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Senate

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LOTT (for himself and Mr. COCHRAN):

S. 1287. A bill to designate the Federal building and United States courthouse located at 2015 15th Street in Gulfport, Mississippi, as the ''Judge Dan M. Russell, Jr. Federal Building and United States Courthouse''; to the Committee on Environment and Public Works.

Mr. LOTT. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1287

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION OF JUDGE DAN M. RUSSELL, JR. FEDERAL BUILDING AND UNITED STATES COURTHOUSE.

The Federal building and United States courthouse located at 2015 15th Street in Gulfport, Mississippi, shall be known and designated as the ''Judge Dan M. Russell, Jr. Federal Building and United States Courthouse''.

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building and United States courthouse referred to in section 1 shall be deemed to be a reference to the Judge Dan M. Russell, Jr. Federal Building and United States Courthouse.

By Mr. SHELBY (for himself and Mr. SESSIONS):

S. 1288. A bill to amend the Tennessee Valley Authority Act of 1933 to modify provisions relating to the Board of Directors of the Tennessee Valley Authority, and for other purposes; to the Committee on Environment and Public Works.

Mr. SHELBY. Madam President, I rise today to introduce legislation to reform the board structure of the Tennessee Valley Authority. The legislation that I am introducing with my colleague from Alabama would create a corporate structure to oversee TVA.

This legislation expands the board from the current three members to 14 members, requiring the President to appoint two members from each of the seven states in which TVA operates. In addition to expanding the board, our legislation creates the position of a Chief Executive Officer who will be responsible for daily management and operation decisions. Under this new structure, board members would serve on a part-time basis, receiving a stipend for their services and the CEO would become the only full-time, paid position.

It is no secret that TVA has suffered financial turmoil in the past and is still trying to work its way out of substantial debt. In my view, restructuring and reform are overdue. The goal of this legislation is to provide the Authority with board members that have a direct interest in the well-being of TVA and its rate payers and to place at the helm a Chief Executive Officer to make the difficult business decisions that will guide TVA through the impending challenges of an evolving energy industry.

TVA is a multi-billion dollar entity. However, it continues to operate under the same administrative structure it did when Congress created the Authority in 1933. Senator Sessions and I believe that it is time for that structure to change. It is time for the Tennessee Valley Authority to step into the 21st Century and out of the bureaucratic stronghold that has guided its decision making process for so long. We believe that this new board structure will equip TVA to meet the challenges of the future and better serve the people of Alabama and the other States in which it operates.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1288

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CHANGE IN COMPOSITION, OPERATION, AND DUTIES OF THE BOARD OF DIRECTORS OF THE TENNESSEE VALLEY AUTHORITY.

(a) IN GENERAL.—The Tennessee Valley Authority Act of 1933 (16 U.S.C. 831 et seq.) is amended by striking section 2 and inserting the following:

''SEC. 2. MEMBERSHIP, OPERATION, AND DUTIES OF THE BOARD OF DIRECTORS.

''(a) MEMBERSHIP.—

''(1) APPOINTMENT.—The Board of Directors of the Corporation (referred to in this Act as the 'Board') shall be composed of 14 members appointed by the President by and with the advice and consent of the Senate.

''(2) COMPOSITION.—The Board shall be composed of 14 members, of whom—

''(A) 2 members shall be residents of Alabama;

''(B) 2 members shall be residents of Georgia;

''(C) 2 members shall be residents of Kentucky;

''(D) 2 members shall be residents of Mississippi;

''(E) 2 members shall be residents of North Carolina;

''(F) 2 members shall be residents of Tennessee; and

''(G) 2 members shall be residents of Virginia.

''(b) QUALIFICATIONS.—

''(1) IN GENERAL.—To be eligible to be appointed as a member of the Board, an individual—

''(A) shall be a citizen of the United States;

''(B) shall not be an employee of the Corporation;

''(C) shall have no substantial direct financial interest in—

''(i) any public-utility corporation engaged in the business of distributing and selling power to the public; or

''(ii) any business that may be adversely affected by the success of the Corporation as a producer of electric power; and

''(D) shall profess a belief in the feasibility and wisdom of this Act.

''(2) PARTY AFFILIATION.—Not more than 8 of the 14 members of the Board may be affiliated with a single political party.

''(c) TERMS.—

''(1) IN GENERAL.—A member of the Board shall serve a term of 4 years except that in

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● This ''bullet'' symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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first making appointments after the date of enactment of this paragraph, the President shall appoint—

''(A) 5 members to a term of 2 years;

''(B) 6 members to a term of 3 years; and

''(C) 3 members to a term of 4 years.

''(2) VACANCIES.—A member appointed to fill a vacancy in the Board occurring before the expiration of the term for which the predecessor of the member was appointed shall be appointed for the remainder of that term.

''(3) REAPPOINTMENT.—

''(A) IN GENERAL.—A member of the Board that was appointed for a full term may be reappointed for 1 additional term.

''(B) APPOINTMENT TO FILL VACANCY.—For the purpose of subparagraph (A), a member appointed to serve the remainder of the term of a vacating member for a period of more than 2 years shall be considered to have been appointed for a full term.

''(d) QUORUM.—

''(1) IN GENERAL.—Eight members of the Board shall constitute a quorum for the transaction of business.

''(2) MINIMUM NUMBER OF MEMBERS.— A vacancy in the Board shall not impair the power of the Board to act, so long as there are 8 members in office.

''(e) COMPENSATION.—

''(1) IN GENERAL.—A member of the Board shall be entitled to receive—

''(A) a stipend of $30,000 per year; and

''(B) travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in Government service under section 5703 of title 5, United States Code.

''(2) ADJUSTMENTS IN STIPENDS.—The amount of the stipend under paragraph (1)(A) shall be adjusted by the same percentage, at the same time and manner, and subject to the same limitations as are applicable to adjustments under section 5318 of title 5, United States Code.

''(f) CHIEF EXECUTIVE OFFICER.—

''(1) APPOINTMENT.—The President, by and with the advice and consent of the Senate, shall appoint a person to serve as chief executive officer of the Corporation.

''(2) QUALIFICATIONS.—To serve as chief executive officer of the Corporation, a person—

''(A) shall be a citizen of the United States;

''(B) shall have proven management experience in large, complex organizations;

''(C) shall not be a current member of the Board or have served as a member of the Board within 2 years before being appointed chief executive officer; and

''(D) shall have no substantial direct financial interest in—

''(i) any public-utility corporation engaged in the business of distributing and selling power to the public; or

''(ii) any business that may be adversely affected by the success of the Corporation as a producer of electric power; and

''(3) TERM.—

''(A) IN GENERAL.—The chief executive officer shall serve for a term of 4 years.

''(B) REAPPOINTMENT.—The chief executive officer may be reappointed for additional terms.

''(4) COMPENSATION.—

''(A) IN GENERAL.—The chief executive officer shall be entitled to receive—

''(i) compensation at a rate that does not exceed the annual rate of pay prescribed under Level III of the Executive Schedule under section 5315 of title 5, United States Code; and

''(ii) reimbursement from the Corporation for travel expenses, including per diem in lieu of subsistence, while away from home or regular place of business of the chief executive officer in the performance of the duties of the chief executive officer.''.

(b) CURRENT BOARD MEMBERS.—A member of the board of directors of the Tennessee Valley Authority who was appointed before the effective date of the amendment made by subsection (a)—

(1) shall continue to serve as a member until the date of expiration of the member's current term; and

(2) may not be reappointed.

SEC. 3. EFFECTIVE DATE.

The amendments made by this Act take effect, and the additional members of the Board of the Tennessee Valley Authority and Chief Executive Officer shall be appointed so as to commence their terms on, the date that is 90 days after the date of enactment of this Act.

By Ms. SNOWE:

S. 1289. A bill to require the Secretary of the Navy to report changes in budget and staffing that take place as a result of the regionalization program of the Navy; to the Committee on Armed Services.

Mr. SNOWE. Madam President, I rise today to introduce the Navy Regionalization Reporting Act, a bill that would benefit all Navy bases and their surrounding communities by providing ample notification of planned, through regular reports, and unplanned, through the Congressional notifications, funding and employment level changes due to the Navy's regionalization process.

Earlier this year, it was brought to my attention that both funding and jobs at the Naval Air Station in Brunswick, ME, could be impacted by the Navy's reallocation of base operating functions as part of its regionalization program. The Navy's stated goal for the regionalization program is to consolidate functions by eliminating management and support redundancies with the end result being increased efficiency and decreased overhead costs for shore installations. As such, for the Navy's program to be successful, funding, as well as jobs, must be reduced in some areas.

While I applaud Navy's intentions to increase efficiency and save taxpayer dollars, I can not support efforts that may lead to reduced service levels for our men and women in uniform. I am also concerned that the Navy has not been able to produce detailed projections on the impact regionalization will have on the Federal employees.

To date, the Navy has been unable to answer questions regarding future employment levels and has not established a method to track or predict changes in budget and job allocations at its bases that take place as a result of the regionalization program.

This legislation would require the Navy to establish a tracking and planning program to make these changes more transparent. The Navy would provide an initial baseline or historical report that includes the pre-regionalization budgets and staffing levels at each base or station in each Navy region by July 2002. Subsequently, the Navy would submit semi-annual reports with projected and actual losses, gains, or restructuring of budgets and staff for each base. Any deviation from the reported budget or staff projections would then require Congressional notification 30 days prior to implementation.

Finally, in an effort to prevent the degradation of operational readiness and quality of life for our service members due to the redistribution of base support functions, this legislation includes a Sense of the Senate that the Navy should ensure the job and dollar distribution within each region is equitable and does not become concentrated at one location.

To assure the benefits of the Navy's program are equitably realized at all bases and communities, I urge my colleagues to support the Navy Regionalization Reporting Act.

By Mr. GRASSLEY. (for himself, Mr. HARKIN, and Mr. BROWNBACK):

S. 1290. A bill to amend title 49, United States Code, to preempt State laws requiring a certificate of approval or other form of approval prior to the construction or operation of certain airport development projects, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1290

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''End Gridlock at Our Nation's Critical Airports Act of 2001''.

SEC. 2. PREEMPTION OF STATE LAWS REQUIRING APPROVAL OF AIRPORT DEVELOPMENT PROJECTS.

(a) IN GENERAL.—Chapter 401 of title 49, United States Code, is amended by adding at the end the following:

''§ 40129. Preemption of State laws requiring approval of airport development projects

''(a) IN GENERAL.—No State, political subdivision of a State, or political authority of at least 2 States may enact or enforce a law, regulation, or other provision having the force and effect of law that—

''(1) requires a certificate of approval or other form of approval prior to the construction or operation of an airport development project at a covered airport if the project meets the standards established by the Secretary of Transportation under section 47105(b)(3), whether or not the project is the subject of a grant approved under chapter 471; or

''(2) prohibits, conditions, or otherwise regulates the direct application for, or receipt or expenditure of, a grant or other funds by the sponsor of a covered airport under chapter 471 for an airport development project at a covered airport if the project meets the standards referred to in paragraph (1).

''(b) COVERED AIRPORT DEFINED.—In this section, the term 'covered airport' means an airport that each year has at least .25 percent of the total annual boardings in the United States.''.

(b) CONFORMING AMENDMENT.—The analysis for such chapter is amended by adding at the end the following new item:

''40129. Preemption of State laws requiring approval of airport development projects.''.

By Mr. HATCH:

S. 1291. A bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to permit States to determine State residency for higher education purposes and to authorize the cancellation of removal and adjustment of status of certain alien college-bound students who are long term United States residents; to the Committee on the Judiciary.

Mr. HATCH. Madam President, I rise today to introduce legislation aimed at benefitting a very special group of persons—illegal alien children who are long-term residents of the United States. This legislation, known as the ''DREAM Act,'' would allow children who have been brought to the United States through no volition of their own the opportunity to fulfill their dreams, to secure a college degree and legal status. The purpose of the DREAM Act is to ensure that we leave no child behind, regardless of his or her legal status in the United States or their parents' illegal status.

By law, undocumented alien children are entitled to a subsidized education through high school. In fact, an estimated 50,000 to 70,000 such students graduate from high schools throughout the country each year. Many of these students are thereafter interested in bettering themselves and their families by securing higher education. Generally, admittance to college is not a problem. However, the cost of attending college and the lack of any mechanism by which undocumented aliens students may obtain legal status in the United States prevents these children from having a meaningful opportunity to obtain a college degree. The DREAM Act would 1. aid undocumented alien children in their financial efforts to attend college, and 2. provide adjustment of status to undocumented alien children who secure a degree of higher education.

Presently, the law penalizes States that grant a post-secondary benefit, such as in-state tuition, to an undocumented student unless the state also provides that same benefit to out-of-state students. I believe that the decision of a State to grant any such benefit to an undocumented individual residing in the same rests with the State alone. Accordingly, I am opposed to that aforementioned provision of law. The bill I introduce today, the DREAM Act, proposes to repeal that section of the law.

Second, I propose that we offer undocumented alien children the opportunity to earn permanent residency in the United States in conjunction with earning either a 4 or 2-year college degree. Under the DREAM Act, an alien who has continuously resided in the United States for 5 years, is a person of good moral character, has not been convicted of certain offenses, and has been admitted to a qualified institute of higher education may adjust his or her status to that of conditional permanent resident. Thereafter, the student has 6 or 4 years to graduate from a qualified 4 or 2-year institution, respectively. Upon graduation and a demonstration that the student has remained a person of good moral character, has maintained his or her continuous physical presence in the United States, and has not become removable based on criminal convictions or security grounds, the conditions of the student's status are removed and that student becomes a full-fledged permanent resident.

I recognize that there are significant differences between the DREAM Act and other legislation that has been recently introduced. However, I look forward to working with members of this body to ensure that the American dream is extended to these children. I therefore strongly urge my colleagues to support this bill and thereby provide hope and opportunity to hundreds of thousands of deserving alien children nationwide.

I ask unanimous consent that the text of the bill be included following my remarks.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1291

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Development, Relief, and Education for Alien Minors Act'' or ''DREAM Act''.

SEC. 2. RESTORATION OF STATE OPTION TO DETERMINE RESIDENCY FOR PURPOSES OF HIGHER EDUCATION BENEFITS.

Section 505 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104–208; 110 Stat 3009–672; 8 U.S.C. 1623) is repealed.

SEC. 3. CANCELLATION OF REMOVAL AND ADJUSTMENT OF STATUS OF CERTAIN LONG-TERM RESIDENT STUDENTS.

(a) SPECIAL RULE FOR CHILDREN IN QUALIFIED INSTITUTIONS OF HIGHER EDUCATION.—

(1) IN GENERAL.—Notwithstanding any other provision of law and subject to paragraph (2), the Attorney General may cancel removal of, and adjust to the status of an alien lawfully admitted for permanent residence, subject to the conditional basis described in section 4, an alien who is inadmissible or deportable from the United States, if the alien demonstrates that—

(A) the alien has applied for relief under this subsection not later than two years after the date of enactment of this Act;

(B) the alien has not, at the time of application, attained the age of 21;

(C) the alien, at the time of application, is attending an institution of higher education in the United States (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001));

(D) the alien was physically present in the United States on the date of the enactment of this Act and has been physically present in the United States for a continuous period of not less than five years immediately preceding the date of enactment of this Act;

(E) the alien has been a person of good moral character during such period; and

(F) the alien is not inadmissible under section 212(a)(2) or 212(a)(3) or deportable under section 237(a)(2) or 237(a)(4).

(2) PROCEDURES.—The Attorney General shall provide a procedure by regulation allowing eligible individuals to apply affirmatively for the relief available under this paragraph without being placed in removal proceedings.

(b) TERMINATION OF CONTINUOUS PERIOD.—For purposes of this section, any period of continuous residence or continuous physical presence in the United States of an alien who applies for cancellation of removal under this section shall not terminate when the alien is served a notice to appear under section 239(a) of the Immigration and Nationality Act.

(c) TREATMENT OF CERTAIN BREAKS IN PRESENCE.—An alien shall be considered to have failed to maintain continuous physical presence in the United States under subsection (a) if the alien has departed from the United States for any period in excess of 90 days or for any periods in the aggregate exceeding 180 days.

(d) STATUTORY CONSTRUCTION.—Nothing in this section may be construed to apply a numerical limitation on the number of aliens who may be eligible for cancellation of removal or adjustment of status under this section.

(e) REGULATIONS.—

(1) PROPOSED REGULATIONS.—Not later than 90 days after the date of the enactment of this Act, the Attorney General shall publish proposed regulations implementing this section.

(2) INTERIM, FINAL REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Attorney General shall publish final regulations implementing this section. Such regulations shall be effective immediately on an interim basis, but are subject to change and revision after public notice and opportunity for a period for public comment.

SEC. 4. CONDITIONAL PERMANENT RESIDENT STATUS FOR CERTAIN LONG-TERM RESIDENT STUDENTS.

(a) IN GENERAL.—

(1) CONDITIONAL BASIS FOR STATUS.—Notwithstanding any other provision of this Act, an alien whose status has been adjusted under section 3 to that of an alien lawfully admitted for permanent residence shall be considered, at the time of obtaining the adjustment of status, to have obtained such status on a conditional basis subject to the provisions of this section.

(2) NOTICE OF REQUIREMENTS.—

(A) AT TIME OF OBTAINING PERMANENT RESIDENCE.—At the time an alien obtains permanent resident status on a conditional basis under paragraph (1), the Attorney General shall provide for notice to such alien respecting the provisions of this section and the requirements of subsection (c)(1) to have the conditional basis of such status removed.

(B) AT TIME OF REQUIRED PETITION.—In addition, the Attorney General shall attempt to provide notice to such an alien, at or about the date of the alien's graduation from an institution of higher education of the requirements of subsection (c)(1).

(C) EFFECT OF FAILURE TO PROVIDE NOTICE.—The failure of the Attorney General to provide a notice under this paragraph shall not affect the enforcement of the provisions of this section with respect to such an alien.

(b) TERMINATION OF STATUS IF FINDING THAT QUALIFYING EDUCATION IMPROPER.—

(1) IN GENERAL.—In the case of an alien with permanent resident status on a conditional basis under subsection (a), if the Attorney General determines that the alien is no longer a student in good standing at an accredited institution of higher education,

the Attorney General shall so notify the alien and, subject to paragraph (2), shall terminate the permanent resident status of the alien as of the date of the determination.

(2) HEARING IN REMOVAL PROCEEDING.—Any alien whose permanent resident status is terminated under paragraph (1) may request a review of such determination in a proceeding to remove the alien. In such proceeding, the burden of proof shall be on the alien to establish, by a preponderance of the evidence, that the condition described in paragraph (1) is not met.

(c) REQUIREMENTS OF TIMELY PETITION FOR REMOVAL OF CONDITION.—

(1) IN GENERAL.—In order for the conditional basis established under subsection (a) for an alien to be removed the alien must submit to the Attorney General, during the period described in subsection (d)(2), a petition which requests the removal of such conditional basis and which states, under penalty of perjury, the facts and information described in subsection (d)(1).

(2) TERMINATION OF PERMANENT RESIDENT STATUS FOR FAILURE TO FILE PETITION.—

(A) IN GENERAL.—In the case of an alien with permanent resident status on a conditional basis under subsection (a), if no petition is filed with respect to the alien in accordance with the provisions of paragraph (1), the Attorney General shall terminate the permanent resident status of the alien as of the 90th day after the graduation of the alien from an institution of higher education.

(B) HEARING IN REMOVAL PROCEEDING.—In any removal proceeding with respect to an alien whose permanent resident status is terminated under subparagraph (A), the burden of proof shall be on the alien to establish compliance with the condition of paragraph (1).

(3) DETERMINATION AFTER PETITION AND INTERVIEW.—

(A) IN GENERAL.—If a petition is filed in accordance with the provisions of paragraph (1), the Attorney General shall make a determination, within 90 days, as to whether the facts and information described in subsection (d)(1) and alleged in the petition are true with respect to the alien's education.

(B) REMOVAL OF CONDITIONAL BASIS IF FAVORABLE DETERMINATION.—If the Attorney General determines that such facts and information are true, the Attorney General shall so notify the alien and shall remove the conditional basis of the status of the alien effective as of the 90th day after the alien's graduation from an institution of higher education.

(C) TERMINATION IF ADVERSE DETERMINATION.—If the Attorney General determines that such facts and information are not true, the Attorney General shall so notify the alien and, subject to subparagraph (D), shall terminate the permanent resident status of an alien as of the date of the determination.

(D) HEARING IN REMOVAL PROCEEDING.—Any alien whose permanent resident status is terminated under subparagraph (C) may request a review of such determination in a proceeding to remove the alien. In such proceeding, the burden of proof shall be on the Attorney General to establish, by a preponderance of the evidence, that the facts and information described in subsection (d)(1) and alleged in the petition are not true with respect to the alien's education.

(d) DETAILS OF PETITION.—

(1) CONTENTS OF PETITION.—Each petition under subsection (c)(1)(A) shall contain the following facts and information:

(A) The alien graduated from an institution of higher education, as evidenced by an official report from the registrar—

(i) within six years, in the case of a four-year bachelor's degree program; or

(ii) within four years, in the case of the degree program of a two-year institution.

(B) The alien maintained good moral character.

(C) The alien has not been convicted of any offense described in section 237(a)(2) or 237(a)(4).

(D) The alien has maintained continuous physical residence in the United States.

(2) PERIOD FOR FILING PETITION.—The petition under subsection (c)(1)(A) must be filed during the 90-day period after the alien's graduation from a institution of higher education.

(e) TREATMENT OF PERIOD FOR PURPOSES OF NATURALIZATION.—For purposes of title III of the Immigration and Nationality Act, in the case of an alien who is in the United States as a lawful permanent resident on a conditional basis under this section, the alien shall be considered to have been admitted as an alien lawfully admitted for permanent residence and to be in the United States as an alien lawfully admitted to the United States for permanent residence.

(f) TREATMENT OF CERTAIN WAIVERS.—In the case of an alien who has permanent residence status on a conditional basis under this section, if, in order to obtain such status, the alien obtained a waiver under subsection (h) or (i) of section 212 of the Immigration and Nationality Act of certain grounds of inadmissibility, such waiver terminates upon the termination of such permanent residence status under this section.

(g) INSTITUTION OF HIGHER EDUCATION DEFINED.—In this section, the term ''institution of higher education'' has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C.1001).

SEC. 5. GAO REPORT.

Six years after the date of enactment of this Act, the Comptroller General of the United States shall submit a report to the Committees on the Judiciary of the Senate and the House of Representatives setting forth—

(1) the number of aliens who were eligible for cancellation of removal and adjustment of status during the application period described in section 3(a)(1)(A);

(2) the number of aliens who applied for adjustment of status under section 3(a);

(3) the number of aliens who were granted adjustment of status under section 3(a); and

(4) the number of aliens with respect to whom the conditional basis of their status was removed under section 4.

Mrs. CARNAHAN. Madam President, one of the great challenges we face as a society is to find ways to ease the burdens of our modern, hectic world on working families. When I talk to Missouri parents who work outside the home, one of their top concerns, if not their top concern, is finding high-quality, affordable child care.

Every generation of my own family has struggled with this issue. My mother struggled with it. I struggled with it. My children struggle with it now. It would be this grandmother's fondest wish that when my grandchildren become parents themselves, finding affordable, quality child care won't be a problem.

More and more, employers are finding that providing access to daycare is important in attracting and retaining a quality workforce. Parents who know their children are happy, safe, and enriched in their day care setting are more productive, less distracted, and more satisfied employees. In an effort to support employers' efforts to offer this valuable service to their employees, I have co-sponsored S. 99, a bill that provides tax credits to employers who provide child care assistance to their employees.

Accessing affordable child care is an issue for federal employees, too. As the largest employer in the country, the Federal Government shall lead by example in supporting working families. For this reason, today I am introducing the ''Child Care Affordability for Federal Employees Act.

Senator BARBARA MIKULSKI is an original co-sponsor of the bill, and I would like to thank her for the strong leadership she has shown on this issue. She has worked hard to make this initiative a permanent reality for Federal employees in Maryland and across the United States.

This bill grants Federal agencies the flexibility to use a portion of their funds to provide child care assistance for their lower income employees. Federal agencies can choose to allow the assistance to apply towards the costs of its own-site Federal facility or an individual provider in the area that is licensed and safe.

Being able to afford child care is a problem for all employees, but it is particularly difficult for low income employees. This bill will assist low income Federal employees to afford the safe, quality child care that is available on-site. If the agency so chooses, it could also help low-income employees better afford safe, licensed child care that is available in the community.

I hope this legislation will also help the Federal Government compete with the private sector in attracting employees. In January, the GAO placed the Federal Government's human capital crisis on its ''High-Risk'' list of serious government problems. In three years, more than half of the federal workforce will be eligible for regular or early retirement. This bill is a strong, concrete action that Congress can take to help the Federal Government compete with the private sector to attract the skilled Federal workforce it needs.

For the past two years, this initiative has been included in the annual Treasury-Postal Appropriations bill. This has been a critical first step. From its initial implementation, we now know that the program works and that families in Missouri and across the country have benefit from it. However, because the program was only temporary, some Federal agencies elected not to participate. They were afraid to offer the benefit for a year and then have to take it away from their employees if it were not renewed. Other agencies have only implemented the program at a small level for the same reason. Passing this legislation and making the program permanent is essential to helping this initiative reach its full potential and benefit the maximum number of families.

We know that child care is not simply about children having a place to go

where an adult is present. A child's environment has significant impact on their well-being and development. This is particularly true for children during the first three years of life. Recent brain studies have shown that those early brain influences matter more than we ever imagined. This bill seeks to ensure that more of our children spend their days in safe, nurturing environments. As the writer Gabriella Mistral has said: ''Many things can wait, the child cannot ... To him we cannot say tomorrow, his name is today.''

By Mr. EDWARDS:

S. 1292. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for dry and wet cleaning equipment which uses nonhazardous primary process solvents; to the Committee on Finance.

Mr. EDWARDS. Madam President, I rise today to introduce the Small Business Pollution Prevention and Opportunity Act. This legislation would help address a matter of great concern to all Americans who care about water quality and the environment.

Toxic and flammable solvents are used in ninety-five percent of the 35,000 small dry cleaning businesses in our country. Dry-cleaned clothes are the primary source of toxins entering our homes, endangering our health. These solvents often leak from storage tanks or spill onto the ground, contaminating the property on which dry cleaning businesses are located. This contamination has resulted in part in the large number of brownfields sites across our country. These dry cleaning solvents are regulated by numerous State and Federal agencies, causing dry cleaners and neighboring businesses to be concerned about the health of their workers and the dangers of property contamination.

An innovative scientist, Dr. Joseph M. DeSimone of North Carolina, developed an environmentally-friendly alternative to these solvents. He and his graduate students have developed a process to clean clothes using liquid carbon dioxide and special detergents. This safer dry cleaning method has been commercially available since February 1999, with several machines in operation around the country that have successfully cleaned half a million pounds of clothes in over 10,000 cleaning cycles at shops in various states across the Nation.

The Small Business Pollution Prevention and Opportunity Act would provide new and existing dry cleaners a 20 percent tax credit as an incentive to switch to an environmentally-friendly and energy efficient technology. Dry cleaners in Enterprise Zones would receive a 40 percent tax credit. The tax credit would also be extended to wet cleaning fabric cleaners who use water-based systems to effectively clean 40 percent of ''dry clean only'' garments.

This new technology is becoming increasingly recognized as a safer, cleaner alternative to traditional dry cleaning. The U.S. Environmental Protection Agency, EPA, has issued a case study declaring liquid carbon dioxide as a viable alternative to dry cleaning. R&D Magazine named Dr. DeSimone's technology one of the 100 most innovative technologies that will change our everyday lives. For his innovation, Dr. DeSimone received the Presidential Green Chemistry Challenge Award in 1997. The EPA as well as the National Science Foundation, NSF, has funded Dr. DeSimone's research.

Now that environmentally beneficial technologies like liquid carbon dioxide and wet cleaning are commercially available, it makes sense to provide a modest incentive to encourage dry cleaners to utilize them. The benefits to small business dry cleaners, consumers, employees, and the environment would be enormous. This bill's approach provides incentives, not additional regulations, for dry cleaners. The goal of the bill is to protect and enhance the dry cleaning industry, not reinvent or harm it.

I encourage my colleagues to join me in supporting this legislation. It is the right thing to do for 35,000 small businesses, millions of dry cleaning consumers, and for our environment.

By Mr. CRAIG (for himself and Mr. HAGEL):

S. 1293. A bill to amend the Internal Revenue Code of 1986 to provide incentives for the voluntary reduction, avoidance, and sequestration of greenhouse gas emissions and to advance global climate science and technology development and deployment; to the Committee on Finance.

By Mr. MURKOWSKI (for himself, Mr. CRAIG, Mr. HAGEL, Mr. DOMENICI, Mr. ROBERTS, and Mr. BOND):

S. 1294. A bill to establish a new national policy designed to manage the risk of potential climate change, ensure long-term energy security, and to strengthen provisions in the Energy Policy Act of 1992 and the Federal Nonnuclear Energy Research and Development Act of 1974 with respect to potential climate change; to the Committee on Energy and Natural Resources.

Mr. CRAIG. Madam President, let me first thank my colleagues, Senators MURKOWSKI, HAGEL, and DOMENICI, for their work on this very important legislation. I enjoyed working with them and their staffs on this analytically complex issue. The results of our patience and hard work are two companion pieces of legislation that will provide the underpinning for a path forward on the climate change issue that will meet the nation's and global needs for economic progress, while ensuring our nation's energy and national security. In addition, it will provide a sound basis for productive engagement with our friends and allies that share the same needs.

The first bill is the Climate Change Tax Amendments of 2001 which is essentially the same as S. 1777 that I introduced in the 106th Congress. This bill is an important element of the approach we should take as a nation because current U.S. tax policy treats capital formation—including investments that can increase energy efficiency and reduce emissions—harshly compared with other industrialized countries and our own recent past. Slower capital cost recovery means that facilities deploying new advanced technology will not be put in place as quickly, if at all.

Based on our current understanding of the science available on climate change, I remain convinced that it is still premature for our government to mandate stringent controls on carbon dioxide emissions and pick winners and losers in technology. This bill assures that there will be a true partnership between tax policy and technology innovation in both research and deployment.

Although the science of climate change has progressed rather dramatically over the last five years, many trenchant questions remain about what is happening to our climate system. However, the climate change issue is at a crossroads. We can and must make decisions on how to proceed. The bills introduced today ensure a more focused and coordinated effort to understand the outstanding and formidable scientific issues associated with climate change. While pursuing answers to those questions, the bills also create a comprehensive and systematic program to achieve the goals of reducing, avoiding, or sequesting greenhouse gas emissions. That program is manifest in both the technological research and development effort authorized in the Risk Management bill and a comprehensive and systematic approach that aggressively encourages voluntary actions to reduce, avoid, or sequester greenhouse gas emissions.

To bolster and strengthen the voluntary action program we have proposed tax incentives in the companion Tax Amendment bill that should also stimulate the creative ways to reduce, avoid, or sequester greenhouse gas emissions without creating drag on future economic growth. Although some special interest groups have criticized voluntary programs as ineffective, my colleagues and I do not believe that past efforts were as clearly designed and planned or aggressively promoted as we have proposed in this legislation.

The companion bill is the Climate Change Risk Management Act of 2001. This bill has as its roots in S. 1776 and S. 882, two bills that were introduced in the 106th Congress with the expressed intent to forge consensus on this issue. The principal objectives of the current legislation are to encourage the research, development, and deployment of the technologies that can meet our needs and the needs of developing nations. A key focus are the technologies that can help us reduce, avoid or sequester emissions of greenhouse gases.

In addition the bill also encourages deployment of technologies that can sequester greenhouse gases in the atmosphere. This approach is essential to assure that we can fully use all of our domestic resources to their fullest. This must include coal and nuclear power.

An essential element in this legislation is the active engagement of developing countries. Our policy must recognize the legitimate needs of our bilateral trading partners to use their resources and meet the needs of their people. For too long the climate policy debate has been fixated on assigning blame and inflicting pain. This is harmful and counterproductive. Our best technology must be made available and our research activities must focus on developing country needs as well as our own.

Moreover, we believe that the President has chosen the right path forward on this issue and we are committed to working with his Cabinet level task force on finding effective, technologically based approaches to attacking this important environmental and economic issue.

Although these bills are comprehensive, there are still more steps Congress can and will take in the immediate future to ensure we are doing all that is reasonably and responsibly possible. For example, a key piece of this puzzle is better government-wide coordination of scientific efforts to solve the remaining mysteries of climate change. A strong and consistent recommendation from the National Academy of Sciences has been for us to solve this problem.

Because that issue includes Federal agency ''turf battles,'' legislative committee jurisdictional constraints prevented us from fully addressing that issue in these bills. However, we will have this, and other key pieces (such as traffic congestion, agricultural, forest management, and ocean sequestration) not currently getting sufficient attention, ready to complete a comprehensive package on climate change before the end of the 107th Congress.

