before frequency currently reserved for use by the DOD can be reallocated. Noting the GAO report that a decision to reallocate the 1755–1850 MHz band is premature and that more adequate information is required before such a decision might be made, the committee intends to carefully review this matter and take further legislative action as necessary to ensure that national security interests are not compromised in this critical area.

LEGISLATIVE PROVISIONS

SUBTITLE A—FINANCIAL MATTERS

Section 1001—Transfer Authority

This section would provide fiscal year 2002 transfer authority to the Department of Defense for amounts up to $2.0 billion.

Section 1002—Incorporation of Classified Annex

This section would incorporate the classified annex into the National Defense Authorization Act for Fiscal Year 2002.

Section 1003—Limitation on Funds for Bosnia and Kosovo Peacekeeping Operations for Fiscal Year 2002

This section would limit the amount of funds available for peacekeeping operations in Bosnia and Kosovo to the amounts contained in the budget request, $1,315,600,000 for operations in Bosnia and $1,528,600,000 for operations in Kosovo. This section would authorize the president to waive the limitation after submitting to the Congress a written certification that the waiver is necessary to the national security interests of the United States. This section would also require a written certification that the exercise of the waiver will not adversely affect the readiness of U.S. military forces; a report setting forth the reasons for the waiver, a discussion of the impact of the involvement of U.S. military forces in Balkans peacekeeping operations on U.S. military readiness; and a supplemental appropriations request for the Department of Defense for fiscal year 2002 costs associated with U.S. military forces participating in, or supporting, Bosnia or Kosovo peacekeeping operations.

Section 1004—Increase in Limitations on Administrative Authority of the Navy to Settle Admiralty Claims

This section would increase the administrative authority of the Navy to settle admiralty claims. It would authorize the Secretary of the Navy to settle, or compromise, and pay any and all admiralty claims against the United States amounting to not more than $15 million. Any claim exceeding $15 million would require the Navy to certify that claim to Congress. This section would further authorize the Secretary of the Navy to delegate his authority to settle claims to any person he designates when the amount paid is not more than $1 million. This section would also increase the amount the United States might receive from an admiralty claim to $15 million. It would further allow the Secretary of the Navy to delegate his authority to receive claims when that amount is not more than $1 million.

SUBTITLE B—NAVAL VESSELS

Section 1011—Revision in Types of Excess Naval Vessels for which Approval by Law Is Required for Disposal to Foreign Nations

This section would amend Section 7307 of title 10, United States Code to revise and clarify the circumstances under which the Navy must seek statutory authority in order to transfer or dispose of excess naval vessels. Current law requires Congress to enact legislation specifically authorizing a transfer to another nation of any ship exceeding 3,000 tons in weight or less than 20 years of age. If the ship is less than 3,000 tons in weight or over 20 years of age, the Secretary of the Navy is required to notify the Senate Committee on Armed Services and the House Committee on Armed Services of the proposed transfer and wait 30 in-session days before making the transfer. This section would permit the transfer of non-combatant naval vessels, as well as leased or loaned vessels previously authorized by Congress for transfer to a foreign nation without the requirement for a statutory enactment. The committee, for the purposes of this section, considers a combatant naval vessel to be a large, heavily armed ship that is designed primarily to engage enemy forces on the high seas. This would include battleships, cruisers, destroyers, frigates, submarines, and aircraft carriers. The committee considers non-combatants to include logistics and combat support ships such as T–AO's (oilers), LST's, YTB's, and T–AGOS. This change will provide the Navy with greater flexibility in transferring surplus and excess ships, thereby reducing the Navy's cost of maintenance and safe stowage.

SUBTITLE C—COUNTER-DRUG ACTIVITIES

Section 1021—Extension of Reporting Requirement Regarding Department of Defense Expenditures to Support Foreign Counter-Drug Activities

This section would extend the reporting requirement contained in section 1022 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106–398) that requires the Secretary of Defense to submit a report to the congressional de-

fense committees on the total amount, type and legal basis for foreign counter-drug assistance provided by the Department of Defense. This section would require the Secretary to report to Congress by April 15, 2002, on expenditures made during fiscal year 2001.

Section 1022—Authority to Transfer Tracker Aircraft Currently Used by Armed Forces for Counter-Drug Purposes

This section would authorize the Secretary of Defense to transfer all Tracker aircraft to another federal agency in fiscal year 2002. Should the Secretary not exercise the transfer authority provided in this section by September 30, 2002, this section would prohibit the Department of Defense from using the Tracker aircraft for counter-drug purposes after that date.

Section 1023—Authority to Transfer Tethered Aerostat Radar System Currently Used by Armed Forces for Counter-Drug Purposes

This section would provide the authority for the Secretary of Defense to transfer all Tethered Aerostat Radar System (TARS) assets to another federal agency in fiscal year 2002. Should the Secretary not exercise the transfer authority provided in this section by September 30, 2002, this section would prohibit the Department of Defense from using the Tethered Aerostat Radar System for counter-drug purposes after that date.

SUBTITLE D—REPORTS

Section 1031—Requirement that Department of Defense Reports to Congress be Accompanied by Electronic Version

This section would amend chapter 23 of title 10, United States Code, to require the Department of Defense to submit to Congress electronic versions of all unclassified required reports, to include certifications, notifications, or other written communications. The committee believes that this requirement is consistent with the Department's intention to make greater use of electronic media and will facilitate broader dissemination of, and wider access to, official DOD information.

Section 1032—Report on Department of Defense Role in Homeland Security Matters

This section would require the Secretary of Defense to conduct a study on the appropriate role of the Department of Defense in homeland security matters and to submit the results of that study to Congress at the same time the President submits the budget request for fiscal year 2003.

Section 1033—Revision of Annual Report to Congress on National Guard and Reserve Component Equipment

This section would amend section 10541 of title 10, United States Code, to modify the timing and contents of the Secretary of Defense's annual report to Congress on national guard and reserve equipment.

SUBTITLE E—OTHER MATTERS

Section 1041—Department of Defense Gift Authorities

This section would clarify items which may be loaned or given under section 7545 of title 10, United States Code.

Section 1042—Termination of Referendum Requirement Regarding Continuation of Military Training on Island of Vieques, Puerto Rico, and Imposition of Additional Conditions on Closure of Live-Fire Training Range

This section would repeal the requirement, contained in sections 1503, 1504, and 1505 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106–398), for a referendum on the future of U.S. military training on the island of Vieques, Puerto Rico. This section would also allow the Secretary of the Navy to cease training exercises on Vieques provided the Chief of Naval Operations and Commandant of the Marine Corps certify that an alternative training facility is available. This section would require that the new facility be available and fully capable of supporting pre-deployment training immediately upon the cessation of operations on Vieques. In order to make the certification, this section would also require that the new facility be able to support an equivalent or superior level of training for U.S. Navy and Marine Corps units on the east coast. This training is defined as the ability to support, at a single location, coordinated live-fire operations including the simultaneous use of large-scale tactical airstrikes, naval surface fire support, artillery, and amphibious landing operations, as were conducted on Vieques prior to April 19, 1999. This section would also require that if training operations cease on Vieques, the Navy retain the facility on the eastern end of the island in the event it must be reactivated for use as a training range in time of national emergency, and allow the Navy to enter into an agreement with the Department of the Interior for the management of that land.

Section 1043—Repeal of Limitation on Reductions in Peacekeeper ICBM Missiles

This section would modify section 1302 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85), as amended, to allow for the retirement of the Peacekeeper ICBM force.

Section 1044—Sense of Congress on the Importance of the Kwajalein Missile Range/Ronald Reagan Defense Initiative Test Site at Kwajalein Atoll

This section would express the sense of Congress that the missile defense range and test site on Kwajalein Atoll is of vital importance to the security of the United States and that the Department of Defense should work to continue its long-term relationship with this test site.

Section 1045—Transfer of Vietnam Era F–4 Aircraft to Nonprofit Museum

This section would permit the Secretary of the Air Force to convey, without consideration, one surplus F–4 aircraft to a nonprofit museum. This section would also require that any aircraft transferred under this authority would be completely demilitarized prior to transfer and that the conveyance would be at no cost to the United States.

Section 1046—Bomber Force Structure

This section would prohibit the Department of Defense from retiring, dismantling, transferring, or reassigning any of the 93 B–1B Lancer bombers in service as of June 1, 2001, until Congress has received a series of studies and reports. These reports include, the National Security Strategy, the Quadrennial Defense Review, the Secretary of Defense Annual Report to the President and the Congress, the Revised Nuclear Posture Review, a report from the Secretary of Defense on changes to the 1992 and 1995 bomber studies that warrant changes to the bomber fleet and plans regarding new missions for decommissioned B–1 units, a new Secretary of Defense bomber study on the role, force structure and cost effectiveness of the manned bomber in the future national security environment, and a General Accounting Office study on the same issues as the Secretary of Defense bomber study.

The committee believes that the Department's request to reduce the B–1 fleet from 93 aircraft to 60 and consolidate the remaining B–1Bs at two operating bases was premature. This section would restore $100 million to the Air National Guard Operations and Maintenance Account, Budget Activity 1, Aircraft Operations line to keep the Air National Guard B–1s operational into fiscal year 2002 until the results of the various reports and studies have been analyzed. The committee expects that any bomber force structure modifications will be made in the context of the emerging security environment as outlined in these various documents.

Section 1047—Technical and Clerical Amendments

This section would make a number of technical and clerical amendments to existing law of a non-substantive basis.

TITLE XI—CIVILIAN PERSONNEL

LEGISLATIVE PROVISIONS

Section 1101—Undergraduate Training Program for Employees of the National Imagery and Mapping Agency

This section would authorize the National Imagery and Mapping Agency (NIMA) to establish an undergraduate training program to recruit employees with critical skills. The committee notes that the National Security Agency has had success with a similar program and expects that NIMA would use this new authority to recruit highly talented new personnel to the agency.

Section 1102—Pilot Program for Payment of Retraining Expenses

This section would authorize the Department of Defense (DOD) to establish a pilot program to pay retraining expenses for DOD employees scheduled for involuntary separation. Under the pilot program, the Secretary of Defense may pay retraining incentives to encourage private industry to hire and retrain displaced DOD employees.

Section 1103—Payment of Expenses to Obtain Professional Credentials

This section would authorize federal agencies to pay for employee credentials, professional licenses, and professional certification. The committee believes this new authority will enable federal agencies to assist involuntarily separated employees to qualify for new employment and will also provide agencies with an important new recruiting and retention incentive.

Section 1104—Retirement Portability Elections for Certain Department of Defense and Coast Guard Employees

This section would amend sections 8347 and 8461 of title 5, United States Code, to repeal the requirement that an employee who transfers between appropriated fund and nonappropriated fund employment be vested in the retirement system of the position the employee is vacating before the employee is permitted to choose to remain in that retirement system.

Section 1105—Removal of Requirement that Granting Civil Service Compensatory Time be Based on Amount of Irregular or Occasional Overtime Work

This section would amend section 5543 of title 5, United States Code, to repeal the requirement that compensatory time only be granted to federal employees if the overtime performed is cat-

egorized as irregular or occasional. Removal of these restrictions will provide federal managers and employees with more flexibility in the use of compensatory time.

Section 1106—Applicability of Certain Laws to Certain Individuals Assigned to Work in the Federal Government

This section would amend section 3374 of title 5, United States Code, to clarify that state and local government officials detailed to work in federal agencies are subject to the same standards of official conduct that apply to other federal employees.

Section 1107—Limitation on Premium Pay

This section would amend section 5547 of title 5, United States Code, to change the period used for limiting the amount of overtime pay an employee may earn from a biweekly to an annual basis, permitting more flexibility in scheduling overtime across the federal government.

Section 1108—Use of Common Occupational and Health Standards as a Basis for Differential Payments Made as a Consequence of Exposure to Asbestos

This section would amend sections 5343 and 5545 of title 5, United States Code, to establish a common standard for payment of hazardous duty differential pay for reason of exposure to asbestos for prevailing rate and general schedule federal employees.

Section 1109—Authority for Designated Civilian Employees Abroad to Act as a Notary

This section would amend section 1044a of title 10, United States Code, to authorize certain Department of Defense civilian employees serving abroad to act as notaries. This change will provide better legal assistance services for military members, civilian employees, and their families assigned overseas.

Section 1110—"Monroney Amendment" Restored to its Prior Form

This section would amend section 5343 of title 5, United States Code, to require the Department of Defense to establish wage schedules and rates for prevailing wage employees based on the nearest wage area that is most similar to the wage area for which wage rates are being established when there are insufficient positions in the local industry upon which to establish wage schedules and rates.

TITLE XII—MATTERS RELATING TO OTHER NATIONS

LEGISLATIVE PROVISIONS

Section 1201—Clarification of Authority to Furnish Nuclear Test Monitoring Equipment to Foreign Governments

This section would amend section 2565 of title 10, United States Code, to authorize the transfer of title to foreign governments of U.S. nuclear test monitoring equipment on the territory of other countries.

Section 1202—Acquisition of Logistical Support for Security Forces

This section would amend the Multinational Force and Observers (MFO) Participation Resolution (Public Law 97–132) that authorizes the United States to deploy peacekeepers and observers to the Sinai to assist Egypt and Israel fulfill the Camp David Accords. This section would authorize the President to approve contracting out the logistical and aviation support for the MFO mission currently performed by United States soldiers. This section would also provide that U.S. sponsored contract support could be provided to the MFO mission without reimbursement by the MFO organization if the President determines that such action enhances or supports the national security of the United States. The committee believes that approving contract support for the MFO will enhance the operational capabilities of the MFO force. The committee intends that the replacement of U.S. forces by contractors should not be viewed as a lessening of U.S. support for the MFO mission.

Currently, administrative and technical support is provided by the Army's 1st Support Battalion pursuant to international agreements with both Israel and Egypt. The agreements stipulate the type of unit functions to be performed by the MFO in order to comply with its treaty verification mission, particularly aviation and logistical support. Ninety-nine U.S. soldiers flying ten UH–1H helicopters provide aviation support for the MFO. One hundred and fifty soldiers assigned to the U.S. Logistical Support Unit provide general logistical support. The United States Army intends to retire all UH–1H helicopters during fiscal year 2003. Procuring and operating UH–60 Blackhawk helicopters would significantly increase the cost of conducting the MFO mission and no replacement helicopters are currently in the Army's future year defense plan for the MFO. Approving contractor support for the MFO will allow that mission to continue to operate UH–1H helicopters at reduced cost without any impact in mission accomplishment.

Section 1203—Report on the Sale and Transfer of Military Hardware, Expertise, and Technology from States of the Former Soviet Union to the People's Republic of China

This section would amend section 1202 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65) to require the Secretary of Defense to submit, as part of the existing report requirement, a one-time report to the Congress no later than March 1, 2002 on the transfer of equipment, expertise, and technology from former Soviet states to the People's Republic of China.

The committee notes the strengthening political and military relationship between Russia and China and is concerned that growing military cooperation between these two countries may adversely affect U.S. national security interests. The committee is also troubled by reports regarding the proliferation of military technologies from other former Soviet states.

Accordingly, the committee believes it important for the Secretary to assess the nature and scope of military cooperation between China and the states of the former Soviet Union and to assess the impact of such cooperation on the ability of China's People's Liberation Army to modernize and strengthen its military capabilities and to pose a threat to U.S. national security interests, particularly in Asia.

Section 1204—Limitation on Funding for Joint Data Exchange Center

This section would prohibit the obligation or expenditure of fiscal year 2002 funds for activities associated with the Joint Data Exchange Center in Moscow, Russia, until 30 days after the Secretary of Defense submits to Congress the agreement required by section 1231 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106–398) and an agreement exempting the United States from Russian taxes and liability.

The committee is concerned by Russia's apparent unwillingness to move forward expeditiously with this project by agreeing to the same kinds of tax and liability exemptions that apply to other U.S.-Russia cooperative programs. The committee urges the Department of Defense to redouble its efforts to seek Russia's agreement to such exemptions.

Section 1205—Extension of Authority to Provide Assistance Under Weapons of Mass Destruction Act for Support of United Nations-Sponsored Efforts to Inspect and Monitor Iraqi Weapons Activities

This section would extend the authority under section 1505 of the Weapons of Mass Destruction Control Act of 1992 (section 5859a of title 22, United States Code) for the Department of Defense to expend up to $15.0 million in fiscal year 2002 in support of the United Nations organization established for the purpose of comprehensively accounting for all Iraqi weapons of mass destruction items, facilities, and capabilities. The section would also change the requirement for quarterly reports by the Department of Defense under section 1505 to an annual report.

Section 1206—Repeal of Requirement for Reporting to Congress on Military Deployments to Haiti

This section would repeal the report required by section 1232 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65) concerning military deployments to Haiti.

Section 1207—Report by Comptroller General on Provision of Defense Articles, Services, and Military Education and Training to Foreign Countries and International Organizations

This section would require the Comptroller General of the United States to study the benefits, costs, and readiness impact to U.S. Armed Forces with regard to defense articles, services, or military education and training provided under the authority of sections 506, 516, and 552 of the Foreign Assistance Act of 1961 (sections 2318, 2321j, 2348a of title 22, United States Code) or any similar provision of law. The provision would require the Comptroller General to submit to Congress an interim report no later than April 15, 2002, and a final report by August 1, 2002, on the findings of the study.

The committee is concerned with the increasing amount of foreign assistance provided by the Department of Defense under sections 506, 516, and 552 of the Foreign Assistance Act of 1961 (sections 2318, 2321j, 2348a of title 22, United States Code) and other statutory drawdown authorities that furnish defense articles, services, and education and training to foreign countries or international organizations. The committee understands that the Department has executed 45 drawdowns from 1992 to 1999 with a total cost to the Department of $1.0 billion. While the committee recognizes the Department must continue to support legitimate emergency assistance through the drawdown process, the committee is concerned with the trend of annual drawdowns compensating for a diminished foreign military financing (FMF) program. The committee believes that a comprehensive assessment and report to Congress by the Comptroller General on the topic will provide insight as to the merit of the various drawdown activities.

Section 1208—Limitation on Number of Military Personnel in Colombia

This section would restrict funds available to the Department of Defense to support or maintain more than 500 U.S. military personnel on duty in Colombia at any time. This section would exclude from the numerical limitation any U.S. military personnel who are in Colombia for a period of not more than 30 days, unless expressly authorized by law, for the purpose of rescuing or retrieving U.S. military or governmental personnel. This section would also exempt from the limitation U.S. military personnel assigned to the U.S. Embassy in Colombia as an attaché, as part of the security assistance office, or the Marine Corps security contingent; service members participating in natural disaster relief efforts; and non-operational transient military personnel.

TITLE XIII—COOPERATIVE THREAT REDUCTION WITH STATES OF THE FORMER SOVIET UNION

OVERVIEW

The budget request contained $403.0 million for cooperative threat reduction (CTR) activities, representing a decrease of $39.7 million from the amounts appropriated for fiscal year 2001. The request included $246.9 million for destruction and dismantlement, $65.5 million for fissile materials and nuclear weapons safety and storage, $41.7 million for plutonium reactor shutdown activities in Russia, $17.0 million for biological weapons proliferation prevention in the former Soviet Union, $18.7 million for defense and military contacts, and $13.2 million for other program support, including administrative and management costs.

The committee recommends the budget request.

The committee has traditionally supported the overriding goal of the CTR program to reduce the threat to the United States posed by the former Soviet Union's residual weapons of mass destruction. Nevertheless, in recent years the committee has raised numerous concerns. These include: the expansion in the program's scope; the Department's willingness—especially in the absence of prior congressional consultation—to absorb project costs that Russia, in particular, has not funded; the difficulty in determining whether assistance provided is accomplishing intended objectives; the lack of appropriate transparency agreements; the challenge of ensuring that assistance provided is not directly or indirectly facilitating the process of arms modernization; possible duplication and redundancies in similar projects executed by multiple federal agencies; and whether CTR activities are more appropriately funded outside the Department of Defense.

The committee continues to believe that the focus of the CTR program should be the elimination of those weapons that pose the most serious and direct threat to U.S. security—first and foremost, strategic nuclear weapons and associated infrastructure. The committee notes that the CTR program was originally envisioned as a short-term emergency effort to reduce the threat posed to the United States by the thousands of nuclear weapons and their delivery vehicles left behind after the demise of the Soviet Union. However, the original focus of the CTR program has expanded significantly in scope since its inception. As a result, some CTR activities fall more appropriately outside the purview of the Department of Defense, particularly those activities that serve a broader nonproliferation or foreign policy goal. Two years ago, in the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65), Congress restricted the obligation of fiscal year 2000 CTR funds pending a report by the Secretary of Defense on whether DOD is the appropriate executive agency to implement various

CTR projects and, if not, to propose a plan for migrating responsibility for those projects to other agencies. The committee has yet to receive this report.

With this in mind, the committee believes it is time to take a fresh look at the CTR program and how to execute it. As a DOD program, CTR activities compete for scarce resources with the numerous other, more traditional, defense programs pursued by the Department. In light of this competition, the committee believes the Department must provide a rationale for the execution of CTR programs under DOD and options for transitioning responsibility for these programs to another federal agency or agencies, as appropriate. Accordingly, the committee recommends a provision (section 1308) that would require the Secretary of Defense to submit a report to Congress no later than March 15, 2002, explaining the rationale for DOD's oversight and management of the CTR program; providing justification for each CTR project that the Department believes should remain within the funding and management responsibility of DOD; and detailing the various transition options and how the Department proposes to implement them, as appropriate.

If the Department of Defense is to retain funding and management responsibility for the overall CTR program or any of the projects contained within, the committee believes the Secretary must seek to ensure that the program is subject to the same kinds of stringent management, accountability, and results-oriented standards that apply to other defense programs. The committee believes that the oversight provided by Congress since the program's inception has served to improve the overall management of the program and to increase its effectiveness. Nevertheless, the committee remains troubled that the Department has not complied with the various reporting requirements mandated by law that are designed to enhance congressional visibility and oversight of the CTR program. In particular, the committee is troubled by the Department's failure to submit a number of reports required by title XIII of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106–398). The committee recalls that last year Congress agreed to consolidate a variety of reporting requirements into a single report on the basis of DOD assurances that the consolidated report would be submitted to Congress in a timely manner and in accordance with the statutory mandate. The committee has not yet received this report. Accordingly, the committee recommends a provision (sec. 1303) that would prohibit the obligation or expenditure of fiscal year 2002 CTR funds until 30 days after the consolidated report is submitted.

The committee's support for the CTR program has been predicated upon a belief that the assistance provided would produce the desired national security benefits. Unfortunately, in an increasing number of cases, the achievement of these benefits is difficult or impossible to quantify. Moreover, as a June 2001 General Accounting Office report concluded, the CTR program now provides a significantly greater percentage of assistance in the form of services rather than equipment. Therefore, the Department's traditional audit and examination procedures are insufficient to assist Congress in determining whether this assistance is being used as in-

tended and achieving the desired objectives. In addition, a March 2001 report by the DOD Inspector General found that the lack of adequate performance goals for the CTR program meant that program managers "could not successfully demonstrate that the CTR Directorate was executing the CTR program efficiently and effectively or identifying opportunities to improve program effectiveness." Consequently, the committee recommends a provision (sec. 1307) that would amend section 1308 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106–398) to provide for more complete and effective oversight of the CTR program.

Finally, the committee understands that, with the change in Administrations and the delay in staffing key policy positions within DOD, the Department has had little opportunity to focus on and evaluate many of the policy assumptions underpinning the programmatic decisions reflected in the Department's fiscal year 2002 CTR proposal. Consequently, many of the proposals contained in the Department's budget submission are essentially unchanged from those of the previous Administration. The committee expects the Department to consider carefully and fully the concerns the committee has identified with respect to the CTR program as the Department prepares its budget and program request for fiscal year 2003.

ITEMS OF SPECIAL INTEREST

Arms Elimination Projects in Russia

The budget request contained $133.4 million for strategic offensive arms elimination projects in Russia, a 33 percent decrease from the fiscal year 2001 appropriated amount of $177.8 million. The committee recommends the budget request.

The committee remains concerned that Russia may convert SS–18 ICBM silos to support the deployment of modern SS–27 "Topol" ICBMs and that SS–18 missile elimination activities may facilitate Russia's ability to convert these silos. Last year, the committee directed the Secretary of Defense "to focus the Department's SS–18 elimination effort at locations where missile silos are to be eliminated, not converted, to ensure that CTR assistance is not used in support of Russia's strategic modernization program." Although DOD policy does not support conversion activities, the CTR program has assisted in the removal of SS–18 ICBMs from silos at locations where the silos may be converted. The committee reiterates its view that CTR assistance should be targeted at those sites where SS–18 missiles, silos, and related infrastructure will be eliminated.

The committee also notes that the March 2001 report on the CTR program by the DOD Inspector General concluded that more than $64.5 million in program funds was used "to facilitate the removal of weapons of mass destruction by enhancing the value of salvageable materials and developing commercial by-products for Russia and Ukraine." The report notes, "As a result of those efforts, Russia and Ukraine could generate revenue of about $72.8 million without agreements on how the revenue should be used." The committee believes the Department should seek to negotiate agreements re-

garding the use of these revenues in order to prevent them from being used for purposes that run contrary to the objectives of the CTR program. Accordingly, the committee recommends a provision (section 1304) that would require the Secretary of Defense to submit a report on DOD's plans for monitoring the use of such revenues.

Arms Elimination Projects in Ukraine

The budget request contained $51.5 million for strategic offensive arms elimination projects in Ukraine, a 77 percent increase from the fiscal year 2001 appropriated amount of $29.1 million. The committee recommends the budget request.

The committee notes the successful completion of the Tu–26 Blackjack bomber elimination project and the initiation of efforts to eliminate Tu–22 Backfire bombers. The committee supports these efforts, along with accelerated efforts to eliminate Ukraine's remaining ICBMs, silos, and associated infrastructure.

Biological Weapons Proliferation Prevention

The budget request contained $17.0 million for biological weapons proliferation prevention activities in the former Soviet Union, a 42 percent increase from the fiscal year 2001 appropriated level of $12.0 million. The committee recommends the budget request.

Although generally supportive of efforts to prevent the proliferation of biological weapons expertise, the committee remains concerned over the lack of transparency with respect to Russia's biological weapons programs, the risks that collaborative research on "defensive" biotechnology can be applied to offensive weapons purposes, the perpetuation of a knowledge and skills base among Russian scientists that may increase their attractiveness to foreign states seeking to develop biological weapons, the difficulty of verifying that assistance provided is not being diverted to illicit purposes, and the lack of an "exit strategy" for this activity. The committee does not believe DOD should finance the activities of former Soviet biological weapons scientists on a permanent basis, and calls upon the Department to establish criteria for the completion of this program.

Chemical Weapons Destruction in Russia

The budget request contained $50.0 million for chemical weapons elimination activities in Russia, including $15.0 million for the elimination of chemical weapons production facilities and $35.0 million for construction of a chemical weapons destruction facility in Shchuch'ye, Russia. The request also contained a provision that would repeal section 1305 of Public Law 106–65, which prohibits any funding for activities related to the Shchuch'ye facility. This is the second consecutive year the Department has requested a repeal of the existing prohibition and a restart of funding for this activity.

The committee recommends the budget request.

Although the committee approves the budget request for activities related to the construction of a chemical weapons destruction facility in Russia, the committee remains concerned about the relative priority of this project within the overall CTR program. More-

over, the committee continues to have serious reservations about the wisdom of proceeding with the Shchuch'ye project in light of ongoing cost, schedule, and other concerns.

The committee recognizes Russia's declared intention to place greater priority on its chemical weapons elimination effort, in accordance with its commitments under the Chemical Weapons Convention, and Russia's effort to increase its financial commitment to this effort. In addition, the committee notes that Russia is seeking to make it possible to use the Shchuch'ye facility to eliminate nerve agents currently stored at other stockpile sites. However, the committee notes that under section 1309 of Public Law 106–398 the Department was required to submit a report in January 2001, regarding Russian and international funding for chemical weapons elimination activities in Russia. This report has not yet been provided.

The committee notes that U.S. commitments to date have involved funding for the construction of the Shchuch'ye pilot destruction facility, not for its scale-up, operation, or maintenance. These costs are to be assumed by Russia. However, the committee remains skeptical regarding Russia's ability to absorb these costs. In the view of the committee, the United States will likely be compelled to absorb additional costs, beyond the nearly $900 million estimated for the U.S. share of funding, to eliminate chemical weapons at Shchuch'ye if Russia is unwilling or unable to do so.

With this in mind, the committee believes that U.S. funding for this activity should be conditioned on a variety of actions that demonstrate Russia's commitment to the elimination of its chemical weapons stockpile. Accordingly, the committee recommends a provision (sec. 1309) that would require the Secretary of Defense to certify to Congress that Russia: (1) has made a full and accurate disclosure of its chemical weapons stockpile; (2) has committed to invest at least $25.0 million annually in chemical weapons elimination; (3) has developed a practical plan for chemical weapons elimination; (4) has provided legal authority for the elimination of all nerve agents at a single site; and (5) has agreed to destroy its chemical weapons production facilities at Volgograd and Novocheboksarsk.

The committee acknowledges that the National Security Council (NSC)—after conducting a review of U.S. nonproliferation assistance programs with Russia—has recommended moving ahead with the Shchuch'ye project. The committee believes the NSC's recommendation is based, in part, on commitments to the project made to Russia by the prior Administration. The committee notes that political commitments by the Executive Branch to support projects in Russia must be premised on congressional approval and funding. For this reason, the committee is troubled by the fact that the Department concluded an agreement with Russia in November 2000 reiterating its commitment to the Shchuch'ye project after Congress had prohibited funding for it in 1999 and reaffirmed this prohibition earlier in 2000. The committee believes the Department's action was inappropriate and contrary to the clearly expressed position of Congress.

The committee is also aware of the Department's desire to use unobligated fiscal year 1999 CTR funds to initiate construction of

the Shchuch'ye facility and understands that a DOD notification to this effect has been prepared for transmittal to Congress. The committee does not support using prior year funds to initiate an action, the completion of which is precluded by existing law, unless and until the existing prohibition is lifted or modified.

Defense and Military Contacts

The budget request contained $18.7 million for defense and military contacts with the states of the former Soviet Union, a 108 percent increase over the fiscal year 2001 appropriated level of $9.0 million. The committee recommends the budget request.

Last year, the CTR program funded approximately 350 defense and military contacts with the states of the former Soviet Union. This year's budget request would support 500 events. However, the committee believes the utility of these activities is difficult to quantify and expects the Department to address this issue in the report required by section 1308 of this title.

Elimination of Plutonium Production in Russia

The budget request contained $41.7 million for the elimination of plutonium production in Russian nuclear reactors, a 30 percent increase from the fiscal year 2001 appropriated level of $32.1 million. The committee recommends the budget request, subject to the prohibition described below.

The committee notes that the Department has decided to abandon its support for core conversion. The Department believes the goal of eliminating weapons-grade plutonium production is best served by the construction of fossil fuel plants, including the refurbishment of coal-burning boilers, as a less expensive substitute for the energy needs of the local communities in Russia. Although the committee supports the goal of shutting down Russia's nuclear power plants, the committee believes this goal serves broader U.S. nonproliferation and foreign policy objectives and should be funded through sources external to the Department of Defense. In addition, the committee notes that the budget request would be targeted exclusively for the building and refurbishment of fossil fuel plants and not for any activities directly related to shutting down Russia's plutonium producing nuclear reactors. The committee does not believe that the construction of fossil fuel plants in Russia is an activity appropriate for DOD to fund. This view led Congress to pass section 1307 of Public Law 106–398, which prohibited fiscal year 2001 CTR funds from being used for this activity. Accordingly, the committee recommends a provision (sec. 1306) that would make permanent the fiscal year 2001 prohibition on using CTR funds for this purpose.

The committee is also troubled by the Department's failure to submit the report required by section 1307 of Public Law 106–398 that would identify the costs of building fossil fuel plants, as well as other non-CTR funding sources that could be used for carrying out this activity. Consequently, the committee lacks the requisite information to determine how the Department arrived at its conclusion regarding the comparative costs of core conversion vis-a-vis

fossil fuel plants and the reasons why DOD believes it should be involved in this activity.

Fissile Material Processing and Packaging

The budget request did not contain funding for this activity. The committee understands that Russia, after initially requesting U.S. assistance in the dismantlement and processing of fissile material removed from nuclear warheads, refused to agree to the necessary safeguards to ensure the material could not be re-fabricated for use in other nuclear weapons. Consequently, this project has been terminated. The committee understands that unobligated prior year funds for this activity have been re-obligated for other projects.

Fissile Material Storage Facility

The budget request did not contain funding for this activity. The committee notes that Russia is no longer seeking assistance to build a second wing at the Mayak storage facility and that sufficient funds remain to complete activity on the first wing. Accordingly, the committee supports the Department's action in refusing to seek additional funds for this activity and recommends a provision (section 1306) that would prohibit CTR funds from being used for the design, planning, or construction of a second wing. The committee notes that Russia has consistently refused to agree to transparency measures that would allow the United States to verify that the fissile material stored at the facility in Mayak, Russia, is from dismantled nuclear weapons and reiterates its view that the Department should continue to seek an agreement with Russia on this issue.

Nuclear Weapons Storage Security in Russia

The budget request contained $56.0 million for nuclear weapons storage security in Russia, a 38 percent decrease from the fiscal year 2001 appropriated level of $89.7 million. The committee recommends the budget request, but reiterates the need for the Secretary of Defense to seek an agreement with Russia allowing appropriate U.S. access to nuclear weapons storage sites for which CTR assistance is provided.

Nuclear Weapons Transportation Security

The budget request contained $9.5 million for nuclear weapons transportation security in Russia, a 32 percent decrease from the fiscal year 2001 appropriated level of $14.0 million. The committee recommends the budget request. The committee notes that these costs were previously paid by Russia and again urges the Department to seek an agreement that would once again shift the burden of financial responsibility for this activity back to Russia.

Other Assessments and Administrative Support

The budget request contained $13.2 million for other program support, including management and administrative costs, project development, and audits and examinations, a slight increase over

the fiscal year 2001 appropriated level of $13.0 million. The committee recommends the budget request.

The committee notes that a portion of these funds has traditionally been applied to new initiatives in the concept development stage. The committee understands that Russia has proposed various initiatives for CTR consideration, including initiatives involving conventional weapons or delivery platforms. The committee believes that the statutory language of section 1303 of Public Law 106–398, which prohibits the use of CTR funds for conventional elimination purposes—including, for example, general purpose submarines—should be strictly adhered to and that CTR funds should not be expended on concept development studies designed to assess the viability of elimination projects specifically prohibited under the statutory prohibition.

Weapons of Mass Destruction Infrastructure Elimination in Kazakhstan

The budget request contained $6.0 million for weapons of mass destruction infrastructure elimination activities in Kazakhstan. This would include funding for activities related to the elimination of facilities used to support the deployment and operation of weapons of mass destruction, including infrastructure at former bomber bases. The committee recommends the budget request.

Weapons of Mass Destruction Infrastructure Elimination in Ukraine

The budget request contained $6.0 million for weapons of mass destruction infrastructure elimination activities in Ukraine. This would include funding for activities related to the elimination of facilities used to support the deployment and operation of weapons of mass destruction, including facilities for storage and maintenance of nuclear weapons. The committee recommends the budget request.

LEGISLATIVE PROVISIONS

Section 1301—Specification of Cooperative Threat Reduction Program and Funds

This section would specify the kinds of programs to be funded under this title and would make fiscal year 2002 Cooperative Threat Reduction (CTR) funds available for obligation for three years.

Section 1302—Funding Allocations

This section would allocate fiscal year 2002 funding for various CTR purposes and activities.

Section 1303—Prohibition Against Use of Funds Until Submission of Reports

This section would prohibit the obligation or expenditure of fiscal year 2002 CTR funds until 30 days after reports required by sec-

tion 1308 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106–398) are submitted.

Section 1304—Report on Use of Revenue Generated by Activities Carried Out Under Cooperative Threat Reduction Programs

This section would require the Secretary of Defense to submit a report describing plans to monitor the use of revenue generated by CTR activities in Russia and Ukraine.

Section 1305—Prohibition Against Use of Funds for Second Wing of Fissile Material Storage Facility

This section would prohibit the use of CTR funds for the design, planning, or construction of a second wing for the fissile material storage facility in Mayak, Russia.

Section 1306—Prohibition on Use of Funds for Construction or Refurbishment of Fossil Fuel Energy Plants

This section would prohibit the use of CTR funds for construction or refurbishment of fossil fuel energy plants in Russia.

Section 1307—Reports on Activities and Assistance Under Cooperative Threat Reduction Programs

This section would amend section 1308 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106–398) to modify the report on activities and assistance under CTR programs in order to provide for more complete and effective oversight of the CTR program.

Section 1308—Report on Responsibility for Carrying Out Cooperative Threat Reduction Programs

This section would require the Secretary of Defense to submit a report containing an assessment of CTR projects currently under the auspices of DOD and describing options for transferring responsibility for CTR projects to other agencies, as appropriate.

Section 1309—Chemical Weapons Destruction

This section would modify the existing prohibition on the use of CTR funds for construction of a chemical weapons destruction facility in Russia by requiring the Secretary of Defense to certify that Russia has met various requirements prior to the obligation or expenditure of funds for this activity.

TITLE XIV—DEFENSE SPACE REORGANIZATION

OVERVIEW

The committee commends the efforts of the Commission to Assess United States National Security Space Management and Organization, and has reviewed the contents of the report to Congress as required by section 1623 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65). The committee believes that many of the recommendations contained in the commission report are significant and should be considered for implementation. The committee believes, therefore, that the President and the Secretary of Defense should have specific discretionary authority to impose new organizational and programmatic arrangements with regard to space matters.

LEGISLATIVE PROVISIONS

Section 1401—Short Title

This section would refer to this title as the "Defense Space Reorganization Act of 2001."

Section 1402—Authority to Establish Position of Under Secretary of Defense for Space, Intelligence, and Information

This section would authorize the President, through December 31, 2003, to establish the position of Under Secretary of Defense for Space, Intelligence, and Information with specific duties as prescribed by the Secretary of Defense.

Section 1403—Authority to Designate Under Secretary of the Air Force as Acquisition Executive for Space of the Department of Defense

This section would authorize the Secretary of Defense to designate the Under Secretary of the Air Force as the acquisition executive for all space-related programs in the Department of Defense.

Section 1404—Major Force Program Category for Space Programs

This section would authorize the Secretary of Defense to create a major force program category for space under section 221 of title 10, United States Code.

Section 1405—Comptroller General Assessment of Implementation of Recommendations of Space Commission

This section would require the Comptroller General of the United States to assess the actions taken by the Secretary of Defense to implement the recommendations of the Commission to Assess

United States National Security Space Management and Organization and report to Congress by February 15 in both 2002 and 2003.

Section 1406—Commander of Air Force Space Command

This section would authorize the Secretary of Defense to require that the officer serving as commander of Air Force Space Command not serve simultaneously as commander of United States Space Command or as commander of the United States element of the North American Air Defense Command.

Section 1407—Authority to Establish Separate Career Field in the Air Force for Space

This section would authorize the Secretary of the Air Force to establish a separate career field for officers in space doctrine, space operations, and management of space systems for the Air Force.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

PURPOSE

The purpose of Division B is to provide military construction authorizations and related authority in support of the military departments during fiscal year 2002. As approved by the committee, Division B would authorize appropriations in the amount of $10,324,712,000 for construction in support of the active forces, reserve components, defense agencies for fiscal year 2002.

MILITARY CONSTRUCTION OVERVIEW

The Department of Defense requested authorization of appropriations of $5,904,795,000 for fiscal year 2002 for military construction, including $532,200,000 for activities associated with base closure and realignment, and $4,066,517,000 for family housing construction and support. The committee recommends $6,359,343,000 for military construction, including $532,200,000 for activities associated with base closure and realignment, and $3,965,369,000 for family housing construction and support for fiscal year 2002.

The committee remains concerned about the condition of the Nation's military installations and facilities and their effect on military readiness. The committee is pleased, however, that the Administration's fiscal year 2002 budget request contained a 13 percent increase from the program enacted by Congress for fiscal year 2001 and contained a 24.5 percent increase in the amount requested by the previous Administration for fiscal year 2001. The committee is encouraged that the fiscal year 2002 budget request would begin to reverse the trend of underfunding critical military infrastructure and expects it to represent sustained investment rather than a momentary spike. The committee recommends an increase in new budget authority for these programs of $353,400,000.

In an effort to continue to improve the quality of life for military personnel and their families, the committee reiterates its support for the authorities provided in subchapter IV, chapter 169 of title, 10, United States Code. The Military Housing Privatization Initiative remains a central component of the ultimate resolution of the military housing crisis. The committee recommends permanent authority for this program.

A tabular summary of the authorizations provided in Division B for fiscal year 2002 follows:

TITLES XXI THROUGH XXVI - MILITARY CONSTRUCTION AND FAMILY HOUSING

(Dollars in Thousands)

Account Title	FY 2002 Authorization Request	Committee Change from Request	FY 2002 Committee Recommendation
Military Construction, Army	1,760,541	(73,940)	1,686,601
Military Construction, Navy	1,071,408	88,246	1,159,654
Military Construction, Air Force	1,068,250	103,254	1,171,504
Military Construction, Defense-Wide	694,558	144,399	838,957
NATO Security Investment Program	162,600	0	162,600
BRAC IV	532,200	0	532,200
Military Construction, Army National Guard	267,389	37,526	304,915
Military Construction, Air National Guard	149,072	48,400	197,472
Military Construction, Army Reserve	111,404	61,613	173,017
Military Construction, Navy Reserve	33,641	19,650	53,291
Military Construction, Air Force Reserve	53,732	25,400	79,132
SUBTOTAL MILITARY CONSTRUCTION	**5,904,795**	**454,548**	**6,359,343**
Family Housing Construction, Army	291,542	(16,388)	275,154
Family Housing Support, Army	1,108,991	(62,788)	1,046,203
Family Housing Construction, Navy	304,400	28,366	332,766
Family Housing Support, Navy	918,095	(17,510)	900,585
Family Housing Construction, Air Force	518,237	(6,725)	511,512
Family Housing Support, Air Force	869,121	(26,103)	843,018
Family Housing Construction, Defense-Wide	250	0	250
Family Housing Support, Defense-Wide	43,762	0	43,762
Family Housing Improvement Fund	2,000	0	2,000
Homeowners Assistance Fund	10,119		10,119
SUBTOTAL MILITARY FAMILY HOUSING	**4,066,517**	**(101,148)**	**3,965,369**
TOTAL MILITARY CONSTRUCTION AND FAMILY HOUSING	**9,971,312**	**353,400**	**10,324,712**

TITLES XXI THROUGH XXVI - MILITARY CONSTRUCTION AND FAMILY HOUSING AUTHORIZATION OF APPROPRIATIONS
(Dollars in Thousands)

LINE NO	LOCATION	SERVICE/AGENCY/PROGRAM	INSTALLATION	PROJECT TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
1	Alabama	Army	Anniston AD	Rebuild Shop And Facility	2,850		2,850
2	Alabama	Army	Anniston AD	Component Maintenance Facility	2,300		2,300
3	Alabama	Army	Fort Rucker	Commanche Simulator Training Facility	11,400		11,400
4	Alabama	Army	Fort Rucker	Aircraft Parts Warehouse	0	6,800	6,800
5	Alabama	Army	Redstone Arsenal	Dining Facility	7,200		7,200
6	Alabama	Army	Redstone Arsenal	Patriot Unit Training Equipment Site	0	8,700	8,700
7	Alabama	Air Force	Maxwell AFB	Add/Alter SOS Academic Facility	9,000		9,000
8	Alabama	Air Force	Maxwell AFB	Replace OTS Dormitory (120 Rooms)	11,800		11,800
9	Alabama	Air Force	Maxwell AFB	Squadron Officer School Dormitory	13,600		13,600
10	Alabama	Army National Guard	Huntsville	Unit Training Equipment Site	7,498		7,498
11	Alabama	Army National Guard	Mobile	Readiness Center, Addition And Alteration	5,333		5,333
12	Alabama	Air Force Reserve	Maxwell AFB	Replace Maintenance Hangar	9,900		9,900
13	Alabama	Air Force Reserve	Maxwell AFB	Replace Fuel Cell Maintenance Facility	7,300		7,300
14	Alaska	Army	Fort Richardson	Barracks Complex D Street Phase	45,000		45,000
15	Alaska	Army	Fort Wainwright	Assembly Building	4,200		4,200
16	Alaska	Army	Fort Wainwright	Power Plant Cooling Tower	23,000		23,000
17	Alaska	Air Force	Eareckson AFB	Upgrade Wastewater System	4,600		4,600
18	Alaska	Air Force	Elmendorf AFB	Add/Alter Aircraft Fuel System Maintenance Hangar	12,200		12,200
19	Alaska	Air Force	Elmendorf AFB	Dormitory	20,000		20,000
20	Alaska	Defense Logistics Agency	Eielson AFB	Replace Bulk Fuel Storage Tanks	8,800		8,800
21	Alaska	Air National Guard	Elmendorf AFB	Upgrade 206th Combat Communications Facilities	5,000		5,000
22	Alaska	Tri-Care Management Activity	Fort Wainwright	Hospital Replacement (Phase III)	18,500		18,500
23	Arizona	Army	Fort Huachuca	Effluent Reuse System	6,100		6,100
24	Arizona	Army	Yuma Proving Ground	Range Improvements	0	3,100	3,100
25	Arizona	Navy	MCAS Yuma	Air Traffic Control Tower	6,750		6,750
26	Arizona	Navy	MCAS Yuma	Station Ordnance Area	7,160		7,160
27	Arizona	Navy	MCAS Yuma	Land Acquisition	8,660		8,660
28	Arizona	Air Force	Davis-Monthan AFB	Child Development Center	0	6,200	6,200
29	Arizona	Air Force	Davis-Monthan AFB	Dormitory	8,700		8,700
30	Arizona	Air Force	Davis-Monthan AFB	Replace Aircraft Reclamation/Parts Process Complex	8,600		8,600

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LINE NO	LOCATION	SERVICE/AGENCY/PROGRAM	INSTALLATION	PROJECT TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
31	Arizona	Air Force	Luke AFB	Add/Alter Child Development Center	0	4,500	4,500
32	Arizona	Army National Guard	Marana	Aviation Maintenance Hangar	14,358		14,358
33	Arizona	Army National Guard	Papago Park Mil Reservtion	Aviation Armory Addition	0	1,104	1,104
34	Arizona	Army Reserve	Mesa	USAR Center/Organizational Maintenance Shop	10,900		10,900
35	Arizona	Air Force Reserve	Luke AFB	Add/Alter Squadron Operations Building 976	0	1,400	1,400
36	Arkansas	Army	Pine Bluff Arsenal	Ammunition Demilitarization Facility (Phase VI)	26,000	(26,000)	0
37	Arkansas	Air Force	Little Rock AFB	C-130J Flight Simulator Facility	10,600		10,600
38	Arkansas	Chemical Demilitarization	Pine Bluff Arsenal	Ammunition Demilitarization Facility (Phase VI)	0	26,000	26,000
39	Arkansas	Army Reserve	Conway	Reserve Center/Organizational Maintenance Shop	0	5,625	5,625
40	California	Army	Defense Language Institute	Barracks	0	5,900	5,900
41	California	Army	Fort irwin	Maneuver Area Training Equipment Site	0	23,000	23,000
42	California	Navy	MAGTFTC Twentynine Palms	Reserve Support Facilities	8,760		8,760
43	California	Navy	MAGTFTC Twentynine Palms	Academic Instruction Bldg	9,860		9,860
44	California	Navy	MAGTFTC Twentynine Palms	Enlisted Dining Facility	11,930		11,930
45	California	Navy	MAGTFTC Twentynine Palms	Vehicle Wash Station	5,360		5,360
46	California	Navy	MAGTFTC Twentynine Palms	Ammunition Storage Facilities	9,540		9,540
47	California	Navy	MCAS Camp Pendleton	Aircraft Hangar Improvement	4,470		4,470
48	California	Navy	MCAS Miramar	Missile Magazine	0	3,680	3,680
49	California	Navy	MCB Camp Pendleton	Indoor Physical Fitness Facility	13,460		13,460
50	California	Navy	MCB Camp Pendleton	Iron/Manganese Plant (Phase II)	11,180		11,180
51	California	Navy	MCB Camp Pendleton	Bachelor Enlisted Quarters	21,600		21,600
52	California	Navy	MCB Camp Pendleton	Bachelor Enlisted Quarters-Marine E1/E4	21,200		21,200
53	California	Navy	MCB Camp Pendleton	Boat Maintenance Facility	11,980		11,980
54	California	Navy	MCB Camp Pendleton	Helo Outlying Landing Field	3,910		3,910
55	California	Navy	MCB Camp Pendleton	Regimental Maintenance Complex	13,160		13,160
56	California	Navy	NAB Coronado	Training Facility	8,610		8,610
57	California	Navy	NAF El Centro	Transient Student Bachelor Enlisted Quarters	23,520		23,520
58	California	Navy	NAS Lemoore	Bachelor Enlisted Quarters	10,010		10,010
59	California	Navy	NAWC China Lake	Combined Propulsion and Explosives Lab (Phase I)	0	10,100	10,100
60	California	Navy	Pt Mugu San Nich Island	Supply Pier	13,730		13,730

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(Dollars in Thousands)

LINE NO	LOCATION	SERVICE/AGENCY/PROGRAM	INSTALLATION	PROJECT TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
61	California	Navy	Pt Mugu San Nich Island	Bachelor Enlisted Quarters	29,675		29,675
62	California	Navy	NCBC Port Hueneme	Port Improvements	12,400		12,400
63	California	Navy	NCTC Port Hueneme	Auto Vehicle Maintenance Noncombat	3,780		3,780
64	California	Navy	NS San Diego	Replace Pier 10/11 (Increment I)	17,500		17,500
65	California	Navy	NS San Diego	Bachelor Enlisted Quarters	47,240		47,240
66	California	Air Force	Beale AFB	Communications Operations Center	0	7,900	7,900
67	California	Air Force	Edwards AFB	Base Operations Facility	0	5,000	5,000
68	California	Air Force	Edwards AFB	Consolidated Support Facility	11,700		11,700
69	California	Air Force	Edwards AFB	ADAL Terminal Area Control Facility	4,600		4,600
70	California	Air Force	Los Angeles AFB	Consolidated Base Support Complex	23,000		23,000
71	California	Air Force	Travis AFB	Radar Approach Control Center	0	3,300	3,300
72	California	Air Force	Travis AFB	Replace Support Facility	6,800		6,800
73	California	Air Force	Vandenberg AFB	Missile Transport Bridge	11,800		11,800
74	California	Defense Logistics Agency	Def Dist Dep Tracy	Replace General Purpose Warehouse	30,000		30,000
75	California	Special Operations Command	NS San Diego	SOF Seal Team Five Building	13,650		13,650
76	California	Army National Guard	Fort Irwin	Maneuver Area Training Equipment Site	21,953		21,953
77	California	Army National Guard	Lancaster	Readiness Center (ADRS)	4,530		4,530
78	California	Navy Reserve	NSWSES Port Hueneme	Vehicle Maintenance Facility	1,000		1,000
79	California	Air Force Reserve	March ARB	Fire/Crash Rescue Station	0	7,200	7,200
80	California	Tri-Care Management Activity	MCB Camp Pendleton	Medical/Dental Clinic Replacement (Las Pulgas)	4,050		4,050
81	California	Tri-Care Management Activity	MCB Camp Pendleton	FHOTC Support Facilities	3,150		3,150
82	California	Tri-Care Management Activity	MCB Camp Pendleton	Medical/Dental Clinic Replacement (Horno)	4,300		4,300
83	California	Tri-Care Management Activity	MCB Camp Pendleton	Medical/Dental Clinic Replacement (Las Flores)	3,800		3,800
84	California	Tri-Care Management Activity	NAVHOSP Twentynine Palms	Hospital LDRP Conversion	1,600		1,600
85	Colorado	Army	Fort Carson	Barracks Complex - Nelson Blvd (Phase I)	25,000		25,000
86	Colorado	Army	Pueblo Depot Activity	Ammunition Demilitarization Facility (Phase III)	11,000	(11,000)	0
87	Colorado	Air Force	Air Force Academy	ADAL Athletic Facilities (Phase II)	11,400		11,400
88	Colorado	Air Force	Air Force Academy	Upgrade Potable Water System - Cadet Area	6,400		6,400
89	Colorado	Air Force	Air Force Academy	Install Air Conditioning - Enlisted Dorm	1,300		1,300
90	Colorado	Air Force	Air Force Academy	Replace Control Tower	6,400		6,400

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(Dollars in Thousands)

LINE NO	LOCATION	SERVICE/AGENCY/PROGRAM	INSTALLATION	PROJECT TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
91	Colorado	Air Force	Buckley AFB	Dormitory	11,200		11,200
92	Colorado	Air Force	Buckley AFB	Fitness Center	12,000		12,000
93	Colorado	Air Force	Schriever AFB	SBIRS Mission Control Station Backup	19,000		19,000
94	Colorado	Air Force	Schriever AFB	Secure Area Logistics Facility	0	11,400	11,400
95	Colorado	Chemical Demilitarization	Pueblo Depot Activity	Ammunition Demilitarization Facility (Phase III)	0	11,000	11,000
96	Colorado	Army Reserve	Fort Carson	Alter AFR Center/New USARC	9,394		9,394
97	Colorado	Tri-Care Management Activity	Schriever AFB	Hospital Addition/Clinic Alteration	4,000		4,000
98	Connecticut	Air National Guard	Orange ANG Station	Replace Air Control Squadron Complex	12,000		12,000
99	District of Columbia	Army	Fort McNair	Physical Fitness Training Center	11,600		11,600
100	District of Columbia	Navy	NAF Washington	Bachelor Enlisted Quarters Replacement	9,810		9,810
101	District of Columbia	Air Force	Bolling AFB	Add/Alter Chapel Center	2,900		2,900
102	Florida	Navy	NS Pensacola	Consolidated Fire Station	0	3,700	3,700
103	Florida	Navy	NAS Key West	Air Traffic Center/Operations Building	11,400		11,400
104	Florida	Navy	NAS Whiting Field Milton	Airfield Approach Lighting	2,140		2,140
105	Florida	Navy	NS Mayport	Bachelor Enlisted Quarters	16,420		16,420
106	Florida	Air Force	Cape Canaveral AFS	Replace Fire/Crash Rescue Station	7,800		7,800
107	Florida	Air Force	Eglin AFB	Command And Control (C2) Test Operations Center	11,400		11,400
108	Florida	Air Force	Hurlburt Field	Consolidated Communication Facility	4,000		4,000
109	Florida	Air Force	Hurlburt Field	Dining Facility/Fitness Center	6,400		6,400
110	Florida	Air Force	MacDill AFB	Mission Planning Center (Phase I)	10,000		10,000
111	Florida	Air Force	Tyndall AFB	Communications Management Facility	0	5,300	5,300
112	Florida	Air Force	Tyndall AFB	F-22 Fuels System Maintenance Hanger	3,050		3,050
113	Florida	Air Force	Tyndall AFB	F-22 Squad Ops/AMU and Hanger	12,000		12,000
114	Florida	Special Operations Command	Hurlburt Field	SOF CV-22 Training Device Support Facility	10,200		10,200
115	Florida	Special Operations Command	Hurlburt Field	SOF Readiness Supply Package Facility	3,200		3,200
116	Florida	Special Operations Command	MacDill AFB	SOF Renovate Command And Control Facility	9,500		9,500
117	Florida	Special Operations Command	MacDill AFB	SOF Public Access Building	2,500		2,500
118	Florida	Army Reserve	St. Petersburg	Armed Forces Reserve Center (Phase II)	0	34,056	34,056
119	Florida	Air National Guard	Camp Blanding	Replace Weather Training Complex	6,900		6,900
120	Florida	Navy Reserve	Jacksonville	Marine Corps Reserve Center	0	8,650	8,650

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LINE NO	LOCATION	SERVICE/AGENCY/PROGRAM	INSTALLATION	PROJECT TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
121	Florida	Navy Reserve	NAR Jacksonville	Maintenance Hangar-O/H Space	3,744		3,744
122	Florida	Navy Reserve	NAS Jacksonville	Readiness Support Site	2,500		2,500
123	Florida	Air Force Reserve	Homestead ARB	Communications Facility	0	2,000	2,000
124	Florida	Tri-Care Management Activity	Hurlburt Field	Medical Clinic Addition/Alteration	8,800		8,800
125	Florida	Tri-Care Management Activity	NS Mayport	Medical/Dental Clinic Replacement	24,000		24,000
126	Georgia	Army	Fort Benning	Runway Extension	6,900		6,900
127	Georgia	Army	Fort Benning	Passenger Processing Facility	17,000		17,000
128	Georgia	Army	Fort Gillem	Criminal Investigation Forensic Lab	29,000		29,000
129	Georgia	Army	Fort Gillem	Explosive Ordnance Detachment Operations Bldg	5,600		5,600
130	Georgia	Army	Fort Gordon	Vehicle Maintenance Facility	23,000		23,000
131	Georgia	Army	Fort Gordon	Information Systems Facility	11,000		11,000
132	Georgia	Army	Fort Stewart/Hunter AAF	Soldier Service Center	10,200		10,200
133	Georgia	Army	Fort Stewart/Hunter AAF	Vehicle Maintenance Facility	13,600		13,600
134	Georgia	Army	Fort Stewart/Hunter AAF	Education Center	16,000		16,000
135	Georgia	Air Force	Moody AFB	C-130 Maintenance Hangar	0	4,900	4,900
136	Georgia	Air Force	Robins AFB	Large Item Aircraft Support Equip Paint Facility	3,050		3,050
137	Georgia	Air Force	Robins AFB	Replace KC-135 Squadron Operations	7,800		7,800
138	Georgia	Air Force	Robins AFB	Fire Training Facility	3,800		3,800
139	Georgia	Special Operations Command	Fort Benning	SOF Tactical Equipment Complex	5,100		5,100
140	Georgia	Air National Guard	Robins AFB	Replace Ops And Training Facility	6,100		6,100
141	Georgia	Air Force Reserve	Robins AFB	Add/Alter AFRC HQ (Phase II)	2,000		2,000
142	Georgia	Tri-Care Management Activity	Fort Stewart/Hunter AAF	Consolidated Troop Medical Clinic	11,000		11,000
143	Georgia	Tri-Care Management Activity	MCLB Albany	Medical/Dental Clinic Replacement	5,800		5,800
144	Hawaii	Army	NPWC Pearl Harbor	Shipping Operations Building	11,800		11,800
145	Hawaii	Army	Pohakuloa	Command And Range Control Building	5,100		5,100
146	Hawaii	Army	Schofield Barracks	Barracks Complex - Wilson Street (Phase I c)	23,000		23,000
147	Hawaii	Army	Wheeler AAF	Barracks Complex - Aviation (Phase VI a)	50,000		50,000
148	Hawaii	Navy	Camp Smith	CINCPAC HQ (Increment III)	37,580		37,580
149	Hawaii	Navy	MCB Kaneohe	Bachelor Enlisted Quarters	24,920		24,920
150	Hawaii	Navy	NAVMAG Lualualei	Ammo Wharf Shore Power	6,000		6,000

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LINE NO	LOCATION	SERVICE/AGENCY/PROGRAM	INSTALLATION	PROJECT TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
151	Hawaii	Navy	NPWC Pearl Harbor	Sewer Force Main	16,900		16,900
152	Hawaii	Navy	NS Pearl Harbor	Bachelor Enlisted Quarters Modernization	17,300		17,300
153	Hawaii	Navy	NS Pearl Harbor	Bachelor Enlisted Quarters Modernization	23,300		23,300
154	Hawaii	Navy	NSY Pearl Harbor	Drydock Support Facility	7,900		7,900
155	Hawaii	Navy	NSY Pearl Harbor	Electric Distribution System Improvements	12,100		12,100
156	Hawaii	Defense Logistics Agency	Hickam AFB	Replace Hydrant Fuel System	29,200		29,200
157	Idaho	Air Force	Mountain Home AFB	Replace Aircraft Parking Apron	14,600		14,600
158	Idaho	Army National Guard	Gowen Field	Readiness Center (Phase I)	8,117		8,117
159	Illinois	Navy	NTC Great Lakes	Recruit Barracks	41,130		41,130
160	Illinois	Navy	NTC Great Lakes	Recruit Barracks	41,130		41,130
161	Illinois	Navy Reserve	MCRC Great Lakes	Reserve Center Renovation	4,426		4,426
162	Indiana	Army	Newport AD	Ammunition Demilitarization Facility (Phase IV)	66,000	(66,000)	0
163	Indiana	Navy	NSWC Crane	Microwave Devices Engineering Facility	0	9,110	9,110
164	Indiana	Navy	NSWC Crane	Special Warfare Munitions Engineering Facility	5,820		5,820
165	Indiana	Chemical Demilitarization	Newport AD	Ammunition Demilitarization Facility (Phase IV)	0	66,000	66,000
166	Indiana	Air National Guard	Fort Wayne IAP	Parking Apron	0	8,500	8,500
167	Indiana	Air Force Reserve	Grissom ARB	Replace Service Complex (Phase III)	13,200		13,200
168	Iowa	Army National Guard	Estherville	Readiness Center	2,713		2,713
169	Iowa	Air National Guard	Sioux City	KC-135 Aircraft Parking Apron/Hydrant Refueling Sys	14,400		14,400
170	Iowa	Air National Guard	Sioux City	KC-135 Construct Fuel Cell/Corrosion Control	8,300		8,300
171	Iowa	Air National Guard	Sioux City	Sioux-Upgrade Expand Taxiway	4,300		4,300
172	Kansas	Army	Fort Riley	Child Development Center	6,800		6,800
173	Kansas	Army	Fort Riley	Modified Record Fire Range	4,100		4,100
174	Kansas	Army National Guard	Fort Riley	Organization Maintenance Shop	645		645
175	Kansas	Air Force	McConnell AFB	Health and Wellness Center	0	5,100	5,100
176	Kentucky	Army	Blue Grass AD	Ammunition Demilitarization Facility (Phase II)	3,000	(3,000)	0
177	Kentucky	Army	Fort Campbell	Passenger Processing Facility	11,400		11,400
178	Kentucky	Army	Fort Campbell	Electrical Substation	10,000		10,000
179	Kentucky	Army	Fort Campbell	Deployment Staging Complex	3,300		3,300
180	Kentucky	Army	Fort Campbell	Deployment Staging Complex/Rail	3,300		3,300

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LINE NO	LOCATION	SERVICE/AGENCY/PROGRAM	INSTALLATION	PROJECT TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
181	Kentucky	Army	Fort Campbell	Barracks Complex - Market Garden Rd (Phase III)	47,000		47,000
182	Kentucky	Army	Fort Campbell	Deployment Staging Complex/Air	3,300		3,300
183	Kentucky	Army	Fort Campbell	Expand Keyhole Hardstand Area	10,600		10,600
184	Kentucky	Chemical Demilitarization	Blue Grass AD	Ammunition Demilitarization Facility (Phase II)	0	3,000	3,000
185	Kentucky	Army Reserve	Fort Knox	USAR Center	14,846		14,846
186	Louisiana	Army	Fort Polk	Education Center	10,800		10,800
187	Louisiana	Army	Fort Polk	Readiness And Operations Facility	10,400		10,400
188	Louisiana	Army National Guard	Camp Beauregard	Readiness Center	5,392		5,392
189	Louisiana	Army National Guard	Carville	Readiness Center	5,677		5,677
190	Louisiana	Navy Reserve	MCRC Lafayette	Marine Reserve Training Center	5,200		5,200
191	Louisiana	Navy Reserve	NAS JRB New Orleans	Armed Forces Reserve Center (Phase II)	0	10,000	10,000
192	Louisiana	Navy Reserve	NAS JRB New Orleans	GSE Complex	2,270		2,270
193	Louisiana	Navy Reserve	NAS JRB New Orleans	Replace Bridges	1,300		1,300
194	Louisiana	Navy Reserve	NAS JRB New Orleans	Refueler Maintenance Facility	650		650
195	Maine	Navy	NAS Brunswick	Aircraft Maintenance Hangar	41,665		41,665
196	Maine	Navy	NAS Brunswick	Bachelor Enlisted Quarters	22,630		22,630
197	Maine	Navy	NAS Brunswick	P-3 Support Facility	3,100		3,100
198	Maine	Army National Guard	Bangor IAP	Army Aviation Support Facility (Phase I)	11,618		11,618
199	Maryland	Army	Aberdeen Proving Ground	Ammunition Surveillance Facility	5,300		5,300
200	Maryland	Army	Aberdeen Proving Ground	Ammunition Demilitarization Facility (Phase IV)	66,500	(66,500)	0
201	Maryland	Army	Aberdeen Proving Ground	Climatic Test Facility	9,000		9,000
202	Maryland	Army	Edgewood	Chemistry Laboratory	44,000		44,000
203	Maryland	Army	Fort Meade	Child Development Center	5,800		5,800
204	Maryland	Navy	NAWC Patuxent River	Range Operations Support Facility	2,260		2,260
205	Maryland	Navy	NAWC Patuxent River	Advanced Systems Integration Facility (VI)	10,770		10,770
206	Maryland	Navy	NEODTC Indian Head	Joint Service EOD Equip Mag Eval	1,250		1,250
207	Maryland	Navy	NAWC St. Inigoes	Communications Requirements Integration Facility	0	5,100	5,100
208	Maryland	Air Force	Andrews AFB	Repair East Runway	7,600		7,600
209	Maryland	Air Force	Andrews AFB	Consolidate Squadron Operations Facility	10,070		10,070
210	Maryland	Air Force	Andrews AFB	Upgrade Fire Training Facility	1,750		1,750

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LINE NO	LOCATION	SERVICE/AGENCY/PROGRAM	INSTALLATION	PROJECT TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
211	Maryland	Chemical Demilitarization	Aberdeen Proving Ground	Ammunition Demilitarization Facility (Phase IV)	0	66,500	66,500
212	Maryland	Special Operations Command	Aberdeen Proving Ground	SOF Training Facility	3,200		3,200
213	Maryland	Army National Guard	Salisbury	Organizational Maintenance Shop Add/Alt	2,314		2,314
214	Maryland	Tri-Care Management Activity	Andrews AFB	Medical Clinic Addition/Alteration	7,300		7,300
215	Maryland	Tri-Care Management Activity	Andrews AFB	NAF Wash, Branch Med/Dental Clinic Relocation	2,950		2,950
216	Massachusetts	Air Force	Hanscom AFB	Renovate Acquisition Management Facility (Phase III)	9,400		9,400
217	Massachusetts	Army National Guard	Framingham	Organizational Maintenance Shop	8,347		8,347
218	Massachusetts	Air National Guard	Barnes Municipal AP	Upgrade Support Facilities	0	5,200	5,200
219	Michigan	Army National Guard	Camp Grayling	Headquarters Building	0	5,680	5,680
220	Michigan	Army National Guard	Lansing	Combined Support Maintenance Shop (Phase II)	5,809		5,809
221	Michigan	Air National Guard	Selfridge ANGB	Runway Clear Zone Land Acquisition	2,000		2,000
222	Michigan	Navy Reserve	MCRC Selfridge ANGB	Auto Vehicle Maintenance Facility	1,490		1,490
223	Minnesota	Navy Reserve	NRC Duluth	Reserve Center Addition	2,980		2,980
224	Minnesota	Air Force Reserve	Minneapolis-St. Paul	Consolidated Lodging Facility	0	13,300	13,300
225	Mississippi	Navy	NAS Meridian	T-45 Maintenance Facility	0	3,400	3,400
226	Mississippi	Navy	NCBC Gulfport	Bachelor Enlisted Quarters Replacement	14,300		14,300
227	Mississippi	Navy	NCBC Gulfport	Mobilization Ops Facility	7,360		7,360
228	Mississippi	Air Force	Keesler AFB	Replace Technical Training Facility (Phase II a)	28,600		28,600
229	Mississippi	Army National Guard	Camp Shelby	Military Education Center (Phase II)	11,444		11,444
230	Mississippi	Army National Guard	Gulfport	Readiness Center	9,145		9,145
231	Mississippi	Air National Guard	Jackson IAP	Jackson-C-17 Facility Conversion	16,500		16,500
232	Mississippi	Air National Guard	Jackson IAP	Upgrade Corrosion Control Facility	5,700		5,700
233	Mississippi	Air National Guard	Jackson IAP	C-17 Maintenance Training Facility	0	4,100	4,100
234	Mississippi	Army Reserve	NCBC Gulfport	Controlled Humidity Storage Warehouse (Phase I)	0	12,184	12,184
235	Mississippi	Air Force Reserve	Keesler AFB	C130J-30 Two-Bay Maintenance	12,000		12,000
236	Missouri	Army	Fort Leonard Wood	Record Fire Range	3,550		3,550
237	Missouri	Army	Fort Leonard Wood	Night Fire Range	4,300		4,300
238	Missouri	Army	Fort Leonard Wood	Basic Combat Training Complex (Phase II)	27,000		27,000
239	Missouri	Navy	MCSA Kansas City	Bachelor Enlisted Quarters	9,010		9,010
240	Montana	Army National Guard	Kalispell	Readiness Center (ADRS)	822		822

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LINE NO	LOCATION	SERVICE/AGENCY/PROGRAM	INSTALLATION	PROJECT TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
241	Nevada	Air Force	Nellis AFB	AFC2TIG Dynamic Battle Control Center	12,600		12,600
242	Nevada	Air National Guard	Reno-Tahoe IAP	Replace Base Supply Warehouse Complex	8,500		8,500
243	New Hampshire	Army National Guard	Concord	Army Aviation Support Facility	27,185		27,185
244	New Hampshire	Army National Guard	Concord	Readiness Center	1,868		1,868
245	New Hampshire	Air National Guard	Pease	Regional KC-135/CATS Simulator Training Facility	2,200		2,200
246	New Hampshire	Army Reserve	Rochester	USAR Center/Organizational Maintenance Shop/Strg	9,122		9,122
247	New Jersey	Army	Fort Monmouth	Barracks	20,000		20,000
248	New Jersey	Army	Picatinny Arsenal	High Energy Propellant Formulation Facility	0	10,200	10,200
249	New Jersey	Air Force	McGuire AFB	Air Freight Terminal/Base Supply Complex (Phase II)	0	12,600	12,600
250	New Jersey	Air Force	McGuire AFB	C-17 Three Bay Hangar	1,500		1,500
251	New Jersey	Air Force	McGuire AFB	C-17 Maintenance Hangar	27,700		27,700
252	New Jersey	Air Force	McGuire AFB	C-17 ADAL Fuel Cell	1,050		1,050
253	New Jersey	Air Force	McGuire AFB	C-17 Flight Simulator Facility	4,900		4,900
254	New Jersey	Air Force	McGuire AFB	C-17 Communications Support	1,400		1,400
255	New Jersey	Defense Logistics Agency	McGuire AFB	Bulk Fuel Storage Tank	4,400		4,400
256	New Jersey	Air National Guard	Atlantic City IAP	Communications/Security Forces Complex	6,300		6,300
257	New Jersey	Air National Guard	McGuire AFB	Joint Medical Training Facility	4,900		4,900
258	New Jersey	Army Reserve	Fort Dix	Barracks Modernization	12,000		12,000
259	New Mexico	Army	White Sands Missile Range	Professional Development Center	0	7,600	7,600
260	New Mexico	Air Force	Cannon AFB	Replace Fire/Crash Rescue Station	9,400		9,400
261	New Mexico	Air Force	Kirtland AFB	Telescope/Atmosphere Compensation Laboratory	15,500		15,500
262	New Mexico	Air Force	Kirtland AFB	Upgrade Small Arms Range Support Facility	0	4,300	4,300
263	New Mexico	Tri-Care Management Activity	Holloman AFB	Medical Clinic Alteration	5,700		5,700
264	New York	Army	Fort Drum	Battle Simulation Center (Phase II)	9,000		9,000
265	New York	Army	Fort Drum	Tactical Equipment Shops	31,000		31,000
266	New York	Army	Fort Drum	Training Area Access Road	0	18,500	18,500
267	New York	Army	Fort Drum	Field Operations Facility	2,150		2,150
268	New York	Army	Fort Drum	Hazardous Materials Storage Facility	4,700		4,700
269	New York	Army	USMA West Point	Cadet Physical Development Center (Phase III)	37,900		37,900
270	New York	Army National Guard	Fort Drum	Maneuver Area Training And Equipment Site	17,000		17,000

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271	New York	Air National Guard	Gabreski Airport	Gabreski-Composite Support Complex	19,000		19,000
272	New York	Air National Guard	Hancock Field	Civil Engineer Pavements and Grounds Facility	0	1,500	1,500
273	New York	Air National Guard	Hancock Field	Composite Readiness Support Facility	0	2,500	2,500
274	North Carolina	Army	Fort Bragg	Barracks Complex - Butner Road (Phase II)	49,000		49,000
275	North Carolina	Army	Fort Bragg	Barracks Complex - Longstreet Road (Phase II)	27,000		27,000
276	North Carolina	Army	Fort Bragg	Barracks Complex - Tagaytay Road (Phase II C)	17,500		17,500
277	North Carolina	Army	Fort Bragg	Vehicle Maintenance Facility	13,600		13,600
278	North Carolina	Army	Fort Bragg	Parachute Team General Purpose Building	7,700		7,700
279	North Carolina	Army	Sunny Point (MOTSU)	Fire Station	2,750		2,750
280	North Carolina	Army	Sunny Point (MOTSU)	Deployment Staging Area	2,000		2,000
281	North Carolina	Army	Sunny Point (MOTSU)	Open Storage Area	2,050		2,050
282	North Carolina	Army	Sunny Point (MOTSU)	Road Improvements And Truck Pad	4,600		4,600
283	North Carolina	Navy	MCAS New River	Property Control Facility	2,490		2,490
284	North Carolina	Navy	MCAS New River	Property Control Facility	1,560		1,560
285	North Carolina	Navy	MCB Camp LeJeune	Ammunition Storage Magazine	5,880		5,880
286	North Carolina	Navy	MCB Camp LeJeune	Landfill Cell	8,290		8,290
287	North Carolina	Navy	MCB Camp LeJeune	Engineering Equipment Maintenance Shop	6,960		6,960
288	North Carolina	Navy	MCB Camp LeJeune	Bachelor Enlisted Quarters-Marine E1/E4	16,530		16,530
289	North Carolina	Navy	MCB Camp LeJeune	Academic Building	15,860		15,860
290	North Carolina	Navy	MCB Camp LeJeune	Bachelor Enlisted Quarters-Marine E1/E4	13,550		13,550
291	North Carolina	Air Force	Pope AFB	Consolidate C-130 Corrosion Control Facility	17,800		17,800
292	North Carolina	Defense Logistics Agency	Pope AFB	Bulk Fuel Storage Tank	3,400		3,400
293	North Carolina	Special Operations Command	Fort Bragg	SOF Weather Operations Facility	1,000		1,000
294	North Carolina	Special Operations Command	Fort Bragg	SOF Language Sustainment Training Facility	2,100		2,100
295	North Carolina	Special Operations Command	Fort Bragg	Facility	5,800		5,800
296	North Carolina	Special Operations Command	Fort Bragg	SOF Training Range	2,600		2,600
297	North Carolina	Special Operations Command	Fort Bragg	SOF Imagery And Analysis Facility	3,150		3,150
298	North Carolina	Special Operations Command	Fort Bragg	SOF Battalion Ops & Vehicle Maintenance Facility	8,500		8,500
299	North Carolina	Special Operations Command	Fort Bragg	SOF Repair Training Facility	1,812		1,812
300	North Carolina	Special Operations Command	Fort Bragg	SOF Training Facility	5,000		5,000

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301	North Carolina	Special Operations Command	Fort Bragg	SOF Vehicle Maintenance Complex	3,600		3,600
302	North Carolina	Defense Education Activity	MCB Camp LeJeune	Replace Tarawa Terrace I Elementary School	8,857		8,857
303	North Carolina	Army National Guard	Fort Bragg	Military Educational Facility (Phase II)	0	8,290	8,290
304	North Dakota	Air Force	Grand Forks AFB	KC-135 Sq Ops/AMU	7,800		7,800
305	North Dakota	Defense Logistics Agency	Grand Forks AFB	Hydrant Fuel System	9,110		9,110
306	North Dakota	Defense Logistics Agency	Minot AFB	Hydrant Fuel System	14,000		14,000
307	Ohio	Air Force	Wright-Patterson AFB	Consolidate Acq Management Complex (Phase IV b)	21,400		21,400
308	Ohio	Air Force	Wright-Patterson AFB	ADAL Special Operations Intelligence Facility	3,450		3,450
309	Ohio	Army National Guard	Bowling Green	Readiness Center	0	3,200	3,200
310	Ohio	Army National Guard	Coshocton	Readiness Center	0	2,632	2,632
311	Ohio	Army National Guard	DFSP Cincinnati	Readiness Center	9,780		9,780
312	Ohio	Air National Guard	Mansfield Lahm Airport	Replace Vehicle Maintenance Complex	0	3,500	3,500
313	Ohio	Air National Guard	Springfield Beckley IAP	Parking Apron	0	10,600	10,600
314	Ohio	Army Reserve	Cleveland	Land Acquisition	1,200		1,200
315	Oklahoma	Army	Fort Sill	Deployment Staging Complex	5,100		5,100
316	Oklahoma	Air Force	Altus AFB	Repair Airfield Pavements (Phase I)	20,200		20,200
317	Oklahoma	Air Force	Tinker AFB	Consolidate Integration Support Facility	0	7,500	7,500
318	Oklahoma	Air Force	Tinker AFB	Dormitory	10,200		10,200
319	Oklahoma	Army National Guard	Oklahoma City	Readiness Center	0	9,320	9,320
320	Pennsylvania	Navy	Nav Foundry & Prop Center	Machine Shop Modernization	0	14,800	14,800
321	Pennsylvania	Defense Logistics Agency	DDSP New Cumberland	Special Purpose Warehouse	19,900		19,900
322	Pennsylvania	Defense Logistics Agency	Philadelphia	Consolidate Indoor Fitness Facilities	2,429		2,429
323	Pennsylvania	Army National Guard	Johnstown	Transient Quarters	0	3,000	3,000
324	Pennsylvania	Air National Guard	Pittsburgh	Replace Vehicle Maintenance Complex	3,200		3,200
325	Pennsylvania	Navy Reserve	NAS JRB Willow Grove	Hangar Fire Protection Upgrades	3,715		3,715
326	Rhode Island	Navy	NS Newport	SWOS Applied Industrial Building	15,290		15,290
327	Rhode Island	Air National Guard	Quonset State AP	C-130J Replace Composite Maintenance Shops	9,600		9,600
328	South Carolina	Army	Fort Jackson	Basic Combat Trainee Complex (Phase I)	26,000		26,000
329	South Carolina	Army	Fort Jackson	Central Energy Plant	0	3,650	3,650
330	South Carolina	Navy	MCAS Beaufort	AWSE Warehouse	1,960		1,960

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331	South Carolina	Navy	MCAS Beaufort	Child Development Center	6,060		6,060
332	South Carolina	Navy	MCRD Parris Island	Military Police Station	5,430		5,430
333	South Carolina	Navy	NH Beaufort	Barracks	0	7,600	7,600
334	South Carolina	Air Force	Shaw AFB	Education Center	0	5,800	5,800
335	South Carolina	Defense Education Activity	Laurel Bay	Replace Laurel Bay ES	12,850		12,850
336	South Dakota	Army National Guard	Mitchell	Combined Support Maintenance Shop	14,228		14,228
337	Tennessee	Navy	NSA Millington	Elevated Water Tank	3,900		3,900
338	Tennessee	Air Force	Arnold AFB	Convert To Hypersonic Plant	10,400		10,400
339	Tennessee	Air Force	Arnold AFB	Upgrade Jet Engine Air Induction System (Phase IV)	14,000		14,000
340	Tennessee	Army National Guard	Alcoa	Readiness Center	8,203		8,203
341	Tennessee	Army National Guard	Henderson	Operational Maintenance Facility	2,012		2,012
342	Tennessee	Air National Guard	Nashville IAP	Replace Composite Aircraft Maintenance Complex	0	11,000	11,000
343	Texas	Army	Corpus Christi Army Depot	Engine Disassembly & Cleaning Facility	0	10,400	10,400
344	Texas	Army	Fort Bliss	Replace Elevated Water Tanks	0	5,000	5,000
345	Texas	Army	Fort Hood	Command And Control Facility (Phase II)	10,000		10,000
346	Texas	Army	Fort Hood	Gray Army Airfield Deployment Upgrade	0	18,000	18,000
347	Texas	Army	Fort Hood	Vehicle Maintenance Facility	23,000		23,000
348	Texas	Army	Fort Hood	Multi-Purpose Digital Training Range (Phase II)	13,000		13,000
349	Texas	Army	Fort Hood	Barracks Complex	41,000		41,000
350	Texas	Army	Fort Hood	Vehicle Maintenance Facility	12,200		12,200
351	Texas	Army	Fort Sam Houston	Physical Fitness Center	0	7,400	7,400
352	Texas	Army	Fort Sam Houston	General Instruction Building	2,250		2,250
353	Texas	Navy	NAS, JRB Fort Worth	Upgrade Enlisted Barracks	0	9,060	9,060
354	Texas	Air Force	Lackland AFB	Consolidate Joint Advanced Language Training Center	4,200		4,200
355	Texas	Air Force	Lackland AFB	Dormitory	8,600		8,600
356	Texas	Air Force	Laughlin AFB	Add/Alter Fitness Center	12,000		12,000
357	Texas	Air Force	Laughlin AFB	Security Forces Complex	0	3,600	3,600
358	Texas	Air Force	Sheppard AFB	Fitness Center/Health and Wellness Center	0	8,200	8,200
359	Texas	Air Force	Sheppard AFB	Replace Student Dormitory/Dining Facility (140 Rm)	16,000		16,000
360	Texas	Air Force	Sheppard AFB	Student Dormitory/Dining Facility	21,000		21,000

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361	Texas	Army National Guard	Austin	Army Aviation Support Facility	25,659		25,659
362	Texas	Air National Guard	Camp Mabry	Replace Weather Flight	900		900
363	Texas	Army Reserve	Red River Army Depot	Mnt Spt Act/Strg	1,862		1,862
364	Texas	Tri-Care Management Activity	Dyess AFB	Medical Treatment Facility Alteration	3,300		3,300
365	Texas	Tri-Care Management Activity	Fort Hood	Hospital Addition/Alteration	12,200		12,200
366	Utah	Air Force	Hill AFB	Consolidate Hydraulic/Pneudraulic Repair Facility	14,000		14,000
367	Utah	Air Force	Hill AFB	Maintenance Depot Hanger (Phase I)	0	18,000	18,000
368	Virginia	Army	Fort Belvoir	Chapel	4,950		4,950
369	Virginia	Army	Fort Belvoir	Operations Building	31,000		31,000
670	Virginia	Army	Fort Eustis	Main Pier	23,000		23,000
371	Virginia	Army	Fort Eustis	Field Operations Facility	1,750		1,750
372	Virginia	Army	Fort Lee	Airborne Training Facility	17,500		17,500
373	Virginia	Army	Fort Lee	Military Entrance Processing Station	6,400		6,400
374	Virginia	Navy	Little Creek NAB	Personnel Support Facility	0	9,090	9,090
375	Virginia	Navy	MCAF Quantico	Aircraft Fire And Rescue Station	3,790		3,790
376	Virginia	Navy	MCCDC Quantico	Bachelor Enlisted Quarters-Marine E6/E9	9,390		9,390
377	Virginia	Navy	NS Norfolk	Deperming Pier Replacement	2,810		2,810
378	Virginia	Navy	NS Norfolk	Airfield Pavement Recap	6,360		6,360
379	Virginia	Navy	NS Norfolk	Aircraft Maintenance Hangar	11,300		11,300
380	Virginia	Navy	NS Norfolk	Pier Replacement (Increment I)	28,210		28,210
381	Virginia	Navy	NS Norfolk	Bachelor Enlisted Quarters Modernization	14,730		14,730
382	Virginia	Navy	NS Norfolk	Waterfront Electrical Upgrade	12,900		12,900
383	Virginia	Navy	NS Norfolk	Waterfront Electrical Upgrade	15,620		15,620
384	Virginia	Navy	NS Norfolk	Aircraft Maintenance Hangar Replacement	14,100		14,100
385	Virginia	Air Force	Langley AFB	F-22 Low Observ. Restoration & Comp Repair Facility	16,000		16,000
386	Virginia	Air Force	Langley AFB	F-22 Operation And Maintenance Facility	19,000		19,000
387	Virginia	Air Force	Langley AFB	Dormitory	8,300		8,300
388	Virginia	Air Force	Langley AFB	F-22 Upgrade Flightline Infrastructure	4,000		4,000
389	Virginia	Defense Logistics Agency	Fort Belvoir	Additional Chiller Unit	900		900
390	Virginia	Navy Reserve	NELSF Williamsburg	Headquarters Building	2,130		2,130

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391	Virginia	Washington Headquarters Services	Pentagon Reservation	Pentagon Physical Fitness & Readiness Facility	25,000		25,000
392	Virginia	Tri-Care Management Activity	NS Norfolk	Branch Medical Clinic Add/Alt (Sewells Point)	21,000		21,000
393	Washington	Army	Fort Lewis	Vehicle Maintenance Facility	9,100		9,100
394	Washington	Army	Fort Lewis	Ammunition Supply Point Expansion	17,000		17,000
395	Washington	Army	Fort Lewis	Combat Vehicle Trail	7,300		7,300
396	Washington	Army	Fort Lewis	Pallet Handing Facility	13,200		13,200
397	Washington	Army	Fort Lewis	Deployment Staging Complex	15,500		15,500
398	Washington	Army	Fort Lewis	Barracks Complex - 17th & B Street (Phase I)	48,000		48,000
399	Washington	Army	Fort Lewis	Vehicle Maintenance Facility	9,600		9,600
400	Washington	Army	Fort Lewis	Deployment Staging Complex/Rail	16,500		16,500
401	Washington	Navy	NAS Whidbey Island	P-3 Support Facility	3,470		3,470
402	Washington	Navy	NS Bremerton	Pier Delta Replacement (Increment II)	24,460		24,460
403	Washington	Navy	NS Everett	Shore Inter Maintenance Facility	6,820		6,820
404	Washington	Navy	Puget Sound NSY, Bremerton	Industrial Skills Center (Phase II)	0	14,000	14,000
405	Washington	Navy	SWFPAC Bangor	Utilities & Site Improvement	3,900		3,900
406	Washington	Air Force	Fairchild AFB	Replace Munitions Maintenance Admin Facility	2,800		2,800
407	Washington	Air Force	McChord AFB	C-17 Extend Nose Docks	4,900		4,900
408	Washington	Air Force	McChord AFB	ADAL Mission Support Center (Phase I)	15,800		15,800
409	Washington	Special Operations Command	Fort Lewis	SOF Tactical Equipment Complex	5,800		5,800
410	Washington	Special Operations Command	Fort Lewis	SOF Language Sustainment Training Facility	1,100		1,100
411	Washington	Army National Guard	Richland	Chemical Defense Training Facility	0	2,800	2,800
412	Washington	Army Reserve	Fort Lewis	Spt Fac/Strg	21,978		21,978
413	Washington	Tri-Care Management Activity	NAS Whidbey Island	Aircrew Water Survival Training Facility	6,600		6,600
414	Wisconsin	Army National Guard	Oshkosh	Organizational Maintenance Shop	5,274		5,274
415	Wyoming	Air Force	F. E. Warren AFB	Fitness Center	10,200		10,200
416	Wyoming	Navy Reserve	NRC Cheyenne IAP	Reserve Center Addition	1,060		1,060
417	Wyoming	Tri-Care Management Activity	F. E. Warren AFB	Medical Clinic Alteration	2,700		2,700
418	American Samoa	Army Reserve	American Samoa	USAR Center/Org Mnt Shop/Unhtd Strg/Lnd	19,703		19,703
419	El Salvador	Office Secretary of Defense	Comalapa	CENTAM FOL	12,577		12,577
420	Germany	Army	ASG Bamberg	Barracks Complex - Warner's	20,000		20,000

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421	Germany	Army	ASG Bamberg	Physical Fitness Training Center	16,000		16,000
422	Germany	Army	ASG Darmstadt	Barracks Complex - Kelley	6,800		6,800
423	Germany	Army	ASG Darmstadt	Barracks Complex - Cambrai Fritsch	6,700		6,700
424	Germany	Army	Baumholder	Vehicle Maintenance Facility	9,000		9,000
425	Germany	Army	Hanau	Barracks Complex - Pioneer	7,200		7,200
426	Germany	Army	Heidelberg	Barracks Complex - Tompkins	8,500		8,500
427	Germany	Army	Heidelberg	Barracks Complex - Patton	6,800		6,800
428	Germany	Army	Mannheim	Vehicle Maintenance Facility	16,000		16,000
429	Germany	Army	Wiesbaden AB	Child Development Center	6,800		6,800
430	Germany	Army	Wiesbaden AB	Physical Fitness Training Center	19,500		19,500
431	Germany	Air Force	Ramstein AFB	Dormitory	11,000		11,000
432	Germany	Air Force	Ramstein AFB	(Phase I)	15,000		15,000
433	Germany	Air Force	Ramstein AFB	Freight Terminal & Defense Courier Service	9,400		9,400
434	Germany	Air Force	Ramstein AFB	Strategic Lift Area Expansion	4,600		4,600
435	Germany	Air Force	Ramstein AFB	Upgrade Utility Infrastructure	2,900		2,900
436	Germany	Air Force	Spangdahlem AB	Refueler Vehicle Maintenance	2,500		2,500
437	Germany	Air Force	Spangdahlem AB	New Infrastructure Expansion	6,200		6,200
438	Germany	Defense Education Activity	Geilenkirchen	Geilenkirchen ES Multi Purpose Room	1,733		1,733
439	Germany	Defense Education Activity	Heidelberg	Patrick Henry ES Classroom Addition/Renovation	3,312		3,312
440	Germany	Defense Education Activity	Kaiserslautern	Kaiserslautern ES Classroom Addition	1,439		1,439
441	Germany	Defense Education Activity	Kitzingen	Kitzingen ES Classroom Addition	1,394		1,394
442	Germany	Defense Education Activity	Landstuhl	Landstuhl E/MS Classroom Addition	1,444		1,444
443	Germany	Defense Education Activity	Ramstein AFB	Ramstein HS Classroom Addition	2,814		2,814
444	Germany	Defense Education Activity	Vogelweh Annex	Vogelweh ES Classroom Addition/Renovation	1,558		1,558
445	Germany	Defense Education Activity	Wiesbaden AB	Hainerberg ES Classroom Addition	1,378		1,378
446	Germany	Defense Education Activity	Wurtzburg	Wuerzburg ES Classroom And Gymnasium Addition	2,684		2,684
447	Germany	Tri-Care Management Activity	Heidelberg	Medical/Dental Clinic	28,000		28,000
448	Greece	Navy	NSA JHC Larissa	Bachelor Enlisted Quarters	12,240		12,240
449	Greece	Navy	NSA Souda Bay	Sewage Treatment Plant Addition	3,210		3,210
450	Greenland	Air Force	Thule AB	Replace Taxiways/Aprons	19,000		19,000

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451	Greenland	Tri-Care Management Activity	Thule AB	Composite Medical Facility Replacement	10,800		10,800
452	Guam	Navy	NPWC Guam	Waterfront Utilities Improvements	14,800		14,800
453	Guam	Navy	NS Guam	Bachelor Enlisted Quarters Modernization	9,300		9,300
454	Guam	Air Force	Andersen AFB	AEF Bomber FOL War Reserve Material Facility	4,550		4,550
455	Guam	Air Force	Andersen AFB	Replace Security Forces Operations	5,600		5,600
456	Guam	Defense Logistics Agency	Andersen AFB	Replace Hydrant Fuel System	20,000		20,000
457	Guam	Army Reserve	Barrigada	Readiness Center (Phase II)	0	7,748	7,748
458	Guam	Air National Guard	Andersen AFB	Operations and Training Facility	4,300		4,300
459	Iceland	Navy	NAS Keflavik	Solid Waste Disp Conn Chrg	2,820		2,820
460	Italy	Navy	NAS Sigonella	P-3 Support Facility	3,060		3,060
461	Italy	Air Force	Aviano AB	Indoor Firing Range	3,600		3,600
462	Italy	Air Force	Aviano AB	Dormitory	8,200		8,200
463	Italy	Defense Education Activity	Aviano AB	Aviano ES Classroom Addition	3,647		3,647
464	Japan	Defense Logistics Agency	Yokota AB	Bulk Fuel Storage Tank	13,000		13,000
465	Korea	Army	Camp Carroll	Electrical Distribution System	8,000		8,000
466	Korea	Army	Camp Carroll	Physical Fitness Training Center	8,593		8,593
467	Korea	Army	Camp Casey	Vehicle Maintenance Facility	8,500		8,500
468	Korea	Army	Camp Hovey	Sanitary Sewer System	2,750		2,750
469	Korea	Army	Camp Hovey	Barracks Complex - Camp Hovey	33,000		33,000
470	Korea	Army	Camp Humphreys	Barracks Complex - Camp Humphreys	14,500		14,500
471	Korea	Army	Camp Jackson	General Instruction Building	6,100		6,100
472	Korea	Army	Camp Stanley	Barracks Complex - Camp Stanley	28,000		28,000
473	Korea	Air Force	Kunsan AB	Add/Alter Fitness Center	12,000		12,000
474	Korea	Air Force	Osan AB	Replace Base Civil Engineer Complex	36,000		36,000
475	Korea	Air Force	Osan AB	Officer Dormitory	9,700		9,700
476	Korea	Air Force	Osan AB	Dormitory	14,400		14,400
477	Korea	Air Force	Osan AB	Dormitory (156 Rooms)	15,800		15,800
478	Korea	Air Force	Osan AB	Replace Traffic Management Facility	5,925		5,925
479	Korea	Air Force	Osan AB	Replace Vehicle Ops Control/Admin Facility	2,000		2,000
480	Korea	Air Force	Osan AB	Vehicle Maintenance Facility	17,317		17,317

TITLES XXI THROUGH XXVI - MILITARY CONSTRUCTION AND FAMILY HOUSING AUTHORIZATION OF APPROPRIATIONS
(Dollars in Thousands)

LINE NO	LOCATION	SERVICE/AGENCY/PROGRAM	INSTALLATION	PROJECT TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
481	Korea	Defense Logistics Agency	Camp Casey	Replace Fuel Storage Facility	5,500		5,500
482	Kwajalein	Army	Kwajalein	Cold Storage Warehouse	11,000		11,000
483	Portugal	Tri-Care Management Activity	Lajes Field, Azores	Dental Clinic Replacement	3,750		3,750
484	Spain	Navy	NS Rota	Aircraft Fire & Rescue Addition	2,240		2,240
485	Spain	Defense Logistics Agency	NS Rota	Marine Loading Arms	3,000		3,000
486	Turkey	Air Force	Eskisehir	Dormitory/Mission Support Facility (32 Rooms)	4,000		4,000
487	United Kingdom	Air Force	RAF Lakenheath	Replace Supply Material Control	11,300		11,300
488	United Kingdom	Air Force	RAF Mildenhall	Avionics Maintenance Complex (Phase II)	10,800		10,800
489	United Kingdom	Air Force	RAF Mildenhall	Fitness Center	11,600		11,600
490	United Kingdom	Defense Education Activity	RAF Feltwell	Lakenheath MS New School	22,132		22,132
491	Wake Island	Air Force	Wake Island	Repair Airfield Pavement (Phase I)	25,000		25,000
492	Worldwide Classified	Army	Classified	Classified Project	4,000		4,000
493	Worldwide Classified	Air Force	Classified Location	Tactical Unit Detachment Facility	4,458		4,458
494	Worldwide Unspecified	Army	Host Nation Support	Host Nation Support	23,100		23,100
495	Worldwide Unspecified	Army	Unspecified Worldwide	Planning And Design	134,098	6,478	140,576
496	Worldwide Unspecified	Army	Unspecified Worldwide	Unspecified Minor Construction	18,000		18,000
497	Worldwide Unspecified	Army	Unspecified Worldwide	Foreign Currency Fluctuation	0	(36,168)	(36,168)
498	Worldwide Unspecified	Navy	Unspecified Worldwide	Unspecified Minor Construction	10,546		10,546
499	Worldwide Unspecified	Navy	Unspecified Worldwide	Planning And Design	29,932	5,460	35,392
500	Worldwide Unspecified	Navy	Unspecified Worldwide	Foreign Currency Fluctuation	0	(6,854)	(6,854)
501	Worldwide Unspecified	Air Force	Unspecified Worldwide	Unspecified Minor Construction	11,250		11,250
502	Worldwide Unspecified	Air Force	Unspecified Worldwide	Planning And Design	79,130	5,500	84,630
503	Worldwide Unspecified	Air Force	Unspecified Worldwide	Foreign Currency Fluctuation	0	(15,846)	(15,846)
504	Worldwide Unspecified	Defense Logistics Agency	Unspecified Worldwide	Planning And Design	3,500		3,500
505	Worldwide Unspecified	Defense Intelligence Agency	Unspecified Worldwide	Planning And Design	6,516		6,516
506	CONUS Classified	Special Operations Command	Classified	SOF Aviation And Maintenance Facility	2,400		2,400
507	Worldwide Unspecified	Special Operations Command	Unspecified Worldwide	Unspecified Minor Construction	1,903		1,903
508	Worldwide Unspecified	Special Operations Command	Unspecified Worldwide	Planning And Design	6,861		6,861
509	Worldwide Unspecified	Organization	Unspecified Worldwide	Planning And Design	6,290		6,290
510	Worldwide Unspecified	Organization	Unspecified Worldwide	Unspecified Minor Construction	2,009		2,009

TITLES XXI THROUGH XXVI - MILITARY CONSTRUCTION AND FAMILY HOUSING AUTHORIZATION OF APPROPRIATIONS
(Dollars in Thousands)

LINE NO	LOCATION	SERVICE/AGENCY/PROGRAM	INSTALLATION	PROJECT TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
511	Worldwide Unspecified	OSD Contingencies	Unspecified Worldwide	Contingency Construction	10,000		10,000
512	Worldwide Unspecified	OSD Minor Construction	Unspecified Worldwide	Unspecified Minor Construction	3,000		3,000
513	Worldwide Unspecified	OSD Planning & Design	Unspecified Worldwide	Planning And Design	20,000		20,000
514	Worldwide Unspecified	Defense Agencies	Unspecified Worldwide	Foreign Currency Fluctuation	0	(17,851)	(17,851)
515	Worldwide Unspecified	Defense Agencies	Unspecified Worldwide	General Reduction	0	(10,250)	(10,250)
516	Worldwide Unspecified	NATO Security Investment Program	Unspecified Worldwide	NATO Security Investment Program	162,600		162,600
517	Worldwide Unspecified	Army National Guard	Unspecified Worldwide	Planning And Design	25,794	1,500	27,294
518	Worldwide Unspecified	Army National Guard	Unspecified Worldwide	Unspecified Minor Construction	4,671		4,671
519	Worldwide Unspecified	Air National Guard	Unspecified Worldwide	Unspecified Minor Construction	5,000		5,000
520	Worldwide Unspecified	Air National Guard	Unspecified Worldwide	Planning And Design	3,972	1,500	5,472
521	Worldwide Unspecified	Army Reserve	Unspecified Worldwide	Planning And Design	8,024	2,000	10,024
522	Worldwide Unspecified	Army Reserve	Unspecified Worldwide	Unspecified Minor Construction	2,375		2,375
523	Worldwide Unspecified	Navy Reserve	Unspecified Worldwide	Planning And Design	1,176	1,000	2,176
524	Worldwide Unspecified	Air Force Reserve	Unspecified Worldwide	Unspecified Minor Construction	4,996		4,996
525	Worldwide Unspecified	Air Force Reserve	Unspecified Worldwide	Planning And Design	4,336	1,500	5,836
526	Worldwide Unspecified	Service	Unspecified Worldwide	Unspecified Minor Construction	1,500		1,500
527	Worldwide Unspecified	Base Closure IV	BRAC IV	Base Realignment and Closure IV	532,200		532,200
528	Worldwide Unspecified	Joint Chiefs of Staff	Unspecified Worldwide	Unspecified Minor Construction	6,305		6,305
529	Worldwide Unspecified	Defense Education Activity	Unspecified Worldwide	Planning And Design	1,929		1,929
530	Worldwide Unspecified	Defense Education Activity	Unspecified Worldwide	Unspecified Minor Construction	4,249		4,249
531	Worldwide Unspecified	Defense Threat Reduction Agency	Unspecified Worldwide	Planning And Design	2,400		2,400
532	Worldwide Unspecified	Program	Unspecified Worldwide	Energy Conservation Improvement Program	35,600		35,600
533	Worldwide Unspecified	Tri-Care Management Activity	Unspecified Worldwide	Planning And Design	26,300		26,300
534	Worldwide Unspecified	Tri-Care Management Activity	Unspecified Worldwide	Unspecified Minor Construction	5,526		5,526
535	Worldwide Unspecified	Chemical Biological Activity	Unspecified Worldwide	Vaccine Production Facility, Plan & Design	700		700
536	Alaska	Army	Fort Wainwright	Replacement Construction (32 Units)	12,000		12,000
537	Arizona	Army	Fort Huachuca	Replacement Construction (72 Units)	10,800		10,800
538	Arizona	Navy	MCAS Yuma	Replacement Construction (Phase II) (51 Units)	9,017		9,017
539	Arizona	Air Force	Luke AFB	Replace Family Housing (Phase I) (120 Units)	15,712		15,712
540	California	Navy	MAGTFTC Twentynine Palms	New Construction (74 Units)	16,250		16,250

TITLES XXI THROUGH XXVI - MILITARY CONSTRUCTION AND FAMILY HOUSING AUTHORIZATION OF APPROPRIATIONS
(Dollars in Thousands)

LINE NO	LOCATION	SERVICE/AGENCY/PROGRAM	INSTALLATION	PROJECT TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
541	California	Air Force	Travis AFB	Replace Family Housing (Phase I) (118 Units)	18,150		18,150
542	Colorado	Air Force	Buckley AFB	New Construction (55 Units)	11,400		11,400
543	Delaware	Air Force	Dover AFB	Replace Family Housing (Phase I) (120 Units)	18,145		18,145
544	District of Columbia	Air Force	Bolling AFB	Replace Family Housing (136 Units)	16,926		16,926
545	Georgia	Army	Fort Stuart	Housing Acquisition (160 Units)	0	2,500	2,500
546	Hawaii	Navy	MCB Kaneohe	Replace Housing (172 Units)	46,996		46,996
547	Hawaii	Navy	NS Pearl Harbor	Replacement Construction Oahu, HI (70 Units)	16,827		16,827
548	Hawaii	Air Force	Hickam AFB	Replace Family Housing (Phase I) (102 Units)	25,037		25,037
549	Kansas	Army	Fort Leavenworth	Replacement Construction (40 Units)	10,000		10,000
550	Louisiana	Air Force	Barksdale AFB	Replace Family Housing (56 Units)	7,300		7,300
551	Mississippi	Navy	NS Pascagoula	New Construction (160 Units)	23,354		23,354
552	South Dakota	Air Force	Ellsworth AFB	Replacement Construction (78 Units)	13,700		13,700
553	Texas	Army	Fort Bliss	Replacement Construction (76 Units)	13,600		13,600
554	Virginia	Air Force	Langley AFB	Replace Family Housing (4 Units)	1,200		1,200
555	Virginia	Navy	MCCDC Quantico	Replace Family Housing (60 Units)	0	10,000	10,000
556	Italy	Navy	NAS Sigonella	Replacement Construction (10 Units)	2,403		2,403
557	Korea	Army	Camp Humphreys	New Construction (54 Units)	12,800		12,800
558	Portugal	Air Force	Lajes Field, Azores	Replace Family Housing (Phase II) (64 Units)	13,230		13,230
559	Worldwide Unspecified	Army	Unspecified Worldwide	Utilities Account	258,790		258,790
560	Worldwide Unspecified	Army	Unspecified Worldwide	Planning And Design	11,592		11,592
561	Worldwide Unspecified	Army	Unspecified Worldwide	Services Account	49,520	(4,665)	44,855
562	Worldwide Unspecified	Army	Unspecified Worldwide	Servicemen's Mortgage Insurance Premium	1		1
563	Worldwide Unspecified	Army	Unspecified Worldwide	Management Account	82,177		82,177
564	Worldwide Unspecified	Army	Unspecified Worldwide	Housing Privatization Support Cost	27,918		27,918
565	Worldwide Unspecified	Army	Unspecified Worldwide	Maintenance Account	446,806		446,806
566	Worldwide Unspecified	Army	Unspecified Worldwide	Leasing	196,956		196,956
567	Worldwide Unspecified	Army	Unspecified Worldwide	Miscellaneous Account	1,277	(422)	855
568	Worldwide Unspecified	Army	Unspecified Worldwide	Furnishings Account	45,546	(1,172)	44,374
569	Worldwide Unspecified	Army	Unspecified Worldwide	Construction Improvements	220,750		220,750
570	Worldwide Unspecified	Army	Unspecified Worldwide	Foreign Currency Fluctuation	0	(56,529)	(56,529)

TITLES XXI THROUGH XXVI - MILITARY CONSTRUCTION AND FAMILY HOUSING AUTHORIZATION OF APPROPRIATIONS
(Dollars in Thousands)

LINE NO	LOCATION	SERVICE/AGENCY/PROGRAM	INSTALLATION	PROJECT TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
571	Worldwide Unspecified	Army	Unspecified Worldwide	Foreign Currency Fluctuation	0	(18,888)	(18,888)
572	Worldwide Unspecified	Navy	Unspecified Worldwide	Planning And Design	6,499		6,499
573	Worldwide Unspecified	Navy	Unspecified Worldwide	Management Account	85,535	(621)	84,914
574	Worldwide Unspecified	Navy	Unspecified Worldwide	Construction Improvements	183,054	18,780	201,834
575	Worldwide Unspecified	Navy	Unspecified Worldwide	Maintenance Account	409,567		409,567
576	Worldwide Unspecified	Navy	Unspecified Worldwide	Housing Privatization Support Cost	4,100		4,100
577	Worldwide Unspecified	Navy	Unspecified Worldwide	Utilities Account	195,172		195,172
578	Worldwide Unspecified	Navy	Unspecified Worldwide	Furnishings Account	32,701	(1,817)	30,884
579	Worldwide Unspecified	Navy	Unspecified Worldwide	Servicemen's Mortgage Insurance Premium	68		68
580	Worldwide Unspecified	Navy	Unspecified Worldwide	Miscellaneous Account	1,200		1,200
581	Worldwide Unspecified	Navy	Unspecified Worldwide	Leasing Account	123,965		123,965
582	Worldwide Unspecified	Navy	Unspecified Worldwide	Services Account	65,787	(1,834)	63,953
583	Worldwide Unspecified	Navy	Unspecified Worldwide	Foreign Currency Fluctuation	0	(13,238)	(13,238)
584	Worldwide Unspecified	Navy	Unspecified Worldwide	Foreign Currency Fluctuation	0	(414)	(414)
585	Worldwide Unspecified	Air Force	Unspecified Worldwide	Maintenance	436,526		436,526
586	Worldwide Unspecified	Air Force	Unspecified Worldwide	Utilities Account	168,652		168,652
587	Worldwide Unspecified	Air Force	Unspecified Worldwide	Services Account	28,356	(359)	27,997
588	Worldwide Unspecified	Air Force	Unspecified Worldwide	Housing Privatization Support Cost	35,406		35,406
589	Worldwide Unspecified	Air Force	Unspecified Worldwide	Miscellaneous	2,384	(52)	2,332
590	Worldwide Unspecified	Air Force	Unspecified Worldwide	Management Account	58,224	(2,539)	55,685
591	Worldwide Unspecified	Air Force	Unspecified Worldwide	Furnishings Account	36,619		36,619
592	Worldwide Unspecified	Air Force	Unspecified Worldwide	Leasing	102,919		102,919
593	Worldwide Unspecified	Air Force	Unspecified Worldwide	Construction Improvements	352,879	18,000	370,879
594	Worldwide Unspecified	Air Force	Unspecified Worldwide	Servicemen's Mortgage Insurance Premium	35		35
595	Worldwide Unspecified	Air Force	Unspecified Worldwide	MFH Planning & Design	24,558		24,558
596	Worldwide Unspecified	Air Force	Unspecified Worldwide	Foreign Currency Fluctuation	0	(23,153)	(23,153)
597	Worldwide Unspecified	Air Force	Unspecified Worldwide	Foreign Currency Fluctuation	0	(24,725)	(24,725)
598	Worldwide Unspecified	Defense Logistics Agency	Unspecified Worldwide	Furnishings	30		30
599	Worldwide Unspecified	Defense Logistics Agency	Unspecified Worldwide	Maintenance Of Real Property	359		359
600	Worldwide Unspecified	Defense Logistics Agency	Unspecified Worldwide	Services Account	78		78

TITLES XXI THROUGH XXVI - MILITARY CONSTRUCTION AND FAMILY HOUSING AUTHORIZATION OF APPROPRIATIONS
(Dollars in Thousands)

LINE NO	LOCATION	SERVICE/AGENCY/PROGRAM	INSTALLATION	PROJECT TITLE	FY 2002 AUTHORIZATION REQUEST	COMMITTEE CHANGE FROM REQUEST	FY 2002 COMMITTEE RECOMMENDATION
601	Worldwide Unspecified	Defense Logistics Agency	Unspecified Worldwide	Utilities Account	428		428
602	Worldwide Unspecified	Defense Logistics Agency	Unspecified Worldwide	Management Account	292		292
603	Worldwide Unspecified	Defense Logistics Agency	Unspecified Worldwide	Construction Improvements	250		250
604	Worldwide Unspecified	National Security Agency	Unspecified Worldwide	Furnishings Account	129		129
605	Worldwide Unspecified	National Security Agency	Unspecified Worldwide	Management Account	15		15
606	Worldwide Unspecified	National Security Agency	Unspecified Worldwide	Miscellaneous Account	57		57
607	Worldwide Unspecified	National Security Agency	Unspecified Worldwide	Utilities Account	414		414
608	Worldwide Unspecified	National Security Agency	Unspecified Worldwide	Services Account	374		374
609	Worldwide Unspecified	National Security Agency	Unspecified Worldwide	Leasing	11,698		11,698
610	Worldwide Unspecified	National Security Agency	Unspecified Worldwide	Maintenance Of Real Property	658		658
611	Worldwide Unspecified	Defense Intelligence Agency	Unspecified Worldwide	Leasing	25,600		25,600
612	Worldwide Unspecified	Defense Intelligence Agency	Unspecified Worldwide	Furnishings Account	3,630		3,630
613	Worldwide Unspecified	Homeowners' Assistance Program	Unspecified Worldwide	Homeowners Assistance Program	10,119		10,119
614	Worldwide Unspecified	Family Housing Improvement Fund	Unspecified Worldwide	Family Housing Improvement Fund	2,000		2,000

TITLE XXI—ARMY

SUMMARY

The budget request contained $1,760,541,000 for Army military construction and $1,400,533,000 for family housing for fiscal year 2002. The committee recommends authorization of $1,686,601,000 for military construction and $1,321,357,000 for family housing for fiscal year 2002.

ITEMS OF SPECIAL INTEREST

Planning and Design

The committee recommends that, within authorized amounts for planning and design, the Secretary of the Army complete planning and design activities for the following projects: $225,000 for a training center at Tobyhanna Army Depot, Pennsylvania.

LEGISLATIVE PROVISIONS

Section 2101—Authorized Army Construction and Land Acquisition Projects

This section contains the list of authorized Army construction projects for fiscal year 2002. The authorized amounts are listed on an installation-by-installation basis. The state list contained in this report is intended to be the binding list of the specific projects authorized at each location.

Section 2102—Family Housing

This section would authorize new construction and planning and design of family housing units for the Army for fiscal year 2002.

Section 2103—Improvements to Military Family Housing Units

This section would authorize improvements to existing units of family housing for fiscal year 2002.

Section 2104—Authorization of Appropriations, Army

This section would authorize specific appropriations for each line item contained in the Army's budget for fiscal year 2002. This section also provides an overall limit on the amount the Army may spend on military construction projects.

Section 2105—Modification of Authority to Carry Out Certain Fiscal Year 2001 Project

This section would amend the table in section 2101 of the Military Construction Authorization Act for Fiscal Year 2001 (division

B of Public Law 106–398) to provide for an increase in the amounts authorized for military construction at Fort Leonard Wood, Missouri, at Fort Drum, New York, and at Fort Hood Texas.

TITLE XXII—NAVY

SUMMARY

The budget request contained $1,071,408,000 for Navy military construction and $1,222,495,000 for family housing for fiscal year 2002. The committee recommends authorization of $1,159,654,000 for military construction and $1,233,351,000 for family housing for fiscal year 2002.

ITEMS OF SPECIAL INTEREST

Improvements to Military Family Housing

The committee recommends that, within authorized amounts for improvements to military family housing and facilities, the Secretary of the Navy execute the following projects: $11,840,000 for Whole-site Revitalization (69 units) at Pacific Missile Range Facility Barking Sands, Hawaii, and $6,940,000 for Whole House Revitalization (124 units) at Westover Air Reserve Base, Massachusetts.

Planning and Design

The committee recommends that, within authorized amounts for planning and design, the Secretary of the Navy complete planning and design activities for the following project: $420,000 for an undersea network centric laboratory at Naval Underwater Systems Newport, Rhode Island.

LEGISLATIVE PROVISIONS

Section 2201—Authorized Navy Construction and Land Acquisition Projects

This section contains the list of authorized Navy construction projects for fiscal year 2002. The authorized amounts are listed on an installation-by-installation basis. The state list contained in this report is intended to be the binding list of the specific projects authorized at each location.

Section 2202—Family Housing

This section would authorize new construction and planning and design of family housing units for the Navy for fiscal year 2002.

Section 2203—Improvements to Military Family Housing Units

This section would authorize improvements to existing units of family housing for fiscal year 2002.

Section 2204—Authorization of Appropriations, Navy

This section would authorize specific appropriations for each line item in the Navy's budget for fiscal year 2002. This section also provides an overall limit on the amount the Navy may spend on military construction projects.

Section 2205—Modification of Authority to Carry Out Fiscal Year 2000 Project

This section would amend the table in section 2201 of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65) to provide for an increase in the amounts authorized for military construction at Camp H.M. Smith, Hawaii.

TITLE XXIII—AIR FORCE

SUMMARY

The budget request contained $1,068,250,000 for Air Force military construction and $1,387,358,000 for family housing for fiscal year 2002. The committee recommends authorization of $1,171,504,000 for military construction and $1,354,530,000 for family housing for fiscal year 2002.

ITEMS OF SPECIAL INTEREST

Improvements to Military Family Housing

The committee recommends that, within authorized amounts for improvements to military family housing and facilities, the Secretary of the Air Force execute the following project: $18,000,000 for Whole Neighborhood Revitalization (164 units) at Whiteman Air Force Base, Missouri.

LEGISLATIVE PROVISIONS

Section 2301—Authorized Air Force Construction and Land Acquisition Projects

This section contains the list of authorized Air Force construction projects for fiscal year 2002. The authorized amounts are listed on an installation-by-installation basis. The state list contained in this report is intended to be the binding list of the specific projects authorized at each location.

Section 2302—Family Housing

This section would authorize new construction and planning and design of family housing units for the Air Force for fiscal year 2002.

Section 2303—Improvements to Military Family Housing Units

This section would authorize improvements to existing units of family housing for fiscal year 2002.

Section 2304—Authorization of Appropriations, Air Force

This section would authorize specific appropriations for each line item in the Air Force's budget for fiscal year 2002. This section also would provide an overall limit on the amount the Air Force may spend on military construction projects.

Section 2305—Modification of Authority to Carry Out Certain Fiscal Year 2001 Project

This section would amend the table in section 2301 of the Military Construction Authorization Act for Fiscal Year 2001 (division B of Public Law 106–398) to provide for an increase in the amounts authorized for military construction at McGuire Air Force Base, New Jersey.

TITLE XXIV—DEFENSE AGENCIES

SUMMARY

The budget request contained $694,558,000 for defense agencies military construction and $250,000, for family housing construction for fiscal year 2002. The committee recommends authorization of $838,957,000 for military construction and $250,000 for family housing for fiscal year 2002.

LEGISLATIVE PROVISIONS

Section 2401—Authorized Defense Agencies Construction and Land Acquisition Projects

This section contains the list of authorized defense agencies construction projects for fiscal year 2002. The authorized amounts are listed on an installation-by-installation basis. The state list contained in this report is intended to be the binding list of the specific projects authorized at each location.

Section 2402—Energy Conservation Projects

This section would authorize the Secretary of Defense to carry out energy conservation projects

Section 2403—Authorization Of Appropriations, Defense Agencies

This section would authorize specific appropriations for each line item in the Defense Agencies' budget for fiscal year 2002. This section also would provide an overall limit on the amount the Defense Agencies may spend on military construction projects.

Section 2404—Modification of Authority to Carry Out Fiscal Year 2001 Project

This section would amend the table in section 2401 of the Military Construction Authorization Act for Fiscal Year 2001 (division B of Public Law 106–398) to provide for an increase in the amounts authorized for construction at Marine Corps Base, Camp Pendleton, California.

Section 2405—Modification of Authority to Carry Out Fiscal Year 2000 Project

This section would amend the table in section 2401 of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65) to provide for an increase in the amounts authorized for construction at Naval Air Station, Whidbey Island, Washington.

Section 2406—Modification of Authority to Carry Out Fiscal Year 1999 Project

This section would amend the table in section 2401 of the Military Construction Authorization Act for Fiscal Year 1999 (division B of Public Law 105–261) to provide for an increase in the amounts authorized for military construction projects to support chemical weapons and munitions destruction at Aberdeen Proving Ground, Maryland.

Section 2407—Modification of Authority to Carry Out Fiscal Year 1995 Project

This section would amend the table in section 2401 of the Military Construction Authorization Act for Fiscal Year 1995 (division B of Public Law 103–337), as amended to provide for an increase in the amounts authorized for military construction projects to support chemical weapons and munitions destruction at Pine Bluff Arsenal, Arkansas.

Section 2408—Prohibition on Expenditures to Develop Forward Operating Location on Aruba for United States Southern Command Counter-Drug Detection and Monitoring Flights

This section would prohibit funds appropriated in chapter 3 of title III of the Emergency Supplemental Act, 2000 (Public Law 106–246) to be used by the Secretary of Defense to develop any forward operating location of the island of Aruba.

TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION INFRASTRUCTURE

SUMMARY

The budget request contained $162,600,000 for the NATO infrastructure fund (NATO Security Investment Program) for fiscal year 2002. The committee recommends $162,600,000 for the NATO infrastructure fund for fiscal year 2002.

LEGISLATIVE PROVISIONS

Section 2501—Authorized NATO Construction and Land Acquisition Projects

This section would authorize the Secretary of Defense to make contributions to the North Atlantic Treaty Organization security investment program in an amount equal to the sum of the amount specifically authorized in section 2502 of this bill and the amount of recoupment due to the United States for construction previously financed by the United States.

Section 2502—Authorization of Appropriations, NATO

This section would authorize appropriations of $162,600,000 as the U.S. contribution to the NATO security investment program.

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

SUMMARY

The budget request contained $615,238,000 for fiscal year 2002 for guard and reserve facilities. The committee recommends authorization for fiscal year 2002 of $807,827,000 to be distributed as follows:

Army National Guard	$304,915,000
Air National Guard	197,472,000
Army Reserve	173,017,000
Naval and Marine Corps Reserve	53,291,000
Air Force Reserve	79,132,000
Total	807,827,000

ITEMS OF SPECIAL INTEREST

Planning and Design, Air National Guard

The committee recommends that, within authorized amounts for planning and design, the Secretary of the Air Force execute the following project: $1,331,000 for a joint headquarters building at McEntire Air National Guard Base, South Carolina.

Unspecified Minor Construction, Army National Guard

The committee recommends that, within authorized amounts for unspecified minor construction, the Secretary of the Army execute the following project: $500,000 for security improvements at Johnstown Airport, Pennsylvania.

LEGISLATIVE PROVISIONS

Section 2601—Authorized Guard and Reserve Construction and Land Acquisition Projects

This section would authorize appropriations for military construction for the guard and reserve by service component for fiscal year 2002. The state list contained in this report is intended to be the binding list of the specific projects authorized at each location.

TITLE XXVII—EXPIRATION AND EXTENSION OF AUTHORIZATIONS

LEGISLATIVE PROVISIONS

Section 2701—Expiration of Authorizations and Amounts Required To Be Specified by Law

This section would provide that authorizations for military construction projects, repair of real property, land acquisition, family housing projects and facilities, contributions to the North Atlantic Treaty Organization infrastructure program, and guard and reserve projects will expire on October 1, 2004 or the date of enactment of an Act authorizing funds for military construction for fiscal year 2005, whichever is later. This expiration would not apply to authorizations for which appropriated funds have been obligated before October 1, 2004 or the date of enactment of an Act authorizing funds for these projects, whichever is later.

Section 2702—Extensions of Authorizations of Certain Fiscal Year 1999 Projects

This section would provide for selected extension of certain fiscal year 1998 military construction authorizations until October 1, 2001, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2003, whichever is later.

Section 2703—Extension of Authorizations of Certain Fiscal Year 1998 Projects

This section would provide for selected extension of certain fiscal year 1998 military construction authorizations until October 1, 2002, or the date of the enactment of the Act authorizing funds for military construction for fiscal year 2003, whichever is later.

Section 2704—Effective Date

This section would provide that Titles XXI, XXII, XXIII, XXIV, and XXVI of this bill shall take effect on October 1, 2001, or the date of the enactment of this Act, whichever is later.

TITLE XXVIII—GENERAL PROVISIONS

LEGISLATIVE PROVISIONS

SUBTITLE A—MILITARY CONSTRUCTION PROGRAM AND MILITARY FAMILY HOUSING CHANGES

Section 2801—Increase in Certain Unspecified Minor Military Construction Project Thresholds

This section would amend section 2805 of title 10, United States Code, to increase the threshold for notice and wait requirements for unspecified minor construction from $500,000 to $750,000.

Section 2802—Exclusion of Unforeseen Environmental Hazard Remediation From Limitation on Authorized Cost Variations

This section would amend section 2853 of title 10, United States Code, to exclude legally required remediation of certain environmental hazards from limitations on authorized cost variations.

Section 2803—Repeal of Annual Reporting Requirement on Military Construction and Military Family Housing Activities

This section would amend section 2861 of title 10, United States Code, to repeal the annual reporting requirement on military construction and military family housing activities.

Section 2804—Permanent Authorization for Alternative Authority for Acquisition and Improvement of Military Housing

This section would amend section 2885 of title 10, United States Code, to make permanent the authorities contained in subchapter 169 of title 10, United States Code.

SUBTITLE B—REAL PROPERTY AND FACILITIES ADMINISTRATION

Section 2811—Use of Military Installations for Certain Recreational Activities

This section would amend section 2671 of title 10, United States Code, to permit certain recreation activities on military installations. This section would provide flexibility to military installation commanders to manage resources without adhering to State law, when necessary, if determined to be in interest of public safety.

Section 2812—Base Efficiency Project at Brooks Air Force Base, Texas

This section would amend section 136 of the Military Construction Appropriations Act, 2001 (division A of Public Law 106–246) to authorize the Secretary of the Air Force to provide environmental indemnification to the San Antonio community and other persons. No indemnification may be provided unless the person or entity making the claim provides certain documentation. This section would authorize the Secretary to settle or defend a claim if it is determined that the Department of Defense may be required to make indemnification payments.

SUBTITLE C—DEFENSE BASE CLOSURE AND REALIGNMENT

Section 2821—Lease Back of Base Closure Property

This section would amend section 204 of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526) and section 2905 of the Defense Base Closure and Realignment Act of 1990 (Part A of Title XXIX of Public Law 101–510) to authorize the secretary concerned to transfer real property at a closed or realigned military installation to the redevelopment authority for the installation if the redevelopment authority agrees, directly upon transfer, to lease one or more portions of the property transferred to the secretary or to the head of another department or agency of the Federal Government. Such leases shall not exceed 50 years and may not require rental payments by the United States. This section would permit the use of the leased property by the same or another department or agency of the Federal Government if the original department concerned ceases requiring the use of the lease.

SUBTITLE D—LAND CONVEYANCES GENERALLY

Part I—Army Conveyances

Section 2831—Transfer of Jurisdiction, Rock Island Arsenal, Illinois

This section would amend section 2832 of the Military Construction Authorization Act for Fiscal Year 2001 (division B of Public Law 106–398) by authorizing the Secretary of the Army to transfer a parcel of real property approximately .513 acres to the City. As consideration for the transfer, the City would convey to the Secretary, a parcel of real property approximately .063 acres to construct a new access ramp for the Rock Island Arsenal, Illinois.

Section 2832—Modification of Land Conveyance, Fort Dix, New Jersey

This section would amend section 2835 of the Military Construction Authorization Act for Fiscal Year 1998 (division B of Public Law 105–85) to authorize the exchange between the Borough of Wrightstown and the New Hanover Board of Education, without the consent of the Secretary, of all or any portion of the property

conveyed so long as the property continues to be used for economic or educational purposes.

Section 2833—Lease Authority, Fort Derussy, Hawaii

This section would authorize the Secretary of the Army to enter into a lease with the City of Honolulu, Hawaii, for the purpose of making available to the City a parcel of real property for the construction of a parking facility.

Section 2834—Land Exchange and Consolidation, Fort Lewis, Washington

This section would authorize the Secretary of the Army to convey two parcels of real property, with improvements, consisting of approximately 138 acres at Fort Lewis, Washington, to the Nisqually Tribe. As consideration for the exchange, the Tribe shall acquire from Thurston County, Washington, several parcels of real property consisting of approximately 416 acres and convey fee title to the Secretary. This section would also authorize the Secretary to convey to the Bonneville Power Administration a right-of-way to permit the Administration to use the real property at Fort Lewis as a route for the Grand Coulee-Olympia and Olympia-White River electrical transmission lines. The cost of any survey shall be borne by the recipient of the property.

Section 2835—Land Conveyance, Whittier-Anchorage Pipeline Tank Farm, Anchorage, Alaska

This section would authorize the Secretary of the Army to convey, without consideration, two adjoining parcels of real property, including improvements, of approximately 48 acres and known as the Whittier-Anchorage Pipeline Tank Farm, to the Port of Anchorage, an entity of the Municipality of Anchorage, Alaska. The cost of any survey shall be borne by the recipient of the real property.

Part II—Navy Conveyances

Section 2841—Transfer of Jurisdiction, Centerville Beach Naval Station, Humboldt County, California

This section would authorize the Secretary of the Navy to transfer, without reimbursement, to the administrative jurisdiction of the Secretary of the Interior the real property with improvements consisting of the closed Centerville Beach Naval Station, Humboldt County, California, for the purpose of permitting the Secretary of the Interior to manage the real property as open space or for other public purposes. The cost of any survey necessary for the transfer would be borne by the Secretary of the Interior.

Section 2842—Land Conveyance, Naval Weapons Industrial Reserve Plant, Toledo, Ohio

This section would authorize the Secretary of the Navy to convey, without consideration, a parcel of real property, consisting of approximately 29 acres comprising the Naval Weapons Industrial Reserve Plant, Toledo, Ohio, to the Toledo-Lucas County Port Author-

ity. Until the property is conveyed, the Secretary may lease the real property, together with any improvements, facilities, equipment, fixtures, and other personal property, to the Port Authority in exchange for security services, and maintenance services provided by the Port Authority. The conveyance and any lease shall be subject to certain specified conditions. The cost of any survey shall be borne by the Port Authority.

Section 2843—Modification of Authority for Conveyance of Naval Computer and Telecommunications Station, Cutler, Maine

This section would amend section 2853 of the Military Construction Authorization Act for Fiscal Year 2001 (division B of Public Law 106–398) by inserting "any or" before "all right" in order to permit the Department of the Navy to convey parcels of the real property to recently identified federal entities.

Section 2844—Modification of Land Conveyance, Former United States Marine Corps Air Station, Eagle Mountain, Texas

This section would amend section 5 of Public Law 85–258, to permit the Texas Military Facilities Commission to use funds acquired through the leasing of Eagle Mountain Lake National Guard Training Site for other Texas National Guard facilities.

Section 2845—Land Transfer and Conveyance, Naval Security Group Activity, Winter Harbor, Maine

This section would authorize the Secretary of the Navy to transfer, without consideration, a parcel of real property, including improvements, of approximately 26 acres to the Secretary of the Interior. The transfer would occur concurrent with the reversion of administrative jurisdiction of a parcel of real property consisting of approximately 71 acres from the Secretary of the Navy to the Secretary of the Interior as authorized by Public Law 80–260. This section would authorize the Secretary of the Navy to convey, without consideration, any of the parcels of real property, including improvements, of approximately 485 acres and comprising the former facilities of the Naval Security Group Activity, Winter Harbor, Maine to the State of Maine, any subdivision of the State of Maine, or any tax-supported agency of the State of Maine. The Secretary of the Navy would transfer, without consideration, certain personal property associated with such real property. The Secretary of the Navy would maintain any real property until the earlier of the date of conveyance or September 30, 2003. The Secretary of the Navy may lease such parcels to certain persons or entities. The Secretary of the Navy may require each recipient of real property to reimburse the Secretary for certain costs. The cost of any survey shall be borne by the recipient or the real property.

Part III—Air Force Conveyances

Section 2851—Water Rights Conveyance, Andersen Air Force Base, Guam

This section would authorize the Secretary of the Air Force to convey water rights related to the Air Force properties Andy South,

also known as the Andersen Administrative Annex, Marianas Bonis Base Command, and Andersen Water Supply Annex, also known as the Tumon Water Well or the Tumon Maui Well, located on Guam. The Secretary may exercise authority under certain specified conditions. This section would authorize the Secretary to require that the United States have the primary right to all water produced from Andy South and Anderson Water Supply Annex until a replacement water system is in working condition satisfactory to the Secretary. The Secretary may authorize the conveyee of the water system to sell to public or private entities such water from Andersen Air Force Base as the Secretary determines to be excess to the needs of the United States.

Section 2852—Reexamination of Land Conveyance, Lowry Air Force Base, Colorado

This section would direct the Secretary of the Air Force to reevaluate the terms and conditions of the pending negotiated sale agreement at Lowry Air Force Base, Colorado, with the Lowry Redevelopment Authority for certain real property in light of changed circumstances regarding the property. The reexamination shall determine whether changed circumstances warrant a reduction in the amount of consideration otherwise required under the agreement or other modifications to the agreement.

SUBTITLE E—OTHER MATTERS

Section 2861—Transfer of Jurisdiction for Development of Armed Forces Recreational Facility, Park City, Utah

This section would authorize the Secretary of the Interior to transfer, without reimbursement, the administrative jurisdiction of a parcel of real property, including improvements, consisting of approximately 35 acres located in Park City, Utah and designated as parcel 3 by the Bureau of Land Management to the Secretary of the Air Force. The transfer would be completed no later than one year after the date of the enactment of this Act. This section would authorize the Secretary of the Air Force to use the real property as the location for an armed forces recreational facility to be developed using non-appropriated funds. The Secretary of the Air Force may return the transferred property to the administrative jurisdiction of the Secretary of the Interior upon certifying that development of the recreational facility would not be in the best interest of the United States. In lieu of developing the recreational facility, the Secretary of the Air Force may convey or lease the property to certain entities under certain specific alternative development authority. The cost of any survey shall be borne by the Secretary of the Air Force.

Section 2862—Selection of Site for United States Air Force Memorial and Related Land Transfers for the Improvement of Arlington Cemetery, Virginia

This section would require the Secretary of Defense to offer, within 60 days after the date of the enactment of this Act, to the Air Force Memorial Foundation, an option to use, without reim-

bursement, up to three acres of the Arlington Naval Annex as the site within which the Foundation will construct the Air Force Memorial. Within 90 days after the date on which the Secretary of Defense makes the offer, the Foundation shall provide written notice to the Secretary of the decision of the Foundation to accept or decline the offer. If the Foundation accepts the offer, the Foundation shall relinquish all claims to the previously approved location of the memorial. If the Foundation declines the offer, the Foundation may resume its efforts to construct the memorial on the Arlington Ridge tract from the farthest point of progress. Not later than two years after the date on which the Foundation accepts the offer, and has made sufficient funds available to construct the memorial, the Secretary, in coordination with the Foundation, shall remove all structures and prepare the Arlington Naval Annex for use to permit construction and access of the memorial. Upon removal of structures and preparation of the property for use, the Secretary of Defense shall permit the Foundation to commence construction. This section would authorize the Secretary of Defense exclusive authority in all matters relating to the approval of the siting, design, and construction of the memorial. Within 30 days after the date of enactment of this Act, the Secretary of the Interior shall transfer, without reimbursement, to the Secretary of the Army administrative jurisdiction over the Arlington Ridge tract. This section would amend section 2902 of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65) to prohibit consideration of the Arlington Naval Annex property as a possible site for a national military museum.

Section 2863—Management of the Presidio of San Francisco

This section would amend the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333) to authorize the Trust to make available to lease certain housing units to persons designated by the Secretary of the Army, within the Presidio of San Francisco, California. The monthly amount charged by the Trust for the lease of a housing units, including utilities and municipal services, shall not exceed the monthly rate of the basic allowance for housing. This section would also increase the borrowing authority authorized by section 104 of Public Law 104–333 from $50,000,000 to $150,000,000.

Section 2864—Effect of Limitation on Construction of Roads or Highways, Marine Corps Base, Camp Pendleton, California

This section would amend section 2851 of the Military Construction Authorization Act for Fiscal Year 1999 (division B of Public Law 105–261), as amended, to limit the effect of State law enacted after January 1, 2001, that would directly or indirectly prohibit or restrict the construction or approval of a road or highway within the easements granted under this section at Marine Corps Base, Camp Pendleton, California.

Section 2865—Establishment of World War II Memorial at Additional Location on Guam

This section would amend section 2886 of the Military Construction Authorization Act for Fiscal Year 2001 (division B of Public Law 106–398) by authorizing the establishment of an additional World War II Memorial on Federal lands near Yigo, Guam.

TITLE XXIX—FORT IRWIN MILITARY LAND WITHDRAWAL

LEGISLATIVE PROVISIONS

Section 2901—Short Title

This section would designate Title XXIX of this Act as the "Fort Irwin Military Land Withdrawal Act of 2001".

Section 2902—Withdrawal and Reservation of Lands for National Training Center

This section would authorize the transfer of approximately 110,000 acres in San Bernardino, California to the Secretary of the Army for certain specific purposes.

Section 2903—Map and Legal Description

This section would require the Secretary of the Interior to publish in the Federal Register a notice containing the legal description of the lands withdrawn and reserved by this title. This section requires the Secretary to file a map and legal description of the lands withdrawn and reserved by this title with the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives. Copies of the map and legal description shall be available at certain specific offices. The Secretary of the Army would reimburse the Secretary of the Interior for the costs incurred by implementing this section.

Section 2904—Management of Withdrawn and Reserved Lands

This section would require the Secretary of the Army, during the period of the withdrawal and reservation, to manage the lands withdrawn and reserved for the purposes specified in section 2902. This section would prohibit military use of the lands withdrawn and reserved that result in ground disturbances, as determined by the Secretary of the Army and the Secretary of the Interior until the Secretary of the Army and the Secretary of the Interior certify to Congress that there has been full compliance with respect to certain specified laws. This section would authorize the Secretary of the Army to post appropriate warning notices and take other steps as necessary to close any road, trail, or other portion of the lands withdrawn and reserved. This section would require the Secretary of the Army to prepare and implement an integrated natural resources management plan for the lands withdrawn and reserved.

Section 2905—Water Rights

This section would prohibit the establishment of a reservation in favor of the United States with respect to any water or water right on the lands withdrawn or reserved. This section would not affect any water rights acquired or reserved by the United States before the date of enactment of this Act.

Section 2906—Environmental Compliance and Environmental Response Requirements

This section would authorize the Secretary of the Army and the Secretary of the Interior to enter into such agreements concerning the environment and public health as necessary, appropriate, and in the public interest to carry out the purposes of this title. This section would also provide that nothing in this section shall be construed to alter the rights, responsibilities, and obligations of the Secretary of the Army and the Secretary of the Interior under the Comprehensive Environmental Response, Compensation and Liability Act of 1980 or any other environmental laws applicable to the lands withdrawn and reserved by this title.

Section 2907—West Mojave Coordinated Management Plan

This section would urge the Secretary of the Interior to complete the West Mojave Coordinated Management Plan not later than two years after the date of enactment of this Act. This section would require the Secretary of the Interior to consult with the Secretary of the Army and the Administrator of the National Aeronautics and Space Administration on the development of the plan.

Section 2908—Release of Wilderness Study Areas

This section would authorize that Congress finds and directs that lands withdrawn and reserved have been adequately studied for wilderness designation pursuant to the Federal Land Policy and Management Act of 1976.

Section 2909—Training Activity Separation From Utility Corridors

This section would require all military ground activity training on the lands withdrawn and reserved remain at least 500 meters from any utility system in Utility Corridor D.

Section 2910—Duration of Withdrawal and Reservation

This section would, unless determined otherwise, terminate the withdrawal and reservation made by this title 25 years after the enactment of this Act. This section would, at the time of termination of the withdrawal and reservation, require the Secretary of the Interior to publish in the Federal Register an appropriate order that would state the date upon which the lands shall be restored to the public domain and open.

Section 2911—Extension of Initial Withdrawal and Reservation

This section would require the Secretary of the Army, no later than three years before the termination date, to notify Congress

and the Secretary of the Interior concerning the military needs of the Army. If the Secretary of the Army determines that there will be a continuing military need, the Secretary would file with the Secretary of the Interior, within one year after the notification, an application for extension of the withdrawal and reservation. This section would authorize the Secretary of the Interior and the Secretary of the Army to submit to Congress a legislative proposal for the extension of the withdrawal and reservation made by this title.

Section 2912—Termination and Relinquishment

This section authorizes that if the Secretary of the Army determines within the first 22 years of the withdrawal and reservation that there is no continuing military need, the Secretary would submit to the Secretary of the Interior a notice of intent to relinquish jurisdiction over the lands. If the Secretary of the Interior accepts jurisdiction over any of the lands, the Secretary would publish in the Federal Register an appropriate order. All function under this section would be made on a parcel-by-parcel basis.

Section 2913—Delegation of Authority

This section would authorize the Secretary of the Army and the Secretary of the Interior to delegate such functions determined appropriate to carry out this title.

DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AND AUTHORIZATION AND OTHER AUTHORIZATIONS

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

OVERVIEW

The budget request contained $13,355.2 million for the national security activities of the Department of Energy. Of this amount, $6,776.8 million is for the programs of the National Nuclear Security Administration and $6,578.4 million for defense environmental management and other defense activities. The committee recommends $13,355.2 million, the requested amount. The following table summarizes the budget request and the committee recommendations:

TITLE XXXI - DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(Dollars in thousands)

	FY 2002 Authorization Request	Committee Change from Request	FY 2002 Committee Recommendation
Atomic Energy Defense Activities (053)			
National Nuclear Security Administration			
Weapons Activities	5,300,025	69,463	5,369,488
Defense Nuclear Nonproliferation	773,700	——	773,700
Naval Reactors	688,045	——	688,045
Defense Nuclear Counterintelligence	——	13,662	13,662
Office of the Administrator	15,000	——	15,000
Total, National Nuclear Security Administration	6,776,770	83,125	6,859,895
Environmental and Other Defense Activities			
Defense Environmental Restoration and Waste Management	4,548,708	97,719	4,646,427
Defense Facilities Closure Projects	1,050,538	——	1,050,538
Defense Environmental Management Privatization	141,537	-15,329	126,208
Other Defense Activities	527,614	-25,515	502,099
Defense Nuclear Waste Disposal	310,000	——	310,000
Total, Environmental and Other Defense Activities	6,578,397	56,875	6,635,272
Formerly Utilized Site Remediation	140,000	-140,000	——
Total, Atomic Energy Defense Activities	**13,495,167**	——	**13,495,167**

TITLE XXXI - DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(Dollars in Thousands)

	FY 2002 Authorization Request	Committee Change from Request	FY 2002 Committee Recommendation
Environmental and Other Defense Activities			
Defense Environmental Restoration and Waste Management			
Site/project completion			
Operation and maintenance	872,030	—	872,030
Construction:			
02-D-402 Intec cathodic protection system expansion project, INEEL, Idaho Falls, ID	3,256	—	3,256
01-D-414 Preliminary project, engineering and design (PE&D), various locations	6,254	4,000	10,254
99-D-402 Tank farm support services, F&H area, Savannah River Site, Aiken, SC	5,040	—	5,040
99-D-404 Health physics instrumentation laboratory, INEEL, ID	2,700	—	2,700
98-D-453 Plutonium stabilization and handling system for PFP, Richland, WA	1,910	—	1,910
96-D-471 CFC HVAC/chiller retrofit, Savannah River Site Aiken, SC	4,244	—	4,244

TITLE XXXI - DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(Dollars in Thousands)

	FY 2002 Authorization Request	Committee Change from Request	FY 2002 Committee Recommendation
92-D-140 F&H canyon exhaust upgrades, Savannah River, SC	15,790	-15,790	——
02-D-420 FB line plutonium stabilization, Savannah River, SC		20,000	20,000
86-D-103 Decontamination and waste treatment facility, LLNL, Livermore, CA	762	——	762
Total, Construction	39,956	8,210	48,166
Total, Site/project completion	911,986	8,210	920,196
Post 2006 completion			
Operation and maintenance	1,680,979	81,000	1,761,979
Uranium enrichment D&D fund contribution	420,000	——	420,000
Construction:			
93-D-187 High-level waste removal from filled waste tanks, Savannah River, SC	6,754	——	6,754
Total, Construction	6,754	——	6,754
Office of River Protection			

TITLE XXXI - DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(Dollars in Thousands)

	FY 2002 Authorization Request	Committee Change from Request	FY 2002 Committee Recommendation
Operation and maintenance	272,151	——	272,151
Construction:			
01-D-416 Waste treatment and immobilization plant, Richland, WA	500,000	20,000	520,000
97-D-402 Tank farm restoration and safe operations, Richland, WA	33,473	——	33,473
94-D-407 Initial tank retrieval systems, Richland, WA	6,844	——	6,844
Total, Construction	540,317	20,000	560,317
Total, Office of River Protection	812,468	20,000	832,468
Total, Post 2006 completion	2,920,201	101,000	3,021,201
Science and technology	196,000	——	196,000
Excess facilities	1,300	——	1,300
Safeguards and security	205,621	——	205,621
Program direction	355,761	——	355,761
Subtotal, Defense Environmental Restoration and Waste Management	4,590,869	109,210	4,700,079
Use of prior year balances	-36,770	-11,491	-48,261

TITLE XXXI - DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(Dollars in Thousands)

	FY 2002 Authorization Request	Committee Change from Request	FY 2002 Committee Recommendation
Less security charge for reimbursable work	-5,391	——	-5,391
Total, Defense Environmental Restoration and Waste Management	**4,548,708**	**97,719**	**4,646,427**
Defense Facilities Closure Projects			
Site closure	1,004,636	——	1,004,636
Safeguards and security	45,902	——	45,902
Total, Defense Facilities Closure Projects	**1,050,538**	——	**1,050,538**
Defense Environmental Management Privatization			
Privatization initiatives, various locations	141,537	-15,329	126,208
Total, Defense Environmental Management Privatization	**141,537**	**-15,329**	**126,208**
Other Defense Activities			
Security and emergency operations			
Nuclear safeguards and security	121,188	——	121,188
Security investigations	44,927	——	44,927
Corporate management information program	20,000	——	20,000
Program direction	83,135	——	83,135
Total, Security and emergency operations	269,250	——	269,250
Intelligence	40,844	——	40,844

TITLE XXXI - DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(Dollars in Thousands)

	FY 2002 Authorization Request	Committee Change from Request	FY 2002 Committee Recommendation
Counterintelligence	46,389	-13,662	32,727
Independent oversight and performance assurance			
Program direction	14,904	——	14,904
Total, Independent oversight and performance assurance	14,904	——	14,904
Environment, safety and health			
Office of Environment, safety and health (defense)	91,307	-6,807	84,500
Program direction	23,293	-2,500	20,793
Total, Environment, safety and health	114,600	-9,307	105,293
Worker and community transition			
Worker and community transition	21,246	-2,246	19,000
Program direction	3,200	-300	2,900
Total, Worker and community transition	24,446	-2,546	21,900
National security programs administration support	25,000	——	25,000
Office of hearings and appeals	2,893	——	2,893
Subtotal, Other defense activities	538,326	-25,515	512,811
Adjustments:			
Use of prior year balances	-10,000	——	-10,000
Less security charge for reimbursable work	-712	——	-712
Total, Adjustments	-10,712	——	-10,712
Total, Other Defense Activities	**527,614**	**-25,515**	**502,099**

TITLE XXXI - DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(Dollars in Thousands)

	FY 2002 Authorization Request	Committee Change from Request	FY 2002 Committee Recommendation
Defense Nuclear Waste Disposal			
Defense nuclear waste disposal	310,000	——	310,000
Total, Environmental and Other Defense Activities	6,578,397	56,875	6,635,272

TITLE XXXI - DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

(Dollars in Thousands)

	FY 2002 Authorization Request	Committee Change from Request	FY 2002 Committee Recommendation
National Nuclear Security Administration:			
Weapons			
Directed stockpile work			
Stockpile research and development	305,460	—	305,460
Stockpile maintenance	362,493	—	362,493
Stockpile evaluation	180,834	—	180,834
Dismantlement/disposal	35,414	—	35,414
Production support	152,890	—	152,890
Field engineering, training and manuals	6,700	—	6,700
Total, Directed stockpile work	1,043,791	—	1,043,791
Campaigns			
Primary certification	55,530	—	55,530
Dynamic materials properties	97,810	—	97,810
Advanced radiography	60,510	—	60,510
Secondary certification and nuclear systems margins	47,270	—	47,270
Enhanced surety	34,797	—	34,797
Weapons system engineering certification	24,043	—	24,043
Nuclear survivability	19,050	—	19,050
Enhanced surveillance	82,333	—	82,333
Advanced design and production technologies	75,533	—	75,533

TITLE XXXI - DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

(Dollars in Thousands)

	FY 2002 Authorization Request	Committee Change from Request	FY 2002 Committee Recommendation
Inertial confinement fusion and high yield			
Operations and maintenance	222,943	10,000	232,943
Construction:			
96-D-111 National ignition facility (NIF), LLNL, Livermore, CA	245,000	——	245,000
Total, Inertial confinement fusion and high yield	467,943	10,000	477,943
Advanced simulation and computing			
Operations and maintenance	711,185	——	711,185
Construction:			
01-D-101 Distributed information systems laboratory, SNL, Livermore, CA	5,400	——	5,400
00-D-103, Terascale simulation facility, LLNL, Livermore, CA	5,000	15,000	20,000
00-D-105, Strategic computing complex, LANL, Los Alamos, NM	11,070	——	11,070
00-D-107 Joint computational engineering laboratory, SNL, Albuquerque, NM	5,377	——	5,377
Total, Construction	26,847	15,000	41,847
Total, Advanced simulation and computing	738,032	15,000	753,032

TITLE XXXI - DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(Dollars in Thousands)

	FY 2002 Authorization Request	Committee Change from Request	FY 2002 Committee Recommendation
Pit manufacturing and certification	128,545	——	128,545
Secondary readiness	23,169	——	23,169
High explosives manufacturing and weapons assembly/disassembly readiness	3,960	——	3,960
Nonnuclear readiness	12,204	——	12,204
Materials readiness	1,209	——	1,209
Tritium readiness			
Operations and maintenance	43,350	——	43,350
Construction:			
98-D-125 Tritium extraction facility, Savannah River plant, Aiken, SC	81,125	——	81,125
98-D-126 Accelerator production of tritium (APT), various locations	——	15,000	15,000
Total, Construction	81,125	15,000	96,125
Total, Tritium readiness	124,475	15,000	139,475
Total, Campaigns	1,996,413	40,000	2,036,413
Readiness in technical base and facilities			
Operations of facilities	830,427	——	830,427
Program readiness	188,126	——	188,126

TITLE XXXI - DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(Dollars in Thousands)

	FY 2002 Authorization Request	Committee Change from Request	FY 2002 Committee Recommendation
Special projects	64,493	—	64,493
Material recycle and recovery	101,311	—	101,311
Containers	8,199	—	8,199
Storage	10,643	—	10,643
Nuclear weapons incident response	89,125	—	89,125
Subtotal, Readiness in technical base and facilities	1,292,324	—	1,292,324
Construction:			
02-D-101 Microsystem and engineering science applications (MESA), SNL	2,000	—	2,000
02-D-103 Project engineering and design, various locations	9,180	—	9,180
02-D-107 Electrical power systems safety communications and bus upgrades, NV	3,507	—	3,507
01-D-103 Preliminary project design and engineering, various locations	45,379	—	45,379
01-D-124 HEU storage facility, Y-12 plant, Oak Ridge, TN	9,500	—	9,500
01-D-126 Weapons evaluation test laboratory Pantex Plant, Amarillo, TX	7,700	—	7,700

TITLE XXXI - DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(Dollars in Thousands)

	FY 2002 Authorization Request	Committee Change from Request	FY 2002 Committee Recommendation
01-D-800 Sensitive compartmented information facility, LLNL	12,993	——	12,993
99-D-103 Isotope sciences facilities, LLNL, Livermore, CA	4,400	——	4,400
99-D-104 Protection of real property (roof reconstruction — Phase II), LLNL, Livermore, CA	2,800	——	2,800
99-D-106 Model validation & system certification center, SNL, Albuquerque, NM	4,955	——	4,955
99-D-125 Replace boilers & controls, Kansas City plant, Kansas City, MO	300	——	300
99-D-127 Stockpile management restructuring initiative, Kansas City plant, Kansas City, MO	22,200	——	22,200
99-D-128 Stockpile management restructuring initiative, Pantex Plant, Amarillo, TX	3,300	——	3,300

TITLE XXXI - DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(Dollars in Thousands)

	FY 2002 Authorization Request	Committee Change from Request	FY 2002 Committee Recommendation
98-D-123 Stockpile management restructuring initiative, Tritium facility modernization and consolidation, Savannah River plant, Aiken, SC	13,700	——	13,700
98-D-124 Stockpile management restructuring initiative, Y-12 consolidation, Oak Ridge, TN	6,850	——	6,850
97-D-123 Structural upgrades, Kansas City plant, Kansas City, KS	3,000	——	3,000
96-D-102 Stockpile stewardship facilities revitalization, Phase VI, various locations	2,900	——	2,900
Total, Construction	154,664	——	154,664
Total, Readiness in technical base and facilities	1,446,988	——	1,446,988
Total, Stewardship operation and maintenance	4,487,192	40,000	4,527,192
Total Facilities and Infrastructure	——	——	50,600
Secure transportation asset			
Operations and equipment	77,571	——	77,571
Program direction	44,229	——	44,229
Total, Secure transportation asset	121,800	——	121,800

TITLE XXXI - DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

(Dollars in Thousands)

	FY 2002 Authorization Request	Committee Change from Request	FY 2002 Committee Recommendation
Safeguards and security			
Operations and maintenance	439,281	——	439,281
Construction:			
99-D-132 SMRI nuclear material safeguards and security upgrade project, LANL, Los Alamos, NM	9,600	——	9,600
Total, Construction	9,600	——	9,600
Total, Safeguards and security	448,881	——	448,881
Program direction	271,137	——	250,000
Adjustments			
Use of prior year balances	——	——	——
Less security charge for reimbursable work	-28,985	——	-28,985
Total, Adjustments	-28,985	——	-28,985
Total, Weapons Activities	**5,300,025**	**69,463**	**5,369,488**
Defense Nuclear Nonproliferation			
Nonproliferation and national security			
Nonproliferation and verification R&D			
Operation and maintenance	170,296	——	170,296
Construction:			
00-D-192 Nonproliferation and international security center (NISC), LANL	35,806	——	35,806

TITLE XXXI - DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(Dollars in Thousands)

	FY 2002 Authorization Request	Committee Change from Request	FY 2002 Committee Recommendation
Total, Nonproliferation & verification R&D	206,102	——	206,102
Arms control	101,500	——	101,500
International materials protection, control, and accounting	138,800	——	138,800
HEU transparency implementation	13,950	——	13,950
International nuclear safety	13,800	-3,000	10,800
Soviet design reactor safety program	——	——	——
Total, Nonproliferation and national security	474,152	-3,000	471,152
Fissile materials disposition			
Russian surplus materials disposition	57,000	——	57,000
U S surplus materials disposition	130,089	——	130,089
Construction:			
01-D-407 Highly enriched uranium (HEU) blend down, Savannah River, SC	24,000	——	24,000
01-D-142, Immobilization and associated processing facility, SRS	——	3,000	3,000
99-D-141 Pit disassembly and conversion facility, Savannah River site	16,000	——	16,000

TITLE XXXI - DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

(Dollars in Thousands)

	FY 2002 Authorization Request	Committee Change from Request	FY 2002 Committee Recommendation
99-D-143 Mixed oxide fuel fabrication facility, Savannah River site	63,000	——	63,000
Total, Construction	103,000	3,000	106,000
Total, Fissile materials disposition	290,089	3,000	293,089
Program direction	51,459	——	51,459
Subtotal, Defense Nuclear Nonproliferation	815,700	——	815,700
Use of prior year balances	-42,000	——	-42,000
Total, Defense Nuclear Nonproliferation	**773,700**	——	**773,700**
Naval Reactors			
Naval reactors development			
Operation and maintenance	652,245	——	652,245
Construction:			
01-D-200 Major office replacement building, Schenectady, NY	9,000	——	9,000
90-N-102 Expended core facility dry cell project, Naval Reactors Facility, ID	4,200	——	4,200
Total, Construction	13,200	——	13,200
Total, Naval reactors development	665,445	——	665,445
Program direction	22,600	——	22,600
Total, Naval Reactors	**688,045**	——	**688,045**

TITLE XXXI - DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

(Dollars in Thousands)

	FY 2002 Authorization Request	Committee Change from Request	FY 2002 Committee Recommendation
Defense Nuclear Counterintelligence	—	13,662	13,662
Office of the Administrator	15,000	—	15,000
Total, National Nuclear Security Administration	6,776,770	83,125	6,859,895

ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES

Overview

The budget request contained $6,578.4 million for environmental and other defense activities. The committee recommends $6,635.3, an increase of $56.9 million.

Items of Special Interest

Defense Environmental Management Privatization

The budget request contained $141.5 million for Defense Environmental Management Privatization. This amount included funds for two new starts: $13.3 million for the Paducah Disposal Facility Privatization, Paducah, Kentucky; and $2.0 million for the Portsmouth Disposal Facility, Portsmouth, Ohio. Both of these projects are for nuclear waste disposal at gaseous diffusion plants leased from the Department of Energy by the United States Enrichment Corporation.

The committee notes that environmental management activities at the nation's three gaseous diffusion plants is carried out under the Uranium Enrichment Decontamination and Decommissioning Fund, which was established in 1992 to address the cleanup liabilities at those plants attributable to historical Department of Energy operations for weapons and commercial fuel production. The committee also notes that the Uranium Enrichment Decontamination and Decommissioning Fund is not budgeted within the national defense budget function. Therefore, the committee recommends no funds for these two new starts, a decrease of $15.3 million for Defense Environmental Management Privatization, since it believes they should be accomplished using the Uranium Enrichment Decontamination and Decommissioning Fund.

Hanford site operations, Richland, Washington

The budget request contained $500.0 million for the Waste Treatment and Immobilization Plant Construction project within the Office of River Protection, Richland, Washington. The committee recommends an increase of $20.0 million in order to meet compliance deadlines. While the budget request for this project represents an increase from fiscal year 2001, the committee is concerned that it is insufficient to meet the contractual obligations contained in the Tri-Party Agreement. The committee continues to support full funding for this project in order to insure that the federal government meets its legally binding commitment to the State of Washington and urges the Department of Energy to provide adequate funding in future years to ensure that the schedule for the River Protection projects is maintained.

The committee also supports the proposal by the Richland Operations Office to move forward with an accelerated river protection project as set forth in the Hanford Site Columbia River Corridor Cleanup Report. The committee urges the Department of Energy to focus its efforts on moving forward with a closure contract in fiscal year 2002 with a goal of completing critical work by fiscal year 2012. The committee believes that adherence to this schedule will allow for the overall reduction in the size of the Hanford site and

ultimately save the federal government hundreds of millions of dollars annually.

Plutonium stabilization and packaging

The budget request contained $4.0 million for Project Engineering and Design work on the 235–F Packaging and Stabilization project at the Savannah River Site, Aiken, South Carolina. The project was to design the modification of Building 235–F for the installation of stabilization furnaces and packaging equipment to stabilize and package plutonium at the Savannah River Site. The Defense Nuclear Facilities Safety Board (DNFSB) has placed a high priority on stabilizing, packaging, and safely storing these legacy materials while they await final disposition.

In mid-June 2001, the Department of Energy informed the committee that the budget request for Project Engineering and Design work on the 235–F project would not be required, because the project was being terminated due to a projected, unaffordable cost. Subsequently, the Department has decided to stabilize and package the plutonium by processing it within the FB-Line at Savannah River.

To accomplish this new project, the committee recommends the establishment of a construction line, 02–D–420, FB Line Plutonium Stabilization and Packaging, and recommends $20.0 million for the project. The committee hopes this new project will move expeditiously to complete stabilization and packaging of all plutonium at Savannah River by June 2008 in accordance with the Department's commitment to the DNFSB.

Post 2006 completion

The budget request contained $586.0 million for post 2006 environmental cleanup activities at the Savannah River Site, Aiken, South Carolina, $116.7 million less than was enacted for fiscal year 2001. The committee is disturbed by this situation and the disruption it will cause to current cleanup schedules. Consequently, the committee recommends $667.0 million, an increase of $81.0 million, for post 2006 cleanup activities at the Savannah River Site.

NATIONAL NUCLEAR SECURITY ADMINISTRATION

Overview

The budget request contained $6,776.8 million for the National Nuclear Security Administration for fiscal year 2002. The committee recommends $6,859.9 million, an increase of $83.1 million.

Items of Special Interest

Budget structure of the National Nuclear Security Administration

The committee notes that section 3253 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65), as amended by section 3154 of the National Defense Authorization Act of 2001 (Public Law 106–398), requires the Administrator of the National Nuclear Security Administration to submit to Congress each year, at or about the time of the Department of Energy's budget submission to Congress, a future years nu-

clear security program. The future years program shall cover the fiscal year for which the budget is submitted and at least the four succeeding years and shall specify proposed budget authority and describe in detail how the funds will be used to support the mission of the NNSA. The committee observes that it has still not received the future years nuclear security program that was to have been submitted with the fiscal year 2002 budget request, although it understands that such a document has been prepared. The committee expects to receive this document not later than the submission date of the fiscal year 2003 budget request.

Computer security

The committee recommends $448.9 million, the budget request, for Safeguards and Security. The authorization includes $30.0 million for the Integrated Cyber Security Initiative (ICSI) program, which when combined with the base program, doubles funding for cyber security over the fiscal year 2001 level. At the same time, the committee notes the Administrator's concern that the current budget does not allow the National Nuclear Security Administration to address the long-term solutions set forth in the ICSI plan submitted to Congress in March 2001. The committee understands the need to prioritize requirements, but given events of the past several years, is highly sensitized to computer security issues, and intends to closely monitor this topic in future budget cycles.

Critical weapons components

The committee understands that certain materials and components are absolutely critical to the functioning of nuclear weapons, that these items have little or no application outside the nuclear weapons complex, and that it is therefore incumbent upon the Department of Energy to take all steps necessary to ensure their future availability in sufficient quantity and quality to meet the needs of the enduring stockpile. Of special interest are tritium, which has not been produced since 1988, and plutonium pits, which have not been manufactured since 1989. To a significant extent, the success of the National Nuclear Security Administration will hinge on its ability to solve these long-standing deficiencies.

The committee recommends $139.5 million for the tritium readiness campaign. This includes an increase of $15.0 million to support preliminary design activities and engineering development and demonstration work for the back-up technology, accelerator production of tritium (APT). The committee urges the NNSA to complete these APT activities as soon as possible to make resources available for other critical needs.

Using the primary technology, the tritium campaign appears on schedule to begin irradiation of tritium-producing rods in commercial light water reactors in fiscal year 2003 and to begin production extraction in fiscal year 2006. If the Strategic Defense Review does not lead to new reductions in the nuclear weapons stockpile, the committee notes that this schedule may lead to a one-year draw down in the five-year tritium reserve. However, the committee believes replenishment of this reserve can be made up in future production.

Production and certification of plutonium pits remain congressional interest items. For the pit manufacturing and certification campaign, the committee recommends the budget request of $128.5 million, including $122.5 million for W88 pit manufacturing and certification, $4.0 million to begin the task of understanding manufacturing and certification requirements for other stockpile warheads, and $2.0 million to support pre-conceptual design activities in support of a modern pit facility.

The committee understands that only one W88 warhead surveillance pit remains for destructive testing purposes but notes good progress toward establishing a limited manufacturing capability at Los Alamos National Laboratory, with production of certifiable pits scheduled to begin in fiscal year 2003.

In contrast, W88 pit certification has slipped from fiscal year 2007 to fiscal year 2009, with no commitment to meeting the latter date. The committee understands both the difficulty of certifying a pit with extremely high confidence in the absence of nuclear testing, as well as the potential national security consequences of a failure in this area. The committee is concerned that the budget request woefully under funds this important activity and urges the NNSA to place higher priority on pit certification in future budget submissions.

Finally, the committee notes that it still has not received the report required by the conference report accompanying the Energy and Water Development Appropriations Act for Fiscal Year 2001 (H. Rept. 106–907), which contains current project schedules and cost estimates for production and certification of W88 pits. The committee understands that the report is complete and requests its expeditious submission.

Defense Nuclear Counterintelligence budget

The budget request contained $46.4 million for the Department of Energy's counterintelligence activities. The committee notes that section 3232 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65) established the Office of Defense Nuclear Counterintelligence within the National Nuclear Security Administration (NNSA). The committee also notes that section 3251 of Public Law 106–65 required that the budget request for offices of the NNSA be set forth separately from other elements of the Department. The committee expects that the Department will comply with section 3251 of Public Law 106–65 in the future and that budget requests for the NNSA's Office of Defense Nuclear Counterintelligence will be set forth separately from the requests for the Department's Office of Counterintelligence.

Directed stockpile work

Of the various activities performed by the National Nuclear Security Administration, directed stockpile work has arguably the most immediate impact on maintaining the safety, reliability, and performance of the enduring nuclear weapons stockpile. The committee recommends the budget request of $1,043.8 million for this important effort.

The committee notes the continuing progress of the W87 Peacekeeper intercontinental ballistic missile warhead life extension pro-

gram, the first major retrofit of a nuclear warhead in a decade. The committee further notes that preparatory activities leading up the to the refurbishment of the B61 gravity bomb are on schedule for a first production unit in fiscal year 2004.

The committee is somewhat concerned, however, that the budget request does not support the scope and schedule of refurbishment activities on the W76 submarine launched ballistic missile warhead and the W80 cruise missile warhead that were agreed in the Nuclear Weapons Council in fiscal year 2000. The committee expects to be apprised of the Administration's preferred path forward as the results of the ongoing Strategic Defense Review are finalized.

Facilities and infrastructure

The committee notes that almost half of the structures in the nuclear weapons complex are more than 50 years old and understands the magnitude of the problem to revitalize the complex as currently sized. The committee is aware of the Department of Energy's ongoing assessment and planning activities to address this problem but, given the total funding requirement, is concerned that the Department is not yet prepared to efficiently execute this infrastructure revitalization effort. The committee directs the Administrator of the Nuclear National Security Administration to provide a semi-annual report to Congress on the status of the facilities and infrastructure program. The report should include the current priority list of proposed facilities and infrastructure projects, including cost and schedule requirements. For each site, the report should include: a current 10-year site plan that demonstrates the reconfiguration of its facilities and infrastructure to meet its missions and to address its long-term operational costs and return on investment; the current budget for all facilities and infrastructure funding in this program as well as all funding for maintenance and infrastructure upgrades funded through other parts of the budget; and the current status of each facilities and infrastructure project compared to the original baseline cost, schedule, and scope.

The committee recommends $50.6 million to establish a new program line for infrastructure maintenance and re-capitalization. In order to ensure the future operational readiness of the weapons complex, the committee directs that these funds should be used to begin to the revitalization of the Pantex and Y12 plants in the amounts of $40.0 million and $10.6 million, respectively.

International nuclear safety

The committee is aware that the International Nuclear Safety program is designed to improve the safety of the Chernobyl-generation, Russian-designed nuclear reactors located in the countries of the former Soviet Union. The program is funded by the U.S. Department's of Energy and State with contributions by European countries located in proximity to the states of the former Soviet Union.

The committee believes that it would be more appropriate for the International Nuclear Safety program to be funded as a foreign assistance effort by the Department of State. Consequently, the committee recommends that the funding responsibility for the International Nuclear Safety program be assumed by the Department of

State in the budget for fiscal year 2003. If Department of State officials require Department of Energy technical assistance, such assistance should be provided as "work for others" and funded by the Department of State.

Initiatives for proliferation prevention and the Nuclear Cities Initiative

The budget request contained $22.1 million for the Initiatives for Proliferation Prevention (IPP) and $6.6 million for the Nuclear Cities Initiatives (NCI). The objective of each of these programs is to provide gainful employment in the commercial sector for former Russian nuclear weapons scientists, engineers, and technicians to avert the risk of these scientists accepting employment offers by nuclear programs of countries of proliferation concern. NCI is also designed to assist the Russian Ministry of Atomic Energy (MINATOM) in the restructuring and closure of portions of the Russian nuclear complex through local economic development.

In May 2001, the General Accounting Office (GAO) reported on these programs and found that the NCI program insufficiently reviewed potential projects for commercial viability and sustainability. GAO reported that too often the NCI programs were directed to community development and infrastructure improvement instead of economic development designed to employ former nuclear scientists. Conversely, GAO reports that the IPP program has a strengthened project review and selection process that focuses on the commercialization of projects and job creation. GAO recommended that since IPP and NCI share a common goal and, in many cases, are implementing similar types of projects, the National Nuclear Security Administration should consider consolidating them into one effort. The committee agrees with this recommendation and directs such consolidation in section 3133.

In addition, the committee is concerned that, according to GAO, only 30 percent of the NCI funds have been spent for projects and activities in Russia and that two-thirds of NCI funds were spent at the Department's national laboratories. Of that amount, 34 percent paid for labor at the laboratories, and 41 percent was spent on overhead costs. The committee believes that the Administrator of the NNSA should work to reduce the portion of funds spent on overhead at the national laboratories for these nonproliferation activities and transfer that funding to the projects in Russia that the programs are designed to support.

National Ignition Facility

The budget request contained $467.9 million for the Inertial Confinement Fusion and High Yield campaign: $222.9 million for operations and maintenance (O&M) and $245.0 million for National Ignition Facility (NIF) construction (96–D–111).

The committee recommends the budget request for NIF construction and $232.9 million for O&M, an increase of $10.0 million, to be used to compensate for funding shortfalls in the NIF demonstration program, which supports risk reduction and technology development activities. The committee notes significant improvements in NIF program oversight, management, and planning but is concerned about the remaining technical challenges the program faces.

The committee expects to be expeditiously informed of any further schedule delays or cost overruns.

Although NIF provides exciting opportunities in basic and applied research for a broader user community, the committee believes that its primary focus must be meeting the requirements of the Stockpile Stewardship Program to guarantee the safety, reliability, and performance of the nuclear weapons stockpile, and that it should be managed accordingly.

National Nuclear Security Administration's planning, programming, and budgeting system

The committee notes that several independent observers have criticized the lack of a unified planning, programming, and budgeting process within the nuclear weapons complex. The committee further notes that the Administrator of the National Nuclear Security Administration has pledged to implement such a system and to begin developing multiyear budgets and program plans. However, the committee is concerned that the Administrator has delayed his target date for implementing such a system until the fiscal year 2004 budget cycle and urges him to take steps necessary to ensure that there are no further delays in implementing this system.

National Nuclear Security Administration's reorganization plan

The committee notes that section 3153 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106–398) required the Administrator for Nuclear Security to submit by May 1, 2001, a plan for assigning roles and responsibilities among the National Nuclear Security Administration's headquarters and field units. The report should describe any downsizing, consolidations, or eliminations of headquarters and field elements needed to enhance the Administration's efficiency. The committee observes that independent reviewers have criticized the defense nuclear complex's fragmented lines of authority, confused roles and responsibilities, and reliance on a large federal workforce to oversee its contractors.

The committee notes that on May 3, 2001, the Administrator submitted an "initial" report outlining plans to realign the Administration's headquarters units into programmatic and support components and to transfer responsibility for the field elements to a newly-created support component. The committee is concerned that the report did not: (1) define field element roles and responsibilities; (2) describe in detail how field elements would interact with realigned headquarters units; or (3) describe potential consolidations or eliminations, as called for by section 3153 of Public Law 106–398. The committee is also concerned that the new organization would not be demonstrably flatter than the Administration's current structure and that it might create new sources of confusion by requiring field elements to report to a support office while overseeing projects for a program office. Consequently, the committee urges the Administrator to comply fully with section 3153 of Public Law 106–398 and submit, as soon as possible, a detailed plan for redefining and streamlining the Administration's entire organization.

Naval Reactors Program

The committee recommends the budget request of $688.0 million for the Naval Reactors program. The committee notes that the Navy currently operates 102 nuclear reactors, nearly identical to the number of U.S. commercial power generating reactors, and that over 40 percent of major combatants rely on nuclear propulsion. The committee continues to be impressed by the professional execution of the Naval Reactors program, as well as its remarkable safety record and overall value to the nation.

Recruitment and retention

The committee is acutely aware of the problem of recruiting and retaining a properly skilled work force that the National Nuclear Security Administration faces in both the contractor and the federal work forces. The complex is losing talent at a steady rate through the retirement of senior scientists, engineers, and technicians with underground test experience, as well as through the separation of mid-career professionals leaving for other opportunities. In addition, the Report of the US Commission on National Security/21st Century (known commonly as the Hart-Rudman Report) recently ". . . found broad consensus that the [national] labs are no longer competitive in attracting and keeping new scientific talent", citing a combination of factors that include lack of a compelling post Cold War sense of mission, the negative impact on morale of recent highly public controversies, and superior private sector opportunities. The committee strongly advises the Department of Energy to make retention a top priority.

In part, the recruitment problem stems from the dwindling pool of new university graduates trained in disciplines relevant to stockpile stewardship that also meet security clearance requirements for positions of great trust. The committee strongly supports programs at our nation's universities that endeavor to reverse the decline of U.S. leadership in a number critical science and engineering fields, including high energy density physics, plasma physics, high field physics, the science of extreme ultraviolet/soft x-ray light sources, pulsed power engineering, and inertial confinement fusion research. University programs in these areas support, in a cost effective manner, the research and training of our national laboratories' future stockpile stewards. However, the committee believes that the Department should pursue innovative approaches to recruitment, such as offering graduate scholarships in critical science and engineering disciplines in exchange for a commitment to a period of national service, as suggested in the Hart-Rudman Report.