But for now, the bills we introduce today are an important and aggressive attempt to shape and implement policy on climate change. It is a responsible effort to work with our friends and allies to:

1. Develop better policy mechanisms for assessing the effects of greenhouse gas emissions; 2. accelerate development and deployment of climate response technology; 3. facilities international deployment of U.S. technology to mitigate climate change to the developing world; 4. advance climate science to reduce uncertainties in key areas; and 5. improve public access to government information on climate science.

All involved in this debate must stop politicizing science and help us get to the point where the issue is confidently understood. The American people have a right to know the whole truth on this issue. The success of any future government response to climate change depends on that more than anything else.

I ask unanimous consent that the bill texts along with section-by-section analyses be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD as follows:

S. 1293

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Climate Change Tax Amendments of 2001''.

SEC. 2. PERMANENT TAX CREDIT FOR RESEARCH AND DEVELOPMENT REGARDING GREENHOUSE GAS EMISSIONS REDUCTION, AVOIDANCE, OR SEQUESTRATION.

(a) IN GENERAL.—Section 41(h) of the Internal Revenue Code of 1986 (relating to termination) is amended by adding at the end the following:

''(3) EXCEPTION FOR CERTAIN RESEARCH.—Paragraph (1)(B) shall not apply in the case of any qualified research expenses if the research—

''(A) has as one of its purposes the reducing, avoiding, or sequestering of greenhouse gas emissions, and

''(B) has been reported to the Department of Energy under section 1605(b) of the Energy Policy Act of 1992.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) applies with respect to amounts paid or incurred after the date of enactment of this Act, except that such amendment shall not take effect unless the Climate Change Risk Management Act of 2001 is enacted into law.

SEC. 3. TAX CREDIT FOR GREENHOUSE GAS EMISSIONS FACILITIES.

(a) ALLOWANCE OF GREENHOUSE GAS EMISSIONS FACILITIES CREDIT.—Section 46 of the Internal Revenue Code of 1986 (relating to amount of credit) is amended by striking ''and'' at the end of paragraph (2), by striking the period at the end of paragraph (3) and inserting '', and'', and by adding at the end the following:

''(4) the greenhouse gas emissions facilities credit.''.

(b) AMOUNT OF CREDIT.—Subpart E of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 (relating to rules for computing investment credit) is amended by inserting after section 48 the following:

''SEC. 48A. CREDIT FOR GREENHOUSE GAS EMISSIONS FACILITIES.

''(a) IN GENERAL.—For purposes of section 46, the greenhouse gas emissions facilities credit for any taxable year is the applicable percentage of the qualified investment in a greenhouse gas emissions facility for such taxable year.

''(b) GREENHOUSE GAS EMISSIONS FACILITY.—For purposes of subsection (a), the term 'greenhouse gas emissions facility' means a facility of the taxpayer—

''(1)(A) the construction, reconstruction, or erection of which is completed by the taxpayer, or

''(B) which is acquired by the taxpayer if the original use of such facility commences with the taxpayer,

''(2) the operation of which—

''(A) replaces the operation of a facility of the taxpayer,

''(B) reduces, avoids, or sequesters greenhouse gas emissions on a per unit of output basis as compared to such emissions of the replaced facility, and

''(C) uses the same type of fuel (or combination of the same type of fuel and biomass fuel) as was used in the replaced facility,

''(3) with respect to which depreciation (or amortization in lieu of depreciation) is allowable, and

''(4) which meets the performance and quality standards (if any) which—

''(A) have been jointly prescribed by the Secretary and the Secretary of Energy by regulations,

''(B) are consistent with regulations prescribed under section 1605(b) of the Energy Policy Act of 1992, and

''(C) are in effect at the time of the acquisition of the facility.

''(c) APPLICABLE PERCENTAGE.—For purposes of subsection (a), the applicable percentage is one-half of the percentage reduction, avoidance, or sequestration of greenhouse gas emissions described in subsection (b)(2) and reported and certified under section 1605(b) of the Energy Policy Act of 1992.

''(d) QUALIFIED INVESTMENT.—For purposes of subsection (a), the term 'qualified investment' means, with respect to any taxable year, the basis of a greenhouse gas emissions facility placed in service by the taxpayer during such taxable year, but only with respect to that portion of the investment attributable to providing production capacity not greater than the production capacity of the facility being replaced.

''(e) QUALIFIED PROGRESS EXPENDITURES.—

''(1) INCREASE IN QUALIFIED INVESTMENT.—In the case of a taxpayer who has made an election under paragraph (5), the amount of the qualified investment of such taxpayer for the taxable year (determined under subsection (d) without regard to this subsection) shall be increased by an amount equal to the aggregate of each qualified progress expenditure for the taxable year with respect to progress expenditure property.

''(2) PROGRESS EXPENDITURE PROPERTY DEFINED.—For purposes of this subsection, the term 'progress expenditure property' means any property being constructed by or for the taxpayer and which it is reasonable to believe will qualify as a greenhouse gas emissions facility which is being constructed by or for the taxpayer when it is placed in service.

''(3) QUALIFIED PROGRESS EXPENDITURES DEFINED.—For purposes of this subsection—

''(A) SELF-CONSTRUCTED PROPERTY.—In the case of any self-constructed property, the term 'qualified progress expenditures' means the amount which, for purposes of this subpart, is properly chargeable (during such taxable year) to capital account with respect to such property.

''(B) NON-SELF-CONSTRUCTED PROPERTY.—In the case of non-self-constructed property, the term 'qualified progress expenditures' means the amount paid during the taxable year to another person for the construction of such property.

''(4) OTHER DEFINITIONS.—For purposes of this subsection—

''(A) SELF-CONSTRUCTED PROPERTY.—The term 'self-constructed property' means property for which it is reasonable to believe that more than half of the construction expenditures will be made directly by the taxpayer.

''(B) NON-SELF-CONSTRUCTED PROPERTY.—The term 'non-self-constructed property' means property which is not self-constructed property.

''(C) CONSTRUCTION, ETC.—The term 'construction' includes reconstruction and erection, and the term 'constructed' includes reconstructed and erected.

''(D) ONLY CONSTRUCTION OF GREENHOUSE GAS EMISSIONS FACILITY TO BE TAKEN INTO ACCOUNT.—Construction shall be taken into account only if, for purposes of this subpart,

expenditures therefor are properly chargeable to capital account with respect to the property.

''(5) ELECTION.—An election under this subsection may be made at such time and in such manner as the Secretary may by regulations prescribe. Such an election shall apply to the taxable year for which made and to all subsequent taxable years. Such an election, once made, may not be revoked except with the consent of the Secretary.''

(c) RECAPTURE.—Section 50(a) of the Internal Revenue Code of 1986 (relating to other special rules) is amended by adding at the end the following:

''(6) SPECIAL RULES RELATING TO GREENHOUSE GAS EMISSIONS FACILITY.—For purposes of applying this subsection in the case of any credit allowable by reason of section 48A, the following shall apply:

''(A) GENERAL RULE.—In lieu of the amount of the increase in tax under paragraph (1), the increase in tax shall be an amount equal to the investment tax credit allowed under section 38 for all prior taxable years with respect to a greenhouse gas emissions facility (as defined by section 48A(b)) multiplied by a fraction whose numerator is the number of years remaining to fully depreciate under this title the greenhouse gas emissions facility disposed of, and whose denominator is the total number of years over which such facility would otherwise have been subject to depreciation. For purposes of the preceding sentence, the year of disposition of the greenhouse gas emissions facility property shall be treated as a year of remaining depreciation.

''(B) PROPERTY CEASES TO QUALIFY FOR PROGRESS EXPENDITURES.—Rules similar to the rules of paragraph (2) shall apply in the case of qualified progress expenditures for a greenhouse gas emissions facility under section 48A, except that the amount of the increase in tax under subparagraph (A) of this paragraph shall be substituted in lieu of the amount described in such paragraph (2).

''(C) APPLICATION OF PARAGRAPH.—This paragraph shall be applied separately with respect to the credit allowed under section 38 regarding a greenhouse gas emissions facility.''

(d) TECHNICAL AMENDMENTS.—

(1) Section 49(a)(1)(C) of the Internal Revenue Code of 1986 is amended by striking ''and'' at the end of clause (ii), by striking the period at the end of clause (iii) and inserting '', and'', and by adding at the end the following:

''(iv) the portion of the basis of any greenhouse gas emissions facility attributable to any qualified investment (as defined by section 48A(d)).''

(2) Section 50(a)(4) of such Code is amended by striking ''and (2)'' and inserting '', (2), and (6)''.

(3) The table of sections for subpart E of part IV of subchapter A of chapter 1 of such Code is amended by inserting after the item relating to section 48 the following:

''Sec. 48A. Credit for greenhouse gas emissions facilities.''

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after the date of the enactment of this Act, under rules similar to the rules of section 48(m) of the Internal Revenue Code of 1986 (as in effect on the day before the date of the enactment of the Revenue Reconciliation Act of 1990).

(f) STUDY OF ADDITIONAL INCENTIVES FOR VOLUNTARY REDUCTION, AVOIDANCE, OR SEQUESTRATION OF GREENHOUSE GAS EMISSIONS.—

(1) IN GENERAL.—The Secretary of the Treasury and the Secretary of Energy shall jointly study possible additional incentives for, and removal of barriers to, voluntary, non recoupable expenditures for the reduction, avoidance, or sequestration of greenhouse gas emissions. For purposes of this subsection, an expenditure shall be considered voluntary and non recoupable if the expenditure is not recoupable—

(A) from revenues generated from the investment, determined under generally accepted accounting standards (or under the applicable rate-of-return regulation, in the case of a taxpayer subject to such regulation), or

(B) from any tax or other financial incentive program established under Federal, State, or local law.

(2) REPORT.—Within 6 months of the date of enactment of this Act, the Secretary of the Treasury and the Secretary of Energy shall jointly report to Congress on the results of the study described in paragraph (1), along with any recommendations for legislative action.

(g) SCOPE AND IMPACT.—

(1) POLICY.—In order to achieve the broadest response for reduction, avoidance, or sequestration of greenhouse gas emissions and to ensure that the incentives established by or pursuant to this Act do not advantage one segment of an industry to the disadvantage of another, it is the sense of Congress that such incentives should be available for individuals, organizations, and entities, including both for-profit and non-profit institutions.

(2) LEVEL PLAYING FIELD STUDY AND REPORT.—

(A) IN GENERAL.—The Secretary of the Treasury and the Secretary of Energy shall jointly study possible additional measures that would provide non-profit entities (such as municipal utilities and energy cooperatives) with economic incentives for greenhouse gas emissions facilities comparable to those incentives provided to taxpayers under the amendments made to the Internal Revenue Code of 1986 by this Act.

(B) REPORT.—Within 6 months after the date of enactment of this Act, the Secretary of the Treasury and the Secretary of Energy shall jointly report to Congress on the results of the study described in subparagraph (A), along with any recommendations for legislative action.

THE CLIMATE CHANGE TAX AMENDMENTS OF 2001—SECTION-BY-SECTION ANALYSIS

A bill to amend the Internal Revenue Code of 1986 to provide incentives for the voluntary reduction avoidance, and sequestration of greenhouse gas emissions and to advance global climate science and technology development.

Section 1 designates the short title as the ''Climate Change Tax Amendments.''

Section 2 extends on a permanent basis the tax credit for research and development in the case of R & D involving climate change.

In order for a research expense to qualify for the credit, it must; have as one of its purposes the reducing or sequestering of greenhouse gases; and have been reported to DOE under Sec. 1605(b) of the Energy Policy Act of 1992.

This tax credit applies with respect to amounts incurred after the Act becomes law, and only if the Climate Change Risk Management Act of 2001 also becomes law.

Section 3 provides for investment tax credits for greenhouse-gas-emission reduction facilities.

Greenhouse Gas Emissions Facility Credit

The amount of the credit would be calculated based upon the amount of greenhouse gas emission reductions reported and certified under section 1605(b) of the Energy Policy Act. The credit would be equal to one-half of the applicable percentage of the qualified investment in a ''reduced greenhouse gas emissions facility.''

For example, if a taxpayer replaces a coal-fired generator with a more efficient one that reduced greenhouse gas emissions by 18 percent, compared to the retired unit, the taxpayer would be entitled to a tax credit of 9 percent of qualified investment in that ''reduced greenhouse gas emissions facility''. Such facility is defined as a facility of the taxpayer: the construction, reconstruction; or erection of which is completed by the taxpayer; or the facility may be acquired by the taxpayer if the original use of the facility commences with the taxpayer; which replaces an existing facility of the taxpayer; which reduces greenhouse gas emissions (on a per unit of output basis) as compared to the facility it replaces; which uses the same type of fuel as the facility it replaces; the depreciation (or amortization in lieu of depreciation) of which is allowable; which meets performance and quality standards (if any) jointly prescribed by the Secretaries of Treasury and Energy; and are consistent with regulations prescribed under Sec. 1605 (b) of the Energy Policy Act (relating to voluntary reporting of greenhouse gas emission reductions).

Only that portion of the investment attributable to providing production capacity not greater than the production capacity of the facility being replaced qualifies for the credit.

While unit efficiencies could be achieved if the credit were allowed for replacing a unit with another that burned a different fuel, such incentive for fuel shifting does not directly stimulate efficiency technology development for each fuel type. The objective is to improve efficiencies ''within a fuel;'' not to encourage fuel shifting ''between fuels.''

Qualified Progress Expenditure Credit

With respect to qualified progress expenditures, the amount of the qualified investment for the taxable year shall be increased by the aggregate of each qualified progress expenditure for the taxable year with respect to progress expenditure property. Progress expenditure property is defined as any property being constructed by or for the taxpayer and which it is reasonable to believe will qualify as a reduced greenhouse gas emission facility.

Election

A taxpayer may elect to take the tax credit in such a manner (i.e. as an investment credit, or as qualified progress expenditures) as the Secretary may be regulations prescribe. The election will apply to the taxable year for which it was made and to all subsequent taxable years. Such an election, once made, may not be revoked except with the consent of the Secretary.

Recapture Where Facility is Prematurely Disposed of

If the facility is disposed of before the end of the facility's depreciation period (or ''useful life'' for tax purposes) the taxpayer will be assessed an increase in tax equal to the greenhouse gas emissions facility investment tax credit allowed for all prior taxable years multiplied by a fraction whose numerator is the number of years remaining to fully depreciate the facility to be disposed of, and whose denominator is the total number of years over which the facility would otherwise have been subject to depreciation.

Similar rules apply in the case in which the taxpayer elected credit for progress expenditures and the property thereafter ceases to qualify for such credit.

Effective Date

Amendments made to the Internal Revenue Code apply to property placed in service after the date of enactment of this Act.

Study of Additional Incentives for Voluntary Reduction of Greenhouse Gas Emissions

The Secretary of Energy and the Secretary of Transportation are directed to study, and report upon to Congress along with any recommendations for legislative action, possible additional incentives for and removal of barriers to voluntary non-recoupable expenditures on the reduction of greenhouse gas emissions. An expenditure qualifies if it is voluntary and not recoupable: from revenues generated from the investment; determined under generally accepted accounting standards; under the applicable rate-of-return regulation (in the case of a taxpayer subject to such regulations); from any tax or other financial incentive program established under federal, State, or local law; and pursuant to any credit-trading or other mechanism established under any international agreement or protocol that is in force.

Incentives for Non-profit Institutions

The Secretary of the Treasury and the Secretary of Energy are directed to jointly study possible additional measures that would provide non-profit entities, such as municipal utilities and energy co-operatives, with economic incentives for greenhouse gas emission reductions comparable to the incentives provided to taxpayers under the amendments made to the Internal Revenue Code by this Act. Within six months of the date of enactment, the Secretary of the Treasury and the Secretary of Energy shall jointly report to Congress on the results of the study along with any recommendations for legislative action.

S. 1294

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Climate Change Risk Management Act of 2001''.

SEC. 2. FINDINGS.

Congress finds that—

(1) human activities, namely energy production and use, contribute to increasing concentrations of greenhouse gases in the atmosphere, which may ultimately contribute to global climate change beyond that resulting from natural variability;

(2) although the science of global climate change has been advanced in the past ten years, the timing and magnitude of climate change-related impacts on the United States cannot currently be predicted with any reasonable certainty;

(3) furthermore, a recent National Research Council review of climate change science suggests that without an understanding of the sources and degree of uncertainty regarding climate change and its impacts, decision-makers could fail to define the best ways to manage the risk of climate change;

(4) despite this uncertainty, the potential impacts from human-induced climate change pose a substantial risk that should be managed in a responsible manner;

(5) given that the bulk of greenhouse gas emissions from human activities result from energy production and use, national and international energy policy decisions made now and in the longer-term future will influence the extent and timing of any climate change and resultant impacts from climate change later this century;

(6) the characteristics of greenhouse gases and the physical nature of the climate system require that stabilization of atmospheric greenhouse gas concentrations at any future level must be a long-term effort undertaken on a global basis;

(7) the characteristics of existing energy-related infrastructure and capital suggest that effective greenhouse gas management efforts will depend on the development of long-term, cost-effective technologies and practices that can be demonstrated and deployed commercially in the United States and around the world;

(8) environmental progress, energy security, economic prosperity, and satisfaction of basic human needs are interrelated, particularly in developing countries;

(9) developing countries will constitute the major source of greenhouse gas emissions in the 21st century and the minor source of increases in such emissions;

(10) any program to address the risks of climate change that does not fully include developing nations as integral participants will be ineffective; and

(11) a new long-term, technology-based, cost-effective, flexible, and global strategy to ensure long-term energy security and manage the risk of climate change is needed, and should be promoted by the United States in its domestic and international activities in this regard.

SEC. 3. DEFINITIONS.

Title XVI of the Energy Policy Act of 1992 (42 U.S.C. 13381, et seq.) is amended by inserting before section 1601 the following:

''SEC. 1600 DEFINITIONS.

''(a) AGRICULTURAL ACTIVITY.—The term 'agricultural activity' means livestock production, cropland cultivation, biogas and other waste material recovery and nutrient management.

''(b) CLIMATE SYSTEM.—The term ''climate system' means the totality of the atmosphere, hydrosphere, biosphere and geosphere and their interactions.

''(c) CLIMATE CHANGE.—The term 'climate change' means a change in the state of the climate system attributed directly or indirectly to human activity which is in addition to natural climate variability observed over comparable time periods.

''(d) EMISSIONS.—The term 'emissions' means the net release of greenhouse gases and/or their precursors into the atmosphere over a specified area and period of time, after taking into account any reductions due to greenhouse gas sequestration.

''(e) GREEHOUSE GASES.—The term 'greenhouse gases' means those gaseous and aerosol constituents of the atmosphere, both natural and anthropogenic, that absorb and re-emit infrared radiation.

''(f) SEQUESTRATION.—The term 'sequestration' means any process, activity or mechanism which removes a greenhouse gas or its precursor from the atmosphere or from emissions streams.

''(g) FOREST PRODUCTS.—The term 'forest products' means all products or goods manufactured from trees.

''(h) FORESTRY ACTIVITY.—

''(1) IN GENERAL.—The term 'forestry activity' means any ownership or management action that has a discernible impact on the use and productivity of forests.

''(2) INCLUSIONS.—Forestry activities include, but are not limited to, the establishment of trees on an area not previously forested, the establishment of trees on an area previously forested if a net carbon benefit can be demonstrated, enhanced forest management (including thinning, stand improvement, fire protection, weed control, nutrient application, pest management, and other silvicultural practices), forest protection or conservation if a net carbon benefit can be demonstrated, and production or use of biomass energy (including the use of wood, grass or other biomass in lieu of fossil fuel).

''(3) EXCLUSIONS.—The term 'forestry activity' does not include a land use change associated with—

''(A) an act of war; or

''(B) an act of nature, including floods, storms, earthquakes, fires, hurricanes, and tornadoes.''.

SEC. 4. NATIONAL CLIMATE CHANGE STRATEGY.

''(a) IN GENERAL.—Section 1601 of the Energy Policy Act of 1992 (42 U.S.C. 13381) is amended to read as follows:

''SEC. 1601. NATIONAL CLIMATE CHANGE STRATEGY.

''(a) IN GENERAL.—The President, in consultation with appropriate Federal agencies and the Congress, shall develop and implement a national strategy to manage the risks posed by potential climate change.

''(b) GOAL.—The strategy shall be consistent with the United Nations Framework Convention on Climate Change, done at New York on May 9, 1992, in a manner that—

''(1) does not result in serious harm to the U.S. economy;

''(2) adequately provides for the energy security of the U.S.;

''(3) establishes and maintains U.S. leadership with respect to climate change-related scientific research, development and deployment of advanced energy technology; and

''(4) will result in a reduction in the ratio that the net U.S. greenhouse gas emissions bears to the U.S. gross domestic production.

''(c) ELEMENTS.—The strategy shall include short-term and long-term strategies, programs and policies that—

''(1) enhance the scientific knowledge base for understanding and evaluation of natural and human-induced climate change, including the role of climate feedbacks and all climate forcing agents;

''(2) improve scientific observation, modeling, analysis and prediction of climate change and its impacts, and the economic, social and environmental risks posed by such impacts;

''(3) assess the economic, social, and environmental costs and benefits of current and potential options to reduce, avoid, or sequester greenhouse gas emissions;

''(4) develop and implement market-directed policies that reduce, avoid or sequester greenhouse gas emissions, including—

''(i) cost-effective Federal, State, tribal, and local policies, programs, standards and incentives;

''(ii) policies and incentives to speed development, deployment and consumer adoption of advanced energy technologies in the U.S. and throughout the world; and

''(iii) removal of regulatory barriers that impede the development, deployment and consumer adoption of advanced energy technologies into the U.S. and throughout the world; and

''(iv) participation in international institutions, or the support of international activities, that are established or conducted to facilitate effective measures to implement the United Nations Framework Convention on Climate Change;

''(5) advance areas where bilateral or multilateral cooperation and investment would lead to adoption of advanced technologies for use within developing countries to reduce, avoid or sequester greenhouse gas emissions;

''(6) identify activities and policies that provide for adaptation to natural and human-induced climate change;

''(7) recommend specific legislative or administrative activities giving preference to cost-effective and technologically feasible measures that will—

''(A) result in a reduction in the ratio that the net U.S. greenhouse gas emissions bears to the U.S. gross domestic product;

''(B) avoid adverse short-term and long-term economic and social impacts on the United States; and

''(C) foster such changes in institutional and technology systems as are necessary to

mitigate or adapt to climate change and its impacts in the short-term and the long-term;

''(8) designate federal, state, tribal or local agencies responsible for carrying out recommended activities and programs, and identify interagency entities or activities that may be needed to coordinate actions carried out consistent with this strategy.

''(d) CONSULTATION.—This strategy shall be developed in a manner that provides for meaningful participation by, and consultation among, Federal, State, tribal, and local government agencies, non-governmental organizations, academia, scientific bodies, industry, the public, and other interested parties.

''(e) BIANNUAL REPORT.—No later than one year after the date of enactment of this section, and at the end of each second year thereafter, the President shall submit to Congress a report that includes—

''(1) a description of the national climate change strategy and its goals and Federal programs and activities intended to carry out this strategy through mitigation, adaption, and scientific research activities;

''(2) an evaluation of Federal programs and activities implemented as part of this strategy against the goals and implementation dates outlined in the strategy;

''(3) a description of changes to Federal programs or activities implemented to carry out this strategy, in light of new knowledge of climate change and its impacts and costs or benefits, or technological capacity to improve mitigation or adaption activities;

''(4) a description of all Federal spending on climate change for the current fiscal year and each of the five years previous, categorized by Federal agency and program function (including scientific research, energy research and development, regulation, education and other activities);

''(5) an estimate of the budgetary impact for the current fiscal year and each of the five years previous of any Federal tax credits, tax deductions or other incentives claimed by taxpayers that are directly or indirectly attributable to greenhouse gas emissions reduction activities; and

''(6) an estimate of the amount, in metric tons, of greenhouse gas emissions reduced, avoided or sequestered directly or indirectly as a result of each spending program or tax credit, deduction, or other incentive for the current fiscal year and each of the five years previous.

''(f) REVIEW BY NATIONAL ACADEMIES.—

''(1) IN GENERAL.—Not later than 90 days after the date of publication of each biannual report as directed by this section, the President shall commission the National Academies to conduct a review of the national climate change strategy and implementation plan required by this section.

''(2) CRITERIA.—The National Academies' review shall evaluate the goals and recommendations contained in the national climate change strategy report in light of—

''(A) new or improved scientific knowledge regarding climate change and its impacts;

''(B) new understanding of human social and economic responses to climate change, and responses of natural ecosystems to climate change;

''(C) advancements in energy technologies that reduce, avoid, or sequester greenhouse gases or otherwise mitigate the risks of climate change;

''(D) new or revised understanding of economic costs and benefits of mitigation or adaption activities; and

''(E) the existence of alternative policy options that could achieve the strategy goals at lower economic, environmental, or social cost.

''(3) REPORT.—The National Academies shall prepare and submit to Congress and the President a report concerning the results of such review, along with any recommendations as appropriate. Such report shall also be made available to the public.

''(4) DEFINITION.—For the purposes of this section, the term 'National Academies' means the National Research Council, the National Academy of Sciences, the National Academy of Engineering, and the Institute of Medicine.''.

(b) CONFORMNG AMENDMENT.—Section 1103(b) of the Global Climate Protection Act of 1987 (15 U.S.C. 2901) is amended by inserting '', the Department of Energy, and other Federal agencies as appropriate'' after ''Environmental Protection Agency''.

SEC. 5. CLIMATE TECHNOLOGY RESEARCH, DEVELOPMENT, DEMONSTRATION AND DEPLOYMENT PROGRAM.

(a) IN GENERAL.—Section 1604 of the Energy Policy Act of 1992 (42 U.S.C. 13384) is amended to read as follows:

''SEC. 1604. CLIMATE TECHNOLOGY RESEARCH, DEVELOPMENT, DEMONSTRATION AND DEPLOYMENT PROGRAM.

''(a) IN GENERAL.—The Secretary, in consultation with the Advisory Board established under section 2302, shall establish a long-term Climate Technology Research, Development, Demonstration, and Deployment Program, in accordance with sections 3001 and 3002.

''(b) PROGRAM OBJECTIVES.—The program shall conduct a long-term research, development, demonstration and deployment program to foster technologies and practices that—

''(1) reduce or avoid anthropogenic emissions of greenhouse gases;

''(2) remove and sequester greenhouse gases from emissions streams; and

''(3) remove and sequester greenhouse gases from the atmosphere.

''(c) PROGRAM PLAN.—Not later than 1 year after the date of enactment of this Act, the Secretary shall prepare and submit to the Congress a 10-year program plan to guide activities under this section. Thereafter, the Secretary shall biennially update and resubmit the program plan to the Congress. In preparing the program plan, the Secretary shall—

''(1) include quantitative technology performance and carbon emissions reduction goals, schedule milestones, technology approaches, Federal funding requirements, and non-Federal cost sharing requirements;

''(2) consult with appropriate representatives of industry, institutions of higher education, Department of Energy national laboratories, and professional, scientific and technical societies;

''(3) take into consideration how the Federal Government, acting through the Secretary, can be effective in ensuring the availability of such technologies when they are needed and how the Federal Government can most effectively cooperate with the private sector in the accomplishment of the goals set forth in subsection (b); and

''(4) consider how activities funded under the program can be complementary to, and not duplicative of, existing research and development activities within the Department.

''(d) SOLICITATION—Not later than 1 year after the date of submission of the 10-year program plan, the Secretary shall solicit proposals for conducting activities consistent with the 10-year program plan and select one or more proposals not later than 180 days after such solicitations.

''(e) PROPOSALS—Proposals may be submitted by applicants or consortia from industry, institutions of higher education, or Department of Energy national laboratories. At minimum, each proposal shall also include the following;

''(1) a multi-year management plan that outlines how the proposed research, development, demonstration and deployment activities will be carried out;

''(2) quantitative technology goals and greenhouse gas emission reduction targets that can be used to measure performance against program objectives;

''(3) the total cost of the proposal for each year in which funding is requested, and a breakdown of those costs by category;

''(4) evidence that the applicant has in existence or has access to—

''(i) the technical capability to enable it to make use of existing research support and facilities in carrying out the research objectives of the proposal;

''(ii) a multi-disciplinary research staff experienced in technologies or practices able to sequester, avoid, or capture greenhouse gas emissions;

''(iii) access to facilities and equipment to enable the conduct of laboratory-scale testing or demonstration of technologies or related processes undertaken through the program; and

''(iv) commitment for matching funds and other resources from non-Federal sources, including cash, equipment, services, materials, appropriate technology transfer activities, and other assets directly related to the cost of the proposal;

''(5) evidence that the proposed activities are supplemental to, and not duplicative of, existing research and development activities carried out, funded, or otherwise supported by the Department;

''(6) a description of the technology transfer mechanisms and industry partnerships that the applicant will use to make available research results to industry and to other researchers;

''(7) a statement whether the unique capabilities of Department of Energy national laboratories warrant collaboration with those laboratories, and the extent of any such collaboration proposed; and

''(8) demonstrated evidence of the ability of the applicant to undertake and complete the proposed project, including the successful introduction of the technology into commerce.

''(f) SELECTION OF PROPOSALS.—From the proposals submitted, the Secretary shall select for funding one or more proposals that will best accomplish the program objectives outlined in this section.

''(g) ANNUAL REPORT.—The Secretary shall prepare and submit an annual report to Congress that—

''(1) demonstrates that the program objectives are adequately focused, peer-reviewed for merit, and not unnecessarily duplicative of the science and technology research being conducted by other Federal agencies and programs,

''(2) states whether the program as conducted in the prior year addresses an adequate breadth and range of technologies and solutions to address anthropogenic climate change; and

''(3) evaluates the quantitative progress of funded proposals toward the program objectives outlined in this section, and the technology and greenhouse gas emission reduction, avoidance or sequestration goals as described in their respective proposals.

''(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subtitle $200,000,000 for each of fiscal years 2002 through 2011, to remain available until expended.''.

(b) CONFORMING AMENDMENTS.—Section 6 of the Federal Nonnuclear Energy Research and Development Act of 1974 (42 U.S.C. 5905) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by striking ''and'' at the end;

(B) in paragraph (3) by striking the period at the end and inserting '', and''; and

(C) by adding at the end the following:

''(4) solutions to the effective management of greenhouse gas emissions in the long term by the development of technologies and practices designed to—

''(A) reduce or avoid anthropogenic emissions of greenhouse gases;

''(B) remove and sequester greenhouse gases from emissions streams; and

''(C) remove and sequester greenhouse gases from the atmosphere.''; and

(2) in subsection (b)—

(A) in paragraph (2), by striking ''subsection (a)(1) through (3)'' and inserting ''paragraphs (1) through (4) of subsection (a)''; and

(B) in paragraph (3)—

(i) in subparagraph (R), by striking ''and'' at the end;

(ii) in subparagraph (S), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(T) to pursue a long-term climate technology strategy designed to demonstrate a variety of technologies by which stabilization of greenhouse gases might be best achieved, including accelerated research, development, demonstration and deployment of—

''(i) renewable energy systems;

''(ii) advanced fossil energy technology;

''(iii) advanced nuclear power plant design;

''(iv) fuel cell technology for residential, industrial and transportation applications;

''(v) carbon sequestration practices and technologies, including agricultural and forestry practices that store and sequester carbon;

''(vi) efficient electrical generation, transmission and distribution technologies; and

''(vii) efficient end use energy technologies.''.

SEC. 6. INTERNATIONAL ENERGY TECHNOLOGY DEPLOYMENT PROGRAM.

Section 1608 of the Energy Policy Act of 1992 (42 U.S.C. 13387) is amended by striking subsection (l) and inserting the following:

''(l) INTERNATIONAL ENERGY TECHNOLOGY DEPLOYMENT PROGRAM.—

''(1) DEFINITIONS—In this subsection:

''(A) INTERNATIONAL ENERGY DEPLOYMENT PROJECT.—The term 'international energy deployment project' means a project to construct an energy production facility outside the United States—

''(i) the output of which will be consumed outside the United States; and

''(ii) the deployment of which will result in a greenhouse gas reduction per unit of energy produced when compared to the technology that would otherwise be implemented of—

''(I) 10 percentage points or more, in the case of a unit placed in service before January 1, 2010;

''(II) 20 percentage points or more, in the case of a unit placed in service after December 31, 2009, and before January 1, 2020; or

''(III) 30 percentage points or more, in the case of a unit placed in service after December 31, 2019, and before January 1, 2030.

''(C) QUALIFYING INTERNATIONAL ENERGY DEPLOYMENT PROJECT.—The term 'qualifying international energy deployment project' means an international energy deployment project that—

''(i) is submitted by a United States firm to the Secretary in accordance with procedures established by the Secretary by regulation;

''(ii) uses technology that has been successfully developed or deployed in the United States, or in another country as a result of a partnership with a company based in the United States;

''(iii) meets the criteria of subsection (k);

''(iv) is approved by the Secretary, with notice of the approval being published in the Federal Register; and

''(v) complies with such terms and conditions as the Secretary establishes by regulation.

''(D) UNITED STATES.—The term 'United States', when used in a geographical sense, means the 50 States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, American Samoa, and the Commonwealth of the Northern Mariana Islands.