LEGISLATIVE PROVISIONS

SUBTITLE A—NATIONAL SECURITY PROGRAMS AUTHORIZATIONS

Section 3101—National Nuclear Security Administration

This section would authorize funds for the National Nuclear Security Administration for fiscal year 2002.

Section 3102—Defense Environmental Restoration and Waste Management

This section would authorize funds for environmental restoration and waste management activities of the Department of Energy for fiscal year 2002.

Section 3103—Other Defense Activities

This section would authorize funds for other defense activities of the Department of Energy for fiscal year 2002.

Section 3104—Defense Environmental Management Privatization

This section would authorize funds for defense environmental management privatization activities of the Department of Energy for fiscal year 2002.

Section 3105—Defense Nuclear Waste Disposal

This section would authorize funds for defense nuclear waste disposal activities of the Department of Energy for fiscal year 2002.

SUBTITLE B—RECURRING GENERAL PROVISIONS

Section 3121—Reprogramming

This section would prohibit the reprogramming of funds in excess of the amount authorized for the program until the Secretary of Energy has notified the congressional defense committees and a period of 30 days has elapsed after the date on which the notification is received.

Section 3122—Limits on General Plant Projects

This section would limit the initiation of general plant projects if the current estimated cost for any project exceeds $5.0 million and would require the Secretary of Energy to notify the congressional defense committees in the event the estimated cost of any project exceeds $5.0 million and the reasons for the cost variation.

Section 3123—Limits on Construction Projects

This section would permit the initiation and continuation of any construction project only if the estimated cost for the project does not exceed 125 percent of the higher of: (1) the amount authorized for the project; or (2) the most recent total estimated cost presented to Congress as justification for such project. To exceed this limit, the Secretary of Energy must report in detail the reason therefore to the congressional defense committees and the report must be before the committees for 30 legislative days. This section would also specify that the 125 percent limitation would not apply to projects estimated to cost under $5.0 million.

Section 3124—Fund Transfer Authority

This section would authorize the Secretary of Energy to transfer funds to other agencies of the government for performance of work for which the funds were authorized and appropriated. The provi-

sion would permit the merger of such funds with the funds made available to the agency to which they are transferred.

Section 3125—Authority for Conceptual and Construction Design

This section would require the Secretary of Energy to certify that a conceptual design for a construction project has been completed prior to requesting funding for that project, except in the case of emergencies.

Section 3126—Authority for Emergency Planning, Design and Construction Activities

This section would authorize the Secretary of Energy to perform planning and design for construction activities utilizing available funds for any Department of Energy national security program construction project whenever the Secretary determines that the design must proceed expeditiously to protect the public health and safety, to meet the needs of national defense, or to protect property.

Section 3127—Funds Available for All National Security Programs of the Department of Energy

This section would authorize, subject to section 3121 of this Act, amounts appropriated for management and support activities and for general plant projects to be made available for use in connection with all national security programs of the Department of Energy.

Section 3128—Availability of Funds

This section would allow funds authorized for the various activities of the National Nuclear Security Administration and environmental management activities of the Department of Energy to remain available until expended, except for program direction funds, which would remain available until the end of fiscal year 2003.

Section 3129—Transfers of Defense Environmental Management Funds at Field Offices of the Department of Energy

This section would provide the manager of each field office of the Department of Energy with limited authority to transfer defense environmental management funds from a program or project under the jurisdiction of the office to another such program or project.

Section 3130—Transfers of Weapons Activities Funds at National Security Laboratories and Nuclear Weapons Production Facilities

This section would provide the head of each national security laboratory and each nuclear weapons production facility with limited authority to transfer weapons activities funds from a program under the jurisdiction of the national security laboratory or production facility to another such program of the national security laboratory or production facility.

SUBTITLE C—PROGRAM AUTHORIZATIONS, RESTRICTIONS, AND LIMITATIONS

Section 3131—Termination Date of Office of River Protection, Richland, Washington

This section would extend the statutory termination date of the Office of River Protection, Richland Washington, from September 30, 2004, to the later of September 30, 2010, or upon the determination that continuation of the Office is no longer necessary to carry out the Department's responsibilities under the Hanford Federal Facility Agreement and Consent Order entered into among the Department of Energy, the Environmental Protection Agency, and the State of Washington Department of Ecology.

Section 3132—Organizational Modifications for National Nuclear Security Administration

This section would establish, within the National Nuclear Security Administration, a Principal Deputy Administrator who would be appointed by the President with the advice and consent of the Senate to perform such duties as the Administrator of the National Nuclear Security Administration may prescribe and act for the Administrator when the Administrator is disabled or the office of the Administrator is vacant. This section would also eliminate: (1) a statutory requirement that the heads of the national security laboratories and nuclear weapons production facilities report to the Administration's Deputy Administrator for Defense Programs; and (2) a duplicative statutory prohibition on the ability of non-Administration employees of the Department to serve concurrently in the Administration.

Section 3133—Consolidation of Nuclear Cities Initiative Program with Initiatives for Proliferation Prevention Program

This section would require the Administrator for Nuclear Security to consolidate the Nuclear Cities Initiative program with the Initiatives for Proliferation Prevention program not later than July 1, 2002, as described elsewhere in this report.

Section 3134–Disposition of Surplus Defense Plutonium at Savannah River Site, Aiken, South Carolina

This section would require the Secretary of Energy to consult with the Governor of South Carolina on any decisions or plans regarding the disposition of surplus defense plutonium at the Savannah River Site and to submit a plan to Congress by February 1, 2002, for the disposal of surplus defense plutonium currently located at the site, as well as for defense plutonium that may be shipped there in the future. The plan shall review each option considered for such disposal, identify the preferred option, and state the cost of construction and operation of the facilities required by the Department's Record of Decision dated January 14, 1997. The plan shall also specify a schedule for the expeditious construction of such facilities and the means by which all such plutonium will be removed from the Savannah River Site. This section would fur-

ther require the Secretary to modify the design of the Mixed Oxide Fuel Fabrication facility to provide immobilization capability if the Secretary determines that construction of the Plutonium Immobilization facility at the Savannah River site is not feasible. If the plan is not submitted by February 1, 2002, the Secretary would be prohibited from shipping plutonium to the Savannah River Site from that date forward until the plan is submitted.

Section 3135–Support for Public Education in the Vicinity of Los Alamos National Laboratory, New Mexico

This section would authorize the Secretary of Energy to pay $5.0 million to the Los Alamos National Laboratory Foundation and an $8.0 million extension of the contract between the Department of Energy and the Los Alamos Public Schools. For fiscal year 2003, the section would authorize the Secretary of Energy to take similar actions subject to the availability of appropriations.

The section would also require the Secretary to submit to the congressional defense committees, no later than March 1, 2002, an evaluation of the need for continued payments beyond fiscal year 2003.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

LEGISLATIVE PROVISIONS

Section 3201–Authorization

This section would authorize $18.5 million for the Defense Nuclear Facilities Safety Board for fiscal year 2002.

TITLE XXXIII—NATIONAL DEFENSE STOCKPILE

LEGISLATIVE PROVISIONS

Section 3301–Definitions

This section would provide the definitions used in this title.

Section 3302–Authorized Uses Of Stockpile Funds

This section would authorize $65.2 million from the National Defense Stockpile Transaction Fund for the operation and maintenance of the National Defense Stockpile for fiscal year 2002. The provision would also permit the use of additional funds for extraordinary or emergency conditions 45 days after a notification to Congress

Section 3303—Disposal of Excess Materials from the National Defense Stockpile

This section would provide authorization for the Department of Defense to dispose of materials in the National Defense Stockpile that are no longer needed for national security purposes.

Section 3304—Expedited Implementation of Authority to Dispose of Cobalt From National Defense Stockpile

This section would amend section 3305(a)(1) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85) to permit the sale of cobalt from the National Defense Stockpile during fiscal year 2002.

TITLE XXXIV—NAVAL PETROLEUM RESERVES

LEGISLATIVE PROVISIONS

Section 3401—Authorization of Appropriations

This section would authorize $17.4 million for fiscal year 2002 for the operation of the Naval Petroleum and Oil Shale Reserves.

TITLE XXXV—MARITIME ADMINISTRATION

ITEMS OF SPECIAL INTEREST

Merchant Marine Academy

The budget request contained $47.8 million for the U.S. Merchant Marine Academy (USMMA). The committee remains concerned that health and safety hazards to the cadets and staff continue due to the appalling condition of the physical plant and infrastructure at the institution. The budget request included $13.0 million for needed capital improvements. This funding level will begin to buy down the backlog of deferred maintenance and facilities replacement. The committee urges the Maritime Administration to pursue aggressively funding levels that will insure that the physical plant at the Academy is brought up to safe and appropriate commercial standards as quickly as practicable.

Ship Scrapping

The budget request contained $10.0 million for the disposal of three obsolete vessels. Section 3502 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106–398) required the Administrator of the Maritime Administration to dispose of all vessels in the National Defense Fleet that are not assigned to the Ready Reserve Force or otherwise designated for a specific purpose by September 30, 2006. The committee understands that the Maritime Administration will need to scrap over 30 vessels per year to meet the goal of scrapping 140 vessels by the statutorily imposed deadline. The cost to accomplish this goal will exceed $350.0 million based on current estimates. While $10.0 million may be sufficient to develop an initial disposal program in fiscal year 2002, the committee notes that substantial additional resources must be provided in future years to meet the deadlines. The committee strongly urges the Maritime Administration to present funding levels in the next fiscal years for this program that are more appropriate to the task facing the agency. The committee notes that the Navy has had a ship disposal program since 1999 and has made a number of refinements in that program that enhance efficiency and at the same time protect health, safety, and the environment. The committee expects the Maritime Administration to administer its ship disposal program in a way that obtains the best value to the government while providing the same level of protection for health, safety, and the environment as the Navy program. Finally, the committee expects that there will be no discrimination among domestic scrapping facilities and that domestic scrapping facilities are selected based on criteria that will result the scrapping of vessels at the least cost to the government, in a

timely way, and in a manner that provides the requisite level of protection for health, safety, and the environment.

Title XI Loan Guarantee Program

The budget request contained $3.9 million to fund administrative expenses associated with the management of the title XI loan guarantee program. The budget request contained no funds for costs, as defined in section 502 of the Federal Credit Reform Act of 1990 (Public Law 93–344). The committee recommends $103.9 million for the Title XI program, an increase of $100.0 million above the budget request.

Transfer of the Maritime Security Program to the Department of Defense

The committee notes the proposal of the administration to transfer the funding and management of the Maritime Security Program from the Department of Transportation to the Department of Defense. The committee has not received sufficient justification to transfer a program that by all accounts is managed effectively and efficiently at the Department of Transportation, nor has the committee received any information that would suggest that DOD operational requirements necessitate a transfer. In addition, the committee has not been presented with any evidence that such a transfer would result in cost savings. The committee is therefore not recommending a transfer of the Maritime Security Program to the Department of Defense's National Defense Sealift Fund. To reflect this decision, the committee has transferred $98.7 million from the National Defense Sealift Fund (budget function 051) to the Maritime Administration within the Department of Transportation (budget function 054).

LEGISLATIVE PROVISIONS

Section 3501—Authorization of Appropriations for Fiscal Year 2002

This section would authorize a total of $203.0 million for fiscal year 2002, an increase of $100 million above the budget request, for the Maritime Administration. Of the funds authorized, $89.0 million would be for operations and training programs, $100.0 million would be for the costs as defined in section 502 of the Federal Credit Reform Act of 1990 (Public Law 93–344), of loan guarantees authorized by Title XI of the Merchant Marine Act, 1936, as amended, $3.9 million would be for administrative expenses related to providing these loan guarantees, and $10.0 million would be for the disposal of obsolete ships in the National Defense Reserve Fleet.

Section 3502—Define "War Risks" to Vessels to Include Confiscation, Expropriation, Nationalization, and Deprivation of the Vessels

This section would clarify and expand the authority of the Maritime Administration to issue war risk insurance coverage for losses from hostile acts including confiscation, expropriation, nationalization, and deprivation. As a result of several recent seizures, com-

mercially available insurance has become unreasonably expensive, particularly as it relates to salvage ships. Without insurance, private salvage operators under contract to the Navy are unable to fulfill their obligations. This change also expands the coverage to circumstances that might arguably not fall within the context of a traditionally defined "war risk."

Section 3503—Holding Obligor's Cash as Collateral Under Title XI of Merchant Marine Act, 1936

This section would amend Title XI of the Merchant Marine Act, 1936, as amended by establishing a new section that will allow the Maritime Administration to hold and invest cash collateral derived from Title XI proceeds in the U.S. Treasury. It will further relieve obligors and the Maritime Administration from spending substantial time and money associated with negotiating depository agreements and preparing legal opinions in Title XI transactions.

DEPARTMENTAL DATA

The Department of Defense requested legislation, in accordance with the program of the President, as illustrated by the correspondence set out below:

DEPARTMENT OF DEFENSE AUTHORIZATION REQUEST

DEPARTMENT OF DEFENSE,
OFFICE OF GENERAL COUNSEL,
Washington, DC, June 29, 2001.

Hon. J. DENNIS HASTERT,
Speaker of the House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: The Department of Defense proposes the enclosed draft legislation, "To authorize appropriations for fiscal year 2002 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2002, and for other purposes."

This legislative proposal is part of the Department of Defense Legislative Program for the First Session of the 107th Congress and is necessary to carry out the President's budget plans for fiscal year 2002. The Office of Management and Budget advises that there is no objection to the presentation of this proposal to the Congress, and that its enactment would be in accord with the program of the President.

Sincerely,

WILLIAM J. HAYNES II,
General Counsel.

Enclosures.

MILITARY CONSTRUCTION AUTHORIZATION REQUEST

DEPARTMENT OF DEFENSE,
OFFICE OF GENERAL COUNSEL,
Washington, DC, August 16, 2001.

Hon. J. DENNIS HASTERT,
Speaker of the House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: The Department of Defense proposes the enclosed legislation relating to the operation and management of the Department of Defense. These proposals are part of the legislative program for the Department of Defense for the First Session of the 107th Congress and we urge their enactment.

Enclosed is legislation to authorize military construction and facility management for the military departments, the defense agencies, the North Atlantic Treaty Organization Security Investment

program, and the National Guard and Reserve components. We propose that the successful pilot program, the alternative authority for acquisition and improvement of military housing, be made permanent. We seek your authority to authorize the Secretaries of the military departments to convey surplus property, when appropriate, to state or local governments for conservation of natural resources. We propose a pilot program in which we can assign certain private sector personnel to the Department for a limited period so that we can take advantage of their skills while providing them knowledge of our processes and methods. We also propose that limitations on contracting for fire fighting and security guard services be eliminated so that the Department may contract for such support when appropriate for our military installations.

We seek the repeal of any limitations on the retirement or dismantlement of strategic nuclear delivery systems. This will enhance the President's flexibility to set strategic force structure for the defense of the United States. We propose the inclusion of government contractors in chemical weapons inspections at government-owned facilities under the Chemical Weapons Convention. We also request authority for the Secretary of a military department to promote fully-qualified officers to the grade of captain in the Army, Air Force or Marine Corps or Lieutenant in the Navy without convening a selection board.

The Office of Management and Budget advises that there is no objection, from the standpoint of the Administration's program, to the presentation of these initiatives for your consideration and the consideration of the Congress.

Sincerely,

DANIEL J. DELL'ORTO,
Principal Deputy General Counsel.

Enclosures.

COMMITTEE POSITION

On August 1, 2001 the Committee on Armed Services, a quorum being present, approved H.R. 2586, as amended, by a vote of. 58–1.

COMMUNICATIONS FROM OTHER COMMITTEES

HOUSE OF REPRESENTATIVES,
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC, August 14, 2001.

Hon. BOB STUMP,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: This letter concerns the jurisdictional interest of the Committee on Transportation and Infrastructure in H.R. 2586, the Department of Defense Authorization Act for Fiscal Year 2002.

H.R. 2586, as ordered reported by the Committee on Armed Services, contains many provisions over which the Committee on transportation and Infrastructure has jurisdiction. As in previous bills, these include all sections that affect the pay, benefits, and per-

sonnel of the United States Coast Guard and the United States Coast Guard Reserve.

Our committee recognizes the importance of H.R. 2586 and the need for this legislation to move expeditiously. While we have a valid claim to jurisdiction over a number of provisions in the bill, including many that affect the United States Coast Guard, I do not intend to request a sequential referral of the bill. This is, of course, conditional on our mutual understanding that nothing in this legislation waives or affects the jurisdiction of the Transportation Committee, that every effort will be made to include any agreements worked out by our staffs as the bill is taken to the Floor, and that a copy of this letter and your response will be included in the Committee Report and as part of the record during consideration of the bill by the House.

The Committee on Transportation and Infrastructure also requests to be included as conferees on the provisions over which we have jurisdiction.

Thank you for your cooperation in this matter.

Sincerely,

DON YOUNG, *Chairman.*

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
Washington, DC, August 29, 2001.

Hon. DON YOUNG,
Chairman, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter of August 14, 2001 regarding H.R. 2586, the National Defense Authorization Act for Fiscal Year 2002.

I agree that the Committee on Transportation and Infrastructure has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request such a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on Transportation and Infrastructure is not waiving its jurisdiction. Further, as you requested, this exchange of letters will be included in the Committee report on the bill.

Thank you for your cooperation in this matter.

Sincerely,

BOB STUMP, *Chairman.*

HOUSE OF REPRESENTATIVES,
COMMITTEE ON EDUCATION AND THE WORKFORCE,
Washington, DC, August 28, 2001.

Hon. BOB STUMP,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for working with me in your development of H.R. 2586, the "National Defense Authorization Act for Fiscal Year 2002," specifically:

1. Section 341, "Assistance to Local Educational Agencies the Benefit Dependents of Members of the Armed Forces and Department of Defense Civilian Employees;

2. Section 342, "Availability of Auxiliary Services of Defense Dependents Education System for Dependents who are Home School Students";

3. Section 343, "Report Regarding Compensation for Teachers Employed in Teaching Positions in Overseas Schools Operated by the Department of Defense";

4. Section 509, "One-year Extension of Expiration Date for Certain Force Management Authorities";

5. Section 584, "Clarification of Military Recruiter Access to Secondary School Directory Information About Students."

As you know, these provisions are within the jurisdiction of the Education and the Workforce Committee. While I do not intend to seek sequential referral of H.R. 2586, the Committee does hold an interest in preserving its future jurisdiction with respect to issues raised in the aforementioned provisions and its jurisdictional prerogatives should the provisions of this bill or any Senate amendments thereto be considered in a conference with the Senate. We would expect to be appointed as conferees on these provisions should a conference with the Senate arise.

Again, I thank you for working with me in developing the amendments to H.R. 2586 and look forward to working with you on these issues in the future.

Sincerely,

JOHN BOEHNER, *Chairman.*

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, August 31, 2001.

Hon. BOB STUMP,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for working with me regarding H.R. 2586, the "National Defense Authorization Act for Fiscal Year 2002," which was referred to the Committee on Armed Services. As you know, the Committee on the Judiciary has a jurisdictional interest in this legislation, and I appreciate your acknowledgement of that jurisdictional interest. While the bill would be sequentially referred to the Judiciary Committee, I understand the desire to have this legislation considered expeditiously by the House; therefore, I do not intend to hold a hearing or markup on this legislation.

In agreeing to waive consideration by our Committee, I would expect you to agree that this procedural route should not be construed to prejudice the Committee on the Judiciary's jurisdictional interest and prerogatives on this or any similar legislation and will not be considered as precedent for consideration of matters of jurisdictional interest to my Committee in the future. The Committee on the Judiciary takes this action with the understanding that the Committee's jurisdiction over the provisions within the Committee's jurisdiction is in no way diminished or altered, and that the

Committee's right to the appointment of conferees during any conference on the bill is preserved. I would also expect your support in my request to the Speaker for the appointment of conferees from my Committee with respect to matters within the jurisdiction of my Committee should a conference with the Senate be convened on this or similar legislation.

Again, thank you for your cooperation on this important matter. I would appreciate your including our exchange of letters in your Committee's report to accompany H.R. 2586.

Sincerely,

F. JAMES SENSENBRENNER, Jr.,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
Washington, DC, August 31, 2001.

Hon. F. JAMES SENSENBRENNER, Jr.,
Chairman, Committee on the Judiciary, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter of August 31, 2001 regarding H.R. 2586, the National Defense Authorization Act for Fiscal Year 2002.

I agree that the Committee on the Judiciary has valid jurisdictional claims to certain provisions in this important legislation, and I am most appreciative of your decision not to request such a referral in the interest of expediting consideration of the bill. I agree that by foregoing a sequential referral, the Committee on the Judiciary is not waiving its jurisdiction. Further, as you requested, this exchange of letters will be included in the Committee report on the bill.

Thank you for your cooperation in this matter.

Sincerely,

BOB STUMP, *Chairman.*

HOUSE OF REPRESENTATIVES,
COMMITTEE ON RESOURCES,
Washington, DC, August 31, 2001.

Hon. BOB STUMP,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for an opportunity to review the text of H.R. 2586, the National Defense Authorization Act of 2002, for provisions which are within the jurisdiction of the Committee on Resources. Among these provisions are those dealing with benefits for the National Oceanic and Atmospheric Administration Corps, environmental review, public lands, and territories of the United States.

Because of the continued cooperation and consideration you have afforded me and my staff in developing these provisions, I will not seek a sequential referral of H.R. 2586 based on their inclusion in the bill. Of course, this waiver is not intended to prejudice any future jurisdictional claims over these provisions or similar language.

I also reserve the right to seek to have conferees named from the Committee on Resources on these provisions, should such a conference become necessary.

Once again, I appreciate working with you and your staff on these matters, and look forward to urging my colleagues to support and pass H.R. 2586.

Sincerely,

JAMES V. HANSEN, *Chairman.*

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, September 4, 2001.

Hon. BOB STUMP,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: On August 1, 2001, the Committee on Armed Services ordered reported H.R. 2586, the National Defense Authorization Act for Fiscal Year 2002. As ordered reported by the Committee on Armed Services, this legislation contains a number of provisions that fall within the jurisdiction of the Committee on Energy and Commerce. These provisions include the following:

Section 509, one-year extension of expiration date for certain force management authorities.

Section 514, improved disability benefits for certain reserve component members.

Subtitle A of title 6—Pay and Allowances.

Section 611, one-year extension of certain bonus and special pay authorities for reserve forces.

Section 612, one-year extension of certain bonus and special pay authorities for nurse officer candidates, registered nurses, and nurse anesthetists.

Section 2906, environmental compliance and environmental response requirements.

Section 3131, termination date of Office of River Protection, Richland, Washington.

Section 3132, organizational modifications for National Nuclear Security Administration.

Section 3201, Defense Nuclear Facilities Safety Board Authorization.

I understand that two provisions within my jurisdiction that are in the bill as ordered reported will be deleted in the reported version of H.R. 2586: (1) section 316, concerning the authority of the Department of Defense to accept and store mercury and (2) section 712, listing requirements regarding a Presidential task force. Further, I understand that section 3134, dealing with the disposition of surplus plutonium at the Savannah River Site in Aiken, South Carolina, will be modified to make clear that it only deals with military surplus plutonium, and therefore will not fall within my Committee's jurisdiction.

Recognizing your interest in bringing this legislation before the House expeditiously, the Committee on Energy and Commerce agrees not to seek a sequential referral of the bill based on the provisions listed above. By agreeing not to seek a sequential referral,

the Committee on Energy and Commerce does not waive its jurisdiction over these provisions or any other provisions of the bill that may fall within its jurisdiction. In addition, the Committee on Energy and Commerce reserves its right to seek conferees on any provisions within its jurisdiction which are considered in the House-Senate conference, and asks for your support in being accorded such conferees.

I request you include this letter as part of the report on H.R. 2586 and as part of the Record during consideration of this bill by the House.

Sincerely,

W.J. "BILLY" TAUZIN, *Chairman.*

FISCAL DATA

Pursuant to clause 3(d) of rule XIII of the Rules of the House of Representatives, the committee attempted to ascertain annual outlays resulting from the bill during fiscal year 2002 and the following four years. The results of such efforts are reflected in the cost estimate prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974, which is included in this report pursuant to clause 3(c)(3).

CONGRESSIONAL BUDGET OFFICE ESTIMATE

In compliance with clause 3(c)(3) of rule XIII of the House of Representatives, the cost estimate prepared by the Congressional Budget Office and submitted pursuant to section 402 of the Congressional Budget Act of 1974 is as follows:

AUGUST 22, 2001.

Hon. BOB STUMP,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 2586, the National Defense Authorization Act for Fiscal Year 2002.

The CBO staff contact is Kent Christensen. If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,

DAN L. CRIPPEN.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

Summary: H.R. 2586 would authorize appropriations totaling $343 billion for fiscal year 2002 for the military functions of the Department of Defense (DoD) and the Department of Energy. It also would prescribe personnel strengths for each active duty and selected reserve component of the U.S. armed forces. CBO estimates that appropriation of the authorized amounts for 2002 would result in additional outlays of $338 billion over the 2002–2006 period.

The bill also contains provisions that would raise the costs of discretionary defense programs over the 2003–2006 period. CBO estimates that those provisions would require appropriations of $9 billion over those four years.

The bill contains provisions that would reduce direct spending, primarily through revised payment rates for some services offered under the Tricare for Life program and certain asset sales. We estimate that the direct spending savings resulting from provisions of H.R. 2586 would total $384 million over the 2002–2006 period and $355 million over the 2002–2011 period. Those totals include esti-

mated net receipts from asset sales of $44 million over the next five years and $20 million over 10 years. Because it would affect direct spending, the bill would be subject to pay-as-you-go procedures.

The bill contains several intergovernmental mandates as defined by the Unfunded Mandates Reform Act (UMRA). CBO estimates, however, that the costs of complying with those mandates would not be significant and would not exceed the threshold as specified in UMRA. The bill also contains provisions that affect DoD's Tricare long-term care program and would increase costs in state Medicaid programs. The remaining provisions of the bill are either excluded under Section 4 of UMRA, which excludes from the application of that act any legislative provisions that are necessary for the national security, or contain no mandates.

Estimated Cost to the Federal Government

The estimated budgetary impact of H.R. 2586 is shown in Table 1. Most of the costs of this legislation fall within budget function 050 (national defense).

TABLE 1.—BUDGETARY IMPACT OF H.R. 2586, THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2002

	By fiscal year, in millions of dollars—					
	2001	2002	2003	2004	2005	2006
SPENDING SUBJECT TO APPROPRIATION						
Spending Under Current Law for Defense Programs:						
Budget Authority [1]	316,051	0	0	0	0	0
Estimated Outlays	301,602	107,667	36,099	13,839	6,256	3,308
Proposed Changes:						
Estimated Authorization Level	0	342,945	0	0	0	0
Estimated Outlays	0	226,158	77,322	23,645	8,199	3,000
Spending Under H.R. 2586 for Defense Programs:						
Estimated Authorization Level [1]	316,051	342,945	0	0	0	0
Estimated Outlays	301,602	333,825	113,421	37,484	14,455	6,308
CHANGES IN DIRECT SPENDING (EXCLUDING ASSET SALES)						
Estimated Budget Authority	0	9	−320	−4	−9	1
Estimated Outlays	0	4	−340	−12	6	2
ASSET SALES [2]						
Estimated Budget Authority	0	−22	−32	−16	−5	31
Estimated Outlays	0	22	−32	−16	−5	31

[1] The 2001 level is the amount appropriated for programs authorized by the bill.
[2] Asset sale receipts are a credit against direct spending.

Note.—This table excludes estimated authorizations of appropriations for years after 2002. (Those additional authorizations are shown in Table 3.)

Basis of estimate

Spending Subject to Appropriation

The bill would authorize appropriations totaling $343 billion in 2002 (see Table 2). Most of those costs would fall within budget function 050 (national defense). H.R. 2586 also would authorize appropriations of $100 million for the Presidio Trust Fund (function 300—natural resources and environment), $99 million for the Maritime Administration (function 400—transportation), $71 million for the Armed Forces Retirement Home (function 600—income security), and $17 million for the Naval Petroleum Reserves (function 270—energy).

The estimate assumes that the amounts authorized for 2002 will be appropriated near the start of fiscal year 2002. Outlays are estimated based on historical spending patterns.

The bill also contains provisions that would affect various costs, mostly for personnel, that would be covered by the fiscal year 2002 authorization and by authorizations in future years. Table 3 contains estimates of those amounts. In addition to the costs covered by the authorizations in the bill for 2002, these provisions would raise estimated costs by $9 billion over the 2003–2006 period. The following sections describe the provisions identified in Table 3 and provide information about CBO's cost estimates for those provisions.

Multiyear Procurement.—In most cases, purchases of weapon systems are authorized annually, and as a result, DoD negotiates a separate contract for each annual purchase. In a small number of cases, the law permits multiyear procurement; that is, it allows DoD to enter into a contract to buy specified annual quantities of a system for up to five years. In those cases, DoD can negotiate lower prices because its commitment to purchase the weapons gives the contractor an incentive to find more economical ways to manufacture the weapon, including cost-saving investments. Funding would continue to be provided on an annual basis for these multiyear contracts, but potential termination costs would be covered by an initial appropriation.

Section 111 would authorize DoD to extend the authorization of multiyear procurement for the Family of Medium Tactical Vehicles by one year through 2002, if the department determines that it is necessary to do so to prevent a break in production of the vehicles. Currently, these vehicles are purchased under a multiyear contract administered by the Army covering a four-year period ending in 2001. The contract allows for an option year in 2002 leading to a new multiyear contract. CBO estimates that the savings from buying the vehicles under the extension would have little or no budgetary impact because the Army assumed that the vehicles planned for purchase in 2002 would be bought at prices similar to prices under the existing multiyear contract.

TABLE 2.—SPECIFIC AUTHORIZATIONS IN H.R. 2586

Category	By fiscal year, in millions of dollars—				
	2002	2003	2004	2005	2006
Military Personnel:					
Authorization Level	82,224	0	0	0	0
Estimated Outlays	76,995	4,605	164	82	0
Operation and Maintenance:					
Authorization Level	124,357	0	0	0	0
Estimated Outlays	93,200	24,264	4,041	1,679	501
Procurement:					
Authorization Level	62,036	0	0	0	0
Estimated Outlays	16,208	22,452	13,333	5,013	1,988
Research, Development, Test, and Evaluation:					
Authorization Level	47,660	0	0	0	0
Estimated Outlays	25,441	17,990	3,138	674	189
Military Construction and Family Housing:					
Authorization Level	10,325	0	0	0	0
Estimated Outlays	2,624	3,987	2,303	776	334

TABLE 2.—SPECIFIC AUTHORIZATIONS IN H.R. 2586—Continued

Category	By fiscal year, in millions of dollars—				
	2002	2003	2004	2005	2006
Atomic Energy Defense Activities:					
Authorization Level	13,514	0	0	0	0
Estimated Outlays	9,162	3,643	709	0	0
Other Accounts:					
Authorization Level	2,746	0	0	0	0
Estimated Outlays	2,173	433	77	35	8
General Transfer Authority:					
Authorization Level	0	0	0	0	0
Estimated Outlays	280	−60	−120	−60	−20
Total					
Authorization Level [1]	342,862	0	0	0	0
Estimated Outlays	226,083	77,314	23,645	8,199	3,000

[1] These amounts comprise nearly all of the proposed changes for authorizations shown in Table 1; they do not include the estimated authorization of $83 million for the Coast Guard Reserve, which is shown in Table 3.

TABLE 3.—ESTIMATED AUTHORIZATIONS OF APPROPRIATIONS FOR SELECTED PROVISIONS IN H.R. 2586

Category	By fiscal year, in millions of dollars—				
	2002	2003	2004	2005	2006
MULTIYEAR PROCUREMENT					
C–17 Aircraft	0	−117	−293	−272	−252
FORCE STRUCTURE					
DoD Military Endstrengths	230	475	490	504	519
Coast Guard Reserve Endstrengths	83	0	0	0	0
Grade Structure	31	68	84	95	97
18–Month Enlistment Pilot	0	0	12	12	12
COMPENSATION AND BENEFITS (DoD)					
Military Pay Raises	1,026	1,420	1,490	1,558	1,624
Expiring Bonuses and Allowances	616	478	277	171	114
Travel and Transportation Allowances	51	274	351	359	367
Increase Incentive Pay and Bonuses	70	99	103	109	115
Housing Allowances	0	27	36	38	39
New Officer Accession Bonus	18	18	18	20	20
Subsistence Allowances	6	15	8	3	0
Uniform Allowances	4	4	4	4	4
Education and Training	1	6	8	10	13
Other Compensation Provisions	−25	8	3	8	7
DEFENSE HEALTH PROGRAM					
Payment Rates	−144	−90	0	0	0
Long-Term Care Rules	−44	0	0	0	0
Non-Availability Statements	0	0	10	10	10
Other Provisions	8	5	6	6	6
OTHER PROVISIONS					
Limitations on Workforce Reviews	−11	−11	−11	1	105
Service Contracting Reform	15	26	33	27	24
National Guard Challenge Program	0	9	11	13	15
War Medals	0	4	4	5	5
Acquisition Workforce Reduction	−25	−236	−246	−256	−266
Asbestos Differential Pay	−110	−110	−110	−110	−110
Civilian Wage Board Schedule	3	10	10	11	11
Strategic Forces	−20	−70	−140	−200	−220

TABLE 3.—ESTIMATED AUTHORIZATIONS OF APPROPRIATIONS FOR SELECTED PROVISIONS IN H.R. 2586—Continued

Category	By fiscal year, in millions of dollars—				
	2002	2003	2004	2005	2006
TOTAL ESTIMATED AUTHORIZATIONS					
Estimated Authorization Level	1,783	2,312	2,159	2,126	2,260

Note.—For every item in this table except the authorization for the Coast Guard, the 2002 levels are included in the amounts specifically authorized to be appropriated in the bill. Those amounts are shown in Table 2. Amounts shown in this table for 2003 through 2006 are not included in Table 1.

Section 122 would authorize DoD to enter into a new multiyear procurement contract (or extend the current multiyear contract) to buy up to 60 additional C–17 aircraft if the Secretary of Defense certifies to the Congressional defense committees, before the enactment of this bill, that it is in the interest of the department to proceed with follow-on multiyear procurement of the C–17. Under the current multiyear contract, the Air Force will buy 15 aircraft in 2002 and another 8 aircraft in 2003. Assuming the Secretary certifies that it is in the interest of the department to proceed with follow-on multiyear procurement of up to 60 additional C–17s, CBO estimates that savings from buying 60 additional C–17s under this contract arrangement would total $934 million or an average of about $250 million a year over the 2003–2006 period. Funding requirements would total just under $8.3 billion instead of the almost $9.2 billion needed under annual contracts. This estimate assumes that the Air Force would purchase the 60 additional aircraft starting in 2003 at a rate of 15 a year.

Force Structure.—The bill contains various sections that affect endstrength, personnel grade structure, and periods of enlistment.

Military Endstrength. The bill would authorize active and reserve endstrengths for 2002 and would raise the minimum endstrength authorization in permanent law. The authorized endstrengths for active-duty personnel and personnel in the selected reserve would total about 1,387,000 and 865,000, respectively. Of those selected reservists, about 66,000 would serve on active duty in support of the reserves. The bill would specifically authorize appropriations of $82.2 billion for the discretionary costs of military pay and allowances in 2002. The authorized endstrength represents a net increase of 3,152 servicemembers that would boost costs for salaries and other expenses by $230 million in the first year and about $500 million annually in subsequent years, compared to the authorized strengths for 2001.

The bill also would authorize an endstrength of 8,000 in 2002 for the Coast Guard Reserve. This authorization would cost about $83 million and would fall under budget function 400 (transportation).

Grade Structure. Sections 415, 423, 503, and 504 would increase the number of service-members in certain grades. Section 415 would change the grade structure of active-duty personnel in support of the reserves and section 423 would increase the number of Air Force officers in the grade of major. Section 503 would reduce the time-in-grade required for promotion to captain in the Army, Air Force, and Marine Corps, and lieutenant in the Navy when service staffing needs require. Under section 504, the number of servicemembers in pay grade E–8 in the Navy, the Marine Corps,

and the Air Force would increase. These changes would not increase the overall endstrength, but would result in more promotions to these ranks. CBO estimates these provisions would cost $31 million in 2002, rising to about $100 million by 2006.

18-Month Enlistment Pilot Program. Section 589 would create a pilot program for 18-month enlistments. CBO estimates that implementing this section would cost $36 million over the 2004–2006 period because of the increased recruitment and training activities needed to accommodate the higher military personnel turnover rate and maintain endstrength levels. CBO estimates that implementing this section would increase turnover by approximately 1,000 positions in the 2004–2006 period, and that the cost to recruit and train these troops would be about $34,000 per person.

Compensation and Benefits.—H.R. 2586 contains several provisions that would affect military compensation and benefits.

Military Pay Raises. Section 601 would raise basic pay by 5 percent across-the-board and authorize additional targeted pay raises, ranging from 1 percent to 10 percent, for individuals with specific ranks and years of service at a total cost of about $3.1 billion in 2002. Because the pay raises would be above those projected under current law, CBO estimates that the incremental costs associated with the larger pay raise would be about $1 billion in 2002 and total $7.1 billion over the 2002–2006 period.

Expiring Bonuses and Allowances. Several sections would extend DoD's authority to pay certain bonuses and allowances to current personnel. Under current law, most of these authorities are scheduled to expire in December 2001, or three months into fiscal year 2002. The bill would extend these authorities through December 2002. CBO estimates that the costs of these extensions would be as follows:

Payment of reenlistment bonuses for active-duty personnel would cost $327 million in 2002 and $174 million in 2003; enlistment bonuses for active-duty personnel would cost $91 million in 2002 and $140 million in 2003;

Various bonuses for the Selected and Ready Reserve would cost $64 million in 2002 and $73 million in 2003;

Special payments for aviators and nuclear-qualified personnel would cost $52 million in 2002 and $55 million in 2003;

Retention bonuses for officers and enlisted members with critical skills would cost $23 million in 2002 and cost $13 million in 2003;

Authorities to make special payments to nurse officer candidates, registered nurses, and nurse anesthetists would cost $7 million in 2002 and $2 million in 2003;

Accession bonuses for dental officers would have no cost in 2002 and cost $1 million in 2003. (This provision authorizes a three-month extension of the current authority which expires on September 30, 2002); and

Extension of transition authorities for active and reserve members, including temporary early retirement authority, special separation benefit, voluntary separation incentive, and certain other contingent benefits would cost $52 million in 2002, and $20 million in 2003.

Most of these changes would result in additional, smaller costs in subsequent years because payments are made in installments.

Travel and Transportation Allowances. Sections 631 through 637 would affect travel and transportation allowances by expanding eligibility or increasing benefits. CBO estimates that the cost of these changes would be as follows:

Setting minimum per diem rates equal to the standard rates established for federal civilian travel would have no cost in 2002, but would cost $142 million in 2003 and $731 million over the 2003–2006 period;

Increasing the maximum daily payment rate from $110 to $180 for temporary subsistence allowances and expanding eligibility to officers would cost $45 million in 2002 and $287 million over the 2002–2006 period;

Increasing the maximum weight allowances for junior enlisted members would have no cost in 2002, but would cost $20 million in 2003 and $98 million over the 2003–2006 period;

Raising the pet quarantine fee reimbursement from $275 to $675 would cost $1 million in 2002 and $5 million over the 2002–2006 period;

Authorizing dislocation allowances (DLA) for married servicemembers without dependents where the spouse is a member of the military, would have no cost in 2002, but would cost $3 million in 2003. Expanding eligibility to receive DLA to members moving to their first duty station would have no cost in 2002, but would cost $39 million in 2003. Authorizing a $500 allowance to compensate members who must move for government convenience (e.g., because of privatization or renovation) would cost $5 million in 2002. CBO estimates that combined these three provisions would cost $280 million over the 2002–2006 period.

In total, these provisions affecting travel and transportation allowances would cost $51 million in 2002 and $1.4 billion over the 2002–2006 period. Those provisions with no cost in 2002 reflect an effective date of January 1, 2003.

Increases in Incentive Pay and Bonuses. Sections 539, 616, and 617 would expand eligibility for bonuses and increase pay for personnel with special skills. Section 539 would expand the population eligible to receive stipends under the Health Professional Stipend Program to include medical and dental school students. Assuming the number of participants would increase gradually, at about 5 percent a year, CBO estimates section 539 would cost less than $500,000 in 2002 and $7 million over the 2002–2006 period.

Under section 616, certain reservists on inactive-duty training would be entitled to a full month of aviation career incentive pay for performing flying duty. Under current law, reservists receive aviation career incentive pay based on a daily rate for only the days they perform flying duty. Section 617 would raise the maximum pay rates for servicemembers performing submarine duty. CBO estimates these pay increases, effective January 1, 2002, would cost $70 million in 2002 and $489 million over the 2002–2006 period. Together, these increases in incentive pay and bonuses would cost $70 million in 2002 and $496 million over the 2002–2006 period.

Housing Allowances. Section 604 would expand eligibility to receive the basic allowance for housing (BAH) to junior enlisted members in grades E–3 and below who are on leave or traveling between permanent duty stations. Currently, only members in grades E–4 and above are eligible to receive BAH under these conditions. Using DoD's estimate of enlisted accessions, and adjusting for losses during training, CBO expects that about 175,000 enlisted members in grades E–3 and below would be eligible to receive BAH while traveling between permanent duty stations. Assuming members would, on average, be between duty stations for ten days, and applying the BAH rates for members with and without dependents, CBO estimates the average cost per member with and without dependents would be about $210 and $180, respectively. Based on an effective date of January 1, 2003, CBO estimates expanding eligibility to these servicemembers would have no cost in 2002, but would cost $27 million in 2003 and $140 million over the 2003–2006 period.

New Officer Accession Bonus. Section 620 would authorize a new accession bonus for officers. The amount of the bonus, limited to $100,000, could be paid in a lump sum or installments. Based on information from DoD, CBO expects that the Air Force and the Navy would use this authority starting in 2002, and that the provision would cost $18 million in 2002 and $94 million over the 2002–2006 period.

Subsistence Allowances. Section 603 would extend the current authority to provide an additional subsistence payment when rations-in-kind are not available. DoD plans to prescribe this incremental subsistence allowance until payments may be fully offset by the annual increases in basic allowance for subsistence (BAS). CBO estimates that under DoD's plan, additional subsistence payments would end in 2005. This section also would delay the termination of BAS transition authority by three months, making termination effective on January 1, 2002, and saving an estimated $15 million in 2002. CBO estimates the combined effects of implementing these provisions would cost $6 million in 2002 and $32 million over the 2002–2006 period, assuming appropriation of the necessary amounts.

Uniform Allowances. Section 605 would loosen restrictions on eligibility of officers to receive an additional $200 clothing allowance by doubling the cap on the dollar amount a member may receive in an initial clothing allowance over the prior two years. Under current law, officers are ineligible to receive the additional allowance if they have received more than $200 in an initial clothing allowance during the past two years. Raising the cap would increase the number of officers eligible for the additional $200 allowance. CBO estimates that implementing this provision would cost $4 million in 2002 and $20 million over the 2002–2006 period, subject to appropriation of the necessary amounts. Because this provision would have an effective date of October 1, 2000, section 605 would authorize retroactive payments of this additional $200 allowance and would thus increase direct spending. Those costs are discussed later in this estimate under the heading of "Direct Spending."

Education and Training. Section 529 would direct the National Defense University (NDU) to continue its concept validation test of

joint professional military education for the reserves and to conduct a pilot program in 2003. The scope of the pilot program is undefined, but based on information from NDU, CBO estimates the program will eventually involve about 500 students at a cost of $10,500 per student per year. CBO expects that most of the costs in 2003 would be associated with program startup. CBO estimates minimal cost in 2002 because the validation program would still be ongoing. Overall, CBO estimates that this section would cost $23 million over the 2002–2006 period.

Section 538 would remove the cap on the number of Junior Reserve Officers' Training Corps (JROTC) units. The services plan to have 3,185 units in 2002, less than the current cap of 3,500 units. Based on recent growth rates, CBO expects the number of units would exceed 3,500 in 2005. CBO estimates implementing section 538 would increase JROTC costs by $2 million in 2005, rising to $5 million in 2006.

Under section 535, servicemembers on regular active-duty status could participate in the Senior Reserve Officers Training Corps (ROTC). Under current law, participation in Senior ROTC is limited to members of the reserves. Based on information from the military services, CBO expects that the Air Force and the Army would implement this new authority. Because the Air Force indicates that it would provide the same benefits to active-duty Senior ROTC participants as are paid to those in the Airman Education and Commissioning Program, CBO estimates no cost impact for the Air Force. The Army indicates, however, that it would not pay tuition or provide stipends or scholarships for about 200 active-duty Senior ROTC participants. Because the Army would save the expense of Officer Candidate School or ROTC scholarships and stipends for members who would receive officer training under this section, CBO estimates savings of $1 million in 2002 and $9 million over the 2002–2006 period. CBO expects that these members would use Montgomery GI Bill (MGIB) benefits to fund their education. Therefore, this provision would increase direct spending. Those costs are discussed later in this estimate under the heading of "Direct Spending."

Section 533 would increase the number of international students authorized to be admitted to the service academies and would eliminate the restrictions on full tuition waivers. CBO estimates that this section would cost $17 million over the 2002–2006 period. Removing the restrictions on tuition waivers would allow about 70 additional international students to receive full tuition assistance each year. This figure includes students admitted because of the higher number of international slots made available under this section, as well as slots that are currently receiving only partial tuition assistance. The current cost of tuition for an international student is about $62,000 a year, and the annual cost of implementing this section would be about $4 million.

Other Compensation Provisions. Section 619 would allow servicemembers electing to receive the 15-year career status bonus to have this bonus paid in installments. Currently this $30,000 bonus is offered as a lump-sum payment. CBO assumes that about 10 percent of those electing to receive the bonus would, on average, choose to receive two payments of $15,000 spread over two years.

Because these decisions would shift some payments from one year into the next, CBO estimates section 619 would save $30 million in 2002 and about $25 million over the 2002–2006 period. The somewhat lower total savings over the five-year period reflects small costs in some years that result from the estimated yearly change in the number of servicemembers with 15 years of service.

Section 507 would allow an active-duty servicemember who is being separated from the armed services because of a physical disability to have his separation pay based on the rank to which he would have been promoted had he not been separated. Based on current pay tables and information from DoD, about 17 percent of such members would have been approved for promotion and, under section 507, would be entitled to a 17 percent pay increase in separation pay. CBO estimates implementing section 507 would increase separation pay by about 3 percent or $5 million a year.

Defense Health Program.—Title VII contains several provisions that would affect DoD health care and benefits. Tricare is the name of DoD's health care program and the spending under Tricare for beneficiaries under age 65 is subject to appropriation. Spending under Tricare for beneficiaries age 65 and over, often called Tricare for Life (TFL), is subject to appropriation in 2002, but beginning in 2003 this spending will be paid out of a trust fund and will not be subject to appropriation.

Payment Rates. Under current law, DoD has the regulatory authority to set maximum allowable rates for medical services to limit how much the Tricare program pays to health care providers. Although DoD has set maximum rates for many services, it has not yet set rates for hospital outpatient diagnostic services, including clinical lab work and radiation services, and long-term care services such as skilled nursing and home health care services. As a result, Tricare currently pays 75 percent of billed charges for these services. DoD has started the regulatory process to establish maximum rates for the services listed here and estimates it will take upwards of two years to implement the changes by regulation.

Section 701 would require DoD to implement these rates by January 1, 2002. Under this provision, DoD would be able to lower its costs for both hospital outpatient and long-term care services over the 2002–2003 period before the regulations would have been implemented. These savings would affect spending subject to appropriation as well as direct spending for retirees of the other uniformed services in 2002 and 2003 and the TFL trust fund that starts operation in 2003. CBO estimates that the total savings in spending subject to appropriation for hospital outpatient and long-term care services would be about $230 million over the 2002–2003 period, assuming appropriations are reduced by the estimated amounts. Section 701 would affect two different programs: Tricare (under 65) and Tricare for Life. Those two effects are discussed below.

By lowering payment rates for hospital outpatient diagnostic services, DoD would be able to reduce spending on its beneficiaries under age 65. (This portion of the provision would not affect beneficiaries age 65 and over because Medicare is first payer for these services and TFL would only be responsible for the Medicare deductible and copayments.) Using data from DoD, CBO estimates

that making payment rates for hospital outpatient diagnostic services equivalent to Medicare rates would lower Tricare spending for these services by about 30 percent. CBO estimates that lowering the payment rates for hospital outpatient services would save about $150 million over the 2002–2003 period, assuming appropriations are reduced by the estimated amounts.

Under section 701, DoD also would lower the rates paid for skilled nursing and home health care. This change would primarily affect the TFL program since beneficiaries under age 65 do not use much long-term care (DoD spent only $10 million on long-term care for those under 65 in 2000). Savings arise because Tricare's skilled nursing benefit has no time limit while Medicare's benefit expires after 100 days. The change in payment rates would have no impact on Tricare for the first 100 days because Tricare would only be liable for the deductibles and copayments charged under Medicare. However, this provision would lower the amount that Tricare would pay for those beneficiaries who need more than 100 days of skilled nursing care. Additionally, Tricare would reduce its costs for providing skilled nursing and home health care to those beneficiaries who use these services without a prior hospital stay and are thus not Medicare-eligible.

CBO estimates the savings to Tricare would initially be low because the Tricare for Life program does not actually begin operation until the start of fiscal year 2002 and CBO expects that it will take about a year before all beneficiaries take full advantage of the program. CBO estimates that lowering payment rates for skilled nursing and home health care would save DoD about $80 million in 2002, assuming appropriations are reduced by the estimated amounts. (There also would be direct spending savings of about $7 million over the 2002–2003 period for the other uniformed services, and about $215 million in 2003 for DoD when the trust fund begins operation. CBO's estimates of those savings is discussed below under the heading of "Direct Spending.")

Long-Term Care Rules. Tricare does not currently require a hospital stay prior to using long-term care services such as skilled nursing and home health care. Requiring prior hospitalizations would reduce the number of beneficiaries who use long-term care. DoD has started the regulatory process to require such prior hospitalizations and expects to complete the process by the start of fiscal year 2004.

Section 704 would require DoD to structure the Tricare long-term care program to resemble Medicare, which requires prior hospitalization before being eligible for skilled nursing and home health care. Under section 704, DoD would be required to implement this provision on October 1, 2001. Requiring prior hospitalization under Tricare's long-term care program would reduce the benefit for those beneficiaries that would otherwise have used long-term care and would save DoD the cost of providing this care over the 2002–2003 period before the DoD's the new long-term care rules would have gone into effect under DoD's plan. CBO estimates that some of those beneficiaries would likely be able to get a prior hospitalization before seeking care. In those instances, Medicare would become the first payer while a few beneficiaries would end up using Medicaid. Thus the savings to DoD would be partially off-

set by increased costs to both Medicare and Medicaid (discussed below).

Using data from DoD and the Agency for Healthcare Research and Quality, CBO estimates that about 3,500 beneficiaries, who would have used skilled nursing without a hospital stay, would be affected by these new rules along with about 24,000 beneficiaries who would have used home health care. CBO estimates that some of those beneficiaries would pay for the long-term care through Medicare or Medicaid, while others would pay the costs themselves, use other insurance, or do without the long-term care. For those beneficiaries who would be covered by Medicare, DoD would not save the full cost because Tricare would be liable for all deductibles and copayments. Taking this information into account, CBO estimates that, under section 704, Tricare spending would be reduced by about $40 million in 2002, assuming appropriations are reduced by the estimated amounts. (There would also be direct spending savings of about $120 million for both the trust fund and the other uniformed services in 2003 and Medicare and Medicaid costs in both 2002 and 2003.)

Non-Availability Statements. Under current law, users of military health care have the option of enrolling in Tricare Prime, an HMO-like plan that centers its provision of services around military treatment facilities. Users who do not enroll in Tricare Prime have the option of using Tricare Extra, a preferred provider network, or Tricare Standard, a traditional fee-for-service insurance plan. Beneficiaries who live within 40 miles of a military hospital must get a statement from the hospital that it cannot provide the requested care before the beneficiary may use Tricare Standard or Extra. Absent that statement, Tricare does not have to pay for the care received at a nonmilitary facility.

Section 702 would prohibit the requirement of such statements beginning sometime in fiscal year 2004 (two years after the enactment of this bill), unless the Secretary of Defense certifies that they are still needed for each medical procedure. Based on information from DoD, CBO expects that the Secretary of Defense would certify that these statements are necessary in most cases, although not in all cases. For those cases where a statement would no longer be necessary, CBO estimates that this provision would cost about $10 million in 2004 and $30 million over the 2004–2006 period, assuming appropriation of the estimated amounts.

Other Defense Health Care Provisions. H.R. 2586 also contains two proposals that would cost relatively little over the 2002–2006 period. CBO estimates that implementing these two additional health care provisions would cost $8 million in 2002 and $31 million over the 2002–2006 period.

Section 705 would allow DoD to reimburse the parent or guardian of minors for travel costs associated with the minor receiving care at a military treatment facility more than 100 miles away from the minor's home. CBO estimates that this proposal would cost about $5 million a year.

Section 588 would allow government agencies to pay the employee's share of the insurance premium paid under the Federal Employee Health Benefits program, if the employee is involuntarily called to active duty for a contingency operation. It also would

allow the agencies to reimburse past premium payments for employees called up after December 8, 1995. CBO estimates that this provision would cost about $3 million in 2002 (primarily for reimbursements), less than $500,000 in 2003, and $1 million a year beginning in 2004.

Limitations on Workforce Reviews.—Section 331 would limit the ability of DoD to conduct outsourcing studies to only 3,053 civilian positions in fiscal year 2002. CBO estimates that this section would cost about $70 million over the 2002–2006 period, assuming appropriation of the necessary amounts.

DoD currently plans to conduct outsourcing studies on approximately 13,000 civilian positions in 2002. Under section 331, DoD would review 10,000 fewer positions than planned. Based on information from the General Accounting Office (GAO) and DoD, CBO estimates that each outsourcing study takes three years to accomplish and costs approximately $3,500 per position studied. CBO estimates that reducing the number of positions reviewed in 2002 would result in a savings of approximately $34 million over the 2002–2004 period. CBO also estimates that an additional $51 million would be saved in 2005 because the department would not have to pay the involuntary separation costs associated with the workforce reductions resulting from the reviews. CBO estimates that separation costs would average $5,200 for each position studied. While actual separation costs range between $20,000 to $25,000 for each position, the average cost per position studied considers the fact that only half of the civilian positions reviewed would result in job eliminations, and that many of the civilians whose jobs were eliminated would be transferred to other positions within the department.

The costs associated with section 331 would result from DoD having to reduce future savings estimates for the years 2005 and beyond. Based on information from DoD and GAO, CBO estimates that recurring savings would be approximately $10,500 for each position studied. CBO estimates that, under it's current plan, DoD would begin to realize savings from outsourcing studies begun in 2002 in the second half of 2005 and that the annual savings under DoD's current plan would be approximately $140 million in 2006 and every year thereafter. Under the proposed limits in this provision, CBO estimates that DoD would realize savings of only $33 million in 2006 and thereafter. The reduction in savings for the 2005–2006 period would be approximately $155 million.

Service Contracting Reform.—Subtitle G of title III would extend workforce review studies to new requirements and work previously outsourced to the private sector. CBO estimates that implementing these sections would cost approximately $125 million over the 2002–2006 period.

Section 383 would require workforce studies on all new requirements not previously performed by DoD or contractor personnel that result in contracts greater than $1 million. Based on information from DoD, CBO estimates that this provision would affect approximately 10,000 contractor positions each year and that the cost to review each position would be approximately $3,500. Because the requirements of this provision would be phased in over a four-year period so that only 30 percent of the requirement would need

to be met by 2005, CBO estimates that implementing this provision would cost $20 million over the 2002–2006 period.

Section 385 would require DoD to subject an equivalent number of contractor positions to workforce reviews for each civilian position review planned. Based on information from DoD and GAO, CBO estimates that DoD would study approximately 34,000 contractor positions at a cost of $105 million over the 2002–2006 period.

CBO estimates no significant savings as a result of these reviews. Although some evidence suggests that subjecting contractors to competition could reduce costs in some instances, most estimated savings from workforce reviews are due to reductions of government personnel and overhead. It is also uncertain as to what extent government organizations could organize themselves to formally compete for work currently performed by the private sector.

National Guard Challenge Program.—Section 587 would eliminate the spending cap on the National Guard Challenge Program beginning in fiscal year 2003, and would also increase the federal contributions to state programs from 60 percent to 75 percent. CBO estimates that implementing this section would cost $48 million over the 2003–2006 period. CBO estimates that increasing the federal contributions to 75 percent would increase the annual cost for each space by about $1,000. Applying this cost to the 6,600 spaces in the program and allowing program costs to increase with inflation would result in an average annual cost for the program of about $10 million over the 2003–2006 period.

War Medals.—Sections 546 and 547 would establish two new service medals. Section 546 would create a Korea Defense service medal for those servicemembers who served in the Republic of Korea or the adjacent waters at any time during the period beginning July 28, 1954, and ending at a time to be determined by the Secretary of Defense. CBO expects that on average about 200,000 medals would be awarded each year. Section 547 would authorize a Cold War service medal for members who served on active duty between September 2, 1945, and December 26, 1991. CBO estimates that about 500,000 eligible members, or their survivors, would apply each year. CBO estimates that these provisions would have no cost in 2002, but would cost $18 million over the 2003–2006 period. CBO estimates no cost in 2002 to account for the delay in designing and minting these medals, and processing applications.

Reductions in Defense Acquisition Workforce.—Section 901 would limit the size of the defense acquisition workforce by requiring a reduction of at least 13,000 military and civilian personnel during fiscal year 2002. Because the total number of military personnel is determined by endstrength requirements, CBO assumes that the provision would lead to their transfer to other activities rather than separation from the services. Separations of civilian personnel, who comprise about 80 percent of the acquisition workforce, would account for the remaining reductions. Because these civilian reductions would exceed those expected under current law, CBO estimates savings of $25 million in 2002, $236 million in 2003, and $1 billion over the 2002–2006 period. Savings would be

relatively small during the first year because the cost of separation payments would offset most of the initial savings in salaries.

Asbestos Differential Pay.—Under section 1108, federal wage-grade employees would be subject to the same standards as general schedule employees when determining eligibility for environmental differential pay (EDP), based on exposure to asbestos. Under current law, general schedule employees are entitled to 8 percent hazard differential pay if they are exposed to asbestos that exceeds the Occupational Safety and Health Administration (OSHA) permissible exposure limits. The current EDP standard for wage-grade employees entitles them to the same 8 percent of pay, but does not set an objective measure for determining the level of asbestos exposure necessary to qualify for EDP. In several instances where wage-grade employees have sought back pay for EDP, arbitrators found in favor of the employees when asbestos levels were below those consistent with OSHA standards. Based on information from DoD on prior and pending arbitration rulings, CBO expects that implementing section 1108 would reduce the amount of back pay federal agencies would be required to pay for EDP based on asbestos exposure. Assuming these cases would be handled administratively, CBO estimates establishing OSHA standards for asbestos EDP would save $110 million in 2002 and $550 million over the 2002–2006 period, assuming appropriations are reduced by the estimated amounts.

DoD Civilian Wage-Grade Schedule.—Section 1110 would establish the same guidelines for determining the pay schedule for DoD wage-grade employees as those in place, under current law, for non-DoD wage-grade employees when there are an insufficient number of comparable positions in the local private industry to generate the wage schedule. Under current law, DoD may only consider local private-industry rates when constructing the wage schedules for various wage areas across the country. This section would instruct DoD to consider private-industry rates in both the local area and a similar wage area, with more comparable private-sector positions. Based on information from the Office of Personnel Management, CBO estimates that section 1110 would increase the wages of DoD wage-grade employees in certain wage areas and would cost $3 million in 2002 and $45 million over the 2002–2006 period, assuming appropriation of the estimated amounts. The lower cost in the first year reflects CBO's assumption that the adjustments to the wage schedules would occur at the same time of year that the wage schedule would normally be adjusted.

Strategic Forces.—Section 1044 would repeal subparagraph (D) of section 1302(a)(1) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85), as amended by section 1501(a) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65), to allow DoD to initiate actions to retire or dismantle the Peacekeeper intercontinental ballistic missile force. CBO estimates that the provision would save about $600 million over the 2002–2006 period. Those savings would come from eliminating the cost to operate the missiles starting immediately in 2002, eventually saving about $200 million a year. These savings would be partially offset by the costs of removing the missiles and warheads from the silos and the costs of monitoring the silos. CBO

assumes that the retirement process would take about three years and that the missiles would be completely retired by the end of 2004. CBO estimates missile retirement costs would total about $100 million over the 2002–2004 period.

Military Housing Privatization Initiative (MHPI).—Section 2804 would permanently extend special authorities to finance the construction and renovation of military family housing. Those authorities, which expire on December 31, 2004, allow DoD to use direct loans, loan guarantees, long-term leases, rental guarantees, barter, direct government investment, and other financial arrangements to encourage private-sector participation in building military housing. Funding for those activities derives from the Family Housing Improvement Fund and consists of appropriations to the fund, transfers from other accounts, receipts from property sales and rents, returns on any capital, and other income from operations or transactions connected with the program. Currently the amounts in the fund are available to acquire housing using the various techniques mentioned above, but the total value of budget authority for all contracts and investments undertaken is limited to $1 billion.

Based on how the Office of Management and Budget (OMB) has treated recent use of the authority, CBO does not estimate any budgetary impact from extending the authorities. (This bill authorizes the appropriation of $2 million to the fund for fiscal year 2002, and that amount is included in the budget estimates.) However, CBO believes that OMB's current accounting for MHPI initiatives is at odds with government-wide standards for recording obligations and outlays. Those standards call for different treatments depending on the character of the transaction. The OMB accounting treats certain initiatives primarily as credit transactions that have relatively little cost in terms of recorded obligations and outlays. In contrast, CBO considers those initiatives as having the characteristics of lease-purchases, which call for recording higher levels of upfront obligations and outlays. The Administration's approach will allow DoD to obligate significantly more federal resources than the $1 billion limitation for such projects.

Management of the Presidio of San Francisco.—Section 2863 would increase from $50 million to $150 million the amount that the Presidio Trust may borrow, subject to appropriation, from the U.S. Treasury. Based on recent spending patterns of the Trust (which is a wholly owned government corporation that manages the Presidio in California), CBO estimates that this money would be borrowed and spent slowly over the next five years.

Direct Spending

The bill contains provisions that would reduce direct spending, primarily through revision to payments rates for certain defense health care program services and certain asset sales from the National Defense Stockpile. The bill also contains a few provisions with small direct spending costs. On balance, CBO estimates that enacting H.R. 2586 would result in net savings in direct spending totaling $384 million over the 2002–2006 period.

TABLE 4.—ESTIMATED DIRECT SPENDING FROM HEALTH CARE AND OTHER PROVISIONS IN H.R. 2586

	By fiscal year, in millions of dollars—				
	2002	2003	2004	2005	2006
CHANGES IN DIRECT SPENDING (EXCLUDING ASSET SALES)					
Section 535—Active-Duty Participation in Senior ROTC:					
Estimated Budget Authority	1	1	1	1	1
Estimated Outlays	1	1	1	1	1
Section 605—Retroactive Uniform Allowances:					
Estimated Budget Authority	3	0	0	0	0
Estimated Outlays	3	0	0	0	0
Medical Care Trust Fund:					
Section 701—Payment Rates:					
Estimated Budget Authority	−2	−220	0	0	0
Estimated Outlays	−2	−220	0	0	0
Section 704—Long-Term Care Rules:					
Estimated Budget Authority	21	−47	0	0	0
Estimated Outlays	21	−47	0	0	0
Section 811—Recovery Audits:					
Estimated Budget Authority	−11	−55	−6	−10	0
Estimated Outlays	−16	−75	−14	5	1
Section 2845—Land Conveyance of Navy Property in Maine:					
Estimated Budget Authority	0	1	1	0	0
Estimated Outlays	0	1	1	0	0
Subtotal:.					
Estimated Budget Authority	9	−320	−4	−9	1
Estimated Outlays	4	−340	−12	6	2
ASSET SALES [1]					
National Defense Stockpile—New Sales:					
Estimated Budget Authority	−2	−2	−2	−2	−2
Estimated Outlays	−2	−2	−2	−2	−2
National Defense Stockpile—Accelerated Cobalt Sales:					
Estimate Budget Authority	−20	−30	−14	−3	33
Estimated Outlays	−20	−30	−14	−3	33
Subtotal:.					
Estimated Budget Authority	−22	−32	−16	−5	31
Estimated Outlays	−22	−32	−16	−5	31
TOTAL CHANGES IN DIRECT SPENDING					
Estimated Budget Authority	−13	−352	−20	−14	32
Estimated Outlays	−18	−372	−28	1	33

[1] Asset sale receipts are a credit against direct spending.

Active-Duty Participation in Senior ROTC.—Section 535 would allow servicemembers to participate in the Senior Reserve Officers Training Corps (ROTC) while on regular active-duty status. Under current law, participation in Senior ROTC is limited to members of the reserves. Based on information from the military services, the Army would allow about 200 active-duty enlisted members a year to enroll in college under this program. While the Army would not pay for their education, these members would continue to receive pay and benefits during their college career. CBO expects that these members would use Montgomery GI Bill benefits to fund their education. Under current law, CBO assumes that half of these members would not use their MGIB benefits. Therefore, CBO estimates that section 535 would increase MGIB outlays by $1 million a year, starting in 2002.

Retroactive Uniform Allowances.—Section 605 would authorize retroactive payments of an additional $200 clothing allowance for certain officers who were ineligible during fiscal year 2001 because

they had received more than $200 in an initial uniform allowance over the prior two-year period. CBO estimates that these retroactive payments would cost $3 million in 2002.

Medical Care Trust Fund.—Sections 701 and 704 would change the way DoD administers long-term care and the way it pays for that care under the Tricare for Life program. DoD has the regulatory authority to make the changes that are directed in these sections but thinks it will take upwards of two years to implement the changes by regulation. Section 701 would require that the changes be implemented by January 1, 2002, and section 704 would take effect on October 1, 2001. Accordingly, DoD would save money over the roughly two-year period before the regulations would have been implemented. The Tricare for Life program will begin on October 1, 2001, but the trust fund will not begin operation until one year later, so only the savings to DoD in fiscal year 2003 would be considered direct spending savings. There also would be some minor savings in 2002 for retirees of the other uniformed services.

Payment Rates. Under current regulations, the Tricare for Life program will pay all deductibles and copayments associated with Medicare's skilled nursing benefit and will pay for skilled nursing care in excess of the Medicare benefit (100 days). Additionally, Tricare will pay for skilled nursing and home health care even if the beneficiary does not have a prior hospital admission. (Tricare will pay 75 percent of billed charges, with no maximum charge, until the beneficiary has paid $3,000 in out-of-pocket costs and then will pay 100 percent of billed charges after that point.) Section 701 would require DoD to set maximum allowable charges for skilled nursing and home health care, which would lower its cost of providing long-term care. CBO estimates that implementing new charges based on Medicare rates would lower what DoD pays for skilled nursing and home health care by about 30 percent. Under section 701, CBO estimates that direct spending from the trust fund for DoD retirees would decline by about $215 million in 2003. (The discretionary savings for 2002 are discussed earlier in the "Spending Subject to Appropriation" section under the heading of "Defense Health Program.")

The Tricare for Life program also covers retired members of the Coast Guard and retired uniformed members of the Public Health Service and the National Oceanic and Atmospheric Administration. Health care spending for these retirees is considered direct spending. Under section 701, CBO estimates that the other uniformed services would save about $2 million in 2002 and $5 million in 2003.

Long-Term Care Rules. Under current law, Medicare will not pay for skilled nursing and home health care unless the beneficiary has been hospitalized before receiving that care. Tricare, on the other hand, will pay for long-term care without a prior hospitalization. For those cases, Tricare becomes the primary insurance because Medicare will not pay. Section 704 would require DoD to structure its long-term care benefit to resemble Medicare's, which requires prior hospitalization. Implementing this provision would lower DoD's costs because fewer beneficiaries would be eligible for skilled nursing and home health care. CBO estimates that under section 704, direct spending from the trust fund would decline by about

$120 million in 2003. CBO also estimates that, under section 704, the other uniformed services would save less than $500,000 in 2002 and about $1 million in 2003. (There would also be discretionary savings of about $40 million, as discussed earlier.)

The Tricare for Life program would be able to lower costs by shifting many of those costs to their beneficiaries and other government programs, primarily Medicare. CBO estimates that about 50 percent of individuals who would have used long-term care without a prior hospital stay would be able to qualify under the Medicare rules (about 1,600 for skilled nursing and about 12,000 for home health care). CBO further estimates that the average cost of skilled nursing is about $250 a day, and for home health care about $2,300 for 60 days of care, which is the Medicare benefit. Accordingly, CBO estimates that under section 704 direct spending for Medicare benefits would increase by $20 million in 2002 and $70 million in 2003. In addition, a few beneficiaries would eventually become eligible for Medicaid, which also provides long-term care benefits. CBO estimates that Medicaid costs under section 704 would be $1 million in 2002 and $3 million in 2003.

Recovery Audits.—Subtitle B of title VIII would require federal agencies to conduct specialized audits of those accounts that purchase at least $500 million of goods and services from the private sector. The goal of these audits would be to find and recover sums erroneously paid to private vendors. The legislation also would allow agencies to retain and spend some of the funds recovered under certain conditions. Recovered funds that still would be available for obligation could be spent on the original purposes of those funds, and 25 percent of all other funds could be spent on management improvement projects.

CBO estimates that implementing this program would reduce net direct spending by about $100 million over the 2002–2006 period, by increasing the federal government's recovery of erroneous payments made in prior years. For this estimate, we assume that most agencies would audit at least three years of such payments. Implementing the bill could yield additional savings from payments made after 2001, but such savings would depend on future appropriations. In addition, CBO estimates that the Office of Management and Budget would spend less than $500,000 a year to oversee and report on the bill's implementation, subject to be availability of appropriated funds. The savings from this legislation fall within multiple budget functions.

CBO expects that the requirement to audit payments would apply to about $60 billion in annual payments. This total excludes those accounts that we expect to be audited under current law and those that OMB would probably exempt from the bill's requirements, including accounts that fund research, testing, and procurement of military weapons, finance federal law enforcement activities, and involve medical records. On average, CBO assumes the federal government would recover about 0.1 percent of the $60 billion audited, or $60 million a year. That rate takes into account the difficulty in collecting overpayments that are more than one year old and the likelihood that federal agencies will settle for less than full payment on some of these debts.

CBO estimates that agencies would spend about 45 percent of recovered funds, which is our estimate of the maximum that could be spent under this provision. First, we assume that agencies would spend all of the recovered funds that still would be available for obligation (i.e., funds that were provided under multiyear obligation authority). In addition, we assume that agencies would spend the allowed 25 percent of all other recovered funds (i.e., those recoveries for which the original obligation authority has expired). Based on the obligation authority provided in appropriations for fiscal year 2001, and accounting for certain exclusions that would be allowed under the bill, CBO estimates that agencies could spend at most about 45 percent of recovered funds.

Land Conveyance and Other Property Transactions.—Titles XXVIII and XXIX would authorize a variety of property transactions involving both large and small parcels of land.

The bill would result in direct spending by authorizing a conveyance that would reduce offsetting receipts collected by the federal government. Under section 2845, the Navy would be authorized to convey 485 acres of property to the state of Maine or other governmental jurisdictions. Under current law, however, the Navy will declare that property excess to its needs and transfer it to the General Services Administration (GSA) for disposal. Under normal procedures, GSA sells property not needed by other federal agencies or by non-federal entities in need of property for public-use purposes such as parks or educational facilities. Information from GSA indicates that portions of the land will likely be sold under current law after the entire parcel is screened for other uses in 2002. As a result, CBO estimates that the conveyance in the bill would result in forgone receipts totaling about $1 million in 2003 and $1 million in 2004.

Section 2861 would direct the Secretary of the Interior to transfer administrative jurisdiction over 35 acres of federal lands in Park City, Utah, to the Secretary of the Air Force, for purposes of building a recreational facility. Title XXIX also would direct the Secretary of the Interior to transfer administrative jurisdiction over approximately 110,000 acres of federal lands in San Bernardino County, California, to the Secretary of the Army. Based on information from the Department of the Interior (DOI), CBO estimates that those transfers would not significantly affect the federal budget. According to DOI, the lands currently generate no significant receipts, and the agency does not expect the lands to generate significant receipts over the next 10 years.

CBO estimates that other provisions would not result in significant costs to the federal government because they would either authorize DoD to exchange one piece of property for another or would authorize DoD to convey land that under current law is likely to be given away.

Concurrent Receipt.—Upon passage of qualifying, offsetting legislation, section 641 would allow total or partial concurrent payment of retirement annuities together with veterans' disability compensation to retirees from the military, the Coast Guard, the Public Health Service, and the National Oceanic and Atmospheric Administration who have service-connected disabilities. The provision also

would discontinue special compensation for certain severely disabled uniformed services retirees.

Under current law, disabled veterans who are retired from the uniformed services cannot receive both full retirement annuities and disability compensation from the Department of Veterans Affairs. Because of this prohibition on concurrent receipt, such veterans forgo a portion of their retirement annuity equal to the nontaxable veterans' benefit.

Section 641 would become effective only upon passage of legislation that would fully offset its costs in each of the first 10 fiscal years after passage of the offsetting legislation. If qualifying, offsetting legislation were enacted in 2001, CBO estimates that implementing this section in 2002 would increase direct spending for retirement payments and veterans' disability compensation by about $3 billion in 2002, $17 billion over the 2002–2006 period, and $41 billion over the 2002–2011 period. Because those effects are contingent upon subsequent legislation, they are not included in Table 4.

In addition, the military retirement system is financed in part by an annual payment from appropriated funds to the military retirement trust fund, based on an estimate of the system's accruing liabilities. If section 641 were implemented, the yearly contribution to the military retirement trust fund (an outlay in budget function 050) would increase to reflect the added liability from the expected increase in annuities to future retirees. CBO estimates that implementing this provision would increase such payments by about $1 billion in 2002, and $6 billion over the 2002–2006 period, assuming appropriation of the necessary amounts.

Other Provisions.—The following provisions would have an insignificant budgetary impact on direct spending:

Section 514 would allow officers, whose mandatory retirement has been deferred for medical reasons, to further postpone their retirement for up to 30 days.

Section 512 would allow the Service Secretaries to hold special selection boards to consider reserve officers from below the promotion zone who, through error, were either not considered for promotion or were passed over on or after October 1, 1996. Under current law, special selection boards may only consider members who were in or above the promotion zone. Because members would be entitled to back pay if they receive retroactive promotions, enacting this provision would increase direct spending. CBO expects the number of retroactive promotions to be small and we estimate that outlays would increase by less than $500,000 a year.

Section 514 would allow disability retirement for reservists whose disability was incurred or aggravated while remaining overnight before inactive-duty training, or between successive periods of such training. Currently, reservists are only covered during overnight stays for such periods if they are outside reasonable commuting distance of their residences.

Section 515 would reduce the time-in-grade requirement for certain reserve officers who are retired because of a non-service-connected disability. In order to retire at a given grade, they would have to have served six months in that grade, rather than the three years required under current law.

Section 528 would allow the National Defense University (NDU) to collect and spend tuition receipts for up to 10 civilian students from the private sector at any one time. Currently, NDU accepts about 3 civilian students a year, on average, and their tuition is paid to the Treasury. CBO estimates this section would result in a negligible loss of receipts to the Treasury.

Section 542 would require the military to review the records of certain Jewish American and Hispanic American war veterans to determine if any of these veterans should be awarded the Medal of Honor. A $600 a month pension is available to living Medal of Honor recipients. Based on similar reviews in the past, CBO estimates that a small number of awards would be presented (many posthumously), resulting in an increase in direct spending of less than $500,000 a year.

Section 574 would allow DoD to accept voluntary legal services as a way to provide legal help to DoD beneficiaries. Although the service is voluntary, in the event of a legal malpractice suit the government would be liable for any claims against the legal volunteer. Payment of those claims is considered direct spending, but CBO estimates that this provision would cost less than $500,000 each year.

Section 713 would establish a pilot program to allow certain hospitals to provide trauma and other medical care to individuals who are not currently eligible for care at military treatment facilities. The hospital would bill the individuals based on private rates and would have the authority to spend the receipts collected without the requirement for annual appropriations. Based on information provided by DoD, CBO estimates that the department would collect and spend less than $500,000 a year.

Section 1104 would provide greater pension portability for certain civilian employees who have been employed by a Nonappropriated Fund Instrumentality (NAFI) and then become federal workers or vice versa. The provision would make it easier for workers who move between a NAFI employer and the civil service to transfer any accrued service credits from one retirement system to another. Based on information from DoD indicating relatively few workers would be affected by this provision, CBO estimates that section 1104 would change direct spending by less than $500,000 a year.

Asset sales

The bill would authorize DoD to sell certain materials contained in the National Defense Stockpile that are obsolete or excess to stockpile requirements. CBO estimates that DoD would be able to sell the materials authorized for disposal and achieve receipts totaling about $2 million in 2002, $10 million over the 2002–2006 period, and $20 million over the 2002–2011 period.

The bill also would accelerate by one year the disposal of cobalt that was previously authorized for sale in the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85). The 1998 bill authorized the sale of all remaining cobalt starting in 2003. The sales of cobalt authorized for disposal under earlier bills are projected to be completed this year. This bill would allow all remaining cobalt to be sold starting in 2002, thus avoiding a one-year

gap in sales. CBO estimates that DoD would be able to expedite that disposal without impacting current market prices, resulting in more receipts from asset sales over the next five years but no net budgetary impact over the 2002–2011 period.

Pay-as-you-go considerations: The Balanced Budget and Emergency Deficit Control Act sets up pay-as-you-go procedures for legislation affecting direct spending or receipts. The net changes in direct spending that are subject to pay-as-you-go procedures are shown in Table 5. For the purposes of enforcing pay-as-you-go procedures, only the effects in the current year, the budget year, and the succeeding four years are counted.

TABLE 5.—ESTIMATED IMPACT OF H.R. 2586 ON DIRECT SPENDING AND RECEIPTS

	By fiscal year, in millions of dollars										
	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Changes in outlays	0	–18	–372	–28	1	33	33	–1	–1	–1	–1
Changes in receipts	Not applicable										

Intergovernmental and private-sector impact: Section 4 of UMRA excludes from the application of that act any legislative provisions that are necessary for the national security. Many of the provisions in this bill would fall under that exclusion.

Other sections of HR 2586 contain several intergovernmental mandates, including two preemptions of state law. None of the mandates would impose significant costs; therefore, the threshold established by UMRA ($56 million for intergovernmental mandates in 2001, adjusted annually for inflation) would not be exceeded. The bill also would provide for several land conveyances between the federal government and state, local, and tribal governments and includes provisions that would protect those governments from unnecessary cleanup costs should an environmental hazard be discovered on that land.

A provision in title 5 (Military Personnel Policy) would require public secondary schools to provide military recruiters with access to students and to student information in the same manner that such access and information is provided to employers and institutions of higher education. The requirement to provide access and information to the military would be a mandate as defined by UMRA. Because this information is already provided to other parties, the costs of complying with this mandate would be minimal.

The two preemptions in this bill deal with land management. Section 2811 (Use of Military Installations for Certain Recreational Activities) would amend current law to allow the Secretary of Defense to waive compliance with state or territorial fish and game laws at a military installation or facility if the Secretary determines that those laws could result in undesirable consequences for public safety or adverse effects on morale. Under current law, the Secretary must require each military installation or facility under the jurisdiction of any military department to adhere to the appropriate fish and game laws. Such a preemption of state law would be a mandate. However, the costs of complying with this mandate would be minimal, since the states would not be required to take any specific action or spend any money to comply.

Section 2864 (Effect of Limitation on Construction of Roads or Highways, Marine Corps Base, Camp Pendleton, California) would preempt any California state law passed after January 1, 2001, that directly or indirectly prohibits or restricts the construction or approval of a road or highway within an easement granted by the Secretary of the Navy on the Camp Pendleton Marine Corps Base. The costs of complying with this mandate also would be minimal since the state would not be required to take any specific action or spend any money to comply.

Finally, the changes to DoD's Tricare long-term care program would result in additional Medicaid costs to states of about $1 million in 2002 and over $2 million in 2003. Because states have sufficient flexibility in the Medicaid program to alter their programmatic and financial responsibilities, these additional costs would not result from intergovernmental mandates as defined in UMRA.

Previous CBO estimate: On May 22, 2001, CBO prepared a cost estimate for S. 170 and H.R. 303, identical bills titled the Retired Pay Restoration Act of 2001. S. 170 and H.R. 303 would provide identical benefits to those specified in Section 641 of H.R. 2586. If section 641 is implemented by October 1, 2001, the costs would be identical to those estimate for S. 170 and H.R. 303. As noted above, however, the provisions of section 641 cannot be implemented until additional legislation is enacted (to offset the section's costs). S. 170 and H.R. 303 do not contain such a contingency requirement.

Estimate prepared by: Federal costs: Military Construction and Other Defense: Kent Christensen; Military and Civilian Personnel: Dawn Regan; Civilian Retirement: Geoffrey Gerhardt; Stockpile Sales and Strategic Forces: Raymond Hall. Military Retirement: Sarah Jennings; Health Programs: Sam Papenfuss; Multiyear Procurement: Jo Ann Vines; Maritime Administration: Deborah Reis; Naval Petroleum Reserves: Lisa Cash Driskill; Operations and Maintenance: Matthew A. Schmit. Impact on State, local, and tribal governments: Elyse Goldman. Impact on the private sector: R. William Thomas.

Estimate approved by: Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

COMMITTEE COST ESTIMATE

Pursuant to clause 3(d) of rule XIII of the Rules of the House of Representatives, the committee generally concurs with the estimates as contained in the report of the Congressional Budget Office.

OVERSIGHT FINDINGS

With respect to clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, this legislation results from hearings and other oversight activities conducted by the committee pursuant to clause 2(b)(1) of rule X.

With respect to clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this legislation does not include any new spending or credit authority, nor does it provide for any increase

or decrease in tax revenues or expenditures. The bill does, however, authorize appropriations. Other fiscal features of this legislation are addressed in the estimate prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974.

With respect to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the committee has not received a report from the Committee on Government Reform and Oversight pertaining to the subject matter of H.R. 2586.

GENERAL PERFORMANCE GOALS AND OBJECTIVES

With respect to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, this legislation would address several general and outcome-related performance goals and objectives. The general goal and objective of this legislation is to improve the quality of life for military personnel and their families, military readiness, the modernization and eventual transformation of the armed forces, to enhance the development of ballistic missile defenses, and to improve the condition of military housing and facilities.

With respect to the outcome-related goal of improving the quality of life for military personnel and their families, the objective of this legislation is to:

(1) ensure the largest military pay raise since fiscal year 1982 that would provide every service member, after pay table adjustments contained in this legislation, with a pay raise between 5 and 10 percent effective on January 1, 2002;

(2) reduce out-of-pocket housing costs for military personnel to less than 12 percent;

(3) reduce the financial burden of permanent-change-of-station moves on families by providing increased reimbursement of temporary lodging and subsistence expenses;

(4) eliminate unfair provisions in current law that cause military retirees eligible for veteran's disability compensation to have their military retired pay reduced; and (5) satisfy $95 million of the unfunded personnel requirements identified by the service chiefs.

With respect to the outcome-related goal of improving military readiness, the objective of this legislation is to:

(1) increase funding for key readiness accounts by $7.5 billion above the fiscal year 2001 level; and (2) improve readiness through recruitment and retention by boosting military special pays, enhancing incentives for individuals to join Reserve Officer Training Corps programs, and extending numerous enlistment and reenlistment bonuses.

With respect to the outcome-related goal of improving the modernization and eventual transformation of the armed forces and enhancing the development of ballistic missile defenses, the objective of this legislation is to:

(1) increase funding for military procurement accounts by $442.1 million;

(2) satisfy more than $250 million of the unfunded procurement requirements identified by the service chiefs;

(3) increase funding for military research and development accounts by $228.5 above the budget request, for a total in-

crease of $6.7 billion above the fiscal year 2001 level; and (4) support the approach of the President's ballistic missile defense program and to increase funding for ballistic missile defense programs by $2.9 billion above the fiscal year 2001 level.

With respect to the outcome-related goal of improving military housing and facilities, the objective of this legislation is to:

(1) increase funding for military construction and military family housing programs by $1.8 billion more than the fiscal year 2001 level; and (2) make permanent the authority provided by current law to privatize military housing.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to Rule XIII, clause 3(d)(1) of the Rules of the House of Representatives, the committee finds the authority for this legislation in Article I, Section 8 of the United States Constitution.

STATEMENT OF FEDERAL MANDATES

Pursuant to section 423 of Public Law 104–4, this legislation contains no federal mandates with respect to state, local, and tribal governments, nor with respect to the private sector. Similarly, the bill provides no federal intergovernmental mandates.

RECORD VOTES

In accordance with clause 3(b) of rule XIII of the Rules of the House of Representatives, record and voice votes were taken with respect to the committee's consideration of H.R. 2586. The record of these votes is attached to this report.

The committee ordered H.R. 2586 reported to the House with a favorable recommendation by a vote of 58–1, a quorum being present.