''(2) PILOT PROGRAM FOR FINANCIAL ASSISTANCE.—

''(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall, by regulation, provide for a pilot program for financial assistance for qualifying international energy deployment projects.

''(B) SELECTION CRITERIA.—After consultation with the Secretary of State, the Secretary of Commerce, and the United States Trade Representative, the Secretary shall select projects for participation in the program based solely on the criteria under this title and without regard to the country in which the project is located.

''(C) FINANCIAL ASSISTANCE.—

''(i) In general.—A United States firm that undertakes a qualifying international energy deployment project that is selected to participate in the pilot program shall be eligible to receive a loan or a loan guarantee from the Secretary.

''(ii) RATE OF INTEREST.—The rate of interest of any loan made under clause (i) shall be equal to the rate for Treasury obligations then issued for periods of comparable maturities.

''(iii) AMOUNT.—The amount of a loan or a loan guarantee under clause (i) shall not exceed 50 percent of the total cost of the qualified international energy deployment project.

''(iv) DEVELOPED COUNTRIES.—Loans or loan guarantees made for projects to be located in a developed country, as listed in Annex I of the United Nations Framework Convention on Climate Change, shall require at least a 50-percent contribution toward the total cost of the loan or loan guarantee by the host country.

''(v) DEVELOPING COUNTIES.—Loans or loan guarantees made for projects to be located in a developing country (those countries not listed in Annex I of the United Nations Framework Convention on Climate Change) shall require at least a 10-percent contribution toward the total cost of the loan or loan guarantee by the host country.

''(vi) CAPACITY BUILDING RESEARCH.—Proposals made for projects to be located in a developing country may include a research component intended to build technological capacity within the host country. Such research must be related to the technologies being deployed and must involve both an institution in the host country and an industry, university or national laboratory participant from the United States. The host institution must contribute at least 50 percent of funds provided for the capacity building research.

''(D) COORDINATION WITH OTHER PROGRAMS.—A qualifying international energy deployment project funded under this section shall not be eligible as a qualifying clean coal technology under section 415 of the Clean Air Act (42 U.S.C. 7651n).

''(E) REPORT.—Not later than 5 years after the date of enactment of this section, the Secretary shall submit to the President and the Congress a report on the results of the pilot projects.

''(F) RECOMMENDATION.—Not later than 60 days after receiving the report under subparagraph (E), the Secretary shall submit to Congress a recommendation concerning whether the financial assistance program under this section should be continued, expanded, reduced, or eliminated.

''(G) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $100,000,000 for each of fiscal years 2002 through 2011, to remain available until expended.''.

SEC. 7. NATIONAL GREENHOUSE GAS EMISSIONS REGISTRY.

Section 1605 of the Energy Policy Act of 1992 (42 U.S.C. 13385) is amended—

(1) by amending the second sentence of subsection (a) to read as follows: ''The Secretary shall annually update and analyze such inventory using available data, including, beginning in calendar year 2001, information collected as a result of voluntary reporting under subsection (b). The inventory shall identify for calendar year 2001 and thereafter the amount of emissions reductions attributed to those reported under subsection (b)'';

(2) by amending subsection (b)(1) (B) and (C) to read as follows—

''(B) annual reductions or avoidance of greenhouse gas emissions and carbon sequestration achieved through any measures, including agricultural activities, co-generation, appliance efficiency, energy efficiency, forestry activities that increase carbon sequestration stocks (including the use of forest products), fuel switching, management of crop lands, grazing lands, grasslands, drylands, manufacture or use of vehicles with reduced greenhouse gas emissions, methane recovery, ocean seeding, use of renewable energy, chlorofluorocarbon capture and replacement, and power plant heat rate improvement; and

''(C) reductions in, or avoidance of, greenhouse gas emissions achieved as a result of voluntary activities domestically, or internationally, plant or facility closings, and State or Federal requirements.''.

(3) by striking in the first sentence of subsection (b)(2) the word ''entities'' and inserting ''persons or entities'' and in the second sentence of such subsection, by inserting after ''Persons'' the words ''or entities'';

(4) by inserting in the second sentence of subsection (b)(4) the words ''persons or'' before ''entity'';

(5) by adding after subsection (b)(4) the following new paragraphs—

''(5) RECOGNITION OF VOLUNTARY GREENHOUSE GAS EMISSIONS REDUCTION, AVOIDANCE, OR SEQUESTRATION.—To encourage new and increased voluntary efforts to reduce, avoid, or sequester emissions of greenhouse gases, the Secretary shall develop and establish a program of giving annual public recognition to all reporting persons and entities demonstrating voluntarily achieved greenhouse gases reduction, avoidance, or sequestration, pursuant to the voluntary collections and reporting guidelines issued under this section. Such recognition shall be based on the information certified, subject to section 1001 of title 18, United States Code, by such persons or entities for accuracy as provided in paragraph 2 of this subsection, and shall include such information reported prior to the enactment of this paragraph. At a minimum such recognition shall annually be published in the Federal Register.

''(6) REVIEW AND REVISION OF GUIDELINES.—

''(A) IN GENERAL.—Not later than 1 year after the date of enactment of this subparagraph, the Secretary of Energy, acting through the Administrator of the Energy Information Administration, shall conduct a review of guidelines established under this section regarding the accuracy and reliability of reports of greenhouse gas reductions and related information.

''(B) CONTENTS.—The review shall include the consideration of the need for any amendments to such guidelines, including—

''(i) a random or other verification process using the authorities available to the Secretary under other provisions of law;

''(ii) a range of reference cases for reporting of project-based activities in sectors, including the measures specified in subparagraph (1)(B) of this subsection, and the inclusion of benchmark and default methodologies and best practices for use as reference cases for eligible projects;

''(iii) issues, such as comparability, that are associated with the option of reporting on an entity-wide basis or on an activity or project basis; and

''(iv) safeguards to address the possibility of reporting, inadvertently or otherwise, of some or all of the same greenhouse gas emissions reductions by more than one reporting entity or person and to make corrections where necessary;

''(v) provisions that encourage entities or persons to register their certified, by appropriate and credible means, baseline emissions levels on an annual basis, taking into consideration all of their reports made under this section prior to the enactment of this paragraph;

''(vi) procedures and criteria for the review and registration of ownership of all or part of any reported and verified emissions reductions relative to a reported baseline emissions level under this section; and

''(vii) accounting provisions needed to allow for changes in registration of ownership of emissions reductions resulting from a voluntary private transaction between reporting entities or persons.

For the purposes of this paragraph, the term ''reductions'' means any and all activities taken by a reporting entity or person that reduce, avoid or sequester greenhouse gas emissions, or sequester greenhouse gases from the atmosphere.

''(C) ECONOMIC ANALYSIS.—The review should consider the costs and benefits of any such amendments, the effect of such amendments on participation in this program, including by farmers and small businesses, and the need to avoid creating undue economic advantages or disadvantages for persons or entities in the private sector. The review should provide, where appropriate, a range of reasonable options that are consistent with the voluntary nature of this section and that will help further the purposes of this section.

''(D) PUBLIC COMMENT AND SUBMISSION OF REPORT.—The findings of the review shall be made available in draft form for public comment for at least 45 days, and a report containing the findings of the review shall be submitted to Congress and the President no later than one year after date of enactment of this section.

''(E) REVISION OF GUIDELINES.—If the Secretary, after consultation with the Administrator, finds, based on the study results, that changes to the program are likely to be beneficial and cost effective in improving the accuracy and reliability of reported greenhouse gas reductions and related information, are consistent with the voluntary nature of this section, and further the purposes of this section, the Secretary shall propose and promulgate changes to program guidelines based with such findings. In carrying out the provisions of this paragraph, the Secretary shall consult with the Secretary of Agriculture and the Administrator of the Small Business Administration to encourage greater participation by small business and farmers in addressing greenhouse gas emission reductions and reporting such reductions.

''(F) PERIODIC REVIEW AND REVISION OF GUIDELINES.—The Secretary shall thereafter review and revise these guidelines at least once every 5 years, following the provisions for economic analysis, public review, and revision set forth in subsections (C) through (E) of this section.''.

(6) in subsection (c), by inserting ''the Secretary of the Department of Agriculture, the Secretary of the Department of Commerce, the Administrator of the Energy Information Administration, and'' before ''the Administrator''; and

(7) by adding at the end the following:

''(d) PUBLIC AWARENESS PROGRAM.—

''(1) IN GENERAL.—The Secretary shall create and implement a public awareness program to educate all persons in the United States of—

''(A) the direct benefits of engaging in voluntary greenhouse gas emissions reduction measures and having the emissions reductions certified under this section and available for use therein; and

''(B) the ease of use of the forms and procedures for having emissions reductions certified under this section.

''(2) AGRICULTURAL AND SMALL BUSINESS OUTREACH.—The Secretary of Agriculture and the Administrator of the Small Business Administration shall assist the Secretary in creating and implementing a targeted public awareness program to encourage voluntary participation by small businesses and farmers.''.

SEC. 8. REVIEW OF FEDERALLY FUNDED ENERGY TECHNOLOGY RESEARCH AND DEVELOPMENT.

(a) IN GENERAL.—Title XVI of the Energy Policy Act of 1992 (42 U.S.C. 13381 et seq.) is amended by adding the following new section:

''SEC. 1610. REVIEW OF FEDERALLY FUNDED ENERGY TECHNOLOGY RESEARCH AND DEVELOPMENT.

''(a) DEPARTMENT OF ENERGY REVIEW.—

''(1) IN GENERAL.—The Secretary shall review annually all federally funded research and development activities carried out with respect to energy technology; and submit to a report to Congress by October 15 of each year.

''(2) ASSESSMENT OF TECHNOLOGY READINESS AND BARRIERS TO DEPLOYMENT.—As part of this review, the Secretary shall—

''(A) assess the status and readiness (including the potential commercialization) of each energy technology and any regulatory or market barriers to deployment;

''(B) consider—

''(i) the length of time it will take for deployment and use of the energy technology and for the technology to have a meaningful impact on emission reductions;

''(ii) the cost of deploying the energy technology; and

''(iii) the safety of the energy technology;

''(C) assess the available resource base for any energy resources used by the energy technology, and the potential for expanded sustainable use of the resource base; and

''(D) recommend to Congress any changes in law or regulation deemed appropriate by the Secretary to hasten deployment and use of the energy technology.

(b) ENERGY TECHNOLOGY RESEARCH AND DEVELOPMENT CLEARINGHOUSE.—The Secretary shall establish an information clearinghouse to facilitate the transfer and dissemination of the results of federally funded research and development activities being carried out on energy technology subject to any restrictions or safeguards established for national security or the protection of intellectual property rights (including trade secrets and confidential business information protected under section 552(b)(4) of title 5, United States Code).''.

(c) TECHNICAL AMENDMENT.—The table of contents of the Energy Policy Act of 1992 (106 Stat. 2776) is amended by inserting after the item relating to section 1609 the following:

''Sec. 1610. Review of federally funded energy technology research and development.''.

SEC. 9. OFFICE OF APPLIED ENERGY TECHNOLOGY AND GREENHOUSE GAS-MANAGEMENT.

Section 1603 of the Energy Policy Act of 1992 (42 U.S.C. 13383) is amended to read as follows:

''SEC. 1603. OFFICE OF APPLIED ENERGY TECHNOLOGY AND GREENHOUSE GAS MANAGEMENT.

''(a) ESTABLISHMENT.—There is established by this section in the Department of Energy an Office of Applied Energy Technology and Greenhouse Gas Management.

''(b) FUNCTION.—The Office shall—

''(1) establish appropriate quantitative performance and deployment goals for energy technologies that reduce, avoid, or sequester emissions of greenhouse gases, provided that such goals are consistent with any national climate change strategy;

''(2) manage domestic and international energy technology demonstration and deployment programs for energy technologies that reduce, avoid or sequester emissions of greenhouse gases, including those authorized under this title; provided that such programs supplement and do not replace existing energy research and development activities within the Department;

''(3) facilitate the development of domestic and international cooperative research and development agreements (as that term is defined in section 12(d)(1) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(d)(1))), or similar cooperative, cost-shared partnerships with non-Federal organizations to accelerate the rate of domestic and international demonstration and deployment of energy technologies that reduce, avoid or sequester emissions of greenhouse gases;

''(4) conduct necessary programs of monitoring, experimentation, and analysis of the technological, scientific, and economic viability of energy technologies that reduce, avoid, or sequester greenhouse gas emissions; and

''(5) coordinate issues, policies, and activities for the Department regarding climate change and related energy matters pursuant to this title, and coordinate the issuance of such reports as may be required under this title.

''(c) DIRECTOR.—The Secretary shall appoint a director of the Office, who—

''(1) shall report to the Secretary;

''(2) shall be compensated at no less than level IV of the Executive Schedule; and

''(3) at the request of the Committees of the Senate and House of Representatives with appropriation and legislative jurisdiction over programs and activities of the Department of Energy, shall report to Congress on the activities of the Office.

''(d) DUTIES.—The Director shall, in addition to performing all functions necessary to carry out the functions of the Office—

''(1) in the absence of the Secretary's representative for interagency and multilateral policy discussions of global climate change, including the activities of the Committee on Earth and Environmental Sciences as established by the Global Change Research Act of 1990 (15 U.S.C. 2921 et seq.);

''(2) participate, in cooperation with other federal agencies, in the development and monitoring of domestic and international policies for their effects on any kind of climate change globally and domestically and on the generation, reduction, avoidance, and sequestration of greenhouse gases;

''(3) develop and implement a balanced, scientific, non-advocacy educational and informational public awareness program on—

''(A) potential climate change, including any known adverse and beneficial effects on the United States and the economy of the United States and the world economy, taking into consideration whether those effects

are known or expected to be temporary, long-term, or permanent;

''(B) the role of national energy policy in the determination of current and future emissions of greenhouse gases, particularly measures that develop advanced energy technologies, improve energy efficiency, or expand the use of renewable energy or alternative fuels; and

''(C) the development of voluntary means and measures to mitigate or minimize significant adverse effects of climate change and, where appropriate, to adapt, to the greatest extent practicable, to climate change;

''(4) provide, consistent with applicable provisions of law, public access to all information on climate change, effects of climate change, and adaptation to climate change; and

''(5) in accordance with all law administered by the Secretary and other applicable Federal law and contracts, including patent and intellectual property laws, and in furtherance of the United Nations Framework Convention on Climate Change—

''(i) identify for, and transfer, deploy, diffuse, and apply to, Parties to such Convention, including the United States, any technologies, practices, or processes which reduce, avoid, or sequester emissions of greenhouse gases if such technologies, practices or processes have been developed with funding from the Department of Energy or any of its facilities or laboratories; and

''(ii) support reasonable efforts by the Parties to such convention, including the United States, to identify and remove legal, trade, financial, and other barriers to the use and application of any technologies, practices, or processes which reduce, avoid, or sequester emissions of greenhouse gases.''.

SEC. 10. COORDINATION OF GLOBAL CHANGE RESEARCH.

(a) DEFINITIONS.—As used in this section, the term—

(1) ''Committee'' means the Committee on Earth and Environmental Sciences established under Section 102 of the Global Change Research Act of 1990 (15 U.S.C. 2933).

(2) ''Program'' means the United States Global Change Research Program established under Section 103 of the Global Change Research Act of 1990 (15 U.S.C. 2933).

(b) COORDINATION OF CLIMATE OBSERVATION ACTIVITIES.—At the direction of the Committee, the Director of the Program shall develop and implement activities within the Program that—

(1) coordinate system design and implementation and operation of a multi-user, multi-purpose long-term climate observing system for the measurement and monitoring of relevant climatic variables;

(2) carry out basic research, development and deployment of innovative scientific techniques and instruments (both in-situ and space-based) for measurement and monitoring of relevant climatic variables;

(3) coordinate Program activities to ensure the integrity and continuity of data records; including—

(i) calibration and inter-comparison of multiple instruments that measure the same climatic variable or set of variables;

(ii) backup instruments to ensure data record continuity; and

(iii) documentation of changes in instruments, observing practices, observing locations, sampling rates, processing algorithms and other changes;

(4) establish ongoing activities for the development, implementation, operation and management of climate-specific observational programs, with special emphasis on activities that seek the most efficient and reliable means of observing the climate system;

(5) coordinate activities of the Program that contribute to the design, implementation, operation, and data management activities of international climate system observation networks; and

(6) establish and maintain a free and openly accessible national data management system for the storage, maintenance, and archival of climate observation data, with an emphasis on facilitating access to, use of and interpretation of such data by the scientific research community and the public.

(c) COORDINATION OF CLIMATE MODELING ACTIVITIES.—At the direction of the Committee, the Director of the Program shall develop and implement activities within the Program that—

(1) establish and periodically revise a national climate system modeling strategy designed to position the United States as a world leader in all aspects of climate system modeling;

(2) coordinate Program activities designed to carry out such a national climate system modeling strategy;

(3) carry out basic research, development and deployment of innovative computational techniques for climate system modeling;

(4) develop the intellectual and computational capacity to carry out climate system modeling activities to assess the potential consequences of climate change on the United States;

(5) carry out the continued development and inter-comparison of United States climate models with special emphasis on activities that—

(i) establish the ability of United States climate models so successfully reproduce the historical climate observational record;

(ii) incorporate new climate system processes or improve spatial or temporal resolution of climate model simulations;

(iii) develop standardized tools and structures for climate model output, evaluation and programming design;

(iv) improve the accuracy and completeness of supporting data sets used to drive climate models; and

(v) reduce uncertainty in assessments of climate change and its impacts on the United States;

(6) coordinate activities of the Program that contribute to the design, implementation, operation, and data analysis activities of international climate system modeling inter-comparisons and assessments; and

(7) establish and maintain a free and openly accessible national data management system for the storage, maintenance, and archival of climate model code, auxiliary data, and results, with an emphasis on facilitating access to, use of and interpretation of such data by the scientific research community and the public.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $50,000,000 for each of fiscal years 2002 through 2004, to remain available until expended, and thereafter such sums as are necessary.

(e) USE OF EXISTING INFRASTRUCTURE.—In carrying out new activities under subsections (b) and (c) of this section, the Program shall, where possible, use and incorporate existing Program activities and resources, such as Program Working Groups.

CLIMATE CHANGE RISK MANAGEMENT ACT OF 2001 SECTION-BY-SECTION ANALYSIS

Section 1—Short Title

Section 2—Findings

Section 3—Definitions

Section 4—National Climate Change Strategy

Amends Section 1601 of the Energy Policy Act of 1992 to require the President, in consultation with Federal agencies and the Congress, to develop a national strategy to manage the risks posed by potential climate change. The goal of such strategy would be to implement the UN Framework Convention on Climate Change in a manner that 1. does not cause serious harm to the U.S. economy; 2. establishes and maintains U.S. leadership in scientific research and technology development; and 3. results in annual net reductions of U.S. greenhouse gas emissions as measured against the U.S. gross domestic production. Requires a biannual report to Congress on the strategy and programs to implement the strategy, following review and evaluation of the strategy by the National Academies in light of new information on the science, technology, or economics of climate change.

Section 5—Climate Technology Research, Development, and Demonstration Program

Amends Section 1604 of the Energy Policy Act of 1992 to establish a new energy technology program within the Department of Energy to further development and deployment of technologies to reduce, avoid or sequester greenhouse gas emissions. Authorizes $2 billion over ten years for competitive multi-year grant awards that foster development and deployment of existing and new energy efficient, fossil, nuclear, renewable and sequestration technologies.

Section 6—International Energy Technology Deployment Program

Establishes a new international energy technology deployment pilot program under Section 1608 of the Energy Policy Act of 1992 to assist developing countries in meeting development goals with fewer greenhouse gas emissions. Authorizes $1 billion over ten years for loans or loan guarantees to be made to firms or consortia that construct energy production facilities outside the United States, provided such facilities result in gains in energy efficiency and reductions in greenhouse gas emissions relative to existing technologies.

Section 7—National Greenhouse Gas Emissions Registry

Amends Section 1605 of the Energy Policy Act of 1992 to provide for development of national registry of greenhouse gas emissions baselines and actions to voluntarily reduce emissions. Modeled after several state initiatives already under way, this section provides for the Secretary of Energy to initiate a stakeholder-led process to develop new guidelines for the existing voluntary emissions reduction reporting system (''1605(b)'') that improve the accuracy and reliability of voluntary reports made to this program, establish consistent reporting procedures and independent verification, and allow for registration of emissions baselines and emissions reductions made against such baselines. Includes provisions to encourage participation by small businesses and farmers. Upon completion of review of guidelines, provides for public comment and revision of guidelines if cost-effective.

Section 8—Review of Federally Funded Energy Technology Research and Development

Adds a new Section 1610 to the Energy Policy Act of 1992 to provide for a regular review of federally funded energy technology research and development, including the programs authorized in this bill. The review will consider cost, safety, resource availability, technology readiness, including potential for commercial application, and barriers to deployment in widespread use. Also establishes an ''Energy Technology R&D Clearinghouse'' to disseminate to the private sector and the public information on energy technology research and development activities within the Department of Energy, as well as technologies available for deployment through public-private partnerships.

Section 9—Office of Applied Energy Technology and Greenhouse Gas Management

Amends Section 1603 of the Energy Policy Act of 1992 to create a new office within the Department of Energy to manage applied energy technology activities, public-private partnerships, and activities to reduce, avoid, or sequester greenhouse gases. In addition to administering the programs authorized by this bill, the Office will supplement existing activities of the Department by working to increase the rate at which new energy technologies are applied, developed and deployed for widespread use. The Office will also function to coordinate domestic and international cooperative energy research, development, demonstration and deployment activities within the Department and participate in interagency activities with respect to climate change research and technology programs.

Section 10—Coordination of Global Change Research

Provides the Director of the U.S. Global Change Research Program (USGCRP) with new authority for the purposes of coordinating and strengthening scientific research with respect to climate observation systems and climate modeling, as suggested by recent National Academy reports on the state of U.S. climate change research. Authorizes $50 million in new funding for each of fiscal years 2002 through 2004, and such sums as are necessary thereafter. Requires that the Program utilize where possible existing Working Groups and other resources in laboratory activities.

Mr. HAGEL. Mr. President, I am proud to join my colleagues Senators FRANK MURKOWSKI and LARRY CRAIG today I introducing legislation that takes a comprehensive approach to domestic efforts on climate change.

This legislation provides a forward-looking, balanced approach to address the challenge of climate change. There's a lot we can do, and this legislation lays out a comprehensive approach that will reduce greenhouse gas emissions without damaging the U.S. economy. It provides an incentive-based, market oriented framework that will produce results. It focuses on developing advanced technologies to reduce, sequester or avoid greenhouse gas emissions. These technologies are the long term answer to this challenge. And it focuses our scientific research in this area.

Specifically, the Climate Change Risk Management Act of 2001 provides for: a national climate change strategy; new funding to advance the research, development and deployment of new technologies to reduce, avoid or sequester greenhouse gas emissions $2 billion over 10 years; the creation of a national registry of voluntary actions that have been taken to reduce, avoid or sequester greenhouse gas emissions; a pilot program to assist in the exports of advanced technology to developing countries, $1 billion over 10 years for a loan program; better coordination of federal scientific research; an office in the Department of Energy to coordinate the R&D efforts for new technologies, that is accountable to the Secretary, the President and the Congress.

This legislation is very consistent with the approach presented by President Bush and builds on the efforts that Senators MURKOWSKI, CRAIG, and I—along with Senator BYRD and others—have pursued for some time to advance our efforts in the area of climate change. I am pleased that Senators PETE DOMENICI, PAT ROBERTS, and CHRISTOPHER BOND are also original cosponsors of this legislation.

By Mr. LEVIN (for himself and Mr. THOMAS):

S. 1295. A bill to amend title 18, United States Code, to revise the requirements for procurement of products of Federal Prison Industries to meet needs for Federal agencies, and for other purposes; to the Committee on the Judiciary.

Mr. LEVIN. Madam President, I am pleased to be joined by Senator CRAIG THOMAS in introducing the Federal Prison Industries Competition in Contracting Act. Our bill is based on a straightforward premise: it is unfair for Federal Prison Industries to deny citizens in the private sector an opportunity to compete for sales to their own government.

I repeat: the bill that we are introducing today, if enacted, would do nothing more than permit private sector companies to compete for Federal contracts that are paid for with their tax dollars. It may seem incredible that they are denied this opportunity today, but that is the law, because if Federal Prison Industries says that it wants a contract, it gets that contract, regardless whether a company in the private sector may offer to provide the product better, cheaper, and faster.

This bill would not limit the ability of Federal Prison Industries to sell its products to Federal agencies. It would simply say that these sales should be made on a competitive, rather than a sole-source basis.

FPI also has a significant advantage in any competition with the private sector, since FPI pays inmates less than two dollars an hour, far below the minimum wage and a small fraction of the wage paid to most private sector workers in competing industries. And of course, the taxpayers provide a direct subsidy to Federal Prison Industries products by picking up the cost of feeding, clothing, and housing the inmates who provide the labor. Given those advantages, there is no reason why we should still require Federal agencies to purchase products from FPI even when they are more expensive and of a lower quality than competing commercial items. I can think of no reason why private industry should be prohibited from competing for these Federal agency contracts.

We have made several changes to this bill since it was introduced in the 106th Congress. The three new sections are intended to address new abuses by FPI that have arisen in the last few years: section 3 of the bill would prohibit FPI from granting prison workers access to classified information or information that is protected under the Privacy Act; section 4 of the bill would clarify that private sector businesses and their employees must be permitted to compete for federal subcontracts as well as prime contracts; and section 5 of the bill would clarify that the general prohibition on sales of prison-made goods into private commerce is also intended to apply to sales of services.

These changes should strengthen the bill and reinforce its underlying intent.

Federal Prison Industries has repeatedly claimed that it provides a quality product at a price that is competitive with current market prices. Indeed, the Federal Prison Industries statute requires them to do so. That statute states that FPI may provide to Federal agencies products that ''meet their requirements'' at price that do not ''exceed current market prices''.

Yet, FPI remains unwilling to compete with private sector businesses and their employees, or even to permit Federal agencies to compare their products and prices with those available in the private sector. Indeed, FPI has tried to prohibit Federal agencies from conducting market research, as they would ordinarily do, to determine whether the price and quality or FPI products is comparable to what is available in the commercial marketplace. Instead, Federal agencies are directed to contact FPI, which acts as the sole arbiter of whether the product meets the agency's requirements.

The reason for FPI's position is obvious: it is much easier to gain market share by fiat than it is to compete for business. Under FPI's current interpretation of the law, it need not offer the best product at the best price; it is sufficient for it to offer an adequate product at an adequate price, and insist upon its right to make the sale. Indeed, FPI currently advertises that it offers Federal agencies ''ease in purchasing'' through ''a procurement with no bidding necessary.''

The result of the FPI's status as a mandatory source is not unlike the result of other sole-source contracting: the taxpayers frequently pay too much and receive an inferior product for their money. When FPI sets its prices, it does not even attempt to match the best price available in the commercial sector; instead, it claims to have charged a ''market price'' whenever it can show that at least some vendors in the private sector charges as high a price. As GAO reported in August 1998, ''The only limit the law imposes on FPI's price is that it may not exceed the upper end of the current market price range.''

The result is frustrating to private sector businesses and their employees who are denied an opportunity to complete for Federal business, as well as to the Federal agencies who are forced to buy FPI products. One letter that I received from a frustrated vendor stated with regard to UNICOR—the trade name used by Federal Prison Industries:

If the Air Force would purchase a completed unit as described in UNICOR's solicitation directly from a . . . manufacturer we estimate the cost will be approximately $6,500. UNICOR is going to purchase a kit for $9,259 and add their assembly and administrative costs to the unit. If UNICOR only adds $1,500 to the total cost of the unit, it will cost the Air Force $10,759. This is 66 percent higher than the current market price. If the Air Force purchases 8,000 units over the next five years it will cost the taxpayers an additional $34,072,000 over what it would cost if they dealt directly with a manufacturer.

A letter from a second frustrated vendor stated, also with regard to UNICOR:

UNICOR bid on this item and simply because UNICOR did bid, I was told that the award had to be given to UNICOR. UNICOR won the bid at $45 per unit. My company bid $22 per unit. The way I see it, the government just overspend my tax dollars to the tune of $1,978. The total amount of my bid was less than that. Do you seriously believe that this type or procurement is cost-effective?

I lost business, and my tax dollars were misused because of unfair procurement practices mandated by federal regulations. This is a prime example, and I am certain not the only one, of how the procurement system is being misused and small businesses in this country are being excluded from competition, with the full support of federal regulations and the seeming approval of Congress. It is far past the time to curtail this 'company' known as Federal Prison Industries and require them to be competitive for the benefit of all taxpayers.

I am a strong supporter of the idea of putting federal inmates to work. I understand that a strong prison work program not only reduces inmate idleness and prison disruption, but can also help build a work ethic, provide job skills, and enable prisoners to return to product society upon their release.

However, I believe that a prison work program must be conducted in a manner that is sensitive to the need not to unfairly eliminate the jobs of hard-working citizens who have not committed crimes. FPI will be able to achieve this result only if it diversifies its product lines and avoids the temptation to build its workforce by continuing to displace private sector jobs in its traditional lines of work. For this reason, I have been working since 1990 to try to help Federal Prison Industries to identify new markets that it can expand into without displacing private sector jobs, with a particular emphasis on markets for products that are currently imported.

Avoiding competition is the easy way out, but it isn't the right way for FPI, it isn't the right way for the private sector workers whose jobs FPI is taking, and it isn't the right way for the taxpayer, who will continue to pay more and get less as a result of the mandatory preference for FPI goods. We need to have jobs for prisoners, but can no longer afford to allow FPI to designate whose jobs it will take, and when it will take them. Competition will be better for FPI, better for the taxpayer, and better for working men and women around the country.

The fight to allow private industry to compete against Federal Prison Industries is far from over, but I am optimistic that it can be won in this Congress.

Mr. THOMAS. Madam President, today I am pleased to join Senator LEVIN in introducing a bill that will further my efforts to limit government competition with the private sector. Senator LEVIN and I propose to eliminate the mandatory contracting requirement that Federal agencies are subject to when it comes to products made by the Federal Prison Industries, FPI. Under law, all Federal agencies are required to purchase products made by the FPI. Simply put, this bill will require the FPI to compete with the private sector for Federal contracts.

Currently, the FPI employs approximately 22,000 Federal prisoners or roughly 20 percent of all Federal prisoners. These prisoners are responsible for producing a diverse range of products for the FPI, ranging from office furniture to clothing. The remaining 80 percent of Federal prisoners, who work, do so in and around Federal prisons.

While Senator LEVIN and I believe that it is important to keep prisoners working, we do not believe that this effort should unduly harm or conflict with law-abiding businesses. This bill seeks to minimize the unfair competition that private sector companies face with the FPI.

The FPI's mandatory source requirement not only undercuts private business throughout America, but its mandatory source preference oftentimes costs American tax payers more money. I believe American taxpayers would be alarmed to learn of the preferential treatment that the FPI enjoys when it comes to Federal contracts.

As I said before, Senator LEVIN and I support the goal of keeping prisoners busy while serving their time in prison. However, if we allow competition in Federal contracts, the FPI will be required to focus its efforts in product areas that don't unfairly compete with the private sector. Clearly, competitive bidding is a reasonable process that will ensure taxpayer's dollars are being spent justly.

Of particular note, our bill allows contracting officers, within each Federal agency, the ability to select the FPI for contracts if he/she believes that the FPI can meet that particular agency's requirements and the product is offered at a fair and reasonable price. Currently, the FPI prohibits Federal agencies from conducting market research to determine whether the price and quality of its products is comparable to those available in the private sector. The above outlined provision in our bill seeks to place the control of government procurement in the hands of contracting officers, rather than in the hands of the FPI.

In addition to establishing a competitive procedure for the procurement of products, we include a provision that allows the Attorney General to grant a waiver to this process if a particular contract is deemed essential to the safety and effective administration of a particular prison.

I am confident that by allowing competition for government contracts our bill will save tax dollars. As Congress looks for additional cost saving practices, the elimination of the FPI's mandatory source preference will bring about numerous improvements, not just in cost savings, but also a streamlining of the FPI's products.

By Mr. DODD:

S. 1296. A bill to provide for the protection of the due process rights of United States citizens (including United States servicemembers) before foreign tribunals, including the International Criminal Court, for the prosecution of war criminals, and for other purposes; to the Committee on Foreign Relations.

Mr. DODD. Madam President, the Nuremberg Trial of the leading Nazi war criminals following World War II was a landmark in the struggle to deter and punish crimes of war and genocide, setting the stage for the Geneva and Genocide Conventions. It was also largely an American initiative. Justice Robert Jackson's team drove the process of drafting the indictments, gathering the evidence and conducting this extraordinary case.

My father, Thomas J. Dodd, served as Executive Trial Counsel at Nuremberg, it was among his proudest accomplishments. But it was also part of a common theme that ran through a lifetime of public service. He believed that America had a special role to help make the rule of law relevant in every corner of the globe. I believe that he would have endorsed President Clinton's decision to sign the Rome Statute last December on behalf of the United States. President Clinton did so knowing full well that much work remains to be done before the United States can become a party to the U.N. convention establishing an International Criminal Court, ICC.