COMMITTEE ON ARMED SERVICES
107TH CONGRESS
ROLL CALL

Amendment Number: 18 **Date: 8/1/01**
B-1 **Offered by: Chambliss**

Voice Vote **Ayes** **Nays**

Rep.	Aye	Nay	Present	Rep.	Aye	Nay	Present
Mr. Stump		X		Mr. Skelton		X	
Mr. Spence				Mr. Spratt		X	
Mr. Hunter	X			Mr. Ortiz		X	
Mr. Hansen	X			Mr. Evans		X	
Mr. Weldon		X		Mr. Taylor	X		
Mr. Hefley		X		Mr. Abercrombie	X		
Mr. Saxton		X		Mr. Meehan		X	
Mr. McHugh	X			Mr. Underwood	X		
Mr. Everett		X		Mr. Blagojevich		X	
Mr. Bartlett		X		Mr. Reyes	X		
Mr. McKeon	X			Mr. Allen		X	
Mr. Watts	X			Mr. Snyder		X	
Mr. Thornberry		X		Mr. Turner		X	
Mr. Hostettler	X			Mr. Smith		X	
Mr. Chambliss	X			Ms. Sanchez		X	
Mr. Hilleary	X			Mr. Maloney		X	
Mr. Scarborough	X			Mr. McIntyre	X		
Mr. Jones	X			Mr. Rodriguez	X		
Mr. Graham	X			Ms. McKinney	X		
Mr. Ryun	X			Ms. Tauscher		X	
Mr. Riley	X			Mr. Brady		X	
Mr. Gibbons	X			Mr. Andrews		X	
Mr. Hayes	X			Mr. Hill		X	
Mrs. Wilson				Mr. Thompson	X		
Mr. Calvert	X			Mr. Larson (CT)	X		
Mr. Simmons		X		Mrs. Davis (CA)		X	
Mr. Crenshaw	X			Mr. Langevin		X	
Mr. Kirk		X		Mr. Larsen (WA)		X	
Mrs. Davis (VA)		X					
Mr. Schrock	X						
Mr. Akin	X						
Mr. Forbes	X						

Roll Call Vote Total **29 Aye** **29 Nay** **Present**

COMMITTEE ON ARMED SERVICES
107TH CONGRESS
ROLL CALL

Date: 8/1/01

Motion to reconsider vote on Amendment 18 — **Offered by: Everett**

Voice Vote Ayes Nays

Rep.	Aye	Nay	Present	Rep.	Aye	Nay	Present
Mr. Stump		X		Mr. Skelton		X	
Mr. Spence				Mr. Spratt		X	
Mr. Hunter	X			Mr. Ortiz	X		
Mr. Hansen	X			Mr. Evans		X	
Mr. Weldon		X		Mr. Taylor	X		
Mr. Hefley		X		Mr. Abercrombie	X		
Mr. Saxton	X			Mr. Meehan		X	
Mr. McHugh	X			Mr. Underwood	X		
Mr. Everett	X			Mr. Blagojevich		X	
Mr. Bartlett		X		Mr. Reyes	X		
Mr. McKeon	X			Mr. Allen		X	
Mr. Watts	X			Mr. Snyder		X	
Mr. Thornberry		X		Mr. Turner		X	
Mr. Hostettler	X			Mr. Smith		X	
Mr. Chambliss	X			Ms. Sanchez	X		
Mr. Hilleary	X			Mr. Maloney		X	
Mr. Scarborough	X			Mr. McIntyre	X		
Mr. Jones	X			Mr. Rodriguez	X		
Mr. Graham	X			Ms. McKinney	X		
Mr. Ryun	X			Ms. Tauscher		X	
Mr. Riley	X			Mr. Brady		X	
Mr. Gibbons	X			Mr. Andrews		X	
Mr. Hayes	X			Mr. Hill		X	
Mrs. Wilson	X			Mr. Thompson	X		
Mr. Calvert	X			Mr. Larson (CT)	X		
Mr. Simmons		X		Mrs. Davis (CA)		X	
Mr. Crenshaw	X			Mr. Langevin		X	
Mr. Kirk		X		Mr. Larsen (WA)		X	
Mrs. Davis (VA)	X						
Mr. Schrock	X						
Mr. Akin		X					
Mr. Forbes	X						

Roll Call Vote Total 33 Aye 26 Nay Present

COMMITTEE ON ARMED SERVICES
107TH CONGRESS
ROLL CALL

Amendment Number: 20 **Date: 8/1/01**

A-76 **Offered by: Abercrombie**

Voice Vote **Ayes** **Nays**

Rep.	Aye	Nay	Present	Rep.	Aye	Nay	Present
Mr. Stump		X		Mr. Skelton	X		
Mr. Spence				Mr. Spratt	X		
Mr. Hunter		X		Mr. Ortiz	X		
Mr. Hansen		X		Mr. Evans	X		
Mr. Weldon		X		Mr. Taylor	X		
Mr. Hefley		X		Mr. Abercrombie	X		
Mr. Saxton		X		Mr. Meehan	X		
Mr. McHugh	X			Mr. Underwood	X		
Mr. Everett	X			Mr. Blagojevich	X		
Mr. Bartlett		X		Mr. Reyes	X		
Mr. McKeon		X		Mr. Allen	X		
Mr. Watts		X		Mr. Snyder	X		
Mr. Thornberry		X		Mr. Turner	X		
Mr. Hostettler		X		Mr. Smith		X	
Mr. Chambliss	X			Ms. Sanchez	X		
Mr. Hilleary		X		Mr. Maloney	X		
Mr. Scarborough	X			Mr. McIntyre	X		
Mr. Jones	X			Mr. Rodriguez	X		
Mr. Graham		X		Ms. McKinney	X		
Mr. Ryun		X		Ms. Tauscher	X		
Mr. Riley	X			Mr. Brady	X		
Mr. Gibbons	X			Mr. Andrews	X		
Mr. Hayes		X		Mr. Hill	X		
Mrs. Wilson		X		Mr. Thompson	X		
Mr. Calvert		X		Mr. Larson (CT)	X		
Mr. Simmons		X		Mrs. Davis (CA)	X		
Mr. Crenshaw		X		Mr. Langevin	X		
Mr. Kirk		X		Mr. Larsen (WA)	X		
Mrs. Davis (VA)		X					
Mr. Schrock		X					
Mr. Akin		X					
Mr. Forbes		X					

Roll Call Vote Total **34 Aye** **25 Nay** **Present**

COMMITTEE ON ARMED SERVICES
107TH CONGRESS
ROLL CALL

Amendment Number: 55 **Date: 8/1/01**

Vieques **Offered by: Reyes**

Voice Vote **Ayes** **Nays**

Rep.	Aye	Nay	Present	Rep.	Aye	Nay	Present
Mr. Stump		X		Mr. Skelton	X		
Mr. Spence				Mr. Spratt	X		
Mr. Hunter		X		Mr. Ortiz	X		
Mr. Hansen		X		Mr. Evans	X		
Mr. Weldon		X		Mr. Taylor		X	
Mr. Hefley		X		Mr. Abercrombie	X		
Mr. Saxton		X		Mr. Meehan	X		
Mr. McHugh		X		Mr. Underwood	X		
Mr. Everett		X		Mr. Blagojevich			
Mr. Bartlett		X		Mr. Reyes	X		
Mr. McKeon		X		Mr. Allen	X		
Mr. Watts		X		Mr. Snyder	X		
Mr. Thornberry		X		Mr. Turner		X	
Mr. Hostettler		X		Mr. Smith			
Mr. Chambliss		X		Ms. Sanchez	X		
Mr. Hilleary		X		Mr. Maloney	X		
Mr. Scarborough				Mr. McIntyre		X	
Mr. Jones		X		Mr. Rodriguez	X		
Mr. Graham		X		Ms. McKinney	X		
Mr. Ryun		X		Ms. Tauscher		X	
Mr. Riley		X		Mr. Brady	X		
Mr. Gibbons		X		Mr. Andrews	X		
Mr. Hayes		X		Mr. Hill		X	
Mrs. Wilson				Mr. Thompson	X		
Mr. Calvert		X		Mr. Larson (CT)	X		
Mr. Simmons		X		Mrs. Davis (CA)	X		
Mr. Crenshaw		X		Mr. Langevin	X		
Mr. Kirk		X		Mr. Larsen (WA)		X	
Mrs. Davis (VA)		X					
Mr. Schrock		X					
Mr. Akin		X					
Mr. Forbes		X					

Roll Call Vote Total **20 Aye** **35 Nay** **Present**

COMMITTEE ON ARMED SERVICES
107TH CONGRESS
ROLL CALL

Amendment Number: 40 **Date: 8/1/01**

Abortion in Overseas Facilities **Offered by: Sanchez**

Voice Vote **Ayes** **Nays**

Rep.	Aye	Nay	Present	Rep.	Aye	Nay	Present
Mr. Stump		X		Mr. Skelton		X	
Mr. Spence				Mr. Spratt	X		
Mr. Hunter		X		Mr. Ortiz		X	
Mr. Hansen		X		Mr. Evans	X		
Mr. Weldon		X		Mr. Taylor		X	
Mr. Hefley		X		Mr. Abercrombie	X		
Mr. Saxton		X		Mr. Meehan	X		
Mr. McHugh		X		Mr. Underwood		X	
Mr. Everett		X		Mr. Blagojevich			
Mr. Bartlett		X		Mr. Reyes	X		
Mr. McKeon		X		Mr. Allen	X		
Mr. Watts		X		Mr. Snyder	X		
Mr. Thornberry		X		Mr. Turner	X		
Mr. Hostettler		X		Mr. Smith	X		
Mr. Chambliss		X		Ms. Sanchez	X		
Mr. Hilleary		X		Mr. Maloney	X		
Mr. Scarborough		X		Mr. McIntyre		X	
Mr. Jones		X		Mr. Rodriguez	X		
Mr. Graham		X		Ms. McKinney	X		
Mr. Ryun		X		Ms. Tauscher	X		
Mr. Riley		X		Mr. Brady	X		
Mr. Gibbons		X		Mr. Andrews	X		
Mr. Hayes		X		Mr. Hill	X		
Mrs. Wilson		X		Mr. Thompson	X		
Mr. Calvert		X		Mr. Larson (CT)	X		
Mr. Simmons	X			Mrs. Davis (CA)	X		
Mr. Crenshaw		X		Mr. Langevin		X	
Mr. Kirk	X			Mr. Larsen (WA)	X		
Mrs. Davis (VA)		X					
Mr. Schrock		X					
Mr. Akin		X					
Mr. Forbes		X					

Roll Call Vote Total **23 Aye** **35 Nay** **Present**

COMMITTEE ON ARMED SERVICES
107TH CONGRESS
ROLL CALL

Amendment Number: 63 **Date: 8/1/01**

BMD **Offered by: Spratt**

Voice Vote **Ayes** **Nays**

Rep.	Aye	Nay	Present	Rep.	Aye	Nay	Present
Mr. Stump		X		Mr. Skelton	X		
Mr. Spence				Mr. Spratt	X		
Mr. Hunter		X		Mr. Ortiz	X		
Mr. Hansen		X		Mr. Evans	X		
Mr. Weldon		X		Mr. Taylor	X		
Mr. Hefley		X		Mr. Abercrombie	X		
Mr. Saxton		X		Mr. Meehan	X		
Mr. McHugh		X		Mr. Underwood	X		
Mr. Everett		X		Mr. Blagojevich	X		
Mr. Bartlett		X		Mr. Reyes	X		
Mr. McKeon		X		Mr. Allen	X		
Mr. Watts		X		Mr. Snyder	X		
Mr. Thornberry		X		Mr. Turner	X		
Mr. Hostettler		X		Mr. Smith	X		
Mr. Chambliss		X		Ms. Sanchez	X		
Mr. Hilleary		X		Mr. Maloney	X		
Mr. Scarborough		X		Mr. McIntyre	X		
Mr. Jones		X		Mr. Rodriguez	X		
Mr. Graham		X		Ms. McKinney	X		
Mr. Ryun		X		Ms. Tauscher	X		
Mr. Riley		X		Mr. Brady	X		
Mr. Gibbons		X		Mr. Andrews	X		
Mr. Hayes		X		Mr. Hill	X		
Mrs. Wilson		X		Mr. Thompson	X		
Mr. Calvert		X		Mr. Larson (CT)	X		
Mr. Simmons		X		Mrs. Davis (CA)	X		
Mr. Crenshaw		X		Mr. Langevin	X		
Mr. Kirk		X		Mr. Larsen (WA)	X		
Mrs. Davis (VA)		X					
Mr. Schrock		X					
Mr. Akin		X					
Mr. Forbes		X					

Roll Call Vote Total **28 Aye** **31 Nay** **Present**

COMMITTEE ON ARMED SERVICES
107TH CONGRESS
ROLL CALL

Final Passage of H.R. 2586 **Date: 8/1/01**

Voice Vote **Ayes** **Nays**

Rep.	Aye	Nay	Present	Rep.	Aye	Nay	Present
Mr. Stump	X			Mr. Skelton	X		
Mr. Spence				Mr. Spratt	X		
Mr. Hunter	X			Mr. Ortiz	X		
Mr. Hansen	X			Mr. Evans	X		
Mr. Weldon	X			Mr. Taylor	X		
Mr. Hefley	X			Mr. Abercrombie	X		
Mr. Saxton	X			Mr. Meehan	X		
Mr. McHugh	X			Mr. Underwood	X		
Mr. Everett	X			Mr. Blagojevich	X		
Mr. Bartlett	X			Mr. Reyes	X		
Mr. McKeon	X			Mr. Allen	X		
Mr. Watts	X			Mr. Snyder	X		
Mr. Thornberry	X			Mr. Turner	X		
Mr. Hostettler	X			Mr. Smith	X		
Mr. Chambliss	X			Ms. Sanchez	X		
Mr. Hilleary	X			Mr. Maloney	X		
Mr. Scarborough	X			Mr. McIntyre	X		
Mr. Jones	X			Mr. Rodriguez	X		
Mr. Graham	X			Ms. McKinney		X	
Mr. Ryun	X			Ms. Tauscher	X		
Mr. Riley	X			Mr. Brady	X		
Mr. Gibbons	X			Mr. Andrews	X		
Mr. Hayes	X			Mr. Hill	X		
Mrs. Wilson	X			Mr. Thompson	X		
Mr. Calvert	X			Mr. Larson (CT)	X		
Mr. Simmons	X			Mrs. Davis (CA)	X		
Mr. Crenshaw	X			Mr. Langevin	X		
Mr. Kirk	X			Mr. Larsen (WA)	X		
Mrs. Davis (VA)	X						
Mr. Schrock	X						
Mr. Akin	X						
Mr. Forbes	X						

Roll Call Vote Total **58 Aye** **1 Nay** **Present**

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

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

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1995

* * * * * * *

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

* * * * * * *

Subtitle B—Army Programs

* * * * * * *

[SEC. 116. BUNKER DEFEAT MUNITION ACQUISITION PROGRAM.

[The Secretary of the Army, in acquiring munitions under the bunker defeat munition weapons acquisition program—

[(1) may acquire only those munitions that are designated as "type classified, limited procurement for contingency operations"; and

[(2) may not acquire more than 8,500 such munitions.]

* * * * * * *

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

* * * * * * *

Subtitle B—Professional Military Education

* * * * * * *

[SEC. 912. BOARD OF ADVISORS FOR MARINE CORPS UNIVERSITY.

[The Secretary of the Navy shall establish a board of advisors for the Marine Corps University. The Secretary shall ensure that the board is established so as to meet all requirements of the appropriate regional accrediting association.]

* * * * * * *

TITLE 10, UNITED STATES CODE

* * * * * * *

Subtitle A—General Military Law

PART I—ORGANIZATION AND GENERAL MILITARY POWERS

Chap.		Sec.
1.	Definitions	101

* * * * * * *

PART II—PERSONNEL

* * * * * * *

56.	Department of Defense Medicare-Eligible Retiree Health Care Fund	1111**[.]**

* * * * * * *

PART IV—SERVICE, SUPPLY, AND PROCUREMENT

* * * * * * *

135.	*Space Programs*	*2271*

* * * * * * *

PART I—ORGANIZATION AND GENERAL MILITARY POWERS

* * * * * * *

CHAPTER 2—DEPARTMENT OF DEFENSE

* * * * * * *

§ 115. Personnel strengths: requirement for annual authorization

(a) * * *

* * * * * * *

(c) Upon determination by the Secretary of Defense that such action is in the national interest, the Secretary may—

(1) increase the end strength authorized pursuant to subsection (a)(1)(A) for a fiscal year for any of the armed forces by a number equal to not more than **[**1**]** *2* percent of that end strength;

* * * * * * *

(d) In counting active-duty personnel for the purpose of the end-strengths authorized pursuant to subsection (a)(1), persons in the following categories shall be excluded:

(1) * * *

* * * * * * *

(10) Members of reserve components on active duty to prepare for and to perform funeral honors functions for funerals of veterans in accordance with section 1491 of this title.

(11) Members on full-time National Guard duty to prepare for and perform funeral honors functions for funerals of veterans in accordance with section 1491 of this title.

* * * * * * *

§ 118. Quadrennial defense review

(a) * * *

* * * * * * *

(e) CJCS REVIEW.—*(1)* Upon the completion of each review under subsection (a), the Chairman of the Joint Chiefs of Staff shall prepare and submit to the Secretary of Defense the Chairman's assessment of the review, including the Chairman's assessment of risk.

(2) As part of his assessment under paragraph (1), the Chairman shall provide his assessment of the assignment of functions (or roles and missions) to the armed forces and such recommendations for changes thereto as the Chairman considers necessary to achieve maximum efficiency of the armed forces. In preparing such assessment, the Chairman shall consider (among other matters) the following:

(A) Unnecessary duplication of effort among the armed forces.

(B) Changes in technology that can be applied effectively to warfare.

(3) The Chairman's assessment shall be submitted to the Secretary in time for the inclusion of the assessment in the report. The Secretary shall include the Chairman's assessment, together with the Secretary's comments, in the report in its entirety.

* * * * * * *

§ 119. Special access programs: congressional oversight

(a) * * *

* * * * * * *

(g) In this section, the term "defense committees" means—

(1) * * *

(2) the Committee on Armed Services and the Committee on Appropriations, and the [National Security Subcommittee] *Subcommittee on Defense* of the Committee on Appropriations, of the House of Representatives.

* * * * * * *

CHAPTER 3—GENERAL POWERS AND FUNCTIONS

* * * * * * *

§ 123. Authority to suspend officer personnel laws during war or national emergency

(a) * * *

* * * * * * *

(d) Upon the termination of a suspension made under the authority of subsection (a) of a provision of law otherwise requiring the separation or retirement of officers on active duty because of age, length of service or length of service in grade, or failure of selection

for promotion, the Secretary concerned shall extend by up to 90 days the otherwise required separation or retirement date of any officer covered by the suspended provision whose separation or retirement date, but for the suspension, would have been before the date of the termination of the suspension or within 90 days of the date of such termination.

* * * * * * *

§ 130c. Nondisclosure of information: certain sensitive information of foreign governments and international organizations

(a) * * *

(b) INFORMATION ELIGIBLE FOR EXEMPTION.—For the purposes of this section, information is sensitive information of a foreign government only if the national security official concerned makes each of the following determinations with respect to the information:

(1) * * *

* * * * * * *

(3) That any of the following conditions are met:

(A) * * *

* * * * * * *

(C) The information is an item of information, or is in a category of information, that the national security official concerned has specified in regulations prescribed under subsection **[**(f)**]** *(g)* as being information the release of which would have an adverse effect on the ability of the United States Government to obtain the same or similar information in the future.

* * * * * * *

(d) LIMITATIONS.—(1) If a request for disclosure covers any sensitive information of a foreign government (as described in subsection (b)) that came into the possession or under the control of the United States Government before **[**the date of the enactment of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001**]** *October 30, 2000,* and more than 25 years before the request is received by an agency, the information may be withheld only as set forth in paragraph (3).

* * * * * * *

CHAPTER 4—OFFICE OF THE SECRETARY OF DEFENSE

Sec.
131. Office of the Secretary of Defense.

* * * * * * *

[137. Director of Defense Research and Engineering.**]**
137. Under Secretary of Defense for Space, Intelligence, and Information.

* * * * * * *

139a. Director of Defense Research and Engineering.

* * * * * * *

§ 131. Office of the Secretary of Defense

(a) * * *

(b) The Office of the Secretary of Defense is composed of the following:

(1) * * *

* * * * * * *

(6) The Under Secretary of Defense for Space, Intelligence, and Information.

[(6)] *(7)* The Director of Defense Research and Engineering.

[(7)] *(8)* The Assistant Secretaries of Defense.

[(8)] *(9)* The Director of Operational Test and Evaluation.

[(9)] *(10)* The General Counsel of the Department of Defense.

[(10)] *(11)* The Inspector General of the Department of Defense.

[(11)] *(12)* Such other offices and officials as may be established by law or the Secretary of Defense may establish or designate in the Office.

* * * * * * *

§ 133a. Deputy Under Secretary of Defense for Acquisition and Technology

(a) * * *

(b) The Deputy Under Secretary of Defense for Acquisition and Technology [shall assist the Under Secretary of Defense for Acquisition and Technology] *shall assist the Under Secretary of Defense for Acquisition, Technology, and Logistics* in the performance of the Under Secretary's duties relating to acquisition and technology.

* * * * * * *

§ 137. Under Secretary of Defense for Space, Intelligence, and Information

(a) There is an Under Secretary of Defense for Space, Intelligence, and Information, appointed from civilian life by the President, by and with the advice and consent of the Senate.

(b) Subject to the authority, direction, and control of the Secretary of Defense, the Under Secretary of Defense for Space, Intelligence, and Information shall perform such duties and exercise such powers relating to the space, intelligence, and information programs and activities of the Department of Defense as the Secretary of Defense may prescribe.

(c) The Secretary of Defense shall designate the Under Secretary of Defense for Space, Intelligence, and Information as the Chief Information Officer of the Department of Defense under section 3506(a)(2)(B) of title 44.

(d) The Under Secretary of Defense for Space, Intelligence, and Information takes precedence in the Department of Defense after the Under Secretary of Defense for Personnel and Readiness.

* * * * * * *

§ 138. Assistant Secretaries of Defense

(a) There are [nine] *eleven* Assistant Secretaries of Defense, appointed from civilian life by the President, by and with the advice and consent of the Senate.

(b)(1) * * *

* * * * * * *

(3) Not more than three of the Assistant Secretaries may be assigned duties under the authority of the Under Secretary of Defense for Space, Intelligence, and Information and shall report to that Under Secretary.

* * * * * * *

§ 139. Director of Operational Test and Evaluation

(a) * * *

* * * * * * *

(c) The Director may communicate views on matters within the responsibility of the Director directly to the Secretary of Defense and the Deputy Secretary of Defense without obtaining the approval or concurrence of any other official within the Department of Defense. The Director shall consult closely with, but the Director and the Director's staff are independent of, the **[**Under Secretary of Defense for Acquisition and Technology**]** *Under Secretary of Defense for Acquisition, Technology, and Logistics* and all other officers and entities of the Department of Defense responsible for acquisition.

* * * * * * *

(f) The Director shall prepare an annual report summarizing the operational test and evaluation activities (including live fire testing activities) of the Department of Defense during the preceding fiscal year. Each such report shall be submitted concurrently to the Secretary of Defense, the **[**Under Secretary of Defense for Acquisition and Technology**]** *Under Secretary of Defense for Acquisition, Technology, and Logistics*, and the Congress not later than 10 days after the transmission of the budget for the next fiscal year under section 1105 of title 31. If the Director submits the report to Congress in a classified form, the Director shall concurrently submit an unclassified version of the report to Congress. The report shall include such comments and recommendations as the Director considers appropriate, including comments and recommendations on resources and facilities available for operational test and evaluation and levels of funding made available for operational test and evaluation activities. The Secretary may comment on any report of the Director to Congress under this subsection.

* * * * * * *

§ [137.] *139a.* Director of Defense Research and Engineering

(a) There is a Director of Defense Research and Engineering, appointed from civilian life by the President, by and with the advice and consent of the Senate.

(b) Except as otherwise prescribed by the Secretary of Defense, the Director of Defense Research and Engineering shall perform such duties relating to research and engineering as the Under Secretary of Defense for Acquisition, Technology, and Logistics may prescribe.

* * * * * * *

CHAPTER 5—JOINT CHIEFS OF STAFF

* * * * * * *

§ 153. Chairman: functions

(a) * * *

[(b) REPORT ON ASSIGNMENT OF ROLES AND MISSIONS.—(1) Not less than once every three years, or upon the request of the President or the Secretary of Defense, the Chairman shall submit to the Secretary of Defense a report containing such recommendations for changes in the assignment of functions (or roles and missions) to the armed forces as the Chairman considers necessary to achieve maximum effectiveness of the armed forces. In preparing each such report, the Chairman shall consider (among other matters) the following:

[(A) Changes in the nature of the threats faced by the United States.

[(B) Unnecessary duplication of effort among the armed forces.

[(C) Changes in technology that can be applied effectively to warfare.

[(2) The Chairman shall include in each such report recommendations for such changes in policies, directives, regulations, and legislation as may be necessary to achieve the changes in the assignment of functions recommended by the Chairman.]

* * * * * * *

CHAPTER 7—BOARDS, COUNCILS, AND COMMITTEES

* * * * * * *

§ 171. Armed Forces Policy Council

(a) There is in the Department of Defense an Armed Forces Policy Council consisting of—

(1) * * *

* * * * * * *

(3) the [Under Secretary of Defense for Acquisition and Technology] *Under Secretary of Defense for Acquisition, Technology, and Logistics*;

* * * * * * *

§ 176. Armed Forces Institute of Pathology

(a)(1) * * *

* * * * * * *

(3) The Board of Governors shall consist of the Assistant Secretary of Defense for Health Affairs, who shall serve as chairman of the Board of Governors, the Assistant Secretary of Health and Human Services for Health, the Surgeons General of the Army, Navy, and Air Force, the [Chief Medical Director] *Under Secretary for Health* of the Department of Veterans Affairs, and a former Di-

rector of the Institute, as designated by the Secretary of Defense, or the designee of any of the foregoing.

* * * * * * *

§ 179. Nuclear Weapons Council

(a) There is a Joint Nuclear Weapons Council (hereinafter in this section referred to as the "Council") composed of three members as follows:

(1) The [Under Secretary of Defense for Acquisition and Technology] *Under Secretary of Defense for Acquisition, Technology, and Logistics*.

* * * * * * *

§ 184. Department of Defense regional centers for security studies

(a) ADVANCE NOTIFICATION TO CONGRESS OF THE ESTABLISHMENT OF NEW REGIONAL CENTERS.—After [the date of the enactment of this section,] *October 30, 2000,* a regional center for security studies may not be established in the Department of Defense until—

(1) the Secretary of Defense submits to Congress a notification of the intent of the Secretary to establish the center, including a description of the mission and functions of the proposed center and a justification for the proposed center; and

(2) a period of 90 days has elapsed after the date on which that notification is submitted.

* * * * * * *

CHAPTER 9—DEFENSE BUDGET MATTERS

Sec.
221. Future-years defense program: submission to Congress; consistency in budgeting.

* * * * * * *

[223. Ballistic missile defense programs: program elements.
[224. Ballistic missile defense programs: display of amounts for procurement.]
224. Ballistic missile defense programs: display of amounts for research, development, test, and evaluation.

* * * * * * *

[§ 223. Ballistic missile defense programs: program elements

[(a) PROGRAM ELEMENTS SPECIFIED.—In the budget justification materials submitted to Congress in support of the Department of Defense budget for any fiscal year (as submitted with the budget of the President under section 1105(a) of title 31), the amount requested for activities of the Ballistic Missile Defense Organization shall be set forth in accordance with the following program elements:

[(1) The Patriot system.
[(2) The Navy Area system.
[(3) The Theater High-Altitude Area Defense system.
[(4) The Navy Theater Wide system.
[(5) The Medium Extended Air Defense System.
[(6) Joint Theater Missile Defense.
[(7) National Missile Defense.

[(8) Support Technologies.
[(9) Family of Systems Engineering and Integration.
[(10) Ballistic Missile Defense Technical Operations.
[(11) Threat and Countermeasures.
[(12) International Cooperative Programs.

[(b) TREATMENT OF MAJOR DEFENSE ACQUISITION PROGRAMS.—Amounts requested for Theater Missile Defense and National Missile Defense major defense acquisition programs shall be specified in individual, dedicated program elements, and amounts appropriated for those programs shall be available only for Ballistic Missile Defense activities.

[(c) MANAGEMENT AND SUPPORT.—The amount requested for each program element specified in subsection (a) shall include requests for the amounts necessary for the management and support of the programs, projects, and activities contained in that program element.]

[§ 224. Ballistic missile defense programs: display of amounts for procurement]

§ 224. Ballistic missile defense programs: display of amounts for research, development, test, and evaluation

(a) REQUIREMENT.—Any amount in the budget submitted to Congress under section 1105 of title 31 for any fiscal year for [procurement] *research, development, test, and evaluation* for a Department of Defense missile defense program described in subsection (b) shall be set forth under the account of the Department of Defense for Defense-wide [procurement] *research, development, test, and evaluation* and, within that account, under the subaccount (or other budget activity level) for the Ballistic Missile Defense Organization.

[(b) COVERED PROGRAMS.—Subsection (a) applies to the following missile defense programs of the Department of Defense:

[(1) The National Missile Defense Program.

[(2) Any system that is part of the core theater missile defense program.

[(3) Any other ballistic missile defense program that enters production after the date of the enactment of this section and for which research, development, test, and evaluation was carried out by the Ballistic Missile Defense Organization.

[(c) CORE THEATER BALLISTIC MISSILE DEFENSE PROGRAM.—For purposes of this section, the core theater missile defense program consists of the systems specified in section 234 of the Ballistic Missile Defense Act of 1995 (10 U.S.C. 2431 note).]

(b) COVERED PROGRAMS.—Subsection (a) applies to any ballistic missile defense program for which research, development, test, and evaluation is carried out by the Ballistic Missile Defense Organization.

* * * * * * *

CHAPTER 22—NATIONAL IMAGERY AND MAPPING AGENCY

* * * * * * *

SUBCHAPTER III—PERSONNEL MANAGEMENT

Sec.
461. Management rights.
462. Undergraduate training program.

* * * * * * *

§ 462. Undergraduate training program

(a) AUTHORITY TO CARRY OUT PROGRAM.—The Secretary of Defense may authorize the Director of the National Imagery and Mapping Agency to establish an undergraduate training program under which civilian employees of the National Imagery and Mapping Agency may be assigned as students at accredited professional, technical, and other institutions of higher learning for training at the undergraduate level in skills critical to effective performance of the mission of the National Imagery and Mapping Agency. Such training may lead to the award of a baccalaureate degree.

(b) PURPOSE.—The purpose of the program authorized by subsection (a) is to facilitate the recruitment of individuals, particularly minority high school students, with a demonstrated capability to develop skills critical to the mission of the National Imagery and Mapping Agency, including skills in mathematics, computer science, engineering, and foreign languages.

(c) REQUIREMENTS.—(1) To be eligible for assignment under subsection (a), an employee of the National Imagery and Mapping Agency must agree in writing—

(A) to continue in the service of the National Imagery and Mapping Agency for the period of the assignment and to complete the educational course of training for which the employee is assigned;

(B) to continue in the service of the National Imagery and Mapping Agency following completion of the assignment for a period of one-and-a-half years for each year of the assignment or part thereof;

(C) to reimburse the United States for the total cost of education (excluding the employee's pay and allowances) provided under this section to the employee if, before the employee's completing the educational course of training for which the employee is assigned, the assignment or the employee's employment with the National Imagery and Mapping Agency is terminated either by the National Imagery and Mapping Agency due to misconduct by the employee or by the employee voluntarily; and

(D) to reimburse the United States if, after completing the educational course of training for which the employee is assigned, the employee's employment with the National Imagery and Mapping Agency is terminated either by the National Imagery and Mapping Agency due to misconduct by the employee or by the employee voluntarily, before the employee's completion of the service obligation period described in subparagraph (B), in an amount that bears the same ratio to the total cost of the education (excluding the employee's pay and allowances) provided to the employee as the unserved portion of the service obligation period described in subparagraph (B) bears to the total period of the service obligation described in subparagraph (B).

(2) Subject to paragraph (3), the obligation to reimburse the United States under an agreement described in paragraph (1), including interest due on such obligation, is for all purposes a debt owing the United States.

(3)(A) A discharge in bankruptcy under title 11, United States Code, shall not release a person from an obligation to reimburse the United States required under an agreement described in paragraph (1) if the final decree of the discharge in bankruptcy is issued within five years after the last day of the combined period of service obligation described in subparagraphs (A) and (B) of paragraph (1).

(B) The Secretary of Defense may release a person, in whole or in part, from the obligation to reimburse the United States under an agreement described in paragraph (1) when, in his discretion, the Secretary determines that equity or the interests of the United States so require.

(C) The Secretary of Defense shall permit an employee assigned under this section who, before commencing a second academic year of such assignment, voluntarily terminates the assignment or the employee's employment with the National Imagery and Mapping Agency, to satisfy his obligation under an agreement described in paragraph (1) by reimbursing the United States according to a schedule of monthly payments which results in completion of reimbursement by a date five years after the date of termination of the assignment or employment or earlier at the option of the employee.

(d) DISCLOSURE REQUIRED.—(1) When an employee is assigned under this section to an institution, the Secretary shall disclose to the institution to which the employee is assigned that the National Imagery and Mapping Agency employs the employee and that the National Imagery and Mapping Agency funds the employee's education.

(2) Efforts by the Secretary to recruit individuals at educational institutions for participation in the undergraduate training program established by this section shall be made openly and according to the common practices of universities and employers recruiting at such institutions.

(e) APPROPRIATION OF FUNDS REQUIRED.—The Secretary may pay, directly or by reimbursement to employees, expenses incident to assignments under subsection (a), in any fiscal year only to the extent that appropriated funds are available for such purpose.

(f) INAPPLICABILITY OF CERTAIN LAWS.—Chapter 41 of title 5 and subsections (a) and (b) of section 3324 of title 31 shall not apply with respect to this section.

(g) REGULATIONS.—The Secretary of Defense may prescribe such regulations as may be necessary to implement this section.

* * * * * * *

CHAPTER 23—MISCELLANEOUS STUDIES AND REPORTS

Sec.
480. Department of Defense reports: submission in electronic form.

* * * * * * *

§ 480. Department of Defense reports: submission in electronic form

(a) REQUIREMENT.—Whenever the Secretary of Defense or any other official of the Department of Defense is required by law to submit a report to Congress (or any committee of either House of Congress), the Secretary or other official shall provide to Congress (or each such committee) a copy of the report in an electronic medium.

(b) EXCEPTION.—Subsection (a) does not apply to a report submitted in classified form.

(c) DEFINITION.—In this section, the term "report" includes any certification, notification, or other communication in writing.

* * * * * * *

PART II—PERSONNEL

Chap.		Sec.
31.	Enlistments	501
	* * * * * * *	
56.	Department of Defense Medicare-Eligible Retiree Health Care Fund	1111[.]
	* * * * * * *	

CHAPTER 31—ENLISTMENTS

* * * * * * *

The text of existing law for section 503(c) is shown to reflect the amendments made to that section by Public Law 106–398, effective July 1, 2002.

§ 503. Enlistments: recruiting campaigns; compilation of directory information

(a) * * *

* * * * * * *

(c) ACCESS TO SECONDARY SCHOOLS.—(1) Each local educational agency shall (except as provided under paragraph (5)) provide to the Department of Defense, upon a request made for military recruiting [purposes, the same access to secondary school students, and to directory information concerning such students, as is provided generally to post-secondary educational institutions or to prospective employers of those students.] *purposes—*

(A) the same access to secondary school students as is provided generally to post-secondary educational institutions or to prospective employers of those students; and

(B) the same access to directory information concerning those students as is provided to a post-secondary educational institution upon an indication by a secondary school student that the student seeks to enroll or intends to enroll at that institution.

* * * * * * *

(6) In this subsection:

(A) The term "local educational agency" means—

(i) a local educational agency, within the meaning of that term in section 14101[(18)] of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801[(18)]); and

* * * * * * *

§ 517. Authorized daily average: members in pay grades E–8 and E–9

(a) The authorized daily average number of enlisted members on active duty (other than for training) in an armed force in pay grades E–8 and E–9 in a fiscal year may not be more than [2 percent (or, in the case of the Army, 2.5 percent)] *2.5 percent* and 1 percent, respectively, of the number of enlisted members of that armed force who are on active duty (other than for training) on the first day of that fiscal year. In computing the limitations prescribed in the preceding sentence, there shall be excluded enlisted members of an armed force on active duty (other than for training) in connection with organizing, administering, recruiting, instructing, or training the reserve component of an armed force.

* * * * * * *

§ 520c. Recruiting functions: use of funds

(a) PROVISION OF MEALS AND REFRESHMENTS.—Under regulations prescribed by the Secretary concerned, funds appropriated to the Department of Defense for recruitment of military personnel may be expended for small meals and refreshments during recruiting functions for the following persons:

(1) * * *

* * * * * * *

(4) Members of the armed forces and Federal employees when attending [recruiting events] *recruiting functions* in accordance with a requirement to do so.

(5) Other persons whose presence at [recruiting efforts] *recruiting functions* will contribute to recruiting efforts.

* * * * * * *

[(c) TERMINATION OF AUTHORITY.—The authority in subsection (a) may not be exercised after September 30, 2001.]

CHAPTER 32—OFFICER STRENGTH AND DISTRIBUTION IN GRADE

Sec.
521. Authority to prescribe total strengths of officers on active duty and officer strengths in various categories.

* * * * * * *

[528. Limitation on number of officers on active duty in grades of general and admiral.]

* * * * * * *

§ 523. Authorized strengths: commissioned officers on active duty in grades of major, lieutenant colonel, and colonel and Navy grades of lieutenant commander, commander, and captain

(a)(1) Except as provided in subsection (c), of the total number of commissioned officers serving on active duty in the Army, Air Force, or Marine Corps at the end of any fiscal year (excluding officers in categories specified in subsection (b)), the number of officers who may be serving on active duty in each of the grades of major, lieutenant colonel, and colonel may not, as of the end of such fiscal year, exceed a number determined in accordance with the following table:

Total number of commissioned officers (excluding officers in categories specified in subsection (b)) on active duty:	Number of officers who may be serving on active duty in the grade of:		
	Major	Lieutenant Colonel	Colonel
Army:			
20,000	6,848	5,253	1,613
* * * *	*	*	*
Air Force:			
35,000	[9,216] *9,861*	7,090	2,125
40,000	[10,025] *10,727*	7,478	2,306
45,000	[10,835] *11,593*	7,866	2,487
50,000	[11,645] *12,460*	8,253	2,668
55,000	[12,454] *13,326*	8,641	2,849
60,000	[13,264] *14,192*	9,029	3,030
65,000	[14,073] *15,058*	9,417	3,211
70,000	[14,883] *15,925*	9,805	3,392
75,000	[15,693] *16,792*	10,193	3,573
80,000	[16,502] *17,657*	10,582	3,754
85,000	[17,312] *18,524*	10,971	3,935
90,000	[18,121] *19,389*	11,360	4,115
95,000	[18,931] *20,256*	11,749	4,296
100,000	[19,741] *21,123*	12,138	4,477
105,000	[20,550] *21,989*	12,527	4,658
110,000	[21,360] *22,855*	12,915	4,838
115,000	[22,169] *23,721*	13,304	5,019
120,000	[22,979] *24,588*	13,692	5,200

Total number of commissioned officers (excluding officers in categories specified in subsection (b)) on active duty:	Number of officers who may be serving on active duty in the grade of:		
	Major	Lieutenant Colonel	Colonel
125,000	[23,789] *25,454*	14,081	5,381

* * * * * * *

* * * * * * *

[§ 528. Limitation on number of officers on active duty in grades of general and admiral

[(a) LIMITATION.—The total number of officers on active duty in the Army, Air Force, and Marine Corps in the grade of general and in the Navy in the grade of admiral may not exceed 32.

[(b) EXCEPTIONS.—(1) The limitation in subsection (a) does not apply in the case of an officer serving in the grade of general or admiral in a position that is specifically exempted by law from being counted for purposes of limitations by law on the total number of officers that may be on active duty in the grades of general and admiral or the number of officers that may be on active duty in that officer's armed force in the grade of general or admiral.

[(2) An officer continuing to hold the grade of general or admiral under section 601(b)(4) of this title after relief from the position of Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, or Commandant of the Marine Corps shall not be counted for purposes of this section.]

CHAPTER 33—ORIGINAL APPOINTMENTS OF REGULAR OFFICERS IN GRADES ABOVE WARRANT OFFICER GRADES

Sec.
531. Original appointments of commissioned officers.

* * * * * * *

542. Distinguished Graduates of officer commissioning programs other than service academies and ROTC.

* * * * * * *

§ 532. Qualifications for original appointment as a commissioned officer

(a) * * *

* * * * * * *

[(e) After September 30, 1996, no person may receive an original appointment as a commissioned officer in the Regular Army, Regular Navy, Regular Air Force, or Regular Marine Corps until that person has completed one year of service on active duty as a commissioned officer (other than a warrant officer) of a reserve component.]

* * * * * * *

§ 542. Distinguished Graduates of officer commissioning programs other than service academies and ROTC

A person who is selected for an original appointment as a commissioned officer in the Army, Navy, Air Force, or Marine Corps as a result of satisfactory completion of an officer commissioning program other than the course of instruction at one of the service academies named in section 541 of this title or the Senior Reserve Officers' Training Corps program and who, under regulations prescribed by the Secretary of the military department concerned, is designated or selected as a Distinguished Graduate of that program (or the equivalent) shall be appointed as a regular officer.

* * * * * * *

CHAPTER 36—PROMOTION, SEPARATION, AND INVOLUNTARY RETIREMENT OF OFFICERS ON THE ACTIVE-DUTY LIST

* * * * * * *

SUBCHAPTER II—PROMOTIONS

* * * * * * *

§ 619. Eligibility for consideration for promotion: time-in-grade and other requirements

[(a)(1)**]** *(a) TIME-IN-GRADE REQUIREMENTS.—(1)* An officer who is on the active-duty list of the Army, Air Force, or Marine Corps and holds a permanent appointment in the grade of second lieutenant or first lieutenant or is on the active-duty list of the Navy and holds a permanent appointment in the grade of ensign or lieutenant (junior grade) may not be promoted to the next higher permanent grade until he has completed the following period of service in the grade in which he holds a permanent appointment:

(A) * * *

(B) Two years, in the case of an officer holding a permanent appointment in the grade of first lieutenant or lieutenant (junior grade)*, or such shorter period as may be in effect under paragraph (6)*.

* * * * * * *

(4) The Secretary of the military department concerned may waive paragraph (2) to the extent necessary to assure that officers described in **[**clause (A)**]** *subparagraph (A)* of such paragraph have at least two opportunities for consideration for promotion to the next higher grade as officers below the promotion zone.

* * * * * * *

(6)(A) When the needs of the service require, the Secretary of the military department concerned may reduce to eighteen months the period of service in grade applicable for purposes of paragraph (1)(B) in the case of officers who are serving in a position that is authorized for officers in the grade of captain or, in the case of the Navy, lieutenant.

(B) If the Secretary of the military department concerned uses the authority provided in subparagraph (A), the number of captains or,

in the case of the Navy, lieutenants on the active-duty list may not exceed the number of positions for which officers in that grade are authorized by more than one percent.

(C) The authority under subparagraph (A) and the limitation under subparagraph (B) expire on September 30, 2005.

[(b)(1)] *(b) CONTINUED ELIGIBILITY FOR CONSIDERATION FOR PROMOTION OF OFFICERS WHO HAVE PREVIOUSLY FAILED OF SELECTION.—(1)* Except as provided in paragraph (2), an officer who has failed of selection for promotion to the next higher grade remains eligible for consideration for promotion to that grade as long as he continues on active duty in other than a retired status and is not promoted.

* * * * * * *

[(c)(1)] *(c) OFFICERS TO BE CONSIDERED BY PROMOTION BOARDS.—(1)* Each time a selection board is convened under section 611(a) of this title for consideration of officers in a competitive category for promotion to the next higher grade, each officer in the promotion zone (except as provided under paragraph (2)), and each officer above the promotion zone, for the grade and competitive category under consideration shall be considered for promotion.

* * * * * * *

(d) *CERTAIN OFFICERS NOT TO BE CONSIDERED.*—A selection board convened under section 611(a) of this title may not consider for promotion to the next higher grade any of the following officers:

(1) * * *

* * * * * * *

§ 619a. Eligibility for consideration for promotion: joint duty assignment required before promotion to general or flag grade; exceptions

(a) GENERAL RULE.—An officer on the active-duty list of the Army, Navy, Air Force, or Marine Corps may not be appointed to the grade of brigadier general or rear admiral (lower half) [unless the officer has completed a full tour of duty in a joint duty assignment (as described in section 664(f) of this title).] *unless—*

(1) the officer has completed a full tour of duty in a joint duty assignment (as described in section 664(f) of this title); and

(2) for appointments after September 30, 2007, the officer has been selected for the joint specialty in accordance with section 661 of this title.

(b) EXCEPTIONS.—Subject to subsection (c), the Secretary of Defense [may waive subsection (a) in the following circumstances:] *may waive paragraph (1) or paragraph (2) of subsection (a), or both paragraphs (1) and (2) of subsection (a), in the following circumstances (except that paragraph (2) of subsection (a) may not be waived by reason of paragraph (4)):*

(1) * * *

* * * * * * *

SUBCHAPTER IV—CONTINUATION ON ACTIVE DUTY AND SELECTIVE EARLY RETIREMENT

* * * * * * *

§ 638a. Modification to rules for continuation on active duty; enhanced authority for selective early retirement and early discharges

(a) The Secretary of Defense may authorize the Secretary of a military department, during the period beginning on October 1, 1990, and ending on December 31, [2001] *2002*, to take any of the actions set forth in subsection (b) with respect to officers of an armed force under the jurisdiction of that Secretary.

* * * * * * *

§ 640. Deferment of retirement or separation for medical reasons

[The Secretary of the military department concerned may defer the retirement or separation under this title of any officer if the evaluation of the physical condition of the officer and determination of the officer's entitlement to retirement or separation for physical disability require hospitalization or medical observation that cannot be completed before the date on which the officer would otherwise be required to retire or be separated under this title.]

(a) If the Secretary of the military department concerned determines that the evaluation of the physical condition of an officer and determination of the officer's entitlement to retirement or separation for physical disability require hospitalization or medical observation and that such hospitalization or medical observation cannot be completed with confidence in a manner consistent with the member's well being before the date on which the officer would otherwise be required to retire or be separated under this title, the Secretary may defer the retirement or separation of the officer under this title.

(b) A deferral of retirement or separation under subsection (a) may not extend for more than 30 days after completion of the evaluation requiring hospitalization or medical observation.

SUBCHAPTER V—ADDITIONAL PROVISIONS RELATING TO PROMOTION, SEPARATION, AND RETIREMENT

* * * * * * *

§ 641. Applicability of chapter

Officers in the following categories are not subject to this chapter (other than section 640 and, in the case of warrant officers, section 628):

(1) Reserve officers—

(A) * * *

* * * * * * *

[(D) on the reserve active-status list who are on active duty under section 12301(d) of this title, other than as provided in subparagraph (C), under a call or order to active duty specifying a period of three years or less;]

(D) on active duty under section 12301(d) of this title, other than as provided under subparagraph (C), if the call or order to active duty, under regulations prescribed by the

Secretary concerned, specifies a period of three years or less and continued placement on the reserve active-status list;

* * * * * * *

CHAPTER 38—JOINT OFFICER MANAGEMENT

* * * * * * *

§ 661. Management policies for joint specialty officers

(a) * * *

(b) NUMBERS AND SELECTION.—(1) * * *

(2) Officers shall be selected for the joint specialty by the Secretary of Defense with the advice of the Chairman of the Joint Chiefs of Staff. [The Secretaries of the military departments shall nominate officers for selection for the joint specialty. Nominations shall be made from among officers—] *Each officer on the active-duty list on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2002 who has not before that date been nominated for the joint specialty by the Secretary of a military department, and each officer who is placed on the active-duty list after such date, who meets the requirements of subsection (c) shall automatically be considered to have been nominated for the joint specialty. From among those officers considered to be nominated for the joint specialty, the Secretary may select for the joint specialty only officers—*

(A) * * *

* * * * * * *

§ 663. Education

(a) * * *

* * * * * * *

(e) DURATION OF PRINCIPAL COURSE OF INSTRUCTION AT [ARMED FORCES STAFF COLLEGE] *JOINT FORCES STAFF COLLEGE*.—(1) The duration of the principal course of instruction offered at the [Armed Forces Staff College] *Joint Forces Staff College* may not be less than three months.

* * * * * * *

§ 664. Length of joint duty assignments

(a) * * *

* * * * * * *

(i) JOINT DUTY CREDIT FOR CERTAIN JOINT TASK FORCE ASSIGNMENTS.—(1) * * *

* * * * * * *

(4) The Secretary of Defense shall prescribe by regulation criteria for determining whether an officer may be granted credit under paragraph (1) with respect to service in a qualifying temporary joint task force assignment. The criteria shall apply uniformly among the armed forces and shall include the following requirements:

(A) * * *

* * * * * * *

(E) [The] *Except as provided in subparagraph (F), the* joint task force must conduct combat or combat-related operations in a unified action under joint or multinational command and control.

(F) Service in a temporary joint task force assignment not involved in combat or combat-related operations may not be credited for the purposes of joint duty, unless, and only if—

(i) the service of the officer and the nature of the joint task force not only meet all criteria of this section, except subparagraph (E), but also any additional criteria the Secretary may establish;

(ii) the Secretary has specifically approved the operation conducted by the joint task force as one that qualifies for joint service credit, and notifies Congress upon each approval, providing the criteria that led to that approval; and

(iii) the operation is conducted by the joint task force in an environment where an extremely fragile state of peace and high potential for hostilities coexist.

* * * * * * *

§ 667. Annual report to Congress

The Secretary of Defense shall include in the annual report of the Secretary to Congress under section 113(c) of this title, for the period covered by the report, the following information (which shall be shown for the Department of Defense as a whole and separately for the Army, Navy, Air Force, and Marine Corps):

(1)*(A)* The number of officers selected for the joint specialty and their education and experience.

(B) The number of officers who meet the criteria for selection for the joint specialty but were not selected, together with the reasons why.

[(2) The military occupational specialties within each of the armed forces that have been designated as critical occupational specialties under section 661(c)(2) of this title, separately identifying those specialties for which there is a severe shortage of trained officers, together with an explanation of how those specialties meet the criteria for that designation in section 661(c)(2)(B) of this title.]

(2) The number of officers with the joint specialty, shown by grade and branch or specialty and by education.

(3) The number of officers on the active-duty list with a military occupational specialty designated under section 661(c)(2) of this title as a critical occupational specialty who—

(A) have been [nominated] *selected* for the joint specialty;

(B) have been [nominated] *selected* for the joint specialty and are serving in a joint duty assignment;

* * * * * * *

(D) have completed an appropriate program at a joint professional military education school; *and*

[(E) have been selected for the joint specialty; and]

[(F)] *(E)* have served, or are serving in, a second joint duty assignment after being selected for the joint specialty, with the number of such officers who have served, or are serving, in a critical joint duty assignment shown separately for general and flag officers, and for all other officers.

(4) For each fiscal year—

(A) the number of officers [nominated] *selected* for the joint specialty and, of those, the number who have a military occupational specialty designated as a critical occupational specialty; and

* * * * * * *

(14)*(A)* An analysis of the extent to which the Secretary of each military department is providing officers to fill that department's share (as determined by law or by the Secretary of Defense) of Joint Staff and other joint duty assignments, including the reason for any significant failure by a military department to fill its share of such positions and a discussion of the actions being taken to correct the shortfall.

(B) An assessment of the extent to which the Secretary of each military department is assigning personnel to joint duty assignments in accordance with this chapter and the policies, procedures, and practices established by the Secretary of Defense under section 661(a) of this title.

* * * * * * *

(16) The number of officers granted credit for service in joint duty assignments under [section 664(i)] *subparagraphs (E) and (F) of section 664(i)(4)* of this title and—

(A) * * *

(B) the identity of each operation for which an officer has been granted credit pursuant to [section 664(i)] *subparagraphs (E) and (F) of section 664(i)(4)* of this title and a brief description of the mission of the operation.

(17) With regard to each time the principal course of instruction at the [Armed Forces Staff College] *Joint Forces Staff College* is offered—

(A) * * *

(B) the number of those officers as a percentage of all officers who attended that course of instruction at the [Armed Forces Staff College] *Joint Forces Staff College*;

* * * * * * *

CHAPTER 39—ACTIVE DUTY

* * * * * * *

§ 691. Permanent end strength levels to support two major regional contingencies

(a) * * *

(b) Unless otherwise provided by law, the number of members of the armed forces (other than the Coast Guard) on active duty at the end of any fiscal year shall be not less than the following:

(1) * * *
(2) For the Navy, [372,000] *376,000*.

* * * * * * *

(4) For the Air Force, [357,000] *358,800*.

* * * * * * *

CHAPTER 47—UNIFORM CODE OF MILITARY JUSTICE

* * * * * * *

SUBCHAPTER II—APPREHENSION AND RESTRAINT

* * * * * * *

§ 814. Art. 14. Delivery of offenders to civil authorities

(a) * * *

* * * * * * *

(c) The Secretary of Defense shall ensure that the Secretaries of the military departments prescribe regulations under subsection (a) and that those regulations are uniform throughout the armed forces under the jurisdiction of the Secretary of Defense. Those regulations shall—

(1) specifically provide for the delivery to the appropriate civil authority for trial, in any appropriate case, of a member accused by civil authority of parental kidnapping or a similar offense, including criminal contempt arising from any such offense or from child custody matters; and

(2) specifically address the special needs for the exercise of the authority contained in this section (article) in a case in which a member of the armed forces assigned overseas is accused of an offense by civil authority.

SUBCHAPTER IV—COURT-MARTIAL JURISDICTION

* * * * * * *

§ 816. Art. 16. Courts-martial classified

The three kinds of courts-martial in each of the armed forces are—

(1) general courts-martial, consisting of—

(A) a military judge and not less than five members *or, in a case in which the accused may be sentenced to a penalty of death, the number of members determined under section 825a of this title (article 25a)*; or

* * * * * * *

SUBCHAPTER V—COMPOSITION OF COURTS-MARTIAL

Sec.	Art.	
822.	22.	Who may convene general courts-martial.
*	*	*
825a.	*25a.*	Number of members in capital cases.
*	*	*

§ 825a. Art. 25a. Number of members in capital cases

In a case in which the accused may be sentenced to a penalty of death, the number of members shall be not less than 12, unless 12 members are not reasonably available because of physical conditions or military exigencies, in which case the convening authority shall specify a lesser number of members not less than five, and the court may be assembled and the trial held with not less than the number of members so specified. In such a case, the convening authority shall make a detailed written statement, to be appended to the record, stating why a greater number of members were not reasonably available.

* * * * * * *

§ 829. Art. 29. Absent and additional members

(a) * * *

(b)*(1)* Whenever a general court-martial, other than a general court-martial composed of a military judge only, is reduced below [five members] *the applicable minimum number of members*, the trial may not proceed unless the convening authority details new members sufficient in number to provide not less than [five members] *the applicable minimum number of members*. The trial may proceed with the new members present after the recorded evidence previously introduced before the members of the court has been read to the court in the presence of the military judge, the accused, and counsel for both sides.

(2) In this section, the term "applicable minimum number of members" means five members or, in a case in which the death penalty may be adjudged, the number of members determined under section 825a of this title (article 25a).

* * * * * * *

SUBCHAPTER VII—TRIAL PROCEDURE

Sec.	Art.	
836.	36.	President may prescribe rules.
*	*	* * * * *
852a.	*52a.*	*Right of accused to request sentencing by military judge rather than by members.*
*	*	* * * * *

§ 852a. Art. 52a. Right of accused to request sentencing by military judge rather than by members

(a) In the case of an accused convicted of an offense by a court-martial composed of a military judge and members, the sentence shall be tried before and adjudged by the military judge rather than the members if, after the findings are announced and before evidence in the sentencing proceeding is introduced, the accused, knowing the identity of the military judge and after consultation with defense counsel, requests orally on the record or in writing that the sentence be tried before and adjudged by the military judge rather than the members.

(b) This section shall not apply with respect to an offense for which the death penalty may be adjudged unless the case has been previously referred to trial as a noncapital case.

* * * * * * *

SUBCHAPTER IX—POST-TRIAL PROCEDURE AND REVIEW OF COURTS-MARTIAL

* * * * * * *

§ 874. Art. 74. Remission and suspension

(a) The Secretary concerned and, when designated by him, any Under Secretary, Assistant Secretary, Judge Advocate General, or commanding officer may remit or suspend any part or amount of the unexecuted part of any sentence, including all uncollected forfeitures other than a sentence approved by the President. However, in the case of a sentence of confinement for life without eligibility for parole *that is adjudged for an offense committed after October 29, 2000*, after the sentence is ordered executed, the authority of the Secretary concerned under the preceding sentence (1) may not be delegated, and (2) may be exercised only after the service of a period of confinement of not less than 20 years.

* * * * * * *

CHAPTER 49—MISCELLANEOUS PROHIBITIONS AND PENALTIES

* * * * * * *

§ 980. Limitation on use of humans as experimental subjects

(a) Funds appropriated to the Department of Defense may not be used for research involving a human being as an experimental subject unless—

(1) * * *

* * * * * * *

(b) The Secretary of Defense may waive the prohibition in this section with respect to a specific research project to advance the development of a medical product necessary to the armed forces if the research project is carried out in accordance with all other applicable laws.

* * * * * * *

§ 986. Security clearances: limitations

(a) PROHIBITION.—After [the date of the enactment of this section,] *October 30, 2000,* the Department of Defense may not grant or renew a security clearance for a person to whom this section applies who is described in subsection (c).

* * * * * * *

CHAPTER 50—MISCELLANEOUS COMMAND RESPONSIBILITIES

* * * * * * *

§ 991. Management of deployments of members

(a) * * *

(b) DEPLOYMENT DEFINED.—(1) For the purposes of this section, a member of the armed forces shall be considered to be deployed or in a deployment on any day on which, pursuant to orders, the member is performing *active* service in a training exercise or operation at a location or under circumstances that make it impossible or infeasible for the member to spend off-duty time in the housing in which the member resides when on garrison duty at the member's permanent duty station or homeport, as the case may be. *For the purpose of applying the preceding sentence to a member of a reserve component performing active service, the housing in which the member resides when on garrison duty at the member's permanent duty station or homeport, as the case may be, shall be considered to be either the housing the member normally occupies when on garrison duty or the member's permanent civilian residence.*

[(2) In the case of a member of a reserve component performing active service, the member shall be considered deployed or in a deployment for the purposes of paragraph (1) on any day on which, pursuant to orders that do not establish a permanent change of station, the member is performing the active service at a location that—

[(A) is not the member's permanent training site; and

[(B) is—

[(i) at least 100 miles from the member's permanent residence; or

[(ii) a lesser distance from the member's permanent residence that, under the circumstances applicable to the member's travel, is a distance that requires at least three hours of travel to traverse.**]**

[(3)**]** *(2)* For the purposes of this section, a member is not deployed or in a deployment when the member is—

(A) * * *

* * * * * * *

[(4)**]** *(3)* The Secretary of Defense may prescribe a definition of deployment for the purposes of this section other than the definition specified **[**in paragraphs (1) and (2)**]** *in paragraph (1)*. Any such definition may not take effect until 90 days after the date on which the Secretary notifies the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives of the revised standard definition of deployment.

* * * * * * *

CHAPTER 53—MISCELLANEOUS RIGHTS AND BENEFITS

* * * * * * *

§ 1044a. Authority to act as notary

(a) * * *

(b) Persons with the powers described in subsection (a) are the following:

(1) * * *

(2) All civilian attorneys serving as [legal assistance officers] *legal assistance attorneys*.

* * * * * * *

(4) All other members of the armed forces, including reserve members when not in a duty status, *and, when outside the United States, all civilian employees of the Department of Defense,* who are designated by regulations of the armed forces *or the Department of Defense* or by statute to have those powers.

* * * * * * *

§ 1056. Relocation assistance programs

(a) * * *

* * * * * * *

(c) MILITARY RELOCATION ASSISTANCE PROGRAMS.—(1) * * *

(2) The Secretary shall ensure that[, not later than September 30, 1991,] information available through each military relocation assistance program shall be managed through a computerized information system that can interact with all other military relocation assistance programs of the military departments, including programs located outside the continental United States.

* * * * * * *

CHAPTER 54—COMMISSARY AND EXCHANGE BENEFITS

Sec.
1061. Survivors of certain Reserve and Guard members.

* * * * * * *

[1063. Use of commissary stores: members of Ready Reserve with at least 50 creditable points.]
1063. Use of commissary stores: members of Ready Reserve.

* * * * * * *

[§ 1063. Use of commissary stores: members of Ready Reserve with at least 50 creditable points

[(a) ELIGIBILITY OF MEMBERS OF READY RESERVE.—A member of the Ready Reserve who satisfactorily completes 50 or more points creditable under section 12732(a)(2) of this title in a calendar year shall be eligible to use commissary stores of the Department of Defense. The Secretary concerned shall authorize the member to have 24 days of eligibility for any calendar year that the member qualifies for eligibility under this subsection.]

§ 1063. Use of commissary stores: members of Ready Reserve

(a) ELIGIBILITY.—Subject to subsection (c), the Secretary concerned shall authorize members of the Ready Reserve described in subsection (b) to have 24 days of eligibility to use commissary stores of the Department of Defense for any calendar year.

(b) COVERED MEMBERS.—Subsection (a) applies with respect to the following members of the Ready Reserve:

(1) A member of the Selected Reserve who is satisfactorily participating in required training as prescribed in section 10147(a)(1) of this title or section 502(a) of title 32 in that calendar year.

(2) A member of the Ready Reserve (other than a member described in paragraph (1)) who satisfactorily completes 50 or more points credible under section 12732(a)(2) of this title in that calendar year.

(c) REDUCED NUMBER OF COMMISSARY VISITS FOR NEW MEMBERS.—The number of commissary visits authorized for a member of the Selected Reserve described in subsection (b)(1) who enters the Selected Reserve after the beginning of the calendar year shall be equal to twice the number of full months remaining in the calendar year.

[(b)**]** *(d)* EFFECT OF COMPENSATION OR TYPE OF DUTY.—Subsection (a) shall apply without regard to whether, during the calendar year, the member receives compensation for the duty or training performed by the member or performs active duty for training.

[(c)**]** *(e)* REGULATIONS.—The Secretary concerned shall prescribe regulations, subject to the approval of the Secretary of Defense, to carry out this section.

* * * * * * *

CHAPTER 55—MEDICAL AND DENTAL CARE

Sec.
1071. Purpose of this chapter.

* * * * * * *

1074j. Sub-acute care program.
1074k. Long-term care insurance.

* * * * * * *

§ 1072. Definitions

In this chapter:

(1) * * *

* * * * * * *

(7) The term "TRICARE program" means the managed health care program that is established by the Department of Defense under the authority of this chapter, principally section 1097 of this title, and includes **[**the competitive selection of contractors to financially underwrite**]** the delivery of health care services under the Civilian Health and Medical Program of the Uniformed Services.

(8) The term "custodial care" means treatment or services, regardless of who recommends such treatment or services or where such treatment or services are provided, that—

(A) can be rendered safely and reasonably by a person who is not medically skilled; or

(B) is or are designed mainly to help the patient with the activities of daily living.

(9) The term "domiciliary care" means care provided to a patient in an institution or homelike environment because—

(A) providing support for the activities of daily living in the home is not available or is unsuitable; or

(B) members of the patient's family are unwilling to provide the care.

* * * * * * *

§ 1074a. Medical and dental care: members on duty other than active duty for a period of more than 30 days

(a) Under joint regulations prescribed by the administering Secretaries, the following persons are entitled to the benefits described in subsection (b):

(1) * * *

* * * * * * *

(3) Each member of the armed forces who incurs or aggravates an injury, illness, or disease in the line of duty while remaining overnight immediately before the commencement of inactive-duty training, or while remaining overnight, between successive periods of inactive-duty training, at or in the vicinity of the site of the inactive-duty training**[**, if the site is outside reasonable commuting distance from the member's residence**]**.

* * * * * * *

§ 1074g. Pharmacy benefits program

(a) PHARMACY BENEFITS.—(1) * * *

* * * * * * *

(8) In carrying out this subsection, the Secretary shall ensure that an eligible covered beneficiary may continue to receive coverage for any maintenance pharmaceutical that is not on the uniform formulary and that was prescribed for the beneficiary before **[**the date of the enactment of this section**]** *October 5, 1999,* and stabilized the medical condition of the beneficiary.

* * * * * * *

§ 1074i. Reimbursement for certain travel expenses

In any case in which a covered beneficiary is referred by a primary care physician to a specialty care provider who provides services more than 100 miles from the location in which the primary care provider provides services to the covered beneficiary, the Secretary shall provide reimbursement for reasonable travel expenses for the covered beneficiary. *In any case in which reimbursement of travel expenses of a covered beneficiary who is a minor and dependent is required under this section, the Secretary also shall provide reimbursement for reasonable travel expenses of the parent or guardian of, or the family member responsible for, such covered beneficiary.*

§ 1074j. Sub-acute care program

(a) ESTABLISHMENT.—The Secretary of Defense shall establish an effective, efficient, and integrated sub-acute care benefits program under this chapter (hereinafter referred to in this section as the "program"). Except as otherwise provided in this section, the types of health care authorized under the program shall be the same as

those provided under section 1079 of this title. The Secretary, after consultation with the other administering Secretaries, shall promulgate regulations to carry out this section.

(b) BENEFITS.—(1) The program shall include a uniform skilled nursing facility benefit that shall be provided in the manner and under the conditions described in section 1861(h) and (i) of the Social Security Act (42 U.S.C. 1395x(h) and (i)), except that the limitation on the number of days of coverage under section 1812(a) and (b) of such Act (42 U.S.C. 1395d(a) and (b)) shall not be applicable under the program. Skilled nursing facility care for each spell of illness shall continue to be provided for as long as medically necessary and appropriate.

(2) In this subsection:

(A) The term "skilled nursing facility" has the meaning given such term in section 1819(a) of the Social Security Act (42 U.S.C. 1395i–3(a)).

(B) The term "spell of illness" has the meaning given such term in section 1861(a) of such Act (42 U.S.C. 1395x(a)).

(3) The program shall include a comprehensive, intermittent home health care benefit that shall be provided in the manner and under the conditions described in section 1861(m) of the Social Security Act (42 U.S.C. 1395x(m)).

§ 1074k. Long-term care insurance

Provisions regarding long-term care insurance for members and certain former members of the uniformed services and their families are set forth in chapter 90 of title 5.

* * * * * * *

§ 1076. Medical and dental care for dependents: general rule

(a)(1) * * *

(2) A dependent referred to in paragraph (1) is a dependent of a member of a uniformed service described in one of the following subparagraphs:

(A) * * *

* * * * * * *

(C) A member who died from an injury, illness, or disease incurred or aggravated in the line of duty while the member remained overnight immediately before the commencement of inactive-duty training, or while the member remained overnight between successive periods of inactive-duty training, at or in the vicinity of the site of the inactive-duty training**[**, if the site was outside reasonable commuting distance from the member's residence**]**.

* * * * * * *

§ 1079. Contracts for medical care for spouses and children: plans

(a) To assure that medical care is available for dependents, as described in subparagraphs (A), (D), and (I) of section 1072(2) of this title, of members of the uniformed services who are on active duty for a period of more than 30 days, the Secretary of Defense, after

consulting with the other administering Secretaries, shall contract, under the authority of this section, for medical care for those persons under such insurance, medical service, or health plans as he considers appropriate. The types of health care authorized under this section shall be the same as those provided under section 1076 of this title, except as follows:

(1) * * *

* * * * * * *

[(17)(A) The Secretary of Defense may establish a program for the individual case management of a person covered by this section or section 1086 of this title who has extraordinary medical or psychological disorders and, under such a program, may waive benefit limitations contained in paragraphs (5) and (13) of this subsection or section 1077(b)(1) of this title and authorize the payment for comprehensive home health care services, supplies, and equipment if the Secretary determines that such a waiver is cost-effective and appropriate.

[(B) The total amount expended under subparagraph (A) for a fiscal year may not exceed $100,000,000.]

* * * * * * *

[(d) Under joint regulations to be prescribed by the administering Secretaries, in the case of a dependent, as described in subparagraph (A), (D), or (I) of section 1072(2) of this title, of a member of the uniformed services on active duty for a period of more than 30 days, who is moderately or severely mentally retarded or who has a serious physical handicap, the plans covered by subsection (a) shall, with respect to the retardation or handicap of such dependent, include the following:

[(1) Diagnosis.

[(2) Inpatient, outpatient, and home treatment.

[(3) Training, rehabilitation, and special education.

[(4) Institutional care in private nonprofit, public and State institutions and facilities and, when appropriate, transportation to and from such institutions and facilities.

[(e) Members shall be required to share in the cost of any benefits provided their dependents under subsection (d) as follows:

[(1) Except as provided in clause (3), members in the lowest enlisted pay grade shall be required to pay the first $25 incurred each month and members in the highest commissioned pay grade shall similarly be required to pay $250 per month. The amounts to be similarly paid by members in all other pay grades shall be determined under joint regulations to be prescribed by the administering Secretaries.

[(2) Except as provided in clause (4), the Government's share of the cost of any benefits provided in a particular case under subsection (d) shall not exceed $1,000 per month.

[(3) Members shall also be required to pay each month that amount, if any, remaining after the Government's maximum share has been reached.

[(4) A member who has more than one dependent incurring expenses in a given month under a plan covered by subsection (d) shall not be required to pay an amount greater than he would be required to pay if he had but one such dependent.

[(f) To qualify for the benefits provided by subsection (d), members shall be required to use public facilities to the extent they are available and adequate as determined under joint regulations of the administering Secretaries.]

(d)(1) The Secretary of Defense shall establish a program to provide extended benefits for eligible dependents, which may include the provision of comprehensive health care services, including case management services, to assist in the reduction of the disabling effects of a qualifying condition of an eligible dependent. Registration shall be required to receive the extended benefits.

(2) The Secretary of Defense, after consultation with the other administering Secretaries, shall promulgate regulations to carry out this subsection.

(3) In this subsection:

(A) The term "eligible dependent" means a dependent of a member of the uniformed services on active duty for a period of more than 30 days, as described in subparagraph (A), (D), or (I) of section 1072(2) of this title, who has a qualifying condition.

(B) The term "qualifying condition" means the condition of a dependent who is moderately or severely mentally retarded, has a serious physical disability, or has an extraordinary physical or psychological condition.

(e) Extended benefits for eligible dependents under subsection (d) may include comprehensive health care services with respect to the qualifying condition of such a dependent, and include, to the extent such benefits are not provided under provisions of this chapter other than under this section, the following:

(1) Diagnosis.

(2) Inpatient, outpatient, and comprehensive home health care supplies and services.

(3) Training, rehabilitation, and special education.

(4) Institutional care in private nonprofit, public, and State institutions and facilities and, if appropriate, transportation to and from such institutions and facilities.

(5) Custodial care, notwithstanding the prohibition in section 1077(b)(1) of this title.

(6) Respite care for the primary caregiver of the eligible dependent.

(7) Such other services and supplies as determined appropriate by the Secretary, notwithstanding the limitations in subsection (a)(13).

(f) Members shall be required to share in the cost of any benefits provided to their dependents under subsection (d) as follows:

(1) Members in the lowest enlisted pay grade shall be required to pay the first $25 incurred each month, and members in the highest commissioned pay grade shall be required to pay the first $250 incurred each month. The amounts to be paid by members in all other pay grades shall be determined under regulations to be prescribed by the Secretary of Defense in consultation with the administering Secretaries.

(2) A member who has more than one dependent incurring expenses in a given month under a plan covered by subsection (d)

shall not be required to pay an amount greater than would be required if the member had only one such dependent.

* * * * * * *

(h)(1) * * *

(2) The Secretary of Defense, in consultation with the other administering Secretaries, shall prescribe regulations to provide for such exceptions to the payment limitations under paragraph (1) as the Secretary determines to be necessary to assure that covered beneficiaries retain adequate access to health care services. Such exceptions may include the payment of amounts higher than the amount allowed under paragraph (1) when enrollees in managed care programs obtain covered services from nonparticipating providers. To provide a suitable transition from the payment methodologies in effect before [the date of the enactment of this paragraph] *February 10, 1996,* to the methodology required by paragraph (1), the amount allowable for any service may not be reduced by more than 15 percent below the amount allowed for the same service during the immediately preceding 12-month period (or other period as established by the Secretary of Defense).

* * * * * * *

§ 1095c. TRICARE program: facilitation of processing of claims

(a) * * *

(b) REQUIREMENT TO PROVIDE START-UP TIME FOR CERTAIN CONTRACTORS.—(1) [The] *Except as provided in paragraph (3), the* Secretary of Defense shall not require that a contractor described in paragraph (2) begin to provide managed care support pursuant to a contract to provide such support under the TRICARE program until at least nine months after the date of the award of the [contract. In such case the contractor may begin to provide managed care support pursuant to the contract as soon as practicable after the award of the] contract, but in no case later than one year after the date of such award.

* * * * * * *

(3) The Secretary may reduce the nine-month start-up period required under paragraph (1) if—

(A) the Secretary—

(i) determines that a shorter period is sufficient to ensure effective implementation of all contract requirements; and

(ii) submits notification to the Committees on Armed Services of the House of Representatives and the Senate of the Secretary's intent to reduce the nine-month start-up period; and

(B) 60 days have elapsed since the date of such notification.

* * * * * * *

§ 1097a. TRICARE Prime: automatic enrollments; payment options

(a) * * *

* * * * * * *

(e) NO COPAYMENT FOR IMMEDIATE FAMILY.—No copayment shall be charged a member for care provided under TRICARE Prime to a dependent of a member of the uniformed services described in subparagraph (A), (D), or (I) of section [1072] *1072(2)* of this title.

* * * * * * *

CHAPTER 56—DEPARTMENT OF DEFENSE MEDICARE-ELIGIBLE RETIREE HEALTH CARE FUND

Sec.
[1111. Establishment and purpose of Fund; definitions.]
1111. Establishment and purpose of Fund; definitions; authority to enter into agreements.

* * * * * * *

[§ 1111. Establishment and purpose of Fund; definitions]

§ 1111. Establishment and purpose of Fund; definitions; authority to enter into agreements

(a) There is established on the books of the Treasury a fund to be known as the Department of Defense Medicare-Eligible Retiree Health Care Fund ([hereafter] *hereinafter* in this chapter referred to as the "Fund"), which shall be administered by the Secretary of the Treasury. The Fund shall be used for the accumulation of funds in order to finance on an actuarially sound basis liabilities of the Department of Defense under *designated* Department of Defense retiree health care programs for medicare-eligible beneficiaries.

[(b) In this chapter:

[(1) The term "Department of Defense retiree health care programs for medicare-eligible beneficiaries" means the provisions of this title or any other provision of law creating entitlement to health care for a medicare-eligible member or former member of the uniformed services entitled to retired or retainer pay, or a medicare-eligible dependent of a member or former member of the uniformed services entitled to retired or retainer pay.

[(2) The term "medicare-eligible" means entitled to benefits under part A of title XVIII of the Social Security Act (42 U.S.C. 1395c et seq.).

[(3) The term "dependent" means a dependent (as such term is defined in section 1072 of this title) described in section 1076(b)(1) of this title.]

(b) In this chapter:

(1) The term "Department of Defense retiree health care programs" means the provisions of this title or any other provision of law creating an entitlement to or eligibility for health care under a Department of Defense or uniformed services program for a member or former member of a participating uniformed service who is entitled to retired or retainer pay, and an eligible dependent under such program.

(2) The term "designated Department of Defense health care program" means a program described in paragraph (1) of this subsection that is designated under section 1113(c).

(3) The term "eligible dependent" means a dependent (as such term is defined in section 1072(2)) described in section

1076(a)(2) (other than a dependent of a member on active duty), 1076(b), 1086(c)(2), or 1086(c)(3)).

(4) The term "medicare-eligible", with respect to any person, means entitled to benefits under part A of title XVIII of the Social Security Act (42 U.S.C. 1395c et seq.).

(5) The term "participating uniformed service" means the Army, Navy, Air Force, and Marine Corps, and any other uniformed service that is covered by an agreement entered into under subsection (c).

(c) The Secretary of Defense may enter into an agreement with any other administering Secretary for participation in the Fund by a uniformed service under the jurisdiction of that Secretary. Any such agreement shall require that Secretary to make contributions to the Fund on behalf of the members of the uniformed service under the jurisdiction of that Secretary comparable to the contributions to the Fund made by the Secretary of Defense under section 1116.

§ 1112. Assets of Fund

There shall be deposited into the Fund the following, which shall constitute the assets of the Fund:

(1) * * *

* * * * * * *

(4) Amounts paid into the Fund pursuant to section 1111(c).

§ 1113. Payments from the Fund

[(a) There shall be paid from the Fund amounts payable for Department of Defense retiree health care programs for medicare-eligible beneficiaries.**]**

(a) There shall be paid from the Fund amounts payable for the costs of designated Department of Defense retiree health care programs for the benefit of members or former members of a participating uniformed service who are entitled to retired or retainer pay and are medicare-eligible, and eligible dependents described in section 1111(b)(3) who are medicare-eligible.

* * * * * * *

(c) For purposes of payments from the Fund under subsection (a), the Secretary of Defense shall designate the program authorized by section 1086 of this title.

§ 1114. Board of Actuaries

(a)(1) There is established in the Department of Defense a Department of Defense Medicare-Eligible Retiree Health Care Board of Actuaries (**[**hereafter**]** *hereinafter* in this chapter referred to as the "Board"). The Board shall consist of three members who shall be appointed by the Secretary of Defense from among qualified professional actuaries who are members of the Society of Actuaries.

* * * * * * *

§ 1115. Determination of contributions to the Fund

(a) The Board shall determine the amount that is the present value (as of October 1, 2002) of future benefits payable from the

Fund that are attributable to service in the *participating* uniformed services performed before October 1, 2002. That amount is the original unfunded liability of the Fund. The Board shall determine the period of time over which the original unfunded liability should be liquidated and shall determine an amortization schedule for the liquidation of such liability over that period. Contributions to the Fund for the liquidation of the original unfunded liability in accordance with such schedule shall be made as provided in section 1116(b) of this title.

(b)(1) The Secretary of Defense shall determine each year, in sufficient time for inclusion in budget requests for the following fiscal year, the total amount of Department of Defense contributions to be made to the Fund during that fiscal year under section 1116(a) of this title. That amount shall be the sum of the following:

(A) The product of—

(i) * * *

(ii) the expected average force strength during that fiscal year for members of the uniformed services *under the jurisdiction of the Secretary of Defense* on active duty (other than active duty for training) and full-time National Guard duty (other than full-time National Guard duty for training only).

(B) The product of—

(i) * * *

(ii) the expected average force strength during that fiscal year for members of the Ready Reserve of the uniformed services *under the jurisdiction of the Secretary of Defense* (other than members on full-time National Guard duty other than for training) who are not otherwise described in subparagraph (A)(ii).

* * * * * * *

§ 1116. Payments into the Fund

(a) The Secretary of Defense shall pay into the Fund at the end of each month as the Department of Defense contribution to the Fund for that month the amount that is the sum of the following:

(1) The product of—

(A) * * *

(B) the total end strength for that month for members of the uniformed services *under the jurisdiction of the Secretary of Defense* on active duty (other than active duty for training) and full-time National Guard duty (other than full-time National Guard duty for training only).

(2) The product of—

(A) * * *

(B) the total end strength for that month for members of the Ready Reserve of the uniformed services *under the jurisdiction of the Secretary of Defense* other than members on full-time National Guard duty (other than for training) who are not otherwise described in paragraph (1)(B). Amounts paid into the Fund under this subsection shall be paid from funds available for the Defense Health Program.

(b)(1) * * *

(2) At the beginning of each fiscal year the Secretary of Defense shall determine the sum of the following:

(A) * * *

* * * * * * *

(D) The amount (including any negative amount) for that year under the most recent amortization schedule determined by the Secretary of Defense under section [111(c)(4)] *1115(c)(4)* of this title for the amortization of any cumulative actuarial gain or loss to the Fund resulting from actuarial experience.

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CHAPTER 57—DECORATIONS AND AWARDS

Sec.
1121. Legion of Merit: award.

* * * * * * *

1134. Cold War service medal.

* * * * * * *

§ 1134. Cold War service medal

(a) MEDAL AUTHORIZED.—The Secretary concerned shall, upon application, issue the Cold War service medal to a person eligible to receive that medal. The Cold War service medal shall be of an appropriate design approved by the Secretary of Defense, with ribbons, lapel pins, and other appurtenances.

(b) ELIGIBILITY.—(1) A person is eligible to receive the Cold War service medal if the person—

(A) served on active duty during the Cold War;

(B) has not been released from active duty with a characterization of service less favorable than honorable and has not received a discharge less favorable than an honorable discharge; and

(C) except as provided under paragraph (3), meets the service requirements of paragraph (2).

(2) The service requirements of this paragraph are—

(A) in the case of a person who served on active duty during the Cold War as an enlisted member, that the person have completed that person's initial term of enlistment and after the end of that initial term of enlistment have reenlisted for an additional term of enlistment or have been appointed as an officer; and

(B) in the case of a person who served on active duty during the Cold War as an officer, that the person have completed that person's initial service obligation as an officer and have served in the armed forces after completing that initial service obligation.

(3) The Secretary concerned, under regulations prescribed under this section, may waive the service requirements of paragraph (2)—

(A) in the case of any person discharged or released from active duty for a disability incurred or aggravated in line of duty;

(B) in the case of any person discharged for hardship under section 1173 of this title; and

(C) under any other circumstance for which the Secretary determines that such a waiver is warranted.

(c) ONE AWARD AUTHORIZED.—Not more than one Cold War service medal may be issued to any person.

(d) ISSUANCE TO REPRESENTATIVE OF DECEASED.—If a person who is eligible for the Cold War service medal dies before being issued that medal, the medal may, upon application, be issued to the person's representative, as designated by the Secretary concerned.

(e) REPLACEMENT.—Under regulations prescribed by the Secretary concerned, a Cold War service medal that is lost, destroyed, or rendered unfit for use without fault or neglect on the part of the person to whom it was issued may be replaced without charge.

(f) UNIFORM REGULATIONS.—The Secretary of Defense shall ensure that regulations prescribed by the Secretaries of the military departments under this section are uniform so far as is practicable.

(g) COLD WAR DEFINED.—In this section, the term "Cold War" means the period beginning on September 2, 1945, and ending at the end of December 26, 1991.

CHAPTER 58—BENEFITS AND SERVICES FOR MEMBERS BEING SEPARATED OR RECENTLY SEPARATED

* * * * * * *

§ 1144. Employment assistance, job training assistance, and other transitional services: Department of Labor

(a) IN GENERAL.—(1) * * *

* * * * * * *

(3) The Secretaries referred to in paragraph (1) shall enter into a detailed agreement to carry out this section. **[**The agreement shall be entered into no later than 60 days after the date of the enactment of this section.**]**

* * * * * * *

[(e) FUNDING.—(1) There is authorized to be appropriated to the Department of Labor to carry out this section $11,000,000 for fiscal year 1993 and $8,000,000 for each of fiscal years 1994 and 1995.

[(2) There is authorized to be appropriated to the Department of Veterans Affairs to carry out this section $6,500,000 for each of fiscal years 1993, 1994, and 1995.**]**

§ 1145. Health benefits

(a) TRANSITIONAL HEALTH CARE.—(1) For the applicable time period described in paragraph (2), a member of the armed forces who is involuntarily separated from active duty during the period beginning on October 1, 1990, and ending on December 31, **[**2001**]** *2002* (and the dependents of the member), shall be entitled to receive—

(A) * * *

* * * * * * *

(c) HEALTH CARE FOR CERTAIN SEPARATED MEMBERS NOT OTHERWISE ELIGIBLE.—(1) Consistent with the authority of the Secretary concerned to designate certain classes of persons as eligible to receive health care at a military medical facility, the Secretary

concerned should consider authorizing, on an individual basis in cases of hardship, the provision of that care for a member who is separated from the armed forces during the period beginning on October 1, 1990, and ending on December 31, [2001] *2002*, and is ineligible for transitional health care under subsection (a) or does not obtain a conversion health policy (or a dependent of the member).

* * * * * * *

(e) COAST GUARD.—The provisions of this section shall apply to members of the Coast Guard (and their dependents) involuntarily separated from active duty during the period beginning on October 1, 1994, and ending on December 31, [2001] *2002*. The Secretary of Transportation shall implement this section for the Coast Guard.

§ 1146. Commissary and exchange benefits

The Secretary of Defense shall prescribe regulations to allow a member of the armed forces who is involuntarily separated from active duty during the period beginning on October 1, 1990, and ending on December 31, [2001] *2002*, to continue to use commissary and exchange stores during the two-year period beginning on the date of the involuntary separation of the member in the same manner as a member on active duty. The Secretary of Transportation shall implement this provision for Coast Guard members involuntarily separated during the period beginning on October 1, 1994, and ending on December 31, [2001] *2002*.

§ 1147. Use of military family housing

(a) TRANSITION FOR INVOLUNTARILY SEPARATED MEMBERS.—(1) The Secretary of a military department may, pursuant to regulations prescribed by the Secretary of Defense, permit individuals who are involuntarily separated during the period beginning on October 1, 1990, and ending on December 31, [2001] *2002*, to continue for not more than 180 days after the date of such separation to reside (along with other members of the individual's household) in military family housing provided or leased by the Department of Defense to such individual as a member of the armed forces.

(2) The Secretary of Transportation may prescribe regulations to permit members of the Coast Guard who are involuntarily separated during the period beginning on October 1, 1994, and ending on December 31, [2001] *2002*, to continue for not more than 180 days after the date of such separation to reside (along with others of the member's household) in military family housing provided or leased by the Coast Guard to the individual as a member of the armed forces.

* * * * * * *

§ 1150. Affiliation with Guard and Reserve units: waiver of certain limitations

(a) PREFERENCE FOR CERTAIN PERSONS.—A person who is separated from the armed forces during the period beginning on October 1, 1990, and ending on December 31, [2001] *2002*, and who applies to become a member of a National Guard or Reserve unit within one year after the date of such separation shall be given

preference over other equally qualified applicants for existing or projected vacancies within the unit to which the member applies.

* * * * * * *

CHAPTER 59—SEPARATION

* * * * * * *

§ 1174a. Special separation benefits programs

(a) * * *

* * * * * * *

(h) TERMINATION OF PROGRAM.—(1) Except as provided in paragraph (2), the Secretary concerned may not conduct a program pursuant to this section after December 31, [2001] *2002*.

* * * * * * *

§ 1175. Voluntary separation incentive

(a) * * *

* * * * * * *

(d)(1) * * *

* * * * * * *

(3) After December 31, [2001] *2002*, the Secretary may not approve a request.

* * * * * * *

CHAPTER 61—RETIREMENT OR SEPARATION FOR PHYSICAL DISABILITY

* * * * * * *

§ 1204. Members on active duty for 30 days or less or on inactive-duty training: retirement

Upon a determination by the Secretary concerned that a member of the armed forces not covered by section 1201, 1202, or 1203 of this title is unfit to perform the duties of his office, grade, rank, or rating because of physical disability, the Secretary may retire the member with retired pay computed under section 1401 of this title, if the Secretary also determines that—

(1) * * *

(2) the disability—

(A) * * *

(B) is a result of an injury, illness, or disease incurred or aggravated in line of duty after September 23, 1996—

(i) * * *

* * * * * * *

(iii) while remaining overnight, immediately before the commencement of inactive-duty training, or while remaining overnight between successive periods of inactive-duty training, at or in the vicinity of the site of the inactive-duty training[, if the site of the inactive-

duty training is outside reasonable commuting distance of the member's residence**]**; or

* * * * * * *

§ 1206. Members on active duty for 30 days or less or on inactive-duty training: separation

Upon a determination by the Secretary concerned that a member of the armed forces not covered by section 1201, 1202, or 1203 of this title is unfit to perform the duties of his office, grade, rank, or rating because of physical disability, the member may be separated from his armed force, with severance pay computed under section 1212 of this title, if the Secretary also determines that—

(1) * * *

(2) the disability is a result of an injury, illness, or disease incurred or aggravated in line of duty—

(A) * * *

(B) while the member—

(i) * * *

* * * * * * *

(iii) remained overnight at or in the vicinity of that place immediately before so serving**[**, if the place is outside reasonable commuting distance from the member's residence**]**;

* * * * * * *

(5) the disability is less than 30 percent under the standard schedule of rating disabilities in use by the Department of Veterans Affairs at the time of the determination, and, in the case of a disability incurred before **[**the date of the enactment of the National Defense Authorization Act for Fiscal Year 2000,**]** *October 5, 1999,* was the proximate result of performing active duty or inactive-duty training or of traveling directly to or from the place at which such duty is performed.

* * * * * * *

§ 1212. Disability severance pay

(a) Upon separation from his armed force under section 1203 or 1206 of this title, a member is entitled to disability severance pay computed by multiplying (1) his years of service, but not more than 12, computed under section 1208 of this title, by (2) the highest of the following amounts:

(A) * * *

* * * * * * *

(C) Twice the amount of monthly basic pay to which he would be entitled if serving (i) on active duty on the date when his name was placed on the temporary disability retired list or, if his name was not carried on that list, on the date when he is separated, and (ii) in the permanent regular or reserve grade to which he would have been promoted had it not been for the physical disability for which he is separated and which was found to exist as a result of a physical examination **[**for promotion**]**.

(D) Twice the amount of monthly basic pay to which he would be entitled if serving (i) on active duty on the date when his name was placed on the temporary disability retired list or, if his name was not carried on that list, on the date when he is separated, and (ii) in the temporary grade or rank to which he would have been promoted had it not been for the physical disability for which he is separated and which was found to exist as a result of a physical examination [for promotion], if his eligibility for promotion was required to be based on cumulative years of service or years in grade.

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CHAPTER 69—RETIRED GRADE

* * * * * * *

§ 1370. Commissioned officers: general rule; exceptions

(a) RULE FOR RETIREMENT IN HIGHEST GRADE HELD SATISFACTORILY.—(1) * * *

(2)(A) In order to be eligible for voluntary retirement under any provision of this title in a grade above major or lieutenant commander, a commissioned officer of the Army, Navy, Air Force, or Marine Corps must have served on active duty in that grade for not less than three years, except that the Secretary of Defense may authorize the Secretary of a military department to reduce such period to a period not less than two years in the case of retirements effective during the period beginning on October 1, 1990, and ending on December 31, [2001] *2002*.

* * * * * * *

(d) RESERVE OFFICERS.—(1) * * *

* * * * * * *

(3)(A) * * *

[(B) A person covered by subparagraph (A) who has completed at least six months of satisfactory service in grade and is transferred from an active status or discharged as a reserve commissioned officer solely due to the requirements of a nondiscretionary provision of law requiring that transfer or discharge due to the person's age or years of service may be credited with satisfactory service in the grade in which serving at the time of such transfer or discharge, notwithstanding failure of the person to complete three years of service in that grade.]

(B) A person covered by subparagraph (A) who has completed at least six months of satisfactory service in grade may be credited with satisfactory service in the grade in which serving at the time of transfer or discharge, notwithstanding failure of the person to complete three years of service in that grade, if that person—

(i) is transferred from an active status or discharged as a reserve commissioned officer solely due to the requirements of a nondiscretionary provision of law requiring that transfer or discharge due to the person's age or years of service; or

(ii) is retired under chapter 1223 of this title because the person no longer meets the qualification for membership in the

Ready Reserve solely because of a physical disability, as determined, at a minimum, by a medical evaluation board.

* * * * * * *

(5) The Secretary of Defense may authorize the Secretary of a military department to reduce the 3-year period required by paragraph (3)(A) to a period not less than 2 years in the case of retirements effective during the period beginning on October 17, 1998, and ending on December 31, **[**2001**]** *2002*. The number of reserve commissioned officers of an armed force in the same grade for whom a reduction is made during any fiscal year in the period of service-in-grade otherwise required under this paragraph may not exceed the number equal to 2 percent of the strength authorized for that fiscal year for reserve commissioned officers of that armed force in an active status in that grade.

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CHAPTER 71—COMPUTATION OF RETIRED PAY

Sec.
1401. Computation of retired pay.

* * * * * * *

1414. Members eligible for retired pay who have service-connected disabilities: payment of retired pay and veterans' disability compensation; contingent authority.

* * * * * * *

§ 1405. Years of service

(a) * * *

* * * * * * *

(c) EXCLUSION OF TIME REQUIRED TO BE MADE UP OR EXCLUDED.—(1) Time required to be made up by an enlisted member of the Army or Air Force under section 972(a) of this title, or required to be made up by an enlisted member of the Navy, Marine Corps, or Coast Guard under that section with respect to a period of time after **[**the date of the enactment of the National Defense Authorization Act for Fiscal Year 1995,**]** *October 5, 1994,* may not be counted in determining years of service under subsection (a).

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§ 1407. Retired pay base for members who first became members after September 7, 1980: high-36 month average

(a) * * *

* * * * * * *

(f) EXCEPTION FOR ENLISTED MEMBERS REDUCED IN GRADE AND OFFICERS WHO DO NOT SERVE SATISFACTORILY IN HIGHEST GRADE HELD.—

(1) * * *

(2) AFFECTED MEMBERS.—A member or former member referred to in paragraph (1) is a member or former member who by reason of conduct occurring after **[**the date of the enactment of this subsection—**]** *October 30, 2000—*

(A) * * *

* * * * * * *

§ 1408. Payment of retired or retainer pay in compliance with court orders

(a) * * *

* * * * * * *

(d) PAYMENTS BY SECRETARY CONCERNED TO (OR FOR BENEFIT OF) SPOUSE OR FORMER SPOUSE.—(1) * * *

* * * * * * *

(6) In the case of a court order for which effective service is made on the Secretary concerned on or after [the date of the enactment of this paragraph] *August 22, 1996,* and which provides for payments from the disposable retired pay of a member to satisfy the amount of child support set forth in the order, the authority provided in paragraph (1) to make payments from the disposable retired pay of a member to satisfy the amount of child support set forth in a court order shall apply to payment of any amount of child support arrearages set forth in that order as well as to amounts of child support that currently become due.

* * * * * * *

§ 1413. Special compensation for certain severely disabled uniformed services retirees

(a) AUTHORITY.—The Secretary concerned shall pay to each eligible disabled uniformed services retiree a monthly amount determined under subsection (b). *If the provisions of subsection (a) of section 1414 of this title become effective in accordance with subsection (f) of that section, payments under this section shall be terminated effective as of the month beginning on the effective date specified in subsection (e) of that section.*

* * * * * * *

§ 1414. Members eligible for retired pay who have service-connected disabilities: payment of retired pay and veterans' disability compensation; contingent authority

(a) PAYMENT OF BOTH RETIRED PAY AND COMPENSATION.—Subject to subsection (b), a member or former member of the uniformed services who is entitled to retired pay (other than as specified in subsection (c)) and who is also entitled to veterans' disability compensation is entitled to be paid both without regard to sections 5304 and 5305 of title 38, subject to the enactment of qualifying offsetting legislation as specified in subsection (f).

(b) SPECIAL RULE FOR CHAPTER 61 CAREER RETIREES.—The retired pay of a member retired under chapter 61 of this title with 20 years or more of service otherwise creditable under section 1405 of this title at the time of the member's retirement is subject to reduction under sections 5304 and 5305 of title 38, but only to the extent that the amount of the member's retired pay under chapter 61 of this title exceeds the amount of retired pay to which the member

would have been entitled under any other provision of law based upon the member's service in the uniformed services if the member had not been retired under chapter 61 of this title.

(c) EXCEPTION.—Subsection (a) does not apply to a member retired under chapter 61 of this title with less than 20 years of service otherwise creditable under section 1405 of this title at the time of the member's retirement.

(d) DEFINITIONS.—In this section:

(1) The term "retired pay" includes retainer pay, emergency officers' retirement pay, and naval pension.

(2) The term "veterans' disability compensation" has the meaning given the term "compensation" in section 101(12) of title 38.

(e) EFFECTIVE DATE.—If qualifying offsetting legislation (as defined in subsection (f)) is enacted, the provisions of subsection (a) shall take effect on—

(1) the first day of the first month beginning after the date of the enactment of such qualifying offsetting legislation; or

(2) the first day of the fiscal year that begins in the calendar year in which such legislation is enacted, if that date is later than the date specified in paragraph (1).

(f) EFFECTIVENESS CONTINGENT ON ENACTMENT OF OFFSETTING LEGISLATION.—(1) The provisions of subsection (a) shall be effective only if—

(A) the President, in the budget for any fiscal year, proposes the enactment of legislation that, if enacted, would be qualifying offsetting legislation; and

(B) after that budget is submitted to Congress, there is enacted qualifying offsetting legislation.

(2) For purposes of this subsection:

(A) The term "qualifying offsetting legislation" means legislation (other than an appropriations Act) that includes provisions that—

(i) offset fully the increased outlays to be made by reason of the provisions of subsection (a) for each of the first 10 fiscal years beginning after the date of the enactment of such legislation;

(ii) expressly state that they are enacted for the purpose of the offset described in clause (i); and

(iii) are included in full on the PayGo scorecard.

(B) The term "PayGo scorecard" means the estimates that are made by the Director of the Congressional Budget Office and the Director of the Office of Management and Budget under section 252(d) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 902(d)) with respect to the ten fiscal years following the date of the enactment of the legislation that is qualifying offsetting legislation for purposes of this section.

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CHAPTER 75—DECEASED PERSONNEL

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SUBCHAPTER II—DEATH BENEFITS

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§ 1481. Recovery, care, and disposition of remains: decedents covered

(a) The Secretary concerned may provide for the recovery, care, and disposition of the remains of the following persons:

(1) * * *

(2) A member of a reserve component of an armed force who dies while—

(A) * * *

* * * * * * *

(D) remaining overnight immediately before the commencement of inactive-duty training, or remaining overnight, between successive periods of inactive-duty training, at or in the vicinity of the site of the inactive-duty training**[**, if the site is outside reasonable commuting distance from the member's residence**]**;

* * * * * * *

§ 1491. Funeral honors functions at funerals for veterans

(a) * * *

(b) COMPOSITION OF FUNERAL HONORS DETAILS.—(1) * * *

* * * * * * *

(3) A member of the Army National Guard of the United States or the Air National Guard of the United States who serves as a member of a funeral honors detail while in a duty status authorized under State law shall be considered to be a member of the armed forces for the purposes of the first sentence of paragraph (2).

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CHAPTER 76—MISSING PERSONS

* * * * * * *

§ 1506. Personnel files

(a) * * *

(b) CLASSIFIED INFORMATION.—(1) * * *

(2)*(A)* If classified information withheld under this subsection refers to one or more unnamed missing persons, the Secretary shall ensure that notice of that withheld information, and notice of the date of the most recent review of the classification of that withheld information, is made reasonably accessible to the primary next of kin, members of the immediate family, and the previously designated person**[**.**]** *of all missing persons from the conflict or period of war to which the classified information pertains.*

(B) For purposes of subparagraph (A), information shall be considered to be made reasonably available if placed in a separate and distinct file that is available for review by persons specified in subparagraph (A) upon the request of any such person either to review

the separate file or to review the personnel file of the missing person concerned.

* * * * * * *

§ 1511. Return alive of person declared missing or dead

(a) * * *

(b) EFFECT ON GRATUITIES PAID AS A RESULT OF STATUS.—Subsection (a) shall not be interpreted to invalidate or otherwise affect the receipt by any person of a death gratuity or other payment from the United States on behalf of a person referred to in subsection (a) before [the date of the enactment of this chapter.] *February 10, 1996.*

* * * * * * *

CHAPTER 80—MISCELLANEOUS INVESTIGATION REQUIREMENTS AND OTHER DUTIES

Sec.
1561. Complaints of sexual harassment: investigation by commanding officers.

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1566. Voting assistance: compliance assessments and assistance.

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§ 1566. Voting assistance: compliance assessments and assistance

(a) INSPECTOR GENERAL ASSESSMENTS.—(1) The Department of Defense Inspector General shall each calendar year conduct a random and unannounced assessment at a minimum of 15 Department of Defense installations of the compliance at those installations with—

(A) the requirements of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff et seq.);

(B) Department of Defense regulations regarding that Act and the Federal Voting Assistance Program carried out under that Act; and

(C) other requirements of law regarding voting by members of the armed forces.

(2) Each assessment under paragraph (1) shall include a review of such compliance—

(A) within units to which are assigned, in the aggregate, not less than 20 percent of the personnel assigned to duty at that installation;

(B) within a representative survey of members of the armed forces assigned to that installation and their dependents; and

(C) within unit voting assistance officers to measure program effectiveness.

(b) REGULAR MILITARY DEPARTMENT ASSESSMENTS.—The Secretary of each military department shall include in the set of issues and programs to be reviewed during any management effectiveness review or inspection an assessment of compliance with the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff et seq.) and with Department of Defense regulations regarding the Federal Voting Assistance Program.

(c) VOTING ASSISTANCE OFFICERS.—Voting assistance officers appointed or assigned under Department of Defense regulations regarding the Federal Voting Assistance Program shall be appointed or assigned with the expectation of serving in that capacity for a minimum of 30 months. A member of the armed forces assigned to such a position may not be assigned other duties that would not be considered part of the member's primary military duties, except when a unit commander determines that insufficient personnel are available to fulfill all additional duty requirements. Performance evaluation reports pertaining to a member who has been assigned to serve as a voting assistance officer shall comment on the performance of the member as a voting assistance officer.

(d) DELIVERY OF MAIL FROM OVERSEAS PRECEDING FEDERAL ELECTIONS.—(1) During the four months preceding a general Federal election month, the Secretary of Defense shall periodically conduct surveys of all overseas locations and vessels at sea with military units responsible for collecting mail for return shipment to the United States and all port facilities in the United States and overseas where military-related mail is collected for shipment to overseas locations or to the United States. The purpose of each survey shall be to determine if voting materials are awaiting shipment at any such location and, if so, the length of time that such materials have been held at that location. During the fourth and third months before a general Federal election month, such surveys shall be conducted biweekly. During the second and first months before a general Federal election month, such surveys shall be conducted weekly.

(2) The Secretary shall ensure that voting materials are transmitted expeditiously by military postal authorities at all times.

(3) In this section, the term "general Federal election month" means November in an even-numbered year.

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CHAPTER 81—CIVILIAN EMPLOYEES

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§ 1581. Foreign National Employees Separation Pay Account

(a) * * *

(b) DEPOSITS INTO ACCOUNT.—[(1) The Secretary of the Treasury shall deposit into the account all amounts that were obligated by the Secretary of Defense before December 5, 1991, and that remain unexpended for separation pay for foreign nationals referred to in subsection (e).

[(2) The Secretary of Defense shall deposit] *The Secretary of Defense shall deposit* into the account from applicable appropriations all amounts obligated [on or after December 5, 1991,] for separation pay for foreign nationals referred to in subsection (e).

* * * * * * *

§ 1588. Authority to accept certain voluntary services

(a) AUTHORITY TO ACCEPT SERVICES.—Subject to subsection (b) and notwithstanding section 1342 of title 31, the Secretary concerned may accept from any person the following services:

(1) * * *

* * * * * * *

(5) Voluntary legal assistance services under section 1044 of this title.

* * * * * * *

(d) STATUS OF PERSONS PROVIDING SERVICES.—(1) Subject to paragraph (3), while providing voluntary services accepted under subsection (a) or receiving training under subsection (c), a person, other than a person referred to in paragraph (2), shall be considered to be an employee of the Federal Government only for purposes of the following provisions of law:

(A) * * *

* * * * * * *

(E) Section 1054 of this title (relating to defense of certain suits arising out of legal malpractice), in the case of persons providing voluntary legal assistance services under subsection (a)(5).

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CHAPTER 83—CIVILIAN DEFENSE INTELLIGENCE EMPLOYEES

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SUBCHAPTER I—DEFENSE-WIDE INTELLIGENCE PERSONNEL POLICY

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§ 1611. Postemployment assistance: certain terminated intelligence employees

(a) * * *

* * * * * * *

(d) DURATION OF ASSISTANCE.—Assistance may not be provided under this section in the case of any individual after the end of the five-year period beginning on the date of the termination of the employment of the individual [with] in a defense intelligence position.

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CHAPTER 87—DEFENSE ACQUISITION WORKFORCE

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SUBCHAPTER I—GENERAL AUTHORITIES AND RESPONSIBILITIES

Sec.
1701. Management policies.
[1702. Under Secretary of Defense for Acquisition and Technology: authorities and responsibilities.]
1702. Under Secretary of Defense for Acquisition, Technology, and Logistics: authorities and responsibilities.

* * * * * * *

[§ 1702. Under Secretary of Defense for Acquisition and Technology: authorities and responsibilities]

§ 1702. Under Secretary of Defense for Acquisition, Technology, and Logistics: authorities and responsibilities

Subject to the authority, direction, and control of the Secretary of Defense, the [Under Secretary of Defense for Acquisition and Technology] *Under Secretary of Defense for Acquisition, Technology, and Logistics* shall carry out all powers, functions, and duties of the Secretary of Defense with respect to the acquisition workforce in the Department of Defense. The Under Secretary shall ensure that the policies of the Secretary of Defense established in accordance with this chapter are implemented throughout the Department of Defense. The Under Secretary shall prescribe policies and requirements for the educational programs of the defense acquisition university structure established under section 1746 of this title.

§ 1703. Director of Acquisition Education, Training, and Career Development

The [Under Secretary of Defense for Acquisition and Technology] *Under Secretary of Defense for Acquisition, Technology, and Logistics* shall appoint a Director of Acquisition Education, Training, and Career Development within the office of the Under Secretary to assist the Under Secretary in the performance of his duties under this chapter.

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§ 1707. Personnel in the Office of the Secretary of Defense and in the Defense Agencies

(a) POLICIES.—The Secretary of Defense, acting through the [Under Secretary of Defense for Acquisition and Technology] *Under Secretary of Defense for Acquisition, Technology, and Logistics*, shall establish and implement, in such manner as the Secretary considers appropriate, policies and procedures for the effective management, including accession, education, training, and career development, of persons serving in acquisition positions in the Office of the Secretary of Defense and the Defense Agencies. Such policies and procedures shall include (1) the establishment of one or more Acquisition Corps with respect to such persons, and (2) the establishment of an acquisition career program board (and any appropriate subordinate board structure) with respect to such persons. The Secretary shall ensure that, to the maximum extent practicable, such policies and procedures are as uniform as practicable with the policies established under this chapter for the military departments.

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SUBCHAPTER II—DEFENSE ACQUISITION POSITIONS

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§ 1722. Career development

(a) CAREER PATHS.—The Secretary of Defense, acting through the [Under Secretary of Defense for Acquisition and Technology] *Under Secretary of Defense for Acquisition, Technology, and Logistics*, shall ensure that appropriate career paths for civilian and military personnel who wish to pursue careers in acquisition are identified in terms of the education, training, experience, and assignments necessary for career progression of civilians and members of the armed forces to the most senior acquisition positions. The Secretary shall make available published information on such career paths.

(b) LIMITATION ON PREFERENCE FOR MILITARY PERSONNEL.—(1) * * *

(2)(A) * * *

(B) Not later than December 15 of each year, the [Under Secretary of Defense for Acquisition and Technology] *Under Secretary of Defense for Acquisition, Technology, and Logistics* shall submit to the Secretary a report that lists each acquisition position that is restricted to members of the armed forces under such policy and the recommendation of the Under Secretary as to whether such position should remain so restricted.

* * * * * * *

[(e) MANAGEMENT OF WORKFORCE.—The Secretary of Defense shall ensure that the acquisition workforce is managed such that, for each fiscal year from October 1, 1991, through September 30, 1996, there is a substantial increase in the proportion of civilians (as compared to armed forces personnel) serving in critical acquisition positions in general, in program manager positions, and in division head positions over the proportion of civilians (as compared to armed forces personnel) in such positions on October 1, 1990.]

* * * * * * *

§ 1724. Contracting positions: qualification requirements

[(a) CONTRACTING OFFICERS.—The Secretary of Defense shall require that in order to qualify to serve in an acquisition position as a contracting officer with authority to award or administer contracts for amounts above the simplified acquisition threshold referred to in section 2304(g) of this title, a person must—]

(a) CONTRACTING OFFICERS.—The Secretary of Defense shall require that, in order to qualify to serve in an acquisition position as a contracting officer with authority to award or administer contracts for amounts above the simplified acquisition threshold referred to in section 2304(g) of this title, an employee of the Department of Defense or member of the armed forces (other than the Coast Guard) must, except as provided in subsections (c) and (d)—

(1) have completed all [mandatory] contracting courses required for a contracting officer [at the grade level, or in the position within the grade of the General Schedule (in the case of an employee), that the person is serving in;] *(A) in the case of an employee, serving in the position within the grade of the General Schedule in which the employee is serving, and (B) in*

the case of a member of the armed forces, in the member's grade;

* * * * * * *

(3)(A) have received a baccalaureate degree from an accredited educational institution authorized to grant baccalaureate degrees, and (B) have completed at least 24 semester credit hours (or the equivalent) of study from an accredited institution of higher education in any of the following disciplines: accounting, business, finance, law, contracts, purchasing, economics, industrial management, marketing, quantitative methods, and organization and management; and

* * * * * * *

[(b) GS–1102 SERIES POSITIONS AND SIMILAR MILITARY POSITIONS.—The Secretary of Defense shall require that a person meet the requirements set forth in paragraph (3) of subsection (a), but not the other requirements set forth in that subsection, in order to qualify to serve in a position in the Department of Defense in—

[(1) the GS–1102 occupational series; or

[(2) a similar occupational specialty if the position is to be filled by a member of the armed forces.

[(c) EXCEPTION.—The requirements imposed under subsection (a) or (b) shall not apply to a person for the purpose of qualifying to serve in a position in which the person is serving on September 30, 2000.

[(d) WAIVER.—The acquisition career program board of a military department may waive any or all of the requirements of subsections (a) and (b) with respect to an employee or member of that military department if the board certifies that the employee or member possesses significant potential for advancement to levels of greater responsibility and authority, based on demonstrated job performance and qualifying experience. With respect to each waiver granted under this subsection, the board shall set forth in a written document the rationale for its decision to waive such requirements. The document shall be submitted to and retained by the Director of Acquisition Education, Training, and Career Development.]

(b) GS–1102 SERIES POSITIONS AND SIMILAR MILITARY POSITIONS.—(1) The Secretary of Defense shall require that in order to qualify to serve in a position in the Department of Defense that is in the GS–1102 occupational series an employee or potential employee of the Department of Defense meet the requirements set forth in paragraph (3) of subsection (a). The Secretary may not require that in order to serve in such a position an employee or potential employee meet any of the requirements of paragraphs (1) and (2) of that subsection.

(2) The Secretary of Defense shall require that in order for a member of the armed forces to be selected for an occupational specialty within the armed forces that (as determined by the Secretary) is similar to the GS–1102 occupational series a member of the armed forces meet the requirements set forth in paragraph (3) of subsection (a). The Secretary may not require that in order to be selected for such an occupational specialty a member meet any of the requirements of paragraphs (1) and (2) of that subsection.

(c) EXCEPTIONS.—The qualification requirements imposed by the Secretary of Defense pursuant to subsections (a) and (b) shall not apply to an employee of the Department of Defense or member of the armed forces who—

(1) served as a contracting officer with authority to award or administer contracts in excess of the simplified acquisition threshold on or before September 30, 2000;

(2) served, on or before September 30, 2000, in a position either as an employee in the GS–1102 series or as a member of the armed forces in similar occupational specialty;

(3) is in the contingency contracting force; or

(4) is described in subsection (e)(1)(B).

(d) WAIVER.—The acquisition career program board concerned may waive any or all of the requirements of subsections (a) and (b) with respect to an employee of the Department of Defense or member of the armed forces if the board certifies that the individual possesses significant potential for advancement to levels of greater responsibility and authority, based on demonstrated job performance and qualifying experience. With respect to each waiver granted under this subsection, the board shall set forth in a written document the rationale for its decision to waive such requirements. Such document shall be submitted to and retained by the Director of Acquisition Education, Training, and Career Development.

(e) DEVELOPMENTAL OPPORTUNITIES.—(1) The Secretary of Defense may—

(A) establish or continue one or more programs for the purpose of recruiting, selecting, appointing, educating, qualifying, and developing the careers of individuals to meet the requirements in subparagraphs (A) and (B) of subsection (a)(3);

(B) appoint individuals to developmental positions in those programs; and

(C) separate from the civil service after a three-year probationary period any individual appointed under this subsection who, as determined by the Secretary, fails to complete satisfactorily any program described in subparagraph (A).

(2) To qualify for any developmental program described in paragraph (1)(A), an individual shall have—

(A) been awarded a baccalaureate degree from an accredited institution of higher education authorized to grant baccalaureate degrees; or

(B) completed at least 24 semester credit hours or the equivalent of study from an accredited institution of higher education in any of the disciplines of accounting, business, finance, law, contracts, purchasing, economics, industrial management, marketing, quantitative methods, or organization and management.

(f) CONTINGENCY CONTRACTING FORCE.—The Secretary shall establish qualification requirements for the contingency contracting force consisting of members of the armed forces whose mission is to deploy in support of contingency operations and other operations of the Department of Defense, including—

(1) completion of at least 24 semester credit hours or the equivalent of study from an accredited institution of higher education or similar educational institution in any of the disciplines of accounting, business, finance, law, contracts, pur-

chasing, economics, industrial management, marketing, quantitative methods, or organization and management; or

(2) passage of an examination that demonstrates skills, knowledge, or abilities comparable to that of an individual who has completed at least 24 semester credit hours or the equivalent of study in any of the disciplines described in paragraph (1).

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SUBCHAPTER III—ACQUISITION CORPS

Sec.
1731. Acquisition Corps: in general.

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[1736. Applicability.]

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§ 1732. Selection criteria and procedures

(a) SELECTION CRITERIA AND PROCEDURES.—Selection for membership in an Acquisition Corps shall be made in accordance with criteria and procedures established by the Secretary of Defense. [Such criteria and procedures shall be in effect on and after October 1, 1993.]

* * * * * * *

(c) EXCEPTIONS.—(1) * * *

(2) The requirements of subsections (b)(2)(A) and (b)(2)(B) shall not apply to any employee who is serving in an acquisition position on October 1, 1991, and who does not have 10 years of experience as described in paragraph (1) if the employee passes an examination considered by the Secretary of Defense to demonstrate skills, knowledge, or abilities comparable to that of an individual who has completed at least 24 semester credit hours (or the equivalent) of study from an accredited institution of higher education from among the following disciplines: accounting, business, finance, law, contracts, purchasing, economics, industrial management, marketing, quantitative methods, and organization and management. The Secretary of Defense shall submit examinations to be given to civilian employees under this paragraph to the Director of the Office of Personnel Management for approval. If the Director does not disapprove an examination within 30 days after the date on which the Director receives the examination, the examination is deemed to be approved by the Director.

* * * * * * *

§ 1734. Career development

(a) * * *

(b) ASSIGNMENT PERIOD FOR PROGRAM MANAGERS.—(1) The Secretary of Defense shall prescribe in regulations—

(A) * * *

(B) a requirement that, [on and after October 1, 1991,] to the maximum extent practicable, a program manager who is the replacement for a reassigned program manager arrive at

the assignment location before the reassigned program manager leaves.

Except as provided in subsection (d), the Secretary concerned may not reassign a program manager or deputy program manager from such an assignment until after such major milestone has occurred.

* * * * * * *

(e) ROTATION POLICY.—(1) * * *

(2) The Secretary of Defense shall establish a procedure under which the assignment of each person assigned to a critical acquisition position shall be reviewed on a case-by-case basis, by the acquisition career program board of the department concerned, for the purpose of determining whether the Government and such person would be better served by a reassignment to a different position. Such a review shall be carried out with respect to each such person not later than five years after that person is assigned to a critical position. [Reviews under this subsection shall be carried out after October 1, 1995, but may be carried out before that date.]

* * * * * * *

§ 1735. Education, training, and experience requirements for critical acquisition positions

(a) * * *

* * * * * * *

(c) PROGRAM EXECUTIVE OFFICERS.—Before being assigned to a position as a program executive officer, a person—

(1) must have completed the program management course at the Defense Systems Management College or a management program at an accredited educational institution in the private sector determined to be comparable by the Secretary of Defense, acting through the [Under Secretary of Defense for Acquisition and Technology] *Under Secretary of Defense for Acquisition, Technology, and Logistics*;

* * * * * * *

[§ 1736. Applicability

[(a) IN GENERAL.—Except as provided in subsections (b) and (c), the qualification requirements prescribed pursuant to section 1735 shall apply to all critical acquisition positions not later than October 1, 1992.

[(b) PROGRAM MANAGERS.—The qualification requirements prescribed pursuant to section 1735 shall apply with respect to program manager positions not later than October 1, 1991.

[(c) EXCEPTIONS.—The qualification requirements prescribed pursuant to sections 1733(a) and 1735(a) shall not apply—

[(1) to an employee who is serving in a critical acquisition position on October 1, 1992, for purposes of qualifying to continue to serve in such position; or

[(2) to a person who is serving in a program manager position on October 1, 1991, for purposes of qualifying to continue to serve in such position.]

§ 1737. Definitions and general provisions

(a) * * *

* * * * * * *

(c) WAIVER.—(1) The Secretary of each military department (acting through the service acquisition executive for that department) or the Secretary of Defense (acting through the [Under Secretary of Defense for Acquisition and Technology] *Under Secretary of Defense for Acquisition, Technology, and Logistics*) for Defense Agencies and other components of the Department of Defense may waive, on a case-by-case basis, the requirements established under this subchapter with respect to the assignment of an individual to a particular critical acquisition position. Such a waiver may be granted only if unusual circumstances justify the waiver or if the Secretary concerned (or official to whom the waiver authority is delegated) determines that the individual's qualifications obviate the need for meeting the education, training, and experience requirements established under this subchapter.

(2) The authority to grant such waivers may be delegated—

(A) * * *

(B) in the case of the [Under Secretary of Defense for Acquisition and Technology] *Under Secretary of Defense for Acquisition, Technology, and Logistics*, only to the Director of Acquisition Education, Training, and Career Development.

* * * * * * *

SUBCHAPTER IV—EDUCATION AND TRAINING

* * * * * * *

§ 1741. Policies and programs: establishment and implementation

(a) * * *

(b) FUNDING LEVELS.—The [Under Secretary of Defense for Acquisition and Technology] *Under Secretary of Defense for Acquisition, Technology, and Logistics* each year shall recommend to the Secretary of Defense the funding levels to be requested in the defense budget to implement the education and training programs under this subchapter. The Secretary of Defense shall set forth separately the funding levels requested for such programs in the Department of Defense budget justification documents submitted in support of the President's budget submitted to Congress under section 1105 of title 31.

* * * * * * *

§ 1746. Defense acquisition university structure

(a) DEFENSE ACQUISITION UNIVERSITY STRUCTURE.—The Secretary of Defense, acting through the [Under Secretary of Defense for Acquisition and Technology] *Under Secretary of Defense for Acquisition, Technology, and Logistics*, shall establish and maintain a defense acquisition university structure to provide for—

(1) * * *

* * * * * * *

SUBCHAPTER V—GENERAL MANAGEMENT PROVISIONS

Sec.
1761. Management information system.

* * * * * * *

[1762. Report to Secretary of Defense.]

* * * * * * *

[1764. Authority to establish different minimum experience requirements.]

§ 1761. Management information system

(a) * * *

(b) MINIMUM INFORMATION.—The management information system shall, at a minimum, provide for—

(1) * * *

* * * * * * *

(4) collection of the information necessary for the [Under Secretary of Defense for Acquisition and Technology] *Under Secretary of Defense for Acquisition, Technology, and Logistics* and the Secretary of Defense to comply with the requirements of section 1762 for the years in which that section is in effect.

[§ 1762. Report to Secretary of Defense

[(a) REPORT OF UNDER SECRETARY OF DEFENSE FOR ACQUISITION AND TECHNOLOGY.—Each year the Under Secretary of Defense for Acquisition and Technology shall transmit to the Secretary of Defense a report on the status of the defense acquisition workforce. Each annual report shall include, for each military department and Defense Agency and the Office of the Secretary of Defense, information on each category of information referred to in subsection (c).

[(b) INCLUSION OF INFORMATION IN ANNUAL REPORT.—The Secretary of Defense shall include in the annual report of the Secretary to Congress under section 113(c) of this title the information in the report transmitted to the Secretary under subsection (a).

[(c) INFORMATION.—The following information shall be included in the report transmitted to the Secretary under subsection (a) for the period covered by the report (which shall be shown for the Department of Defense as a whole and, with respect to paragraphs (1) through (12), separately for the Army, Navy, Air Force, Marine Corps, Defense Agencies, and Office of the Secretary of Defense):

[(1) The number of acquisition positions specified under the policy established under section 1722(b)(2) of this title as being available, as of December 1 of the period covered by the report, only to members of the armed forces, set forth separately under each criterion established in the policy, together with a discussion of the types of positions that are so specified.

[(2) The total number of persons serving in the Acquisition Corps as of December 1 of the period covered by the report, set forth separately for members of the armed forces and civilian employees, by grade level and by functional specialty.

[(3) The total number of critical acquisition positions held as of December 1 of the period covered by the report, set forth separately for members of the armed forces and civilian employees, by grade level and by other appropriate categories (including by program manager, deputy program manager, and

division head positions). For each such category, the report shall specify the number of civilians holding such positions compared to the total number of positions filled.

[(4)(A) The promotion rate for officers in an acquisition corps considered for promotion from within the promotion zone, compared with the promotion rate for other officers considered for promotion from within the promotion zone in the same pay grade, shown for all officers of the same armed force and for all line (or the equivalent) officers of the same armed force.

[(B) The promotion rate for officers in an acquisition corps considered for promotion from below the promotion zone, compared in the same manner as specified in subparagraph (A).

[(C) If the promotion rates fail to meet the objective of section 1731(b) of this title, the Secretary of Defense shall notify Congress of such failures and of what actions the Secretary has taken or plans to take in reaction to such failures.

[(5) The number of employees who met the requirement of section 1724(a)(3) or section 1724(b) of this title by passing an exam as described in section 1724(a)(3)(C), set forth separately for contracting officers and persons in the GS–1102 occupational series.

[(6) The number of employees to whom the requirements of subsections (b)(2)(A) and (b)(2)(B) of section 1732 of this title did not apply because of the exceptions provided in paragraphs (1) and (2) of section 1732(c) of this title, set forth separately by type of exception.

[(7) The number of employees certified by an acquisition career program board under section 1732(b)(2)(A)(ii) of this title.

[(8) The number of program managers and deputy program managers who were reassigned after completion of a major milestone occurring closest in time to the date on which the person has served in the position for four years (as required under section 1734(b) of this title), and the proportion of those reassignments to the total number of reassignments of program managers and deputy program managers, set forth separately for program managers and deputy program managers. The Secretary also shall include the average length of assignment served by program managers and deputy program managers so reassigned.

[(9) The number of persons, excluding those reported under paragraph (8), in critical acquisition positions who were reassigned after a period of three years or longer (as required under section 1734(a) of this title), and the proportion of those reassignments to the total number of reassignments of persons, excluding those reported under paragraph (8), in critical acquisition positions.

[(10) The number of times a waiver authority was exercised under section 1724(d), 1732(d), 1734(d), or 1736(c) of this title or any other provision of this chapter (or other provision of law) which permits the waiver of any requirement relating to the acquisition workforce, and in the case of each such authority, the reasons for exercising the authority. The Secretary may present the information provided under this paragraph by category or grouping of types of waivers and reasons.

[(11) The number of persons reviewed for reassignment pursuant to section 1734(e)(2) of this title and the number of persons reassigned as a result of such reviews, together with a discussion of the criteria used to determine reassignments.

[(12) The number of persons participating in each of the programs described in sections 1742 through 1745 of this title, as of December 1 of the period covered by the report.

[(13) The number of persons paid a bonus under section 317 of title 37 and the number of years of service agreed to, for each such bonus, by category.

[(14) Such other information and comparative data as the Secretary of Defense considers appropriate to demonstrate the performance of the Department of Defense and the performance of each military department in carrying out this chapter.

[(d) EFFECTIVE DATE.—The requirements of this section shall apply to the years 1991 through 1998.]

§ 1763. Reassignment of authority

The Secretary of Defense may assign the responsibilities under this chapter of the [Under Secretary of Defense for Acquisition and Technology] *Under Secretary of Defense for Acquisition, Technology, and Logistics* to any other civilian official in the Office of the Secretary of Defense who is appointed by the President by and with the advice and consent of the Senate. If the Secretary takes action under the preceding sentence, he may authorize the Secretaries of the military departments to assign the responsibilities of a senior acquisition executive under this chapter to any other civilian official in the military department who is appointed by the President by and with the advice and consent of the Senate.

[§ 1764. Authority to establish different minimum experience requirements

[(a) AUTHORITY.—During the six-year period beginning on October 1, 1992, and ending on September 30, 1998, the Secretary of Defense may prescribe a different minimum number of years of experience to be required for eligibility for appointment to an acquisition position referred to in subsection (b) than is required for such position under or pursuant to any provision of this chapter. Any requirement prescribed under this section for a position referred to in any paragraph of subsection (b) shall be applied uniformly to all positions referred to in such paragraph.

[(b) APPLICABILITY.—This section applies to the following acquisition positions in the Department of Defense:

[(1) Contracting officer.

[(2) Program executive officer.

[(3) Senior contracting official.

[(c) OPM APPROVAL.—The Secretary of Defense shall submit any requirement with respect to civilian employees that is prescribed under this section to the Director of the Office of Personnel Management for approval if the Director does not disapprove the requirement within 30 days after the date on which the Director receives the requirement, the requirement is deemed to be approved by the Director.

[(d) REPORT.—The Secretary of Defense shall notify Congress of each requirement prescribed under subsection (a) together with his reasons for prescribing such requirement.]

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CHAPTER 88—MILITARY FAMILY PROGRAMS AND MILITARY CHILD CARE

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SUBCHAPTER I—MILITARY FAMILY PROGRAMS

* * * * * * *

§ 1782. Surveys of military families

[(a) AUTHORITY.—The Secretary of Defense may conduct surveys of members of the armed forces on active duty or in an active status, members of the families of such members, and retired members of the armed forces to determine the effectiveness of Federal programs relating to military families and the need for new programs.]

(a) AUTHORITY.—The Secretary of Defense, in order to determine the effectiveness of Federal programs relating to military families and the need for new programs, may conduct surveys of—

(1) members of the armed forces who are on active duty, in an active status, or retired;

(2) family members of such members; and

(3) survivors of retired members.

* * * * * * *

(c) FEDERAL RECORDKEEPING REQUIREMENTS.—With respect to such surveys, [family members of members of the armed forces and reserve and retired members of the armed forces] *persons covered by subsection (a)* shall be considered to be employees of the United States for purposes of section 3502(3)(A)(i) of title 44.

* * * * * * *

§ 1784. Employment opportunities for military spouses

(a) * * *

* * * * * * *

(d) SPACE-AVAILABLE USE OF FACILITIES FOR SPOUSE TRAINING PURPOSES.—Under regulations prescribed by the Secretary of Defense, the Secretary of a military department may make available to a non-Department of Defense entity space in non-excess facilities controlled by that Secretary for the purpose of the non-Department of Defense entity providing employment-related training for military spouses.

(e) EMPLOYMENT BY OTHER FEDERAL AGENCIES.—The Secretary of Defense shall work with the Director of the Office of Personnel Management and the heads of other Federal departments and agencies to expand and facilitate the use of existing Federal programs and resources in support of military spouse employment.

(f) PRIVATE-SECTOR EMPLOYMENT.—The Secretary of Defense—

(1) shall seek to develop partnerships with firms in the private sector to enhance employment opportunities for spouses of members of the armed forces and to provide for improved job portability for such spouses, especially in the case of the spouse of a member of the armed forces accompanying the member to a new geographical area because of a change of permanent duty station of the member; and

(2) shall work with the United States Chamber of Commerce and other appropriate private-sector entities to facilitate the formation of such partnerships.

(g) EMPLOYMENT WITH DOD CONTRACTORS.—The Secretary of Defense shall examine and seek ways for incorporating hiring preferences for qualified spouses of members of the armed forces into contracts between the Department of Defense and private-sector entities.

* * * * * * *

PART III—TRAINING AND EDUCATION

* * * * * * *

CHAPTER 102—JUNIOR RESERVE OFFICERS' TRAINING CORPS

Sec.
2031. Junior Reserve Officers' Training Corps.

* * * * * * *

[2033. Contingent funding increase.]

§ 2031. Junior Reserve Officers' Training Corps

(a)(1) The Secretary of each military department shall establish and maintain a Junior Reserve Officers' Training Corps, organized into units, at public and private secondary educational institutions which apply for a unit and meet the standards and criteria prescribed pursuant to this section. [The total number of units which may be established and maintained by all of the military departments under authority of this section, including those units already established on October 13, 1964, may not exceed 3,500.] The President shall promulgate regulations prescribing the standards and criteria to be followed by the military departments in selecting the institutions at which units are to be established and maintained and shall provide for the fair and equitable distribution of such units throughout the Nation, except that more than one such unit may be established and maintained at any military institute.

* * * * * * *

[§ 2033. Contingent funding increase

[If for any fiscal year the amount appropriated directly to the Secretary of Defense for the National Guard Challenge Program under section 509 of title 32 is in excess of $62,500,000, the Secretary of Defense shall (notwithstanding any other provision of law) make the amount in excess of $62,500,000 available for the Junior Reserve Officers' Training Corps program under section

2031 of this title, and such excess amount may not be used for any other purpose.]

CHAPTER 103—SENIOR RESERVE OFFICERS' TRAINING CORPS

* * * * * * *

§ 2104. Advanced training; eligibility for

(a) * * *

(b) To be eligible for continuation, or initial enrollment, in the program for advanced training, a person must—

(1) * * *

* * * * * * *

(3) enlist in [a reserve component of] an armed force under the jurisdiction of the Secretary of the military department concerned for the period prescribed by the Secretary;

* * * * * * *

§ 2106. Advanced training; commission on completion

(a) Upon satisfactorily completing the academic and military requirements of the program of advanced training, a member of the program who was selected for advanced training under section 2104 of this title may be appointed as a regular or reserve officer in the appropriate armed force in the grade of second lieutenant or ensign, even though he is under 21 years of age. *However, a member of the program selected for an appointment under this section who, under regulations prescribed by the Secretary of the military department concerned, is designated or selected as a Distinguished Graduate (or the equivalent) shall be appointed as a regular officer.*

* * * * * * *

§ 2107. Financial assistance program for specially selected members

(a) The Secretary of the military department concerned may appoint as a cadet or midshipman, as appropriate, in the reserve of an armed force under his jurisdiction any eligible member of the program who will be under [27 years of age on June 30] *35 years of age on December 31* of the calendar year in which he is eligible under this section for appointment as an ensign in the Navy or as a second lieutenant in the Army, Air Force, or Marine Corps, as the case may be[, except that the age of any such member who has served on active duty in the armed forces may exceed such age limitation on such date by a period equal to the period such member served on active duty, but only if such member will be under 30 years of age on such date].

* * * * * * *

§ 2107a. Financial assistance program for specially selected members: Army Reserve and Army National Guard

(a)(1) The Secretary of the Army may appoint as a cadet in the Army Reserve or Army National Guard of the United States any eligible member of the program who is enrolled in the Advanced

Course of the Army Reserve Officers' Training Corps at a military college, military junior college, or civilian institution and who will be under [27 years of age on June 30] *35 years of age on December 31* of the calendar year in which he is eligible under this section for appointment as a second lieutenant in the Army Reserve or Army National Guard[, except that the age of any such member who has served on active duty in the armed forces may exceed such age limitation on such date by a period equal to the period such member served on active duty, but only if such member will be under 30 years of age on such date].

* * * * * * *

(b)*(1)* To be eligible for appointment as a cadet under this section, a member of the program must—

[(1)] *(A)* be a citizen of the United States;

[(2)] *(B)* be specially selected for the financial assistance program under this section under procedures prescribed by the Secretary of the Army;

[(3)] *(C)* enlist in a reserve component of the Army for the period prescribed by the Secretary of the Army;

[(4)] *(D)* contract, with the consent of his parent or guardian if he is a minor, with the Secretary of the Army to serve for the period required by the program;

[(5)] *(E)* agree in writing that he will accept an appointment, if offered, as a commissioned officer in the Army Reserve or the Army National Guard of the United States; and

[(6)] *(F)* agree in writing that he will serve in a troop program unit of the Army Reserve or Army National Guard for not less than eight years.

(2) Performance of duty under an agreement under this subsection shall be under such terms and conditions as the Secretary of the Army may prescribe and may include periods of active duty, active duty for training, and other service in an active or inactive status in the reserve component in which appointed.

(3) In the case of a cadet under this section at a military junior college, the Secretary may, at any time and with the consent of the cadet concerned, modify an agreement described in paragraph (1)(F) submitted by the cadet to reduce or eliminate the troop program unit service obligation specified in the agreement and to establish, in lieu of that obligation, an active duty service obligation. Such a modification may be made only if the Secretary determines that it is in the best interests of the United States to do so.

* * * * * * *

(h) The Secretary of the Army shall appoint not more than 208 cadets each year under this section, to include not less than 10 cadets at each military junior college at which there are not less than 10 members of the program eligible under subsection (b) for such an appointment. At any [military college] *military junior college* at which in any year there are fewer than 10 such members, the Secretary shall appoint each such member as a cadet under this section.

* * * * * * *

CHAPTER 104—UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES

* * * * * * *

§ 2112. Establishment

(a) There is hereby authorized to be established within 25 miles of the District of Columbia a Uniformed Services University of the Health Sciences (hereinafter in this chapter referred to as the "University"), at a site or sites to be selected by the Secretary of Defense, with authority to grant appropriate advanced degrees. It shall be so organized as to graduate not less than 100 medical students annually**[**, with the first class graduating not later than September 21, 1982**]**.

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CHAPTER 105—ARMED FORCES HEALTH PROFESSIONS FINANCIAL ASSISTANCE PROGRAMS

* * * * * * *

SUBCHAPTER II—NURSE OFFICER CANDIDATE ACCESSION PROGRAM

* * * * * * *

§ 2130a. Financial assistance: nurse officer candidates

(a) BONUS AUTHORIZED.—(1) A person described in subsection (b) who, during the period beginning on November 29, 1989, and ending on December 31, **[**2001**]** *2002*, executes a written agreement in accordance with subsection (c) to accept an appointment as a nurse officer may, upon the acceptance of the agreement by the Secretary concerned, be paid an accession bonus of not more than $5,000. The bonus shall be paid in periodic installments, as determined by the Secretary concerned at the time the agreement is accepted, except that the first installment may not exceed $2,500.

(2) In addition to the accession bonus payable under paragraph (1), a person selected under such paragraph shall be entitled to a monthly stipend of not more than $500 for each month the individual is enrolled as a full-time student in an accredited baccalaureate degree program in nursing at a civilian educational institution **[**that does not have a Senior Reserve Officers' Training Program established under section 2102 of this title**]**. The continuation bonus may be paid for not more than 24 months.

(b) ELIGIBLE STUDENTS.—A person eligible to enter into an agreement under subsection (a) is a person who—

(1) is enrolled as a full-time student in an accredited baccalaureate degree program in nursing at a civilian educational institution that does not have a Senior Reserve Officers' Training Program established under section 2102 of this title *or that has a Senior Reserve Officers' Training Program for which the student is ineligible*;

* * * * * * *

CHAPTER 108—DEPARTMENT OF DEFENSE SCHOOLS

Sec.
2161. Joint Military Intelligence College: academic degrees.

* * * * * * *

2167. National Defense University: admission of private sector civilians to professional military education program.
2168. Defense Language Institute Foreign Language Center: degree of Associate of Arts in foreign language.

* * * * * * *

§ 2162. Preparation of budget requests for operation of professional military education schools

(a) * * *

(b) PREPARATION OF BUDGET REQUESTS.—(1) * * *

(2) As executive agent for funding professional development education at the National Defense University, including the Joint Forces Staff College, the Secretary of Defense, with the advice of the Chairman of the Joint Chiefs of Staff, shall prepare the annual budget for professional development education operations at the National Defense University and set forth that request as a separate budget request in the materials submitted to Congress in support of the budget request for the Department of Defense. Nothing in the preceding sentence affects policies in effect on the date of the enactment of this paragraph with respect to budgeting for the funding of logistical and base operations support for components of the National Defense University through the military departments.

[(2)**]** *(3)* The Secretary of a military department preparing a budget request for a professional military education school shall carefully consider the views of the Chairman of the Joint Chiefs of Staff, particularly with respect to the amount of the request for the operation of the schools of the National Defense University and the joint professional military education curricula of the other professional military education schools.

* * * * * * *

§ 2165. National Defense University: component institutions

(a) * * *

* * * * * * *

(d) SOURCE OF FUNDS FOR PROFESSIONAL DEVELOPMENT EDUCATION OPERATIONS.—Funding for the professional development education operations of the National Defense University shall be provided from funds made available to the Secretary of Defense from the annual appropriation "Operation and Maintenance, Defense-wide".

§ 2166. Western Hemisphere Institute for Security Cooperation

(a) * * *

* * * * * * *

(e) BOARD OF VISITORS.—(1) * * *

* * * * * * *

(9) The Federal Advisory Committee Act (5 U.S.C. App. [2]), other than section 14 (relating to termination after two years), shall apply to the Board.

* * * * * * *

§ 2167. National Defense University: admission of private sector civilians to professional military education program

(a) AUTHORITY FOR ADMISSION.—The Secretary of Defense may permit eligible private sector employees who work in organizations relevant to national security to receive instruction at the National Defense University in accordance with this section. No more than 10 full-time equivalent private sector employees may be enrolled at any one time. Upon successful completion of the course of instruction in which enrolled, any such private sector employee may be awarded an appropriate diploma or degree under section 2165 of this title.

(b) ELIGIBLE PRIVATE SECTOR EMPLOYEES.—For purposes of this section, an eligible private sector employee is an individual employed by a private firm that is engaged in providing to the Department of Defense or other Government departments or agencies significant and substantial defense-related systems, products, or services or whose work product is relevant to national security policy or strategy. A private sector employee admitted for instruction at the National Defense University remains eligible for such instruction only so long as that person remains employed by the same firm.

(c) ANNUAL CERTIFICATION BY SECRETARY OF DEFENSE.—Private sector employees may receive instruction at the National Defense University during any academic year only if, before the start of that academic year, the Secretary of Defense determines, and certifies to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives, that providing instruction to private sector employees under this section during that year will further national security interests of the United States.

(d) PROGRAM REQUIREMENTS.—The Secretary of Defense shall ensure that—

(1) the curriculum for the professional military education program in which private sector employees may be enrolled under this section is not readily available through other schools and concentrates on national security relevant issues; and

(2) the course offerings at the National Defense University continue to be determined solely by the needs of the Department of Defense.

(e) TUITION.—The President of the National Defense University shall charge students enrolled under this section a rate—

(1) that is at least the rate charged for employees of the United States outside the Department of Defense, less infrastructure costs, and

(2) that considers the value to the school and course of the private sector student.

(f) STANDARDS OF CONDUCT.—While receiving instruction at the National Defense University, students enrolled under this section, to the extent practicable, are subject to the same regulations governing

academic performance, attendance, norms of behavior, and enrollment as apply to Government civilian employees receiving instruction at the university.

(g) USE OF FUNDS.—Amounts received by the National Defense University for instruction of students enrolled under this section shall be retained by the university to defray the costs of such instruction. The source, and the disposition, of such funds shall be specifically identified in records of the university.

§ 2168. Defense Language Institute Foreign Language Center: degree of Associate of Arts in foreign language

(a) Subject to subsection (b), the Commandant of the Defense Language Institute may confer an Associate of Arts degree in a foreign language upon any graduate of the Foreign Language Center of the Institute who fulfills the requirements for that degree.

(b) A degree may be conferred upon a student under this section only if the Provost of the Center certifies to the Commandant that the student has satisfied all the requirements prescribed for the degree.

(c) The authority provided by subsection (a) shall be exercised under regulations prescribed by the Secretary of Defense.

* * * * * * *

PART IV—SERVICE, SUPPLY, AND PROCUREMENT

Chap.		Sec.
131.	Planning and Coordination	2201
	* * * * * * *	
135.	*Space Programs*	*2271*
	* * * * * * *	

CHAPTER 131—PLANNING AND COORDINATION

* * * * * * *

§ 2218. National Defense Sealift Fund

(a) * * *

* * * * * * *

(d) DEPOSITS.—There shall be deposited in the Fund the following:

(1) All funds appropriated to the Department of Defense [for fiscal years after fiscal year 1993] for—

(A) * * *

* * * * * * *

CHAPTER 135—SPACE PROGRAMS

Sec.
2271. Executive agent.

§ 2271. Executive agent

(a) SECRETARY OF THE AIR FORCE.—The Secretary of the Air Force may be designated as the executive agent of the Department of Defense—

(1) for the planning of the acquisition programs, projects, and activities of the Department that relate to space; and

(2) for the execution of those programs, projects, and activities.

(b) ACQUISITION EXECUTIVE.—The Secretary may designate the Under Secretary of the Air Force as the acquisition executive of the Air Force for the programs, projects, and activities referred to in subsection (a).

CHAPTER 137—PROCUREMENT GENERALLY

* * * * * * *

§ 2302c. Implementation of electronic commerce capability

(a) IMPLEMENTATION OF ELECTRONIC COMMERCE CAPABILITY.—(1) * * *

(2) The Secretary of Defense shall act through the ⟦Under Secretary of Defense for Acquisition and Technology⟧ *Under Secretary of Defense for Acquisition, Technology, and Logistics* to implement the capability within the Department of Defense.

* * * * * * *

§ 2304. Contracts: competition requirements

(a) * * *

* * * * * * *

(f)(1) Except as provided in paragraph (2), the head of an agency may not award a contract using procedures other than competitive procedures unless—

(A) * * *

(B) the justification is approved—

(i) * * *

* * * * * * *

(iii) in the case of a contract for an amount exceeding $50,000,000, by the senior procurement executive of the agency designated pursuant to section 16(3) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(3)) (without further delegation) or in the case of the ⟦Under Secretary of Defense for Acquisition and Technology⟧ *Under Secretary of Defense for Acquisition, Technology, and Logistics*, acting in his capacity as the senior procurement executive for the Department of Defense, the Under Secretary's delegate designated pursuant to paragraph (6)(B); and

* * * * * * *

(6)(A) * * *

(B) The authority of the ⟦Under Secretary of Defense for Acquisition and Technology⟧ *Under Secretary of Defense for Acquisition, Technology, and Logistics* under paragraph (1)(B)(iii) may be delegated only to—

(i) * * *

* * * * * * *

§ 2311. Assignment and delegation of procurement functions and responsibilities

(a) * * *

* * * * * * *

(c) APPROVAL OF TERMINATIONS AND REDUCTIONS OF JOINT ACQUISITION PROGRAMS.—(1) The Secretary of Defense shall prescribe regulations that prohibit each military department participating in a joint acquisition program approved by the [Under Secretary of Defense for Acquisition and Technology] *Under Secretary of Defense for Acquisition, Technology, and Logistics* from terminating or substantially reducing its participation in such program without the approval of the Under Secretary.

(2) The regulations shall include the following provisions:

(A) * * *

(B) A provision that authorizes the [Under Secretary of Defense for Acquisition and Technology] *Under Secretary of Defense for Acquisition, Technology, and Logistics* to require a military department whose participation in a joint acquisition program has been approved for termination or substantial reduction to continue to provide some or all of the funding necessary for the acquisition program to be continued in an efficient manner.

* * * * * * *

§ 2323. Contract goal for small disadvantaged businesses and certain institutions of higher education

(a) GOAL.—(1) Except as provided in subsection (d), a goal of 5 percent of the amount described in subsection (b) shall be the objective of the Department of Defense, the Coast Guard, and the National Aeronautics and Space Administration in each fiscal year for the total combined amount obligated for contracts and subcontracts entered into with—

(A) * * *

* * * * * * *

(C) minority institutions (as defined in section [1046(3)] *365(3)* of the Higher Education Act of 1965 ([20 U.S.C. 1135d–5(3)] *20 U.S.C. 1067k*))[, which, for the purposes of this section, shall include Hispanic-serving institutions (as defined in section 316(b)(1) of such Act (20 U.S.C. 1059c(b)(1)))].

* * * * * * *

CHAPTER 138—COOPERATIVE AGREEMENTS WITH NATO ALLIES AND OTHER COUNTRIES

* * * * * * *

SUBCHAPTER II—OTHER COOPERATIVE AGREEMENTS

* * * * * * *

§ 2350a. Cooperative research and development projects: allied countries

(a) * * *

(b) REQUIREMENT THAT PROJECTS IMPROVE CONVENTIONAL DEFENSE CAPABILITIES.—(1) * * *

(2) The authority of the Secretary to make a determination under paragraph (1) may only be delegated to the Deputy Secretary of Defense or the [Under Secretary of Defense for Acquisition and Technology] *Under Secretary of Defense for Acquisition, Technology, and Logistics*.

* * * * * * *

(e) COOPERATIVE OPPORTUNITIES DOCUMENT.—(1)(A) In order to ensure that opportunities to conduct cooperative research and development projects are considered at an early point during the formal development review process of the Department of Defense in connection with any planned project of the Department, the [Under Secretary of Defense for Acquisition and Technology] *Under Secretary of Defense for Acquisition, Technology, and Logistics* shall prepare an arms cooperation opportunities document with respect to that project for review by the Defense Acquisition Board at formal meetings of the Board.

* * * * * * *

(2) An arms cooperation opportunities document referred to in paragraph (1) shall include the following:

(A) * * *

(B) If a project similar to the one under consideration by the Department of Defense is in development or production by one or more major allies of the United States or NATO organizations, an assessment by the [Under Secretary of Defense for Acquisition and Technology] *Under Secretary of Defense for Acquisition, Technology, and Logistics* as to whether that project could satisfy, or could be modified in scope so as to satisfy, the military requirements of the project of the United States under consideration by the Department of Defense.

* * * * * * *

(f) REPORTS TO CONGRESS.—(1) Not later than March 1 of each year, the [Under Secretary of Defense for Acquisition and Technology] *Under Secretary of Defense for Acquisition, Technology, and Logistics* shall submit to the Speaker of the House of Representatives and the Committees on Armed Services and Appropriations of the Senate a report on cooperative research and development projects under this section. Each such report shall include—

(A) * * *

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CHAPTER 139—RESEARCH AND DEVELOPMENT

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§ 2366. Major systems and munitions programs: survivability and lethality testing required before full-scale production

(a) * * *

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(c) WAIVER AUTHORITY.—(1) The Secretary of Defense may waive the application of the survivability and lethality tests of this section to a covered system, munitions program, missile program, or covered product improvement program if the Secretary, before the system or program enters [engineering and manufacturing development] *system development and demonstration*, certifies to Congress that live-fire testing of such system or program would be unreasonably expensive and impractical.

(2) In the case of a covered system (or covered product improvement program for a covered system), the Secretary may waive the application of the survivability and lethality tests of this section to such system or program and instead allow testing of the system or program in combat by firing munitions likely to be encountered in combat at components, subsystems, and subassemblies, together with performing design analyses, modeling and simulation, and analysis of combat data. Such alternative testing may not be carried out in the case of any covered system (or covered product improvement program for a covered system) unless the Secretary certifies to Congress, before the system or program enters [engineering and manufacturing development] *system development and demonstration*, that the survivability and lethality testing of such system or program otherwise required by this section would be unreasonably expensive and impracticable.

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CHAPTER 140—PROCUREMENT OF COMMERCIAL ITEMS

* * * * * * *

§ 2375. Relationship of commercial item provisions to other provisions of law

(a) * * *

(b) LIST OF LAWS INAPPLICABLE TO CONTRACTS FOR THE ACQUISITION OF COMMERCIAL ITEMS.—No contract for the procurement of a commercial item entered into by the head of an agency shall be subject to any law properly listed in the Federal Acquisition Regulation (pursuant to section 34 of the Office of Federal Procurement Policy Act *(41 U.S.C. 430)*).

* * * * * * *

§ 2376. Definitions

In this chapter:

(1) The terms "commercial item", "nondevelopmental item", "component", and "commercial component" have the meanings provided in section 4 of the Office of Federal Procurement Policy Act *(41 U.S.C. 403)*.

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CHAPTER 141—MISCELLANEOUS PROCUREMENT PROVISIONS

Sec.
2381. Contracts: regulations for bids.
2382. Contracts for services to be performed outside the United States.

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§ 2382. Contracts for services to be performed outside the United States

The Secretary of Defense may enter into contracts to employ individuals or organizations to perform services in countries other than the United States without regard to laws regarding the negotiation, making, and performance of contracts and performance of work in the United States. Individuals employed by contract to perform such services shall not by virtue of such employment be considered to be employees of the United States Government for purposes of any law administered by the Office of Personnel Management, but the Secretary may determine the applicability to such individuals of any other law administered by the Secretary concerning the employment of such individuals in countries other than the United States.

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§ 2399. Operational test and evaluation of defense acquisition programs

(a) * * *

(b) OPERATIONAL TEST AND EVALUATION.—(1) * * *

* * * * * * *

(3) The Director shall submit each report under paragraph (2) to the Secretary of Defense, the [Under Secretary of Defense for Acquisition and Technology] *Under Secretary of Defense for Acquisition, Technology, and Logistics*, and the congressional defense committees. Each such report shall be submitted to those committees in precisely the same form and with precisely the same content as the report originally was submitted to the Secretary and Under Secretary and shall be accompanied by such comments as the Secretary may wish to make on the report.

* * * * * * *

§ 2400. Low-rate initial production of new systems

(a) DETERMINATION OF QUANTITIES TO BE PROCURED FOR LOW-RATE INITIAL PRODUCTION.—(1) In the course of the development of a major system, the determination of what quantity of articles of that system should be procured for low-rate initial production (including the quantity to be procured for preproduction verification articles) shall be made—

(A) when the milestone [II] *B* decision with respect to that system is made; and

* * * * * * *

(2) In this section, the term "milestone [II] *B* decision" means the decision to approve the [engineering and manufacturing development] *system development and demonstration* of a major system

by the official of the Department of Defense designated to have the authority to make that decision.

* * * * * * *

(4) The quantity of articles of a major system that may be procured for low-rate initial production may not be less than one operationally configured production unit unless another quantity is established at the milestone [II] *B* decision.

(5) The Secretary of Defense shall include a statement of the quantity determined under paragraph (1) in the first SAR submitted with respect to the program concerned after that quantity is determined. If the quantity exceeds 10 percent of the total number of articles to be produced, as determined at the milestone [II] *B* decision with respect to that system, the Secretary shall include in the statement the reasons for such quantity. For purposes of this paragraph, the term "SAR" means a Selected Acquisition Report submitted under section 2432 of this title.

* * * * * * *

§ 2410f. Debarment of persons convicted of fraudulent use of "Made in America" labels

(a) If the Secretary of Defense determines that a person has been convicted of intentionally affixing a label bearing a "Made in America" inscription*, or another inscription with the same meaning,* to any product sold in or shipped to the United States that is not made in America, the Secretary shall determine, not later than 90 days after determining that the person has been so convicted, whether the person should be debarred from contracting with the Department of Defense.

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CHAPTER 144—MAJOR DEFENSE ACQUISITION PROGRAMS

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§ 2432. Selected Acquisition Reports

(a) * * *

(b)(1) * * *

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(3)(A) The Secretary of Defense may waive the requirement for submission of Selected Acquisition Reports for a program for a fiscal year if—

(i) the program has not entered [engineering and manufacturing development] *system development and demonstration*;

* * * * * * *

(c)(1) * * *

* * * * * * *

(3) In addition to the material required by paragraphs (1) and (2), each Selected Acquisition Report for the first quarter of a fiscal year shall include the following:

(A) A full life-cycle cost analysis for each major defense acquisition program included in the report that is in the [engineering and manufacturing development] *system development and demonstration* stage or has completed that stage. The Secretary of Defense shall ensure that this subparagraph is implemented in a uniform manner, to the extent practicable, throughout the Department of Defense.

* * * * * * *

(h)(1) Total program reporting under this section shall apply to a major defense acquisition program when funds have been appropriated for such and the Secretary of Defense has decided to proceed to [engineering and manufacturing development] *system development and demonstration* of such program. Reporting may be limited to the development program as provided in paragraph (2) before a decision is made by the Secretary of Defense to proceed to [engineering and manufacturing development] *system development and demonstration* if the Secretary notifies the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives of the intention to submit a limited report under this subsection not less than 15 days before a report is due under this section.

* * * * * * *

§ 2434. Independent cost estimates; operational manpower requirements

(a) REQUIREMENT FOR APPROVAL.—The Secretary of Defense may not approve the [engineering and manufacturing development] *system development and demonstration*, or the production and deployment, of a major defense acquisition program unless an independent estimate of the full life-cycle cost of the program and a manpower estimate for the program have been considered by the Secretary.

* * * * * * *

§ 2435. Baseline description

(a) * * *

(b) FUNDING LIMIT.—No amount appropriated or otherwise made available to the Department of Defense for carrying out a major defense acquisition program may be obligated after the program enters [engineering and manufacturing development] *system development and demonstration* without an approved baseline description unless such obligation is specifically approved by the [Under Secretary of Defense for Acquisition and Technology] *Under Secretary of Defense for Acquisition, Technology, and Logistics*.

(c) SCHEDULE.—A baseline description for a major defense acquisition program shall be prepared under this section—

(1) before the program enters [demonstration and validation] *system development and demonstration*;

(2) before the program enters [engineering and manufacturing development] *production and deployment*; and

(3) before the program enters [production and deployment] *full rate production*.

(d) REGULATIONS.—The Secretary of Defense shall prescribe regulations governing the following:

(1) * * *

(2) The submission to the Secretary of the military department concerned and the [Under Secretary of Defense for Acquisition and Technology] *Under Secretary of Defense for Acquisition, Technology, and Logistics* by the program manager for a program for which there is an approved baseline description under this section of reports of deviations from the baseline of the cost, schedule, performance, supportability, or any other factor of the program.

* * * * * * *

CHAPTER 146—CONTRACTING FOR PERFORMANCE OF CIVILIAN COMMERCIAL OR INDUSTRIAL TYPE FUNCTIONS

Sec.
2460. Definition of depot-level maintenance and repair.
[2461. Commercial or industrial type functions: required studies and reports before conversion to contractor performance.]
2461. Commercial or industrial type functions: required studies and reports before conversion to, or initiation of, contractor or civilian employee performance.

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2461b. Use of private sector to perform commercial or industrial type function: contractor reporting requirements.

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[2468. Military installations: authority of base commanders over contracting for commercial activities.]

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[§ 2461. Commercial or industrial type functions: required studies and reports before conversion to contractor performance]

§ 2461. Commercial or industrial type functions: required studies and reports before conversion to, or initiation of, contractor or civilian employee performance

(a) REPORTING AND ANALYSIS REQUIREMENTS AS PRECONDITION TO [CHANGE IN PERFORMANCE.—] *CHANGE IN OR INITIATION OF PERFORMANCE.—(1)* A commercial or industrial type function of the Department of Defense that, as of October 1, 1980, was being performed by Department of Defense civilian employees may not be changed to performance by the private sector until the Secretary of Defense fully complies with the reporting and analysis requirements specified in subsections (b) and (c).

(2) In the case of a commercial or industrial type function of the Department of Defense not previously performed by Department of Defense civilian employees or a contractor, the performance of the function by the private sector may not be initiated until—

(A) the Secretary of Defense conducts a cost comparison examination that employs the most efficient organization process described in Office of Management and Budget Circular A–76,

and its supplemental handbook or any successor administrative regulation or policy; and

(B) a determination is made that performance of the function by the private sector would be less costly over the term of the contract than performance by Department of Defense civilian employees during that same period.

(3) This subsection does not apply to the following contracts:

(A) A contract between the Department of Defense and the private sector for work with a contract value of less than $1,000,000 so long as the work was not divided, modified, or in any way changed for the purpose of avoiding the requirements of this section.

(B) A contract for special studies and analyses, construction services, architectural services, engineering services, medical services, scientific and technical services related to (but not in support of) research and development, and depot-level maintenance and repair services.

(4) The Secretary of Defense may waive the applicability of this section if—

(A) the written waiver is prepared by the Secretary of Defense, or the relevant Assistant Secretary or agency head; and

(B) the written waiver is accompanied by a detailed determination that—

(i) there is no reasonable expectation that civilian employees would win a public-private competition for the function; and

(ii) the issuance of a waiver would not serve to reduce significantly the level of or quality of competition in the future award or performance of work.

(5) The Secretary of Defense shall publish a copy of the waiver in the Federal Register.

(b) NOTIFICATION AND ELEMENTS OF ANALYSIS.—(1) * * *

* * * * * * *

(5)(A) A commercial or industrial type function of the Department of Defense may not be changed to performance by the private sector unless, as a result of the cost comparison examination required under paragraph (3)(A), that employed the most efficient organization process described in Office of Management and Budget Circular A–76 or any successor administrative regulation or policy, at least a 10-percent cost savings would be achieved by performance of the function by the private sector over the term of the contract.

(B) The cost savings requirement specified in subparagraph (A) does not apply to any contracts for special studies and analyses, construction services, architectural services, engineering services, medical services, scientific and technical services related to (but not in support of) research and development, and depot-level maintenance and repair services.

(C) The Secretary of Defense may waive the cost savings requirement if—

(i) the written waiver is prepared by the Secretary of Defense, or the relevant Assistant Secretary or agency head; and

(ii) the written waiver is accompanied by a detailed determination that national security interests are so compelling as to

preclude compliance with the requirement for a cost comparison examination.

(D) The Secretary of Defense shall publish a copy of the waiver in the Federal Register.

* * * * * * *

[(d) WAIVER FOR SMALL FUNCTIONS.—Subsections (a) through (c) and subsection (g) shall not apply to a commercial or industrial type function of the Department of Defense that is being performed by 50 or fewer Department of Defense civilian employees.]

(d) EQUITY IN PUBLIC-PRIVATE COMPETITION.—(1) For any fiscal year in which commercial or industrial type functions of the Department of Defense performed by Department of Defense civilian employees are studied for possible change to private sector performance, the Secretary of Defense shall subject approximately the same number of positions held by non-Federal employees under contracts with the Department of Defense to the same cost comparison examination described in subsection (b)(3), subject to the completion of the terms of those contracts.

(2) To the extent possible, the Secretary of Defense should, in complying with this subsection, select those contract positions held by non-Federal employees under contracts with the Department of Defense that are associated with commercial or industrial type functions that are, or have been, performed at least in part by Department of Defense civilian employees at any time on or after October 1, 1980.

(3) Notwithstanding any limitation on the number of Department of Defense civilian employees established by law, regulation, or policy, the Department of Defense may continue to employ, or may hire, such civilian employees as are necessary to perform functions acquired through the public-private competitions required by this subsection or any other provision of this section.

* * * * * * *

§ 2461a. Development of system for monitoring cost savings resulting from workforce reductions

(a) WORKFORCE REVIEW DEFINED.—In this section, the term "workforce review", with respect to a function of the Department of Defense performed by Department of Defense civilian employees, means a review conducted under Office of Management and Budget Circular A–76 (or any successor administrative regulation or policy), the Strategic Sourcing Program Plan of Action (or any successor Department of Defense guidance or directive), or any other authority to determine whether the function—

(1) * * *

(2) should be reorganized or otherwise reengineered to improve the [effeciency] *efficiency* or effectiveness of the performance of the function, with a resulting decrease in the number of Department of Defense civilian employees performing the function.

(b) SYSTEM FOR MONITORING PERFORMANCE.—(1) The Secretary of Defense shall establish a system for monitoring the performance, including the cost of performance, of each function of the Depart-

ment of Defense that, after [the date of the enactment of this section,] *October 30, 2000,* is the subject of a workforce review.

* * * * * * *

§ 2461b. Use of private sector to perform commercial or industrial type function: contractor reporting requirements

(a) DEFINITIONS.—In this section:

(1) CONTRACTOR.—The term "contractor" includes a subcontractor.

(2) SECRETARY CONCERNED.—The term "Secretary concerned" includes the Secretary of Defense with respect to matters concerning the Defense Agencies.

(b) GENERAL REPORTING REQUIREMENT.—The Secretary concerned shall require each defense contractor to report to secure websites established and maintained by the Defense Agencies and military departments the same contractor direct and indirect manhour and cost information collected by the Department of the Army pursuant to part 668 of title 32, Code of Federal Regulations, as in effect on December 26, 2000, in terms of functions performed, appropriations funding the contract, and identification of the subordinate organizational elements within the Defense Agency or military department directly overseeing the contractor performance. The indirect information reported may comprise annualized rates for an entire company, which are not apportioned by specific contracts.

(c) ASSIGNMENT OF REPORTING RESPONSIBILITY.—The Defense Agency or military department containing the major organizational element receiving or reviewing the work performed by a defense contractor shall be responsible for collecting the data required by this section, even where all or part of the contracted work is funded by appropriations not controlled by the Secretary concerned. If the Defense Agency or military department containing the major organizational element receiving or reviewing the work performed by the contractor is different from the Defense Agency or military department containing the contracting activity, the Secretary concerned shall ensure that the contractor reports the required information to the Defense Agency or military department containing the major organizational element receiving or reviewing the work performed by the contractor.

(d) TIMING OF CONTRACTOR REPORTING TO ASSURE DATA QUALITY.—The Secretary concerned shall require contractors to report the information described in subsection (c) to the secure web-site contemporaneous with submission of a request for payment (for example, voucher, invoice, or request for progress payment) or not later than quarterly.

(e) CONTRACT REQUIREMENT EFFECTIVE DATE.—The Secretary concerned shall include the reporting requirement described in this section in each contract solicitation issued, contract awarded, and bilateral modification of an existing contract executed, by the Secretary concerned after October 1, 2001.

(f) CONTRACTOR SELF-EXEMPTION.—The Secretary concerned shall exempt a contractor from the data collection requirement imposed by this section if the contractor certifies in writing that the

contractor does not have an internal system for aggregating billable hours in the direct or indirect pools, or an internal payroll accounting system, and does not otherwise have to ever provide this information to the Government. A contractor may not claim an exemption on the sole basis that the contractor is a foreign contractor, that services are provided pursuant to a firm fixed price or time and materials contract or similar instrument, that the payroll system of the contractor is performed by another person, or that the contractor has too many subcontractors. The validity of this certification is the only requirement in this section subject to audit and verification by the Secretary concerned.

(g) REPORT TO CONGRESS AND COMPTROLLER GENERAL ACTIONS.—The Secretary concerned shall submit the information collected under subsection (c) to Congress not later than October 1 of each year for the prior fiscal year. Not later than April 1 of each year, the Comptroller General will review the information submitted for the prior fiscal year to assess compliance with this section and the effectiveness of Department of Defense initiatives to integrate this information into its budgeting process.

(h) PUBLICATION OF REPORTS.—After completion of the Comptroller General review under subsection (h), the Secretary concerned shall take steps to make the nonproprietary compilations of the data public on web sites, using the publication standard expressed by the Department of the Army in part 668 of title 32, Code of Federal Regulations.

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§ 2464. Core logistics capabilities

(a) NECESSITY FOR CORE LOGISTICS CAPABILITIES.—(1) * * *

* * * * * * *

(3) The core logistics capabilities identified under paragraphs (1) and (2) shall include those capabilities that are necessary to maintain and repair the weapon systems and other military equipment (including mission-essential weapon systems or materiel not later than four years after achieving initial operational capability, but excluding systems and equipment under special access programs, [nuclear aircraft carriers] *nuclear refueling of aircraft carriers*, and commercial items described in paragraph (5)) that are identified by the Secretary, in consultation with the Chairman of the Joint Chiefs of Staff, as necessary to enable the armed forces to fulfill the strategic and contingency plans prepared by the Chairman of the Joint Chiefs of Staff under section 153(a) of this title.

* * * * * * *

§ 2467. Cost comparisons: inclusion of retirement costs; consultation with employees; waiver of comparison

(a) REQUIREMENT TO INCLUDE RETIREMENT COSTS.—(1) * * *

(2) The retirement system costs of the Department of Defense shall include (to the extent applicable) the following:

(A) The cost of the Federal Employees' Retirement System, valued by using the normal-cost percentage (as defined by section 8401(23) of title 5[, United States Code]).

(B) The cost of the Civil Service Retirement System under subchapter III of chapter 83 of [such] title 5.

(C) The cost of the thrift savings plan under subchapter III of chapter 84 of [such] title 5.

* * * * * * *

(b) REQUIREMENT TO CONSULT DOD EMPLOYEES.—(1) * * *

(2)(A) In the case of employees represented by a labor organization accorded exclusive recognition under section 7111 of title 5, [United States Code,] consultation with representatives of that labor organization shall satisfy the consultation requirement in paragraph (1).

* * * * * * *

[§ 2468. Military installations: authority of base commanders over contracting for commercial activities

[(a) AUTHORITY OF BASE COMMANDER.—The Secretary of Defense shall direct that the commander of each military installation shall have the authority and the responsibility to enter into contracts in accordance with this section for the performance of a commercial activity on the military installation.

[(b) YEARLY DUTIES OF BASE COMMANDER.—To enter into a contract under subsection (a) for a fiscal year, the commander of a military installation shall—

[(1) prepare an inventory for that fiscal year of commercial activities carried out by Government personnel on the military installation;

[(2) decide which commercial activities shall be reviewed under the procedures and requirements of Office of Management and Budget Circular A–76 (or any successor administrative regulation or policy); and

[(3) conduct a solicitation for contracts for the performance of those commercial activities selected for conversion to contractor performance under the Circular A–76 process.

[(c) LIMITATIONS.—(1) The Secretary of Defense shall prescribe regulations under which the commander of each military installation may exercise the authority and responsibility provided under subsection (a).

[(2) The authority and responsibility provided under subsection (a) are subject to the authority, direction, and control of the Secretary.

[(d) ASSISTANCE TO DISPLACED EMPLOYEES.—If the commander of a military installation enters into a contract under subsection (a), the commander shall, to the maximum extent practicable, assist in finding suitable employment for any employee of the Department of Defense who is displaced because of that contract.

[(e) MILITARY INSTALLATION DEFINED.—In this section, the term "military installation" means a base, camp, post, station, yard, center, or other activity under the jurisdiction of the Secretary of a military department which is located within the United States, the Commonwealth of Puerto Rico, or Guam.

[(f) TERMINATION OF AUTHORITY.—The authority provided to commanders of military installations by subsection (a) shall terminate on September 30, 1995.]

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§ 2474. Centers of Industrial and Technical Excellence: designation; public-private partnerships

(a) * * *

* * * * * * *

(e) AVAILABILITY OF EXCESS EQUIPMENT TO PRIVATE-SECTOR PARTNERS.—Equipment or facilities of a Center of Industrial and Technical Excellence may be made available for use by a private-sector entity under this section only if—

(1) * * *

(2) the private-sector entity agrees—

(A) * * *

(B) to hold harmless and indemnify the United States from—

(i) any claim for damages or injury to any person or property arising out of the use of the equipment or facilities, except [in a case of willful conduct or gross negligence] *under the circumstances described in section 2563(c)(3) of this title*; and

* * * * * * *

(g) PILOT PROJECT FOR THE EXCLUSION OF CERTAIN EXPENDITURES FROM LIMITATION ON PRIVATE SECTOR PERFORMANCE OF DEPOT-LEVEL MAINTENANCE.—

(1) AMOUNTS EXCLUDED.—Amounts expended out of funds described in paragraph (2) for the performance of a depot-level maintenance and repair workload by non-Federal Government personnel at a Center of Industrial and Technical Excellence named in paragraph (4) shall not be counted for the purposes of section 2466(a) of this title if the personnel are provided by private industry pursuant to a public-private partnership undertaken by the Center under subsection (b).

(2) FUNDS FOR FISCAL YEARS 2002 THROUGH 2006.—The funds referred to in paragraph (1) are funds available to the Air Force for depot-level maintenance and repair workloads for fiscal year 2002, 2003, 2004, 2005, or 2006, and shall not exceed 10 percent of the total funds available in any single year.

(3) REPORTING REQUIREMENTS.—All funds covered by paragraph (1) shall be included as a separate item in the reports required under paragraphs (1), (2), and (3) of section 2466(e) of this title.

(4) COVERED CENTERS.—(A) The Centers of Industrial and Technical Excellence referred to in paragraph (1) are the following:

(i) Oklahoma City Air Logistics Center, Oklahoma.

(ii) Ogden Air Logistics Center, Utah.

(iii) Warner-Robins Air Logistics Center, Georgia.

(B) The Secretary of the Air Force shall designate as a Center of Industrial and Technical Excellence under this section any of

the air logistics centers named in subparagraph (A) that have not previously been so designated and shall specify the core competencies for which the designation is made.

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CHAPTER 148—NATIONAL DEFENSE TECHNOLOGY AND INDUSTRIAL BASE, DEFENSE REINVESTMENT, AND DEFENSE CONVERSION

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SUBCHAPTER II—POLICIES AND PLANNING

* * * * * * *

§ 2503. National defense program for analysis of the technology and industrial base

(a) * * *

(b) SUPERVISION OF PROGRAM.—The Secretary of Defense shall carry out the program through the [Under Secretary of Defense for Acquisition] *Under Secretary of Defense for Acquisition, Technology, and Logistics*. In carrying out the program, the Under Secretary shall consult with the Secretary of Energy, the Secretary of Commerce, and the Secretary of Labor.

* * * * * * *

SUBCHAPTER IV—MANUFACTURING TECHNOLOGY

* * * * * * *

§ 2521. Manufacturing Technology Program

(a) ESTABLISHMENT.—The Secretary of Defense shall establish a Manufacturing Technology Program to further the national security objectives of section 2501(a) of this title through the development and application of advanced manufacturing technologies and processes that will reduce the acquisition and supportability costs of defense weapon systems and reduce manufacturing and repair cycle times across the life cycles of such systems. The Secretary shall use the joint planning process of the directors of the Department of Defense laboratories in establishing the program. The [Under Secretary of Defense for Acquisition and Technology] *Under Secretary of Defense for Acquisition, Technology, and Logistics* shall administer the program.

* * * * * * *

SUBCHAPTER V—MISCELLANEOUS TECHNOLOGY BASE POLICIES AND PROGRAMS

Sec.
2531. Defense memoranda of understanding and related agreements.

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2533a. Requirement to buy certain articles from American sources; exceptions.

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§ 2533a. Requirement to buy certain articles from American sources; exceptions

(a) REQUIREMENT.—Except as provided in subsections (c) through (g), funds appropriated or otherwise available to the Department of Defense may not be used for the procurement of an item described in subsection (b) if the item is not grown, reprocessed, reused, or produced in the United States.

(b) COVERED ITEMS.—An item referred to in subsection (a) is any of the following:

(1) An article or item of—

(A) food;

(B) clothing;

(C) tents, tarpaulins, parachutes, or covers;

(D) cotton and other natural fiber products, woven silk or woven silk blends, spun silk yarn for cartridge cloth, synthetic fabric or coated synthetic fabric (including all textile fibers and yarns that are for use in such fabrics), canvas products, or wool (whether in the form of fiber or yarn or contained in fabrics, materials, or manufactured articles); or

(E) any item of individual equipment manufactured from or containing such fibers, yarns, fabrics, or materials.