The Bush administration is currently reviewing its options with respect to the Rome Statute and with respect to the ongoing preparatory work that is necessary to make the court operational once sixty parties have ratified. The so called American Servicemembers' Protection Act of 2001 sponsored by Senators HELMS and Congressman DELAY in the Senate and House, respectively, if enacted into law, will severely limit the Bush administration's options for interacting with our friends and allies about issues directly related to the ICC, as well as have a major impact on possible United States participation in the ICC at some date in the future. Among other things, their legislation would prevent the U.S. from helping to prosecute war criminals before the ICC even on a case-by-case basis. Elie Wiesel has written that this legislation would erase America's Nuremberg legacy ''by

ensuring that the U.S. will never again join the community of nations to hold accountable those who commit war crimes and genocide. A vote for this legislation would signal U.S. acceptance of impunity for the world's worst atrocities.''

That is why I am introducing ''The American Citizens Protection and War Criminal Prosecution Act of 2001.'' The American Citizens Protection Act, today in the Senate to both protect America's Nuremberg legacy while at the same time safeguarding the rights of American citizens brought before foreign tribunals. My friend and House colleague, WILLIAM DELAHUNT of Massachusetts is also introducing a companion bill in the House today. Our bill calls for active U.S. diplomatic efforts to ensure that the ICC functions properly, mandates the assertion of U.S. jurisdiction over American citizens and bars the surrender of U.S. citizens to the ICC once the United States has acted. Unlike the American Servicemembers' Protection Act, however, The American Citizens Protection Act allows the United States to help prosecute war criminals and it does not effectively end U.S. participation in U.N. peacekeeping or authorize going to war to obtain the release of certain persons detained by the ICC.

I believe that the bill that has been introduced today in the House and Senate strikes the right balance between protecting our citizens and our men and women in the armed forces who may be traveling or deployed abroad, and preserving United States leadership and advocacy of universal adherence to principles of international justice and the rule of law. I hope that the Bush administration will review carefully provisions of this bill, because I believe taken together they address the administration's concerns about the Rome Statute without doing damage to our national interest or future foreign policy objectives. I look forward to working with Administration officials and with my colleagues on this important issue in the coming weeks.

By Mr. DURBIN (for himself and Mr. REED):

S. 1297. A bill to require comprehensive health insurance coverage for childhood immunization; to the Committee on Health, Education, Labor, and Pensions.

Mr. DURBIN. Madam President, I rise today to kick off National Immunization Awareness Month by introducing legislation to expand access to affordable childhood and adolescent immunizations. I am pleased that my colleague, Senator REED, joins me in this initiative.

Immunization against vaccine-preventable disease is perhaps the most powerful health care and public health achievement of the 20th Century. Remarkable advances in the science of vaccine development and widespread immunization efforts have led to a substantial reduction in the incidence of infectious disease. Today, vaccination coverage is at record high levels. Smallpox has been eradicated; polio has been eliminated from the Western Hemisphere; and measles, pertussis and Hib invasive disease have been reduced to record lows.

The bill I introduce today builds on these successes. ''The Comprehensive Insurance Coverage of Childhood Immunization Act of 2001,'' ensures that all health plans cover the recommended childhood and adolescent immunizations. This improvement is simple, it is cost effective, and it is long overdue.

More than 3.6 million children currently insured in the private sector are not covered for the recommended immunizations. Millions more have partial insurance for some of the recommended vaccines, but not all. Even if private coverage is complete, cost-sharing may be a significant barrier for many families.

A number of reputable studies confirm these statistics. The Institute of Medicine found in its report of last year that ''While most private health plans provide some form of immunization coverage, this coverage varies by type of plan, as well as by vaccine. Enrollment in a private plan does not guarantee that immunizations will be provided as a plan benefit.'' Results from a 1999 William M. Mercer/Partnership for Prevention survey of employer sponsored health plans found that about one of five employer-sponsored plans does not cover childhood immunizations, and out of four does not cover adolescent immunizations. And researchers at the George Washington University recently collected data on the immunization coverage policies of five health care companies, four national and one regional, that suggest significant variation by type of plan, as well as by vaccine.

The States have enacted some requirements to address these gaps in coverage, albeit limited. Only about 28 states have laws requiring that insurers cover childhood immunizations to some degree. Coverage standards vary considerably from state to state. And, as we know, employers that self-insure are generally exempt from state insurance regulation under the federal Employee Retirement Income Security Act. Approximately 50 million private-insured individuals are covered by self-insured plans.

These gaps are not insignificant. The private sector is a critical partner in vaccine delivery. Almost half, 45 percent, of all vaccine is delivered in the private sector. Certainly most health plans do provide some immunization coverage, but there is a just no reason why every child who has private insurance should not have access to such a basic, essential benefit. This is not only a flaw in our health system, it is simply illogical and irresponsible.

This is the 21st Century. We have long since learned how important immunizations are to the health of children and adolescents and to entire communities. At the beginning of the 20th century, infectious diseases were widely prevalent in the United States and exacted an enormous toll on the population. For example, in 1900, 21,064 smallpox cases were reported, and 894 patients died. In 1920, 469,924 measles cases were reported, and 7,575 patients died; 147,991 diphtheria cases were reported, and 13,170 patients died. In 1922, 107,473 pertussis cases were reported, and 5,099 patients died. Today these numbers are unheard of, and overall U.S. vaccination coverage is at record high levels.

But despite the dramatic declines in vaccine-preventable diseases, such diseases persist, particularly in developing countries but also in our own.

Just this past June, the Chicago Sun Times reported that a new study found ''distressingly low'' vaccination rates in a South Side Chicago neighborhood of Englewood. Twenty-six percent of children under the age of three have not been vaccinated for measles in this community. In 1999, the measles preschool vaccination rate for all of Chicago was 86 percent, down from 90 percent in 1996. In many pockets of the city, such as Englewood, rates are much lower than average. It was just a little over a decade ago that such low vaccination rates led to an epidemic of the highly contagious disease. In 1990 there were more than 4,200 cases of measles and 15 deaths in the Chicago area.

It is also important to keep in mind that an estimated 11,000 children are born each day in the United States. Every year, approximately 170,000 of these babies are born into families with private health insurance that does not cover immunizations. Each one of these children needs up to 20 doses of vaccine by age two to be protected against childhood diseases.

We must remain vigilant. Insuring universal age-appropriate vaccine coverage requires a strong and consistent partnership among State, local and Federal Governments, vaccine industry leaders, private and public health insurers and policymakers. From the beginning, immunization financing was explicitly structured to be a Federal/State/private-sector partnership. In 1955, under President Eisenhower, the Federal Government began Federal funding for immunization when he signed the Poliomyelitis Vaccination Assistance Act. This support was expanded in the 1960's under Kennedy when the Vaccination Assistance Act created the National Immunization Program at CDC. Over the years, Federal support for vaccine purchase and assistance to states for immunization activities has grown.

Today, Federal and State grants, the State Children's Health Insurance Program, the Vaccines for Children's Program and private-sector health plans and providers together provide a comprehensive approach to get our Nation's children immunized. This system

is the result of a concerted effort to fill in the gaps in coverage. But the system must adapt to new science and new social conditions. Shifting finance patterns require all partners to adapt to minimize system instability. For example, last year, after the Institute of Medicine reported that Federal funding has waned and that the public system was becoming increasingly unstable, Congress increased the appropriation for immunization infrastructure and vaccine purchase grants.

The public system cannot do it alone. Maintaining high immunization rates is a public health responsibility that must be shared by both the public and private sector. Most Americans rely on a system of insurance for their care. Most children today receive their immunization services from private-sector providers.

The National Vaccine Advisory Committee, the Institute of Medicine and the American Academy of Pediatrics have recommended that all health plans should offer first-dollar coverage for recommended childhood vaccines. The provisions of this bill have been supported by a broad coalition of groups for many years, including Every Child by Two, the Children's Defense Fund, the American Public Health Association and Partnership for Prevention. Yet still today, many health plans and insurers do not cover all immunizations fully as a covered benefit.

The Comprehensive Insurance Coverage of Childhood Immunization Act implements these long-standing recommendations by requiring all health plans—including groups, individual, and ERISA—cover all vaccines for children and adolescents that are recommended by the Advisory Committee on Immunization Practices. The Advisory Committee on Immunization Practices' recommendations are the standard of care. It is the Committee's Congressionally-mandated job to provide advice and guidance to the Secretary, the Assistant Secretary for Health, and the Centers for Disease Control and Prevention, CDC, on the most effective means to prevent vaccine-preventable diseases.

The Act also directs that health plans cover immunizations without a copayment or deductible. Out-of-pocket costs have been identified as a barrier to proper immunization. In 2001, the cost of fully immunizing one child is approximately $627, with almost half of that cost resulting from the newly-recommended pneumococcal conjugate vaccine series. New vaccines and new combination vaccines currently under development will significantly increase this cost in the future. The U.S. Task Force on Community Preventive Services found that reducing out-of-pocket costs can result in increases in vaccination coverage by improving availability of vaccines and increasing demand for vaccinations. More than a dozen studies have documented the effectiveness of reducing out-of-pocket costs and the resulting improvement in vaccination outcomes.

Another obvious barrier to appropriate immunization is the lack of private coverage itself. Studies have shown that providers are more likely to refer children with less private insurance coverage to other sites for vaccination, and referral practices are known to have an adverse effect on both the timing and the rate of immunization. Service utilization studies within public health clinics indicate that some low-income parents use public clinics because of the reduced cost, even though they might prefer to receive immunizations from regular private providers. This certainly places an unfair burden on parents who have to take their children to different sites for care. It makes it even harder for families to keep track of their children's complicated immunization schedule. And it may result in missed opportunities to immunize children who are lacking needed shots. Studies of the implementation of the Vaccines for Children Program have indicated that referrals to health departments decrease when free vaccines are provided to private providers, suggesting that both parents and providers take advantage of the free vaccines. The Comprehensive Insurance Coverage of Childhood Immunization Act will help parents avoid unnecessary referrals due to lack of coverage or financial barriers and retain their child's medical home.

This practice of referral to public clinics also shifts the cost of vaccinating children from the private sector to taxpayers. Through the Federal Vaccines for Children Program, children with health insurance that does not cover immunization may receive vaccines at a Federally Qualified Health Center or a Rural Health Clinic. Vaccines at these clinics are also supported by federal grants to states for vaccine purchase through the Federal discretionary National Immunization program. States also fund the purchase and distribution of vaccines. When the private sector fails—the public sector picks up the tab.

For this reason, the Congressional Budget Office found that this legislation will increase the budget surplus by $70 million dollars over five years and $150 million dollars over 10 years. This savings is somewhat offset by the reduction in Federal tax receipts, but still saves $20 million over five years and costs less than $35 million over 10 years. There is no doubt that the States would see similar savings. Many States contribute up to 30 percent of the public sector vaccine purchase bill. This means that State funds, like Federal funds, are picking up the tab for kids with private insurance. And the CBO found that the new requirement would have a negligible effect on health insurance premiums, increasing premium costs, if at all, by no more than 0.1 percent.

Private providers should find comprehensive childhood vaccination cost-effective as well. Immunizations are one of the rare health services that have been proven to save money. The Measles-Mumps Rubella, MMR, vaccine saves $10.30 in direct medical costs for every $1 dollar invested. The diphtheria and tetanus toxoids and pertussis DTP vaccine saves $8.50 for every $1 dollar spent. The Haemophilus influenzae type b (Hib) vaccine saves $1.40 per dollar. The Inactivated Polio Vaccine, IPV, saves $3.03 for every $1 dollar investment. These figure are all direct medical savings.

It is rare that we have policy decisions that are this easy to make. The Comprehensive Insurance Coverage of Childhood Immunization Act will help millions of working families afford the immunization they need to protect their children. It represents a shared responsibility that we all have to our communities. Like safe food and clean water, high immunization rates safeguard all of us. I urge my colleagues to support this legislation and to act promptly to pass it on behalf of American families.

By Mr. HARKIN (for himself, Mr. SPECTER, Mr. KENNEDY, Mr. BIDEN and Mrs. CLINTON):

S. 1298. A bill to amend title XIX of the Social Security Act to provide individuals with disabilities and older Americans with equal access to community-based attendant services and supports, and for other purposes; to the Committee on Finance.

Mr. HARKIN. Madam President, just a few days ago, the Nation celebrated the 11th anniversary of the Americans with Disabilities Act, ADA. When we passed the ADA, we told Americans with disabilities that the door to equal opportunity was finally open.

And the ADA has opened doors of opportunity, plenty of them. Americans with disabilities now expect to be treated as full citizens, with all the rights and responsibilities that entails. And they are participating in American life like never before in our Nation's history.

Indeed, eleven years after the passing of the ADA we have a lot to celebrate.

But we also have a lot of work to do. We need to make sure our Federal policies further the principle of independence for all that we agreed on eleven ago. For example, a few years ago Congress recognized that in order for people with disabilities to join the workforce, we would need to remove the disincentives to work embedded in our Medicaid and Social Security statutes. After passage of the Ticket to Work and Work Incentives bill, people with disabilities should no longer have to choose between going to work and receiving necessary health care services.

Today, Senator SPECTER and I introduce a bill that reflects another policy I am sure we can all agree on. In order to go work or live in their own homes, Americans with disabilities and older Americans need access to community-based services and supports. Unfortunately, under current Federal Medicaid

policy, the deck is stacked against community living. The purpose of our bill is to level the playing field and give eligible individuals equal access to community-based services and supports.

The Medicaid Community-Based Attendant Services and Supports Act does three things. First, the bill amends Title XIX of the Social Security Act to provide a new Medicaid plan benefit that would give individuals who are eligible for nursing home and ICF-MR services equal access to community-based attendant services and supports.

Second, for a limited time, States would have the opportunity to receive an enhanced match rate for community attendant services and supports and for certain administrative activities to help them reform their long term care systems.

Third, the bill provides State with financial assistance to support ''real choice systems change initiatives'' that include specific action steps for the provision of community-based long term community services and supports.

Finally, the bill establishes a demonstration project to evaluate service coordination and cost sharing approaches with respect to the provision of services and supports to daily eligible individuals with disabilities under the age of 65.

States are already out ahead of us here in Washington on this issue. Spending under the Medicaid home and community based waiver program has grown tenfold in the past ten years. Every State offers certain services under home and community based waivers. Almost 30 States are now providing the personal care optional benefit through their Medicaid programs. More than 2½ times more people are served in home and community-based settings than in institutional settings.

The States have realized that community based care is both popular and cost effective, and community-based attendant services and supports are a key component of a successful program.

However, despite this marked progress, home and community based services are unevenly distributed within and across States and only reach a small percentage of eligible individuals.

The numbers speak volumes. Only about 27 percent of long term care funds expended under Medicaid, and only about 9 percent of all funds expended under the program, pay for services and supports in home and community-based settings. That means that right low a large majority of Medicaid long term care funding is not being used to further independence. In fiscal year 2000, only 3 States spent 50 percent or more of their long term care funds under the Medicaid program on home and community-based care. And that means that individuals do not have equal access to community based care.

Of course, numbers only tell a part of the story. This bill is about real people in real communities. Take the example of a friend of mine in Iowa. Dan Piper works at a hardware store. He has his own apartment and just bought a VCR. He also has Down's syndrome and diabetes. For years Dan has received services through a community waiver program. But, last year, his community-based supports were threatened because he wasn't sure he'd be able to find a provider to deliver the optional waiver service. The result? He almost had to sacrifice his independence just to get services. Today, Dan works and contributes to the economy as both a wage earner and a consumer. But, tomorrow, he could be forced into a nursing home, far from his roommate, his job and his family. That's why our Federal policy must foster comprehensive and consistent access to community-based services and supports in the most integrated setting appropriate.

Federal Medicaid policy should reflect the consensus that Americans with disabilities should have the equal opportunity to contribute to our communities and participate in our society as full citizens. That means people should have access to certain types of services in the community so that they don't have to sacrifice their full participation in society simply because they need a catheter or help getting out of the house in the morning or assistance with medication, or some other basic service.

So, where do we begin? To start, States need time and money to reform their long term care systems. Last year, Senator SPECTER and I worked hard to fund the systems change grants included in Title II of MiCASSA through the Labor-HHS appropriations bill. We included $70 million in grant money to help States reform their long term care programs through systems change initiatives and nursing home transition.

I am very pleased that Secretary Thompson has supported the development and implementation of these grants and included them as part of the President's New Freedom Initiative for people with disabilities. As I understand it, all but two of the eligible States and territories have submitted application to HCFA. This is a great start. And it shows the need for a Federal commitment to this issue. Senator SPECTER and I will work with the Administration and others to ensure that another round of these grants will be available in FY 2002.

Over the past several months, we have also spent some time revising the bill we introduced last Congress. The new version of MiCASSA allows States to phase in the new Medicaid plan benefit over a period of 5 years and provides enhanced math dollars to encourage States to start their reforms as soon as possible. As anyone in the private business world well knows, in order to deliver a better service in a more efficient manner there has to be a strong initial investment. Our bill does just that. We also include a new program to help States pay for people with severe disabilities who are more expensive to serve in the community than the average eligible individual. And, we require a demonstration project to look at cost-sharing between dually Medicaid and Medicare recipients.

The rest of the bill looks a lot like last year. Community-based services and supports help people do tasks that they would do themselves, if they did not have a disability. Our bill would allow any person eligible for nursing home services to use the money for community attendant services and supports. Those services and supports include help with things like eating, bathing, grooming, toileting, and transferring in and out of a wheelchair.

Community-based services and supports are the lowest-cost and most consumer friendly services in the long-term care spectrum. They can be provided by a variety of people, including friends and neighbors of the recipient. In many instances, with supervision, the consumer can direct his or her own care and manage his or her own attendants. This cuts down on expensive administrative overhead and the current practice of relying on medical personnel such as nurses to coordinate a person's care. States can save money and redirect medically-oriented care to those who need it most.

Not only is home and community-based care what people want, it can also be far less expensive. There is a wide variation in the cost of supporting people with disabilities in the community because individuals have different levels of need. But, for the average person, the annual cost of home and community based services is less than one-half the average cost of institutional care.

And, I would be remiss not to mention the importance of quality services and supports. Wherever a person receives Medicaid services and supports, health and safety should be guaranteed. We should build a system that has strong quality controls. The bill includes the same quality protections as last year, but also emphasizes the importance of developing a strong and able workforce in the grants section.

As I said, States have made a great deal of progress in this area. But there is much more to do. The enthusiastic response to the systems change grants shows just how much States need help to reform their long term care systems to implement the principles of independence, community living, and economic opportunity. The Supreme Court found that, to the extent Medicaid dollars are used to pay for a person's long term care, that person has a right to receive those services in the most integrated setting appropriate. We in Congress have a responsibility to help States meet their obligations under Olmstead. It's up to the Federal Government to provide national leadership and adequate resources.

Community-based attendant services and supports allow people with disabilities to lead independent lives, have jobs, and participate in the community. Some will become taxpayers, some will do volunteer work, some will get an education, some will participate in recreational and other community activities. All will experience a better quality of life, and a better chance to take part in the American dream.

I urge my colleagues and their staff to study our proposal over the break. I hope there will be hearings and action on this bill in the next year.

This bill will open the door to full participation by people with disabilities in our workplaces, our economy, and our American Dream, and I urge all my colleagues to support us on this issue. I thank the cosponsors of this bill. Senator KENNEDY and Senator SPECTER have been leaders on disability issues for a long time. And I also thank Senator CLINTON and Senator BIDEN for joining me on this very important issue.

By Mr. DOMENICI (for himself, Mrs. CLINTON, Mr. REID, Mrs. BOXER, Ms. MIKULSKI, Mr. BINGAMAN, and Mrs. HUTCHISON):

S. 1299. A bill to amend the Safe Drinking Water Act to establish a program to provide assistance to small communities for use in carrying out projects and activities necessary to achieve or maintain compliance with drinking water standards; to the Committee on Environment and Public Works.

Mr. DOMENICI. Madam President, I stand before you today to introduce a piece of legislation that will help move many States forward toward compliance with the arsenic drinking water standards the EPA Administrator intends to finalize in February. It has been said that ''a government must not waiver once it has chosen its course. It must not look to the left or to the right, but instead must go forward.'' This is the situation we find ourselves in today, our government has chosen a course and now we have no choice but to move forward.

My bill, the Community Drinking Water Assistance Act, authorizes $1.9 billion dollars to be made directly available to local communities and Tribes through the EPA. EPA would award grants to communities and Tribes needing assistance for projects, activities, technical assistance, or for training and certifying system operators. The criteria for awarding grants would be directly based on financial need and per capita costs of complying with the drinking water standards.

A new arsenic standard was promulgated in the waning hours of the Clinton Administration. While I do not fault the Bush administration for what they inherited, I must admit that I was disappointed when Administrator Whitman set a maximum standard without further scientific basis. It seemed illogical for Ms. Whitman to announce that the National Academy of Sciences would further review the health effects associated with arsenic, while simultaneously placing herself in a box that would set the maximum standard at 20 parts per billion. It would have been more logical to have waited for the studies to be completed before announcing what the standard would or would not be.

The course has been set and I would just like to take a moment to highlight what this course will mean for New Mexicans. First and foremost, Arsenic is naturally occurring in New Mexico. In fact, New Mexico has some of the highest levels of arsenic in the Nation, yet has a lower than average incidence of the diseases associated with arsenic. Nonetheless, for all systems in New Mexico to be in compliance with a standard of 20 parts per billion, we are looking at a minimum price tag of $127 million. What this means to small community water users is more staggering. The average cost to water users, in small systems serving less than 1,000 people, is $57.46, and this is for a standard of 20 parts per billion! The numbers are even more staggering for a 10 part per billion standard.

The New Mexico Environment Department estimates that if the standard is set at 10 parts per billion, approximately 25 percent of New Mexico's water systems will be affected. The price tag for compliance could fall between $400 million and $500 million in initial capital expenditures. Annual operating costs will easily fall anywhere between $16 and $21 million. Additionally, large water system users will see an average monthly water bill increase between $38 and $42 and small system users will see an average water bill increase of $91.

The costs of complying with either of these standards could well put small rural systems out of business, which is the exact opposite of what we should be trying to accomplish, providing a safe and reliable supply of drinking water to rural America. Many New Mexicans cannot afford a minimum $57.46 rate increase in their monthly water bill.

We live in a society that is dedicated to the removal of risk. Generally, when we get unintended consequences associated with risk averse decisions, the government stands ready with bandaids in every size. We still do not have a sound scientific basis suggesting what the actual arsenic standard should be. Therefore, to be ''on the safe side'' and remove risk, the government has chosen to set an arbitrary standard that will increase costs to water users, particularly in the West, by extreme proportions. Therefore, I do not assume that it is unfair to also ask that the government put itself in a position to offer financial assistance to these communities so that they can make the necessary repairs in their water systems to comply with this law. This is the only way to move forward on the course that has been set.

Mrs. CLINTON. Will the Senator yield? I would be honored to be an original cosponsor of that legislation.

Mr. DOMENICI. I ask unanimous consent Senator CLINTON and Senator REID be added as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. And Senator BOXER.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. See all this great bipartisanship.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1299

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Community Drinking Water Assistance Act''.

SEC. 2. FINDINGS.

Congress finds that—

(1) drinking water standards proposed and in effect as of the date of enactment of this Act will place a large financial burden on many public water systems, especially those public water systems in rural communities serving small populations;

(2) the limited scientific, technical, and professional resources available in small communities complicate the implementation of regulatory requirements;

(3) small communities often cannot afford to meet water quality standards because of the expenses associated with upgrading public water systems and training personnel to operate and maintain the public water systems;

(4) small communities do not have a tax base for dealing with the costs of upgrading their public water systems;

(5) small communities face high per capita costs in improving drinking water quality;

(6) small communities would greatly benefit from a grant program designed to provide funding for water quality projects;

(7) as of the date of enactment of this Act, there is no Federal program in effect that adequately meets the needs of small, primarily rural communities with respect to public water systems; and

(8) since new, more protective arsenic drinking water standards proposed by the Clinton and Bush administrations, respectively, are expected to be implemented in 2006, the grant program established by the amendment made by this Act should be implemented in a manner that ensures that the implementation of those new standards is not delayed.

SEC. 3. ASSISTANCE FOR SMALL PUBLIC WATER SYSTEMS.

(a) DEFINITION OF INDIAN TRIBE.—Section 1401(14) of the Safe Drinking Water Act (42 U.S.C. 300f(14)) is amended in the second sentence by striking ''1452,'' and inserting ''1452 and part G,''.

(b) ESTABLISHMENT OF PROGRAM.—The Safe Drinking Water Act (42 U.S.C. 300f et seq.) is amended by adding at the end the following:

''PART G—ASSISTANCE FOR SMALL PUBLIC WATER SYSTEMS

''SEC. 1471. DEFINITIONS.

''In this part:

''(1) ELIGIBLE ACTIVITY.—

''(A) IN GENERAL.—The term 'eligible activity' means a project or activity concerning a small public water system that is carried out

by an eligible entity to comply with drinking water standards.

''(B) INCLUSIONS.—The term 'eligible activity' includes—

''(i) obtaining technical assistance; and

''(ii) training and certifying operators of small public water systems.

''(C) EXCLUSION.—The term 'eligible activity' does not include any project or activity to increase the population served by a small public water system, except to the extent that the Administrator determines such a project or activity to be necessary to—

''(i) achieve compliance with a national primary drinking water regulation; and

''(ii) provide a water supply to a population that, as of the date of enactment of this part, is not served by a safe public water system.

''(2) ELIGIBLE ENTITY.—The term 'eligible entity' means a small public water system that—

''(A) is located in a State or an area governed by an Indian Tribe; and

''(B)(i) if located in a State, serves a community that, under affordability criteria established by the State under section 1452(d)(3), is determined by the State to be—

''(I) a disadvantaged community; or

''(II) a community that may become a disadvantaged community as a result of carrying out an eligible activity; or

''(ii) if located in an area governed by an Indian Tribe, serves a community that is determined by the Administrator, under affordability criteria published by the Administrator under section 1452(d)(3) and in consultation with the Secretary, to be—

''(I) a disadvantaged community; or

''(II) a community that the Administrator expects to become a disadvantaged community as a result of carrying out an eligible activity.

''(3) PROGRAM.—The term 'Program' means the small public water assistance program established under section 1472(a).

''(4) SECRETARY.—The term 'Secretary' means the Secretary of Health and Human Services, acting through the Director of the Indian Health Service.

''(5) SMALL PUBLIC WATER SYSTEM.—The term 'small public water system' means a public water system (including a community water system and a noncommunity water system) that serves—

''(A) a community having a population of not more than 200,000; or

''(B) the city of Albuquerque, New Mexico.

''SEC. 1472. SMALL PUBLIC WATER SYSTEM ASSISTANCE PROGRAM.

''(a) ESTABLISHMENT.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of this part, the Administrator shall establish a program to provide grants to eligible entities for use in carrying out projects and activities to comply with drinking water standards.

''(2) PRIORITY.—The Administrator shall award grants under the Program to eligible entities based on—

''(A) first, the financial need of the community for the grant assistance, as determined by the Administrator; and

''(B) second, with respect to the community in which the eligible entity is located, the per capita cost of complying with drinking water standards, as determined by the Administrator.

''(b) APPLICATION PROCESS.—

''(1) IN GENERAL.—An eligible entity that seeks to receive a grant under the Program shall submit to the Administrator, on such form as the Administrator shall prescribe (not to exceed 3 pages in length), an application to receive the grant.

''(2) COMPONENTS.—The application shall include—

''(A) a description of the eligible activities for which the grant is needed;

''(B) a description of the efforts made by the eligible entity, as of the date of submission of the application, to comply with drinking water standards; and

''(C) any other information required to be included by the Administrator.

''(3) REVIEW AND APPROVAL OF APPLICATIONS.—

''(A) IN GENERAL.—On receipt of an application under paragraph (1), the Administrator shall forward the application to the Council.

''(B) APPROVAL OR DISAPPROVAL.—Not later than 90 days after receiving the recommendations of the Council under subsection (e) concerning an application, after taking into consideration the recommendations, the Administrator shall—

''(i) approve the application and award a grant to the applicant; or

''(ii) disapprove the application.

''(C) RESUBMISSION.—If the Administrator disapproves an application under subparagraph (B)(ii), the Administrator shall—

''(i) inform the applicant in writing of the disapproval (including the reasons for the disapproval); and

''(ii) provide to the applicant a deadline by which the applicant may revise and resubmit the application.

''(c) COST SHARING.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the Federal share of the cost of carrying out an eligible activity using funds from a grant provided under the Program shall not exceed 90 percent.

''(2) WAIVER.—The Administrator may waive the requirement to pay the non-Federal share of the cost of carrying out an eligible activity using funds from a grant provided under the Program if the Administrator determines that an eligible entity is unable to pay, or would experience significant financial hardship if required to pay, the non-Federal share.

(d) ENFORCEMENT AND IMPLEMENTATION OF STANDARDS.—

(1) IN GENERAL.—Subject to paragraph (2), the Administrator shall not enforce any standard for drinking water under this Act (including a regulation promulgated under this Act) against an eligible entity during the period beginning on the date on which the eligible entity submits an application for a grant under the Program and ending, as applicable, on——

(A) the deadline specified in subsection (b)(3)(C)(ii), if the application is disapproved and not resubmitted; or

(B) the date that is 3 years after the date on which the eligible entity receives a grant under this part, if the application is approved.

(2) ARSENIC STANDARDS.—No standard for arsenic in drinking water promulgated under this Act (including a standard in any regulation promulgated before the date of enactment of this part) shall be implemented or enforced by the Administrator in any State until the earlier of January 1, 2006 or such date as the Administrator certifies to Congress that——

(A) the Program has been implemented in the state; and

(B) the State has made substantial progress, as determined by the Administrator in consultation with the Governor of the State, in complying with drinking water standards under this Act.

(e) ROLE OF COUNCIL.—The Council shall——

(1) review applications for grants from eligible entities received by the Administrator under subsection (b); and

(2) for each application, recommend to the Administrator whether the application should be approved or disapproved.

SEC. 1473. AUTHORIZATION OF APPROPRIATIONS.

''There is authorized to be appropriated to carry out this part $1,900,000,000 for the period of fiscal years 2001 through 2006.''

By Mr. BOND:

S. 1301. A bill to amend the Federal Food, Drug, and Cosmetic Act to improve the safety and efficacy of pharmaceuticals for children; to the Committee on Health, Education, Labor, and Pensions.

Mr. BOND. Madam President, I rise today to introduce a bill I call the ''Better Medicine for Children Act.''

This legislation deals with a problem that pediatricians have been confronted with for years, while doctors have a huge variety and choice of medicines to prescribe for different medical conditions, they don't always have enough specific information on how well these drugs work in children.

The Food and Drug Administration tells us that for about 70 to 80 percent of all drugs on the market, we do not have sufficient pediatric information. The FDA has identified more than 400 drugs which are used in children for whom we need more data.

Without pediatric testing for a specific drug, we may now know the proper dose to give to children of different ages or sizes. Without testing, we may not know if the drug is as effective as it is in adults, or even if it works in children at all. Almost all health care practitioners have faced difficult issues because of this scarcity of pediatric drug information.

I want to share a story I have been told that points out exactly how important this pediatric information can be. This real story involves an 18-month-old little boy who was in an intensive care unit following some serious surgery. He was under sedation from a drug known as propofol. At that time, we did not have much specific information on how this drug affected children, but some doctors prescribed the drug for children anyway because they honestly thought it was the best option. For this infant, it clearly was not, because of an adverse reaction to the drug, that baby developed acidosis and had a heart rhythm disturbance, causing a truly life-threatening incident. Fortunately, this little boy did recover. But this was by no means a sure thing.

Back in 1997, Congress decided to deal with this problem. We passed a law that gave pharmaceutical companies a strong incentive to do more pediatric testing so we can get this crucial information. If the company agreed to perform needed pediatric studies on a drug, and did the study exactly as requested by the Food and Drug Administration, the company would get a six-month extension on that drug's patent.

The results have been amazing. Hundreds of pediatric drug studies are underway and are producing huge amounts of new drug information for kids.

One example of new information is the drug propofol, the very drug I mentioned earlier that caused a serious

problem for the 18-month-old boy in the ICU. What they found in extensive pediatric studies done on propofol as a result of the new incentive is that the drug is more dangerous than other alternatives that could be used to sedate pediatric ICU patients.

So because of this testing, propofol would not be used in the same situation today. And that little boy wouldn't have had a life-threatening incident.

So if this incentive exists, and all of this new pediatric testing is being done, what's the problem?

Well, there are actually at least three problems. My legislation will deal with each of them.

First, the incentives expire at the end of this year. My ''Better Medicine for Children Act'' will extend this important and successful program for five more years.

Second, because the incentive used to encourage pediatric testing is an extended patent life, there's actually no incentive to do pediatric studies in drugs whose patent or patents have already expired. My legislation will authorize $200 million in funding so that tests can be performed on these off-patent drugs. The need here is great, of the 400-plus drugs the FDA has singled out for further pediatric study, more than one-third are off-patent.

With regard to these first two pieces of my bill, I should note my debt to legislation introduced by Senators DODD and DEWINE, from which I have based some of my bill. Senators DODD and DEWINE were the original authors of this critical legislation back in 1997. They had a good idea and a good bill then, and they have a good idea and good legislation now. In fact, as a cosponsor of their bill I am pleased to report that the Dodd-DeWine bill was approved earlier today by the Senate HELP Committee.

But my legislation goes beyond other approaches and has a new and unique provision which is not in the Dodd-DeWine bill, and which addresses a third critical problem. This problem is that the new wave of pediatric testing has actually given us relatively little information about how pharmaceuticals affect the youngest children, particularly neonates. This is true because neonates aren't usually included in initial pediatric drug studies for medical or ethical reasons.

You would think that as we are talking about legislation to help ''children'' or ''kids,'' that would be helping all children. This certainly should be our expectation, but it is not the case. Unfortunately, the huge success this legislation has had in a broad sense masks the fact that the law doesn't help neonates, those babies less than one month old, and other younger children nearly as much.

An excerpt from testimony the American Academy of Pediatrics provided in a HELP Committee hearing last March puts it simply: ''. . . this population'', and here they are talking about neonates, ''has not benefitted significantly from the pediatric studies provision . . .''

Why is this the case? At times, I believe the FDA actually may not have asked for enough information in neonates or younger age groups—in other words, the agency may have just gotten lazy. That problem should be correctable, and in fact it is addressed by the Dodd-DeWine bill. The Dodd-DeWine legislation tries to make sure the FDA always asks for studies in neonates when it is appropriate to do so.

But as important as that step is, I don't believe it is enough. Because there are other reasons, beyond simply FDA not asking, why neonates cannot, at times, be included in initial pediatric studies.

There may be scientific reasons why the FDA may not always be able to ask for neonate studies. For example, as part of a drug test you may need to take regular blood samples from a test subject.

But a neonate only has so much blood, and at some point, too many blood tests could actually create a health problem. However, at some time in the future, the technology may well be developed enough to enable us to do this testing with smaller amounts of blood.

At other times, the FDA may not request studies that include the youngest children because of ethical concerns. If we are lacking information that gives us some clue how a neonate might react to a particular drug, perhaps drug information in a nearby age-group, for example, it may actually be dangerous to test a drug in young children. In a report released January that evaluated the entire pediatric incentive provision, the FDA uses the example of neurotropic drugs as ones we may not want to test in the youngest children without more information. But once this other information is developed, these studies may be possible.

The end result of all this is that we simply do not perform drug tests in the youngest kids as much. And because of that, we simply don't get as much useful information for younger children that can be put on a drug's label.

The drug I discussed earlier today, propofol, is a great example. I spoke about an 18-month-old little boy who, several years ago, had a serious problem when given the drug propofol. Today, a similar 18-month-old boy would not be given propofol under the same circumstances because of what we have learned from the pediatric studies performed in the interim. But propofol is a example of a drug that has now been tested in some children, about which we have learned some very important things, but has not yet been fully tested in the youngest children. Propofol is nonetheless used in younger children, even in neonates, but it has only been labeled far enough to include 2-month-olds.

Now, will these companies go back and actually do the studies in the younger kids? Almost certainly not.

Under current law, you only get one incentive period, one bite at the apple. That's it. If the last few decades have taught us anything, it is that pediatric studies just do not get done unless there is an economic incentive. Yet with the pediatric incentive already used for these drugs, the younger kids are out of luck.

What makes it worse for these younger kids is that there is almost no commercial incentive to study drugs in these age-groups. The raw size of this young population is so small, obviously even smaller than the population of children as a whole, that there is hardly ever sufficient market incentive for a drug company to perform the studies needed to help the youngest children.

Again, the FDA reports says it well: ''Once pediatric exclusivity is granted for studies in older pediatric age groups, section 505A does not provide an adequate incentive to conduct later studies in the younger age groups . . . This has left some age groups, especially neonates, unstudied, even where the need for the drug in those age groups is great.''

Children this young are almost certainly facing less-than-optimal health care outcomes—and perhaps even health risks—because they are still being prescribed propofol and similar drugs that haven't been tested in their age group. Of course, we may never know for sure what's happening with some of these drugs. Because, unless we find a way to produce a study in this age group, we will never know for sure how this drug works for the youngest children.

My legislation contains a provision that—in limited circumstances—would provide drug companies with a second patent extension to serve as an incentive to study drugs in the youngest groups of children. I believe this could serve as the incentive to make sure these younger children share fully in the positive results of this legislation.

However, understanding the various concerns about possible abuse of a second incentive, increased prices, and high profits, my second incentive is carefully limited.

First, the patent extension that serves as the incentive to perform studies in neonates and other young children is three months rather than six. While neonates and infants are extremely important age groups, it is an inescapable fact that there simply aren't as many of these young children running around as there are kids in general. Given this, and the legitimate concerns about marginally raising drug prices by keeping generic drugs off the market longer, I believe that limiting the neonatal incentive to three months is reasonable.

Second, unlike the existing pediatric incentives, my proposed second incentive period would not be available to drugs going through the FDA approval

process. If a drug company is doing pediatric studies prior to a drug's approval, it should be able to plan a sequential set of studies as part of the first set of pediatric tests.

Finally, the possibility of a second incentive period is restricted to drugs that fit one of two categories. First, drugs which cannot initially be studied in neonates or other young children because it is necessary to pursue sequential studies for scientific, medical, or ethical reasons. Second, drugs for which new uses have been discovered and for which drug studies in young children were not originally expected to be useful could qualify for a second incentive period.

Given these limits, my expectation is that the majority of drugs would not qualify for a second patent extension if my legislation were to pass. A significant enough amount to make a difference in young children's lives, yes. Enough to produce a tidal wave of additional patent extensions, no.

The FDA, from their January report, actually recommended that Congress consider the general idea I am talking about: ''When there is a need to proceed in a sequential manner for the development of pediatric information, FDA should have the option of issuing a second Written Request for the conduct of studies in the relevant younger age group(s). For this option to be meaningful, the second Written Request, after receiving the studies to an initial Written Request and pediatric exclusivity awarded, would be linked with a meaningful incentive to sponsors.''

Before 1997, we had a serious lack of information for children generally, so we provided an incentive to study drugs in children. We now have a lack of information for the youngest children, why not approve a second patent extension period to provide a new incentive for this age group? To me, this simply makes sense.

Separately, my bill also contains some provisions to improve the government, institutional, and human infrastructure needed to support pediatric drug testing. This includes a Dodd-DeWine provision to create a new Office of Pediatric Therapeutics within the Food and Drug Administration to monitor and facilitate the new pediatric drug testing. Furthermore, my bill will direct the National Institutes of Health to use programs that support young pediatric researchers to ensure there is an adequate supply of pediatric pharmacology experts to support the revolution in pediatric drug research.

Finally, this bill modifies some specific language in the Dodd-DeWine legislation to ensure that the $200 million fund designed to study drugs that have lost all patent life, and thus are not helped by the patent extension incentives—truly focuses on the highest-priority drugs.

Even with limited information, we have good medicine for children right now. But with more studies and information, we can, and must, produce better medicine for children.

STATEMENTS ON SUBMITTED RESOLUTIONS

SENATE RESOLUTION 145—RECOGNIZING THE 4,500,000 IMMIGRANTS HELPED BY THE HEBREW IMMIGRANT AID SOCIETY

Mr. KENNEDY (for himself and Mr. BROWNBACK) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 145

Whereas the United States has always been a country of immigrants and was built on the hard work and dedication of generations of those immigrants who have gathered on our shores;

Whereas, over the past 120 years, more than 4,500,000 migrants of all faiths have immigrated to the United States, Israel, and other safe havens around the world through the aid of the Hebrew Immigrant Aid Society (referred to in this resolution as 'HIAS'), the oldest international migration and refugee resettlement agency in the United States;

Whereas, since the 1970s, more than 400,000 refugees from more than 50 countries who have fled areas of conflict and instability, danger and persecution, have resettled in the United States with the high quality assistance of HIAS;

Whereas outstanding individuals such as former Secretary of State Henry Kissinger, artist Marc Chagall, Olympic gold-medalist Lenny Krayzelberg, poet and Nobel Laureate Joseph Brodsky, and author and restaurateur George Lang have been assisted by HIAS;

Whereas these immigrants and refugees have been provided with information, counseling, legal assistance, and other services, including outreach programs for the Russian-speaking immigrant community, with the assistance of HIAS; and

Whereas on September 9, 2001, HIAS will celebrate the 120th anniversary of its founding: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the contributions of the 4,500,000 immigrants and refugees served by HIAS to the United States and democracies throughout the world in the arts, sciences, government, and in other areas; and

(2) requests that the President issue a proclamation—

(A) recognizing September 9, 2001, as the 120th anniversary of the founding of the Hebrew Immigrant Aid Society; and

(B) calling on the people of the United States to conduct appropriate ceremonies, activities, and programs to demonstrate appreciation for the contributions made by the millions of immigrants and refugees served by HIAS.

SENATE RESOLUTION 146—DESIGNATING AUGUST 4, 2001, AS ''LOUIS ARMSTRONG DAY''

Mr. HATCH (for himself, Mr. SCHUMER, Mr. LIEBERMAN, and Mr. BREAUX) submitted the following resolution; which was referred to the Committee on the Judiciary.

Mr. HATCH. Mr. President, as we prepare to go into our August recess, I suggest we go out on a good note: I am today introducing a resolution designating this Saturday, August 4, 2001 as ''Louis Armstrong Day.''

Louis Armstrong always said he was born on the Fourth of July, 1900. Friends and fans alike accepted this without question. It was, after all, a perfect birthday for an American musical legend; it was a perfect day for a man who created a music that was, in my opinion, thoroughly American.

But then, years after that great jazzman's death in New York City in 1971, a researcher discovered Louis Armstrong's baptismal certificate, the standard notice of birth in New Orleans, that showed that Louis Armstrong actually was born on August 4, 1901. That means, that this Saturday is the centennial of the birth of one of America's greatest artistic icons.

All across the country this week and this summer there have been Louis Armstrong celebrations. Generations of Americans, of all races and backgrounds and from all walks of life, have loved and continue to love the music of Louis Armstrong, and I am happy to consider myself one of his millions of fans. Louis Armstrong's art is deep from the roots of America's musical traditions, at the same time as being one of the most innovative styles in the history of music. In my opinion, his music is transcendent, brilliant and, above all, joyful.

Music encompasses many mysteries, and, like art in general, one of those mysteries is how joy can be created in circumstances that are less than joyful. Louis Armstrong was born very poor, in New Orleans in 1901. The man who would be honored by presidents and kings around the world scrounged in garbage cans for food when he was a youth. He was an African-American whose life spanned the 20th century, with all of its degradations, discriminations and poverty that so many African-Americans suffered. It is always inexcusable that such circumstances could exist and do still exist in American society. It is nothing short of inspirational when human dignity survives these circumstances and transcends them. That was the life of Louis Armstrong.

It was an American life. I would like to quote the social and music critic Stanley Crouch, who wrote earlier this month in the New York Daily News:

As an improviser who worked in the collective context of the jazz band, Armstrong represented the freedom of the individual to make decisions that enhance the collective effort, which is the democratic ideal.

Our country is built on the belief that we can be free and empathetic enough for both the individual and the mass to make decisions that improve our circumstances. Just as the improvising jazz musician can dramatically reinterpret a song he or she once recorded another way, we Americans revisit issues and remake our policies when we think we can improve on our previous interpretations.

So when Armstrong revolutionized American music in the 1920s, he was giving our political system a sound that transcended politics, color, sex, region, religion and class. Instrumentalists, singers, composers and dancers all understood that there was something

in what Armstrong did with the music that could apply to them. Like the Wright Brothers, he opened up the sky, and anybody who developed the skill to fly was welcome to take the risk of leaving the safety of the ground.

The propulsion Armstrong used to lift the music became known as swing. It was a particularly American lilt in the rhythm. That lilt had no precedent in all world music. It was a new way of phrasing the endless potential for individual interpretation. One could call it the sound of the pursuit of happiness. That is why it was so charismatic and why it influenced so many, in and out of jazz—from Duke Ellington to Bing Crosby to Charlie Parker to Elvis Presley to Wynton Marsalis.

Mr. President, Stanley Crouch says it better than I ever could: ''One could call it the sound of the pursuit of happiness.''

In recent years, some have viewed Louis Armstrong from a fairly simplistic perspective. Some suggested he was too acquiescent to racism, a charge many of his fans find unwarranted. He was famous for criticizing President Eisenhower for his delays in desegregating the schools of Little Rock, Arkansas, in the 1950s. Hundreds of hours of audiotaped recordings of conversations of Louis Armstrong have recently been opened at the Louis Armstrong Archives at Queens College in Flushing, New York, and researchers who have heard them indicate that Louis Armstrong was indignant and enraged at the shame of racism in this country.

Others suggest that his music was also simplistic, referring to songs titled ''Jeepers, Creepers,'' ''Gone Fishin','' ''When You're Smiling,'' ''That Lucky Old Sun,'' ''Rockin' Chair,'' did not have the sophistication of serious music. Those critics, just aren't listening, in my opinion. They don't hear a trumpet sound that was honed over decades and has not been replicated. They don't hear a voice tempered by years of performance and musically tuned and timed to perfection.

I am certainly not a serious music critic. I'll just quote Louis Armstrong, when he was asked what kind of music he listened to: ''There are two kinds of music,'' he said. ''Good music and bad music—I listen to the good music!'' I agree with Louis Armstrong!

As most of my colleagues know, I also grew up in modest circumstances. But in addition to love, support and faith my parents gave me, which could not have a price put on them, they gave me something else intangible: A love of music. When we were young, my parents scraped together money for piano lessons for my siblings and me, and later even for violin lessons. As you can see, I became a Senator!

My parents also sacrificed to save what was then a phenomenal sum: $18.75 for a student season pass in the cheap seats for the Pittsburgh Symphony Orchestra. I went to every concert I could, and it was there that I first learned of the uplifting experience of music, an appreciation I am grateful to have had all of my life.

Louis Armstrong's music uplifted people. Is it no coincidence that his music was adored on the other side of the Iron Curtain? That millions around the world, on all continents, would flock to hear him on his tours? No, that is no coincidence. That is the power of music in general, and the genius of Louis Armstrong in particular.

Louis Armstrong's music remains loved today by millions around the world, and I think virtually every jazz performer has credited Louis Armstrong for some level of inspiration. One of America's greatest contemporary jazz trumpeters, Mr. Wynton Marsalis, was quoted in last Sunday's Deseret News saying that Louis Armstrong ''is the one who taught all of us how to play. He taught the whole world about jazz.''

My resolution today, which I am pleased to have co-sponsored by Senators SCHUMER, BREAUX and LIEBERMAN, recognizes the brilliance of this great American's artistic contribution. This Saturday, on the occasion of the centennial of his birth, I hope we all have a moment to pause in joy and gratitude for the uplifting experience of Louis Armstrong's music. I know that, for me, when I think of the life and work of Louis Armstrong, I say to myself: What a Wonderful World.

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Whereas Louis Armstrong's artistic contribution as an instrumentalist, vocalist, arranger, and bandleader is one of the most significant contributions in 20th century American music;

Whereas Louis Armstrong's thousands of performances and hundreds of recordings created a permanent body of musical work defining American music in the 20th century, from which musicians continue to draw inspiration;

Whereas Louis Armstrong and his bandmates served as international ambassadors of goodwill for the United States, entertaining and uplifting millions of people of all races around the world;

Whereas Louis Armstrong is one of the most well-known, respected, and beloved African-Americans of the 20th century;

Whereas Louis Armstrong was born to a poor family in New Orleans on August 4, 1901 and died in New York City on July 6, 1971 having been feted by kings and presidents throughout the world as one of our Nation's greatest musicians; and

Whereas August 4, 2001 is the centennial of Louis Armstrong's birth: Now, therefore, be it

Resolved, That the Senate—

(1) designates August 4, 2001, as ''Louis Armstrong Day''; and

(2) requests that the President issue a proclamation calling upon the people of the United States to observe the day with appropriate ceremonies and activities.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1213. Mrs. MURRAY (for herself and Mr. SHELBY) proposed an amendment to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

SA 1214. Ms. MIKULSKI (for herself and Mr. BOND) proposed an amendment to the bill H.R. 2620, making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002, and for other purposes.

SA 1215. Mr. REID (for himself and Mr. ENSIGN) submitted an amendment intended to be proposed by him to the bill H.R. 2620, supra; which was ordered to lie on the table.

SA 1216. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 2620, supra; which was ordered to lie on the table.

SA 1217. Ms. MIKULSKI (for herself and Mr. BOND) proposed an amendment to amendment SA 1214 proposed by Ms. MIKULSKI to the bill (H.R. 2620) supra.

SA 1218. Mr. WELLSTONE proposed an amendment to amendment SA 1214 proposed by Ms. MIKULSKI to the bill (H.R. 2620) supra.

SA 1219. Mrs. BOXER proposed an amendment to amendment SA 1214 proposed by Ms. MIKULSKI to the bill (H.R. 2620) supra.

SA 1220. Mr. ALLARD submitted an amendment intended to be proposed by him to the bill H.R. 2620, supra; which was ordered to lie on the table.

SA 1221. Mr. SMITH of New Hampshire submitted an amendment intended to be proposed by him to the bill H.R. 2620, supra; which was ordered to lie on the table.

SA 1222. Mr. SMITH of New Hampshire submitted an amendment intended to be proposed by him to the bill H.R. 2620, supra; which was ordered to lie on the table.

SA 1223. Mr. SMITH of New Hampshire submitted an amendment intended to be proposed by him to the bill H.R. 2620, supra; which was ordered to lie on the table.

SA 1224. Mr. LOTT submitted an amendment intended to be proposed by him to the bill H.R. 2620, supra; which was ordered to lie on the table.

SA 1225. Mr. ALLARD submitted an amendment intended to be proposed by him to the bill H.R. 2620, supra; which was ordered to lie on the table.

SA 1226. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2620, supra; which was ordered to lie on the table.

SA 1227. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill H.R. 2620, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1213. Mrs. MURRAY (for herself and Mr. SHELBY) proposed an amendment to the bill H.R. 2299, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 81, between lines 13 and 14, insert the following:

SEC. 3 . SAFETY BELT USE LAW REQUIREMENTS.

Section 355(a) of the National Highway System Designation Act of 1995 (109 Stat. 624) is amended by striking ''has achieved'' and all that follows and inserting the following: ''has achieved a safety belt use rate of not less than 50 percent.''.

On Page 39, Line 5, strike ''$16,000,000'' and insert ''$13,000,000''.

At the appropriate place, insert ''$3,000,000 for Philadelphia, Pennsylvania, Cross County metro project''.

On page 81, between lines 13 and 14, insert the following:

SEC. 3 . STUDY OF MISSISSIPPI RIVER BRIDGE IN MEMPHIS, TENNESSEE.

Not later than 180 days after the date of enactment of this Act, the Secretary of

Transportation shall conduct a study and submit to Congress a report on the costs and benefits of constructing a third bridge across the Mississippi River in the Memphis, Tennessee, metropolitan area.

On page 55, line 2, insert after ''access,'' the following: ''preserving and utilizing existing Chicago-area reliever and general aviation airports,''.

At the end of title III, add the following:

SEC. 350. (a) Congress makes the following findings:

(1) Section 345 of the National Highway System Designation Act of 1995 authorizes limited relief to drivers of certain types of commercial motor vehicles from certain restrictions on maximum driving time and on-duty time.

(2) Subsection (c) of that section requires the Secretary of Transportation to determine by rulemaking proceedings that the exemptions granted are not in the public interest and adversely affect the safety of commercial motor vehicles.

(3) Subsection (d) of that section requires the Secretary of Transportation to monitor the safety performance of drivers of commercial motor vehicles who are subject to an exemption under section 345 and report to Congress prior to the rulemaking proceedings.

(b) It is the sense of Congress that the Secretary of Transportation should not take any action that would diminish or revoke any exemption in effect on the date of the enactment of this Act for drivers of vehicles under section 345 of the National Highway System Designation Act of 1995 (Public Law 104–59; 109 Stat. 613; 49 U.S.C. 31136 note) unless the requirements of subsections (c) and (d) of such section are satisfied.

On page 16, line 14, after ''research;'' insert the following: ''$375,000 shall be available for a traffic project for Auburn University;''.

SEC. . Section 41703 of Title 49, United States Code, is amended by adding at the end the following:

''(e) AIR CARGO VIA ALASKA.—For purposes of subsection (c) of this section, cargo taken on or off any aircraft at a place in Alaska in the course of transportation of that cargo by one or more air carriers or foreign air carriers in either direction between any place in the United States and a place not in the United States shall not be deemed to have broken its international journey, be taken on in, or be destined for Alaska.''

SEC. . Point Retreat Light Station, including all property under lease as of June 1, 2000, is transferred to the Alaska Lighthouse Association.

At the appropriate place insert:

SEC. 3 . PRIORITY HIGHWAY PROJECTS, MINNESOTA.

In selecting projects to carry out using funds apportioned under section 110 of title 23, United States Code, the State of Minnesota shall give priority consideration to the following projects:

(1) The Southeast Main and Rail Relocation Project in Moorhead, Minnesota.

(2) Improving access to and from I–35 W at Lake Street in Minneapolis, Minnesota.

On page 31, line 2, insert after ''amended'', the following: '': *Provided further*, That notwithstanding section 3008 of Public Law 105–78, $3,350,000 of the funds to carry out 49 U.S.C. 5308 shall be transferred to and merged with funding provided for the replacement, rehabilitation, and purchase of buses and related equipment and the construction of bus-related facilities under 'Federal Transit Administration, Capital investment grants' ''.

On page 33, line 12, insert after ''$568,200,000'', the following: ''together with $3,350,000 transferred from 'Federal Transit Administration, Formula grants to allow the Secretary to make a grant of $350,000 to Alamede Contra Costa County Transit District, CA and a grant of $6,000,000 for Central Oklahoma Transit facilities' ''.

On page 81, between lines 13 and 14, insert the following:

SEC. 3 . NOISE BARRIERS, GEORGIA.

Notwithstanding any other provision of law, the Secretary of Transportation shall approve the use of funds apportioned under paragraphs (1) and (3) of section 104(b) of title 23, United States Code, for construction of Type II noise barriers—

(1) at the locations identified in section 358 of the Department of Transportation and Related Agencies Appropriations Act, 2000 (113 Stat. 1027); and

(2) on the west side of Interstate Route 285 from Henderson Mill Road to Chamblee Tucker Road in DeKalb County, Georgia.

Page 16, line 5, after ''$316,521,000'' insert '', of which $25,000,000 shall be available to the National Scenic Byways program, $500,000 shall be for the Kalispell, MT, Bypass Project, and the remainder''

Page 61, line 16, after $20,000,000, insert ''of which $4,000,000 shall be only for the Charleston International Airport, SC parking facility project; $2,000,000 shall be only for the Caraway Overpass Project in Jonesboro, AR; $1,000,000 shall be only for the Moorhead, MN Southeast Main Rail relocation project; $1,500,000 shall be only for the Interstate Route 295 and Commercial Street connector in Portland, ME; and $500,000 shall be only for the Calais, ME Downeast Heritage Center, access, parking, and pedestrian improvements,''

At the appropriate place, insert the following:

SEC. . The Secretary is directed to give priority consideration to applications for airport improvement grants for the Addison Airport in Addison, Texas, Pearson Airpark in Vancouver, Washington, Mobile Regional Airport in Mobile, Alabama, Marks Airport in Mississippi, Madison Airport in Mississippi, and Birmingham International Airport in Birmingham, Alabama.

At the end of title III, add the following:

SEC. . Section 5117(b)(3) of the Transportation Equity Act for the 21st Century (Public Law 105–178; 112 Stat. 449; 23 U.S.C. 502 note) is amended —

(1) by redesignating subparagraphs (C), (D), and (E) as subparagraphs (D), (F), and (G), respectively;

(2) by inserting after subparagraph (B) the following new subparagraph (C):

''(C) FOLLOW-ON DEPLOYMENT.—(i) After an intelligent transportation infrastructure system deployed in an initial deployment area pursuant to a contract entered into under the program under this paragraph has received system acceptance, the original contract that was competitively awarded by the Department of Transportation for the deployment of the system in that area shall be extended to provide for the system to be deployed in the follow-on deployment areas under the contract, using the same asset ownership, maintenance, fixed price contract, and revenue sharing model, and the same competitively selected consortium leader, as were used for the deployment in that initial deployment area under the program.

''(ii) If any one of the follow-on deployment areas does not commit, by July 1, 2002, to participate in the deployment of the system under the contract, then, upon application by any of the other follow-on deployment areas that have committed by that date to participate in the deployment of the system, the Secretary shall supplement the funds made available for any of the follow-on deployment areas submitting the applications by using for that purpose the funds not used for deployment of the system in the nonparticipating area. Costs paid out of funds provided in such a supplementation shall not be counted for the purpose of the limitation on maximum cost set forth in subparagraph (B).'';

(4) by inserting after subparagraph (D), as redesignated by paragraph (1), the following new subparagraph (E):

''(E) DEFINITIONS.—In this paragraph:

''(i) The term 'initial deployment area' means a metropolitan area referred to in the second sentence of subparagraph (A).

''(ii) The term 'follow-on deployment areas' means the metropolitan areas of Baltimore, Birmingham, Boston, Chicago, Cleveland, Dallas/Ft. Worth, Denver, Detroit, Houston, Indianapolis, Las Vegas, Los Angeles, Miami, New York/Northern New Jersey, Northern Kentucky/Cincinnati, Oklahoma City, Orlando, Philadelphia, Phoenix, Pittsburgh, Portland, Providence, Salt Lake, San Diego, San Francisco, St. Louis, Seattle, Tampa, and Washington, District of Columbia.''; and

(5) in subparagraph (D), as redesignated by paragraph (1), by striking ''subparagraph (D)'' and inserting ''subparagraph (F)''.

SA 1214. Ms. MIKULSKI (for herself and Mr. BOND) proposed an amendment to the bill H.R. 2620, making appropriations for the Department of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002, and for other purposes; as follows:

Strike all after the enacting clause and insert:

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002, and for other purposes, namely:

TITLE I—DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

(INCLUDING TRANSFERS OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by law (38 U.S.C. 107, chapters 11, 13, 18, 51, 53, 55, and 61); pension benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 15, 51, 53, 55, and 61; 92 Stat. 2508); and burial benefits, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of Article IV of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, and for other benefits as authorized by law (38 U.S.C. 107, 1312, 1977, and 2106, chapters 23, 51, 53, 55, and 61; 50 U.S.C. App. 540–548; 43 Stat. 122, 123; 45 Stat. 735; 76 Stat. 1198), $24,944,288,000, to remain available until expended: *Provided*, That not to exceed $17,940,000 of the amount appropriated shall be reimbursed to ''General operating expenses'' and ''Medical care'' for necessary expenses in implementing those provisions authorized in the Omnibus Budget Reconciliation Act of 1990, and in the Veterans' Benefits Act of 1992 (38 U.S.C. chapters 51, 53, and 55), the funding source for which is specifically provided as the ''Compensation and pensions'' appropriation: *Provided further*, That such sums as may be earned on an actual qualifying patient basis, shall be

reimbursed to ''Medical facilities revolving fund'' to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by 38 U.S.C. chapters 21, 30, 31, 34, 35, 36, 39, 51, 53, 55, and 61, $2,135,000,000, to remain available until expended: *Provided,* That expenses for rehabilitation program services and assistance which the Secretary is authorized to provide under section 3104(a) of title 38, United States Code, other than under subsection (a)(1), (2), (5) and (11) of that section, shall be charged to the account: *Provided further,* That funds shall be available to pay any court order, court award or any compromise settlement arising from litigation involving the vocational training program authorized by section 18 of Public Law 98–77, as amended.

VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by 38 U.S.C. chapter 19; 70 Stat. 887; 72 Stat. 487, $26,200,000, to remain available until expended.

VETERANS HOUSING BENEFIT PROGRAM FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by 38 U.S.C. chapter 37, as amended: *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further,* That during fiscal year 2002, within the resources available, not to exceed $300,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $164,497,000, which may be transferred to and merged with the appropriation for ''General operating expenses''.

EDUCATION LOAN FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, $1,000, as authorized by 38 U.S.C. 3698, as amended: *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further,* That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $3,400.

In addition, for administrative expenses necessary to carry out the direct loan program, $64,000, which may be transferred to and merged with the appropriation for ''General operating expenses''.

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, $72,000, as authorized by 38 U.S.C. chapter 31, as amended: *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further,* That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $3,301,000.

In addition, for administrative expenses necessary to carry out the direct loan program, $274,000, which may be transferred to and merged with the appropriation for ''General operating expenses''.

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For administrative expenses to carry out the direct loan program authorized by 38 U.S.C. chapter 37, subchapter V, as amended, $544,000, which may be transferred to and merged with the appropriation for ''General operating expenses''.

GUARANTEED TRANSITIONAL HOUSING LOANS FOR HOMELESS VETERANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

Not to exceed $750,000 of the amounts appropriated by this Act for ''General operating expenses'' and ''Medical care'' may be expended for the administrative expenses to carry out the guaranteed loan program authorized by 38 U.S.C. chapter 37, subchapter VI.

VETERANS HEALTH ADMINISTRATION

MEDICAL CARE

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the maintenance and operation of hospitals, nursing homes, and domiciliary facilities; for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs, including care and treatment in facilities not under the jurisdiction of the department; and furnishing recreational facilities, supplies, and equipment; funeral, burial, and other expenses incidental thereto for beneficiaries receiving care in the department; administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction and renovation of any facility under the jurisdiction or for the use of the department; oversight, engineering and architectural activities not charged to project cost; repairing, altering, improving or providing facilities in the several hospitals and homes under the jurisdiction of the department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; aid to State homes as authorized by 38 U.S.C. 1741; administrative and legal expenses of the department for collecting and recovering amounts owed the department as authorized under 38 U.S.C. chapter 17, and the Federal Medical Care Recovery Act, 42 U.S.C. 2651 et seq., $21,379,742,000, plus reimbursements: *Provided,* That of the funds made available under this heading, $675,000,000 is for the equipment and land and structures object classifications only, which amount shall not become available for obligation until August 1, 2002, and shall remain available until September 30, 2003: *Provided further,* That of the funds made available under this heading, not to exceed $900,000,000 shall be available until September 30, 2003: *Provided further,* That, in addition to other funds made available under this heading for non-recurring maintenance and repair (NRM) activities, $30,000,000 shall be available without fiscal year limitation to support the NRM activities necessary to implement Capital Asset Realignment for Enhanced Services (CARES) activities: *Provided further,* That from amounts appropriated under this heading, additional amounts, as designated by the Secretary no later than September 30, 2002, may be used for CARES activities without fiscal year limitation: *Provided further,* That the Secretary of Veterans Affairs shall conduct by contract a program of recovery audits for the fee basis and other medical services contracts with respect to payments for hospital care; and, notwithstanding 31 U.S.C. 3302(b), amounts collected, by setoff or otherwise, as the result of such audits shall be available, without fiscal year limitation, for the purposes for which funds are appropriated under this heading and the purposes of paying a contractor a percent of the amount collected as a result of an audit carried out by the contractor: *Provided further,* That all amounts so collected under the preceding proviso with respect to a designated health care region (as that term is defined in 38 U.S.C. 1729A(d)(2)) shall be allocated, net of payments to the contractor, to that region.

In addition, in conformance with Public Law 105–33 establishing the Department of Veterans Affairs Medical Care Collections Fund, such sums as may be deposited to such Fund pursuant to 38 U.S.C. 1729A may be transferred to this account, to remain available until expended for the purposes of this account.

MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by 38 U.S.C. chapter 73, to remain available until September 30, 2003, $390,000,000, plus reimbursements.

MEDICAL ADMINISTRATION AND MISCELLANEOUS OPERATING EXPENSES

For necessary expenses in the administration of the medical, hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of capital policy activities, $67,628,000, plus reimbursements: *Provided,* That technical and consulting services offered by the Facilities Management Field Service, including project management and real property administration (including leases, site acquisition and disposal activities directly supporting projects), shall be provided to Department of Veterans Affairs components only on a reimbursable basis, and such amounts will remain available until September 30, 2002.

DEPARTMENTAL ADMINISTRATION

GENERAL OPERATING EXPENSES

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including uniforms or allowances therefor; not to exceed $25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, and the Department of Defense for the cost of overseas employee mail, $1,194,831,000: *Provided,* That expenses for services and assistance authorized under 38 U.S.C. 3104(a)(1), (2), (5) and (11) that the Secretary determines are necessary to enable entitled veterans (1) to the maximum extent feasible, to become employable and to obtain and maintain suitable employment; or (2) to achieve maximum independence in daily living, shall be charged to this account: *Provided further,* That of the funds made available under this heading, not to exceed $60,000,000 shall be available until September 30, 2003: *Provided further,* That of the funds made available under this heading, the Veterans Benefits Administration may purchase up to four passenger motor vehicles for use in their Manila, Philippines operation: *Provided further,* That travel expenses for this account shall not exceed $15,665,000.