(2) Specialty metals, including stainless steel flatware.

(3) Hand or measuring tools.

(c) EXCEPTION.—The Secretary of Defense or the Secretary of the military department concerned may waive the requirement in subsection (a) if—

(1) such Secretary determines that satisfactory quality and sufficient quantity of any such article or item described in subsection (b)(1) or specialty metals (including stainless steel flatware) grown, reprocessed, reused, or produced in the United States cannot be procured as and when needed at United States market prices;

(2) such Secretary has provided notice to the public regarding the waiver;

(3) such Secretary has notified the Committees on Appropriations, Armed Services, and Small Business of the House of Representatives and the Senate regarding the waiver and provided a justification to such committees for the waiver; and

(4) 30 days have elapsed since the date of the notification of such committees.

(d) EXCEPTION FOR CERTAIN PROCUREMENTS OUTSIDE THE UNITED STATES.—Subsection (a) does not apply to the following:

(1) Procurements outside the United States in support of combat operations.

(2) Procurements by vessels in foreign waters.

(3) Emergency procurements or procurements of perishable foods by an establishment located outside the United States for the personnel attached to such establishment.

(e) EXCEPTION FOR SPECIALTY METALS AND CHEMICAL WARFARE PROTECTIVE CLOTHING.—Subsection (a) does not preclude the procurement of specialty metals or chemical warfare protective clothing produced outside the United States if—

(1) such procurement is necessary—

(A) to comply with agreements with foreign governments requiring the United States to purchase supplies from foreign sources for the purposes of offsetting sales made by the United States Government or United States firms under approved programs serving defense requirements; or

(B) in furtherance of agreements with foreign governments in which both such governments agree to remove barriers to purchases of supplies produced in the other country or services performed by sources of the other country; and

(2) any such agreement with a foreign government complies, where applicable, with the requirements of section 36 of the Arms Export Control Act (22 U.S.C. 2776) and with section 2457 of this title.

(f) EXCEPTION FOR CERTAIN FOODS.—Subsection (a) does not preclude the procurement of foods manufactured or processed in the United States.

(g) EXCEPTION FOR SMALL PURCHASES.—Subsection (a) does not apply to purchases for amounts not greater than the simplified acquisition threshold referred to in section 2304(g) of this title.

(h) APPLICABILITY TO CONTRACTS AND SUBCONTRACTS FOR PROCUREMENT OF COMMERCIAL ITEMS.—This section is applicable to contracts and subcontracts for the procurement of commercial items notwithstanding section 34 of the Office of Federal Procurement Policy Act (41 U.S.C. 430).

(i) GEOGRAPHIC COVERAGE.—In this section, the term "United States" includes the commonwealths, territories, and possessions of the United States.

(j) EXCEPTION FOR COMMISSARIES, EXCHANGES, AND OTHER NONAPPROPRIATED FUND INSTRUMENTALITIES.—Subsection (a) does not apply to items purchased for resale purposes in commissaries, military exchanges, or nonappropriated fund instrumentalities operated by the military departments or the Department of Defense.

§ 2534. Miscellaneous limitations on the procurement of goods other than United States goods

(a) * * *

* * * * * * *

(i) IMPLEMENTATION OF CERTAIN WAIVER AUTHORITY.—(1) * * *

* * * * * * *

(3) The waiver authority described in paragraph (2) may not be delegated below the [Under Secretary of Defense for Acquisition and Technology] *Under Secretary of Defense for Acquisition, Technology, and Logistics*.

* * * * * * *

§ 2535. Defense Industrial Reserve

(a) DECLARATION OF PURPOSE AND POLICY.—It is the [intent of Congress] *intent of Congress—*

(1) to provide a comprehensive and continuous program for the future safety and for the defense of the United States by providing adequate measures whereby an essential nucleus of Government-owned industrial plants and an industrial reserve

of machine tools and other industrial manufacturing equipment may be assured for immediate use to supply the needs of the [Armed Forces] *armed forces* in time of national emergency or in anticipation thereof;

(2) that such Government-owned plants and such reserve shall not exceed in number or kind the minimum requirements for immediate use in time of national emergency, and that any such items which shall become excess to such requirements shall be disposed of as expeditiously as possible;

(3) that to the maximum extent practicable, reliance will be placed upon private industry for support of defense production; and

(4) that machine tools and other industrial manufacturing equipment may be held in plant equipment packages or in a general reserve to maintain a high state of readiness for production of critical items of defense materiel, to provide production capacity not available in private industry for defense materiel, or to assist private industry in time of national disaster.

(b) POWERS AND DUTIES OF THE SECRETARY OF DEFENSE.—(1) To execute the policy set forth [in this section, the Secretary is authorized and directed to—] *in subsection (a), the Secretary of Defense shall—*

(A) determine which industrial plants and installations (including machine tools and other industrial manufacturing equipment) should become a part of the [defense industrial reserve] *Defense Industrial Reserve*;

* * * * * * *

(c) DEFINITIONS.—In this section:

[(1) The term "Secretary" means Secretary of Defense.]

[(2)] *(1)* The term "Defense Industrial Reserve" [means] *means—*

(A) a general reserve of industrial manufacturing equipment, including machine tools, selected by the Secretary of Defense for retention for national defense or for other emergency use;

(B) those industrial plants and installations held by and under the control of the Department of Defense in active or inactive status, including Government-owned/Government-operated plants and installations and Government-owned/contractor-operated plants and installations which are retained for use in their entirety, or in part, for production of military weapons systems, munitions, components, or supplies; *and*

(C) those industrial plants and installations under the control of the Secretary which are not required for the immediate need of any department or agency of the Government and which should be sold, leased, or otherwise disposed of.

[(3)] *(2)* The term "plant equipment package" means a complement of active and idle machine tools and other industrial manufacturing equipment held by and under the control of the Department of Defense and approved by the Secretary for retention to produce particular defense materiel or defense sup-

porting items at a specific level of output in the event of emergency.

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SUBCHAPTER VII—CRITICAL INFRASTRUCTURE PROTECTION LOAN GUARANTEES

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§ 2541c. Transferability, additional limitations, and definition

The following provisions of [subtitle] *subchapter* VI of this chapter apply to guarantees issued under this [subtitle] *subchapter*:

(1) * * *

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CHAPTER 152—ISSUE OF SUPPLIES, SERVICES, AND FACILITIES

Sec.
2551. Equipment and barracks: national veterans' organizations.

* * * * * * *

[2557. Excess nonlethal supplies: humanitarian relief.]
2557. Excess nonlethal supplies: availability for homeless veteran initiatives and humanitarian relief.

* * * * * * *

2564. Provision of support for certain sporting events.
[2555.] *2565.* Nuclear test monitoring equipment: furnishing to foreign governments.

* * * * * * *

§ 2554. Equipment and other services: Boy Scout Jamborees

(a) * * *

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(d) The Secretary of Defense is hereby authorized under such regulations as he may prescribe, to provide, without expense to the United States Government, transportation from the United States or military commands overseas, and return, on vessels of the Military Sealift Command or aircraft of the [Military Airlift Command] *Air Mobility Command* for (1) those Boy Scouts, Scouters, and officials certified by the Boy Scouts of America, as representing the Boy Scouts of America at any national or world Boy Scout Jamboree, and (2) the equipment and property of such Boy Scouts, Scouters, and officials and the property loaned to the Boy Scouts of America, by the Secretary of Defense pursuant to this section to the extent that such transportation will not interfere with the requirements of military operations.

* * * * * * *

§ 2555. Transportation services: international Girl Scout events

(a) The Secretary of Defense is authorized, under such regulations as he may prescribe, to provide, without expense to the United States Government, transportation from the United States

or military commands overseas, and return, on vessels of the Military Sealift Command or aircraft of the [Military Airlift Command] *Air Mobility Command* for (1) those Girl Scouts and officials certified by the Girl Scouts of the United States of America as representing the Girl Scouts of the United States of America at any International World Friendship Event or Troops on Foreign Soil meeting which is endorsed and approved by the National Board of Directors of the Girl Scouts of the United States of America and is conducted outside of the United States, (2) United States citizen delegates coming from outside of the United States to triennial meetings of the National Council of the Girl Scouts of the United States of America, and (3) the equipment and property of such Girl Scouts and officials, to the extent that such transportation will not interfere with the requirements of military operations.

* * * * * * *

[§ 2557. Excess nonlethal supplies: humanitarian relief]

§ 2557. Excess nonlethal supplies: availability for homeless veteran initiatives and humanitarian relief

(a)*(1)* The Secretary of Defense may make available for humanitarian relief purposes any nonlethal excess supplies of the Department of Defense.

(2) The Secretary of Defense may make excess clothing, shoes, sleeping bags, and related nonlethal excess supplies available to the Secretary of Veterans Affairs for distribution to homeless veterans and programs assisting homeless veterans. The transfer of nonlethal excess supplies to the Secretary of Veterans Affairs under this paragraph shall be without reimbursement.

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§ 2563. Articles and services of industrial facilities: sale to persons outside the Department of Defense

(a) * * *

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(c) CONDITIONS FOR SALES.—(1) A sale of articles or services may be made under this section only if—

(A) * * *

(B) the purchaser agrees to hold harmless and indemnify the United States, except [in any case of willful misconduct or gross negligence] *as provided in paragraph (3)*, from any claim for damages or injury to any person or property arising out of the articles or services;

* * * * * * *

(3) Paragraph (1)(B) does not apply in any case of willful misconduct or gross negligence or in the case of a claim by a purchaser of articles or services under this section that damages or injury arose from the failure of the Government to comply with quality, schedule, or cost performance requirements in the contract to provide the articles or services.

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[§ 2555.] *§ 2565.* Nuclear test monitoring equipment: furnishing to foreign governments

(a) AUTHORITY TO [CONVEY OR] *TRANSFER TITLE TO OR OTHERWISE* PROVIDE NUCLEAR TEST MONITORING EQUIPMENT.—Subject to subsection (b), the Secretary of Defense may—

(1) [convey] *transfer title* or otherwise provide to a foreign government (A) equipment for the monitoring of nuclear test explosions, and (B) associated equipment; [and]

(2) as part of any such conveyance or provision of equipment, install such equipment on foreign territory or in international waters[.]*; and*

(3) inspect, test, maintain, repair, or replace any such equipment.

(b) AGREEMENT REQUIRED.—Nuclear test explosion monitoring equipment may be [conveyed or otherwise provided] *provided to a foreign government* under subsection (a) only pursuant to the terms of an agreement between the United States and the foreign government receiving the equipment in which the recipient foreign government agrees—

(1) to provide the United States with timely access to the data produced, collected, or generated by the equipment; *and*

(2) to permit the Secretary of Defense to take such measures as the Secretary considers necessary to inspect, test, maintain, repair, or replace that equipment, including access for purposes of such measures[; and].

[(3) to return such equipment to the United States (or allow the United States to recover such equipment) if either party determines that the agreement no longer serves its interests.]

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CHAPTER 153—EXCHANGE OF MATERIAL AND DISPOSAL OF OBSOLETE, SURPLUS, OR UNCLAIMED PROPERTY

Sec.
2571. Interchange of property and services.

* * * * * * *

2582. Military equipment identified on United States munitions list: annual report of public sales.
[2582.] *2583.* Military working dogs: transfer and adoption at end of useful working life.

* * * * * * *

§ 2572. Documents, historical artifacts, and condemned or obsolete combat materiel: loan, gift, or exchange

(a) The Secretary concerned may lend or give items described in subsection (c) that are not needed by the military department concerned (or by the Coast Guard, in the case of the Secretary of Transportation), to any of the following:

(1) A municipal corporation*, county, or other political subdivision of a State*.

(2) A [soldiers' monument] *servicemen's monument* association.

* * * * * * *

(4) An incorporated museum *or memorial* that is operated and maintained for educational purposes only and the charter of which denies it the right to operate for profit.

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[§ 2582.] *§ 2583.* Military working dogs: transfer and adoption at end of useful working life

(a) * * *

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CHAPTER 157—TRANSPORTATION

Sec.
2631. Supplies: preference to United States vessels.

* * * * * * *

2647. Transportation to annual meeting of next-of-kin of persons unaccounted for from conflicts after World War II.

* * * * * * *

§ 2634. Motor vehicles: transportation or storage for members on change of permanent station or extended deployment

(a) * * *
(b)(1) * * *

* * * * * * *

(4) Storage costs payable under this subsection may be paid in advance.

* * * * * * *

(h) In this section:

(1) The term "change of permanent station" means the transfer or assignment of a member of the armed forces from a permanent station inside the continental United States to a permanent station outside the continental United States or from a permanent station outside the continental United States to another permanent station. It also includes an authorized change in home port of a vessel, or a transfer or assignment between two permanent stations in the continental United States when the member cannot, because of injury or the conditions of the order, drive the motor vehicle between the permanent duty stations *or when the Secretary concerned determines that the transport of a vehicle upon such a transfer is advantageous and cost-effective to the United States*.

* * * * * * *

§ 2647. Transportation to annual meeting of next-of-kin of persons unaccounted for from conflicts after World War II

The Secretary of Defense may provide transportation for the next-of-kin of persons who are unaccounted for from the Korean conflict, the Cold War, Vietnam War era, or the Persian Gulf War to and from an annual meeting in the United States. Such transportation

shall be provided under such regulations as the Secretary of Defense may prescribe.

CHAPTER 159—REAL PROPERTY; RELATED PERSONAL PROPERTY; AND LEASE OF NONEXCESS PROPERTY

Sec.
2661. Miscellaneous administrative provisions relating to real property.

* * * * * * *

[2693. Conveyance of certain property.]
2693. Conveyance of certain property: Department of Justice correctional options program.

* * * * * * *

§ 2671. Military reservations and facilities: hunting, fishing, and trapping

(a) * * *

(b) Subsection (a) shall not apply with respect to all or certain specified hunting, fishing, or trapping at a military installation or facility if the Secretary of Defense determines that the application of the State or Territory fish and game laws to such hunting, fishing, or trapping without modification could result in undesirable consequences for public safety or adverse effects on morale, welfare, or recreation activities at the installation or facility. The Secretary may not waive or modify the requirements under subsection (a)(2) regarding a license for such hunting, fishing, or trapping or any fee imposed by a State or Territory to obtain such a license.

* * * * * * *

[(b)] *(e)* The Secretary of Defense shall prescribe regulations to carry out this section.

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§ 2685. Adjustment of or surcharge on selling prices in commissary stores to provide funds for construction and improvement of commissary store facilities

(a) * * *

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(f) REIMBURSEMENT FOR NONCOMMISSARY USE OF COMMISSARY FACILITIES.—(1) If the Secretary concerned uses for noncommissary purposes a commissary facility whose construction was financed (in whole or in part) using the proceeds of adjustments or surcharges authorized by subsection (a) or revenues referred to in subsection (e), the Secretary concerned shall reimburse the commissary surcharge account for the depreciated value of the investment made with such proceeds and revenues.

(2) In paragraph (1), the term "construction" has the meaning given such term in subsection (d)(2).

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§ 2692. Storage, treatment, and disposal of nondefense toxic and hazardous materials

(a) * * *

* * * * * * *

(d)(1) * * *

(2) In the case of storage under this section authorized because of an imminent danger, the storage provided shall be temporary and shall cease once the imminent danger no longer exists. *In the case of the storage of mercury under subsection (b)(12), the storage provided shall cease as soon as practicable after the Administrator of the Environmental Protection Agency certifies to the Secretary of Defense that a disposal method for mercury satisfying the criteria specified in such subsection has been developed.* In all other cases of storage or disposal authorized under this section, the storage or disposal authorized shall be terminated as determined by the Secretary.

* * * * * * *

[§ 2693. Conveyance of certain property]

§ 2693. Conveyance of certain property: Department of Justice correctional options program

(a) Except as provided in subsection (b), before any real property or facility of the United States that is under the jurisdiction of any department, agency, or instrumentality of the Department of Defense is determined to be excess to the needs of such department, agency, or instrumentality, the Secretary *of Defense* shall—

(1) * * *

* * * * * * *

(3) if the Attorney General certifies *to the Secretary of Defense* that a determination has been made by the Director of the Bureau of Justice Assistance within the Department of Justice to utilize the real property or facility under the correctional options program carried out under section 515 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 *(42 U.S.C. 3762a)*, convey the real property or facility, without reimbursement, [to the public agencies referred to in section 515(a)(1) or 515(a)(3) of title I of such Act] *to a public agency referred to in paragraph (1) or (3) of subsection (a) of such section* for such utilization.

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CHAPTER 160—ENVIRONMENTAL RESTORATION

Sec.
2701. Environmental restoration program.

* * * * * * *

2710. Former military ranges: inventory of explosive risk sites; use of inventory; public safety issues.
2711. Environmental impact statements and environmental assessments: evaluation of national security impacts of proposed action and alternatives.

* * * * * * *

§ 2706. Annual reports to Congress

(a) * * *

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[(c) REPORT ON CONTRACTOR REIMBURSEMENT COSTS.—(1) The Secretary of Defense shall submit to the Congress each year, not later than 45 days after the date on which the President submits to the Congress the budget for a fiscal year, a report on payments made by the Secretary to defense contractors for the costs of environmental response actions.

[(2) Each such report shall include, for the fiscal year preceding the year in which the report is submitted, the following:

[(A) An estimate of the payments made by the Secretary to any defense contractor (other than a response action contractor) for the costs of environmental response actions at facilities owned or operated by the defense contractor or at which the defense contractor is liable in whole or in part for the environmental response action.

[(B) A statement of the amount and current status of any pending requests by any defense contractor (other than a response action contractor) for payment of the costs of environmental response actions at facilities owned or operated by the defense contractor or at which the defense contractor is liable in whole or in part for the environmental response action.]

* * * * * * *

§ 2710. Former military ranges: inventory of explosive risk sites; use of inventory; public safety issues

(a) DEFINITIONS.—In this section:

(1) The term "former military range" means a military range presently located in the United States that—

(A) is or was owned by, leased to, or otherwise possessed or used by the Federal Government;

(B) is designated as a closed, transferred, or transferring military range (rather than as an active or inactive range); or

(C) is or was used as a site for the disposal of military munitions or for the use of military munitions in training or research, development, testing, and evaluation.

(2) The term "abandoned military munitions" means unexploded ordnance and other abandoned military munitions, including components thereof and chemical weapons materiel, that pose a threat to human health or safety.

(3) The term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions.

(4) The term "United States", in a geographic sense, includes the Commonwealth of Puerto Rico and the territories and possessions.

(b) INVENTORY REQUIRED.—(1) The Secretary of Defense shall develop and maintain an inventory of former military ranges that are known or suspected to contain abandoned military munitions.

(2) The information for each former military range in the inventory shall include, at a minimum, the following:

(A) A unique identifier for the range and its current designation as either a closed, transferred, or transferring range.

(B) An appropriate record showing the location, boundaries, and extent of the range, including identification of the State and political subdivisions of the State in which the range is located and any Tribal lands encompassed by the range.

(C) Known persons and entities, other than a military department, with any current ownership interest or control of lands encompassed by the range.

(D) Any restrictions or other land use controls currently in place that might affect the potential for public and environmental exposure to abandoned military munitions.

(c) SITE PRIORITIZATION.—(1) With respect to each former military range included on the inventory, the Secretary of Defense shall assign the range a relative priority for response activities based on the overall conditions at the range. The level of response priority assigned the range shall be included with the information required by subsection (b)(2) to be maintained for the range.

(2) In assigning the response priority for a former military range, the Secretary of Defense shall primarily consider factors relating to safety and environmental hazard potential, such as the following:

(A) Whether there are known, versus suspected, abandoned military munitions on all or any portion of the range and the types of munitions present or suspected to be present.

(B) Whether public access to the range is controlled, and the effectiveness of these controls.

(C) The potential for direct human contact with abandoned military munitions at the range and evidence of people entering the range.

(D) Whether a response action has been or is being undertaken at the range under the Formerly Used Defense Sites program or other programs.

(E) The planned or mandated dates for transfer of the range from military control.

(F) The extent of any documented incidents involving abandoned military munitions at or from the range. In this subparagraph, the term "incidents" means any or all of the following: explosions, discoveries, injuries, reports, and investigations.

(G) The potential for drinking water contamination or the release of weapon components into the air.

(H) The potential for destruction of sensitive ecosystems and damage to natural resources.

(d) UPDATES AND AVAILABILITY.—(1) The Secretary of Defense shall annually update the inventory and site prioritization list to reflect new information that becomes available. The inventory shall be available in published and electronic form.

(2) The Secretary of Defense shall work with adjacent communities to provide information concerning conditions at the former military range and response activities, and shall respond to inquiries. At a minimum, the Secretary shall notify immediately affected individuals, appropriate State, local, tribal, and Federal officials, and, when appropriate, civil defense or emergency management agencies.

§ 2711. Environmental impact statements and environmental assessments: evaluation of national security impacts of proposed action and alternatives

(a) AGENCY ACTION.—Whenever an environmental impact statement or environmental assessment is required under section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332) to be prepared in connection with a proposed Department of Defense action, the Secretary of Defense shall include as a part of the environmental impact statement or environmental assessment a detailed evaluation of the impact of the proposed action, and each alternative to the proposed action considered in the statement or assessment, on national security, including the readiness, training, testing, and operations of the armed forces.

(b) AGENCY INPUT.—The Secretary of Defense shall also include the evaluation required by subsection (a) in any input provided by the Department of Defense as a cooperating agency to a lead agency preparing an environmental impact statement or environmental assessment.

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CHAPTER 169—MILITARY CONSTRUCTION AND MILITARY FAMILY HOUSING

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SUBCHAPTER I—MILITARY CONSTRUCTION

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§ 2805. Unspecified minor construction

(a) * * *

(b)(1) An unspecified minor military construction project costing more than **[**$500,000**]** *$750,000* may not be carried out under this section unless approved in advance by the Secretary concerned. This paragraph shall apply even though the project is to be carried out using funds made available to enhance the deployment and mobility of military forces and supplies.

* * * * * * *

(c)(1) Except as provided in paragraphs (2) and (3), the Secretary concerned may spend from appropriations available for operation and maintenance amounts necessary to carry out an unspecified minor military construction project costing not more than—

(A) **[**$1,000,000**]** *$1,500,000*, in the case of an unspecified minor military construction project intended solely to correct a deficiency that is life-threatening, health-threatening, or safety-threatening; or

(B) **[**$500,000**]** *$750,000*, in the case of any other unspecified minor military construction project.

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§ 2814. Special authority for development of Ford Island, Hawaii

(a) * * *

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(j) INAPPLICABILITY OF CERTAIN PROPERTY MANAGEMENT LAWS.—Except as otherwise provided in this section, transactions under this section shall not be subject to the following:

(1) * * *

(2) Section 501 of the [Stewart B. McKinney Homeless Assistance Act] *McKinney-Vento Homeless Assistance Act* (42 U.S.C. 11411).

* * * * * * *

SUBCHAPTER II—MILITARY FAMILY HOUSING

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§ 2832. Homeowners assistance program

[(a)] The Secretary of Defense may exercise the authority provided in section 1013 of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374).

[(b)(1) Subject to paragraph (2) and notwithstanding subsection (i) of section 1013 of the Act referred to in subsection (a)—

[(A) the Secretary of Defense may transfer not more than $31,000,000 from the Department of Defense Base Closure Account, established by section 207 of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526; 102 Stat. 2627), to the fund established pursuant to subsection (d) of such section 1013 for use as part of such fund; and

[(B) any funds so transferred shall be available for obligation and expenditure for the same purposes that funds appropriated to such fund are available, except that such funds may not be obligated after September 30, 1991.

[(2) Amounts may be transferred under paragraph (1) only after the date on which the appropriate committees of Congress receive from the Secretary written notice of, and justification for, the transfer.]

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SUBCHAPTER III—ADMINISTRATION OF MILITARY CONSTRUCTION AND MILITARY FAMILY HOUSING

Sec.
2851. Supervision of military construction projects.

* * * * * * *

[2861. Annual report to Congress.]

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§ 2853. Authorized cost variations

(a) * * *

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[(d) The limitation on cost increases in subsection (a) does not apply to the settlement of a contractor claim under a contract.]

(d) The limitation on cost increases in subsection (a) does not apply—

(1) to the settlement of a contractor claim under a contract; or

(2) to the costs associated with the required remediation of an environmental hazard in connection with a military construction project or military family housing project, such as asbestos removal, radon abatement, lead-based paint removal or abatement, or any other legally required environmental hazard remediation, if the required remediation could not have reasonably been anticipated at the time the project was approved originally by Congress.

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§ 2854a. Conveyance of damaged or deteriorated military family housing; use of proceeds

(a) * * *

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(d) INAPPLICABILITY OF CERTAIN PROPERTY DISPOSAL LAWS.—The following provisions of law do not apply to the conveyance of a family housing facility under this section:

(1) * * *

(2) Title V of the [Stewart B. McKinney Homeless Assistance Act] *McKinney-Vento Homeless Assistance Act* (42 U.S.C. 11411 et seq.).

* * * * * * *

[§ 2861. Annual report to Congress

[(a) The Secretary of Defense shall submit a report to the appropriate committees of Congress each year with respect to military construction activities and military family housing activities. Each such report shall be submitted at the same time that the annual request for military construction authorization is submitted for that year. Except where otherwise provided in this section, information required by this section to be provided in the report shall be provided for the two most recent fiscal years and for the fiscal year for which the budget request is made.

[(b) Each report under subsection (a) shall include the following:

[(1) A statement of the construction status and a fiscal summary of the military construction projects undertaken under, and the amounts authorized and appropriated for, contingency construction under section 2804 of this title.

[(2) Information to enable the committees to evaluate the relationships between budget requests for appropriations for unspecified minor construction projects under section 2805 of this title and obligations of appropriated funds for projects under such section. Such information shall include comparisons of budget requests and obligations using military construction appropriations and using operations and maintenance appropria-

tions, maintenance and repair backlog, and obligations for maintenance and repair.

[(3) Information to enable the committees to monitor trends in construction started using funds contributed by the United States under section 2806 of this title to the North Atlantic Treaty Organization Security Investment program and the status of recoupments under that program.

[(4) Information to enable the committees to evaluate trends in contracting for architect and engineering services and construction design, and trends in accomplishing design of construction projects by Government employees, under the authority of section 2807 of this title.

[(5) Information to enable the committees to evaluate trends in supervision, inspection, and overhead costs for the dollar amount of military construction accomplished during a fiscal year by a military construction department or agency under the authority of section 2851 of this title.

[(6) A summary of military construction projects (other than a military construction project for an amount less than the amount specified by section 2805(a)(1) of this title as the maximum amount for a minor military construction project) placed under contract during the preceding fiscal year with respect to which a cost variation or scope reduction report was supplied to the appropriate committees of Congress under section 2853 of this title. There shall also be included an analysis to indicate whether the cost variation was the result of a lack of competition, quality of plans and specifications, or quality of budget estimates, or of other factors.

[(7) Information to enable the committees to evaluate the use of the authority provided under section 2858 of this title to expedite a military construction project when such expediting is required to protect the national interest.

[(8) Information in sufficient detail to enable the committees to monitor trends in design, construction, performance goals, and progress.

[(9) With respect to each contract awarded during the preceding fiscal year on other than a competitive basis to the lowest responsible bidder, the name of the contractor, the original amount of the contract, and the reason for the award of the contract on other than a competitive basis.]

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SUBCHAPTER IV—ALTERNATIVE AUTHORITY FOR ACQUISITION AND IMPROVEMENT OF MILITARY HOUSING

Sec.
2871. Definitions.

* * * * * * *

[2885. Expiration of authority.]

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§ 2878. Conveyance or lease of existing property and facilities

(a) * * *

* * * * * * *

(d) INAPPLICABILITY OF CERTAIN PROPERTY MANAGEMENT LAWS.—The conveyance or lease of property or facilities under this section shall not be subject to the following provisions of law:

(1) * * *

* * * * * * *

(4) Section 501 of the [Stewart B. McKinney Homeless Assistance Act] *McKinney-Vento Homeless Assistance Act* (42 U.S.C. 11411).

* * * * * * *

[§ 2885. Expiration of authority

[The authority to enter into a contract under this subchapter shall expire on December 31, 2004.]

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Subtitle B—Army

PART I—ORGANIZATION

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CHAPTER 303—DEPARTMENT OF THE ARMY

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§ 3014. Office of the Secretary of the Army

(a) * * *

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(f)(1) * * *

* * * * * * *

(3) The total number of general officers assigned or detailed to permanent duty in the Office of the Secretary of the Army and on the Army Staff may not exceed [the number equal to 85 percent of the number of general officers assigned or detailed to such duty on the date of the enactment of this subsection.] *67.*

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PART II—PERSONNEL

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CHAPTER 333—ENLISTMENTS

Sec.
3251. Definition.

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3264. 18–month enlistment pilot program.

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§ 3264. 18–month enlistment pilot program

(a) During the pilot program period, the Secretary of the Army shall carry out a pilot program with the objective of increasing participation of prior service persons in the Selected Reserve and providing assistance in building the pool of participants in the Individual Ready Reserve.

(b) Under the program, the Secretary may, notwithstanding section 505(c) of this title, accept persons for original enlistment in the Army for a term of enlistment consisting of 18 months service on active duty, to be followed by three years of service in the Selected Reserve and then service in the Individual Ready Reserve to complete the military service obligation.

(c) No more than 10,000 persons may be accepted for enlistment in the Army through the program under this section.

(d) A person enlisting in the Army through the program under this section is eligible for an enlistment bonus under section 309 of title 37, notwithstanding the enlistment time period specified in subsection (a) of that section.

(e) For purposes of the program under this section, the pilot program period is the period beginning on October 1, 2003, and ending on December 31, 2007.

(f) Not later than December 31, 2007, and December 31, 2012, the Secretary of the Army shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the program under this section. In each such report, the Secretary shall set forth the views of the Secretary on the success of the program in meeting the objectives stated in subsection (a) and whether the program should be continued and, if so, whether it should be modified or expanded.

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CHAPTER 357—DECORATIONS AND AWARDS

Sec.
3741. Medal of honor: award.

* * * * * * *

3754. Medal of honor: duplicate medal.
3755. Korea Defense Service Medal.

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§ 3747. Medal of honor; distinguished-service cross; distinguished-service medal; silver star: replacement

Any medal of honor, distinguished-service cross, distinguished-service medal, or silver star, or any bar, ribbon, rosette, or other device issued for wear with or in place of any of them, that is [lost or destroyed] *stolen, lost, or destroyed*, or becomes unfit for use,

without fault or neglect of the person to whom it was awarded, shall be replaced without charge.

* * * * * * *

§ 3754. Medal of honor: duplicate medal

A person awarded a medal of honor shall, upon written application of that person, be issued, without charge, one duplicate medal of honor with ribbons and appurtenances. Such duplicate medal of honor shall be marked, in such manner as the Secretary of the Army may determine, as a duplicate or for display purposes only.

§ 3755. Korea Defense Service Medal

(a) The Secretary of the Army shall issue a campaign medal, to be known as the Korea Defense Service Medal, to each person who while a member of the Army served in the Republic of Korea or the waters adjacent thereto during the KDSM eligibility period and met the service requirements for the award of that medal prescribed under subsection (c).

(b) In this section, the term "KDSM eligibility period" means the period beginning on July 28, 1954, and ending on such date after the date of the enactment of this section as may be determined by the Secretary of Defense to be appropriate for terminating eligibility for the Korea Defense Service Medal.

(c) The Secretary of the Army shall prescribe service requirements for eligibility for the Korea Defense Service Medal. Those requirements shall not be more stringent than the service requirements for award of the Armed Forces Expeditionary Medal for instances in which the award of that medal is authorized.

* * * * * * *

CHAPTER 367—RETIREMENT FOR LENGTH OF SERVICE

* * * * * * *

§ 3911. Twenty years or more: regular or reserve commissioned officers

(a) * * *

(b) The Secretary of Defense may authorize the Secretary of the Army, during the period beginning on October 1, 1990, and ending on December 31, 【2001】 *2002*, to reduce the requirement under subsection (a) for at least 10 years of active service as a commissioned officer to a period (determined by the Secretary of the Army) of not less than eight years.

* * * * * * *

CHAPTER 373—CIVILIAN EMPLOYEES

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§ 4021. Army War College and United States Army Command and General Staff College: civilian faculty members

(a) * * *

* * * * * * *

(c) APPLICATION TO CERTAIN FACULTY MEMBERS.—(1) Except as provided in paragraph (2), this section shall apply with respect to persons who are selected by the Secretary for employment as professors, instructors, and lecturers at the Army War College or the United States Army Command and General Staff College after the end of the 90-day period beginning on [the date of the enactment of this section.] *November 29, 1989.*

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PART III—TRAINING

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CHAPTER 403—UNITED STATES MILITARY ACADEMY

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§ 4337. Chaplain

There shall be a chaplain at the Academy, who must be a clergyman, appointed by the President for a term of four years. [The chaplain is entitled to the same allowances for public quarters as are allowed to a captain, and to fuel and light for quarters in kind.] *Notwithstanding any other provision of law, the chaplain is entitled to the same basic allowance for housing allowed to a lieutenant colonel, and to fuel and light for quarters in kind.* The chaplain may be reappointed.

* * * * * * *

§ 4344. Selection of persons from foreign countries

(a)(1) The Secretary of the Army may permit not more than [40] *60* persons at any one time from foreign countries to receive instruction at the Academy. Such persons shall be in addition to the authorized strength of the Corps of the Cadets of the Academy under section 4342 of this title.

* * * * * * *

(b)(1) * * *

(2) Each foreign country from which a cadet is permitted to receive instruction at the Academy under this section shall reimburse the United States for the cost of providing such instruction, including the cost of pay, allowances, and emoluments provided under paragraph (1) unless a written waiver of *some or all* reimbursement is granted by the Secretary of Defense. The Secretary of the Army shall prescribe the rates for reimbursement under this paragraph, except that the reimbursement rates may not be less than the cost to the United States of providing such instruction, including pay, allowances, and emoluments, to a cadet appointed from the United States.

[(3) The amount of reimbursement waived under paragraph (2) may not exceed 50 percent of the per-person reimbursement amount otherwise required to be paid by a foreign country under such paragraph, except in the case of not more than 20 persons re-

ceiving instruction at the Academy under this section at any one time.]

* * * * * * *

§ 4353. Cadets: degree and commission on graduation

(a) * * *

[(b) Notwithstanding any other provision of law, a cadet who completes the prescribed course of instruction may, upon graduation, be appointed a second lieutenant in the Regular Army under section 531 of this title.]

(b) A cadet who completes the prescribed course of instruction, is qualified for an original appointment in a regular component under section 532 of this title, and meets such other criteria for appointment as a commissioned officer in the Army as may be prescribed by the Secretary of the Army shall, upon graduation, be appointed a second lieutenant in the Regular Army under section 531 of this title, unless appointed under that section in a regular component of one of the other armed forces in accordance with section 541 of this title.

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Subtitle C—Navy and Marine Corps

PART I—ORGANIZATION

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CHAPTER 503—DEPARTMENT OF THE NAVY

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§ 5014. Office of the Secretary of the Navy

(a) * * *

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(f)(1) * * *

* * * * * * *

(3) The total number of general and flag officers assigned or detailed to permanent duty in the Office of the Secretary of the Navy, the Office of the Chief of Naval Operations, and the Headquarters, Marine Corps, may not exceed [the number equal to 85 percent of the number of general and flag officers assigned or detailed to such duty on the date of the enactment of this subsection.] *74.*

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CHAPTER 505—OFFICE OF THE CHIEF OF NAVAL OPERATIONS

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§ 5038. Director for Expeditionary Warfare

(a) One of the Directors within the [Office of the Deputy Chief of Naval Operations for Resources, Warfare Requirements, and Assessments] *office of the Deputy Chief of Naval Operations with re-*

sponsibility for warfare requirements and programs shall be the Director for Expeditionary Warfare who shall be detailed from officers on the active-duty list of the Marine Corps.

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PART II—PERSONNEL

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CHAPTER 565—BANDS

Sec.
[6221. United States Navy Band.]
6221. United States Navy Band; officer in charge.

* * * * * * *

[§ 6221. United States Navy Band

[There is a Navy band known as the United States Navy Band.]

§ 6221. United States Navy Band; officer in charge

(a) There is a Navy band known as the United States Navy Band.

(b) An officer of the Navy designated for limited duty under section 5589 or 5596 of this title who is serving in a grade not below lieutenant commander may be detailed by the Secretary of the Navy as Officer in Charge of the United States Navy Band. While so serving, an officer so detailed shall hold the grade of captain if recommended by the Secretary of the Navy for appointment to that grade and appointed to that grade by the President, by and with the advice and consent of the Senate. Such an appointment may be made notwithstanding section 5596(d) of this title.

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CHAPTER 567—DECORATIONS AND AWARDS

Sec.
6241. Medal of honor.

* * * * * * *

6256. Medal of honor: duplicate medal.
6257. Korea Defense Service Medal.

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§ 6253. Replacement

The Secretary of the Navy may replace without charge any medal of honor, Navy cross, distinguished-service medal, silver star medal, or Navy and Marine Corps Medal, or any associated bar, emblem, or insignia awarded under this chapter that is [lost or destroyed] *stolen, lost, or destroyed* or becomes unfit for use without fault or neglect on the part of the person to whom it was awarded.

* * * * * * *

§ 6256. Medal of honor: duplicate medal

A person awarded a medal of honor shall, upon written application of that person, be issued, without charge, one duplicate medal of honor with ribbons and appurtenances. Such duplicate medal of

honor shall be marked, in such manner as the Secretary of the Navy may determine, as a duplicate or for display purposes only.

§ 6257. Korea Defense Service Medal

(a) The Secretary of the Navy shall issue a campaign medal, to be known as the Korea Defense Service Medal, to each person who while a member of the Navy or Marine Corps served in the Republic of Korea or the waters adjacent thereto during the KDSM eligibility period and met the service requirements for the award of that medal prescribed under subsection (c).

(b) In this section, the term "KDSM eligibility period" means the period beginning on July 28, 1954, and ending on such date after the date of the enactment of this section as may be determined by the Secretary of Defense to be appropriate for terminating eligibility for the Korea Defense Service Medal.

(c) The Secretary of the Navy shall prescribe service requirements for eligibility for the Korea Defense Service Medal. Those requirements shall not be more stringent than the service requirements for award of the Armed Forces Expeditionary Medal for instances in which the award of that medal is authorized.

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CHAPTER 571—VOLUNTARY RETIREMENT

* * * * * * *

§ 6323. Officers: 20 years

(a)(1) * * *

(2) The Secretary of Defense may authorize the Secretary of the Navy, during the period beginning on October 1, 1990, and ending on December 31, [2001] *2002*, to reduce the requirement under paragraph (1) for at least 10 years of active service as a commissioned officer to a period (determined by the Secretary) of not less than eight years.

* * * * * * *

§ 6328. Computation of years of service: voluntary retirement

(a) ENLISTED MEMBERS.—Time required to be made up under section 972(a) of this title after [the date of the enactment of this section] *February 10, 1996,* may not be counted in computing years of service under this chapter.

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PART III—EDUCATION AND TRAINING

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CHAPTER 603—UNITED STATES NAVAL ACADEMY

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§ 6957. Selection of persons from foreign countries

(a)(1) The Secretary of the Navy may permit not more than [40] *60* persons at any one time from foreign countries to receive instruction at the Academy. Such persons shall be in addition to the authorized strength of the midshipmen under section 6954 of this title.

* * * * * * *

(b)(1) * * *

(2) Each foreign country from which a midshipman is permitted to receive instruction at the Academy under this section shall reimburse the United States for the cost of providing such instruction, including the cost of pay, allowances, and emoluments provided under paragraph (1) unless a written waiver of *some or all* reimbursement is granted by the Secretary of Defense. The Secretary of the Navy shall prescribe the rates for reimbursement under this paragraph, except that the reimbursement rates may not be less than the cost to the United States of providing such instruction, including pay, allowances, and emoluments, to a midshipman appointed from the United States.

[(3) The amount of reimbursement waived under paragraph (2) may not exceed 50 percent of the per-person reimbursement amount otherwise required to be paid by a foreign country under such paragraph, except in the case of not more than 20 persons receiving instruction at the Naval Academy under this section at any one time.]

* * * * * * *

§ 6967. Degree on graduation

(a) Under regulations prescribed by the Secretary of the Navy, the Superintendent of the Naval Academy may confer the degree of bachelor of science upon graduates of the Academy.

(b) A midshipman who completes the prescribed course of instruction, is qualified for an original appointment in a regular component under section 532 of this title, and meets such other criteria for appointment as a commissioned officer in the naval service as may be prescribed by the Secretary of the Navy shall, upon graduation, be appointed an ensign in the Regular Navy or a second lieutenant in the Regular Marine Corps under section 531 of this title, unless appointed under that section in a regular component of one of the other armed forces in accordance with section 541 of this title.

* * * * * * *

CHAPTER 609—PROFESSIONAL MILITARY EDUCATION SCHOOLS

Sec.
7101. Naval War College: master of arts in national security and strategic studies.
[7102. Marine Corps University: master of military studies.]
7102. Marine Corps University: masters degrees; board of advisors.

* * * * * * *

[§ 7102. Marine Corps University: master of military studies]

§ 7102. Marine Corps University: masters degrees; board of advisors

(a) AUTHORITY.—Upon the recommendation of the Director and faculty of the Command and Staff College of the Marine Corps University, the President of the Marine Corps University may confer the degree of master of military studies [upon graduates of the college who fulfill the requirements for the degree.] *upon graduates of the Command and Staff College who fulfill the requirements for that degree.*

(b) MARINE CORPS WAR COLLEGE.—Upon the recommendation of the Director and faculty of the Marine Corps War College of the Marine Corps University, the President of the Marine Corps University may confer the degree of master of strategic studies upon graduates of the Marine Corps War College who fulfill the requirements for that degree.

[(b)] *(c)* REGULATIONS.—The authority provided by [subsection (a)] *subsections (a) and (b)* shall be exercised under regulations prescribed by the Secretary of the Navy.

(d) BOARD OF ADVISORS.—The Secretary of the Navy shall establish a board of advisors for the Marine Corps University. The Secretary shall ensure that the board is established so as to meet all requirements of the appropriate regional accrediting association.

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PART IV—GENERAL ADMINISTRATION

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CHAPTER 633—NAVAL VESSELS

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§ 7307. Disposals to foreign nations

(a) [LARGER OR NEWER] *CERTAIN COMBATANT* VESSELS.—[A naval vessel] *Except as provided in subsection (b), a combatant naval vessel* that is in excess of 3,000 tons or that is less than 20 years of age may not be disposed of to another nation (whether by sale, lease, grant, loan, barter, transfer, or otherwise) unless the disposition of that vessel is [approved by law enacted after August 5, 1974] *specifically approved by law*. A lease or loan of such a vessel under such a law may be made only in accordance with the provisions of chapter 6 of the Arms Export Control Act (22 U.S.C. 2796 et seq.) or chapter 2 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2311 et seq.).

(b) TREATMENT OF VESSELS HELD BY FOREIGN NATIONS BY LOAN OR LEASE.—Subsection (a) shall not apply to the disposal to another nation of a vessel described in that subsection that, at the time of the disposal, is held by the nation to which the disposal is to be made pursuant to a loan or lease arrangement made under section 61 of the Arms Export Control Act (22 U.S.C. 2796) or any other provision of law.

[(b)] *(c)* OTHER VESSELS.—(1) * * *

* * * * * * *

(d) INAPPLICABILITY OF VESSEL DISPOSALS TO AGGREGATE ANNUAL VALUE LIMITATIONS.—The value of a vessel transferred to another country under an applicable provision of law as described in subsection (c) shall not be counted for the purposes of any aggregate limit on the value of articles transferred to other countries under that provision of law during any year (or other applicable period of time).

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CHAPTER 641—NAVAL PETROLEUM RESERVES

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§ 7430. Disposition of products

(a) * * *

(b)(1) * * *

(2) The Secretary may not sell any part of the United States share of petroleum produced from Naval Petroleum Reserves Numbered 2 and 3 [at a price less than the higher of—

[(A) the current sales price] *at a price less than the current sales price*, as estimated by the Secretary, of comparable petroleum in the same area[; or].

[(B) the price of petroleum being purchased for the Strategic Petroleum Reserve, minus the cost of transporting petroleum from the naval petroleum reserve concerned to the nearest storage area of the Strategic Petroleum Reserve, with adjustments for the difference in the quality of the petroleum being purchased for the Strategic Petroleum Reserve and petroleum being produced from the naval petroleum reserve concerned.]

* * * * * * *

§ 7439. Certain oil shale reserves: transfer of jurisdiction and petroleum exploration, development, and production

(a) TRANSFER REQUIRED.—(1) * * *

(2) Not later than [one year after the date of the enactment of this section,] *November 18, 1998,* the Secretary of Energy shall transfer to the Secretary of the Interior administrative jurisdiction over those public domain lands included within the developed tract of Oil Shale Reserve Numbered 3, which consists of approximately 6,000 acres and 24 natural gas wells, together with pipelines and associated facilities.

* * * * * * *

(b) AUTHORITY TO LEASE.—(1) Beginning on [the date of the enactment of this section,] *November 18, 1997,* or as soon thereafter as practicable, the Secretary of the Interior shall enter into leases with one or more private entities for the purpose of exploration for, and development and production of, petroleum (other than in the form of oil shale) located on or in public domain lands in Oil Shale Reserves Numbered 1 and 3 (including the developed tract of Oil Shale Reserve Numbered 3). Any such lease shall be made in ac-

cordance with the requirements of the Mineral Leasing Act (30 U.S.C. 181 et seq.) regarding the lease of oil and gas lands and shall be subject to valid existing rights.

(2) Notwithstanding the delayed transfer of the developed tract of Oil Shale Reserve Numbered 3 under subsection (a)(2), the Secretary of the Interior shall enter into a lease under paragraph (1) with respect to the developed tract before [the end of the one-year period beginning on the date of the enactment of this section.] *November 18, 1998.*

* * * * * * *

(f) TREATMENT OF RECEIPTS.—(1) * * *

(2) The period referred to in this subsection is the period beginning on [the date of the enactment of this section] *November 18, 1997,* and ending on the date on which the Secretary of Energy and the Secretary of the Interior jointly certify to Congress that the sum of the moneys deposited in the Treasury under paragraph (1) is equal to the total of the following:

(A) * * *

* * * * * * *

CHAPTER 647—DISPOSAL OF OBSOLETE OR SURPLUS MATERIAL

* * * * * * *

§ 7545. Obsolete material and articles of historical interest: loan or gift

(a) [Subject to regulations under section 205 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 486), the Secretary of the Navy, under regulations prescribed by him,] *AUTHORITY TO MAKE LOANS AND GIFTS.—The Secretary of the Navy* may lend or give, without expense to the United States, [captured, condemned, or obsolete ordnance material, books, manuscripts, works of art, drawings, plans, and models, other condemned or obsolete material, trophies, and flags, and other material of historic interest not needed by the Department of the Navy, to—] *items described in subsection (b) that are not needed by the Department of the Navy to any of the following:*

(1) [a] *A* State, Territory, Commonwealth, or possession of the United States, or political subdivision or municipal corporation thereof[;].

(2) [the] *The* District of Columbia[;].

(3) [a] *A* library[;].

(4) [a] *A* historical society[;].

(5) [an] *An* educational institution whose graduates or students fought in [World War I or World War II;] *a foreign war.*

(6) [a soldiers' monument] *A servicemen's monument* association[;].

(7) [a] *A* State museum[;].

(8) [a] *A* museum *or memorial* operated and maintained for educational purposes only, whose charter denies it the right to operate for profit[;].

(9) [a] *A* post of the Veterans of Foreign Wars of the United States[;].

(10) [a] *A* post of the American Legion[;].

(11) [any] *Any* other recognized war veterans' association[; or].

(12) [a] *A* post of the Sons of Veterans Reserve.

(b) ITEMS ELIGIBLE FOR DISPOSAL.—This section applies to the following types of property held by the Department of the Navy:

(1) Captured, condemned, or obsolete ordnance material.

(2) Captured, condemned, or obsolete combat or shipboard material.

(c) REGULATIONS.—A loan or gift made under this section shall be subject to regulations prescribed by the Secretary of the Navy and to regulations under section 205 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 486).

[(b)] *(d) MAINTENANCE OF THE RECORDS OF THE GOVERNMENT.*—Records of the Government as defined in section 3301 of title 44 may not be disposed of under this section.

[(c)] *(e) ALTERNATIVE AUTHORITIES TO MAKE GIFTS OR LOANS.*—If any disposition is authorized by this section and section 2572 of this title, the Secretary may make the gift or loan under either section.

(f) AUTHORITY TO TRANSFER A PORTION OF A VESSEL.—The Secretary may lend, give, or otherwise transfer any portion of the hull or superstructure of a vessel stricken from the Naval Vessel Register and designated for scrapping to a qualified organization specified in subsection (a). The terms and conditions of an agreement for the transfer of a portion of a vessel under this section shall include a requirement that the transferee will maintain the material conveyed in a condition that will not diminish the historical value of the material or bring discredit upon the Navy.

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CHAPTER 653—CLAIMS

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§ 7622. Admiralty claims against the United States

(a) The Secretary of the Navy may settle, or compromise, and pay in an amount not more than [$1,000,000] *$15,000,000* an admiralty claim against the United States for—

(1) * * *

* * * * * * *

(b) If a claim under this section is settled or compromised for more than [$1,000,000] *$15,000,000*, the Secretary shall certify it to Congress.

(c) In any case where the amount to be paid is not more than [$100,000] *$1,000,000*, the Secretary may delegate his authority under this section to any person designated by him.

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§ 7623. Admiralty claims by the United States

(a) The Secretary of the Navy may settle, or compromise, and receive payment of a claim by the United States for damage to property under the jurisdiction of the Department of the Navy or prop-

erty for which the Department has assumed an obligation to respond for damage, if—

(1) * * *

(2) the net amount to be received by the United States is not more than [$1,000,000] *$15,000,000*.

* * * * * * *

(c) In any case where the amount to be received by the United States is not more than [$100,000] *$1,000,000*, the Secretary may delegate his authority under this section to any person designated by him.

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Subtitle D—Air Force

PART I—ORGANIZATION

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CHAPTER 803—DEPARTMENT OF THE AIR FORCE

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§ 8014. Office of the Secretary of the Air Force

(a) * * *

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(f)(1) * * *

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(3) The total number of general officers assigned or detailed to permanent duty in the Office of the Secretary of the Air Force and on the Air Staff may not exceed [the number equal to 85 percent of the number of general officers assigned or detailed to such duty on the date of the enactment of this subsection.] *60.*

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CHAPTER 807—THE AIR FORCE

Sec.
8061. Regulations.

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8063. Contracts for space launches: responsibility of Air Force for all Department of Defense elements.

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§ 8063. Contracts for space launches: responsibility of Air Force for all Department of Defense elements

The Secretary of the Air Force shall ensure that contracts for space launch vehicles and space launch services for all elements of the Department of Defense are prepared, negotiated, executed, and managed in a manner that maximizes launch effectiveness, minimizes cost of launch services, provides clear visibility to all elements

into contract costs and functions, and, where practicable, takes advantage of commercial space launch capabilities.

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§ 8074. Commands: territorial organization

(a) * * *

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[(c) The Military Air Transport Service is redesignated as the Military Airlift Command.]

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PART II—PERSONNEL

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CHAPTER 845—RANK AND COMMAND

Sec.
8572. Rank: commissioned officers serving under temporary appointments.

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8584. Commander of Air Force Space Command.

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§ 8584. Commander of Air Force Space Command

The Secretary of Defense may require that the officer serving as commander of the Air Force Space Command not serve simultaneously as commander of the United States Space Command (or any successor combatant command with responsibility for space) or as commander of the United States element of the North American Air Defense Command.

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CHAPTER 857—DECORATIONS AND AWARDS

Sec.
8741. Medal of honor: award.

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8754. Medal of honor: duplicate medal.
8755. Korea Defense Service Medal.

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§ 8747. Medal of honor; Air Force cross; distinguished-service cross; distinguished-service medal; silver star: replacement

Any medal of honor, Air Force cross, distinguished-service cross, distinguished-service medal, or silver star, or any bar, ribbon, rosette, or other device issued for wear with or in place of any of them, that is [lost or destroyed] *stolen, lost, or destroyed*, or becomes unfit for use, without fault or neglect of the person to whom it was awarded, shall be replaced without charge.

* * * * * * *

§ 8754. Medal of honor: duplicate medal

A person awarded a medal of honor shall, upon written application of that person, be issued, without charge, one duplicate medal of honor with ribbons and appurtenances. Such duplicate medal of honor shall be marked, in such manner as the Secretary of the Air Force may determine, as a duplicate or for display purposes only.

§ 8755. Korea Defense Service Medal

(a) The Secretary of the Air Force shall issue a campaign medal, to be known as the Korea Defense Service Medal, to each person who while a member of the Air Force served in the Republic of Korea or the waters adjacent thereto during the KDSM eligibility period and met the service requirements for the award of that medal prescribed under subsection (c).

(b) In this section, the term "KDSM eligibility period" means the period beginning on July 28, 1954, and ending on such date after the date of the enactment of this section as may be determined by the Secretary of Defense to be appropriate for terminating eligibility for the Korea Defense Service Medal.

(c) The Secretary of the Air Force shall prescribe service requirements for eligibility for the Korea Defense Service Medal. Those requirements shall not be more stringent than the service requirements for award of the Armed Forces Expeditionary Medal for instances in which the award of that medal is authorized.

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CHAPTER 867—RETIREMENT FOR LENGTH OF SERVICE

* * * * * * *

§ 8911. Twenty years or more: regular or reserve commissioned officers

(a) * * *

(b) The Secretary of Defense may authorize the Secretary of the Air Force, during the period beginning on October 1, 1990, and ending on December 31, [2001] *2002*, to reduce the requirement under subsection (a) for at least 10 years of active service as a commissioned officer to a period (determined by the Secretary of the Air Force) of not less than eight years.

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PART III—TRAINING

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CHAPTER 903—UNITED STATES AIR FORCE ACADEMY

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§ 9344. Selection of persons from foreign countries

(a)(1) The Secretary of the Air Force may permit not more than [40] *60* persons at any one time from foreign countries to receive instruction at the Academy. Such persons shall be in addition to

the authorized strength of the Air Force Cadets of the Academy under section 9342 of this title.

* * * * * * *

(b)(1) * * *

(2) Each foreign country from which a cadet is permitted to receive instruction at the Academy under this section shall reimburse the United States for the cost of providing such instruction, including the cost of pay, allowances, and emoluments provided under paragraph (1) unless a written waiver of *some or all* reimbursement is granted by the Secretary of Defense. The Secretary of the Air Force shall prescribe the rates for reimbursement under this paragraph, except that the reimbursement rates may not be less than the cost to the United States of providing such instruction, including pay, allowances, and emoluments, to a cadet appointed from the United States.

[(3) The amount of reimbursement waived under paragraph (2) may not exceed 50 percent of the per-person reimbursement amount otherwise required to be paid by a foreign country under such paragraph, except in the case of not more than 20 persons receiving instruction at the Air Force Academy under this section at any one time.**]**

* * * * * * *

§ 9353. Cadets: degree and commission on graduation

(a) * * *

[(b) Notwithstanding any other provision of law, a cadet who completes the prescribed course of instruction may, upon graduation, be appointed a second lieutenant in the Regular Air Force under section 531 of this title.**]**

(b) A cadet who completes the prescribed course of instruction, is qualified for an original appointment in a regular component under section 532 of this title, and meets such other criteria for appointment as a commissioned officer in the Air Force as may be prescribed by the Secretary of the Air Force shall, upon graduation, be appointed a second lieutenant in the Regular Air Force under section 531 of this title, unless appointed under that section in a regular component of one of the other armed forces in accordance with section 541 of this title.

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PART IV—SERVICE, SUPPLY, AND PROCUREMENT

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CHAPTER 949—REAL PROPERTY

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§ 9783. Johnston Atoll: reimbursement for support provided to civil air carriers

(a) * * *

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(e) DEFINITIONS.—In this section:

(1) The term "civil air carrier" means an air carrier (as defined in section [40101(a)(2)] *40102(a)(2)* of title 49) that is issued a certificate of public convenience and necessity under section 41102 of such title.

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Subtitle E—Reserve Components

PART I—ORGANIZATION AND ADMINISTRATION

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CHAPTER 1013—BUDGET INFORMATION AND ANNUAL REPORTS TO CONGRESS

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§ 10541. National Guard and reserve component equipment: annual report to Congress

[(a) The Secretary of Defense shall submit to the Congress each year, not later than February 15, a written report concerning the equipment of the National Guard and the reserve components of the armed forces for each of the three succeeding fiscal years.

[(b) Each report under this section shall include the following:

[(1) Recommendations as to the type and quantity of each major item of equipment which should be in the inventory of the Selected Reserve of the Ready Reserve of each reserve component of the armed forces.

[(2) A statement of the quantity and average age of each type of major item of equipment which is expected to be physically available in the inventory of the Selected Reserve of the Ready Reserve of each reserve component as of the beginning of each fiscal year covered by the report.

[(3) A statement of the quantity and cost of each type of major item of equipment which is expected to be procured for the Selective Reserve of the Ready Reserve of each reserve component from commercial sources or to be transferred to each such Selected Reserve from the active-duty components of the armed forces.

[(4) A statement of the quantity of each type of major item of equipment which is expected to be retired, decommissioned, transferred, or otherwise removed from the physical inventory of the Selected Reserve of the Ready Reserve of each reserve component and the plans for replacement of that equipment.

[(5) A listing of each major item of equipment required by the Selected Reserve of the Ready Reserve of each reserve component indicating—

[(A) the full war-time requirement of that component for that item, shown in accordance with deployment schedules and requirements over successive 30-day periods following mobilization;

[(B) the number of each such item in the inventory of the component;

[(C) a separate listing of each such item in the inventory that is a deployable item and is not the most desired item;

[(D) the number of each such item projected to be in the inventory at the end of the third succeeding fiscal year; and

[(E) the number of nondeployable items in the inventory as a substitute for a required major item of equipment.

[(6) A narrative explanation of the plan of the Secretary concerned to provide equipment needed to fill the war-time requirement for each major item of equipment to all units of the Selected Reserve, including an explanation of the plan to equip units of the Selected Reserve that are short of major items of equipment at the outset of war.

[(7) For each item of major equipment reported under paragraph (3) in a report for one of the three previous years under this section as an item expected to be procured for the Selected Reserve or to be transferred to the Selected Reserve, the quantity of such equipment actually procured for or transferred to the Selected Reserve.

[(8) A statement of the current status of the compatibility of equipment between the Army reserve components and active forces of the Army, the effect of that level of incompatibility on combat effectiveness, and a plan to achieve full equipment compatibility.

[(c) Each report under this section shall be expressed in the same format and with the same level of detail as the information presented in the annual Five Year Defense Program Procurement Annex prepared by the Department of Defense.]

(a) REQUIREMENT.—The Secretary of Defense shall submit to Congress each year, not later than March 1, a written report concerning the equipment of the National Guard and the reserve components of the armed forces. Each such report shall cover the current fiscal year and the three succeeding years.

(b) MATTERS TO BE INCLUDED IN REPORT.—Each report under this section shall include the following (shown in the aggregate and separately for each reserve component):

(1) A list of major items of equipment required and on-hand in the inventories of the reserve components.

(2) A list of major items of equipment that are expected to be procured from commercial sources or transferred from the active component to the reserve components.

(3) A statement of major items of equipment in the inventories of the reserve components that are substitutes for a required major item of equipment.

(4) A narrative explanation of the plan of the Secretary concerned to equip each reserve component, including an explanation of the plan to equip units of the reserve components that

are short major items of equipment at the outset of war or a contingency operation.

(5) A narrative discussing the current status of the compatibility and interoperability of equipment between the reserve components and the active forces and the effect of that level of compatibility or interoperability on combat effectiveness, together with a plan to achieve full equipment compatibility and interoperability.

(6) A narrative discussing modernization shortfalls and maintenance backlogs within the reserve components and the effect of those shortfalls on combat effectiveness.

(7) A narrative discussing the overall age and condition of equipment currently in the inventory of the reserve components.

(c) MAJOR ITEMS OF EQUIPMENT.—In this section, the term "major items of equipment" includes ships, aircraft, combat vehicles, and key combat support equipment.

(d) FORMAT AND LEVEL OF DETAIL.—Each report under this section shall be expressed in the same format and with the same level of detail as the information presented in the Future-Years Defense Program Procurement Annex prepared by the Department of Defense.

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PART II—PERSONNEL GENERALLY

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CHAPTER 1201—AUTHORIZED STRENGTHS AND DISTRIBUTION IN GRADE

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§ 12011. Authorized strengths: reserve officers on active duty or on full-time National Guard duty for administration of the reserves or the National Guard

[(a) The number of reserve officers of the Army, Air Force, and Marine Corps who may be on active duty or full-time National Guard duty in each of the grades of major, lieutenant colonel, and colonel, and of the Navy who may be on active duty in each of the grades of lieutenant commander, commander, and captain, as of the end of any fiscal year for duty described in subclauses (B) and (C) of section 523(b)(1) of this title or full-time National Guard duty (other than for training) under section 502(f) of title 32 may not exceed the number for that grade and armed force in the following table:

[Grade	Army	Navy	Air Force	Marine Corps
Major or Lieutenant Commander	3,316	1,071	948	140
Lieutenant Colonel or Commander	1,759	520	852	90
Colonel or Navy Captain	529	188	317	30

[(b) Whenever the number of officers serving in any grade is less than the number authorized for that grade under this section, the difference between the two numbers may be applied to increase the number authorized under this section for any lower grade.

[(c) Whenever under section 527 of this title the President may suspend the operation of any provision of section 523, 525, or 526 of this title, the Secretary of Defense may suspend the operation of any provision of this section. Any such suspension shall, if not sooner ended, end in the manner specified in section 527 for a suspension under that section.

[(d) Upon increasing under subsection (c)(2) of section 115 of this title the end strength that is authorized under subsection (a)(1)(B) of that section for a fiscal year for active-duty personnel and full-time National Guard duty personnel of an armed force who are to be paid from funds appropriated for reserve personnel, the Secretary of Defense may increase for that fiscal year the limitation that is set forth in subsection (a) of this section for the number of officers of that armed force serving in any grade if the Secretary determines that such action is in the national interest. The percent of the increase may not exceed the percent by which the Secretary increases that end strength.]

(a) LIMITATIONS.—(1) Of the total number of members of a reserve component who are serving on full-time reserve component duty at the end of any fiscal year, the number of those members who may be serving in each of the grades of major, lieutenant colonel, and colonel may not, as of the end of that fiscal year, exceed the number determined in accordance with the following table:

Total number of members of a reserve component serving on full-time reserve component duty:	*Number of officers of that reserve component who may be serving in the grade of:*		
	Major	*Lieutenant Colonel*	*Colonel*
Army Reserve:			
10,000	*1,390*	*740*	*230*
11,000	*1,529*	*803*	*242*
12,000	*1,668*	*864*	*252*
13,000	*1,804*	*924*	*262*
14,000	*1,940*	*984*	*272*
15,000	*2,075*	*1,044*	*282*
16,000	*2,210*	*1,104*	*291*
17,000	*2,345*	*1,164*	*300*
18,000	*2,479*	*1,223*	*309*
19,000	*2,613*	*1,282*	*318*
20,000	*2,747*	*1,341*	*327*
21,000	*2,877*	*1,400*	*336*
Army National Guard:			
20,000	*1,500*	*850*	*325*
22,000	*1,650*	*930*	*350*
24,000	*1,790*	*1,010*	*370*
26,000	*1,930*	*1,085*	*385*
28,000	*2,070*	*1,160*	*400*
30,000	*2,200*	*1,235*	*405*
32,000	*2,330*	*1,305*	*408*

Total number of members of a reserve component serving on full-time reserve component duty:	*Number of officers of that reserve component who may be serving in the grade of:*		
	Major	*Lieutenant Colonel*	*Colonel*
34,000	*2,450*	*1,375*	*411*
36,000	*2,570*	*1,445*	*411*
38,000	*2,670*	*1,515*	*411*
40,000	*2,770*	*1,580*	*411*
42,000	*2,837*	*1,644*	*411*
Marine Corps Reserve:			
1,100	*106*	*56*	*20*
1,200	*110*	*60*	*21*
1,300	*114*	*63*	*22*
1,400	*118*	*66*	*23*
1,500	*121*	*69*	*24*
1,600	*124*	*72*	*25*
1,700	*127*	*75*	*26*
1,800	*130*	*78*	*27*
1,900	*133*	*81*	*28*
2,000	*136*	*84*	*29*
2,100	*139*	*87*	*30*
2,200	*141*	*90*	*31*
2,300	*143*	*92*	*32*
2,400	*145*	*94*	*33*
2,500	*147*	*96*	*34*
2,600	*149*	*98*	*35*
Air Force Reserve:			
500	*83*	*85*	*50*
1,000	*155*	*165*	*95*
1,500	*220*	*240*	*135*
2,000	*285*	*310*	*170*
2,500	*350*	*369*	*203*
3,000	*413*	*420*	*220*
3,500	*473*	*464*	*230*
4,000	*530*	*500*	*240*
4,500	*585*	*529*	*247*
5,000	*638*	*550*	*254*
5,500	*688*	*565*	*261*
6,000	*735*	*575*	*268*
7,000	*770*	*595*	*280*
8,000	*805*	*615*	*290*
10,000	*835*	*635*	*300*
Air National Guard:			
5,000	*333*	*335*	*251*
6,000	*403*	*394*	*260*
7,000	*472*	*453*	*269*
8,000	*539*	*512*	*278*
9,000	*606*	*571*	*287*
10,000	*673*	*630*	*296*
11,000	*740*	*688*	*305*
12,000	*807*	*742*	*314*
13,000	*873*	*795*	*323*

Total number of members of a reserve component serving on full-time reserve component duty:	*Number of officers of that reserve component who may be serving in the grade of:*		
	Major	*Lieutenant Colonel*	*Colonel*
14,000	*939*	*848*	*332*
15,000	*1,005*	*898*	*341*
16,000	*1,067*	*948*	*350*
17,000	*1,126*	*998*	*359*
18,000	*1,185*	*1,048*	*368*
19,000	*1,235*	*1,098*	*377*
20,000	*1,283*	*1,148*	*380.*

(2) Of the total number of members of the Naval Reserve who are serving on full-time reserve component duty at the end of any fiscal year, the number of those members who may be serving in each of the grades of lieutenant commander, commander, and captain may not, as of the end of that fiscal year, exceed the number determined in accordance with the following table:

Total number of members of Naval Reserve serving on full-time reserve component duty	*Number of officers who may be serving in the grade of:*		
	Lieutenant commander	*Commander*	*Captain*
10,000	*807*	*447*	*141*
11,000	*867*	*467*	*153*
12,000	*924*	*485*	*163*
13,000	*980*	*503*	*173*
14,000	*1,035*	*521*	*183*
15,000	*1,088*	*538*	*193*
16,000	*1,142*	*555*	*203*
17,000	*1,195*	*565*	*213*
18,000	*1,246*	*575*	*223*
19,000	*1,291*	*585*	*233*
20,000	*1,334*	*595*	*242*
21,000	*1,364*	*603*	*250*
22,000	*1,384*	*610*	*258*
23,000	*1,400*	*615*	*265*
24,000	*1,410*	*620*	*270.*

(b) DETERMINATIONS BY INTERPOLATION.—If the total number of members of a reserve component serving on full-time reserve component duty is between any two consecutive numbers in the first column of the appropriate table in paragraph (1) or (2) of subsection (a), the corresponding authorized strengths for each of the grades shown in that table for that component are determined by mathematical interpolation between the respective numbers of the two strengths. If the total number of members of a reserve component serving on full-time reserve component duty is more or less than the highest or lowest number, respectively, set forth in the first column of the appropriate table in paragraph (1) or (2) of subsection (a), the Secretary concerned shall fix the corresponding strengths for the grades shown in that table at the same proportion as is reflected in the nearest limit shown in the table.

(c) REALLOCATIONS TO LOWER GRADES.—Whenever the number of officers serving in any grade for duty described in subsection (a) is less than the number authorized for that grade under this section, the difference between the two numbers may be applied to increase the number authorized under this section for any lower grade.

(d) SECRETARIAL WAIVER.—(1) Upon determining that it is in the national interest to do so, the Secretary of Defense may increase for a particular fiscal year the number of reserve officers that may be on full-time reserve component duty for a reserve component in a grade referred to in a table in subsection (a) by a number that does not exceed the number equal to 5 percent of the maximum number specified for the grade in that table.

(2) Whenever the Secretary exercises the authority provided in paragraph (1), the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives notice in writing of the adjustment made.

(e) FULL-TIME RESERVE COMPONENT DUTY DEFINED.—In this section, the term "full-time reserve component duty" means the following duty:

(1) Active duty described in sections 10211, 10302, 10303, 10304, 10305, 12310, or 12402 of this title.

(2) Full-time National Guard duty (other than for training) under section 502(f) of title 32.

(3) Active duty described in section 708 of title 32.

§ 12012. Authorized strengths: senior enlisted members on active duty or on full-time National Guard duty for administration of the reserves or the National Guard

[(a) The number of enlisted members in pay grades E–8 and E–9 who may be on active duty (other than for training) or on full-time National Guard duty under the authority of section 502(f) of title 32 (other than for training) as of the end of any fiscal year in connection with organizing, administering, recruiting, instructing, or training the reserve components or the National Guard may not exceed the number for that grade and armed force in the following table:

[Grade	Army	Navy	Air Force	Marine Corps
E–9	764	202	502	20
E–8	2,821	429	1,117	94

[(b) Whenever the number of members serving in pay grade E–9 for duty described in subsection (a) is less than the number authorized for that grade under subsection (a), the difference between the two numbers may be applied to increase the number authorized under such subsection for pay grade E–8.

[(c) Whenever under section 527 of this title the President may suspend the operation of any provision of section 523, 525, or 526 of this title, the Secretary of Defense may suspend the operation of any provision of this section. Any such suspension shall, if not

sooner ended, end in the manner specified in section 527 for a suspension under that section.

[(d) Upon increasing under subsection (c)(2) of section 115 of this title the end strength that is authorized under subsection (a)(1)(B) of that section for a fiscal year for active-duty personnel and full-time National Guard duty personnel of an armed force who are to be paid from funds appropriated for reserve personnel, the Secretary of Defense may increase for that fiscal year the limitation that is set forth in subsection (a) of this section for the number of enlisted members of that armed force serving in any grade if the Secretary determines that such action is in the national interest. The percent of the increase may not exceed the percent by which the Secretary increases that end strength.]

(a) LIMITATIONS.—Of the total number of members of a reserve component who are serving on full-time reserve component duty at the end of any fiscal year, the number of those members in each of pay grades of E–8 and E–9 who may be serving on active duty under section 10211 or 12310, or on full-time National Guard duty under the authority of section 502(f) of title 32 (other than for training) in connection with organizing, administering, recruiting, instructing, or training the reserve components or the National Guard may not, as of the end of that fiscal year, exceed the number determined in accordance with the following table:

Total number of members of a reserve component serving on full-time reserve component duty:	*Number of members of that reserve component who may be serving in the grade of:*	
	E–8	*E–9*
Army Reserve:		
10,000	*1,052*	*154*
11,000	*1,126*	*168*
12,000	*1,195*	*180*
13,000	*1,261*	*191*
14,000	*1,327*	*202*
15,000	*1,391*	*213*
16,000	*1,455*	*224*
17,000	*1,519*	*235*
18,000	*1,583*	*246*
19,000	*1,647*	*257*
20,000	*1,711*	*268*
21,000	*1,775*	*278*
Army National Guard:		
20,000	*1,650*	*550*
22,000	*1,775*	*615*
24,000	*1,900*	*645*
26,000	*1,945*	*675*
28,000	*1,945*	*705*
30,000	*1,945*	*725*
32,000	*1,945*	*730*
34,000	*1,945*	*735*
36,000	*1,945*	*738*
38,000	*1,945*	*741*
40,000	*1,945*	*743*

Total number of members of a reserve component serving on full-time reserve component duty:	*Number of members of that reserve component who may be serving in the grade of:*	
	E–8	*E–9*
42,000	*1,945*	*743*
Naval Reserve:		
10,000	*340*	*143*
11,000	*364*	*156*
12,000	*386*	*169*
13,000	*407*	*182*
14,000	*423*	*195*
15,000	*435*	*208*
16,000	*447*	*221*
17,000	*459*	*234*
18,000	*471*	*247*
19,000	*483*	*260*
20,000	*495*	*273*
21,000	*507*	*286*
22,000	*519*	*299*
23,000	*531*	*312*
24,000	*540*	*325*
Marine Corps Reserve:		
1,100	*50*	*11*
1,200	*55*	*12*
1,300	*60*	*13*
1,400	*65*	*14*
1,500	*70*	*15*
1,600	*75*	*16*
1,700	*80*	*17*
1,800	*85*	*18*
1,900	*89*	*19*
2,000	*93*	*20*
2,100	*96*	*21*
2,200	*99*	*22*
2,300	*101*	*23*
2,400	*103*	*24*
2,500	*105*	*25*
2,600	*107*	*26*
Air Force Reserve:		
500	*75*	*40*
1,000	*145*	*75*
1,500	*208*	*105*
2,000	*270*	*130*
2,500	*325*	*150*
3,000	*375*	*170*
3,500	*420*	*190*
4,000	*460*	*210*
4,500	*495*	*230*
5,000	*530*	*250*
5,500	*565*	*270*
6,000	*600*	*290*
7,000	*670*	*330*

Total number of members of a reserve component serving on full-time reserve component duty:	*Number of members of that reserve component who may be serving in the grade of:*	
	E–8	*E–9*
8,000	*740*	*370*
10,000	*800*	*400*
Air National Guard		
5,000	*1,020*	*405*
6,000	*1,070*	*435*
7,000	*1,120*	*465*
8,000	*1,170*	*490*
9,000	*1,220*	*510*
10,000	*1,270*	*530*
11,000	*1,320*	*550*
12,000	*1,370*	*570*
13,000	*1,420*	*589*
14,000	*1,470*	*608*
15,000	*1,520*	*626*
16,000	*1,570*	*644*
17,000	*1,620*	*661*
18,000	*1,670*	*678*
19,000	*1,720*	*695*
20,000	*1,770*	*712.*

(b) DETERMINATIONS BY INTERPOLATION.—If the total number of members of a reserve component serving on full-time reserve component duty is between any two consecutive numbers in the first column of the table in subsection (a), the corresponding authorized strengths for each of the grades shown in that table for that component are determined by mathematical interpolation between the respective numbers of the two strengths. If the total number of members of a reserve component serving on full-time reserve component duty is more or less than the highest or lowest number, respectively, set forth in the first column of the table in subsection (a), the Secretary concerned shall fix the corresponding strengths for the grades shown in the table at the same proportion as is reflected in the nearest limit shown in the table.

(c) REALLOCATIONS TO LOWER GRADE.—Whenever the number of officers serving in pay grade E–9 for duty described in subsection (a) is less than the number authorized for that grade under this section, the difference between the two numbers may be applied to increase the number authorized under this section for pay grade E–8.

(d) SECRETARIAL WAIVER.—(1) Upon determining that it is in the national interest to do so, the Secretary of Defense may increase for a particular fiscal year the number of reserve enlisted members that may be on active duty or full-time National Guard duty as described in subsection (a) for a reserve component in a pay grade referred to in a table in subsection (a) by a number that does not exceed the number equal to 5 percent of the maximum number specified for that grade and reserve component in the table.

(2) Whenever the Secretary exercises the authority provided in paragraph (1), the Secretary shall submit to the Committee on

Armed Services of the Senate and the Committee on Armed Services of the House of Representatives notice in writing of the adjustment made.

(e) FULL-TIME RESERVE COMPONENT DUTY DEFINED.—In this section, the term "full-time reserve component duty" has the meaning given the term in section 12011(e) of this title.

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CHAPTER 1205—APPOINTMENT OF RESERVE OFFICERS

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§ 12205. Commissioned officers: appointment; educational requirement

(a) * * *

(b) EXCEPTIONS.—Subsection (a) does not apply to the following:

(1) * * *

* * * * * * *

(4) The appointment to a grade in the Army Reserve of a person whose original appointment as an officer in the Army Reserve was through the Officer Candidate School program and who immediately before that original appointment was an enlisted member on active duty.

[(4)**]** *(5)* The appointment to or recognition in a higher grade of any person who was appointed to, or federally recognized in, the grade of captain or, in the case of the Navy, lieutenant before October 1, 1995.

[(5)**]** *(6)* Recognition in the grade of captain or major in the Alaska Army National Guard of a person who resides permanently at a location in Alaska that is more than 50 miles from each of the cities of Anchorage, Fairbanks, and Juneau, Alaska, by paved road and who is serving in a Scout unit or a Scout supporting unit.

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CHAPTER 1209—ACTIVE DUTY

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§ 12305. Authority of President to suspend certain laws relating to promotion, retirement, and separation

(a) * * *

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(c) Upon the termination of a suspension made under the authority of subsection (a) of a provision of law otherwise requiring the separation or retirement of officers on active duty because of age, length of service or length of service in grade, or failure of selection for promotion, the Secretary concerned shall extend by up to 90 days the otherwise required separation or retirement date of any officer covered by the suspended provision whose separation or retirement date, but for the suspension, would have been before the date of the

termination of the suspension or within 90 days of the date of such termination.

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CHAPTER 1213—SPECIAL APPOINTMENTS, ASSIGNMENTS, DETAILS, AND DUTIES

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§ 12503. Ready Reserve: funeral honors duty

(a) ORDER TO DUTY.—A member of the Ready Reserve may be ordered to funeral honors duty, with the consent of the member, in preparation for or to perform funeral honors functions at the funeral of a veteran as defined in section 1491 of this title. *Performance of funeral honors duty by a Reserve not on active duty shall be treated as inactive-duty training (including with respect to travel to and from such duty) for purposes of any provision of law other than sections 206 and 435 of title 37.*

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CHAPTER 1214—READY RESERVE MOBILIZATION INCOME INSURANCE

* * * * * * *

§ 12533. Termination of program

(a) * * *

(b) TERMINATION OF NEW ENROLLMENTS.—The Secretary may not enroll a member of the Ready Reserve for coverage under the insurance program after [the date of the enactment of this section.] *November 18, 1997.*

(c) TERMINATION OF COVERAGE.—(1) The enrollment under the insurance program of insured members other than insured members described in paragraph (2) is terminated as of [the date of the enactment of this section.] *November 18, 1997.* The enrollment of an insured member described in paragraph (2) is terminated as of the date of the termination of the period of covered service of that member described in that paragraph.

(2) An insured member described in this paragraph is an insured member who on [the date of the enactment of this section] *November 18, 1997,* is serving on covered service for a period of service, or has been issued an order directing the performance of covered service, that satisfies or would satisfy the entitlement-to-benefits provisions of this chapter.

(d) TERMINATION OF PAYMENT OF BENEFITS.—The Secretary may not make any benefit payment under the insurance program after [the date of the enactment of this section] *November 18, 1997,* other than to an insured member who on that date (1) is serving on an order to covered service, (2) has been issued an order directing performance of covered service, or (3) has served on covered service before that date for which benefits under the program have not been paid to the member.

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CHAPTER 1223—RETIRED PAY FOR NON-REGULAR SERVICE

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§ 12731. Age and service requirements

(a) * * *

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(f) In the case of a person who completes the service requirements of subsection (a)(2) during the period beginning on October 5, 1994, and ending on December 31, [2001] *2002*, the provisions of subsection (a)(3) shall be applied by substituting "the last six years" for "the last eight years".

§ 12731a. Temporary special retirement qualification authority

(a) * * *

(b) PERIOD OF AUTHORITY.—The period referred to in subsection (a)(1) is the period beginning on October 23, 1992, and ending on December 31, [2001] *2002*.

* * * * * * *

§ 12733. Computation of retired pay: computation of years of service

For the purpose of computing the retired pay of a person under this chapter, the person's years of service and any fraction of such a year are computed by dividing 360 into the sum of the following:

(1) * * *

* * * * * * *

(3) One day for each point credited to the person under clause (B), (C), or (D) of section 12732(a)(2) of this title, but not more than—

(A) * * *

(B) 75 days in the year of service that includes September 23, 1996, and in any subsequent year of service before the year of service that includes [the date of the enactment of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001;] *October 30, 2000;* and

(C) 90 days in the year of service that includes [the date of the enactment of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001] *October 30, 2000,* and in any subsequent year of service.

* * * * * * *

§ 12741. Retirement from active reserve service performed after regular retirement

(a) ELECTION OF RESERVE RETIRED PAY.—A person who, after becoming entitled to retired or retainer pay under chapter 65, 367, 571, or 867 of this title, serves in an active status in a reserve component is entitled to retired pay under this chapter if—

(1) * * *

(2) the person elects under this section to [received] *receive* retired pay under this chapter; and

* * * * * * *

PART III—PROMOTION AND RETENTION OF OFFICERS ON THE RESERVE ACTIVE-STATUS LIST

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CHAPTER 1407—FAILURE OF SELECTION FOR PROMOTION AND INVOLUNTARY SEPARATION

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§ 14502. Special selection boards: correction of errors

(a) OFFICERS NOT CONSIDERED BECAUSE OF ADMINISTRATIVE ERROR.—(1) In the case of an officer or former officer who the Secretary of the military department concerned determines was not considered for selection for promotion [from in or above the promotion zone] by a mandatory promotion board convened under section 14101(a) of this title because of administrative error, the Secretary concerned shall convene a special selection board under this subsection to determine whether such officer or former officer should be recommended for promotion. Any such board shall be convened under regulations prescribed by the Secretary of Defense and shall be appointed and composed in accordance with section 14102 of this title and shall include the representation of competitive categories required by that section. The members of a board convened under this subsection shall be required to take an oath in the same manner as prescribed in section 14103 of this title.

* * * * * * *

(3) If a special selection board convened under paragraph (1) does not recommend for promotion an officer or former officer in a grade below the grade of colonel or, in the case of an officer or former officer of the Navy, captain, whose name was referred to it for consideration *for selection for promotion from in or above the promotion zone*, the officer or former officer shall be considered to have failed of selection for promotion.

(b) OFFICERS CONSIDERED BUT NOT SELECTED; MATERIAL ERROR.—(1) In the case of an officer or former officer who was eligible for promotion and was considered for selection for promotion [from in or above the promotion zone under this chapter by a selection board] *by a promotion board convened under section 14101(a) of this title* but was not selected, the Secretary of the military department concerned may, under regulations prescribed by the Secretary of Defense, convene a special selection board under this subsection to determine whether the officer or former officer should be recommended for promotion, if the Secretary determines that—

(A) the action of the selection board that considered the officer or former officer was contrary to law or involved material error of fact or material administrative error; or

(B) the selection board did not have before it for its consideration material information.

* * * * * * *

PART IV—TRAINING FOR RESERVE COMPONENTS AND EDUCATIONAL ASSISTANCE PROGRAMS

* * * * * * *

CHAPTER 1606—EDUCATIONAL ASSISTANCE FOR MEMBERS OF THE SELECTED RESERVE

* * * * * * *

§ 16133. Time limitation for use of entitlement

(a) * * *

(b)(1) In the case of a person—

(A) * * *

(B) who, on or after the date on which such person became entitled to educational assistance under this chapter ceases to be a member of the Selected Reserve during the period beginning on October 1, 1991, and ending on December 31, [2001] *2002*, by reason of the inactivation of the person's unit of assignment or by reason of involuntarily ceasing to be designated as a member of the Selected Reserve pursuant to section 10143(a) of this title,

* * * * * * *

CHAPTER 1608—HEALTH PROFESSIONS STIPEND PROGRAM

* * * * * * *

§ 16201. Financial assistance: health-care professionals in reserve components

(a) ESTABLISHMENT OF PROGRAM.—For the purpose of obtaining adequate numbers of commissioned officers in the reserve components who are qualified in health professions [specialties critically needed in wartime], the Secretary of each military department may establish and maintain a program to provide financial assistance under this chapter to persons engaged in [training in such specialties] *training that leads to a degree in medicine or dentistry or training in a health professions specialty that is critically needed in wartime*. Under such a program, the Secretary concerned may agree to pay a financial stipend to persons engaged in [training in certain health care specialties] *health care education and training* in return for a commitment to subsequent service in the Ready Reserve.

(b) MEDICAL AND DENTAL SCHOOL STUDENTS.—(1) Under the stipend program under this chapter, the Secretary of the military department concerned may enter into an agreement with a person who—

(A) is eligible to be appointed as an officer in a reserve component;

(B) is enrolled or has been accepted for enrollment in an institution in a course of study that results in a degree in medicine or dentistry;

(C) signs an agreement that, unless sooner separated, the person will—

(i) complete the educational phase of the program;

(ii) accept a reappointment or redesignation within the person's reserve component, if tendered, based upon the person's health profession, following satisfactory completion of the educational and intern programs; and

(iii) participate in a residency program; and

(D) if required by regulations prescribed by the Secretary of Defense, agrees to apply for, if eligible, and accept, if offered, residency training in a health profession skill which has been designated by the Secretary of Defense as a critically needed wartime skill.

(2) Under the agreement—

(A) the Secretary of the military department concerned shall agree to pay the participant a stipend, in the amount determined under subsection (f), for the period or the remainder of the period the student is satisfactorily progressing toward a degree in medicine or dentistry while enrolled in an accredited medical or dental school;

(B) the participant shall not be eligible to receive such stipend before appointment, designation, or assignment as an officer for service in the Ready Reserve;

(C) the participant shall be subject to such active duty requirements as may be specified in the agreement and to active duty in time of war or national emergency as provided by law for members of the Ready Reserve; and

(D) the participant shall agree to serve, upon successful completion of the program, one year in the Selected Reserve for each six months, or part thereof, for which the stipend is provided. In the case of a participant who enters into a subsequent agreement under subsection (c) and successfully completes residency training in a specialty designated by the Secretary of Defense as a specialty critically needed by the military department in wartime, the requirement to serve in the Selected Reserve may be reduced to one year for each year, or part thereof, for which the stipend was provided while enrolled in medical or dental school.

[(b)] *(c)* PHYSICIANS AND DENTISTS IN CRITICAL *WARTIME* SPECIALTIES.—(1) Under the stipend program under this chapter, the Secretary of the military department concerned may enter into an agreement with a person who—

(A) * * *

(B) is eligible for appointment, designation, or assignment as a medical officer or dental officer in the Reserve of the armed force concerned *or has been appointed as a medical or dental officer in the Reserve of the armed force concerned*; and

* * * * * * *

(2) Under the agreement—

(A) the Secretary shall agree to pay the participant a stipend, in an amount determined under subsection [(e)] *(f)*, for the period or the remainder of the period of the residency program in which the participant enrolls or is enrolled;

* * * * * * *

(D) the participant shall agree to serve, upon successful completion of the program, [two years in the Ready Reserve for each year,] *one year in the Ready Reserve for each six months,* or part thereof, for which the stipend is provided, to be served in the Selected Reserve or in the Individual Ready Reserve as specified in the agreement.

[(c)] *(d)* REGISTERED NURSES IN CRITICAL SPECIALTIES.—(1) * * *

(2) Under the agreement—

(A) the Secretary shall agree to pay the participant a stipend, in an amount determined under subsection [(e)] *(f)*, for the period or the remainder of the period of the nursing program in which the participant enrolls or is enrolled;

* * * * * * *

(D) the participant shall agree to serve, upon successful completion of the program, [two years in the Ready Reserve for each year,] *one year in the Ready Reserve for each six months,* or part thereof, for which the stipend is provided, to be served in the Selected Reserve or in the Individual Ready Reserve as specified in the agreement.

[(d)] *(e)* BACCALAUREATE STUDENTS IN NURSING OR OTHER HEALTH PROFESSIONS.—(1) * * *

* * * * * * *

[(e)] *(f)* AMOUNT OF STIPEND.—The amount of a stipend under an agreement under subsection (b) or (c) shall be—

(1) the stipend rate in effect for participants in the Armed Forces Health Professions Scholarship Program under section 2121(d) of this title, if the participant has agreed to serve in the Selected Reserve; or

(2) one-half of that rate, if the participant has agreed to serve in the Individual Ready Reserve.

* * * * * * *

CHAPTER 1609—EDUCATION LOAN REPAYMENT PROGRAMS

* * * * * * *

§ 16302. Education loan repayment program: health professions officers serving in Selected Reserve with wartime critical medical skill shortages

(a) * * *

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(d) The authority provided in this section shall apply only in the case of a person first appointed as a commissioned officer before January 1, [2002] *2003*.

* * * * * * *

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1996

* * * * * * *

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

* * * * * * *

Subtitle E—Chemical Demilitarization Program

* * * * * * *

SEC. 152. DESTRUCTION OF EXISTING STOCKPILE OF LETHAL CHEMICAL AGENTS AND MUNITIONS.

(a) * * *

(b) INITIATION OF DEMILITARIZATION OPERATIONS.—The Secretary of Defense may not initiate destruction of the chemical munitions stockpile stored at a site until the following support measures are in place *for that site*:

(1) * * *

* * * * * * *

(4) Emergency preparedness and response capabilities have been established at the site and in the surrounding communities to respond to emergencies involving risks to public health or safety that are identified by the Secretary of Defense as being risks resulting from the storage or destruction of lethal chemical agents and munitions at the site.

(5) The Under Secretary of Defense for Acquisition, Technology, and Logistics recommends initiation of destruction at the site after considering the recommendation by the board established by subsection (g).

* * * * * * *

(g) OVERSIGHT BOARDS.—(1) The Under Secretary of Defense for Acquisition, Technology, and Logistics shall convene, for each site at which the chemical munitions stockpile is stored, an independent oversight board composed of—

(A) the Secretary of the Army;

(B) the Director of the Federal Emergency Management Agency;

(C) the Administrator of the Environmental Protection Agency;

(D) the President of the National Academy of Sciences;

(E) the Governor of the State in which the site is located; and

(F) one individual designated by the Under Secretary from a list of three local representatives of the area in which the site is located, prepared jointly by the Member of the House of Representatives who represents the Congressional District in which the site is located and the Senators representing the State in which the site is located.

(2) Not later than six months after each such board is convened, the board shall make a recommendation to the Under Secretary whether the destruction of the chemical munitions stockpile should be initiated at the site.

(3) The Under Secretary may not recommend initiation of destruction of the chemical munitions stockpile at a site after considering a negative recommendation of the board until 90 days after the Under Secretary provides notice to Congress of the intent to recommend initiation of destruction.

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TITLE V—MILITARY PERSONNEL POLICY

* * * * * * *

Subtitle E—Miscellaneous Reviews, Studies, and Reports

* * * * * * *

[SEC. 552. COMPTROLLER GENERAL REVIEW OF PROPOSED ARMY END STRENGTH ALLOCATIONS.

[(a) IN GENERAL.—During fiscal years 1996 through 2001, the Comptroller General of the United States shall analyze the plans of the Secretary of the Army for the allocation of assigned active component end strengths for the Army through the requirements process known as Total Army Analysis 2003 and through any subsequent similar requirements process of the Army that is conducted before 2002. The Comptroller General's analysis shall consider whether the proposed active component end strengths and planned allocation of forces for that period will be sufficient to implement the national military strategy. In monitoring those plans, the Comptroller General shall determine the extent to which the Army will be able during that period—

[(1) to man fully the combat force based on the projected active component Army end strength for each of fiscal years 1996 through 2001;

[(2) to meet the support requirements for the force and strategy specified in the report of the Bottom-Up Review, including requirements for operations other than war; and

[(3) to streamline further Army infrastructure in order to eliminate duplication and inefficiencies and replace active duty

personnel in overhead positions, whenever practicable, with civilian or reserve personnel.

[(b) ACCESS TO DOCUMENTS, ETC.—The Secretary of the Army shall ensure that the Comptroller General is provided access, on a timely basis and in accordance with the needs of the Comptroller General, to all analyses, models, memoranda, reports, and other documents prepared or used in connection with the requirements process of the Army known as Total Army Analysis 2003 and any subsequent similar requirements process of the Army that is conducted before 2002.

[(c) ANNUAL REPORT.—Not later than March 1 of each year through 2002, the Comptroller General shall submit to Congress a report on the findings and conclusions of the Comptroller General under this section.]

* * * * * * *

SECTION 216 OF THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEARS 1992 AND 1993

SEC. 216. MANAGEMENT OF NAVY MINE COUNTERMEASURES PROGRAMS.

(a) RESPONSIBILITY.—Subject to the authority, direction, and control of the Secretary of Defense, the Under Secretary of Defense for Acquisition and Technology shall have the primary responsibility for developing and testing naval mine countermeasures systems during fiscal years 1996 through [2003] *2008*.

* * * * * * *

SECTION 3701 OF TITLE 31, UNITED STATES CODE

§ 3701. Definitions and application

(a) * * *

(b)(1) In subchapter II of this chapter and subsection (a)(8) of this section, the term "claim" or "debt" means any amount of funds or property that has been determined by an appropriate official of the Federal Government to be owed to the United States by a person, organization, or entity other than another Federal agency. A claim includes, without limitation—

(A) * * *

(B) expenditures of nonappropriated funds*, including actual and administrative costs related to shoplifting, theft detection, and theft prevention*,

* * * * * * *

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2000

* * * * * * *

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

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TITLE III—OPERATION AND MAINTENANCE

* * * * * * *

Subtitle E—Performance of Functions by Private-Sector Sources

* * * * * * *

SEC. 343. REPORT ON USE OF EMPLOYEES OF NON-FEDERAL ENTITIES TO PROVIDE SERVICES TO DEPARTMENT OF DEFENSE.

[(a) REPORT REQUIRED.—Not later than March 1, 2001, the Secretary of Defense shall submit to Congress a report describing the use during the previous fiscal year of non-Federal entities to provide services to the Department of Defense.**]**

(a) REPORTING REQUIREMENT FOR DEPARTMENT OF THE ARMY.—(1) Not later than March 1 of each fiscal year, the Secretary of the Army shall submit to Congress a report describing the use during the previous fiscal year of non-Federal entities to provide services to the Department of the Army.

(2) The data collection required to prepare the report is deemed to be in compliance with the requirements of chapter 35 of title 44, United States Code, commonly known as the Paperwork Reduction Act.

(3) The report required by this section is needed to comply with sections 115a and 129a of title 10, United States Code, and is not a procurement action.

(b) CONTENT OF REPORT.—To the extent practicable using information available from existing data collection and reporting systems available to the **[**Department of Defense**]** *Department of the Army* and the non-Federal entities referred to in subsection (a), the report shall—

(1) * * *

* * * * * * *

(c) LIMITATION ON REQUIREMENT FOR NON-FEDERAL ENTITIES TO PROVIDE INFORMATION.—For the purposes of meeting the requirements set forth in subsection (b), the Secretary may not require the provision of information beyond the information that is currently provided to the Department by the non-Federal entities referred to in subsection (a), except for the number of direct and indirect work year equivalents associated with **[**Department of Defense**]** *Department of the Army* contracts, identified by contract number, to the extent this information is available to the contractor from existing data collection systems.

(d) GAO EVALUATION.—Not later than 60 days after the Secretary submits to Congress the report required under subsection (a) for a fiscal year, the Comptroller General shall submit to Congress an evaluation of the report.

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TITLE V—MILITARY PERSONNEL POLICY

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Subtitle D—Service Academies

SEC. 531. STRENGTH LIMITATIONS AT THE SERVICE ACADEMIES.

(a) * * *

(b) REENACTMENT OF LIMITATION; AUTHORIZED VARIANCE.—(1) * * *

(2) Section 6954 of such title is amended—

(A) *in subsection (a),* by striking the matter preceding paragraph (1) and inserting the following:

(i) * * *

* * * * * * *

Subtitle E—Education and Training

* * * * * * *

SEC. 549. RECODIFICATION AND CONSOLIDATION OF STATUTES DENYING FEDERAL GRANTS AND CONTRACTS BY CERTAIN DEPARTMENTS AND AGENCIES TO INSTITUTIONS OF HIGHER EDUCATION THAT PROHIBIT SENIOR ROTC UNITS OR MILITARY RECRUITING ON CAMPUS.

(a) RECODIFICATION AND CONSOLIDATION FOR LIMITATIONS ON FEDERAL GRANTS AND CONTRACTS.—(1) * * *

(2) The item relating to section 983 in the table of sections at the beginning of [such chapter] *chapter 49 of title 10, United States Code,* is amended to read as follows:

* * * * * * *

Subtitle I—Matters Relating to Missing Persons

* * * * * * *

SEC. 576. RECOVERY AND IDENTIFICATION OF REMAINS OF CERTAIN WORLD WAR II SERVICEMEN LOST IN PACIFIC THEATER OF OPERATIONS.

(a) RECOVERY OF REMAINS.—(1) * * *

* * * * * * *

(3) Not later than September 30, 2000, the Secretary shall submit to Congress a report setting forth the efforts made to accom-

plish the objectives specified in paragraph (1). The Secretary shall include in the report a statement of the backlog of cases at the Central Identification Laboratory, Hawaii, shown by conflict, and the status of the joint manning plan required by section 566(c) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2029).

* * * * * * *

Subtitle J—Other Matters

SEC. 577. AUTHORITY FOR SPECIAL COURTS-MARTIAL TO IMPOSE SENTENCES TO CONFINEMENT AND FORFEITURES OF PAY OF UP TO ONE YEAR.

(a) MAXIMUM PUNISHMENTS THAT MAY BE ADJUDGED BY A SPECIAL COURT-MARTIAL.—Section 819 of title 10, United States Code (article 19 of the Uniform Code of Military Justice), is amended—

(1) * * *

(2) in the third sentence, by inserting after "A **[**bad conduct**]** *bad-conduct* discharge" the following: ", confinement for more than six months, or forfeiture of pay for more than six months".

* * * * * * *

SEC. 591. DEFENSE TASK FORCE ON DOMESTIC VIOLENCE.

(a) * * *

* * * * * * *

(h) ADMINISTRATIVE SUPPORT.—(1) Each member of the task force *who is a member of the Armed Forces or civilian officer or employee of the United States* shall serve without compensation (other than the compensation to which entitled as a member of the Armed Forces or an officer or employee of the United States, as the case may be)**[**, but shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from the member's home or regular places of business in the performance of services for the task force**]**. *Other members of the task force shall be appointed in accordance with, and subject to, section 3161 of title 5, United States Code.*

* * * * * * *

(j) TERMINATION.—The task force shall terminate **[**three years after the date of the enactment of this Act**]** *on April 24, 2003*.

* * * * * * *

TITLE VII—HEALTH CARE PROVISIONS

* * * * * * *

Subtitle A—Health Care Services

SEC. 701. PHARMACY BENEFITS PROGRAM.

(a) * * *

* * * * * * *

[(d) STUDY FOR DESIGN OF PHARMACY BENEFIT FOR CERTAIN COVERED BENEFICIARIES.—(1) Not later than April 15, 2001, the Secretary of Defense shall prepare and submit to Congress—

[(A) a study on a design for a comprehensive pharmacy benefit for covered beneficiaries under chapter 55 of title 10, United States Code, who are entitled to benefits under part A, and enrolled under part B, of title XVIII of the Social Security Act; and

[(B) an estimate of the costs of implementing and operating such design.

[(2) The design described in paragraph (1)(A) shall incorporate the elements of the pharmacy benefits program required to be established under section 1074g of title 10, United States Code (as added by subsection (a)).]

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TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS

* * * * * * *

Subtitle B—Other Matters

SEC. 811. MENTOR-PROTEGE PROGRAM IMPROVEMENTS.

(a) * * *

* * * * * * *

(d) REPORTS AND REVIEWS.—(1) * * *

* * * * * * *

(3)(A) * * *

(B) The study shall include the following:

(i) * * *

* * * * * * *

(v) A review of the relationship between the results of the [Mentor-Protegee] *Mentor-Protege* Program and the objectives established in section 2323 of title 10, United States Code.

* * * * * * *

TITLE X—GENERAL PROVISIONS

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Subtitle F—Memorial Objects and Commemorations

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SEC. 1052. PROGRAM TO COMMEMORATE 50TH ANNIVERSARY OF THE KOREAN WAR.

(a) * * *

(b) CHANGE OF NAME.—(1) Subsection (c) of such section, as amended by section 1067 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2134), is amended by striking "[‘The Department] *the ‘Department* of Defense Korean War Commemoration’" and inserting "‘The United States of America Korean War Commemoration’".

* * * * * * *

SEC. 1053. COMMEMORATION OF THE VICTORY OF FREEDOM IN THE COLD WAR.

(a) FINDINGS.—Congress makes the following findings:

(1) * * *

* * * * * * *

(5) Tens of thousands of United States soldiers, sailors, airmen, *and* Marines paid the ultimate price during the Cold War in order to preserve the freedoms and liberties enjoyed in democratic countries.

* * * * * * *

TITLE XII—MATTERS RELATING TO OTHER NATIONS

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Subtitle A—Matters Relating to the People's Republic of China

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SEC. 1202. ANNUAL REPORT ON MILITARY POWER OF THE PEOPLE'S REPUBLIC OF CHINA.

(a) * * *

* * * * * * *

(d) REPORT ON SALES AND TRANSFERS FROM STATES OF THE FORMER SOVIET UNION TO CHINA.—(1) The report to be submitted under this section not later than March 1, 2002, shall include in a separate section a report describing the sales and transfer of military hardware, expertise, and technology from states of the former Soviet Union to the People's Republic of China. The report shall set forth the history of such sales and transfers since 1990, forecast possible future sales and transfers, and address the implications of those sales and transfers for the security of the United States and its friends and allies in Asia.

(2) The report shall include analysis and forecasts of the following matters related to military cooperation between states of the former Soviet Union and the People's Republic of China:

(A) The policy of each of those states with respect to arms sales to, and military cooperation with, the People's Republic of China.

(B) Any laws or regulations of those states that could prohibit or limit such sales or cooperation.

(C) The extent in each of those states of government knowledge, cooperation, or condoning of sales or transfers of military hardware, expertise, or technology to the People's Republic of China.

(D) An itemization of sales or transfers of military hardware, expertise, or technology from any of those states to the People's Republic of China that have taken place since 1990, with a particular focus on command, control, communications, and intelligence systems.

(E) A description of any sale or transfer of military hardware, expertise, or technology from any of those states to the People's Republic of China that is currently under negotiation or contemplation through the end of 2005.

(F) Identification of Chinese defense industries in which technicians from states of the former Soviet Union are working and of defense industries of those states in which Chinese technicians are working and a description in each case of the extent and the nature of the work performed by such technicians.

(G) The extent of assistance by any of those states to key research and development programs of China, including programs for development of weapons of mass destruction and delivery vehicles for such weapons, programs for development of advanced conventional weapons, and programs for development of unconventional weapons.

(H) The extent of assistance by any of those states to information warfare or electronic warfare programs of China.

(I) The extent of assistance by any of those states to manned and unmanned space operations of China.

(J) The extent to which arms sales by any of those states to the People's Republic of China are a source of funds for military research and development or procurement programs in the selling state.

(3) The report under paragraph (1) shall include, with respect to each area of analysis and forecasts specified in paragraph (2)—

(A) an assessment of the military effects of such sales or transfers to entities in the People's Republic of China;

(B) an assessment of the ability of the People's Liberation Army to assimilate such sales or transfers, mass produce new equipment, or develop doctrine for use; and

(C) the potential threat of developments related to such effects on the security interests of the United States and its friends and allies in Asia.

* * * * * * *

Subtitle D—Other Matters

* * * * * * *

SEC. 1232. LIMITATION ON DEPLOYMENT OF ARMED FORCES IN HAITI DURING FISCAL YEAR 2000 AND CONGRESSIONAL NOTICE OF DEPLOYMENTS TO HAITI.

(a) * * *

[(b) REPORT.—Whenever there is a deployment of United States Armed Forces to Haiti after May 31, 2000, the President shall, not later than 96 hours after such deployment begins, transmit to Congress a written report regarding the deployment. In any such report, the President shall specify (1) the purpose of the deployment, and (2) the date on which the deployment is expected to end.]

* * * * * * *

TITLE XIII—COOPERATIVE THREAT REDUCTION WITH STATES OF THE FORMER SOVIET UNION

* * * * * * *

SEC. 1305. LIMITATION ON USE OF FUNDS FOR CHEMICAL WEAPONS DESTRUCTION.

No fiscal year 2000 Cooperative Threat Reduction funds, and no funds appropriated for Cooperative Threat Reduction programs after the date of the enactment of this Act, may be obligated or expended for planning, design, or construction of a chemical weapons destruction facility in Russia *until the Secretary of Defense submits to Congress a certification that there has been—*

(1) full and accurate disclosure by Russia of the size of its existing chemical weapons stockpile;

(2) a demonstrated annual commitment by Russia to allocate at least $25,000,000 to chemical weapons elimination;

(3) development by Russia of a practical plan for destroying its stockpile of nerve agents;

(4) enactment of a law by Russia that provides for the elimination of all nerve agents at a single site; and

(5) an agreement by Russia to destroy its chemical weapons production facilities at Volgograd and Novocheboksark.

* * * * * * *

TITLE XIV—PROLIFERATION AND EXPORT CONTROLS

* * * * * * *

SEC. 1402. ANNUAL REPORT ON TRANSFERS OF MILITARILY SENSITIVE TECHNOLOGY TO COUNTRIES AND ENTITIES OF CONCERN.

(a) * * *

* * * * * * *

(f) DEFINITION.—As used in this section, the term "countries and entities of concern" means—

(1) * * *

(2) any country that—

(A) has detonated a nuclear explosive device (as defined in section 830(4) of the Nuclear Proliferation Prevention Act of 1994 (22 U.S.C. [3201 note] *6305(4)*)); and

* * * * * * *

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

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TITLE XXIX—COMMISSION ON NATIONAL MILITARY MUSEUM

* * * * * * *

SEC. 2902. DUTIES OF COMMISSION.

(a) * * *

* * * * * * *

(d) REQUIREMENTS FOR LOCATION ON NAVY ANNEX PROPERTY.—In the case of a recommendation under subsection (c)(1) to authorize construction of a national military museum on the Navy Annex property authorized for reservation for such purpose by section [2871(b)] *2881(b)*, the design of the national military museum on such property shall be subject to the following requirements:

(1) * * *

* * * * * * *

SECTION 1407 OF THE DEFENSE DEPENDENTS' EDUCATION ACT OF 1978

SCHOOL SYSTEM FOR DEPENDENTS IN OVERSEAS AREAS

SEC. 1407. (a) * * *

* * * * * * *

(c) CONTINUATION OF ENROLLMENT FOR CERTAIN DEPENDENTS OF MEMBERS OF THE ARMED FORCES INVOLUNTARILY SEPARATED.—(1) A member of the Armed Forces serving on active duty on September 30, 1990, who is involuntarily separated during the period beginning on October 1, 1990, and ending on December 31, [2001] *2002*, and who has a dependent described in paragraph (2) who is enrolled in a school of the defense dependents' education system (or a school for which tuition is provided under subsection (b)) on the date of that separation shall be eligible to enroll or continue the enrollment of that dependent at that school (or another school serving the same community) for the final year of secondary education

of that dependent in the same manner as if the member were still on active duty.

* * * * * * *

(d) AUXILIARY SERVICES AVAILABLE TO HOME SCHOOL STUDENTS.—(1) A dependent who is educated in a home school setting, but who is eligible to enroll in a school of the defense dependents' education system, shall be permitted to use or receive auxiliary services of that school without being required to either enroll in that school or register for a minimum number of courses offered by that school. The dependent may be required to satisfy other eligibility requirements applicable to students actually enrolled in that school who use or receive the same auxiliary services.

(2) For purposes of paragraph (1), the term "auxiliary services" includes registration in individual courses, use of academic resources, access to the library of the school, after hours use of school facilities, and participation in music, sports, and other extracurricular and interscholastic activities.

[(d)] *(e)*(1)(A) Chapter 7 of title 37, United States Code, relating to allowances authorized for members of the uniformed services, is amended by adding after section 428 the following new section:

(i) * * *

* * * * * * *

FLOYD D. SPENCE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2001

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DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

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TITLE V—MILITARY PERSONNEL POLICY

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Subtitle B—Reserve Component Personnel Policy

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SEC. 525. EXTENSION OF INVOLUNTARY CIVIL SERVICE RETIREMENT DATE FOR CERTAIN RESERVE TECHNICIANS.

(a) * * *

(b) TRANSITION PROVISION.—(1) An individual who before the date of the enactment of this Act was involuntarily separated or retired from employment as an Army Reserve or Air Force Reserve technician under section 10218 of title 10, United States Code, and who would not have been so separated if the provisions of [sub-

section (c)] *subsections (a) and (b)* of that section, as amended by subsection (a), had been in effect at the time of such separation may, with the approval of the Secretary concerned, be reinstated to the technician status held by that individual immediately before that separation. The effective date of any such reinstatement is the date the employee resumes technician status.

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Subtitle G—Other Matters

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SEC. 574. MANAGEMENT AND PER DIEM REQUIREMENTS FOR MEMBERS SUBJECT TO LENGTHY OR NUMEROUS DEPLOYMENTS.

(a) * * *

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(d) REVIEW OF MANAGEMENT OF DEPLOYMENTS OF INDIVIDUAL MEMBERS.—Not later than March 31, 2002, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the administration of section 991 of title 10, United States Code, during fiscal year 2001. The report shall include—

[(1) a discussion of the experience in tracking and recording the deployments of members of the Armed Forces; and

[(2) any recommendations for revision of such section that the Secretary considers appropriate.]

(1) a discussion of the experience in tracking and recording the deployments of members of the Armed Forces and the payment of the per diem allowance for lengthy or numerous deployments in accordance with section 436 of title 37, United States Code;

(2) specific comments regarding the effect of section 991 of title 10, United States Code, and section 436 of title 37, United States Code, on the readiness of the Navy and Marine Corps given the deployment intensive mission of these services; and

(3) any recommendations for revision of section 991 of title 10, United States Code, or section 436 of title 37, United States Code, that the Secretary considers appropriate.

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TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

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Subtitle A—Pay and Allowances

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SEC. 603. REVISED METHOD FOR CALCULATION OF BASIC ALLOWANCE FOR SUBSISTENCE.

(a) * * *

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(c) EARLY TERMINATION OF BAS TRANSITIONAL AUTHORITY.—Effective [October 1, 2001] *January 1, 2002*, subsections (c) through (f) of section 602 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 37 U.S.C. 402 note) are repealed.

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TITLE VII—HEALTH CARE PROVISIONS

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Subtitle C—TRICARE Program

SEC. 721. IMPROVEMENT OF ACCESS TO HEALTH CARE UNDER THE TRICARE PROGRAM.

(a) WAIVER OF NONAVAILABILITY STATEMENT OR PREAUTHORIZATION.—In the case of a covered beneficiary under chapter 55 of title 10, United States Code, who is enrolled in TRICARE Standard, the Secretary of Defense may not require with regard to authorized health care services (other than mental health services) under any [new] contract for the provision of health care services under such chapter that the beneficiary—

(1) * * *

* * * * * * *

[(c) EXCEPTIONS.—Subsection (a) shall not apply if—

[(1) the Secretary demonstrates significant costs would be avoided by performing specific procedures at the affected military medical treatment facilities;

[(2) the Secretary determines that a specific procedure must be provided at the affected military medical treatment facility to ensure the proficiency levels of the practitioners at the facility; or

[(3) the lack of nonavailability statement data would significantly interfere with TRICARE contract administration.]

(c) EXCEPTIONS.—(1) Subject to paragraph (2), the Secretary may provide that subsection (a) shall not apply for a period of up to one year if—

(A) the Secretary—

(i) demonstrates significant costs would be avoided by performing specific procedures at the affected military medical treatment facility or facilities;

(ii) determines that a specific procedure must be provided at the affected military medical treatment facility or facilities to ensure the proficiency levels of the practitioners at the facility or facilities; or

(iii) determines that the lack of nonavailability statement data would significantly interfere with TRICARE contract administration;

(B) the Secretary provides notification of the Secretary's intent to make an exception under this subsection to covered beneficiaries who receive care at the military medical treatment facility or facilities that will be affected by the decision to make an exception under this subsection;

(C) the Secretary provides notification to the Committees on Armed Services of the House of Representatives and the Senate of the Secretary's intent to make an exception under this subsection, the reason for making an exception, and the date that a nonavailability statement will be required; and

(D) 60 days have elapsed since the date of the notification described in subparagraph (C).

(2)(A) Except as provided in subparagraph (B), the Secretary may make an exception under this subsection with respect to—

(i) one or more services performed at a military medical treatment facility or facilities; or

(ii) one or more services performed in a TRICARE region.

(B) With respect to maternity care, the Secretary may make an exception under this subsection with respect to a military medical treatment facility.

(3) In the case of health care provided in conjunction with a graduate medical education program, the period of nonapplicability described in paragraph (1) shall be, instead of one year, the period for which a residency review committee has approved the program.

(d) EFFECTIVE DATE.—This section shall take effect on [October 1, 2001] *two years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2002.*

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TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS

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Subtitle B—Information Technology

SEC. 811. ACQUISITION AND MANAGEMENT OF INFORMATION TECHNOLOGY.

(a) * * *

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(c) MILESTONE APPROVAL FOR MAJOR AUTOMATED INFORMATION SYSTEMS.—The revised directive required by subsection (b) shall prohibit [Milestone I] *Milestone B* approval, [Milestone II] *Milestone C* approval, or [Milestone III] *full rate production* approval (or the equivalent) of a major automated information system within the Department of Defense until the Chief Information Officer has determined that—

(1) * * *

* * * * * * *

SEC. 814. NAVY-MARINE CORPS INTRANET.

(a) * * *

(b) PHASED IMPLEMENTATION.—(1) * * *

* * * * * * *

(4) No increment of the Navy-Marine Corps Intranet that is implemented during fiscal year [2001] *2002* may include any activities of the [Marine Corps, the naval shipyards, or] *naval shipyards or* the naval aviation depots. Funds available for fiscal year [2001] *2002* for activities of the [Marine Corps, the naval shipyards, or] *naval shipyards or* the naval aviation depots may not be expended for any contract for the Navy-Marine Corps Intranet.

(c) [PROHIBITION ON INCREASE OF RATES CHARGED.—] *PROHIBITIONS.—(1)* The Secretary of the Navy shall ensure that rates charged by a working capital funded industrial facility of the Department of the Navy for goods or services provided by such facility are not increased during fiscal year [2001] *2002* for the purpose of funding the Navy-Marine Corps Intranet contract.

(2) The Navy Intranet contract may not include any activities of the Marine Corps.

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TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

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Subtitle B—Department of Defense Organizations

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[SEC. 916. SEMIANNUAL REPORT ON JOINT REQUIREMENTS OVERSIGHT COUNCIL REFORM INITIATIVE.

[(a) SEMIANNUAL REPORT.—The Chairman of the Joints Chiefs of Staff shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a series of five semiannual reports, as prescribed by subsection (b), on the activities of the Joint Requirements Oversight Council. The principal focus of each such report shall be on the progress made on the initiative of the Chairman to reform and refocus the Joint Requirements Oversight Council.

[(b) SUBMISSION OF REPORTS.—Reports under this section shall be submitted not later than March 1, 2001, September 1, 2001, March 1, 2002, September 1, 2002, and March 1, 2003. Each report shall cover the half of a fiscal year that ends five months before the date on which the report is due.

[(c) CONTENT.—In the case of any report under this section after the first such report, if any matter to be included is unchanged from the preceding report, that matter may be included by reference to the preceding report. Each such report shall include, to the extent practicable, the following:

[(1) A listing of each of the capability areas designated by the Chairman of the Joints Chiefs of Staff as being within the principal domain of the Joint Requirements Oversight Council and a justification for each such designation.

[(2) A listing of the joint requirements developed, considered, or approved within each of the capability areas listed pursuant to paragraph (1).

[(3) A listing and explanation of the decisions made by the Joint Requirements Oversight Council and, to the extent appropriate, a listing of each of the recommendations to the Council made by the commander of the United States Joint Forces Command.

[(4) An assessment of—

[(A) the progress made in shifting the Joint Requirements Oversight Council to having a more strategic focus on future war fighting requirements;

[(B) the progress made on integration of requirements; and

[(C) the progress made on development of overarching common architectures for defense information systems to ensure that common defense information systems are fully interoperable.

[(5) A description of any actions that have been taken to improve the Joint Requirements Oversight Council.]

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TITLE X—GENERAL PROVISIONS

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Subtitle C—Counter-Drug Activities

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SEC. 1022. REPORT ON DEPARTMENT OF DEFENSE EXPENDITURES TO SUPPORT FOREIGN COUNTER-DRUG ACTIVITIES.

Not later than January 1, 2001, *and April 15, 2002,* the Secretary of Defense shall submit to the congressional defense committees a report detailing the expenditure of funds by the Secretary during [fiscal year 2000] *the preceding fiscal year* in direct or indirect support of the counter-drug activities of foreign governments. The report shall include the following for each foreign government:

(1) * * *

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TITLE XI—DEPARTMENT OF DEFENSE CIVILIAN PERSONNEL

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Subtitle F—Voluntary Separation Incentive Pay and Early Retirement Authority

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SEC. 1152. DEPARTMENT OF DEFENSE EMPLOYEE VOLUNTARY EARLY RETIREMENT AUTHORITY.

(a) * * *

* * * * * * *

(c) CONFORMING AMENDMENTS.—(1) * * *

(2) Section 8464(a)(1)(A)(i) of such title is amended by striking out "or (b)(1)(B)" and *inserting* ", (b)(1)(B), or (d)".

* * * * * * *

TITLE XIII—COOPERATIVE THREAT REDUCTION WITH STATES OF THE FORMER SOVIET UNION

* * * * * * *

[SEC. 1304. LIMITATIONS ON USE OF FUNDS FOR FISSILE MATERIAL STORAGE FACILITY.

[(a) LIMITATIONS.—No fiscal year 2001 Cooperative Threat Reduction funds may be used—

[(1) for construction of a second wing for the storage facility for Russian fissile material referred to in section 1302(a)(5); or

[(2) for design or planning with respect to such facility until 15 days after the date that the Secretary of Defense submits to Congress notification that Russia and the United States have signed a written transparency agreement that provides for verification that material stored at the facility is of weapons origin.

[(b) ESTABLISHMENT OF FUNDING CAP FOR FIRST WING OF STORAGE FACILITY.—Out of funds authorized to be appropriated for Cooperative Threat Reduction programs for fiscal year 2001 or any other fiscal year, not more than $412,600,000 may be used for planning, design, or construction of the first wing for the storage facility for Russian fissile material referred to in section 1302(a)(5).]

SEC. 1304. LIMITATION ON USE OF FUNDS FOR FISSILE MATERIAL STORAGE FACILITY.

Out of funds authorized to be appropriated for Cooperative Threat Reduction programs for fiscal year 2001 or any other fiscal year, not more than $412,600,000 may be used for planning, design, or construction of the first wing for the storage facility for Russian fissile material referred to in section 1302(a)(5).

* * * * * * *

[SEC. 1307. LIMITATION ON USE OF FUNDS FOR CONSTRUCTION OF FOSSIL FUEL ENERGY PLANTS; REPORT.

[(a) IN GENERAL.—No fiscal year 2001 Cooperative Threat Reduction funds may be used for the construction of a fossil fuel energy plant intended to provide power to local communities that al-

ready receive power from nuclear energy plants that produce plutonium.]

SEC. 1307. PROHIBITION AGAINST USE OF FUNDS FOR CONSTRUCTION OR REFURBISHMENT OF FOSSIL FUEL ENERGY PLANTS; REPORT.

(a) PROHIBITION.—No funds appropriated for Cooperative Threat Reduction programs for any fiscal year may be used for the construction or refurbishment of a fossil fuel energy plant intended to provide power to local communities that receive power from nuclear energy plants that produce plutonium.

* * * * * * *

SEC. 1308. REPORTS ON ACTIVITIES AND ASSISTANCE UNDER COOPERATIVE THREAT REDUCTION PROGRAMS.

(a) * * *

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(c) MATTERS TO BE INCLUDED.—The report under subsection (a) in a year shall set forth the following:

(1) * * *

* * * * * * *

(4) A description of the [audits, examinations, and other efforts, such as on-site inspections, conducted] *means (including program management, audits, examinations, and other means) used* by the United States during the fiscal year ending in the year preceding the year of the report to ensure that assistance provided under Cooperative Threat Reduction programs is fully accounted for [and that such assistance is being used for its intended purpose]*, that such assistance is being used for its intended purpose, and that such assistance is being used efficiently and effectively*, including—

(A) * * *

* * * * * * *

(C) a determination whether the assistance described in subparagraphs (A) and (B) has been used for its intended purpose *and an assessment of whether the assistance being provided is being used effectively and efficiently*; and

(D) a description of the [audits, examinations, and other] efforts planned to be carried out during the fiscal year beginning in the year of the report to ensure that Cooperative Threat Reduction assistance provided during such fiscal year is fully accounted for and is used for its intended purpose.

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TITLE XV—NAVY ACTIVITIES ON THE ISLAND OF VIEQUES, PUERTO RICO

* * * * * * *

[SEC. 1503. DETERMINATION REGARDING CONTINUATION OF NAVY TRAINING.

[(a) REFERENDUM.—

[(1) REQUIREMENT.—Except as provided in paragraph (2), the President shall provide for a referendum to be conducted on the island of Vieques, Puerto Rico, to determine by a majority of the votes cast in the referendum by the Vieques electorate whether the people of Vieques approve or disapprove of the continuation of the conduct of live-fire training, and any other types of training, by the Armed Forces at the Navy's training sites on the island under the conditions described in subsection (d).

[(2) EXCEPTION.—If the Chief of Naval Operations and the Commandant of the Marine Corps jointly submit to the congressional defense committees, after the date of the enactment of this Act and before the date set forth in subsection (c), their certification that the Vieques Naval Training Range is no longer needed for training by the Navy and the Marine Corps, then the requirement for a referendum under paragraph (1) shall cease to be effective on the date on which the certification is submitted.

[(b) PROHIBITION OF OTHER PROPOSITIONS.—In the referendum under this section, no proposition or option may be presented as an alternative to the propositions of approval and of disapproval of the continuation of the conduct of training as described in subsection (a)(1).

[(c) TIME FOR REFERENDUM.—The referendum required under this section shall be held on May 1, 2001, or within 270 days before such date or 270 days after such date. The Secretary of the Navy shall publicize the date set for the referendum 90 days before that date.

[(d) REQUIRED TRAINING CONDITIONS.—For the purposes of the referendum under this section, the conditions for the continuation of the conduct of training are those that are proposed by the Secretary of the Navy and publicized on the island of Vieques in connection with, and for a reasonable period in advance of, the referendum. The conditions shall include the following:

[(1) LIVE-FIRE TRAINING.—A condition that the training may include live-fire training.

[(2) MAXIMUM ANNUAL DAYS OF USE.—A condition that the training may be conducted on not more than 90 days each year.

[(e) PROCLAMATION OF OUTCOME.—Promptly after the referendum is completed under this section, the President shall determine, and issue a proclamation declaring, the outcome of the referendum. The President's determination shall be final, and the outcome of the referendum (as so determined) shall be binding.

[(f) VIEQUES ELECTORATE DEFINED.—

[(1) REGISTERED VOTERS.—In this section, the term "Vieques electorate", with respect to a referendum under this section, means the residents of the island of Vieques, Puerto Rico, who, on both dates specified in paragraph (2), are registered to vote in a general election held for casting ballots for the election of the Resident Commissioner of the Commonwealth of Puerto Rico.

[(2) REGISTRATION DATES.—The dates referred to in paragraph (1) are as follows:

[(A) November 7, 2000.

[(B) The date that is 180 days before the date of the referendum under this section.

[SEC. 1504. ACTIONS IF TRAINING IS APPROVED.

[(a) CONDITION FOR EFFECTIVENESS.—This section shall take effect on the date on which the President issues a proclamation under subsection (e) of section 1503 declaring that the continuation of the conduct of training (including live-fire training) by the Armed Forces at the Navy's training sites on the island of Vieques, Puerto Rico, under the conditions described in subsection (d) of such section, has been approved in the referendum conducted under such section.

[(b) AUTHORIZATION OF APPROPRIATIONS FOR ADDITIONAL ECONOMIC ASSISTANCE.—There is authorized to be appropriated to the President $50,000,000 to provide economic assistance for the people and communities of the island of Vieques. This authorization of appropriations is in addition to the amount authorized to appropriated to provide economic assistance under section 1501.

[(c) TRAINING RANGE TO REMAIN OPEN.—The Vieques Naval Training Range shall remain available for the use of the Armed Forces, including for live-fire training.

[SEC. 1505. REQUIREMENTS IF TRAINING IS NOT APPROVED OR MANDATE FOR REFERENDUM IS VITIATED.

[(a) CONDITIONS FOR EFFECTIVENESS.—This section shall take effect on the date on which either of the following occurs:

[(1) The President issues a proclamation under subsection (e) of section 1503 declaring that the continuation of the conduct of training (including live-fire training) by the Armed Forces at the Navy's training sites on the island of Vieques, Puerto Rico, under the conditions described in subsection (d) of such section, has not been approved in the referendum conducted under such section.

[(2) The requirement for a referendum under section 1503 ceases to be effective pursuant to subsection (a)(2) of such section.

[(b) ACTIONS REQUIRED OF SECRETARY OF DEFENSE.—

[(1) TERMINATION OF OPERATION.—Not later than May 1, 2003, the Secretary of Defense shall—

[(A) terminate all Navy and Marine Corps training operations on the island of Vieques; and

[(B) terminate all Navy and Marine Corps operations at Naval Station Roosevelt Roads, Puerto Rico, that are related exclusively to the use of the training range on the island of Vieques by the Navy and the Marine Corps.

[(2) RELOCATION OF UNITS.—The Secretary of Defense may relocate the units of the Armed Forces (other than those of the reserve components) and activities of the Department of Defense (including nonappropriated fund activities) at Fort Buchanan, Puerto Rico, to Naval Station Roosevelt Roads, Puerto Rico, to ensure maximum utilization of capacity.

[(3) CLOSURE OF INSTALLATIONS AND FACILITIES.—The Secretary of Defense shall close the Department of Defense installations and facilities on the island of Vieques, other than prop-

erties exempt from conveyance and transfer under section 1506.

[(c) ACTIONS REQUIRED OF SECRETARY OF THE NAVY.—The Secretary of the Navy shall transfer, without reimbursement, to the administrative jurisdiction of the Secretary of the Interior—

[(1) the Live Impact Area on the island of Vieques;

[(2) all Department of Defense real properties on the eastern side of the island that are identified as conservation zones; and

[(3) all other Department of Defense real properties on the eastern side of the island.

[(d) ACTIONS REQUIRED OF SECRETARY OF THE INTERIOR.—

[(1) RETENTION AND ADMINISTRATION.—The Secretary of the Interior shall retain, and may not dispose of any of, the properties transferred under paragraphs (2) and (3) of subsection (c) and shall administer such properties as wildlife refuges under the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.) pending the enactment of a law that addresses the disposition of such properties.

[(2) RESPONSIBILITY FOR LIVE IMPACT AREA.—Upon a termination of Navy and Marine Corps training operations on the island of Vieques under subsection (b)(1), the Secretary of the Interior shall assume responsibility for the administration of the Live Impact Area, administer that area as a wilderness area under the Wilderness Act (16 U.S.C. 1131 et seq.), and deny public access to the area.

[(3) LIVE IMPACT AREA DEFINED.—In this section, the term "Live Impact Area" means the parcel of real property, consisting of approximately 900 acres (more or less), on the island of Vieques that is designated by the Secretary of the Navy for targeting by live ordnance in the training of forces of the Navy and Marine Corps.

[(e) GAO REVIEW.—

[(1) REQUIREMENT FOR REVIEW.—The Comptroller General shall review the requirement for the continued use of Fort Buchanan, Puerto Rico, by active Army forces and shall submit to the congressional defense committees a report containing—

[(A) the findings resulting from the review; and

[(B) recommendations regarding the closure of Fort Buchanan and the consolidation of units of the Armed Forces to Naval Station Roosevelt Roads, Puerto Rico.

[(2) TIME FOR SUBMITTAL OF REPORT.—The Comptroller General shall submit the report under paragraph (1) not later than one year after the date on which the referendum under section 1503 is conducted or one year after the date on which a certification is submitted to the congressional defense committees under subsection (a)(2) of such section, as the case may be.]

SEC. 1503. CONDITIONS ON CLOSURE OF VIEQUES NAVAL TRAINING RANGE.

(a) REQUIRED CERTIFICATION.—The Secretary of the Navy may close the Vieques Naval Training Range on the island of Vieques, Puerto Rico, and discontinue live-fire training at that range only if—

(1) the Chief of Naval Operations and the Commandant of the Marine Corps jointly certify that there is an alternative

training facility that provides an equivalent or superior level of training for units of the Navy and the Marine Corps stationed or deployed in the eastern United States; and

(2) the new facility is available and fully capable of supporting such training immediately upon cessation of live-fire training on Vieques.

(b) EQUIVALENT OR SUPERIOR LEVEL OF TRAINING DEFINED.—In this section, the term "equal or superior level of training" refers to an ability by the Armed Forces to conduct at a single location coordinated live-fire training, including simultaneous large-scale tactical air strikes, naval surface fire support and artillery, and amphibious landing operations, as was conducted at Vieques Naval Training Range before April 19, 1999.

SEC. 1504. NAVY RETENTION OF CLOSED VIEQUES NAVAL TRAINING RANGE.

(a) RETENTION.—If the conditions specified in section 1503(a) are satisfied and the Secretary of the Navy terminates all Navy and Marine Corps training operations on the island of Vieques, the Secretary of the Navy shall retain administrative jurisdiction over the Live Impact Area and all other Department of Defense real properties on the eastern side of the island for possible reactivation for training use, including live-fire training, in the event a national emergency.

(b) ADMINISTRATION.—The Secretary of the Navy may enter into a cooperative agreement with the Secretary of the Interior to provide for management of the property described in subsection (a), pending reactivation for training use, by appropriate agencies of the Department of the Interior as follows:

(1) Management of the Live Impact Area as a wilderness area under the Wilderness Act (16 U.S.C. 1131 et seq.), including a prohibition on public access to the area.

(2) Management of the remaining property as wildlife refuges under the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.).

(c) LIVE IMPACT AREA DEFINED.—In this section, the term "Live Impact Area" means the parcel of real property, consisting of approximately 900 acres (more or less), on the island of Vieques that is designated by the Secretary of the Navy for targeting by live ordnance in the training of forces of the Navy and Marine Corps.

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SEC. 1507. MORATORIUM ON IMPROVEMENTS AT FORT BUCHANAN.

(a) * * *

* * * * * * *

(c) TERMINATION.—This section shall cease to be effective upon [the issuance of a proclamation described in section 1504(a) or] the enactment of a law, after the date of the enactment of this Act, that authorizes any acquisition, construction, conversion, rehabilitation, extension, or improvement of any facility at Fort Buchanan, Puerto Rico.

* * * * * * *

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1993

* * * * * * *

DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

* * * * * * *

Subtitle E—Defense Nuclear Workers

SEC. 3161. DEPARTMENT OF ENERGY DEFENSE NUCLEAR FACILITIES WORK FORCE RESTRUCTURING PLAN.

(a) * * *

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(c) OBJECTIVES.—In preparing the plan required under subsection (a), the Secretary shall be guided by the following objectives:

(1) * * *

* * * * * * *

(6) The Department of Energy should provide local impact assistance to communities that are affected by the restructuring plan and coordinate the provision of such assistance with—

(A) * * *

* * * * * * *

(C) programs carried out by the Department of Commerce pursuant to [title IX of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3241 et seq.)] *title II of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3141 et seq.).*

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DIVISION D—DEFENSE CONVERSION, REINVESTMENT, AND TRANSITION ASSISTANCE

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TITLE XLIV—PERSONNEL ADJUSTMENT, EDUCATION, AND TRAINING PROGRAMS

Subtitle A—Active Forces Transition Enhancements

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SEC. 4403. TEMPORARY EARLY RETIREMENT AUTHORITY.

(a) * * *

* * * * * * *

(i) ACTIVE FORCE DRAWDOWN PERIOD.—For purposes of this section, the active force drawdown period is the period beginning on the date of the enactment of this Act and ending on December 31, [2001] *2002*.

* * * * * * *

Subtitle B—Guard and Reserve Transition Initiatives

SEC. 4411. FORCE REDUCTION TRANSITION PERIOD DEFINED.

In this subtitle, the term "force reduction transition period" means the period beginning on October 1, 1991, and ending on December 31, [2001] *2002*.

* * * * * * *

SEC. 4416. FORCE REDUCTION PERIOD RETIREMENTS.

(a) * * *

(b) TEMPORARY SPECIAL AUTHORITY.—During the force reduction transition period, the Secretary concerned may grant a member of the Selected Reserve under the age of 60 years the annual payments provided for under this section if—

(1) as of October 1, 1991, that member has completed at least 20 years of service computed under section 1332 of title 10, United States Code, or after that date and before the end of the [force reduction period] *force reduction transition period*, such member completes 20 years of service computed under that section or section 12732;

* * * * * * *

Subtitle F—Job Training and Employment and Educational Opportunities

SEC. 4461. IMPROVED COORDINATION OF JOB TRAINING AND PLACEMENT PROGRAMS FOR MEMBERS OF THE ARMED FORCES.

The Secretary of Defense shall consult with the Secretary of Labor, the Secretary of Education, the Secretary of Veterans Affairs, and the Economic Adjustment Committee to improve the coordination of, and eliminate duplication between, the following job training and placement programs available to members of the Armed Forces who are discharged or released from active duty:

(1) * * *

* * * * * * *

(5) The Wagner-Peyser Act (29 U.S.C. 49 et seq.).

* * * * * * *

SEC. 4463. PROGRAM OF EDUCATIONAL LEAVE RELATING TO CONTINUING PUBLIC AND COMMUNITY SERVICE.

(a) * * *

* * * * * * *

(f) EXPIRATION.—The authority to grant a leave of absence under subsection (a) shall expire on December 31, [2001] *2002*.

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TITLE 37, UNITED STATES CODE

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CHAPTER 3—BASIC PAY

* * * * * * *

§ 203. Rates

(a) * * *

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(d)*(1)* The basic pay of a commissioned officer who is in pay grade O–1, O–2, or O–3 and [who is credited with a total of over four years' active service as warrant officer or as a warrant officer and enlisted member] *is described in paragraph (2)* shall be computed in the same manner as the basic pay of a commissioned officer in the same pay grade who has been credited with over four years' active service as an enlisted member.

(2) Paragraph (1) applies with respect to a commissioned officer in pay grade O–1, O–2, or O–3 who—

(A) is credited with a total of over four years' active service as warrant officer or as a warrant officer and enlisted member; or

(B) earned a total of more than 1,460 points credited under section 12732(a)(2) of title 10 while serving as a warrant officer or enlisted member.

* * * * * * *

§ 204. Entitlement

(a) * * *

* * * * * * *

(g)(1) A member of a reserve component of a uniformed service is entitled, to the pay and allowances provided by law or regulation for a member of a regular component of a uniformed service of corresponding grade and length of service whenever such member is physically disabled as the result of an injury, illness, or disease incurred or aggravated—

(A) * * *

* * * * * * *

(D) in line of duty while remaining overnight immediately before the commencement of inactive-duty training, or while remaining overnight, between successive periods of inactive-duty training, at or in the vicinity of the site of the inactive-duty training[, if the site is outside reasonable commuting distance from the member's residence]; or

* * * * * * *

(h)(1) A member of a reserve component of a uniformed service who is physically able to perform his military duties, is entitled, upon request, to a portion of the monthly pay and allowances provided by law or regulation for a member of a regular component of a uniformed service of corresponding grade and length of service for each month for which the member demonstrates a loss of earned income from nonmilitary employment or self-employment as a result of an injury, illness, or disease incurred or aggravated—

(A) * * *

* * * * * * *

(D) in line of duty while remaining overnight immediately before the commencement of inactive-duty training, or while remaining overnight, between successive periods of inactive-duty training, at or in the vicinity of the site of the inactive-duty training**[**, if the site is outside reasonable commuting distance from the member's residence**]**; or

* * * * * * *

§ 206. Reserves; members of National Guard: inactive-duty training

(a) Under regulations prescribed by the Secretary concerned, and to the extent provided for by appropriations, a member of the National Guard or a member of a reserve component of a uniformed service who is not entitled to basic pay under section 204 of this title, is entitled to compensation, at the rate of 1/30 of the basic pay authorized for a member of a uniformed service of a corresponding grade entitled to basic pay—

(1) * * *

* * * * * * *

(3) for a regular period of instruction that the member is scheduled to perform but is unable to perform because of physical disability resulting from an injury, illness, or disease incurred or aggravated—

(A) * * *

* * * * * * *

(C) in line of duty while while remaining overnight immediately before the commencement of inactive-duty training, or remaining overnight, between successive periods of inactive-duty training, at or in the vicinity of the site of the inactive-duty training**[**, if the site is outside reasonable commuting distance from the member's residence**]**.

* * * * * * *

§ 209. Members of precommissioning programs

(a) * * *

* * * * * * *

(c) PAY WHILE ATTENDING TRAINING OR PRACTICE CRUISE.—Each cadet or midshipman in the Senior Reserve Officers' Training Corps, while he is attending training or practice cruises under chapter 103 of title 10 if the training or cruise is of at least four weeks duration and must be completed before the cadet or mid-

shipman is commissioned, and each applicant for membership in the Senior Reserve Officers' Training Corps, while he is attending field training or practice cruises to satisfy the requirements of section 2104(b)(6)(B) of title 10 for admission to advanced training, is entitled, while so attending, to pay at the rate prescribed for cadets and midshipmen at the United States Military, Naval, and Air Force Academies under section 203(c) of this title *unless the cadet or midshipman is serving on active duty*.

* * * * * * *

CHAPTER 5—SPECIAL AND INCENTIVE PAYS

Sec.
301. Incentive pay: hazardous duty.
* * * * * * *
324. Special pay: accession bonus for new officers.

§ 301. Incentive pay: hazardous duty

(a) Subject to regulations prescribed by the President, a member of a uniformed service who is entitled to basic pay is also entitled to incentive pay, in the amount set forth in subsection (b) or (c), for the performance of hazardous duty required by orders. In this section, the term, "hazardous duty" means duty—

(1) * * *

* * * * * * *

(10) involving (A) the servicing of aircraft or missiles with highly toxic fuels or propellants, (B) the testing of aircraft or missile systems (or components of such systems) during which highly toxic fuels or propellants are used, or (C) the handling of chemical munitions (or components of such munitions); **[**or**]**

(11) involving regular participation as a member of a team conducting visit, board, search, and seizure operations aboard vessels in support of maritime interdiction operations; or

[(11)**]** *(12)* involving frequent and regular participation in aerial flight by a member who is serving as an air weapons controller crew member (as defined by the Secretary concerned) aboard an airborne warning and control system aircraft (as designated by such Secretary) and who is not entitled to incentive pay under section 301a of this title.

* * * * * * *

(c)(1) For the performance of hazardous duty described in clauses (2) through **[**(10)**]** *(11)* of subsection (a), a member is entitled to $150 a month. However, a member performing hazardous duty described in clause (3) of that subsection who also performs as an essential part of such duty parachute jumping in military free fall operations involving parachute deployment by the jumper without the use of a static line is entitled to $225 a month.

(2)(A) For the performance of hazardous duty described in clause **[**(11)**]** *(12)* of subsection (a), a member is entitled to monthly incentive pay based upon his years of service as an air weapons controller as follows:

* * * * * * *

§ 301a. Incentive pay: aviation career

(a) * * *

* * * * * * *

[(d) Under regulations prescribed by the President and to the extent provided for by appropriations, when a member of a reserve component of a uniformed service, or of the National Guard, who is entitled to compensation under section 206 of this title, performs, under orders, duty described in subsection (a) for members entitled to basic pay, he is entitled to an increase in compensation equal to 1/30 of the monthly incentive pay authorized by subsection (b) for the performance of that duty by a member with corresponding years of aviation service who is entitled to basic pay. Such member is entitled to the increase for as long as he is qualified for it, for each regular period of instruction, or period of appropriate duty, at which he is engaged for at least two hours, including that performed on a Sunday or holiday, or for the performance of such other equivalent training, instruction, duty or appropriate duties, as the Secretary may prescribe under section 206(a) of this title. This subsection does not apply to a member who is entitled to basic pay under section 204 of this title.]

(d) MEMBERS PERFORMING INACTIVE-DUTY TRAINING.—Under regulations prescribed by the President and to the extent provided for by appropriations, in the case of a member of a reserve component of a uniformed service, or of the National Guard, who is entitled to compensation under section 206 of this title, and who performs, under orders, duty described in subsection (a), the member is also entitled to monthly incentive pay under subsection (b) for the performance of that duty in the same manner as a member with corresponding years of aviation service who is entitled to basic pay. Such member is entitled to the incentive pay for as long as the member remains qualified for it, as provided in subsection (a). This subsection does not apply to a member who is entitled to basic pay under section 204 of this title.

* * * * * * *

§ 301b. Special pay: aviation career officers extending period of active duty

(a) BONUS AUTHORIZED.—An aviation officer described in subsection (b) who, during the period beginning on January 1, 1989, and ending on December 31, [2001] *2002*, executes a written agreement to remain on active duty in aviation service for at least one year may, upon the acceptance of the agreement by the Secretary concerned, be paid a retention bonus as provided in this section.

* * * * * * *

§ 301c. Incentive pay: submarine duty

(a)(1) Subject to regulations prescribed by the President, a member of the naval service who is entitled to basic pay, and (A) holds (or is in training leading to) a submarine duty designator, (B) is in and remains in the submarine service on a career basis, and (C) meets the requirements of paragraph (3), is entitled to continuous

monthly submarine duty incentive pay in the amount [set forth in] *prescribed pursuant to* subsection (b).

(2) Subject to regulations prescribed by the President, a member of the naval service who is entitled to basic pay but is not entitled to continuous monthly submarine duty incentive pay under paragraph (1) is entitled to submarine duty incentive pay in the amount [set forth in] *prescribed pursuant to* subsection (b) for any period during which such member performs frequent and regular operational submarine duty (as defined in paragraph (5)) required by orders.

* * * * * * *

(4) If upon completion of either 12 or 18 years of submarine service it is determined that a member has failed to perform the minimum prescribed operational submarine duty requirements during the prescribed periods of time, his entitlement to continuous monthly submarine duty incentive pay ceases. If entitlement to continuous monthly submarine duty incentive pay ceases upon completion of 12 years of submarine service, entitlement to that pay may again commence upon completion of 18 years of submarine service if the minimum operational submarine duty requirements have been met, and such pay shall continue for the period of time prescribed in accordance with this section. However, if entitlement to continuous monthly submarine duty incentive pay ceases in the case of any member at the completion of either 12 or 18 years of submarine service or 26 years of service (as computed under section 205 of this title, but excluding, in the case of an officer, periods as an enlisted member before initial appointment as an officer), such member shall be entitled to that pay in the amount [set forth in] *prescribed pursuant to* subsection (b) for the performance of subsequent operational submarine duty, or for the performance of service as a member of a submarine operational command staff, if such member's duties require serving on a submarine during underway operations.

* * * * * * *

[(b) A member who meets the requirements prescribed in subsection (a) is entitled to monthly submarine duty incentive pay as follows:

[ENLISTED MEMBERS

Pay grade	Years of service computed under section 205						
	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10
E–9	$225	$225	$225	$270	$295	$310	$315
E–8	225	225	225	250	270	295	310
E–7	225	225	225	250	255	265	275
E–6	155	170	175	215	230	245	255
E–5	140	155	155	175	190	195	195
E–4	80	95	100	170	175	175	175
E–3	80	90	100	170	175	175	90
E–2	75	90	90	90	90	90	90
E–1	75	75	75	75	75	75	75

ENLISTED MEMBERS—Continued

Pay grade	Years of service computed under section 205						
	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10
	Over 12	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26
E–9	$330	$345	$355	$355	$355	$355	$355
E–8	315	330	330	345	345	345	345
E–7	295	310	310	310	310	310	310
E–6	265	265	265	265	265	265	265
E–5	195	195	195	195	195	195	195
E–4	175	175	175	175	175	175	175
E–3	90	90	90	90	90	90	90
E–2	90	90	90	90	90	90	90
E–1	75	75	75	75	75	75	75

COMMISSIONED OFFICERS

Pay grade	Years of service computed under section 205						
	2 or less	Over 2	Over 3	Over 4	Over 5	Over 6	Over 10
O–10	$355	$355	$355	$355	$355	$355	$355
O–9	355	355	355	355	355	355	355
O–8	355	355	355	355	355	355	355
O–7	355	355	355	355	355	355	355
O–6	595	595	595	595	595	595	595
O–5	595	595	595	595	595	595	595
O–4	365	365	365	405	595	595	595
O–3	355	355	355	390	595	595	595
O–2	235	235	235	235	235	235	355
O–1	175	175	175	175	175	175	355
	Over 12	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26
O–10	$355	$355	$355	$355	$355	$355	$355
O–9	355	355	355	355	355	355	355
O–8	355	355	355	355	355	355	355
O–7	355	355	540	355	535	410	355
O–6	595	595	595	595	595	595	595
O–5	595	595	595	595	595	595	595
O–4	595	595	595	595	595	595	595
O–3	595	595	595	595	595	595	595
O–2	355	355	355	355	355	355	355
O–1	355	355	355	355	355	355	355

WARRANT OFFICERS

Pay grade	Years of service computed under section 205						
	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10
W–5	$235	$310	$310	$355	$355	$355	$355
W–4	235	310	310	355	355	355	355
W–3	235	310	310	355	355	355	355
W–2	235	310	310	355	355	355	355
W–1	235	310	310	355	355	355	355

WARRANT OFFICERS—Continued

Pay grade	Years of service computed under section 205						
	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10
	Over 12	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26
W–5	$355	$355	$355	$355	$355	$355	$355
W–4	355	355	355	355	355	355	355
W–3	355	355	355	355	355	355	355
W–2	355	355	355	355	355	355	355
W–1	355	355	355	355	355	355	355]

(b) MONTHLY RATES.—(1) Subject to paragraph (2), a member who meets the requirements prescribed in subsection (a) is entitled to monthly submarine duty incentive pay in an amount prescribed by the Secretary of the Navy.

(2) The monthly amount of submarine duty incentive pay may not exceed $1,000.

* * * * * * *

(d) Under regulations prescribed by the President and to the extent provided for by appropriations, when a member of the Naval Reserve who is entitled to compensation under section 206 of this title, performs, under orders, duty on a submarine during underway operations, he is eligible for an increase in such compensation equal to one-thirtieth of the monthly incentive pay [authorized by] *prescribed pursuant to* subsection (b) for the performance of that duty by a member of a corresponding grade and years of service who is entitled to basic pay. Such a member is eligible for the increase for each day served, for as long as he is qualified for it, during each regular period of appropriate duty.

* * * * * * *

§ 302d. Special pay: accession bonus for registered nurses

(a) ACCESSION BONUS AUTHORIZED.—(1) A person who is a registered nurse and who, during the period beginning on November 29, 1989, and ending on December 31, [2001] *2002*, executes a written agreement described in subsection (c) to accept a commission as an officer and remain on active duty for a period of not less than four years may, upon the acceptance of the agreement by the Secretary concerned, be paid an accession bonus in an amount determined by the Secretary concerned.

* * * * * * *

§ 302e. Special pay: nurse anesthetists

(a) SPECIAL PAY AUTHORIZED.—(1) An officer described in subsection (b)(1) who, during the period beginning on November 29, 1989, and ending on December 31, [2001] *2002*, executes a written agreement to remain on active duty for a period of one year or more may, upon the acceptance of the agreement by the Secretary

concerned, be paid incentive special pay in an amount not to exceed $15,000 for any 12-month period.

* * * * * * *

§ 302g. Special pay: Selected Reserve health care professionals in critically short wartime specialties

(a) * * *

* * * * * * *

(f) TERMINATION OF AGREEMENT AUTHORITY.—No agreement under this section may be entered into after December 31, [2001] *2002*.

§ 302h. Special pay: accession bonus for dental officers

(a) ACCESSION BONUS AUTHORIZED.—(1) A person who is a graduate of an accredited dental school and who, during the period beginning on [the date of the enactment of this section, and ending on September 30, 2002] *September 23, 1996, and ending on December 31, 2002*, executes a written agreement described in subsection (c) to accept a commission as an officer of the armed forces and remain on active duty for a period of not less than four years may, upon the acceptance of the agreement by the Secretary concerned, be paid an accession bonus in an amount determined by the Secretary concerned.

* * * * * * *

§ 308. Special pay: reenlistment bonus

(a) * * *

* * * * * * *

(g) No bonus shall be paid under this section with respect to any reenlistment, or voluntary extension of an active-duty reenlistment, in the armed forces entered into after December 31, [2001] *2002*.

* * * * * * *

§ 308b. Special pay: reenlistment bonus for members of the Selected Reserve

(a) * * *

* * * * * * *

(f) TERMINATION OF AUTHORITY.—No bonus may be paid under this section to any enlisted member who, after December 31, [2001] *2002*, reenlists or voluntarily extends his enlistment in a reserve component.

* * * * * * *

§ 308c. Special pay: bonus for enlistment in the Selected Reserve

(a) * * *

* * * * * * *

(e) No bonus may be paid under this section to any enlisted member who, after December 31, [2001] *2002*, enlists in the Selected Reserve of the Ready Reserve of an armed force.

* * * * * * *

§ 308d. Special pay: enlisted members of the Selected Reserve assigned to certain high priority units

(a) * * *

* * * * * * *

(c) Additional compensation may not be paid under this section for inactive duty performed after December 31, [2001] *2002*.

§ 308e. Special pay: bonus for reserve affiliation agreement

(a) * * *

* * * * * * *

(e) No bonus may be paid under this section to any person for a reserve obligation agreement entered into after December 31, [2001] *2002*.

* * * * * * *

§ 308h. Special pay: bonus for reenlistment, enlistment, or voluntary extension of enlistment in elements of the Ready Reserve other than the Selected Reserve

(a)(1) An eligible person who is or has been a member of an armed force [and who]*, who is qualified in a skill or speciality designated by the Secretary concerned as critically short to meet wartime requirements, and who* reenlists, enlists, or voluntarily extends an enlistment in [a combat or combat support skill of] an element (other than the Selected Reserve) of the Ready Reserve of an armed force for a period of three years, or for a period of six years, beyond any other period the person is obligated to serve may be paid a bonus as provided in subsection (b).

* * * * * * *

(g) A bonus may not be paid under this section to any person for a reenlistment, enlistment, or voluntary extension of an enlistment after December 31, [2001] *2002*.

§ 308i. Special pay: prior service enlistment bonus

(a) * * *

* * * * * * *

(f) TERMINATION OF AUTHORITY.—No bonus may be paid under this section to any person for an enlistment after December 31, [2001] *2002*.

§ 309. Special pay: enlistment bonus

(a) * * *

* * * * * * *

(e) DURATION OF AUTHORITY.—No bonus shall be paid under this section with respect to any enlistment in the armed forces made after December 31, [2001] *2002*.

* * * * * * *

§ 312. Special pay: nuclear-qualified officers extending period of active duty

(a) * * *

* * * * * * *

(e) The provisions of this section shall be effective only in the case of officers who, on or before December 31, [2001] *2002*, execute the required written agreement to remain in active service.

* * * * * * *

§ 312b. Special pay: nuclear career accession bonus

(a) * * *

* * * * * * *

(c) The provisions of this section shall be effective only in the case of officers who, on or before December 31, [2001] *2002*, have been accepted for training for duty in connection with the supervision, operation, and maintenance of naval nuclear propulsion plants.

§ 312c. Special pay: nuclear career annual incentive bonus

(a) * * *

* * * * * * *

(d) For the purposes of this section, a "nuclear service year" is any fiscal year beginning before December 31, [2001] *2002*.

* * * * * * *

§ 318. Special pay: special warfare officers extending period of active duty

(a) * * *

* * * * * * *

(h) REPAYMENT.—(1) * * *

* * * * * * *

(3) A discharge in bankruptcy under title 11 that is entered less than five years after the termination of an agreement entered into under subsection [(a)] *(b)* does not discharge the officer signing the agreement from a debt arising under such agreement or under paragraph (1).

* * * * * * *

§ 322. Special pay: 15-year career status bonus for members entering service on or after August 1, 1986

(a) * * *

* * * * * * *

(d) AMOUNT OF BONUS; PAYMENT.—(1) A bonus under this section shall be [paid in a single lump sum of] *equal to* $30,000.

(2) A member electing to receive the bonus under this section shall elect one of the following payment options:

(A) A single lump sum of $30,000.

(B) Two installments of $15,000 each.

(C) Three installments of $10,000 each.

(D) Four installments of $7,500 each.

(E) Five installments of $6,000 each.

(3) If a member elects installment payments under paragraph (2), the second installment (and subsequent installments, as applicable) shall be paid on the earlier of the following dates:

(A) The annual anniversary date of the payment of the first installment.

(B) January 15 of each succeeding calendar year.

[(2) The bonus] *(4) The lump sum payment of the bonus, and the first installment payment in the case of members who elect to receive the bonus in installments,* shall be paid to an eligible career bonus member not later than the first month that begins on or after the date that is 60 days after the date on which the Secretary concerned receives from the member the election required under subsection (a)(1) and the written agreement required under subsection (a)(2), if applicable.

* * * * * * *

§ 323. Special pay: retention incentives for members qualified in a critical military skill

(a) * * *

* * * * * * *

(i) TERMINATION OF BONUS AUTHORITY.—No bonus may be paid under this section with respect to any reenlistment, or voluntary extension of an enlistment, in the armed forces entered into after December 31, [2001] *2002*, and no agreement under this section may be entered into after that date.

§ 324. Special pay: accession bonus for new officers

(a) ACCESSION BONUS AUTHORIZED.—Under regulations prescribed by the Secretary concerned, a person who executes a written agreement to accept a commission as an officer of the armed forces and serve on active duty for the period specified in the agreement may, upon acceptance of the agreement by the Secretary concerned, be paid an accession bonus in an amount determined by the Secretary concerned.

(b) LIMITATION ON AMOUNT OF BONUS.—The amount of an accession bonus under subsection (a) may not exceed $100,000.

(c) PAYMENT METHOD.—Upon acceptance of a written agreement under subsection (a) by the Secretary concerned, the total amount of the accession bonus payable under the agreement becomes fixed. The agreement shall specify whether the accession bonus will be paid by the Secretary in a lump sum or installments.

(d) RELATION TO OTHER ACCESSION BONUS AUTHORITY.—An individual may not receive a accession bonus under this section and section 302d, 302h, 302j, or 312b of this title for the same period of service.

(e) REPAYMENT.—(1) If an individual who has entered into an agreement under subsection (a) and has received all or part of the accession bonus under the agreement fails to accept a commission as an officer or to commence or complete the total period of active duty service specified in the agreement, the Secretary concerned may require the individual to repay the United States, on a pro rata basis and to the extent that the Secretary determines conditions and circumstances warrant, any or all of the amount paid to the individual under the agreement.

(2) An obligation to repay the United States imposed under paragraph (1) is for all purposes a debt owed to the United States.

(3) A discharge in bankruptcy under title 11 that is entered less than five years after the termination of a written agreement entered into under subsection (a) does not discharge the individual signing the agreement from a debt arising under such agreement or under paragraph (1).

CHAPTER 7—ALLOWANCES

* * * * * * *

§ 402. Basic allowance for subsistence

(a) * * *

(b) RATES OF ALLOWANCE BASED ON FOOD COSTS.—(1) * * *

* * * * * * *

(4) For purposes of implementing paragraph (2), the monthly rate of basic allowance for subsistence that was in effect for an enlisted member for calendar year 2001 shall be deemed to be $233.

* * * * * * *

[(d) SPECIAL RULE FOR MEMBERS AUTHORIZED TO MESS SEPARATELY.—(1) In areas prescribed by the Secretary of Defense, and the Secretary of Transportation with respect to the Coast Guard when it is not operating as a service in the Navy, an enlisted member described in paragraph (2) is entitled to not more than the pro rata allowance in effect under paragraph (1) or (2) of subsection (b) for each meal the member buys from a source other than a messing facility of the United States.

[(2) An enlisted member referred to in paragraph (1) is a member who is granted permission to mess separately and whose duties require the member to buy at least one meal from a source other than a messing facility of the United States.]

(d) SPECIAL RULE FOR ENLISTED MEMBERS WHO MESS SEPARATELY.—The Secretary of Defense may prescribe a basic allowance for subsistence for enlisted members at a rate higher than the rate provided for in subsection (b) when messing facilities of the United States are not available for the members.

* * * * * * *

§ 402a. Supplemental subsistence allowance for low-income members with dependents

(a) * * *

(b) MEMBERS ENTITLED TO ALLOWANCE.—(1) Subject to subsection (d), a member of the armed forces *with dependents* is enti-

tled to receive the supplemental subsistence allowance if the Secretary concerned determines that the member's income, together with the income of the rest of the member's household (if any), is within the highest income standard of eligibility, as then in effect under section 5(c) of the Food Stamp Act of 1977 (7 U.S.C. 2014(c)) and without regard to paragraph (1) of such section, for participation in the food stamp program.

* * * * * * *

§ 403. Basic allowance for housing

(a) * * *

* * * * * * *

(i) TEMPORARY HOUSING ALLOWANCE WHILE IN TRAVEL OR LEAVE STATUS.—A member of a uniformed service [who is in a pay grade E–4 (4 or more years of service) or above] is entitled to a temporary basic allowance for housing (at a rate determined by the Secretary of Defense) while the member is in a travel or leave status between permanent duty stations, including time granted as delay en route or proceed time, when the member is not assigned to quarters of the United States.

* * * * * * *

§ 404. Travel and transportation allowances: general

(a) * * *

* * * * * * *

(c)(1) Under uniform regulations prescribed by the Secretaries concerned and as provided in paragraph (2), a member who—

(A) * * *

* * * * * * *

(C) is involuntarily separated from active duty during the period beginning on October 1, 1990, and ending on December 31, [2001] *2002*,

* * * * * * *

(d)(1) * * *

* * * * * * *

(5) The per diem rates established under paragraph (2)(A) for travel performed in connection with a change of permanent station or for travel described in paragraph (2) or (3) of subsection (a) shall be equal to the standard per diem rates established in the Federal travel regulation for travel within the continental United States of civilian employees and their dependents, unless the Secretaries concerned determines that a higher rate for members is more appropriate.

* * * * * * *

(f)(1) * * *

(2)(A) * * *

(B) Subparagraph (A) does not apply to a member—

(i) * * *

* * * * * * *

(v) who is involuntarily separated from active duty during the period beginning on October 1, 1990, and ending on December 31, [2001] *2002*.

* * * * * * *

§ 404a. Travel and transportation allowances: temporary lodging expenses

(a) PAYMENT OR REIMBURSEMENT OF SUBSISTENCE EXPENSES.—(1) * * *

(2) Paragraph (1) applies to the following:

(A) * * *

* * * * * * *

(C) In the case of [an enlisted member] *a member* who is reporting to the member's first permanent duty station, the change from the member's home of record or initial technical school to that first permanent duty station.

* * * * * * *

(e) MAXIMUM DAILY PAYMENT.—A member may not be paid or reimbursed more that [$110] *$180* a day under this section.

* * * * * * *

§ 406. Travel and transportation allowances: dependents; baggage and household effects

(a)(1) Except as provided in paragraph (2), a member of a uniformed service who is ordered to make a change of permanent station is entitled to transportation in kind, reimbursement therefor, or a monetary allowance in place of the cost of transportation, plus a per diem, for the member's dependents at rates prescribed by the Secretaries concerned, but not more than the rate authorized under section 404(d) of this title. The Secretary concerned may also reimburse the member for mandatory pet quarantine fees for household pets, but not to exceed [$275] *$675* per change of station, when the member incurs the fees incident to such change of station.

(2)(A) * * *

(B) Subparagraph (A) does not apply to a member—

(i) * * *

* * * * * * *

(v) who is involuntarily separated from active duty during the period beginning on October 1, 1990, and ending on December 31, [2001] *2002*.

* * * * * * *

(b)(1)(A) * * *

* * * * * * *

(C) Under regulations prescribed by the Secretary of Defense, the weight allowance in pounds to which a member is entitled under subparagraph (A) is determined in accordance with the following table:

Pay Grade	Without Dependents	With Dependents
O–10 to O–6	18,000	18,000
O–5	16,000	17,500
O–4	14,000	17,000
O–3	13,000	14,500
O–2	12,500	13,500
O–1	10,000	12,000
W–5	16,000	17,500
W–4	14,000	17,000
W–3	13,000	14,500
W–2	12,500	13,500
W–1	10,000	12,000
E–9	12,000	14,500
E–8	11,000	13,500
E–7	10,500	12,500
E–6	8,000	11,000
E–5	7,000	9,000
[E–4 [1]	7,000	8,000
[E–4 [2]	3,500	7,000
[E–3	2,000	5,000
[E–2	1,500	5,000
[E–1	1,500	5,000

[[1] Member with more than two years of service computed under section 205 of this title.
[[2] Member with less than two years of service computed under section 205 of this title.]

.	.	.
E–4	*7,000*	*8,000*
E–3	*5,000*	*8,000*
E–2	*5,000*	*8,000*
E–1	*5,000*	*8,000*

* * * * * * *

(g)(1) Under uniform regulations prescribed by the Secretaries concerned, a member who—

(A) * * *

* * * * * * *

(C) is involuntarily separated from active duty during the period beginning on October 1, 1990, and ending on December 31, [2001] *2002*,

* * * * * * *

§ 407. Travel and transportation allowances: dislocation allowance

(a) ELIGIBILITY FOR PRIMARY DISLOCATION ALLOWANCE.—(1) * * *

(2) A member of the uniformed services referred to in paragraph (1) is any of the following:

(A) * * *

* * * * * * *

(F) A member married to another member, both of whom are without other dependents, who actually moves to a new permanent duty station where the member is assigned to family housing provided by the United States, except that only one disloca-

tion allowance may be paid to the married couple with respect to the move.

* * * * * * *

(e) [FIRST OR LAST DUTY] *EFFECT OF ORDER FROM LAST DUTY STATION.*—A member is not entitled to payment of a dislocation allowance under this section when the member is ordered [from the member's home to the member's first duty station or] from the member's last duty station to the member's home.

(f) PARTIAL DISLOCATION ALLOWANCE.—(1) Under regulations prescribed by the Secretary concerned, a member ordered to occupy or vacate family housing provided by the United States to permit the privatization or renovation of housing or for any other reason (other than pursuant to a permanent change of station) may be paid a partial dislocation allowance of $500.

(2) Effective on the same date that the monthly rates of basic pay for all members are increased under section 1009 of this title or another provision of law, the Secretary of Defense shall adjust the rate of the partial dislocation allowance authorized by this subsection by the percentage equal to the average percentage increase in the rates of basic pay.

(3) Subsections (c) and (d) do not apply to the partial dislocation allowance authorized by this subsection.

[(f)] *(g)* RULE OF CONSTRUCTION.—For purposes of this section, a member whose dependents may not make an authorized move in connection with a change of permanent station is considered a member without dependents.

[(g)] *(h)* ADVANCE PAYMENT.—A dislocation allowance payable under this section may be paid in advance.

* * * * * * *

§ 411b. Travel and transportation allowances: travel performed in connection with leave between consecutive overseas tours

(a)(1) Under uniform regulations prescribed by the Secretaries concerned, a member of a uniformed service stationed outside the 48 contiguous States and the District of Columbia who is ordered to a consecutive tour of duty at the same duty station or who is ordered to make a change of permanent station to another duty station outside the 48 contiguous States and the District of Columbia may be paid travel and transportation allowances in connection with authorized leave from his last duty station to a place approved by the Secretary concerned[, or his designee, or to a place no farther distant than his home of record] and from that place to his designated post of duty. Such allowances may be paid for the member and for the dependents of the member who are authorized to, and do, accompany him at his duty stations.

* * * * * * *

§ 416. Uniform allowance: officers; additional allowances

(a) * * *

(b) Subsection (a) does not apply to a tour of active duty if—

(1) the officer, during that tour or within a period of two years before entering on that tour, received, under any law, an initial uniform reimbursement or allowance of more than [$200] *$400*; or

* * * * * * *

§ 427. Family separation allowance

(a) * * *

* * * * * * *

(c) EFFECT OF ELECTION TO SERVE UNACCOMPANIED TOUR OF DUTY.—[A member] *(1) Except as provided in paragraph (2) or (3), a member* who elects to serve a tour of duty unaccompanied by his dependents at a permanent station to which the movement of his dependents is authorized at the expense of the United States under section 406 of this title is not entitled to an allowance under subsection (a)(1)(A).

(2) A member who elects to serve an unaccompanied tour of duty because the movement of a dependent of the member to the permanent station is denied for certified medical reasons is entitled to an allowance under subsection (a)(1)(A).

(3) The Secretary concerned may waive the preceding sentence in situations in which it would be inequitable to deny the allowance to the member because of unusual family or operational circumstances.

* * * * * * *

§ 430. Travel and transportation: dependent children of members stationed overseas

(a) Under regulations to be prescribed by the Secretary of Defense, a member of a uniformed service who—

(1) * * *

* * * * * * *

(3) has a dependent child who is under 23 years of age attending a school in the continental United States for the purpose of obtaining a formal education *or is attending a school outside the continental United States, if the dependent is attending the school outside the continental United States for less than one year under a program approved by the school in the continental United States at which the dependent is enrolled*,

* * * * * * *

(b)(1) A member described in subsection (a) may be paid a transportation allowance for each unmarried dependent child, who is under 23 years of age and is attending a school [in the continental United States for the purpose of obtaining a formal education] *described in subsection (a)(3)*, of one annual trip between the school being attended and the member's duty station outside the continental United States and return. The allowance authorized by this section may be transportation in kind or reimbursement therefor, as prescribed by the Secretaries concerned. However, the transportation authorized by this section may not be paid a member for a child attending a school in the continental United States for the

purpose of obtaining a secondary education if the child is eligible to attend a secondary school for dependents that is located at or in the vicinity of the duty station of the member and is operated under the Defense Dependents' Education Act of 1978 (20 U.S.C. 921 et seq.).

* * * * * * *

(3) The transportation allowance under paragraph (1) for a dependent child who is attending a school outside the continental United States for less than one year under a program approved by the school in the continental United States at which the dependent is enrolled shall not exceed the allowance the member would be paid for a trip between the school in the continental United States and the member's duty station outside the continental United States and return.

(c) Whenever possible, the [Military Airlift Command] *Air Mobility Command* or Military Sealift Command shall be used, on a space-required basis, for the travel authorized by this section.

* * * * * * *

§ 432. Travel and transportation: members escorting certain dependents

(a) * * *

(b) Whenever possible, the [Military Airlift Command] *Air Mobility Command* or Military Sealift Command shall be used, on a space-required basis, for the travel authorized by this section.

* * * * * * *

§ 435. Funeral honors duty: allowance

(a) ALLOWANCE AUTHORIZED.—*(1)* The Secretary concerned may authorize payment of an allowance to a member of the Ready Reserve for any day on which the member performs at least two hours of funeral honors duty pursuant to section 12503 of title 10 or section 115 of title 32.

(2) The Secretary concerned may also authorize payment of an allowance under this section to a retired member of the armed forces who performs at least two hours of duty preparing for or performing honors at the funeral of a veteran.

* * * * * * *

(c) CONCURRENT PAYMENT.—Notwithstanding any other provision of law, the allowance paid to a retired member of the armed forces under this section shall be in addition to any other compensation to which the retired member may be entitled under this title or titles 10 or 38.

§ 436. Per diem allowance for lengthy or numerous deployments

(a) PER DIEM REQUIRED.—The Secretary of the military department concerned shall pay a high-deployment per diem allowance to a member of the armed forces under the Secretary's jurisdiction for each day on which the member (1) is deployed, and (2) has, as of that day, been deployed 401 or more days out of the preceding 730 days. *The Secretary shall pay the allowance from appropriations*

available for operation and maintenance for the armed force in which the member serves.

* * * * * * *

SECTION 503 OF THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1991

SEC. 503. TRAVEL AND TRANSPORTATION ALLOWANCES RELATING TO MEMBERS INVOLUNTARILY SEPARATED

(a) * * *

* * * * * * *

(c) STORAGE OF HOUSEHOLD EFFECTS.—(1) The Secretary of a military department shall exercise the authority provided by section 406 of title 37, United States Code, to provide nontemporary storage of baggage and household effects for a period not longer than one year in the case of individuals who are involuntarily separated during the period beginning on October 1, 1990, and ending on December 31, [2001] *2002*.

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TITLE 32, UNITED STATES CODE

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CHAPTER 1—ORGANIZATION

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§ 115. Funeral honors duty performed as a Federal function

(a) ORDER TO DUTY.—A member of the Army National Guard of the United States or the Air National Guard of the United States may be ordered to funeral honors duty, with the consent of the member, to prepare for or perform funeral honors functions at the funeral of a veteran under section 1491 of title 10. However, a member of the Army National Guard of the United States or the Air National Guard of the United States may not be ordered to perform funeral honors functions under this section without the consent of the Governor or other appropriate authority of the State concerned. *Performance of funeral honors duty by such a member not on active duty or full-time National Guard duty shall be treated as inactive-duty training (including with respect to travel to and from such duty) for purposes of any provision of law other than sections 206 and 435 of title 37.*

* * * * * * *

CHAPTER 5—TRAINING

* * * * * * *

§ 509. National Guard Challenge Program of opportunities for civilian youth

(a) * * *

(b) CONDUCT OF THE PROGRAM.—(1) The Secretary of Defense shall provide for the conduct of the National Guard Challenge Program in such States as the Secretary considers to be appropriate.

(2) The Secretary shall carry out the National Guard Challenge Program using—

(A) funds appropriated directly to the Secretary of Defense for the program, except that the amount of funds appropriated directly to the Secretary and expended for the program [in a fiscal year] *in fiscal year 2001 or 2002* may not exceed $62,500,000; and

* * * * * * *

(d) MATCHING FUNDS REQUIRED.—The amount of assistance provided under this section to a State program of the National Guard Challenge Program may not exceed—

[(1) for fiscal year 1998, 75 percent of the costs of operating the State program during that year;

[(2) for fiscal year 1999, 70 percent of the costs of operating the State program during that year;

[(3) for fiscal year 2000, 65 percent of the costs of operating the State program during that year; and

[(4) for fiscal year 2001 and each subsequent fiscal year, 60 percent of the costs of operating the State program during that year.]

(1) for fiscal years 2001 and 2002, 60 percent of the costs of operating the State program during that fiscal year; and

(2) for fiscal year 2003 and each subsequent fiscal year, 75 percent of the costs of operating the State program during that fiscal year.