NATIONAL CEMETERY ADMINISTRATION

For necessary expenses of the National Cemetery Administration for operations and maintenance, not otherwise provided for, including uniforms or allowances therefor; cemeterial expenses as authorized by law; purchase of one passenger motor vehicle for use in cemeterial operations; and hire of passenger motor vehicles, $121,169,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, $48,308,000.

CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending and improving any of the facilities under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, and 8122 of title 38, United States Code, including planning, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is $4,000,000 or more or where funds for a project were made available in a previous major project appropriation, $155,180,000, to remain available until expended, of which $60,000,000 shall be for Capital Asset Realignment for Enhanced Services (CARES) activities; and of which not to exceed $20,000,000 shall be for costs associated with land acquisitions for national cemeteries in the vicinity of Sacramento, California; Pittsburgh, Pennsylvania; and Detroit, Michigan: *Provided,* That except for advance planning activities (including market-based and other assessments of needs which may lead to capital investments) funded through the advance planning fund, design of projects funded through the design fund, and planning and design activities funded through the CARES fund (including market-based and other assessments of needs which may lead to capital investments), none of these funds shall be used for any project which has not been approved by the Congress in the budgetary process: *Provided further,* That funds provided in this appropriation for fiscal year 2002, for each approved project (except those for CARES activities and the three land acquisitions referenced above) shall be obligated: (1) by the awarding of a construction documents contract by September 30, 2002; and (2) by the awarding of a construction contract by September 30, 2003: *Provided further,* That the Secretary shall promptly report in writing to the Committees on Appropriations any approved major construction project in which obligations are not incurred within the time limitations established above: *Provided further,* That no funds from any other account except the ''Parking revolving fund'', may be obligated for constructing, altering, extending, or improving a project which was approved in the budget process and funded in this account until one year after substantial completion and beneficial occupancy by the Department of Veterans Affairs of the project or any part thereof with respect to that part only.

CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities under the jurisdiction or for the use of the Department of Veterans Affairs, including planning and assessments of needs which may lead to capital investments, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, 8122, and 8162 of title 38, United States Code, where the estimated cost of a project is less than $4,000,000, $178,900,000, to remain available until expended, along with unobligated balances of previous ''Construction, minor projects'' appropriations which are hereby made available for any project where the estimated cost is less than $4,000,000, of which $25,000,000 shall be for Capital Asset Realignment for Enhanced Services (CARES) activities: *Provided,* That from amounts appropriated under this heading, additional amounts may be used for CARES activities: *Provided further,* That funds in this account shall be available for: (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the department which are necessary because of loss or damage caused by any natural disaster or catastrophe; and (2) temporary measures necessary to prevent or to minimize further loss by such causes.

PARKING REVOLVING FUND

For the parking revolving fund as authorized by 38 U.S.C. 8109, income from fees collected and $4,000,000 from the General Fund, both to remain available until expended, which shall be available for all authorized expenses except operations and maintenance costs, which will be funded from ''Medical care''.

GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify or alter existing hospital, nursing home and domiciliary facilities in State homes, for furnishing care to veterans as authorized by 38 U.S.C. 8131–8137, $100,000,000, to remain available until expended.

GRANTS FOR THE CONSTRUCTION OF STATE VETERANS CEMETERIES

For grants to aid States in establishing, expanding, or improving State veterans cemeteries as authorized by 38 U.S.C. 2408, $25,000,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 101. Any appropriation for fiscal year 2002 for ''Compensation and pensions'', ''Readjustment benefits'', and ''Veterans insurance and indemnities'' may be transferred to any other of the mentioned appropriations.

SEC. 102. Appropriations available to the Department of Veterans Affairs for fiscal year 2002 for salaries and expenses shall be available for services authorized by 5 U.S.C. 3109.

SEC. 103. No appropriations in this Act for the Department of Veterans Affairs (except the appropriations for ''Construction, major projects'', ''Construction, minor projects'', and the ''Parking revolving fund'') shall be available for the purchase of any site for or toward the construction of any new hospital or home.

SEC. 104. No appropriations in this Act for the Department of Veterans Affairs shall be available for hospitalization or examination of any persons (except beneficiaries entitled under the laws bestowing such benefits to veterans, and persons receiving such treatment under 5 U.S.C. 7901–7904 or 42 U.S.C. 5141–5204), unless reimbursement of cost is made to the ''Medical care'' account at such rates as may be fixed by the Secretary of Veterans Affairs.

SEC. 105. Appropriations available to the Department of Veterans Affairs for fiscal year 2002 for ''Compensation and pensions'', ''Readjustment benefits'', and ''Veterans insurance and indemnities'' shall be available for payment of prior year accrued obligations required to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 2001.

SEC. 106. Appropriations accounts available to the Department of Veterans Affairs for fiscal year 2002 shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from title X of the Competitive Equality Banking Act, Public Law 100–86, except that if such obligations are from trust fund accounts they shall be payable from ''Compensation and pensions''.

SEC. 107. Notwithstanding any other provision of law, during fiscal year 2002, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund (38 U.S.C. 1920), the Veterans' Special Life Insurance Fund (38 U.S.C. 1923), and the United States Government Life Insurance Fund (38 U.S.C. 1955), reimburse the ''General operating expenses'' account for the cost of administration of the insurance programs financed through those accounts: *Provided,* That reimbursement shall be made only from the surplus earnings accumulated in an insurance program in fiscal year 2002, that are available for dividends in that program after claims have been paid and actuarially determined reserves have been set aside: *Provided further,* That if the cost of administration of an insurance program exceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus earnings: *Provided further,* That the Secretary shall determine the cost of administration for fiscal year 2002, which is properly allocable to the provision of each insurance program and to the provision of any total disability income insurance included in such insurance program.

SEC. 108. For fiscal year 2002 only, funds available in any Department of Veterans Affairs appropriation or fund for salaries and other administrative expenses shall also be available to reimburse the Office of Resolution Management and the Office of Employment Discrimination Complaint Adjudication for all services provided at rates which will recover actual costs. Payments may be made in advance for services to be furnished, based on estimated costs. Amounts received shall be credited to the General Operating Expenses account for use by the office that provided the service. Total resources available to these offices for fiscal year 2002 shall not exceed $28,550,000 for the Office of Resolution Management and $2,383,000 for the Office of Employment and Discrimination Complaint Adjudication.

SEC. 109. Notwithstanding any other provision of law, the Department of Veterans Affairs shall continue the Franchise Fund pilot program authorized to be established by section 403 of Public Law 103–356 until October 1, 2002: *Provided,* That the Franchise Fund, established by Title I of Public Law 104–204 to finance the operations of the Franchise Fund pilot program, shall continue until October 1, 2002.

TITLE II—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

PUBLIC AND INDIAN HOUSING

HOUSING CERTIFICATE FUND

(INCLUDING RESCISSION AND TRANSFERS OF FUNDS)

For activities and assistance to prevent the involuntary displacement of low-income families, the elderly and the disabled because of the loss of affordable housing stock, expiration of subsidy contracts (other than contracts for which amounts are provided under another heading in this Act) or expiration of use restrictions, or other changes in housing assistance arrangements, and for other purposes, $15,658,769,000 and amounts that are recaptured in this account to remain available until expended: *Provided,* That of the total amount provided under this heading, $15,506,746,000, of which $11,306,746,000 shall be available on October 1,

2001 and $4,200,000,000 shall be available on October 1, 2002 shall be for assistance under the United States Housing Act of 1937, as amended (''the Act'' herein) (42 U.S.C. 1437): *Provided further,* That the foregoing amounts shall be for use in connection with expiring or terminating section 8 subsidy contracts, for amendments to section 8 subsidy contracts, for enhanced vouchers (including amendments and renewals) under any provision of law authorizing such assistance under section 8(t) of the Act (47 U.S.C. 1437f(t)), contract administrators, and contracts entered into pursuant to section 441 of the McKinney-Vento Homeless Assistance Act: *Provided further,* That amounts available under the first proviso under this heading shall be available for section 8 rental assistance under the Act: (1) for the relocation and replacement of housing units that are demolished or disposed of pursuant to the Omnibus Consolidated Rescissions and Appropriations Act of 1996; (2) for the conversion of section 23 projects to assistance under section 8; (3) for funds to carry out the family unification program; (4) for the relocation of witnesses in connection with efforts to combat crime in public and assisted housing pursuant to a request from a law enforcement or prosecution agency; (5) for tenant protection assistance, including replacement and relocation assistance; and (6) for the 1-year renewal of section 8 contracts at current rents for units in a project that is subject to an approved plan of action under the Emergency Low Income Housing Preservation Act of 1987 or the Low-Income Housing Preservation and Resident Homeownership Act of 1990: *Provided further,* That of the total amount provided under this heading, no less than $13,400,000 shall be transferred to the Working Capital Fund for the development and maintenance of information technology systems: *Provided further,* That of the total amount provided under this heading, $40,000,000 shall be made available to nonelderly disabled families affected by the designation of a public housing development under section 7 of the Act, the establishment of preferences in accordance with section 651 of the Housing and Community Development Act of 1992 (42 U.S.C. 13611), or the restriction of occupancy to elderly families in accordance with section 658 of such Act, and to the extent the Secretary determines that such amount is not needed to fund applications for such affected families, to other nonelderly disabled families: *Provided further,* That of the total amount provided under this heading, $98,623,000 shall be made available for incremental vouchers under section 8 of the Act on a fair share basis to those public housing agencies that have no less than 97 percent occupancy rate: *Provided further,* That amounts available under this heading may be made available for administrative fees and other expenses to cover the cost of administering rental assistance programs under section 8 of the Act: *Provided further,* That the fee otherwise authorized under section 8(q) of such Act shall be determined in accordance with section 8(q), as in effect immediately before the enactment of the Quality Housing and Work Responsibility Act of 1998: *Provided further,* That $615,000,000 are rescinded from unobligated balances remaining from funds appropriated to the Department of Housing and Urban Development under this heading or the heading ''Annual contributions for assisted housing'' for fiscal year 2002 and prior years: *Provided further,* That, after the amount is rescinded under the previous proviso, to the extent an additional amount is available for rescission from unobligated balances remaining for funds appropriated to the Department of Housing and Urban Development under this heading or the heading ''Annual contributions for assisted housing'' for fiscal year 2002 and prior years, such amount shall be made available on a pro-rata basis, no sooner than September 1, 2002, and shall be transferred for use under the ''Research and Related Activities'' account of the National Science Foundation, and shall be transferred for use under the ''Science, Aeronautics and Technology'' account of the National Aeronautics and Space Administration, and shall be transferred for use under the ''HOME investment partnership program'' account of the Department of Housing and Urban Development for the production of mixed-income housing for which this amount shall be used to assist the construction of units that serve extremely low-income families, and shall be transferred for use under the ''Housing for Special Populations'' account of the Department of Housing and Urban Development: *Provided further,* That the Secretary shall have until September 30, 2002, to meet the rescissions in the preceding provisos: *Provided further,* That any obligated balances of contract authority that have been terminated shall be canceled.

PUBLIC HOUSING CAPITAL FUND

(INCLUDING TRANSFER OF FUNDS)

For the Public Housing Capital Fund Program to carry out capital and management activities for public housing agencies, as authorized under section 9 of the United States Housing Act of 1937, as amended (42 U.S.C. 1437), $2,943,400,000, to remain available until September 30, 2003, of which up to $50,000,000 shall be for carrying out activities under section 9(h) of such Act, up to $500,000 shall be for lease adjustments to section 23 projects and no less than $43,000,000 shall be transferred to the Working Capital Fund for the development and maintenance of information technology systems: *Provided,* That no funds may be used under this heading for the purposes specified in section 9(k) of the United States Housing Act of 1937, as amended: *Provided further,* That of the total amount, up to $75,000,000 shall be available for the Secretary of Housing and Urban Development to make grants to public housing agencies for emergency capital needs resulting from emergencies and natural disasters in fiscal year 2002.

PUBLIC HOUSING OPERATING FUND

For payments to public housing agencies for the operation and management of public housing, as authorized by section 9(e) of the United States Housing Act of 1937, as amended (42 U.S.C. 1437g), $3,384,868,000, to remain available until September 30, 2003: *Provided,* That no funds may be used under this heading for the purposes specified in section 9(k) of the United States Housing Act of 1937, as amended.

DRUG ELIMINATION GRANTS FOR LOW-INCOME HOUSING

For grants to public housing agencies and Indian tribes and their tribally designated housing entities for use in eliminating crime in public housing projects authorized by 42 U.S.C. 11901–11908, for grants for federally assisted low-income housing authorized by 42 U.S.C. 11909, and for drug information clearinghouse services authorized by 42 U.S.C. 11921–11925, $300,000,000, to remain available until expended: *Provided,* That of the total amount provided under this heading, up to $3,000,000 shall be solely for technical assistance, technical assistance grants, training, and program assessment for or on behalf of public housing agencies, resident organizations, and Indian tribes and their tribally designated housing entities (including up to $150,000 for the cost of necessary travel for participants in such training) for oversight, training and improved management of this program; $2,000,000 shall be available to the Boys and Girls Clubs of America for the operating and start-up costs of clubs located in or near, and primarily serving residents of, public housing and housing assisted under the Native American Housing Assistance and Self-Determination Act of 1996: *Provided further,* That of the amount under this heading, $20,000,000 shall be available for the New Approach Anti-Drug program which will provide competitive grants to entities managing or operating public housing developments, federally assisted multifamily housing developments, or other multifamily housing developments for low-income families supported by non-Federal governmental entities or similar housing developments supported by nonprofit private sources in order to provide or augment security (including personnel costs), to assist in the investigation and/or prosecution of drug-related criminal activity in and around such developments, and to provide assistance for the development of capital improvements at such developments directly relating to the security of such developments: *Provided further,* That grants for the New Approach Anti-Drug program shall be made on a competitive basis as specified in section 102 of the Department of Housing and Urban Development Reform Act of 1989.

REVITALIZATION OF SEVERELY DISTRESSED PUBLIC HOUSING (HOPE VI)

For grants to public housing agencies for demolition, site revitalization, replacement housing, and tenant-based assistance grants to projects as authorized by section 24 of the United States Housing Act of 1937, as amended, $573,735,000 to remain available until September 30, 2003, of which the Secretary may use up to $7,500,000 for technical assistance and contract expertise, to be provided directly or indirectly by grants, contracts or cooperative agreements, including training and cost of necessary travel for participants in such training, by or to officials and employees of the department and of public housing agencies and to residents: *Provided,* That none of such funds shall be used directly or indirectly by granting competitive advantage in awards to settle litigation or pay judgments, unless expressly permitted herein.

NATIVE AMERICAN HOUSING BLOCK GRANTS

(INCLUDING TRANSFERS OF FUNDS)

For the Native American Housing Block Grants program, as authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (Public Law 104–330), $648,570,000, to remain available until expended, of which $2,200,000 shall be contracted through the Secretary as technical assistance and capacity building to be used by the National American Indian Housing Council in support of the implementation of NAHASDA; $5,000,000 shall be to support the inspection of Indian housing units, contract expertise, and technical assistance in the training, oversight, and management of Indian housing and tenant-based assistance, including up to $300,000 for related travel; and no less than $3,000,000 shall be transferred to the Working Capital Fund for the development and maintenance of information technology systems: *Provided,* That of the amount provided under this heading, $5,987,000 shall be made available for the cost of guaranteed notes and other obligations, as authorized by title VI of NAHASDA: *Provided further,* That such costs, including the costs of modifying such notes and other obligations, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further,* That these funds are available to subsidize the total principal amount of any notes and other obligations, any part of which is to be guaranteed, not to

exceed $54,600,000: *Provided further*, That for administrative expenses to carry out the guaranteed loan program, up to $150,000 from amounts in the first proviso, which shall be transferred to and merged with the appropriation for ''Salaries and expenses'', to be used only for the administrative costs of these guarantees.

INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, as authorized by section 184 of the Housing and Community Development Act of 1992 (106 Stat. 3739), $5,987,000, to remain available until expended: *Provided*, That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $234,283,000.

In addition, for administrative expenses to carry out the guaranteed loan program, up to $200,000 from amounts in the first paragraph, which shall be transferred to and merged with the appropriation for ''Salaries and expenses'', to be used only for the administrative costs of these guarantees.

NATIVE HAWAIIAN HOUSING LOAN GUARANTEE FUND

(INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, as authorized by section 184A of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13a), $1,000,000, to remain available until expended: *Provided*, That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $40,000,000.

In addition, for administrative expenses to carry out the guaranteed loan program, up to $35,000 from amounts in the first paragraph, which shall be transferred to and merged with the appropriation for ''Salaries and expenses'', to be used only for the administrative costs of these guarantees.

COMMUNITY PLANNING AND DEVELOPMENT

HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

For carrying out the Housing Opportunities for Persons with AIDS program, as authorized by the AIDS Housing Opportunity Act (42 U.S.C. 12901), $277,432,000, to remain available until September 30, 2003: *Provided*, That the Secretary shall renew all expiring contracts that were funded under section 854(c)(3) of such Act that meet all program requirements before awarding funds for new contracts and activities authorized under this section: *Provided further*, That the Secretary may use up to $2,000,000 of the funds under this heading for training, oversight, and technical assistance activities.

RURAL HOUSING AND ECONOMIC DEVELOPMENT

For the Office of Rural Housing and Economic Development in the Department of Housing and Urban Development, $25,000,000 to remain available until expended, which amount shall be awarded by June 1, 2002, to Indian tribes, State housing finance agencies, State community and/or economic development agencies, local rural nonprofits and community development corporations to support innovative housing and economic development activities in rural areas: *Provided*, That all grants shall be awarded on a competitive basis as specified in section 102 of the HUD Reform Act.

EMPOWERMENT ZONES/ENTERPRISE COMMUNITIES

For grants in connection with a second round of empowerment zones and enterprise communities, $75,000,000, to remain available until expended, for ''Urban Empowerment Zones'', as authorized in the Taxpayer Relief Act of 1997, including $5,000,000 for each empowerment zone for use in conjunction with economic development activities consistent with the strategic plan of each empowerment zone.

COMMUNITY DEVELOPMENT FUND

(INCLUDING TRANSFERS OF FUNDS)

For assistance to units of State and local government, and to other entities, for economic and community development activities, and for other purposes, $5,012,993,000, to remain available until September 30, 2004: *Provided*, That of the amount provided, $4,801,993,000 is for carrying out the community development block grant program under title I of the Housing and Community Development Act of 1974, as amended (the ''Act'' herein) (42 U.S.C. 5301): *Provided further*, That $71,000,000 shall be for flexible grants to Indian tribes notwithstanding section 106(a)(1) of such Act; $3,000,000 shall be available as a grant to the Housing Assistance Council; $2,600,000 shall be available as a grant to the National American Indian Housing Council; and $45,500,000 shall be for grants pursuant to section 107 of the Act of which $4,000,000 shall be made available to support Alaska Native serving institutions and Native Hawaiian serving institutions as defined under the Higher Education Act, as amended, and of which $3,000,000 shall be made available to tribal colleges and universities to build, expand, renovate and equip their facilities: *Provided further*, That $10,000,000 shall be made available to the Department of Hawaiian Home Lands to provide assistance as authorized under the Hawaiian Homelands Homeownership Act of 2000 (with no more than 5 percent of such funds being available for administrative costs): *Provided further*, That no less than $15,000,000 shall be transferred to the Working Capital Fund for the development and maintenance of information technology systems: *Provided further*, That $20,000,000 shall be for grants pursuant to the Self Help Housing Opportunity Program: *Provided further*, That not to exceed 20 percent of any grant made with funds appropriated herein (other than a grant made available in this paragraph to the Housing Assistance Council or the National American Indian Housing Council, or a grant using funds under section 107(b)(3) of the Act) shall be expended for ''Planning and Management Development'' and ''Administration'' as defined in regulations promulgated by the department.

Of the amount made available under this heading, $28,450,000 shall be made available for capacity building, of which $25,000,000 shall be made available for ''Capacity Building for Community Development and Affordable Housing'' for LISC and the Enterprise Foundation, for activities as authorized by section 4 of the HUD Demonstration Act of 1993 (Public Law 103–120), as in effect immediately before June 12, 1997, with not less than $5,000,000 of the funding to be used in rural areas, including tribal areas, and of which $3,450,000 shall be for capacity building activities administered by Habitat for Humanity International.

Of the amount made available under this heading, the Secretary of Housing and Urban Development may use up to $55,000,000 for supportive services for public housing residents, as authorized by section 34 of the United States Housing Act of 1937, as amended, and for residents of housing assisted under the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) and for grants for service coordinators and congregate services for the elderly and disabled residents of public and assisted housing and housing assisted under NAHASDA.

Of the amount made available under this heading, $80,000,000 is for grants to create or expand community technology centers in high poverty urban and rural communities and to provide technical assistance to those centers.

Of the amount made available under this heading, $25,000,000 shall be available for neighborhood initiatives that are utilized to improve the conditions of distressed and blighted areas and neighborhoods, to stimulate investment, economic diversification, and community revitalization in areas with population outmigration or a stagnating or declining economic base, or to determine whether housing benefits can be integrated more effectively with welfare reform initiatives.

Of the amount made available under this heading, notwithstanding any other provision of law, $60,000,000 shall be available for YouthBuild program activities authorized by subtitle D of title IV of the Cranston-Gonzalez National Affordable Housing Act, as amended, and such activities shall be an eligible activity with respect to any funds made available under this heading: *Provided*, That local YouthBuild programs that demonstrate an ability to leverage private and nonprofit funding shall be given a priority for YouthBuild funding: *Provided further*, That no more than ten percent of any grant award may be used for administrative costs: *Provided further*, That not less than $10,000,000 shall be available for grants to establish Youthbuild programs in underserved and rural areas: *Provided further*, That of the amount provided under this paragraph, $2,000,000 shall be set aside and made available for a grant to YouthBuild USA for capacity building for community development and affordable housing activities as specified in section 4 of the HUD Demonstration Act of 1993, as amended.

Of the amount made available under this heading, $140,000,000 shall be available for grants for the Economic Development Initiative (EDI) to finance a variety of economic development efforts in accordance with the terms and conditions specified for such grants in the Senate report accompanying this Act.

COMMUNITY DEVELOPMENT LOAN GUARANTEES PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, $14,000,000, as authorized by section 108 of the Housing and Community Development Act of 1974, as amended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $608,696,000, notwithstanding any aggregate limitation on outstanding obligations guaranteed in section 108(k) of the Housing and Community Development Act of 1974, as amended: *Provided further*, That in addition, for administrative expenses to carry out the guaranteed loan program, $1,000,000, which shall be transferred to and merged with the appropriation for ''Salaries and expenses''.

BROWNFIELDS REDEVELOPMENT

For Economic Development Grants, as authorized by section 108(q) of the Housing and Community Development Act of 1974, as amended, for Brownfields redevelopment projects, $25,000,000, to remain available

until September 30, 2003: *Provided*, That the Secretary of Housing and Urban Development shall make these grants available on a competitive basis as specified in section 102 of the Department of Housing and Urban Development Reform Act of 1989.

HOME INVESTMENT PARTNERSHIPS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For the HOME investment partnerships program, as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act, as amended, $1,796,040,000 to remain available until September 30, 2004, of which up to $20,000,000 of these funds shall be available for Housing Counseling under section 106 of the Housing and Urban Development Act of 1968; and of which no less than $17,000,000 shall be transferred to the Working Capital Fund for the development and maintenance of information technology systems.

HOMELESS ASSISTANCE GRANTS

(INCLUDING TRANSFER OF FUNDS)

For the emergency shelter grants program as authorized under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act, as amended; the supportive housing program as authorized under subtitle C of title IV of such Act; the section 8 moderate rehabilitation single room occupancy program as authorized under the United States Housing Act of 1937, as amended, to assist homeless individuals pursuant to section 441 of the McKinney-Vento Homeless Assistance Act; and the shelter plus care program as authorized under subtitle F of title IV of such Act, $1,022,745,000, to remain available until September 30, 2004: *Provided*, That not less than 30 percent of these funds shall be used for permanent housing, and all funding for services must be matched by 25 percent in funding by each grantee: *Provided further*, That all awards of assistance under this heading shall be required to coordinate and integrate homeless programs with other mainstream health, social services, and employment programs for which homeless populations may be eligible, including Medicaid, State Children's Health Insurance Program, Temporary Assistance for Needy Families, Food Stamps, and services funding through the Mental Health and Substance Abuse Block Grant, Workforce Investment Act, and the Welfare-to-Work grant program: *Provided further*, That no less than $14,200,000 of the funds appropriated under this heading is transferred to the Working Capital Fund to be used for technical assistance for management information systems and to develop an automated, client-level Annual Performance Report System: *Provided further*, That $500,000 shall be made available to the Interagency Council on the Homeless for administrative needs.

SHELTER PLUS CARE RENEWALS

For the renewal on an annual basis of contracts expiring during fiscal years 2002 and 2003 or amendment of contracts funded under the Shelter Plus Care program, as authorized under subtitle F of title IV of the McKinney-Vento Homeless Assistance Act, as amended, $99,780,000, to remain available until expended: *Provided*, That each Shelter Plus Care project with an expiring contract shall be eligible for renewal only if the project is determined to be needed under the applicable continuum of care and meets appropriate program requirements and financial standards, as determined by the Secretary.

HOUSING PROGRAMS

HOUSING FOR SPECIAL POPULATIONS

(INCLUDING TRANSFER OF FUNDS)

For assistance for the purchase, construction, acquisition, or development of additional public and subsidized housing units for low income families not otherwise provided for, $1,001,009,000, to remain available until expended: *Provided*, That $783,286,000 shall be for capital advances, including amendments to capital advance contracts, for housing for the elderly, as authorized by section 202 of the Housing Act of 1959, as amended, and for project rental assistance, and amendments to contracts for project rental assistance, for the elderly under such section 202(c)(2), and for supportive services associated with the housing, of which amount $50,000,000 shall be for service coordinators and the continuation of existing congregate service grants for residents of assisted housing projects, of which amount up to $3,000,000 shall be available to renew expiring project rental assisance contracts for up to a one-year term, and of which amount $50,000,000 shall be for grants under section 202b of the Housing Act of 1959 (12 U.S.C. 1701q–2) for conversion of eligible projects under such section to assisted living or related use: *Provided further*, That of the amount under this heading, $217,723,000 shall be for capital advances, including amendments to capital advance contracts, for supportive housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act, for project rental assistance, for amendments to contracts for project rental assistance, and supportive services associated with the housing for persons with disabilities as authorized by section 811 of such Act, of which up to $1,200,000 shall be available to renew expiring project rental assistance contracts for up to a one-year term: *Provided further*, That no less than $3,000,000, to be divided evenly between the appropriations for the section 202 and section 811 programs, shall be transferred to the Working Capital Fund for the development and maintenance of information technology systems: *Provided further*, That the Secretary may designate up to 25 percent of the amounts earmarked under this paragraph for section 811 of such Act for tenant-based assistance, as authorized under that section, including such authority as may be waived under the next proviso, which assistance is five years in duration: *Provided further*, That the Secretary may waive any provision of such section 202 and such section 811 (including the provisions governing the terms and conditions of project rental assistance and tenant-based assistance) that the Secretary determines is not necessary to achieve the objectives of these programs, or that otherwise impedes the ability to develop, operate, or administer projects assisted under these programs, and may make provision for alternative conditions or terms where appropriate.

FLEXIBLE SUBSIDY FUND

(TRANSFER OF FUNDS)

From the Rental Housing Assistance Fund, all uncommitted balances of excess rental charges as of September 30, 2001, and any collections made during fiscal year 2002, shall be transferred to the Flexible Subsidy Fund, as authorized by section 236(g) of the National Housing Act, as amended.

MANUFACTURED HOUSING FEES TRUST FUND

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses as authorized by the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended (42 U.S.C. 5401 et seq.), $17,254,000, to remain available until expended, to be derived from the Manufactured Housing Fees Trust Fund: *Provided*, That not to exceed the amount appropriated under this heading shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund pursuant to section 620 of such Act: *Provided further*, That the amount made available under this heading from the general fund shall be reduced as such collections are received during fiscal year 2002 so as to result in a final fiscal year 2002 appropriation from the general fund estimated at not more than $0.

FEDERAL HOUSING ADMINISTRATION

MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

During fiscal year 2002, commitments to guarantee loans to carry out the purposes of section 203(b) of the National Housing Act, as amended, shall not exceed a loan principal of $160,000,000,000.

During fiscal year 2002, obligations to make direct loans to carry out the purposes of section 204(g) of the National Housing Act, as amended, shall not exceed $250,000,000: *Provided*, That the foregoing amount shall be for loans to nonprofit and governmental entities in connection with sales of single family real properties owned by the Secretary and formerly insured under the Mutual Mortgage Insurance Fund.

For administrative expenses necessary to carry out the guaranteed and direct loan program, $336,700,000, of which not to exceed $332,678,000 shall be transferred to the appropriation for ''Salaries and expenses''; and not to exceed $4,022,000 shall be transferred to the appropriation for ''Office of Inspector General''. In addition, for administrative contract expenses, $160,000,000: *Provided*, That a combined total of $160,000,000 from amounts appropriated for administrative contract expenses under this heading or the heading ''FHA—General and Special Risk Program Account'' shall be transferred to the Working Capital Fund for the development and maintenance of information technology systems: *Provided further*, That to the extent guaranteed loan commitments exceed $65,500,000,000 on or before April 1, 2002 an additional $1,400 for administrative contract expenses shall be available for each $1,000,000 in additional guaranteed loan commitments (including a pro rata amount for any amount below $1,000,000), but in no case shall funds made available by this proviso exceed $16,000,000.

GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of guaranteed loans, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715z–3 and 1735c), including the cost of loan guarantee modifications as that term is defined in section 502 of the Congressional Budget Act of 1974, as amended, $15,000,000, to remain available until expended: *Provided*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, of up to $21,000,000,000: *Provided further*, That any amounts made available in any prior appropriations Act for the cost (as such term is defined in section 502 of the Congressional Budget Act of 1974) of guaranteed loans that are obligations of the funds established under section 238 or 519 of the National Housing Act that have not been obligated or that are deobligated shall be available to the Secretary of Housing and Urban Development in connection with the making of such guarantees and shall remain available until expended, notwithstanding the expiration of any period of availability otherwise applicable to such amounts.

Gross obligations for the principal amount of direct loans, as authorized by sections 204(g), 207(l), 238, and 519(a) of the National Housing Act, shall not exceed $50,000,000, of which not to exceed $30,000,000 shall be for bridge financing in connection with the sale

of multifamily real properties owned by the Secretary and formerly insured under such Act; and of which not to exceed $20,000,000 shall be for loans to nonprofit and governmental entities in connection with the sale of single-family real properties owned by the Secretary and formerly insured under such Act.

In addition, for administrative expenses necessary to carry out the guaranteed and direct loan programs, $216,100,000, of which $197,779,000, shall be transferred to the appropriation for ''Salaries and expenses''; and of which $18,321,000 shall be transferred to the appropriation for ''Office of Inspector General''. In addition, for administrative contract expenses necessary to carry out the guaranteed and direct loan programs, $144,000,000: *Provided,* That to the extent guaranteed loan commitments exceed $8,426,000,000 on or before April 1, 2002, an additional $19,800,000 for administrative contract expenses shall be available for each $1,000,000 in additional guaranteed loan commitments over $8,426,000,000 (including a pro rata amount for any increment below $1,000,000), but in no case shall funds made available by this proviso exceed $14,400,000.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION (GNMA)

GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN GUARANTEE PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

New commitments to issue guarantees to carry out the purposes of section 306 of the National Housing Act, as amended (12 U.S.C. 1721(g)), shall not exceed $200,000,000,000, to remain available until September 30, 2003.

For administrative expenses necessary to carry out the guaranteed mortgage-backed securities program, $9,383,000 to be derived from the GNMA guarantees of mortgage-backed securities guaranteed loan receipt account, of which not to exceed $9,383,000 shall be transferred to the appropriation for ''Salaries and expenses''.

POLICY DEVELOPMENT AND RESEARCH

RESEARCH AND TECHNOLOGY

For contracts, grants, and necessary expenses of programs of research and studies relating to housing and urban problems, not otherwise provided for, as authorized by title V of the Housing and Urban Development Act of 1970, as amended (12 U.S.C. 1701z–1 et seq.), including carrying out the functions of the Secretary under section 1(a)(1)(i) of Reorganization Plan No. 2 of 1968, $53,404,000, to remain available until September 30, 2003: *Provided,* That $3,000,000 shall be for program evaluation to support strategic planning, performance measurement, and their coordination with the Department's budget process: *Provided further,* That of the amount provided under this heading, $10,000,000 shall be for the Partnership for Advanced Technology in Housing.

FAIR HOUSING AND EQUAL OPPORTUNITY

FAIR HOUSING ACTIVITIES

For contracts, grants, and other assistance, not otherwise provided for, as authorized by title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, and section 561 of the Housing and Community Development Act of 1987, as amended, $45,899,000, to remain available until September 30, 2003, of which $24,000,000 shall be to carry out activities pursuant to such section 561: *Provided,* That no funds made available under this heading shall be used to lobby the executive or legislative branches of the Federal Government in connection with a specific contract, grant or loan.

OFFICE OF LEAD HAZARD CONTROL

LEAD HAZARD REDUCTION

For the Lead Hazard Reduction Program, as authorized by sections 1011 and 1053 of the Residential Lead-Based Hazard Reduction Act of 1992, $109,758,000 to remain available until September 30, 2003, of which $10,000,000 shall be for the Healthy Homes Initiative, pursuant to sections 501 and 502 of the Housing and Urban Development Act of 1970 that shall include research, studies, testing, and demonstration efforts, including education and outreach concerning lead-based paint poisoning and other housing-related diseases and hazards: *Provided,* That of the amounts provided under this heading, $1,000,000 shall be for the National Center for Lead-Safe Housing: *Provided further,* That of the amounts provided under this heading, $750,000 shall be for CLEARCorps.

MANAGEMENT AND ADMINISTRATION

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary administrative and non-administrative expenses of the Department of Housing and Urban Development, not otherwise provided for, including not to exceed $7,000 for official reception and representation expenses, $1,097,257,000, of which $530,457,000 shall be provided from the various funds of the Federal Housing Administration, $9,383,000 shall be provided from funds of the Government National Mortgage Association, $1,000,000 shall be provided from the ''Community development fund'' account, $150,000 shall be provided by transfer from the ''Title VI Indian federal guarantees program'' account, $200,000 shall be provided by transfer from the ''Indian housing loan guarantee fund program'' account and $35,000 shall be transferred from the Native Hawaiian Housing Loan Guarantee Fund: *Provided,* That no less than $85,000,000 shall be transferred to the Working Capital Fund for the development and maintenance of Information Technology Systems: *Provided further,* That the Secretary shall fill 7 out of 10 vacancies at the GS–14 and GS–15 levels until the total number of GS–14 and GS–15 positions in the Department has been reduced from the number of GS–14 and GS–15 positions on the date of enactment of Public Law 106–377 by two and one-half percent: *Provided further,* That of the amount under this heading, $1,500,000 shall be for necessary expenses of the Millenial Housing Commission, as authorized by Public Law 106–74 with the final report due no later than August 30, 2002.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, $88,898,000, of which $22,343,000 shall be provided from the various funds of the Federal Housing Administration: *Provided,* That the Inspector General shall have independent authority over all personnel issues within the Office of Inspector General.

CONSOLIDATED FEE FUND

(RESCISSION)

Of the balances remaining available from fees and charges under section 7(j) of the Department of Housing and Urban Development Act, $6,700,000 are rescinded.

OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For carrying out the Federal Housing Enterprise Financial Safety and Soundness Act of 1992, including not to exceed $500 for official reception and representation expenses, $27,000,000, to remain available until expended, to be derived from the Federal Housing Enterprise Oversight Fund: *Provided,* That not to exceed such amount shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund: *Provided further,* That the general fund amount shall be reduced as collections are received during the fiscal year so as to result in a final appropriation from the general fund estimated at not more than $0: *Provided further,* That this Office shall submit a staffing plan to the House and Senate Committees on Appropriations no later than January 30, 2002.

ADMINISTRATIVE PROVISIONS

SEC. 201. Fifty percent of the amounts of budget authority, or in lieu thereof 50 percent of the cash amounts associated with such budget authority, that are recaptured from projects described in section 1012(a) of the McKinney-Vento Homeless Assistance Amendments Act of 1988 (Public Law 100–628; 102 Stat. 3224, 3268) shall be rescinded, or in the case of cash, shall be remitted to the Treasury, and such amounts of budget authority or cash recaptured and not rescinded or remitted to the Treasury shall be used by State housing finance agencies or local governments or local housing agencies with projects approved by the Secretary of Housing and Urban Development for which settlement occurred after January 1, 1992, in accordance with such section. Notwithstanding the previous sentence, the Secretary may award up to 15 percent of the budget authority or cash recaptured and not rescinded or remitted to the Treasury to provide project owners with incentives to refinance their project at a lower interest rate.

SEC. 202. None of the amounts made available under this Act may be used during fiscal year 2002 to investigate or prosecute under the Fair Housing Act any otherwise lawful activity engaged in by one or more persons, including the filing or maintaining of a nonfrivolous legal action, that is engaged in solely for the purpose of achieving or preventing action by a Government official or entity, or a court of competent jurisdiction.

SEC. 203. (a) Notwithstanding section 854(c)(1)(A) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)(1)(A)), from any amounts made available under this title for fiscal year 2002 that are allocated under such section, the Secretary of Housing and Urban Development shall allocate and make a grant, in the amount determined under subsection (b), for any State that—

(1) received an allocation in a prior fiscal year under clause (ii) of such section; and

(2) is not otherwise eligible for an allocation for fiscal year 2002 under such clause (ii) because the areas in the State outside of the metropolitan statistical areas that qualify under clause (i) in fiscal year 2002 do not have the number of cases of acquired immunodeficiency syndrome (AIDS) required under such clause.

(b) The amount of the allocation and grant for any State described in subsection (a) shall be an amount based on the cumulative number of AIDS cases in the areas of that State that are outside of metropolitan statistical areas that qualify under clause (i) of such section 854(c)(1)(A) in fiscal year 2002, in proportion to AIDS cases among cities and States that qualify under clauses (i) and (ii) of such section and States deemed eligible under subsection (a).

SEC. 204. Section 225 of the Department of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2000, Public Law 106–74, is amended by inserting ''and fiscal year 2002'' after ''fiscal year 2001''.

SEC. 205. Section 236(g)(3)(A) of the National Housing Act is amended by striking out ''fiscal years 2000 and 2001'' and inserting in lieu thereof ''fiscal years 2000, 2001, and 2002''.

SEC. 206. Section 223(f)(1) of the National Housing Act is amended by inserting ''purchase or'' immediately before ''refinancing of existing debt''.

SEC. 207. Section 106(c)(9) of the Housing and Urban Development Act of 1968 is repealed.

SEC. 208. Section 251 of the National Housing Act is amended—

(1) in subsection (b), by striking ''issue regulations'' and all that follows and inserting the following: ''require that the mortgagee make available to the mortgagor, at the time of loan application, a written explanation of the features of an adjustable rate mortgage consistent with the disclosure requirements applicable to variable rate mortgages secured by a principal dwelling under the Truth in Lending Act.''; and

(2) by adding the following new subsection at the end:

''(d)(1) The Secretary may insure under this subsection a mortgage that meets the requirements of subsection (a), except that the effective rate of interest—

''(A) shall be fixed for a period of not less than the first 3 years of the mortgage term;

''(B) shall be adjusted by the mortgagee initially upon the expiration of such period and annually thereafter; and

''(C) in the case of the initial interest rate adjustment, is subject to the one percent limitation only if the interest rate remained fixed for five or fewer years.

''(2) The disclosure required under subsection (b) shall be required for a mortgage insured under this subsection.''.

SEC. 209. (a) Section 203(c) of the National Housing Act is amended—

(1) in paragraph (1), by striking ''and (k)'' and inserting ''or (k)''; and

(2) in paragraph (2)—

(A) by inserting immediately after ''subsection (v),'' the following: ''and each mortgage that is insured under subsection (k) or section 234(c),''; and

(B) by striking ''and executed on or after October 1, 1994,''.

(b) The amendments made by subsection (a) shall apply only to mortgages that are executed on or after the date of enactment of this Act or a later date determined by the Secretary and announced by notice in the Federal Register.

SEC. 210. Section 242(d)(4) of the National Housing Act is amended to read as follows:

''(4)(A) The Secretary, in conjunction with the Secretary of Health and Human Services, shall require satisfactory evidence that the hospital will be located in a State or political subdivision of a State with reasonable minimum standards of licensure and methods of operation for hospitals and satisfactory assurance that such standards will be applied and enforced with respect to the hospital.

''(B) The Secretary shall establish the means for determining need and feasibility for the hospital. If the State has an official procedure for determining need for hospitals, the Secretary shall also require that such procedure be followed before the application for insurance is submitted, and the application shall document that need has also been established under that procedure.''.

SEC. 211. Section 232(d)(4)(A) of the National Housing Act is amended to read as follows:

''(A)(i) The Secretary, in conjunction with the Secretary of Health and Human Services, shall require satisfactory evidence that a nursing home, intermediate care facility, or combined nursing home and intermediate care facility will be located in a State or political subdivision of a State with reasonable minimum standards of licensure and methods of operation for such homes, facilities, or combined homes and facilities. The Secretary shall also require satisfactory assurance that such standards will be applied and enforced with respect to the home, facility, or combined home or facility.

''(ii) The Secretary shall establish the means for determining need and feasibility for the home, facility, or combined home and facility. If the State has an official procedure for determining need for such homes, facilities, or combined homes and facilities, the Secretary shall also require that such procedure be followed before the application for insurance is submitted, and the application shall document that need has also been established under that procedure.''.

SEC. 212. Section 533 of the National Housing Act is amended to read as follows:

''SEC. 533. REVIEW OF MORTGAGEE PERFORMANCE AND AUTHORITY TO TERMINATE.—

''(a) PERIODIC REVIEW OF MORTGAGEE PERFORMANCE.—To reduce losses in connection with single family mortgage insurance programs under this Act, at least once a year the Secretary shall review the rate of early defaults and claims for insured single family mortgages originated or underwritten by each mortgagee.

''(b) COMPARISON WITH OTHER MORTGAGES.—For each mortgagee, the Secretary shall compare the rate of early defaults and claims for insured single family mortgage loans originated or underwritten by the mortgagee in an area with the rate of early defaults and claims for other mortgagees originating or underwriting insured single family mortgage loans in the area. For purposes of this section, the term ''area'' means each geographic area in which the mortgagee is authorized by the Secretary to originate insured single family mortgages.

''(c) TERMINATION OF MORTGAGEE ORIGINATION APPROVAL.—(1) Notwithstanding section 202(c) of this Act, the Secretary may terminate the approval of a mortgagee to originate or underwrite single family mortgages if the Secretary determines that the mortgage loans originated or underwritten by the mortgagee present an unacceptable risk to the insurance funds. The determination shall be based on the comparison required under subsection (b) and shall be made in accordance with regulations of the Secretary. The Secretary may rely on existing regulations published before this section takes effect.

''(2) The Secretary shall give a mortgagee at least 60 days prior written notice of any termination under this subsection. The termination shall take effect at the end of the notice period, unless the Secretary withdraws the termination notice or extends the notice period. If requested in writing by the mortgagee within 30 days of the date of the notice, the mortgagee shall be entitled to an informal conference with the official authorized to issue termination notices on behalf of the Secretary (or a designee of that official). At the informal conference, the mortgagee may present for consideration specific factors that it believes were beyond its control and that caused the excessive default and claim rate.''.

SEC. 213. Except as explicitly provided in legislation, any grant or assistance made pursuant to Title II of this Act shall be made in accordance with section 102 of the Department of Housing and Urban Development Reform Act of 1989 on a competitive basis.

SEC. 214. Public housing agencies in the State of Alaska shall not be required to comply with section 2(b) of the United States Housing Act of 1937, as amended, during fiscal year 2002.

SEC. 215. Notwithstanding any other provision of law, in fiscal year 2001 and for each fiscal year thereafter, in managing and disposing of any multifamily property that is owned or held by the Secretary and is occupied primarily by elderly or disabled families, the Secretary of Housing and Urban Development shall maintain any rental assistance payments under section 8 of the United States Housing Act of 1937 that are attached to any dwelling units in the property. To the extent the Secretary determines that such a multifamily property owned or held by the Secretary is not feasible for continued rental assistance payments under such section 8, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties or provide other rental assistance.

SEC. 216. (a) SECTION 207 LIMITS.—Section 207(c)(3) of the National Housing Act (12 U.S.C. 1713(c)(3)) is amended—

(1) by striking ''$30,420'', ''$33,696'', ''$40,248'', ''$49,608'', and ''$56,160'' and inserting ''$38,025'', ''$42,120'', ''$50,310'', ''$62,010'', and ''$70,200'', respectively;

(2) by striking ''$9,000'' and inserting ''$11,250''; and

(3) by striking ''$35,100'', ''$39,312'', ''$48,204'', ''$60,372'', and ''$68,262'' and inserting ''$43,875'', ''$49,140'', ''$60,255'', ''$75,465'', and ''$85,328'', respectively.

(b) SECTION 213 LIMITS.—Section 213(b)(2) of the National Housing Act (12 U.S.C. 1715e(b)(2)) is amended—

(1) by striking ''$30,420'', ''$33,696'', ''$40,248'', ''$49,608'', and ''$56,160'' and inserting ''$38,025'', ''$42,120'', ''$50,310'', ''$62,010'', and ''$70,200'', respectively; and

(2) by striking ''$35,100'', ''$39,312'', ''$48,204'', ''$60,372'', and ''$68,262'' and inserting ''$43,875'', ''$49,140'', ''$60,255'', ''$75,465'', and ''$85,328'', respectively.

(c) SECTION 220 LIMITS.—Section 220(d)(3)(B)(iii) of the National Housing Act (12 U.S.C. 1715k(d)(3)(B)(iii)) is amended—

(1) by striking ''$30,420'', ''$33,696'', ''$40,248'', ''$49,608'', and ''$56,160'' and inserting ''$38,025'', ''$42,120'', ''$50,310'', ''$62,010'', and ''$70,200'', respectively; and

(2) by striking ''$35,100'', ''$39,312'', ''$48,204'', ''$60,372'', and ''$68,262'' and inserting ''$43,875'', ''$49,140'', ''$60,255'', ''$75,465'', and ''$85,328'', respectively.

(d) SECTION 221(d)(3) LIMITS.—Section 221(d)(3)(ii) of the National Housing Act (12 U.S.C. 1715l(d)(3)(ii)) is amended—

(1) by striking ''$33,638'', ''$38,785'', ''$46,775'', ''$59,872'', and ''$66,700'' and inserting ''$42,048'', ''$48,481'', ''58,469'', ''$74,840'', and ''$83,375'', respectively; and

(2) by striking ''$35,400'', ''$40,579'', ''$49,344'', ''$63,834'', and ''$70,070'' and inserting ''$44,250'', ''$50,724'', ''$61,680'', ''$79,793'', and ''$87,588'', respectively.

(e) SECTION 221(d)(4) LIMITS.—Section 221(d)(4)(ii) of the National Housing Act (12 U.S.C. 1715l(d)(4)(ii)) is amended—

(1) by striking ''$30,274'', ''$34,363'', ''$41,536'', ''$52,135'', and ''$59,077'' and inserting ''$37,843'', ''$42,954'', ''$51,920'', ''$65,169'', and ''$73,846'', respectively; and

(2) by striking ''$32,701'', ''$37,487'', ''$45,583'', ''$58,968'', and ''$64,730'' and inserting ''$40,876'', ''$46,859'', ''$56,979'', ''$73,710'', and ''$80,913'', respectively.

(f) SECTION 231 LIMITS.—Section 231(c)(2) of the National Housing Act (12 U.S.C. 1715v(c)(2)) is amended—

(1) by striking ''$28,782'', ''$32,176'', ''$38,423'', ''$46,238'', and ''$54,360'' and inserting ''$35,978'', ''$40,220'', ''$48,029'', ''$57,798'', ''$67,950'', respectively; and

(2) by striking ''$32,701'', ''$37,487'', ''$45,583'', ''$58,968'', and ''$64,730'' and inserting ''$40,876'', ''$46,859'', ''$56,979'', ''$73,710'', and ''$80,913'', respectively.

(g) SECTION 234 LIMITS.—Section 234(e)(3) of the National Housing Act (12 U.S.C. 1715y(e)(3)) is amended—

(1) by striking ''$30,420'', ''$33,696'', ''$40,248'', ''$49,608'', and ''$56,160'' and inserting ''$38,025'', ''$42,120'', ''$50,310'', ''$62,010'', and ''$70,200'', respectively; and

(2) by striking ''$35,100'', ''$39,312'', ''$48,204'', ''$60,372'', and ''$68,262'' and inserting ''$43,875'', ''$49,140'', ''$60,255'', ''$75,465'', and ''$85,328'', respectively.

SEC. 217. Notwithstanding any other provision of law, the Tribal Student Housing Project proposed by the Cook Inlet Housing Authority is authorized to be constructed in accordance with its 1998 Indian Housing Plan from amounts previously appropriated for the benefit of the Housing Authority, a portion of which may be used as a maintenance reserve for the completed project.

TITLE III—INDEPENDENT AGENCIES

AMERICAN BATTLE MONUMENTS COMMISSION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one for replacement only) and hire of passenger motor vehicles; and insurance of official motor vehicles in foreign countries, when required by law of such countries, $28,466,000, to remain available until expended.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

SALARIES AND EXPENSES

For necessary expenses in carrying out activities pursuant to section 112(r)(6) of the Clean Air Act, including hire of passenger vehicles, uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902, and for services authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376, $7,621,000, $5,121,000 of which to remain available until September 30, 2002 and $2,500,000 of which to remain available until September 30, 2003: *Provided*, That the Chemical Safety and Hazard Investigation Board shall have not more than three career Senior Executive Service positions: *Provided further*, That, hereafter, there shall be an Inspector General at the Board who shall have the duties, responsibilities, and authorities specified in the Inspector General Act of 1978, as amended: *Provided further*, That an individual appointed to the position of Inspector General of the Federal Emergency Management Agency (FEMA) shall, by virtue of such appointment, also hold the position of Inspector General of the Board: *Provided further*, That the Inspector General of the Board shall utilize personnel of the Office of Inspector General of FEMA in performing the duties of the Inspector General of the Board, and shall not appoint any individuals to positions within the Board.

DEPARTMENT OF THE TREASURY

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS

FUND PROGRAM ACCOUNT

To carry out the Community Development Banking and Financial Institutions Act of 1994, including services authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for ES–3, $100,000,000, to remain available until September 30, 2003, of which $5,000,000 shall be for technical assistance and training programs designed to benefit Native American communities, and up to $9,850,000 may be used for administrative expenses, including administration of the New Markets Tax Credit, up to $6,000,000 may be used for the cost of direct loans, and up to $1,000,000 may be used for administrative expenses to carry out the direct loan program: *Provided*, That the cost of direct loans, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $51,800,000.

CONSUMER PRODUCT SAFETY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Consumer Product Safety Commission, including hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable under 5 U.S.C. 5376, purchase of nominal awards to recognize non-Federal officials' contributions to Commission activities, and not to exceed $500 for official reception and representation expenses, $56,200,000, of which $1,000,000 to remain available until September 30, 2004, shall be for a research project on sensor technologies.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

NATIONAL AND COMMUNITY SERVICE PROGRAMS

OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the Corporation for National and Community Service (the ''Corporation'') in carrying out programs, activities, and initiatives under the National and Community Service Act of 1990 (the ''Act'') (42 U.S.C. 12501 et seq.), $415,480,000, to remain available until September 30, 2003: *Provided*, That not more than $31,000,000 shall be available for administrative expenses authorized under section 501(a)(4) of the Act (42 U.S.C. 12671(a)(4)) with not less than $2,000,000 targeted for the acquisition of a cost accounting system for the Corporation's financial management system, an integrated grants management system that provides comprehensive financial management information for all Corporation grants and cooperative agreements, and the establishment, operation, and maintenance of a central archives serving as the repository for all grant, cooperative agreement, and related documents, without regard to the provisions of section 501(a)(4)(B) of the Act: *Provided further*, That not more than $2,500 shall be for official reception and representation expenses: *Provided further*, That of amounts previously transferred to the National Service Trust, $5,000,000 shall be available for national service scholarships for high school students performing community service: *Provided further*, That not more than $240,492,000 of the amount provided under this heading shall be available for grants under the National Service Trust program authorized under subtitle C of title I of the Act (42 U.S.C. 12571 et seq.) (relating to activities including the AmeriCorps program), of which not more than $47,000,000 may be used to administer, reimburse, or support any national service program authorized under section 121(d)(2) of such Act (42 U.S.C. 12581(d)(2)); not more than $25,000,000 shall be made available to activities dedicated to developing computer and information technology skills for students and teachers in low-income communities: *Provided further*, That not more than $10,000,000 of the funds made available under this heading shall be made available for the Points of Light Foundation for activities authorized under title III of the Act (42 U.S.C. 12661 et seq.), of which not more than $2,500,000 may be used to establish or support an endowment fund, the corpus of which shall remain intact and the interest income from which shall be used to support activities described in title III of the Act, provided that the Foundation may invest the corpus and income in federally insured bank savings accounts or comparable interest bearing accounts, certificates of deposit, money market funds, mutual funds, obligations of the United States, and other market instruments and securities but not in real estate investments: *Provided further*, That notwithstanding any other law $2,500,000 of the funds made available by the Corporation to the Foundation under Public Law 106–377 may be used in the manner described in the preceding proviso: *Provided further*, That no funds shall be available for national service programs run by Federal agencies authorized under section 121(b) of such Act (42 U.S.C. 12571(b)): *Provided further*, That to the maximum extent feasible, funds appropriated under subtitle C of title I of the Act shall be provided in a manner that is consistent with the recommendations of peer review panels in order to ensure that priority is given to programs that demonstrate quality, innovation, replicability, and sustainability: *Provided further*, That not more than $25,000,000 of the funds made available under this heading shall be available for the Civilian Community Corps authorized under subtitle E of title I of the Act (42 U.S.C. 12611 et seq.): *Provided further*, That not more than $43,000,000 shall be available for school-based and community-based service-learning programs authorized under subtitle B of title I of the Act (42 U.S.C. 12521 et seq.): *Provided further*, That not more than $28,488,000 shall be available for quality and innovation activities authorized under subtitle H of title I of the Act (42 U.S.C. 12853 et seq.): *Provided further*, That not more than $15,000,000 shall be available for grants to support the Veterans Mission for Youth Program: *Provided further*, That not more than $5,000,000 shall be available for audits and other evaluations authorized under section 179 of the Act (42 U.S.C. 12639): *Provided further*, That to the maximum extent practicable, the Corporation shall increase significantly the level of matching funds and in-kind contributions provided by the private sector, and shall reduce the total Federal costs per participant in all programs: *Provided further*, That not more than $7,500,000 of the funds made available under this heading shall be made available to America's Promise—The Alliance for Youth, Inc. only to support efforts to mobilize individuals, groups, and organizations to build and strengthen the character and competence of the Nation's youth: *Provided further*, That not more than $5,000,000 of the funds made available under this heading shall be made available to the Communities In Schools, Inc. to support dropout prevention activities: *Provided further*, That not more than $2,500,000 of the funds made available under this heading shall be made available to the YMCA of the USA to support school-based programs designed to strengthen collaborations and linkages between public schools and communities: *Provided further*, That not more than $1,000,000 of the funds made available under this heading shall be made available to Teach For America: *Provided further*, That not more than $1,500,000 of the funds made available under this heading shall be made available to Parents As Teachers National Center, Inc. to support literacy activities.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended,

$5,000,000, to remain available until September 30, 2003.

U.S. COURT OF APPEALS FOR VETERANS CLAIMS

SALARIES AND EXPENSES

For necessary expenses for the operation of the United States Court of Appeals for Veterans Claims as authorized by 38 U.S.C. 7251–7298, $13,221,000, of which $895,000 shall be available for the purpose of providing financial assistance as described, and in accordance with the process and reporting procedures set forth, under this heading in Public Law 102–229.

DEPARTMENT OF DEFENSE—CIVIL

CEMETERIAL EXPENSES, ARMY

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers' and Airmen's Home National Cemetery, including the purchase of two passenger motor vehicles for replacement only, and not to exceed $1,000 for official reception and representation expenses, $18,437,000, to remain available until expended.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

NATIONAL INSTITUTES OF HEALTH

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For necessary expenses for the National Institute of Environmental Health Sciences in carrying out activities set forth in section 311(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, $70,228,000.

AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY

SALARIES AND EXPENSES

For necessary expenses for the Agency for Toxic Substances and Disease Registry (ATSDR) in carrying out activities set forth in sections 104(i), 111(c)(4), and 111(c)(14) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended; section 118(f) of the Superfund Amendments and Reauthorization Act of 1986 (SARA), as amended; and section 3019 of the Solid Waste Disposal Act, as amended, $78,235,000, to be derived from the Hazardous Substance Superfund Trust Fund pursuant to section 517(a) of SARA (26 U.S.C. 9507): *Provided,* That notwithstanding any other provision of law, in lieu of performing a health assessment under section 104(i)(6) of CERCLA, the Administrator of ATSDR may conduct other appropriate health studies, evaluations, or activities, including, without limitation, biomedical testing, clinical evaluations, medical monitoring, and referral to accredited health care providers: *Provided further,* That in performing any such health assessment or health study, evaluation, or activity, the Administrator of ATSDR shall not be bound by the deadlines in section 104(i)(6)(A) of CERCLA: *Provided further,* That none of the funds appropriated under this heading shall be available for ATSDR to issue in excess of 40 toxicological profiles pursuant to section 104(i) of CERCLA during fiscal year 2002, and existing profiles may be updated as necessary.

ENVIRONMENTAL PROTECTION AGENCY

SCIENCE AND TECHNOLOGY

For science and technology, including research and development activities, which shall include research and development activities under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended; necessary expenses for personnel and related costs and travel expenses, including uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376; procurement of laboratory equipment and supplies; other operating expenses in support of research and development; construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $75,000 per project, $665,672,000, which shall remain available until September 30, 2003.

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

For environmental programs and management, including necessary expenses, not otherwise provided for, for personnel and related costs and travel expenses, including uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376; hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; purchase of reprints; library memberships in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $75,000 per project; and not to exceed $6,000 for official reception and representation expenses, $2,061,996,200, which shall remain available until September 30, 2003.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $75,000 per project, $34,019,000, to remain available until September 30, 2003.

BUILDINGS AND FACILITIES

For construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of, or for use by, the Environmental Protection Agency, $25,318,400, to remain available until expended.

HAZARDOUS SUBSTANCE SUPERFUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended, including sections 111(c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611), and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $75,000 per project; $1,274,645,560 to remain available until expended, consisting of $634,532,200, as authorized by section 517(a) of the Superfund Amendments and Reauthorization Act of 1986 (SARA), as amended by Public Law 101–508, and $640,113,360 as a payment from general revenues to the Hazardous Substance Superfund for purposes as authorized by section 517(b) of SARA, as amended: *Provided,* That funds appropriated under this heading may be allocated to other Federal agencies in accordance with section 111(a) of CERCLA: *Provided further,* That of the funds appropriated under this heading, $11,867,000 shall be transferred to the ''Office of Inspector General'' appropriation to remain available until September 30, 2003, and $36,890,500 shall be transferred to the ''Science and technology'' appropriation to remain available until September 30, 2003.

LEAKING UNDERGROUND STORAGE TANK TRUST FUND

For necessary expenses to carry out leaking underground storage tank cleanup activities authorized by section 205 of the Superfund Amendments and Reauthorization Act of 1986, and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $75,000 per project, $71,947,400, to remain available until expended.

OIL SPILL RESPONSE

For expenses necessary to carry out the Environmental Protection Agency's responsibilities under the Oil Pollution Act of 1990, $14,986,000, to be derived from the Oil Spill Liability trust fund, to remain available until expended.

STATE AND TRIBAL ASSISTANCE GRANTS

For environmental programs and infrastructure assistance, including capitalization grants for State revolving funds and performance partnership grants, $3,603,015,900, to remain available until expended, of which $1,350,000,000 shall be for making capitalization grants for the Clean Water State Revolving Funds under title VI of the Federal Water Pollution Control Act, as amended (the ''Act''); $850,000,000 shall be for capitalization grants for the Drinking Water State Revolving Funds under section 1452 of the Safe Drinking Water Act, as amended, except that, notwithstanding section 1452(n) of the Safe Drinking Water Act, as amended, none of the funds made available under this heading in this Act, or in previous appropriations Acts, shall be reserved by the Administrator for health effects studies on drinking water contaminants; $75,000,000 shall be for architectural, engineering, planning, design, construction and related activities in connection with the construction of high priority water and wastewater facilities in the area of the United States-Mexico Border, after consultation with the appropriate border commission; $40,000,000 shall be for grants to the State of Alaska to address drinking water and wastewater infrastructure needs of rural and Alaska Native Villages; $140,000,000 shall be for making grants for the construction of wastewater and water treatment facilities and groundwater protection infrastructure in accordance with the terms and conditions specified for such grants in the Senate report accompanying this Act except that, notwithstanding any other provision of law, of the funds herein and hereafter appropriated under this heading for such special needs infrastructure grants, the Administrator may use up to 3 percent of the amount of each project appropriated to administer the management and oversight of construction of such projects through contracts, allocation to the Corps of Engineers, or grants to States; and $1,030,782,400 shall be for grants, including associated program support costs, to States, federally recognized tribes, interstate agencies, tribal consortia, and air pollution control agencies for multi-media or single media pollution prevention, control and abatement and related activities, including activities pursuant to the provisions set forth under this heading in Public Law 104–134, and for making grants under section 103 of the Clean Air Act for particulate matter monitoring and data collection activities of which and subject to terms and conditions specified by the Administrator, $25,000,000 shall be for Environmental Information Exchange Network grants, including associated program support costs: *Provided,* That for fiscal year 2002, State authority under section 302(a) of Public Law 104–182 shall remain in effect: *Provided further,* That for fiscal year 2002, and notwithstanding section 518(f) of the Federal Water Pollution Control Act, as amended, the Administrator is authorized to use the amounts appropriated for any fiscal year under section 319 of that Act to make grants to Indian tribes pursuant to section

319(h) and 518(e) of that Act: *Provided further*, That for fiscal year 2002, notwithstanding the limitation on amounts in section 518(c) of the Act, up to a total of 1½ percent of the funds appropriated for State Revolving Funds under Title VI of that Act may be reserved by the Administrator for grants under section 518(c) of such Act: *Provided further*, That no funds provided by this legislation to address the water, wastewater and other critical infrastructure needs of the colonias in the United States along the United States-Mexico border shall be made available to a county or municipal government unless that government has established an enforceable local ordinance, or other zoning rule, which prevents in that jurisdiction the development or construction of any additional colonia areas, or the development within an existing colonia the construction of any new home, business, or other structure which lacks water, wastewater, or other necessary infrastructure.

ADMINISTRATIVE PROVISION

For fiscal year 2002, notwithstanding 31 U.S.C. 6303(1) and 6305(1), the Administrator of the Environmental Protection Agency, in carrying out the Agency's function to implement directly Federal environmental programs required or authorized by law in the absence of an acceptable tribal program, may award cooperative agreements to federally-recognized Indian Tribes or Intertribal consortia, if authorized by their member Tribes, to assist the Administrator in implementing Federal environmental programs for Indian Tribes required or authorized by law, except that no such cooperative agreements may be awarded from funds designated for State financial assistance agreements.

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

For necessary expenses of the Office of Science and Technology Policy, in carrying out the purposes of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6601 and 6671), hire of passenger motor vehicles, and services as authorized by 5 U.S.C. 3109, not to exceed $2,500 for official reception and representation expenses, and rental of conference rooms in the District of Columbia, $5,267,000.

COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF ENVIRONMENTAL QUALITY

For necessary expenses to continue functions assigned to the Council on Environmental Quality and Office of Environmental Quality pursuant to the National Environmental Policy Act of 1969, the Environmental Quality Improvement Act of 1970, and Reorganization Plan No. 1 of 1977, $2,974,000: *Provided*, That, notwithstanding any other provision of law, no funds other than those appropriated under this heading shall be used for or by the Council on Environmental Quality and Office of Environmental Quality: *Provided further*, That notwithstanding section 202 of the National Environmental Policy Act of 1970, the Council shall consist of one member, appointed by the President, by and with the advice and consent of the Senate, serving as chairman and exercising all powers, functions, and duties of the Council.

FEDERAL DEPOSIT INSURANCE CORPORATION

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $33,660,000, to be derived from the Bank Insurance Fund, the Savings Association Insurance Fund, and the FSLIC Resolution Fund.

FEDERAL EMERGENCY MANAGEMENT AGENCY

DISASTER RELIEF

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses in carrying out the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), $359,399,000, and, notwithstanding 42 U.S.C. 5203, to remain available until expended, of which not to exceed $2,900,000 may be transferred to ''Emergency management planning and assistance'' for the consolidated emergency management performance grant program; up to $15,000,000 may be obligated for flood map modernization activities following disaster declarations; and $21,577,000 may be used by the Office of Inspector General for audits and investigations.

For an additional amount for ''Disaster relief'', $2,000,000,000, to remain available until expended: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That the entire amount shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT

For the cost of direct loans, $405,000 as authorized by section 319 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $25,000,000. In addition, for administrative expenses to carry out the direct loan program, $543,000.

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, including hire and purchase of motor vehicles as authorized by 31 U.S.C. 1343; uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376; expenses of attendance of cooperating officials and individuals at meetings concerned with the work of emergency preparedness; transportation in connection with the continuity of Government programs to the same extent and in the same manner as permitted the Secretary of a Military Department under 10 U.S.C. 2632; and not to exceed $2,500 for official reception and representation expenses, $233,801,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, $10,303,000: *Provided*, That notwithstanding any other provision of law, the Inspector General of the Federal Emergency Management Agency shall also serve as the Inspector General of the Chemical Safety and Hazard Investigation Board.