* * * * * * *

TITLE 5, UNITED STATES CODE

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CHAPTER 33—EXAMINATION, SELECTION, AND PLACEMENT

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SUBCHAPTER VI—ASSIGNMENTS TO AND FROM STATES

* * * * * * *

§ 3374. Assignments of employees from State or local governments

(a) * * *

* * * * * * *

(c) During the period of assignment, a State or local government employee on detail to a Federal agency—

(1) is not entitled to pay from the agency, except to the extent that the pay received from the State or local government is less than the appropriate rate of pay which the duties would

warrant under the applicable pay provisions of this title or other applicable authority;

(2) is deemed an employee of the agency for the purpose of chapter 73 of this title, *the Ethics in Government Act of 1978, section 1043 of the Internal Revenue Code of 1986, section 27 of the Office of Federal Procurement Policy Act,* sections 203, 205, 207, 208, 209, 602, 603, 606, 607, 643, 654, 1905, and 1913 of title 18, sections 1343, 1344, and 1349(b) of title 31, and the Federal Tort Claims Act and any other Federal tort liability statute; and

* * * * * * *

CHAPTER 53—PAY RATES AND SYSTEMS

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SUBCHAPTER II—EXECUTIVE SCHEDULE PAY RATES

* * * * * * *

§ 5315. Positions at level IV

Level IV of the Executive Schedule applies to the following positions, for which the annual rate of basic pay shall be the rate determined with respect to such level under chapter 11 of title 2, as adjusted by section 5318 of this title:

Deputy Administrator of General Services.

* * * * * * *

Principal Deputy Administrator, National Nuclear Security Administration.

Additional Deputy Administrators of the National Nuclear Security Administration (3), but if the Deputy Administrator for Naval Reactors is an officer of the Navy on active duty, (2).

* * * * * * *

SUBCHAPTER IV—PREVAILING RATE SYSTEMS

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§ 5343. Prevailing rate determinations; wage schedules; night differentials

(a) * * *

* * * * * * *

(c) The Office of Personnel Management, by regulation, shall prescribe practices and procedures for conducting wage surveys, analyzing wage survey data, developing and establishing wage schedules and rates, and administering the prevailing rate system. The regulations shall provide—

(1) * * *

* * * * * * *

(4) for proper differentials, as determined by the Office, for duty involving unusually severe working conditions or unusually severe hazards *(and for any hardship or hazard related to asbestos, such differentials shall be determined by applying oc-*

cupational safety and health standards consistent with the permissible exposure limit promulgated by the Secretary of Labor under the Occupational Safety and Health Act of 1970);

* * * * * * *

(d)(1) * * *

[(2) When the lead agency determines that there is a number of comparable positions in private industry insufficient to establish the wage schedules and rates, such agency shall—

[(A) establish the wage schedules and rates to be applicable to prevailing rate employees other than prevailing rate employees of the Department of Defense on the basis of—

[(i) local private industry rates; and

[(ii) rates paid for comparable positions in private industry in the nearest wage area that such agency determines is most similar in the nature of its population, employment, manpower, and industry to the local wage area for which the wage survey is being made; and

[(B) establish the wage schedules and rates to be applicable to prevailing rate employees of the Department of Defense only on the basis of local private industry rates.]

(2) When a lead agency determines that there is a number of comparable positions in private industry insufficient to establish the wage schedules and rates, such agency shall establish those schedules and rates on the basis of—

(A) local private industry rates; and

(B) rates paid for comparable positions in private industry in the nearest wage area that such agency determines is most similar in the nature of its population, employment, manpower, and industry to the local wage area for which the wage survey is being made.

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CHAPTER 55—PAY ADMINISTRATION

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SUBCHAPTER V—PREMIUM PAY

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§ 5543. Compensatory time off

(a) The head of an agency may—

(1) on request of an employee, grant the employee compensatory time off from his scheduled tour of duty instead of payment under section 5542 or section 7 of the Fair Labor Standards Act of 1938 for an equal amount of time spent in [irregular or occasional] overtime work; and

(2) provide that an employee whose rate of basic pay is in excess of the maximum rate of basic pay for GS–10 (including any applicable locality-based comparability payment under section 5304 or similar provision of law and any applicable special rate of pay under section 5305 or similar provision of law) shall be granted compensatory time off from his scheduled tour of duty equal to the amount of time spent in [irregular or occa-

sional] overtime work instead of being paid for that work under section 5542 of this title.

(b) The head of an agency may, on request of an employee, grant the employee compensatory time off from the employee's scheduled tour of duty instead of payment under section 5544 or section 7 of the Fair Labor Standards Act of 1938 for an equal amount of time spent in [irregular or occasional] overtime work. An agency head may not require an employee to be compensated for overtime work with an equivalent amount of compensatory time-off from the employee's tour of duty.

* * * * * * *

§ 5545. Night, standby, irregular, and hazardous duty differential

(a) * * *

* * * * * * *

(d) The Office shall establish a schedule or schedules of pay differentials for duty involving unusual physical hardship or hazard *(and for any hardship or hazard related to asbestos, such differentials shall be determined by applying occupational safety and health standards consistent with the permissible exposure limit promulgated by the Secretary of Labor under the Occupational Safety and Health Act of 1970)*. Under such regulations as the Office may prescribe, and for such minimum periods as it determines appropriate, an employee to whom chapter 51 and subchapter III of chapter 53 of this title applies is entitled to be paid the appropriate differential for any period in which he is subjected to physical hardship or hazard not usually involved in carrying out the duties of his position. However, the pay differential—

(1) * * *

* * * * * * *

§ 5547. Limitation on premium pay

[(a) An employee may be paid premium pay under sections 5542, 5545 (a), (b), and (c), 5545a, and 5546 (a) and (b) of this title only to the extent that the payment does not cause his aggregate rate of pay for any pay period to exceed the maximum rate for GS–15 (including any applicable locality-based comparability payment under section 5304 or similar provision of law and any applicable special rate of pay under section 5305 or similar provision of law). The first sentence of this subsection shall not apply to any employee of the Federal Aviation Administration or the Department of Defense who is paid premium pay under section 5546a of this title.

[(b)(1) Subject to regulations prescribed by the Office of Personnel Management, the first sentence of subsection (a) shall not apply to an employee who is paid premium pay by reason of work in connection with an emergency which involves a direct threat to life or property, including a forest wildfire emergency.

[(2) Notwithstanding paragraph (1), no employee referred to in such paragraph may be paid premium pay under the provisions of law cited in the first sentence of subsection (a) if, or to the extent

that, the aggregate of such employee's basic pay and premium pay under those provisions would, in any calendar year, exceed the maximum rate payable for GS–15 in effect at the end of such calendar year.]

(a) An employee may be paid premium pay under sections 5542, 5545 (a), (b), and (c), 5545a, and 5546 (a) and (b) of this title only to the extent that the aggregate of such employee's basic pay and premium pay under those provisions would, in any calendar year, exceed the maximum rate payable for GS–15 in effect at the end of such calendar year.

(b) Subsection (a) shall not apply to any employee of the Federal Aviation Administration or the Department of Defense who is paid premium pay under section 5546a of this title.

(c)(1) [Subsections (a) and (b)] *Subsection (a)* shall not apply to a law enforcement officer.

(2) A law enforcement officer may be paid premium pay under the provisions of law cited in the first sentence of subsection (a) only to the extent that the payment does not cause the officer's aggregate rate of pay for any [pay period] *calendar year* to exceed the lesser of—

(A) * * *

* * * * * * *

CHAPTER 57—TRAVEL, TRANSPORTATION, AND SUBSISTENCE

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SUBCHAPTER IV—MISCELLANEOUS PROVISIONS

5751. Travel expenses of witnesses.

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5757. Payment of expenses to obtain professional credentials.

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SUBCHAPTER IV—MISCELLANEOUS PROVISIONS

* * * * * * *

§ 5757. Payment of expenses to obtain professional credentials

(a) An agency may use appropriated funds or funds otherwise available to the agency to pay for—

(1) expenses for employees to obtain professional credentials, including expenses for professional accreditation, State-imposed and professional licenses, and professional certification; and

(2) examinations to obtain such credentials.

(b) The authority under subsection (a) may not be exercised on behalf of any employee occupying or seeking to qualify for appointment to any position that is excepted from the competitive service because of the confidential, policy-determining, policy-making, or policy-advocating character of the position.

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CHAPTER 63—LEAVE

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SUBCHAPTER II—OTHER PAID LEAVE

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§ 6323. Military leave; Reserves and National Guardsmen

(a)(1) Subject to paragraph (2) of this subsection, an employee as defined by section 2105 of this title or an individual employed by the government of the District of Columbia, permanent or temporary indefinite, is entitled to leave without loss in pay, time, or performance or efficiency rating for active duty, inactive-duty training (as defined in section 101 of title 37), *funeral honors duty (as described in section 12503 of title 10 and section 115 of title 32),* or engaging in field or coast defense training under sections 502–505 of title 32 as a Reserve of the armed forces or member of the National Guard. Leave under this subsection accrues for an employee or individual at the rate of 15 days per fiscal year and, to the extent that it is not used in a fiscal year, accumulates for use in the succeeding fiscal year until it totals 15 days at the beginning of a fiscal year.

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CHAPTER 83—RETIREMENT

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SUBCHAPTER III—CIVIL SERVICE RETIREMENT

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§ 8336. Immediate retirement

(a) * * *

* * * * * * *

(d) An employee who—

(1) * * *

(2) except in the case of an employee who is separated from the service under a program carried out under subsection **[**(o)**]** *(p)*, while serving in a geographic area designated by the Office of Personnel Management, is separated from the service voluntarily during a period in which the Office determines that—

* * * * * * *

[(o)**]** *(p)*(1) The Secretary of Defense may, during fiscal years 2002 and 2003, carry out a program under which an employee of the Department of Defense may be separated from the service entitled to an immediate annuity under this subchapter if the employee—

(A) * * *

* * * * * * *

§ 8347. Administration; regulations

(a) * * *

* * * * * * *

(q)(1) Under regulations prescribed by the Office of Personnel Management, an employee who—

(A) * * *

(B) **[**has 5 or more years of civilian service creditable under**]** *is employed subject to* this subchapter; and

(2) Under regulations prescribed by the Office of Personnel Management, an employee of a nonappropriated fund instrumentality of the Department of Defense or the Coast Guard, described in section 2105(c), who—

(A) * * *

(B) is a **[**vested**]** participant in a retirement system established for employees described in section 2105(c)**[**, as the term "vested participant" is defined by such system**]**;

* * * * * * *

CHAPTER 84—FEDERAL EMPLOYEES' RETIREMENT SYSTEM

* * * * * * *

SUBCHAPTER VI—GENERAL AND ADMINISTRATIVE PROVISIONS

§ 8461. Authority of the Office of Personnel Management

(a) * * *

* * * * * * *

(n)(1) Under regulations prescribed by the Office, an employee who—

(A) * * *

(B) **[**has 5 more years of civilian service creditable under**]** *is employed subject to* this chapter; and

* * * * * * *

(2) Under regulations prescribed by the Office, an employee of a nonappropriated fund instrumentality of the Department of Defense or the Coast Guard described in section 2105(c), who—

(A) * * *

(B) is a **[**vested**]** participant in a retirement system established for employees described in section 2105(c)**[**, as the term "vested participant" is defined by such system**]**;

* * * * * * *

CHAPTER 89—HEALTH INSURANCE

* * * * * * *

§ 8906. Contributions

(a) * * *

* * * * * * *

(e)(1) * * *

* * * * * * *

(3)(A) An employing agency may pay both the employee and Government contributions, and any additional administrative expenses otherwise chargeable to the employee, with respect to health care coverage for an employee described in subparagraph (B) and the family of such employee.

(B) An employee referred to in subparagraph (A) is an employee who—

(i) is enrolled in a health benefits plan under this chapter;

(ii) is a member of a reserve component of the armed forces;

(iii) is called or ordered to active duty in support of a contingency operation (as defined in section 101(a)(13) of title 10);

(iv) is placed on leave without pay or separated from service to perform active duty; and

(v) serves on active duty for a period of more than 30 consecutive days.

(C) Notwithstanding the one-year limitation on coverage described in paragraph (1)(A), payment may be made under this paragraph for a period not to exceed 18 months.

[(f) The Government contributions for health benefits for an employee shall be paid—**]**

(f) The Government contribution, and any additional payments under subsection (e)(3)(A), for health benefits for an employee shall be paid—

(1) in the case of employees generally, from the appropriation or fund which is used to pay the employee;

* * * * * * *

CHAPTER 90—LONG-TERM CARE INSURANCE

* * * * * * *

§ 9001. Definitions

For purposes of this chapter:

(1) * * *

* * * * * * *

(3) MEMBER OF THE UNIFORMED SERVICES.—The term "member of the uniformed services" means a member of the uniformed services, other than a retired member of the uniformed services, who is—

(A) on active duty or full-time National Guard duty for a period of more than 30 days; **[**and**]** *or*

(B) a member of the Selected Reserve.

* * * * * * *

TITLE 14, UNITED STATES CODE

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CHAPTER 13—PAY, ALLOWANCES, AWARDS, AND OTHER RIGHTS AND BENEFITS

Sec.
461. Remission of indebtedness of enlisted members upon discharge.

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504. Medal of honor: duplicate medal.

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§ 501. Replacement of medals

In those cases where a medal, or a bar, emblem, or insignia in lieu thereof, awarded pursuant to this chapter has been *stolen,* lost, destroyed, or rendered unfit for use without fault or neglect on the part of the person to whom it was awarded, such medal, or bar, emblem, or insignia in lieu thereof, shall be replaced without charge, or, in the discretion of the Secretary, upon condition that the Government is reimbursed for the cost thereof.

* * * * * * *

§ 504. Medal of honor: duplicate medal

A person awarded a medal of honor shall, upon written application of that person, be issued, without charge, one duplicate medal of honor with ribbons and appurtenances. Such duplicate medal of honor shall be marked, in such manner as the Secretary may determine, as a duplicate or for display purposes only.

* * * * * * *

SECTION 704 OF TITLE 18, UNITED STATES CODE

§ 704. Military medals or decorations

(a) * * *

(b) CONGRESSIONAL MEDAL OF HONOR.—

(1) * * *

(2) DEFINITIONS.—(A) * * *

[(B) As used in this subsection, "Congressional Medal of Honor" means a medal awarded under section 3741, 6241, or 8741 of title 10.**]**

(B) As used in this subsection, "Congressional Medal of Honor" means—

(i) a medal of honor awarded under section 3741, 6241, or 8741 of title 10 or section 491 of title 14;

(ii) a duplicate medal of honor issued under section 3754, 6256, or 8754 of title 10 or section 504 of title 14; or

(iii) a replacement of a medal of honor provided under section 3747, 6253, or 8747 of title 10 or section 501 of title 14.

SECTION 721 OF THE NATIONAL DEFENSE AUTHORIZATION ACT, FISCAL YEAR 1989

[SEC. 721. REGULATIONS FOR DELIVERY OF MILITARY PERSONNEL TO CIVIL AUTHORITIES WHEN CHARGED WITH CERTAIN OFFENSES

[(a) Not later than 90 days after the date of enactment of this Act, the Secretary of Defense shall ensure that the Secretaries of the military departments have issued uniform regulations pursuant to section 814 of title 10, United States Code, to provide for the delivery of members of the Armed Forces to civilian authority when such members have been accused of offenses against civil authority. Such regulations shall specifically provide for the delivery of such members to civilian authority, in appropriate cases, when such members are accused of parental kidnapping and other similar offenses, including criminal contempt arising from such offenses and from child custody matters, and shall specifically address the special needs for the exercise of the authority contained in section 814 of title 10, United States Code, when members of the Armed Forces assigned overseas are accused of offenses by civilian authorities.

[(b) Not later than 120 days after the enactment of this Act, the Secretary of Defense shall transmit to the Committees on Armed Services of the Senate and House of Representatives a copy of all regulations promulgated under section 814 of title 10, United States Code, as a result of this section and any recommendations that the Secretary may have concerning the need for additional legislation related to the amenability of members of the Armed Forces to civil authority.]

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1994

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DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

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TITLE V—MILITARY PERSONNEL POLICY

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Subtitle D—Women in the Service

* * * * * * *

SEC. 542. NOTICE TO CONGRESS OF PROPOSED CHANGES IN COMBAT ASSIGNMENTS TO WHICH FEMALE MEMBERS MAY BE ASSIGNED.

(a) * * *

(b) SPECIAL RULE FOR GROUND COMBAT EXCLUSION POLICY.—(1) If the Secretary of Defense proposes to make any change described in paragraph (2) to the ground combat exclusion policy, the Secretary shall, [not less than 90 days] before any such change is implemented, submit to Congress a report providing notice of the proposed change. *Such a change may then be implemented only after the end of a period of 60 days of continuous session of Congress (excluding any day on which either House of Congress is not in session) following the date on which the report is received.*

* * * * * * *

(5) For purposes of this subsection, the continuity of a session of Congress is broken only by an adjournment of the Congress sine die.

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TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS

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Subtitle E—Other Matters

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SEC. 845. AUTHORITY OF THE DEFENSE ADVANCED RESEARCH PROJECTS AGENCY TO CARRY OUT CERTAIN PROTOTYPE PROJECTS.

(a) * * *

* * * * * * *

(d) APPROPRIATE USE OF AUTHORITY.—(1) The Secretary of Defense shall ensure that no official of an agency enters into a transaction (other than a contract, grant, or cooperative agreement) for a prototype project under the authority of this section unless—

(A) * * *

(B) no nontraditional defense contractor is participating to a significant extent in the prototype project, but at least one of the following circumstances exists:

(i) * * *

(ii) The senior procurement executive for the agency (as designated for the purposes of section 16(3) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(3))*)* determines in writing that exceptional circumstances justify the use of a transaction that provides for innovative business arrangements or structures that would not be feasible or appropriate under a contract.

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DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

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TITLE XXIX—DEFENSE BASE CLOSURE AND REALIGNMENT

Subtitle A—Base Closure Community Assistance

* * * * * * *

SEC. 2915. TRANSITION COORDINATORS FOR ASSISTANCE TO COMMUNITIES AFFECTED BY THE CLOSURE OF INSTALLATIONS.

(a) * * *

* * * * * * *

(c) RESPONSIBILITIES.—A transition coordinator designated with respect to an installation shall—

(1) * * *

* * * * * * *

(10) assist the Secretary of Defense in identifying real property or personal property at the installation that may be utilized to meet the needs of the homeless by consulting with the Secretary of Housing and Urban Development and the local lead agency of the homeless, if any, referred to in section 210(b) of the [Stewart B. McKinney Homeless Assistance Act] *McKinney-Vento Homeless Assistance Act* (42 U.S.C. 11320(b)) for the State in which the installation is located.

* * * * * * *

SECTION 8102 OF THE DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2001

SEC. 8102. (a) * * *

(b) CERTIFICATIONS AS TO COMPLIANCE WITH CLINGER-COHEN ACT.—(1) During the current fiscal year, a major automated information system may not receive [Milestone I] *Milestone B* approval, [Milestone II] *Milestone C* approval, or [Milestone III] *full rate production* approval, or their equivalent, within the Department of Defense until the Chief Information Officer certifies, with respect to that milestone, that the system is being developed in accordance with the Clinger-Cohen Act of 1996 (40 U.S.C. 1401 et seq.). The Chief Information Officer may require additional certifications, as appropriate, with respect to any such system.

* * * * * * *

SECTION 4202 OF THE CLINGER-COHEN ACT OF 1996

SEC. 4202. APPLICATION OF SIMPLIFIED PROCEDURES TO CERTAIN COMMERCIAL ITEMS.

(a) * * *

* * * * * * *

(e) EFFECTIVE DATE.—The authority to issue solicitations for purchases of commercial items in excess of the simplified acquisition threshold pursuant to the special simplified procedures authorized by section 2304(g)(1) of title 10, United States Code, section 303(g)(1) of the Federal Property and Administrative Services Act of 1949, and section 31(a) of the Office of Federal Procurement Policy Act, as amended by this section, shall expire January 1, [2002] *2004*. Contracts may be awarded pursuant to solicitations that have been issued before such authority expires, notwithstanding the expiration of such authority.

SECTION 9005 OF THE DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1993

[SEC. 9005. During the current fiscal year and hereafter, no part of any appropriation or any other funds available to the Department of Defense, except for purchases for amounts not greater than the simplified acquisition threshold covered by section 2304(g) of title 10, United States Code, shall be available for the procurement of any article or item of food, clothing, tents, tarpaulins, covers, cotton and other natural fiber products, woven silk or woven silk blends, spun silk yarn for cartridge cloth, synthetic fabric or coated synthetic fabric, canvas products, or wool (whether in the form of fiber or yarn or contained in fabrics, materials, or manufactured articles), or any item of individual equipment manufactured from or containing such fibers, yarns, fabrics, or materials, or specialty metals including stainless steel flatware, or hand or measuring tools, not grown, reprocessed, reused, or produced in the United States or its possessions, except to the extent that the Secretary of the Department concerned shall determine that satisfactory quality and sufficient quantity of any articles or items of food, individual equipment, tents, tarpaulins, covers, or clothing or any form of cotton or other natural fiber products, woven silk and woven silk blends, spun silk yarn for cartridge cloth, synthetic fabric or coated synthetic fabric, canvas products, wool, or specialty metals including stainless steel flatware, grown, reprocessed, reused, or produced in the United States or its possessions cannot be procured as and when needed at United States market prices and except procurements outside the United States in support of combat operations, procurements by vessels in foreign waters, and emergency procurements or procurements of perishable foods by establishments located outside the United States for the personnel attached thereto: *Provided,* That nothing herein shall preclude the procurement of specialty metals or chemical warfare protective clothing produced outside the United States or its possessions when such procurement is necessary to comply with agreements with foreign governments requiring the United States to purchase supplies from foreign sources for the purposes of offsetting sales made by the

United States Government or United States firms under approved programs serving defense requirements or where such procurement is necessary in furtherance of agreements with foreign governments in which both governments agree to remove barriers to purchases of supplies produced in the other country or services performed by sources of the other country, so long as such agreements with foreign governments comply, where applicable, with the requirements of section 36 of the Arms Export Control Act and with section 2457 of title 10, United States Code: *Provided further,* That nothing herein shall preclude the procurement of foods manufactured or processed in the United States or its possessions.]

SECTION 8109 OF THE DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1997

[SEC. 8109. In applying section 9005 of the Department of Defense Appropriations Act, 1993, Public Law 102–396 (10 U.S.C. 2241 note), during the current fiscal year and thereafter—

[(1) the term "synthetic fabric and coated synthetic fabric" shall be deemed to include all textile fibers and yarns that are for use in such fabrics; and

[(2) such section shall be treated, notwithstanding section 34 of Public Law 93–400 (41 U.S.C. 430), as being applicable to contracts and subcontracts for the procurement of commercial items that are articles or items, specialty metals, or tools covered by that section 9005.]

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1998

* * * * * * *

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

* * * * * * *

TITLE X—GENERAL PROVISIONS

* * * * * * *

Subtitle G—Other Matters

* * * * * * *

SEC. 1083. PROGRAM TO COMMEMORATE 50TH ANNIVERSARY OF THE KOREAN WAR.

(a) * * *

* * * * * * *

(c) [NAMES] *NAME* AND SYMBOLS.—The Secretary of Defense shall have the sole and exclusive right to use the name "The United States of America Korean War Commemoration", and such

seal, emblems, and badges incorporating such name as the Secretary may lawfully adopt. Nothing in this section may be construed to supersede rights that are established or vested before the date of the enactment of this Act.

* * * * * * *

TITLE XIII—ARMS CONTROL AND RELATED MATTERS

* * * * * * *

SEC. 1302. LIMITATION ON RETIREMENT OR DISMANTLEMENT OF STRATEGIC NUCLEAR DELIVERY SYSTEMS.

(a) FUNDING LIMITATION.—(1) Except as provided in paragraph (2), funds available to the Department of Defense may not be obligated or expended for retiring or dismantling, or for preparing to retire or dismantle, any of the following strategic nuclear delivery systems below the specified levels:

(A) * * *

* * * * * * *

[(D) 50 Peacekeeper intercontinental ballistic missiles.**]**

* * * * * * *

DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS

* * * * * * *

TITLE XXXIII—NATIONAL DEFENSE STOCKPILE

* * * * * * *

SEC. 3305. DISPOSAL OF COBALT IN NATIONAL DEFENSE STOCKPILE.

(a) DISPOSAL REQUIRED.—Subject to subsections (b) and (c), the President shall dispose of cobalt contained in the National Defense Stockpile so as to result in receipts to the United States in amounts equal to—

(1) $20,000,000 during **[**fiscal year 2003**]** *the two-fiscal year period ending September 30, 2003*;

* * * * * * *

DEFENSE BASE CLOSURE AND REALIGNMENT ACT OF 1990

* * * * * * *

SEC. 2905. IMPLEMENTATION

(a) * * *

(b) MANAGEMENT AND DISPOSAL OF PROPERTY.—(1) * * *

* * * * * * *

(4)(A) * * *

* * * * * * *

(E)(i) * * *

* * * * * * *

(v) Notwithstanding clause (iii) or chapter 137 of title 10, United States Code, if a lease under clause (i) involves a substantial portion of the installation, the department or agency concerned may obtain facility services for the leased property and common area maintenance from the redevelopment authority or the redevelopment authority's assignee as a provision of the lease. The facility services and common area maintenance shall be provided at a rate no higher than the rate charged to non-Federal tenants of the transferred property. Facility services and common area maintenance covered by the lease shall not include—

(I) municipal services that a State or local government is required by law to provide to all landowners in its jurisdiction without direct charge; or

(II) firefighting or security-guard functions.

* * * * * * *

(6)(A) Except as provided in this paragraph, nothing in this section shall limit or otherwise affect the application of the provisions of the ⟦Stewart B. McKinney Homeless Assistance Act⟧ *McKinney-Vento Homeless Assistance Act* (42 U.S.C. 11301 et seq.) to military installations closed under this part. For procedures relating to the use to assist the homeless of buildings and property at installations closed under this part after the date of the enactment of this sentence, see paragraph (7).

* * * * * * *

SEC. 2910. DEFINITIONS

As used in this part:

(1) * * *

* * * * * * *

(11) The term "representative of the homeless" has the meaning given such term in section 501(i)(4) of the ⟦Stewart B. McKinney Homeless Assistance Act⟧ *McKinney-Vento Homeless Assistance Act* (42 U.S.C. 11411(i)(4)).

* * * * * * *

SECTION 204 OF THE DEFENSE AUTHORIZATION AMENDMENTS AND BASE CLOSURE AND REALIGNMENT ACT

SEC. 204. IMPLEMENTATION

(a) * * *

(b) MANAGEMENT AND DISPOSAL OF PROPERTY.—(1) * * *

* * * * * * *

(4)(A) * * *

* * * * * * *

(E)(i) The Secretary may transfer real property at an installation approved for closure or realignment under this title (including property at an installation approved for realignment which will be retained by the Department of Defense or another Federal agency after realignment) to the redevelopment authority for the installation if the redevelopment authority agrees to lease, directly upon transfer, one or more portions of the property transferred under this subparagraph to the Secretary or to the head of another department or agency of the Federal Government. Subparagraph (B) shall apply to a transfer under this subparagraph.

(ii) A lease under clause (i) shall be for a term of not to exceed 50 years, but may provide for options for renewal or extension of the term by the department or agency concerned.

(iii) A lease under clause (i) may not require rental payments by the United States.

(iv) A lease under clause (i) shall include a provision specifying that if the department or agency concerned ceases requiring the use of the leased property before the expiration of the term of the lease, the remainder of the lease term may be satisfied by the same or another department or agency of the Federal Government using the property for a use similar to the use under the lease. Exercise of the authority provided by this clause shall be made in consultation with the redevelopment authority concerned.

(v) Notwithstanding clause (iii) or chapter 137 of title 10, United States Code, if a lease under clause (i) involves a substantial portion of the installation, the department or agency concerned may obtain facility services for the leased property and common area maintenance from the redevelopment authority or the redevelopment authority's assignee as a provision of the lease. The facility services and common area maintenance shall be provided at a rate no higher than the rate charged to non-Federal tenants of the transferred property. Facility services and common area maintenance covered by the lease shall not include—

(I) municipal services that a State or local government is required by law to provide to all landowners in its jurisdiction without direct charge; or

(II) firefighting or security-guard functions.

[(E)**]** *(F)* The transfer of personal property under subparagraph (A) shall not be subject to the provisions of sections 202 and 203 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 483, 484) if the Secretary determines that the transfer of such property is necessary for the effective implementation of a redevelopment plan with respect to the installation at which such property is located.

[(F)**]** *(G)* The provisions of section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)) shall apply to any transfer of real property under this paragraph.

[(G)**]** *(H)*(i) In the case of an agreement for the transfer of property of a military installation under this paragraph that was entered into before April 21, 1999, the Secretary may modify the agreement, and in so doing compromise, waive, adjust, release, or

reduce any right, title, claim, lien, or demand of the United States, if—

(I) * * *

* * * * * * *

[(H)] *(I)* In the case of an agreement for the transfer of property of a military installation under this paragraph that was entered into during the period beginning on April 21, 1999, and ending on the date of enactment of the National Defense Authorization Act for Fiscal Year 2000, at the request of the redevelopment authority concerned, the Secretary shall modify the agreement to conform to all the requirements of subparagraphs (B), (C), and (D). Such a modification may include the compromise, waiver, adjustment, release, or reduction of any right, title, claim, lien, or demand of the United States under the agreement.

[(I)] *(J)* The Secretary may require any additional terms and conditions in connection with a transfer under this paragraph as such Secretary considers appropriate to protect the interests of the United States.

* * * * * * *

(6)(A) Except as provided in this paragraph, nothing in this section shall limit or otherwise affect the application of the provisions of the [Stewart B. McKinney Homeless Assistance Act] *McKinney-Vento Homeless Assistance Act* (42 U.S.C. 11301 et seq.) to military installations closed under this title.

* * * * * * *

SECTION 2 OF THE BASE CLOSURE COMMUNITY REDEVELOPMENT AND HOMELESS ASSISTANCE ACT OF 1994

SEC. 2. DISPOSAL OF BUILDINGS AND PROPERTY AT MILITARY INSTALLATIONS APPROVED FOR CLOSURE.

(a) * * *

* * * * * * *

(e) APPLICABILITY TO INSTALLATIONS APPROVED FOR CLOSURE BEFORE ENACTMENT OF ACT.—(1) * * *

* * * * * * *

(4)(A) The Secretary of Housing and Urban Development and the Secretary of Health and Human Services shall not, during the 60-day period beginning on the date of the enactment of this Act, carry out with respect to any military installation approved for closure under the 1988 base closure Act or the 1990 base closure Act before such date any action required of such Secretaries under the 1988 base closure Act or the 1990 base closure Act, as the case may be, or under section 501 of the [Stewart B. McKinney Homeless Assistance Act] *McKinney-Vento Homeless Assistance Act* (42 U.S.C. 11411).

* * * * * * *

SECTION 1053 OF THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1997

SEC. 1053. DISPOSAL OF TRACT OF REAL PROPERTY IN THE DISTRICT OF COLUMBIA.

(a) DISPOSAL AUTHORIZED.—Notwithstanding title II the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 481 et seq.), title VIII of such Act (40 U.S.C. 531 et seq.), section 501 of the [Stewart B. McKinney Homeless Assistance Act] *McKinney-Vento Homeless Assistance Act* (42 U.S.C. 11411), or any other provision of law relating to the management and disposal of real property by the United States, the Armed Forces Retirement Home Board may convey, by sale or otherwise, all right, title, and interest of the United States in a parcel of real property, including improvements thereon, consisting of approximately 49 acres located in Washington, District of Columbia, east of North Capitol Street, and recorded as District Parcel 121/19.

* * * * * * *

SECTION 1123 OF THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEARS 1990 AND 1991

SEC. 1123. PROFESSIONAL MILITARY EDUCATION IN JOINT MATTERS

(a) * * *

(b) STATEMENT OF CONGRESSIONAL POLICY.—As part of the efforts of the Secretary of Defense to improve professional military education, Congress urges, as a matter of policy, and fully expects the Secretary to establish the following:

(1) * * *

(2) A two-phase approach to strengthening the focus on joint matters, as follows:

(A) * * *

(B) Phase II instruction consisting of a follow-on, solely joint curriculum taught at the [Armed Forces Staff College] *Joint Forces Staff College* to officers who are expected to be selected for the joint specialty. The curriculum should emphasize multiple "hands on" exercises and must adequately prepare students to perform effectively from the outset in what will probably be their first exposure to a totally new environment, an assignment to a joint, multi-service organization. Phase II instruction should be structured so that students progress from a basic knowledge of joint matters learned in Phase I to the level of expertise necessary for successful performance in the joint arena.

(3) A sequenced approach to joint education in which the norm would require an officer to complete Phase I instruction before proceeding to Phase II instruction. An exception to the normal sequence should be granted by the Chairman of the Joint Chiefs of Staff only on a case-by-case basis for compelling cause. Officers selected to receive such an exception should be required to demonstrate a basic knowledge of joint matters and other aspects of the Phase I curriculum that qualifies them to meet the minimum requirements established for entry into Phase II instruction without first completing Phase I instruc-

tion. The number of officers selected to attend an offering of the principal course of instruction at the [Armed Forces Staff College] *Joint Forces Staff College* who have not completed Phase I instruction should comprise only a small portion of the total number of officers selected.

* * * * * * *

SECTION 1412 OF THE DEPARTMENT OF DEFENSE AUTHORIZATION ACT, 1986

SEC. 1412. DESTRUCTION OF EXISTING STOCKPILE OF LETHAL CHEMICAL AGENTS AND MUNITIONS

(a) * * *

* * * * * * *

(g) PERIODIC REPORTS.—(1) * * *

(2) Each annual report shall include the following:

(A) * * *

* * * * * * *

(C) An accounting of all funds expended (during such fiscal year) for activities carried out under this section, with a separate accounting for amounts expended for—

(i) * * *

* * * * * * *

(vii) grants to State and local governments to assist those governments in carrying out functions relating to emergency preparedness and response in accordance with subsection [(c)(3)] *(c)(4)*.

* * * * * * *

SECTION 3695 OF TITLE 38, UNITED STATES CODE

§ 3695. Limitation on period of assistance under two or more programs

(a) The aggregate period for which any person may receive assistance under two or more of the provisions of law listed below may not exceed 48 months (or the part-time equivalent thereof):

(1) * * *

* * * * * * *

(5) Chapters 107, 1606, and [1610] *1611* of title 10.

* * * * * * *

SECTION 13 OF THE PEACE CORPS ACT

EXPERTS AND CONSULTANTS

SEC. 13. (a) * * *

(b) Service of an individual as a member of the Council authorized to be established by section 12 of this Act or as an expert or consultant under subsection (a) of this section shall not be consid-

ered as employment or holding of office or position bringing such individual within the provisions of sections 3323(b) and 8344 of title 5, United States Code, section 824 of the Foreign Service Act of 1980 or any other law limiting the reemployment of retired officers or employees or governing the simultaneous receipt of compensation and retired pay or annuities[, subject to section 5532 of title 5, United States Code].

SECTION 127 OF THE TRADE DEFICIT REVIEW COMMISSION ACT

TRADE DEFICIT REVIEW COMMISSION

SEC. 127. (a) * * *

* * * * * * *

(g) COMMISSION PERSONNEL MATTERS.—

(1) * * *

* * * * * * *

(6) APPLICABILITY OF CERTAIN PAY [AUTHORITIES.—

[(A) IN GENERAL.—An individual] *AUTHORITIES.—An individual* who is a member of the Commission and is an annuitant or otherwise covered by section 8344 or 8468 of title 5, United States Code, by reason of membership on the Commission is not subject to the provisions of section 8344 or 8468 (whichever is applicable) with respect to such membership.

[(B) UNIFORMED SERVICE.—An individual who is a member of the Commission and is a member or former member of a uniformed service is not subject to the provisions of subsections (b) and (c) of section 5532, United States Code, with respect to membership on the Commission.]

* * * * * * *

SECTION 28 OF THE ATOMIC ENERGY ACT OF 1954

SEC. 28. APPOINTMENT OF ARMY, NAVY, OR AIR FORCE OFFICERS.—Notwithstanding the provisions of any other law, the officer of the Army, Navy, or Air Force serving as Assistant General Manager for Military Application shall serve without prejudice to his commissioned status as such officer. Any such officer serving as Assistant General Manager for Military Application shall receive in addition to his pay and allowances, including special and incentive pays, for which pay and allowances the Commission shall reimburse his service, an amount equal to the difference between such pay and allowances, including special and incentive pays, and the compensation established for this position. Notwithstanding the provisions of any other law, any active or retired officer of the Army, Navy, or Air Force may serve as Chairman of the Military Liaison Committee without prejudice to his active or retired status as such officer. Any such active officer serving as Chairman of the Military Liaison Committee shall receive, in addition to his pay and allowances, including special and incentive pays, an amount

equal to the difference between such pay and allowances, including special and incentive pays, and the compensation fixed for such Chairman. Any such retired officer serving as Chairman of the Military Liaison Committee shall receive the compensation fixed for such Chairman and his retired pay[, subject to section 201 of the Dual Compensation Act].

NATIONAL NUCLEAR SECURITY ADMINISTRATION ACT

* * * * * * *

Subtitle A—Establishment and Organization

Sec. 3211. Establishment and mission.

* * * * * * *

Sec. 3213A. Principal Deputy Administrator.

* * * * * * *

Subtitle A—Establishment and Organization

* * * * * * *

SEC. 3212. ADMINISTRATOR FOR NUCLEAR SECURITY.

(a) * * *

* * * * * * *

[(e)] *(f)* REORGANIZATION AUTHORITY.—Except as provided by subsections (b) and (c) of section 3291:

(1) * * *

* * * * * * *

SEC. 3213A. PRINCIPAL DEPUTY ADMINISTRATOR.

(a) IN GENERAL.—(1) There is in the Administration a Principal Deputy Administrator, who is appointed by the President, by and with the advice and consent of the Senate.

(2) The Principal Deputy Administrator shall be appointed from among persons who—

(A) have extensive background in national security, organizational management, and appropriate technical fields; and

(B) are well qualified to manage the nuclear weapons, nonproliferation, and materials disposition programs of the Administration in a manner that advances and protects the national security of the United States.

(b) DUTIES.—Subject to the authority, direction, and control of the Administrator, the Principal Deputy Administrator shall perform such duties and exercise such powers as the Administrator may prescribe, including the coordination of activities among the elements of the Administration. The Principal Deputy Administrator shall act for, and exercise the powers of, the Administrator when the Administrator is disabled or the position of Administrator is vacant.

* * * * * * *

SEC. 3214. DEPUTY ADMINISTRATOR FOR DEFENSE PROGRAMS.

(a) * * *

* * * * * * *

[(c) RELATIONSHIP TO LABORATORIES AND FACILITIES.—The head of each national security laboratory and nuclear weapons production facility shall, consistent with applicable contractual obligations, report to the Deputy Administrator for Defense Programs.]

* * * * * * *

[SEC. 3245. PROHIBITION ON PAY OF PERSONNEL ENGAGED IN CONCURRENT SERVICE OR DUTIES INSIDE AND OUTSIDE ADMINISTRATION.

[(a) Except as otherwise expressly provided by statute, no funds authorized to be appropriated or otherwise made available for the Department of Energy may be obligated or utilized to pay the basic pay of an officer or employee of the Department of Energy who—

[(1) serves concurrently in a position in the Administration and a position outside the Administration; or

[(2) performs concurrently the duties of a position in the Administration and the duties of a position outside the Administration.

[(b) The provision of this section shall take effect 60 days after the date of enactment of this section.]

SECTION 5 OF THE MULTINATIONAL FORCE AND OBSERVERS PARTICIPATION RESOLUTION

NONREIMBURSED COSTS

SEC. 5. (a) * * *

* * * * * * *

(d)(1) The United States may use contractors to provide logistical support to the Multinational Force and Observers under this section in lieu of providing such support through a logistical support unit comprised of members of the United States Armed Forces.

(2) Notwithstanding subsections (a) and (b) and section 7(b), support by a contractor under this subsection may be provided without reimbursement, whenever the President determines that such action enhances or supports the national security interests of the United States.

SECTION 1505 OF THE WEAPONS OF MASS DESTRUCTION CONTROL ACT OF 1992

SEC. 1505. INTERNATIONAL NONPROLIFERATION INITIATIVE.

(a) * * *

* * * * * * *

(e) QUARTERLY REPORT.—(1) Not later than 30 days after the end of each [quarter of a] fiscal year during which the authority of the Secretary of Defense to provide assistance under this section is in effect, the Secretary of Defense shall transmit to the committees of Congress named in paragraph (2) a report of the activities to reduce the proliferation threat carried out under this section. Each report shall set forth [(for the preceding quarter and cumulatively)] *for the preceding fiscal year—*

(A) * * *

* * * * * * *

(f) TERMINATION OF AUTHORITY.—The authority of the Secretary of Defense to provide assistance under this section terminates at the close of fiscal year [2001] *2002*.

MILITARY CONSTRUCTION AUTHORIZATION ACT FOR FISCAL YEAR 2001

* * * * * * *

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

* * * * * * *

TITLE XXI—ARMY

SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(1), the Secretary of the Army may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

Army: Inside the United States

State	Installation or location	Amount
Alabama	Redstone Arsenal	$39,000,000
Alaska	Fort Richardson	$3,000,000
Arizona	Fort Huachuca	$4,600,000
Arkansas	Pine Bluff Arsenal	$2,750,000
California	Fort Irwin	$31,000,000
	Presidio, Monterey	$2,600,000
Georgia	Fort Benning	$15,800,000
	Fort Gordon	$2,600,000
Hawaii	Pohakoula Training Facility	$32,000,000
	Schofield Barracks	$43,800,000
Kansas	Fort Riley	$22,000,000
Kentucky	Fort Knox	$550,000
Maryland	Fort Meade	$19,000,000
Missouri	Fort Leonard Wood	[$65,400,000] *$69,400,000*
New Jersey	Picatinny Arsenal	$5,600,000
New York	Fort Drum	[$18,000,000] *$21,000,000*
North Carolina	Fort Bragg	$222,200,000
	Sunny Point Army Terminal	$2,300,000
Ohio	Columbus	$1,832,000
Pennsylvania	Carlisle Barracks	$10,500,000
	New Cumberland Army Depot.	$3,700,000
Texas	Fort Bliss	$26,000,000

Army: Inside the United States—Continued

State	Installation or location	Amount
Virginia	Fort Hood	[$36,492,000] *$39,492,000*
	Red River Army Depot	$800,000
	Fort Evans	$4,450,000
	Total:	[$615,974,000] *$623,074,000*

* * * * * * *

SEC. 2104. AUTHORIZATION OF APPROPRIATIONS, ARMY.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2000, for military construction, land acquisition, and military family housing functions of the Department of the Army in the total amount of [$1,925,344,000] *$1,935,744,000*, as follows:

(1) * * *

* * * * * * *

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variations authorized by law, the total cost of all projects carried out under section 2101 of this Act may not exceed—

(1) * * *

(2) [$22,600,000] *$27,000,000* (the balance of the amount authorized under section 2101(a) for the construction of a Basic Training Complex at Fort Leonard Wood, Missouri);

(3) [$10,000,000] *$13,000,000* (the balance of the amount authorized under section 2101(a) for construction of a Multipurpose Digital Training Range at Fort Hood, Texas);

* * * * * * *

(6) [$6,000,000] *$9,000,000* (the balance of the amount authorized under section 2101(a) for the construction of a battle simulation center at Fort Drum, New York); and

* * * * * * *

TITLE XXIII—AIR FORCE

SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(1), the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

Air Force: Inside the United States

State	Installation or location	Amount
Alabama	Maxwell Air Force Base	$3,825,000

Air Force: Inside the United States—Continued

State	Installation or location	Amount
Alaska	Cape Romanzof	$3,900,000
* *	* * *	* *
New Jersey	McGuire Air Force Base	[$29,772,000] *$32,972,000*
* *	* * *	* *
Wyoming	F.E. Warren Air Force Base	$25,720,000
	Total:	[$745,755,000] *$748,955,000*

* * * * * * *

SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.

(a) * * *

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2301 of this Act may not exceed—

(1) * * *

(2) [$9,400,000] *$12,600,000* (the balance of the amount authorized under section 2301(a) for the construction of an air freight terminal and base supply complex at McGuire Air Force Base, New Jersey).

* * * * * * *

TITLE XXIV—DEFENSE AGENCIES

SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a)(1), the Secretary of Defense may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Inside the United States

Agency	Installation or location	Amount
Chemical Demilitarization	Aberdeen Proving Ground	$3,100,000
* *	* * *	* *
TRICARE Management Activity	Edwards Air Force Base, California	$17,900,000
	Marine Corps Base, Camp Pendleton, California	[$14,150,000] *$15,300,000*
	Eglin Air Force Base, Florida	$37,600,000
	Fort Drum, New York	$1,400,000
	Patrick Air Force Base, Florida	$2,700,000

Defense Agencies: Inside the United States—Continued

Agency	Installation or location	Amount
	Tyndall Air Force Base, Florida	$7,700,000
	William Beaumont Medical Center, Texas	$4,200,000
	Total:	[$256,906,000] *$258,056,000*

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Subtitle D—Land Conveyances

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Part II—Navy Conveyances

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SEC. 2853. LAND CONVEYANCE, NAVAL COMPUTER AND TELECOMMUNICATIONS STATION, CUTLER, MAINE.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Navy may convey, without consideration, to the State of Maine, any political subdivision of the State of Maine, or any tax-supported agency in the State of Maine, *any or* all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 263 acres located in Washington County, Maine, and known as the Naval Computer and Telecommunications Station, Cutler, Maine.

* * * * * * *

Subtitle E—Other Matters

* * * * * * *

SEC. 2886. ESTABLISHMENT OF WORLD WAR II MEMORIAL ON GUAM.

(a) ESTABLISHMENT REQUIRED.—The Secretary of Defense shall establish on Federal lands near the Fena Caves*, and on Federal lands near Yigo,* in Guam a suitable memorial intended to honor those Guamanian civilians who were killed during the occupation of Guam during World War II and to commemorate the liberation of Guam by the United States Armed Forces in 1944.

(b) MAINTENANCE OF [MEMORIAL] *MEMORIALS*.—The Secretary of Defense shall be responsible for the maintenance of the [memorial] *memorials* established pursuant to subsection (a).

(c) CONSULTATION.—In designing and building the [memorial] *memorials* and selecting the specific location for the [memorial] *memorials*, the Secretary of Defense shall consult with the American Battle Monuments Commission established under chapter 21 of title 36, United States Code.

* * * * * * *

MILITARY CONSTRUCTION AUTHORIZATION ACT FOR FISCAL YEAR 2000

* * * * * * *

TITLE XXII—NAVY

SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(1), the Secretary of the Navy may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

Navy: Inside the United States

State	Installation or location	Amount
Arizona	Marine Corps Air Station, Yuma	$17,020,000
	Navy Detachment, Camp Navajo	$7,560,000
* *	* * *	* *
Hawaii	Camp H.M. Smith	[$86,050,000] *$89,050,000*
* *	* * *	* *
Washington	Naval Ordnance Center Pacific Division Detachment, Port Hadlock	$3,440,000
	Naval Undersea Warfare Center, Keyport	$6,700,000
	Puget Sound Naval Shipyard, Bremerton	$15,610,000
	Strategic Weapons Facility Pacific, Bremerton	$6,300,000
	Total	[$817,230,000] *$820,230,000*

* * * * * * *

SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 1999, for military construction, land acquisition, and military family housing functions of the Department of the Navy in the total amount of [$2,108,087,000] *$2,111,087,000* as follows:

(1) * * *

* * * * * * *

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2201 of this Act may not exceed—

(1) * * *

* * * * * * *

(3) [$70,180,000] *$73,180,000* (the balance of the amount authorized under section 2201(a) for the construction of the Commander-in-Chief Headquarters, Pacific Command, Camp H.M. Smith, Hawaii).

* * * * * * *

TITLE XXIV—DEFENSE AGENCIES

SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2405(a)(1), the Secretary of Defense may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Inside the United States

Agency	Installation or location	Amount
Chemical Demilitarization	Blue Grass Army Depot, Kentucky.	[$206,800,000] *$254,030,000*
* *	* * *	* *
TRICARE Management Agency	Andrews Air Force Base, Maryland.	$3,000,000
	Cheatham Annex, Virginia	$1,650,000
	Davis-Monthan Air Force Base, Arizona	$10,000,000
	Fort Lewis, Washington	$5,500,000
	Fort Riley, Kansas	$6,000,000
	Fort Sam Houston, Texas	$5,800,000
	Fort Wainwright, Alaska	$133,000,000
	Los Angeles Air Force Base, California	$13,600,000
	Marine Corps Air Station, Cherry Point, North Carolina	$3,500,000
	Moody Air Force Base, Georgia	$1,250,000
	Naval Air Station, Jacksonville, Florida	$3,780,000
	Naval Air Station, Norfolk, Virginia.	$4,050,000
	Naval Air Station, Patuxent River, Maryland	$4,150,000
	Naval Air Station, Pensacola, Florida	$4,300,000
	Naval Air Station, Whidbey Island, Washington	[$4,700,000] *$6,600,000*
	Patrick Air Force Base, Florida	$1,750,000
	Travis Air Force Base, California	$7,500,000
	Wright-Patterson Air Force Base, Ohio	$3,900,000

Defense Agencies: Inside the United States—Continued

Agency	Installation or location	Amount
	Total	[$587,420,000] *$636,550,000*

* * * * * * *

SEC. 2405. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.

(a) * * *

(b) LIMITATION OF TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variation authorized by section 2853 of title 10, United States Code, and any other cost variations authorized by law, the total cost of all projects carried out under section 2401 of this Act may not exceed—

(1) * * *

* * * * * * *

(3) [$184,000,000] *$231,230,000* (the balance of the amount authorized under section 2401(a) for the construction of a chemical demilitarization facility at Blue Grass Army Depot, Kentucky).

* * * * * * *

TITLE XXVIII—GENERAL PROVISIONS

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Subtitle D—Land Conveyances

Part I—Army Conveyances

* * * * * * *

SEC. 2832. LAND EXCHANGE, ROCK ISLAND ARSENAL, ILLINOIS.

(a) CONVEYANCE AUTHORIZED.—*(1)* The Secretary of the Army may convey to the City of Moline, Illinois (in this section referred to as the "City"), all right, title, and interest of the United States in and to a parcel of real property, including improvements thereon, consisting of approximately .3 acres at the Rock Island Arsenal for the purpose of permitting the City to construct a new entrance and exit ramp for the bridge that crosses the southeast end of the island containing the Arsenal.

(2) The Secretary may convey to the City all right, title, and interest of the United States in and to an additional parcel of real property, including improvements thereon, at the Rock Island Arsenal consisting of approximately .513 acres.

(b) CONSIDERATION.—*(1)* As consideration for the conveyance under subsection (a)*(1)*, the City shall convey to the Secretary all right, title, and interest of the City in and to a parcel of real property consisting of approximately .2 acres and located in the vicinity of the parcel to be conveyed under subsection (a)*(1)*.

(2) As consideration for the conveyance under subsection (a)(2), the City shall convey to the Secretary all right, title, and interest of

the City in and to a parcel of real property consisting of approximately .063 acres and construct on the parcel, at the City's expense, a new access ramp to the Rock Island Arsenal.

* * * * * * *

Subtitle F—Expansion of Arlington National Cemetery

SEC. 2881. TRANSFER FROM NAVY ANNEX, ARLINGTON, VIRGINIA.

(a) * * *

(b) USE OF LAND.—[(1) Subject to paragraph (2), the] *The* Secretary of the Army shall incorporate the Navy Annex property transferred under subsection (a) into Arlington National Cemetery.

[(2) The Secretary of Defense may reserve not to exceed 10 acres of the Navy Annex property (of which not more than six acres may be north of the existing Columbia Pike) as a site for—

[(A) a National Military Museum, if such site is recommended for such purpose by the Commission on the National Military Museum established under section 2901; and

[(B) such other memorials that the Secretary of Defense considers compatible with Arlington National Cemetery.]

* * * * * * *

[(d) ESTABLISHMENT OF MASTER PLAN.—(1) The Secretary of Defense shall establish a master plan for the use of the Navy Annex property transferred under subsection (a).

[(2) The master plan shall take into account (A) the report submitted by the Secretary of the Army on the expansion of Arlington National Cemetery required at page 787 of the Joint Explanatory Statement of the Committee of Conference to accompany the bill H.R. 3616 of the One Hundred Fifth Congress (House Report 105–436 of the 105th Congress), and (B) the recommendation (if any) of the Commission on the National Military Museum to use a portion of the Navy Annex property as the site for the National Military Museum.

[(3) The master plan shall be established in consultation with the National Capital Planning Commission and only after coordination with appropriate officials of the Commonwealth of Virginia and of the County of Arlington, Virginia, with respect to matters pertaining to real property under the jurisdiction of those officials located in or adjacent to the Navy Annex property, including assessments of the effects on transportation, infrastructure, and utilities in that county by reason of the proposed uses of the Navy Annex property under subsection (b).

[(4) Not later than 180 days after the date on which the Commission on the National Military Museum submits to Congress its report under section 2903, the Secretary of Defense shall submit to Congress the master plan established under this subsection.

[(e) IMPLEMENTATION OF MASTER PLAN.—The Secretary of Defense may implement the provisions of the master plan at any time after the Secretary submits the master plan to Congress.

[(f) LEGAL DESCRIPTION.—In conjunction with the development of the master plan required by subsection (d), the Secretary of De-

fense shall determine the exact acreage and legal description of the portion of the Navy Annex property reserved under subsection (b)(2) and of the portion transferred under subsection (a) for incorporation into Arlington National Cemetery.]

[(g)] *(d)* REPORTS.—(1) * * *

* * * * * * *

[(h)] *(e)* DEADLINE.—The Secretary of Defense shall complete the transfer of administrative jurisdiction required by subsection (a) not later than the earlier of—

(1) January 1, 2010; or

(2) the date when the Navy Annex property is no longer required (as determined by the Secretary) for use as temporary office space due to the renovation of the Pentagon.

* * * * * * *

TITLE XXIX—COMMISSION ON NATIONAL MILITARY MUSEUM

* * * * * * *

SEC. 2902. DUTIES OF COMMISSION.

(a) * * *

* * * * * * *

[(d) REQUIREMENTS FOR LOCATION ON NAVY ANNEX PROPERTY.—In the case of a recommendation under subsection (c)(1) to authorize construction of a national military museum on the Navy Annex property authorized for reservation for such purpose by section 2871(b), the design of the national military museum on such property shall be subject to the following requirements:

[(1) The design shall be prepared in consultation with the Superintendent of Arlington National Cemetery.

[(2) The design may not provide for access by vehicles to the national military museum through Arlington National Cemetery.]

(d) PROHIBITION ON CONSIDERATION OF ARLINGTON NAVAL ANNEX.—The Commission may not consider any portion of the Navy Annex property described in section 2881 as a possible site for a national military museum.

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MILITARY CONSTRUCTION AUTHORIZATION ACT FOR FISCAL YEAR 1999

* * * * * * *

TITLE XXIV—DEFENSE AGENCIES

SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2404(a)(1), the Secretary of Defense may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Inside the United States

Agency	Installation or location	Amount
Chemical Demilitarization	Aberdeen Proving Ground, Maryland	[$186,350,000] *$223,950,000*
	Newport Army Depot, Indiana	$191,550,000
* *	* * *	* *
Special Operations Command	Eglin Auxiliary Field 3, Florida	$7,310,000
	Eglin Auxiliary Field 9, Florida	$2,400,000
	Fort Campbell, Kentucky	$15,000,000
	MacDill Air Force Base, Florida	$8,400,000
	Naval Amphibious Base, Coronado, California	$3,600,000
	Stennis Space Center, Mississippi	$5,500,000
	Total	[$690,016,000] *$727,616,000*

* * * * * * *

SEC. 2404. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.

(a) * * *

(b) LIMITATION OF TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variation authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2401 of this Act may not exceed—

(1) * * *

* * * * * * *

(3) [$158,000,000] *$195,600,000* (the balance of the amount authorized under section 2401(a) for the construction of the Ammunition Demilitarization Facility at Aberdeen Proving Ground, Maryland).

* * * * * * *

Subtitle D—Land Conveyances

* * * * * * *

PART II—NAVY CONVEYANCES

SEC. 2851. CONVEYANCE OF EASEMENT, MARINE CORPS BASE, CAMP PENDLETON, CALIFORNIA.

(a) * * *

* * * * * * *

(g) LIMITATION ON CONSTRUCTION OF ROADS OR HIGHWAYS.—If a State law enacted after January 1, 2001, directly or indirectly prohibits or restricts the construction or approval of a road or highway within the easement granted under this section, the State law shall not be effective with respect to such construction or approval.

* * * * * * *

SECTION 2401 OF THE MILITARY CONSTRUCTION AUTHORIZATION ACT FOR FISCAL YEAR 1995

SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2405(a)(1), the Secretary of Defense may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Inside the United States

Agency	Installation or location	Amount
Chemical Agents and Munitions Destruction	Anniston Army Depot, Alabama	$5,000,000
	Pine Bluff Arsenal, Arkansas	[$154,400,000] *$177,400,000*
	Tooele Army Depot, Utah	$4,000,000
	Umatilla Army Depot, Oregon	$193,377,000
* *	* * *	* *

SECTION 2835 OF THE MILITARY CONSTRUCTION AUTHORIZATION ACT FOR FISCAL YEAR 1998

SEC. 2835. LAND CONVEYANCES, FORT DIX, NEW JERSEY.

(a) * * *

* * * * * * *

(c) REVERSION.—(1) * * *

* * * * * * *

(3) Notwithstanding paragraphs (1) or (2), the Borough and Board may exchange between each other, without the consent of the Secretary, all or any portion of the property conveyed under subsection (a) so long as the property continues to be used by the grantees for economic development or educational purposes.

* * * * * * *

SECTION 136 OF THE MILITARY CONSTRUCTION APPROPRIATIONS ACT, 2001

SEC. 136. (a) * * *

* * * * * * *

(m) INDEMNIFICATION OF TRANSFEREES.—(1) With respect to the disposal of real property under subsection (e) at the Base as part of the Project, the Secretary shall hold harmless, defend, and indemnify in full the Community and other persons and entities described in paragraph (2) from and against any suit, claim, demand or action, liability, judgment, cost or other fee arising out of any claim for personal injury or property damage (including death, illness, or loss of or damage to property or economic loss) that results from, or is in any manner predicated upon, the release or threatened release of any hazardous substance, pollutant or contaminant, or petroleum or petroleum derivative as a result of Department of Defense activities at the Base.

(2) The persons and entities referred to in paragraph (1) are the following:

(A) The Community (including any officer, agent, or employee of the Community) that acquires ownership or control of any real property at the Base as described in paragraph (1).

(B) The State of Texas or any political subdivision of the State (including any officer, agent, or employee of the State or political subdivision) that acquires such ownership or control.

(C) Any other person or entity that acquires such ownership or control.

(D) Any successor, assignee, transferee, lender, or lessee of a person or entity described in subparagraphs (A) through (C).

(3) To the extent the persons and entities described in paragraph (2) contributed to any such release or threatened release, paragraph (1) shall not apply.

(4) No indemnification may be afforded under this subsection unless the person or entity making a claim for indemnification—

(A) notifies the Department of Defense in writing within two years after such claim accrues or begins action within six months after the date of mailing, by certified or registered mail, of notice of final denial of the claim by the Department of Defense;

(B) furnishes to the Department of Defense copies of pertinent papers the entity receives;

(C) furnishes evidence or proof of any claim, loss, or damage covered by this subsection; and

(D) provides, upon request by the Department of Defense, access to the records and personnel of the entity for purposes of defending or settling the claim or action.

(5) In any case in which the Secretary determines that the Department of Defense may be required to make indemnification payments to a person under this subsection for any suit, claim, demand or action, liability, judgment, cost or other fee arising out of any claim for personal injury or property damage referred to in paragraph (1), the Secretary may settle or defend, on behalf of that person, the claim for personal injury or property damage. If the person to whom the Department of Defense may be required to make indemnification payments does not allow the Secretary to settle or defend the claim, the person may not be afforded indemnification with respect to that claim under this subsection.

(6) For purposes of paragraph (4)(A), the date on which a claim accrues is the date on which the plaintiff knew (or reasonably should have known) that the personal injury or property damage referred to in paragraph (1) was caused or contributed to by the release or threatened release of a hazardous substance, pollutant or contaminant, or petroleum or petroleum derivative as a result of Department of Defense activities at the Base.

(7) Nothing in this subsection shall be construed as affecting or modifying in any way section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)).

(8) In this subsection, the terms "facility", "hazardous substance", "release", and "pollutant or contaminant" have the meanings given such terms in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, respectively (42 U.S.C. 9601).

[(m)**]** *(n)* DEFINITIONS.—In this section:

(1) * * *

* * * * * * *

(9) The term "Secretary" means the Secretary of the Air Force or the Secretary's designee**[**, who shall be a civilian official of the Department appointed by the President with the advice and consent of the Senate**]**.

(10) The term "State" means the State of Texas.

[(n) EFFECTIVE DATE.—This section becomes effective immediately upon enactment of this Act.**]**

* * * * * * *

SECTION 5 OF THE ACT OF SEPTEMBER 2, 1957

(PUBLIC LAW 85–258)

AN ACT To direct the Secretary of the Navy or his designee to convey a two thousand four hundred seventy–seven and forty–three one–hundredths acre tract of land, avigation, and sewer easements in Tarrant and Wise Counties, Texas, situated about twenty miles northwest of the city of Fort Worth, Texas, to the State of Texas.

SEC. 5. Nothing in this Act shall prevent the State of Texas from disposing of or salvaging buildings and improvements now located

on the land to be conveyed, or leasing, licensing or granting easements into and on the lands and improvements, except that the exercise of such rights shall not impair the use of the lands and improvements for the purpose set forth in section 4 of this Act, including preservation of the aviation potential of the property and that any revenues derived from such disposal, salvaging, leasing, licensing, or granting of easements shall be expended solely by the State of Texas for the protection, maintenance, and operation of the facility as a training center *or for the protection, maintenance, and operation of other Texas National Guard facilities*.

* * * * * * *

OMNIBUS PARKS AND PUBLIC LANDS MANAGEMENT ACT OF 1996

* * * * * * *

DIVISION I

TITLE I—THE PRESIDIO OF SAN FRANCISCO

* * * * * * *

SEC. 104. DUTIES AND AUTHORITIES OF THE TRUST.

(a) * * *

* * * * * * *

(d) FINANCIAL AUTHORITIES.—(1) To augment or encourage the use of non-Federal funds to finance capital improvements on Presidio properties transferred to its jurisdiction, the Trust, in addition to its other authorities, shall have the following authorities subject to the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.):

(A) * * *

* * * * * * *

(3) The aggregate amount of obligations issued under [paragraph (3) of] paragraph (2) of this subsection which are outstanding at any one time may not exceed [$50,000,000] *$150,000,000*.

* * * * * * *

SEC. 107. AUTHORITY TO LEASE CERTAIN HOUSING UNITS WITHIN THE PRESIDIO.

(a) AVAILABILITY OF HOUSING UNITS FOR ARMY LEASE.—The Trust shall make available for lease, to those persons designated by the Secretary of the Army, housing units specified in subsection (b).

(b) HOUSING UNITS.—The housing units referred to in this section are identified as follows:

(1) Liggett 715 A&B, 716 A&B, 717 A&B, 718 A&B, 719 A&B, and 720 A&B.

(2) West Washington 1401 A&B, 1403 A&B, and 1405 B.

(3) Infantry Terrace 340, 341, 342, and 343.

(4) Wright Loop 1332.

(c) REPLACEMENT OF DAMAGED OR DESTROYED HOUSING UNITS.—In the event of significant damage to or destruction of a housing unit specified in subsection (b), the Trust shall provide a substitute housing unit of equal size and accommodation.

(d) LEASE AMOUNT.—The monthly amount charged by the Trust for the lease of a housing unit, including utilities and municipal services, under this section shall not exceed the monthly rate of the basic allowance for housing that the occupant of the housing unit is entitled to receive under section 403 of title 37, United States Code. The Department of the Army shall have no other fiscal obligations with regard to the housing units specified in subsection (b) or housing units replaced pursuant to subsection (c).

(e) RELATIONS TO TRUST FUNDING LIMITATIONS.—The Trust shall comply with this section without regard to the requirement of section 105(b) that the Trust achieve financial self-sufficiency.

* * * * * * *

SECTION 3139 OF THE STROM THURMOND NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1999

SEC. 3139. HANFORD WASTE TANK CLEANUP PROGRAM REFORMS.

(a) * * *

* * * * * * *

[(f) TERMINATION.—(1) The Office shall terminate 5 years after the commencement of operations under this section unless the Secretary determines that termination on that date would disrupt effective management of the Hanford Tank Farm operations.

[(2) The Secretary shall notify, in writing, the committees referred to in subsection (d) of a determination under paragraph (1).]

(f) TERMINATION.—(1) The Office shall terminate on the later to occur of the following dates:

(A) September 30, 2010.

(B) The date on which the Assistant Secretary of Energy for Environmental Management determines, in consultation with the head of the Office, that continuation of the Office is no longer necessary to carry out the responsibilities of the Department of Energy under the Tri-Party Agreement.

(2) The Assistant Secretary shall notify, in writing, the committees referred to in subsection (d) of a determination under paragraph (1).

(3) In this subsection, the term "Tri-Party Agreement" means the Hanford Federal Facility Agreement and Consent Order entered into among the Department of Energy, the Environmental Protection Agency, and the State of Washington Department of Ecology.

* * * * * * *

MERCHANT MARINE ACT, 1936

* * * * * * *

TITLE XI—FEDERAL SHIP MORTGAGE INSURANCE

* * * * * * *

SEC. 1109. DEPOSIT FUND.

(a) ESTABLISHMENT OF DEPOSIT FUND.—There is established in the Treasury a deposit fund for purposes of this section. The Secretary may, in accordance with an agreement under subsection (b), deposit into and hold in the deposit fund cash belonging to an obligor to serve as collateral for a guarantee under this title made with respect to the obligor.

(b) AGREEMENT.—

(1) IN GENERAL.—The Secretary and an obligor shall enter into a reserve fund or other collateral account agreement to govern the deposit, withdrawal, retention, use, and reinvestment of cash of the obligor held in the deposit fund established by subsection (a).

(2) TERMS.—The agreement shall contain such terms and conditions as are required under this section and such additional terms as are considered by the Secretary to be necessary to protect fully the interests of the United States.

(3) SECURITY INTEREST OF UNITED STATES.—The agreement shall include terms that grant to the United States a security interest in all amounts deposited into the deposit fund.

(c) INVESTMENT.—The Secretary may invest and reinvest any part of the amounts in the deposit fund established by subsection (a) in obligations of the United States with such maturities as ensure that amounts in the deposit fund will be available as required for purposes of agreements under subsection (b). Cash balances of the deposit fund in excess of current requirements shall be maintained in a form of uninvested funds and the Secretary of the Treasury shall pay interest on these funds.

(d) WITHDRAWALS.—

(1) IN GENERAL.—The cash deposited into the deposit fund established by subsection (a) may not be withdrawn without the consent of the Secretary.

(2) USE OF INCOME.—Subject to paragraph (3), the Secretary may pay any income earned on cash of an obligor deposited into the deposit fund in accordance with the terms of the agreement with the obligor under subsection (b).

(3) RETENTION AGAINST DEFAULT.—The Secretary may retain and offset any or all of the cash of an obligor in the deposit fund, and any income realized thereon, as part of the Secretary's recovery against the obligor in case of a default by the obligor on an obligation.

TITLE XII—WAR RISK INSURANCE

SEC. 1201. As used in this title—

(a) * * *

* * * * * * *

[(c) The term "war risks" includes to such extent as the Secretary may determine all or any part of those losses which are excluded from marine insurance coverage under a "free of capture and seizure" clause, or analogous clauses.]

(c) The term "war risks" includes to such extent as the Secretary may determine—

(1) all or any part of any loss that is excluded from marine insurance coverage under a "free of capture or seizure" clause, or under analogous clauses; and

(2) other losses from hostile acts, including confiscation, expropriation, nationalization, or deprivation.

* * * * * * *

ADDITIONAL VIEWS

We all have our own views on specific issues relating to ballistic missile defense: the nature and urgency of the threat; the technological promise of ballistic missile defense (BMD) systems in development; the appropriate level of funding for these BMD systems; what changes, if any, to make to the ABM Treaty and what to do if such revisions are not agreed to mutually by the U.S. and Russia; and other issues as well.

However, we all question the wisdom of increasing ballistic missile defense funding nearly 60 percent when so many other defense requirements also need to be addressed. The Service Chiefs have identified $32.5 billion in unfunded requirements for 2002 alone. The shipbuilding rate is about half of what it needs to be to sustain our current naval force. The National Guard and Reserve procurement accounts are well funded below the level needed to equip them properly. Army readiness is still below its objectives. Military housing across the country needs to be upgraded and military pay needs to be raised higher. The list goes on.

The Spratt Amendment was offered on behalf of all Democrats to shift $985 million—one-third of the proposed $3 billion increase and 12% of the total request—from selected ballistic missile defense accounts and into items that meet shortfalls for the National Guard and Army Reserve, the Navy and Marine Corps, the Air Force, and Department of Energy nonproliferation programs. The amendment did not affect systems that counter theater ballistic missile threats or the ground-based national missile defense system, and it provided funding to improve flight testing as the Administration requested. The amendment thus provided for a $2.0 billion (37.5 percent) increase for BMD programs (compared to the Administration's request).

The amendment did not fund the Administration's request to build and station five "emergency" interceptors at Ft. Greely or its proposal to upgrade the Cobra Dane radar. These requests are not related to flight testing, but rather for what appears to be pre-deployment operational non-flight testing. Given the early stages of development of the ground-based system and the controversial nature of deploying a system, we consider the request to fund these items premature.

The amendment also cut $120 million in addition to the $40 million the majority cut from space-based BMD programs, and reduced funding to transform the Navy Theater Wide system into a national missile defense system. The ability to sustain these efforts beyond 2002 is seriously in doubt, and we believe the items we identified to receive the funding cut for BMD are all higher priority defense needs.

We are disappointed the Spratt amendment was not adopted, but we hope to continue to work together with the majority in a bipar-

tisan fashion during the remainder of the legislative process to properly balance the need to defend against ballistic missiles with the other pressing funding requirements faced by our men and women in uniform.

IKE SKELTON.
JOHN SPRATT.
LANE EVANS.
SILVESTRE REYES.
THOMAS H. ALLEN.
JOHN B. LARSON.
LORETTA SANCHEZ.
JAMES R. LANGEVIN.
RICK LARSEN.
ELLEN O. TAUSCHER.
ROBERT E. ANDREWS.
CYNTHIA A. MCKINNEY.
ADAM SMITH.
JIM TURNER.
ROD R. BLAGOJEVICH.
SUSAN A. DAVIS.
SOLOMON P. ORTIZ.
JAMES H. MALONEY.
MARTY MEEHAN.
VIC SNYDER.
ROBERT A. BRADY.
MIKE THOMPSON.
NEIL ABERCROMBIE.
CIRO D. RODRIGUEZ.
BARON P. HILL.

ADDITIONAL VIEWS OF HON. LANE EVANS

While I voted for the Committee's mark of the FY02 Department of Defense Authorization Act, I was severely disappointed that the Subcommittee on Military Research and Development decided to add $5 million to the EMD phase of the 155mm Lightweight Howitzer program. Considering the extensive mismanagement and technical difficulties this program has experienced, it is mystifying why this Committee decided to add funding to this program.

Earlier this year, the bipartisan, Iowa/Illinois Quad Cities Congressional delegation called for the termination of the program. We called for this after becoming overwhelmingly convinced that this program will not result in the type of quality weapon that our soldiers will need. The evidence is overwhelming. Two consecutive GAO reports have shown that the program is over-budget, behind schedule and beset by serious technical problems.

For example, GAO found that all key program milestones have slipped except one. The production milestone decision has slipped from March 2002 to September 2002. Initial Fielding by the USMC has slipped 8 months to July 2004 (28 months after the originally envisioned date). The cost of the program has also continued to grow. Due to technical problems and changes in the contractor overseeing the program, the estimated cost of the developmental contract has grown $20.2 million (over 50 percent) since GAO's first report. The developmental contract has almost doubled since the start of the program (from an initial $33.5 million target price to a current estimate of $65.8 million.) I am especially troubled by this because the American taxpayer will pick up the bill for any more cost increases in developing the howitzer. This is due to the program office restructuring the contract. Under this agreement, BAE will only contribute $5 million towards development of two pre-production guns. The Committee's action will only reward mismanagement.

However, the biggest challenge of the program continues to revolve around technical issues that have not been resolved and may not be fixable. Proposed fixes to the three original problems found by GAO—insufficient spade size, instability of the saddle and faulty titanium welds—remain to be conclusively proven effective in live fire testing. Welds have become so problematic that BAE is now considering casting titanium parts instead of welding them together, a major change in the production process and one that may lead to even more problems.

Unfortunately, the second GAO review found new problems on top of these already serious technical challenges. Specifically, the spades cracked, could not be properly removed from the ground, and didn't always work properly in all soil types. In addition, the optical sight continued to break during test firings. Problems this extensive should not be found in the EMD stage of a major pro-

gram. It is clearly a system that is far from any production milestone decision.

The best thing we can do for our soldiers and Marines is to take the money the committee has added to the program and devote it to evaluating alternatives so that we may eventually have an answer for the pressing indirect fire-support needs of both the Army and the Marine Corps. I plan on offering an amendment during floor consideration of the FY02 DOD Authorization Act to do just that.

LANE EVANS.

ADDITIONAL VIEWS OF HON. TOM ALLEN

STRATEGIC ARMS FLEXIBILITY

I am pleased that the Committee adopted my amendment to endorse the Administration's request for repeal of the prohibition on the retirement of the 50 Peacekeeper (MX) missiles that are required to be dismantled under the START II Treaty. President Bush has called for further reductions in the U.S. strategic arsenal and for taking nuclear weapons off high alert status. Since this is one aspect of strategic policy where there is general bipartisan agreement, we should give the Administration the flexibility to implement these goals.

Even with the positive step the Committee took, I believe it is the right policy to repeal the entire provision prohibiting retirement of strategic nuclear delivery systems (section 1302 of the FY1998 National Defense Authorization Act). I am concerned that the President will be prevented from implementing his plan to take strategic weapons off high alert status with the rest of section 1302 in place. As we approach conference, I hope the Committee will discuss with Administration officials the budgetary and policy consequences of section 1302, given the President's policy statements and engagement with the Russians on a potential grand strategic agreement.

DD–21 DESTROYER

I am pleased that the Committee provided $619 million for the DD–21 land attack destroyer, and expressed its support for moving forward with the program. While I was disappointed that the Committee cut the FY2002 budget request by $25 million, I note this action was taken by the Committee without prejudice for the program itself. The DD–21 was the top ship platform mentioned in the Chief of Naval Operation's testimony before this Committee. I strongly concur with his statement that "the program is central to our transformational effort, including the introduction of the Integrated Power System, the Advanced Gun System, multi-function radar, and reduced manning concepts. Additionally, the DD–21 is another step toward the creation of a more integrated Navy/Marine Corps team. DD–21 will provide significantly enhanced fire support for Marines ashore." I believe the committee recognizes the importance of these technologies and the platform itself for future mission and fleet requirements. While the cut was explained because of the delay in the contact award decision, I understand that the program office would be able to execute these funds to make up for lost schedule time, in order to keep the program on track for planned initial production.

NATIONAL MISSILE DEFENSE

I have previously expressed my views on the various aspects of national missile defense, and associate myself with the additional views submitted by Mr. Spratt. I take this opportunity to comment on the process by which the Committee arrived at its endorsement of the Administration proposal. Ballistic missile defense, as a concept, was a priority for this Administration from the beginning. But we did not get the actual defense budget request until just one month before committee mark-up. We weren't informed of the Ft. Greely deployment plan until three weeks before mark-up. We did not get the detailed Ballistic Missile Defense Organization (BMDO) budget documents until a couple of weeks before mark-up. Traditionally, the Committee has four months to review the budget request before it drafts the defense authorization bill. With a spending increase of this magnitude, containing several new start programs unfamiliar to the Committee, I believe we did not have sufficient time to review the BMDO request and consider the policy and budget ramifications.

The Committee held only one hearing on the BMDO budget request. Personally, I found that Administration witnesses gave general or evasive answers to specific questions. I felt that the hearing record provided insufficient details and substance for the Committee to make a sound judgment on the massive BMDO expansion, and for the public to understand what is being proposed. Administration officials repeatedly cited actual and hypothetical threats to U.S. troops and allies from short- and medium-range missiles to justify the scrapping of the ABM Treaty, which does not constrain the development of any missile defenses for the cited threats. It's like watching a doctor prescribe chemotherapy to treat heart disease.

In a departure from traditional practice, this Committee did not receive any out-year estimates for defense spending in the Future Years Defense Plan. Likewise, we were not provided with any long-range cost estimates for the BMDO missile defense systems. We have no idea if the programs in the BMDO request are affordable in the medium or long term. The BMDO increase is too big, and too controversial, to merit a rubber stamp.

Lastly, I question whether it is appropriate for the Committee to ratify the radical new BMDO plan, in terms of budget, structure and policy, when every other major Pentagon decision is being deferred until after the Quadrennial Defense Review (QDR) process. Every time a Committee Member asked an Defense Department witness about the status of a major program, the answer was always: wait until the QDR. The lone exception was BMDO. The bill approved by the Committee makes no significant changes to any major weapons system, except BMD programs. I believe it is premature to approve the 57 percent increase for BMDO, given the impact this new initiative will have on other Defense Department funding priorities, on our national security strategy, and on our international security relationships.

As we move forward with the budget process, I hope that the majority and minority can work together to get resolution on the many questions that have yet to be answered.

TOM ALLEN.

DISSENTING VIEWS

Mr. Chairman, I appreciate the opportunity to comment on the National Defense Authorization Act of 2002. I have serious reservations with aspects of this bill, in both the funding levels and the policy focus. I respectively issue this dissent to include these concerns for the record.

BUDGET INCREASE AND COMPARISON

The passage of H.R. 2586, the National Defense Authorization Act of 2002, by the House Armed Service Committee represents a near $33 billion dollar increase from fiscal year 2001, and provides a total of $343.3 billion in budget authority to the Department of Defense for fiscal year 2002. For the sake of comparison, the House of Representatives has passed an appropriation totaling $7.7 billion for the Department of State for fiscal year 2002, and the appropriation for Foreign Operations was passed by the House at $15.2 billion. The sum of these two appropriations—$22.9 billion—representing the amount allocated to diplomacy, international aid and peace by the United States, rises only to seventy percent of the defense allocation increase and 6.7 percent of the entire defense budget.

Such a budget level would be appropriate if our nation were at war or if it still faced the captive threat of the Cold War. However, since neither circumstance exists, budget levels for diplomacy and war should be balanced at a more compatible level. Moreover, with the financial mismanagement that continues to exist within the Department of Defense, increases should not be made to many programs until a system of financial responsibility is instituted to prevent future overspending, fiscal waste and the lack of accountability.

MISSILE DEFENSE

The single largest portion of the budget increase is dedicated to the development and proliferation of missile defense systems.

The Committee's missile defense program is a carbon copy of the Bush administration proposal. It would dramatically increase the missile defense budget by $3 billion (57 percent) to $8.3 billion. This accelerated missile defense program is virtually certain to lead China to increase the number of nuclear weapons pointed at U.S. cities and may discourage Russia from making deep cuts in its arsenal. This program has also had seriously questionable success in operational tests to date, and functional operation of any missile defense is still in doubt.

Expensive, high-tech weapons are no substitute for effective diplomacy, arms control, disarmament, and international cooperation. Cooperative international arms control and disarmament

agreements will be far more effective in advancing peace and security in the years ahead and will cost far less than a missile shield.

NUCLEAR REDUCTIONS

Although both Russia and the U.S. have ratified START II, its implementation has become entangled in contradictory conditions by the Russian Duma and the U.S. Senate over the Anti-Ballistic Missile (ABM) Treaty. I have been encouraged by President Bush's proposal to unilaterally reduce the U.S. strategic arsenal, beginning with the 50 Peacekeeper (MX) missiles, which contain 500 nuclear warheads.

Unfortunately, current law (Section 1302 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85)) prohibits the President from reducing the nuclear arsenal, other than through START II ratification. Current law also places unnecessary restrictions on the ability of the President to de-alert, or take off high-alert status, our nuclear weapons. Currently the U.S. and Russia have over 4,000 nuclear weapons aimed at each other—poised to be launched within minutes.

The Committee unfortunately rejected the amendment by Rep. Tom Allen to remove the restrictions in Section 1302. It did allow a second, narrower amendment to remove the restrictions on the MX missile retirements. However, the Committee denied the President the ability to negotiate deeper reductions with Russia by defeating the first Allen amendment.

The President, Secretary of Defense Rumsfeld, and the Joint Chiefs of Staff have all called for reductions in our strategic arsenal. Yet the majority party on our Committee continues to cling to these weapons as Cold War relics.

I was also disappointed that the Committee rejected the amendment by Rep. Ellen Tauscher that would have de-alerted the nuclear weapons in our arsenal that are already slated for retirement. The first President Bush de-alerted thousands of nuclear weapons in 1991 as the Warsaw pact disintegrated. The current President Bush has also supported the concept of taking nuclear weapons off hair-trigger alert. Unfortunately the Committee again missed an opportunity to demonstrate leadership in reducing the nuclear danger.

MEDICAL ACCESS AND GENDER

I regret that the Committee did not support changing current law to permit service women and female dependents who serve or reside overseas to access military hospitals and other facilities for the purpose of privately funded abortions. Similar women who serve or reside within the United States have constitutionally protected right to access to legal and safe facilities that provide abortions. Left with no other option than to either seek an abortion in a potentially unsafe, foreign medical facility or to forgo an abortion altogether, this legal provision is tantamount to gender discrimination and should be changed. Not only does this threaten the health of such women, such a policy is seemingly unconstitutional, and further, it threatens retention and recruitment of soldiers. It is my hope that this restriction will be corrected upon consideration in

Committee of the Whole, and I urge the designated conferees from the House to support any such changes.

VIEQUES, PUERTO RICO

I find it unfortunate that the Committee has sought to reduce the likelihood of the Navy's departure from the island of Vieques, Puerto Rico and that the Reyes amendment was defeated. The people of Vieques were provided last year with the opportunity to choose their own fate with regards to the Navy range, and through a non-binding referendum on June 29, 2001, overwhelmingly issued their desire for the Navy to depart from their island. The continued bombing erodes the safety, environment and economy of this island and its people, and should cease. It is my hope that the Administration is permitted to proceed with the Navy's planned withdrawal from Vieques in 2003, and that the unlikely discovery of another "suitable" alternate site not be held as prerequisite for this departure.

DOMESTIC USE OF INTELLIGENCE

There have been recent revelations about the use of military intelligence for domestic issues, specifically with respect to the surveillance of Dr. Martin Luther King, Jr. and Operation Lantern Spike. Evidence of such past activities give rise today to grave constitutional issues and concern about civil liberties. The 1975 Report written by the Select Committee to Study Governmental Operations with Respect to Intelligence Activities revealed practices "abhorrent in a free society." The Church Committee, named after its Chairman, Frank Church of Idaho, exposed that in the name of state security a program of manipulation, infiltration, surveillance, harassment, disruption, and murder was carried out with the consent of those at the highest levels of the United States government and against domestic and international law.

Proposals supporting the creation of a National Homeland Security Agency raise a specter of the return of the most egregious aspects of the domestic program that deprived too many Americans of their constitutional rights and in some cases their lives. The military has an appropriate role in protecting the United States from foreign threats, and should remain dedicated to preparing for those threats. Domestic uses of the military have long been prohibited for good reason, and the same should continue to apply to all military functions, especially any and all military intelligence and surveillance.

INTERNATIONAL ASSISTANCE AND PROGRAMS

The escalating war on drugs that the United States is fighting has me increasingly concerned. Though I appreciate a reduction of $4 million from the contributions to Peru for counter-drug support, the events surrounding the death of American missionary Veronica Bowers and her 7-month old daughter highlight the role our nation and military play in foreign affairs. Though it was private CIA contractors who were involved in this specific incident, our military resources are being used to train and support foreign nations in their efforts to curb drug production and distribution. As with the trans-

gressions that resulted from training foreign militaries at the School of the Americas, human rights abuses can result from the training, arming and empowerment of developing nations' armed forces. Further, we should be cautious that such activity does not draw our nation into difficult regional conflicts, and in light of the apparent failure of the war on drugs, the entire concept of military-based drug interdiction and it's efficacy should be reconsidered.

QUALITY OF LIFE ISSUES

Despite my reservations with this legislation, it includes positive aspects that I applaud.

I would like to commend the Committee, and particularly Personnel Subcommittee Chairman McHugh for the increase in military pay and salaries. This is an appropriate step that not only provides our service men and women with sufficient compensation, but also achieves two other important goals: furthering the profession of the military and the responsibility inherent in the changing roles of the armed forces; and increasing the retention of service men and women. Similarly, increases in moving allowances, housing expenditures, provisions permitting concurrent receipt of retired pay and veteran's disability benefits, and efforts to protect voting rights of personnel are praiseworthy.

Many of the nations that we perceive as a threat will respond to the expansion and proliferation of missile defense, the expanding role of military in drug interdiction, and prevention of reductions in nuclear missiles. It is uncertain how these nations will respond, but I am confident that diplomacy and engagement will have much more positive effects on our national security than will our expanding defense budget. Similarly, the Department of Defense should be urged to respond to the trust that is instilled in it by reforming its financial management, reducing the obstruction that has plagued its history, and by eschewing involvement in domestic issues. I urge the Committee to prudently consider its role in developing not only national policy, but also international relations, and to realize that as the global leader we have a role not only in preparing for war, but also in promoting peace.

CYNTHIA MCKINNEY.

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