EMERGENCY MANAGEMENT PLANNING AND ASSISTANCE

For necessary expenses, not otherwise provided for, to carry out activities under the National Flood Insurance Act of 1968, as amended, and the Flood Disaster Protection Act of 1973, as amended (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Earthquake Hazards Reduction Act of 1977, as amended (42 U.S.C. 7701 et seq.), the Federal Fire Prevention and Control Act of 1974, as amended (15 U.S.C. 2201 et seq.), the Defense Production Act of 1950, as amended (50 U.S.C. App. 2061 et seq.), sections 107 and 303 of the National Security Act of 1947, as amended (50 U.S.C. 404–405), and Reorganization Plan No. 3 of 1978, $279,623,000: *Provided*, That for purposes of pre-disaster mitigation pursuant to 42 U.S.C. 5131(b) and (c) and 42 U.S.C. 5196(e) and (i), $25,000,000 of the funds made available under this heading shall be available until expended for project grants.

For an additional amount for ''Emergency management planning and assistance'', $150,000,000 for programs as authorized by section 33 of the Federal Fire Prevention and Control Act of 1974, as amended (15 U.S.C. 2201 et seq.).

RADIOLOGICAL EMERGENCY PREPAREDNESS FUND

The aggregate charges assessed during fiscal year 2002, as authorized by Public Law 106–377, shall not be less than 100 percent of the amounts anticipated by FEMA necessary for its radiological emergency preparedness program for the next fiscal year. The methodology for assessment and collection of fees shall be fair and equitable; and shall reflect costs of providing such services, including administrative costs of collecting such fees. Fees received pursuant to this section shall be deposited in the Fund as offsetting collections and will become available for authorized purposes on October 1, 2002, and remain available until expended.

EMERGENCY FOOD AND SHELTER PROGRAM

To carry out an emergency food and shelter program pursuant to title III of Public Law 100–77, as amended, $139,692,000, to remain available until expended: *Provided*, That total administrative costs shall not exceed 3½ percent of the total appropriation.

NATIONAL FLOOD INSURANCE FUND

(INCLUDING TRANSFERS OF FUNDS)

For activities under the National Flood Insurance Act of 1968 (''the Act''), the Flood Disaster Protection Act of 1973, as amended, not to exceed $28,798,000 for salaries and expenses associated with flood mitigation and flood insurance operations, and not to exceed $76,381,000 for flood mitigation, including up to $20,000,000 for expenses under section 1366 of the Act, which amount shall be available for transfer to the National Flood Mitigation Fund until September 30, 2003. In fiscal year 2002, no funds in excess of: (1) $55,000,000 for operating expenses; (2) $536,750,000 for agents' commissions and taxes; and (3) $30,000,000 for interest on Treasury borrowings shall be available from the National Flood Insurance Fund without prior notice to the Committees on Appropriations.

In addition, up to $7,000,000 in fees collected but unexpended during fiscal years 2000 through 2001 shall be transferred to the Flood Map Modernization Fund and available for expenditure in fiscal year 2002.

Section 1309(a)(2) of the Act (42 U.S.C. 4016(a)(2)), as amended, is further amended by striking ''December 31, 2001'' and inserting ''December 31, 2002''.

Section 1319 of the Act, as amended (42 U.S.C. 4026), is amended by striking ''September 30, 2001'' and inserting ''December 31, 2002''.

Section 1336 of the Act, as amended (42 U.S.C. 4056), is amended by striking ''September 30, 2001'' and inserting ''December 31, 2002''.

The first sentence of section 1376(c) of the Act, as amended (42 U.S.C. 4127(c)), is amended by striking ''December 31, 2001'' and inserting ''December 31, 2002''.

NATIONAL FLOOD MITIGATION FUND

Notwithstanding sections 1366(b)(3)(B)–(C) and 1366(f) of the National Flood Insurance Act of 1968, as amended, $20,000,000, to remain available until September 30, 2003, for activities designed to reduce the risk of flood damage to structures pursuant to such Act, of which $20,000,000 shall be derived from the National Flood Insurance Fund.

GENERAL SERVICES ADMINISTRATION

FEDERAL CONSUMER INFORMATION CENTER FUND

For necessary expenses of the Federal Consumer Information Center, including services authorized by 5 U.S.C. 3109, $7,276,000, to be deposited into the Federal Consumer Information Center Fund: *Provided*, That the appropriations, revenues, and collections deposited into the Fund shall be available for necessary expenses of Federal Consumer Information Center activities in the aggregate amount of $12,000,000. Appropriations, revenues, and collections accruing to this Fund during fiscal year 2002 in excess of $12,000,000 shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

HUMAN SPACE FLIGHT

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses, not otherwise provided for, in the conduct and support of human space flight research and development activities, including research, development, operations, support and services; maintenance; construction of facilities including repair, rehabilitation, revitalization and modification of facilities, construction of new facilities and additions to existing facilities, facility planning and design, environmental compliance and restoration, and acquisition or condemnation of real property, as authorized by law; space flight, spacecraft control and communications activities including operations, production, and services; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; travel expenses; purchase and hire of passenger motor vehicles; not to exceed $20,000 for official reception and representation expenses; and purchase, lease, charter, maintenance and operation of mission and administrative aircraft, $6,868,000,000, to remain available until September 30, 2003, of which amounts as determined by the Administrator for salaries and benefits; training, travel and awards; facility and related costs; information technology services; science, engineering, fabricating and testing services; and other administrative services may be transferred to the Science, Aeronautics and Technology account in accordance with section 312(b) of the National Aeronautics and Space Act of 1958, as amended by Public Law 106–377: *Provided*, That the funding level for Development and Operation of the International Space Station shall not exceed $1,781,300,000 for fiscal year 2002, $1,500,400,000 for fiscal year 2003, $1,203,800,000 for fiscal year 2004, $1,078,300,000 for fiscal year 2005 and $1,099,600,000 for fiscal year 2006: *Provided further*, That the President shall certify, and report such certification to the Senate Committees on Appropriations and Commerce, Science and Transportation and to the House of Representatives Committees on Appropriations and Science, that any proposal to exceed these limits, or enhance the International Space Station design above the content planned for U.S. core complete, is (1) necessary and of the highest priority to enhance the goal of world class research in space aboard the International Space Station; (2) within acceptable risk levels, having no major unresolved technical issues and a high confidence in cost and schedule estimates, and independently validated; and (3) affordable within the multi-year funding available to the International Space Station program as defined above or, if exceeds such amounts, these additional resources are not achieved through any funding reduction to programs contained in Space Science, Earth Science and Aeronautics.

SCIENCE, AERONAUTICS AND TECHNOLOGY

For necessary expenses, not otherwise provided for, in the conduct and support of science, aeronautics and technology research and development activities, including research, development, operations, support and services; maintenance; construction of facilities including repair, rehabilitation, revitalization, and modification of facilities, construction of new facilities and additions to existing facilities, facility planning and design, environmental compliance and restoration, and acquisition or condemnation of real property, as authorized by law; space flight, spacecraft control and communications activities including operations, production, and services; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; travel expenses; purchase and hire of passenger motor vehicles; not to exceed $20,000 for official reception and representation expenses; and purchase, lease, charter, maintenance and operation of mission and administrative aircraft, $7,669,700,000, to remain available until September 30, 2003.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, $23,700,000.

ADMINISTRATIVE PROVISIONS

Notwithstanding the limitation on the availability of funds appropriated for ''Human space flight'', or ''Science, aeronautics and technology'' by this appropriations Act, when any activity has been initiated by the incurrence of obligations for construction of facilities as authorized by law, such amount available for such activity shall remain available until expended. This provision does not apply to the amounts appropriated for institutional minor revitalization and construction of facilities, and institutional facility planning and design.

Notwithstanding the limitation on the availability of funds appropriated for ''Human space flight'', or ''Science, aeronautics and technology'' by this appropriations Act, the amounts appropriated for construction of facilities shall remain available until September 30, 2004.

Notwithstanding the limitation on the availability of funds appropriated for ''Office of Inspector General'', amounts made available by this Act for personnel and related costs and travel expenses of the National Aeronautics and Space Administration shall remain available until September 30, 2002 and may be used to enter into contracts for training, investigations, costs associated with personnel relocation, and for other services, to be provided during the next fiscal year. Funds for announced prizes otherwise authorized shall remain available, without fiscal year limitation, until the prize is claimed or the offer is withdrawn.

NATIONAL CREDIT UNION ADMINISTRATION

CENTRAL LIQUIDITY FACILITY

(INCLUDING TRANSFER OF FUNDS)

During fiscal year 2002, gross obligations of the Central Liquidity Facility for the principal amount of new direct loans to member credit unions, as authorized by 12 U.S.C. 1795 et seq., shall not exceed $1,500,000,000: *Provided*, That administrative expenses of the Central Liquidity Facility shall not exceed $309,000: *Provided further*, That $1,000,000 shall be transferred to the Community Development Revolving Loan Fund, of which $650,000, together with amounts of principal and interest on loans repaid, shall be available until expended for loans to community development credit unions, and $350,000 shall be available until expended for technical assistance to low-income and community development credit unions.

NATIONAL SCIENCE FOUNDATION

RESEARCH AND RELATED ACTIVITIES

For necessary expenses in carrying out the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875), and the Act to establish a National Medal of Science (42 U.S.C. 1880–1881); services as authorized by 5 U.S.C. 3109; authorized travel; maintenance and operation of aircraft and purchase of flight services for research support; acquisition of aircraft; $3,514,481,000, of which not to exceed $285,000,000 shall remain available until expended for Polar research and operations support, and for reimbursement to other Federal agencies for operational and science support and logistical and other related activities for the United States Antarctic program; the balance to remain available until September 30, 2003: *Provided*, That receipts for scientific support services and materials furnished by the National Research Centers and other National Science Foundation supported research facilities may be credited to this appropriation: *Provided further*, That to the extent that the amount appropriated is less than the total amount authorized to be appropriated for included program activities, all amounts, including floors and ceilings, specified in the authorizing Act for those program activities or their subactivities shall be reduced proportionally: *Provided further*, That $75,000,000 of the funds available under this heading shall be made available for a comprehensive research initiative on plant genomes for economically significant crops.

MAJOR RESEARCH EQUIPMENT

For necessary expenses of major construction projects pursuant to the National Science Foundation Act of 1950, as amended, including authorized travel, $108,832,000, to remain available until expended.

EDUCATION AND HUMAN RESOURCES

For necessary expenses in carrying out science and engineering education and human resources programs and activities pursuant to the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875), including services as authorized by 5 U.S.C. 3109, authorized travel, and rental of conference rooms in the District of Columbia, $872,407,000, to remain available until September 30, 2003: *Provided*, That to the extent that the amount of this appropriation is less than the total amount authorized to be appropriated for included program activities, all amounts, including floors and ceilings, specified in the authorizing Act for those program activities or their subactivities shall be reduced proportionally: *Provided further*, That $15,000,000 shall be available for the innovation partnership program.

SALARIES AND EXPENSES

For salaries and expenses necessary in carrying out the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875); services authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; not to exceed

$9,000 for official reception and representation expenses; uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; rental of conference rooms in the District of Columbia; reimbursement of the General Services Administration for security guard services; $170,040,000: *Provided*, That contracts may be entered into under ''Salaries and expenses'' in fiscal year 2002 for maintenance and operation of facilities, and for other services, to be provided during the next fiscal year.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General as authorized by the Inspector General Act of 1978, as amended, $6,760,000, to remain available until September 30, 2003.

NEIGHBORHOOD REINVESTMENT CORPORATION

PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

For payment to the Neighborhood Reinvestment Corporation for use in neighborhood reinvestment activities, as authorized by the Neighborhood Reinvestment Corporation Act (42 U.S.C. 8101–8107), $100,000,000, of which $10,000,000 shall be for a homeownership program that is used in conjunction with section 8 assistance under the United States Housing Act of 1937, as amended.

SELECTIVE SERVICE SYSTEM

SALARIES AND EXPENSES

For necessary expenses of the Selective Service System, including expenses of attendance at meetings and of training for uniformed personnel assigned to the Selective Service System, as authorized by 5 U.S.C. 4101–4118 for civilian employees; and not to exceed $1,000 for official reception and representation expenses; $25,003,000: *Provided*, That during the current fiscal year, the President may exempt this appropriation from the provisions of 31 U.S.C. 1341, whenever the President deems such action to be necessary in the interest of national defense: *Provided further*, That none of the funds appropriated by this Act may be expended for or in connection with the induction of any person into the Armed Forces of the United States.

TITLE IV—GENERAL PROVISIONS

SEC. 401. Where appropriations in titles I, II, and III of this Act are expendable for travel expenses and no specific limitation has been placed thereon, the expenditures for such travel expenses may not exceed the amounts set forth therefor in the budget estimates submitted for the appropriations: *Provided*, That this provision does not apply to accounts that do not contain an object classification for travel: *Provided further*, That this section shall not apply to travel performed by uncompensated officials of local boards and appeal boards of the Selective Service System; to travel performed directly in connection with care and treatment of medical beneficiaries of the Department of Veterans Affairs; to travel performed in connection with major disasters or emergencies declared or determined by the President under the provisions of the Robert T. Stafford Disaster Relief and Emergency Assistance Act; to travel performed by the Offices of Inspector General in connection with audits and investigations; or to payments to interagency motor pools where separately set forth in the budget schedules: *Provided further*, That if appropriations in titles I, II, and III exceed the amounts set forth in budget estimates initially submitted for such appropriations, the expenditures for travel may correspondingly exceed the amounts therefor set forth in the estimates only to the extent such an increase is approved by the Committees on Appropriations.

SEC. 402. Appropriations and funds available for the administrative expenses of the Department of Housing and Urban Development and the Selective Service System shall be available in the current fiscal year for purchase of uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; hire of passenger motor vehicles; and services as authorized by 5 U.S.C. 3109.

SEC. 403. Funds of the Department of Housing and Urban Development subject to the Government Corporation Control Act or section 402 of the Housing Act of 1950 shall be available, without regard to the limitations on administrative expenses, for legal services on a contract or fee basis, and for utilizing and making payment for services and facilities of the Federal National Mortgage Association, Government National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Financing Bank, Federal Reserve banks or any member thereof, Federal Home Loan banks, and any insured bank within the meaning of the Federal Deposit Insurance Corporation Act, as amended (12 U.S.C. 1811–1831).

SEC. 404. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 405. No funds appropriated by this Act may be expended—

(1) pursuant to a certification of an officer or employee of the United States unless—

(A) such certification is accompanied by, or is part of, a voucher or abstract which describes the payee or payees and the items or services for which such expenditure is being made; or

(B) the expenditure of funds pursuant to such certification, and without such a voucher or abstract, is specifically authorized by law; and

(2) unless such expenditure is subject to audit by the General Accounting Office or is specifically exempt by law from such audit.

SEC. 406. None of the funds provided in this Act to any department or agency may be expended for the transportation of any officer or employee of such department or agency between their domicile and their place of employment, with the exception of any officer or employee authorized such transportation under 31 U.S.C. 1344 or 5 U.S.C. 7905.

SEC. 407. None of the funds provided in this Act may be used for payment, through grants or contracts, to recipients that do not share in the cost of conducting research resulting from proposals not specifically solicited by the Government: *Provided*, That the extent of cost sharing by the recipient shall reflect the mutuality of interest of the grantee or contractor and the Government in the research.

SEC. 408. None of the funds in this Act may be used, directly or through grants, to pay or to provide reimbursement for payment of the salary of a consultant (whether retained by the Federal Government or a grantee) at more than the daily equivalent of the rate paid for level IV of the Executive Schedule, unless specifically authorized by law.

SEC. 409. None of the funds provided in this Act shall be used to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings. Nothing herein affects the authority of the Consumer Product Safety Commission pursuant to section 7 of the Consumer Product Safety Act (15 U.S.C. 2056 et seq.).

SEC. 410. Except as otherwise provided under existing law, or under an existing Executive Order issued pursuant to an existing law, the obligation or expenditure of any appropriation under this Act for contracts for any consulting service shall be limited to contracts which are: (1) a matter of public record and available for public inspection; and (2) thereafter included in a publicly available list of all contracts entered into within 24 months prior to the date on which the list is made available to the public and of all contracts on which performance has not been completed by such date. The list required by the preceding sentence shall be updated quarterly and shall include a narrative description of the work to be performed under each such contract.

SEC. 411. Except as otherwise provided by law, no part of any appropriation contained in this Act shall be obligated or expended by any executive agency, as referred to in the Office of Federal Procurement Policy Act (41 U.S.C. 401 et seq.), for a contract for services unless such executive agency: (1) has awarded and entered into such contract in full compliance with such Act and the regulations promulgated thereunder; and (2) requires any report prepared pursuant to such contract, including plans, evaluations, studies, analyses and manuals, and any report prepared by the agency which is substantially derived from or substantially includes any report prepared pursuant to such contract, to contain information concerning: (A) the contract pursuant to which the report was prepared; and (B) the contractor who prepared the report pursuant to such contract.

SEC. 412. Except as otherwise provided in section 406, none of the funds provided in this Act to any department or agency shall be obligated or expended to provide a personal cook, chauffeur, or other personal servants to any officer or employee of such department or agency.

SEC. 413. None of the funds provided in this Act to any department or agency shall be obligated or expended to procure passenger automobiles as defined in 15 U.S.C. 2001 with an EPA estimated miles per gallon average of less than 22 miles per gallon.

SEC. 414. None of the funds appropriated in title I of this Act shall be used to enter into any new lease of real property if the estimated annual rental is more than $300,000 unless the Secretary submits a report which the Committees on Appropriations of the Congress approve within 30 days following the date on which the report is received.

SEC. 415. (a) It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

SEC. 416. None of the funds appropriated in this Act may be used to implement any cap on reimbursements to grantees for indirect costs, except as published in Office of Management and Budget Circular A–21.

SEC. 417. Such sums as may be necessary for fiscal year 2002 pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

SEC. 418. None of the funds made available in this Act may be used for any program, project, or activity, when the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 419. Corporations and agencies of the Department of Housing and Urban Development which are subject to the Government Corporation Control Act, as amended, are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law,

and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of such Act as may be necessary in carrying out the programs set forth in the budget for 2002 for such corporation or agency except as hereinafter provided: *Provided*, That collections of these corporations and agencies may be used for new loan or mortgage purchase commitments only to the extent expressly provided for in this Act (unless such loans are in support of other forms of assistance provided for in this or prior appropriations Acts), except that this proviso shall not apply to the mortgage insurance or guaranty operations of these corporations, or where loans or mortgage purchases are necessary to protect the financial interest of the United States Government.

SEC. 420. Notwithstanding any other provision of law, the term ''qualified student loan'' with respect to national service education awards shall mean any loan determined by an institution of higher education to be necessary to cover a student's cost of attendance at such institution and made directly to a student by a state agency, in addition to other meanings under section 148(b)(7) of the National and Community Service Act.

SEC. 421. Unless otherwise provided for in this Act, no part of any appropriation for the Department of Housing and Urban Development shall be available for any activity in excess of amounts set forth in the budget estimates submitted to Congress.

SEC. 422. None of the funds appropriated or otherwise made available by this Act shall be used to promulgate a final regulation to implement changes in the payment of pesticide tolerance processing fees as proposed at 64 Fed. Reg. 31040, or any similar proposals. The Environmental Protection Agency may proceed with the development of such a rule.

SEC. 423. Except in the case of entities that are funded solely with Federal funds or any natural persons that are funded under this Act, none of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties to lobby or litigate in respect to adjudicatory proceedings funded in this Act. A chief executive officer of any entity receiving funds under this Act shall certify that none of these funds have been used to engage in the lobbying of the Federal Government or in litigation against the United States unless authorized under existing law.

SEC. 424. No part of any funds appropriated in this Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television or film presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself.

SEC. 425. None of the funds provided in Title II for technical assistance, training, or management improvements may be obligated or expended unless HUD provides to the Committees on Appropriations a description of each proposed activity and a detailed budget estimate of the costs associated with each activity as part of the Budget Justifications. For fiscal year 2002, HUD shall transmit this information to the Committees by January 8, 2002 for 30 days of review.

SEC. 426. Section 70113(f) of title 49, United States Code, is amended by striking ''December 31, 2001'', and inserting ''December 31, 2002''.

SEC. 427. All Departments and agencies funded under this Act are encouraged, within the limits of the existing statutory authorities and funding, to expand their use of ''E-Commerce'' technologies and procedures in the conduct of their business practices and public service activities.

This Act may be cited as the ''Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2002''.

SA 1215. Mr. REID (for himself and Mr. ENSIGN) submitted an amendment intended to be proposed by him to the bill H.R. 2620, making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

On page 76, line 16 following ''Villages;'' insert the following: ''$1,400,000 shall be for Clean Water Act and Clean Air Act activities at Lake Tahoe in Nevada and California;''.

SA 1216. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 2620, making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

On page 76, line 16 following ''Villages;'' insert the following: ''$5,700,000 shall be for the Ammonium Perchlorate interdiction project in the Las Vegas Wash in Nevada;''.

SA 1217. Ms. MIKULSKI (for herself and Mr. BOND) proposed an amendment to amendment SA 1214 proposed by Ms. MIKULSKI to the bill (H.R. 2620) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 81, line 2 of the amendment after ''2,000,000,000,'' insert: ''to be available immediately upon the enactment of this Act, and''.

SA 1218. Mr. WELLSTONE proposed an amendment to amendment SA 1214 proposed by Ms. MIKULSKI to the bill (H.R. 2620) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002, and for other purposes; as follows:

On page 7, line 19, strike ''$21,379,742,000'' and insert ''$22,029,742,000''.

SA 1219. Mrs. BOXER proposed an amendment to amendment SA 1214 proposed by Ms. MIKULSKI to the bill (H.R. 2620) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002, and for other purposes; as follows:

At the appropriate place, add the following:

SEC. . The Administrator of the Environmental Protection Agency, pursuant to the Safe Drinking Water Act, shall immediately put into effect a new national primary drinking water regulation for arsenic that—

(1) establishes a standard for arsenic at a level providing for the protection of the population in general, fully taking into account those at greater risk, such as infants, children, pregnant women, the elderly and those with a history of serious illness; and

(2) lifts the suspension on the effective date for the community right to know requirements included in the national primary drinking water regulation for arsenic published on January 22, 2001, in the Federal Register (66 Fed. Reg. 6976).

SA. 1220. Mr. ALLARD submitted an amendment intended to be proposed by him to the bill H.R. 2620, making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___ (a) RESCISSIONS.—There is rescinded an amount equal to 1 percent of the discretionary budget authority provided (or obligation limit imposed) for fiscal year 2002 in this Act for each department, agency, instrumentality, or entity of the Federal Government funded in this Act: *Provided*, That this reduction percentage shall be applied on a pro rata basis to each program, project, and activity subject to the rescission.

(b) DEBT REDUCTION.—The amount rescinded pursuant to this section shall be deposited into the account established under section 3113(d) of title 31, United States Code, to reduce the public debt.

(c) REPORT.—The Director of the Office of Management and Budget shall include in the President's budget submitted for fiscal year 2003 a report specifying the reductions made to each account pursuant to this section.

SA 1221. Mr. SMITH of New Hampshire submitted an amendment intended to be proposed by him to the bill H.R. 2620, making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

On page 78, line 16, before the period, insert the following: '', of which no less than $4 million shall be made available to Manchester, New Hampshire for the Combined Sewer Overflow Elimination Project.''

SA 1222. Mr. SMITH of New Hampshire submitted an amendment intended to be proposed by him to the bill H.R. 2620, making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal

year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

On page 78, line 16, before the period, insert the following: '', of which no less than $4 million shall be made available to Nashua, New Hampshire for the Combined Sewer Overflow Elimination Project.''

SA 1223. Mr. SMITH of New Hampshire submitted an amendment intended to be proposed by him to the bill H.R. 2620, making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

On page 73, line 18, before the period, insert the following: '', of which no less than $30,000 shall be made available to the EPA Office of Policy, Economics, and Innovation for the New Hampshire/Vermont Solid Waste Project, to conduct a Mercury Waste Source Separation Pilot Project.''

SA 1224. Mr. LOTT submitted an amendment intended to be proposed by him to the bill H.R. 2620, making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert:

SEC. . NASA FUNDED PROPULSION TESTING.—NASA shall ensure that rocket propulsion testing funded by this Act is assigned to testing facilities by the Rocket Propulsion Test Management Board in accordance with current baseline roles. Assignments will be made to maximize the benefit of Federal government investments and shall include considerations such as facility cost, capability, availability, and personnel experience.

SA 1225. Mr. ALLARD submitted an amendment intended to be proposed by him to the bill H.R. 2620, making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___ (a) RESCISSIONS.—There is rescinded an amount equal to 1 percent of the discretionary budget authority provided (or obligation limit imposed) for fiscal year 2002 in this Act for each department, agency, instrumentality, or entity of the Federal Government funded in this Act: *Provided*, That this reduction percentage shall be applied on a pro rata basis to each program, project, and activity subject to the rescission.

(b) DEBT REDUCTION.—The amount rescinded pursuant to this section shall be deposited into the account established under section 3113(d) of title 31, United States Code, to reduce the public debt.

(c) REPORT.—The Director of the Office of Management and Budget shall include in the President's budget submitted for fiscal year 2003 a report specifying the reductions made to each account pursuant to this section.

SA 1226. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2620, making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

On page 105, between lines 14 and 15, insert the following:

SEC. 428. (a) REDUCTION IN AMOUNTS AVAILABLE FOR PROJECTS FUNDED BY COMMUNITY DEVELOPMENT FUND.—The amount appropriated by title II under the heading ''EMPOWERMENT ZONES/ENTERPRISE COMMUNITIES'' under the paragraph ''COMMUNITY DEVELOPMENT FUND'' is hereby reduced by $10,000,000. The amount of the reduction shall be derived from the termination of the availability of funds under that paragraph for projects, and in amounts, as follows:

(1) $750,000 for the Fells Point Creative Alliance of Baltimore, Maryland, for development of the Patterson Center for the Arts.

(2) $300,000 for the County of Kauai, Hawaii, for the Heritage Trails project.

(3) $750,000 for infrastructure improvements to the School of the Building Arts in Charleston, South Carolina.

(4) $100,000 for development assistance for Desert Space Station in Nevada.

(5) $250,000 for the Center Theatre Group, of Los Angeles, California, for the Culver City Theater project.

(6) $1,000,000 for the Louisiana Department of Culture, Recreation, and Tourism for development activities related to the Louisiana Purchase Bicentennial Celebration.

(7) $450,000 for the City of Providence, Rhode Island, for the development of a Botanical Center at Roger Williams Park and Zoo.

(8) $200,000 for the Newport Art Museum in Newport, Rhode Island, for historical renovation.

(9) $250,000 for the City of Wildwood, New Jersey, for revitalization of the Pacific Avenue Business District.

(10) $300,000 for Studio for the Arts of Pocahontas, Arkansas, for a new facility.

(11) $1,000,000 for the Southern New Mexico Fair and Rodeo in Dona Ana County, New Mexico, for infrastructure improvements and to build a multi-purpose event center.

(12) $1,000,000 for Dubuque, Iowa, for the development of an American River Museum.

(13) $1,000,000 for Sevier County, Utah, for a multi-events center.

(14) $100,000 to the OLYMPIA ship of Independence Seaport Museum to provide ship repairs which will contribute to the economic development of the Penn's Landing waterfront area in Philadelphia, Pennsylvania.

(15) $500,000 for the Lewis and Clark State College, Idaho, for the Idaho Virtual Incubator.

(16) $1,000,000 for Henderson, North Carolina, for the construction of the Embassy Cultural Center.

(17) $100,000 to the Alabama Wildlife Federation for the development of the Alabama Quail Trail in rural Alabama.

(18) $350,000 for the Urban Development authority of Pittsburgh, Pennsylvania, for the Harbor Gardens Greenhouse project.

(b) INCREASE IN AMOUNT AVAILABLE FOR VETERANS CLAIMS ADJUDICATION.—The amount appropriated by title I under the heading ''DEPARTMENTAL ADMINISTRATION'' under the paragraph ''GENERAL OPERATING EXPENSES'' is hereby increased by $10,000,000, with the amount of the increase to be available for veterans claims adjudication.

SA 1227. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill H.R. 2620, making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 74, line 14, strike ''$1,274,645,560'' and all that follows through page 75, line 23, and insert the following: $1,271,645,560, to to remain available until expended, consisting of $634,532,200, as authorized by section 517(a) of the Superfund Amendments and Reauthorization Act of 1986 (SARA), as amended by Public Law 101–508, and $637,113,360 as a payment from general revenues to the Hazardous Substance Superfund for purposes as authorized by section 517(b) of SARA, as amended: *Provided*, That funds appropriated under this heading may be allocated to other Federal agencies in accordance with section 111(a) of CERCLA: *Provided further*, That of the funds appropriated under this heading, $11,867,000 shall be transferred to the ''Office of Inspector General'' appropriation to remain available until September 30, 2003, and $36,890,500 shall be transferred to the ''Science and technology'' appropriation to remain available until September 30, 2003.

LEAKING UNDERGROUND STORAGE TANK TRUST FUND

For necessary expenses to carry out leaking underground storage tank cleanup activities authorized by section 205 of the Superfund Amendments and Reauthorization Act of 1986, and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $75,000 per project, $71,947,400, to remain available until expended.

OIL SPILL RESPONSE

For expenses necessary to carry out the Environmental Protection Agency's responsibilities under the Oil Pollution Act of 1990, $14,986,000, to be derived from the Oil Spill Liability trust fund, to remain available until expended.

STATE AND TRIBAL ASSISTANCE GRANTS

For environmental programs and infrastructure assistance, including capitalization grants for State revolving funds and performance partnership grants, $3,606,015,900, to remain available until expended, of which $2,000,000 shall be made available to the Southwest Alabama Regional Water Authority; $1,000,000 shall be made available for sewer connections for the development of an interstate business park in Autauga County, Alabama; $1,350,000,000 shall be for making capitalization

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry Subcommittee on Production and Price Competitiveness be authorized to meet during the session of the Senate on Wednesday, August 1, 2001.

The purpose of this hearing will be to consider the U.S. export market share.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ARMED SERVICES

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, August 1, 2001, at 9:30 a.m., in open session to consider the nomination of Gen. John P. Jumper, USAF, for reappointment to the grade of general and to be Chief of Staff, U.S. Air Force.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING AND URBAN AFFAIRS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Wednesday, August 1, 2001, to conduct a markup of S. 1254, the Mark-to-Market Reauthorization Act of 2001, and of the nominations of Ms. Linda Mysliwy Conlin, of New Jersey, to be an Assistant Secretary of Commerce for Trade Development; Ms. Melody H. Fennel, of Virginia, to be an Assistant Secretary of Housing and Urban Development for Congressional and Intergovernmental Relations; Ms. Henrietta Holsman Fore, of Nevada, to be Director of the Mint; Mr. Michael J. Garcia, of New York, to be an Assistant Secretary of Commerce for Export Enforcement; and Mr. Michael Minoru Fawn Liu, of Illinois, to be an Assistant Secretary of Housing and Urban Development for Public and Indian Housing.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Wednesday, August 1, 2001, at 9:30 a.m., on trade issues.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Wednesday, August 1, 2001, at 2:30 p.m., on the nominations of John A. Hammerschmidt to be member of the NTSB; Jeffrey Runge to be Administrator of the NHTSA; Nancy Victory to be Assistant Secretary of Commerce for Communications and Information; and Otto Wolff to be Assistant Secretary of Administration and Chief Financial Officer of the Department of Commerce.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Wednesday, August 1, for purposes of conducting a full committee business meeting which is scheduled to begin at 9:30 a.m. The purpose of this business meeting is to begin consideration of energy policy legislation and other pending calendar business.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet on Wednesday, August 1, at 9 a.m., to conduct a hearing to assess the impact of air emissions from the transportation sector on public health and the environment in SD–406.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet on Wednesday, August 1, immediately following the first vote to consider the following nominations: David A. Sampson to be Assistant Secretary for Economic Development, Department of Commerce; George Tracy Mehan III, to be Assistant Administrator for the Office of Water, Environmental Protection Agency; Judith Elizabeth Ayers to be an Assistant Administrator for the Office of International Activities, Environmental Protection Agency; Robert E. Fabricant to be General Counsel, Environmental Protection Agency; Jeffrey Holmstead to be Assistant Administrator for the Office of Air and Radiation, Environmental Protection Agency; and Donald Schregardus to be Assistant Administrator for the Office of Enforcement and Compliance Assurance, Environmental Protection Agency.

In addition, the committee will consider the courthouse naming for S. 584 to designate the United States courthouse located at 40 Centre Street in New York, NY, as the ''Thurgood Marshall United States Courthouse.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Wednesday, August 1, 2001, to hear testimony on ''Cybershopping and Sales Tax: Finding the Right Mix''.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, August 1, 2001, at 10:30 a.m., to hold a business meeting.

The Committee will consider and vote on the following agenda items:

S. . An original bill to authorize appropriations for the Department of State and for United States international broadcasting activities for fiscal years 2002 and 2003, and for other purposes.

S. 367. A bill to prohibit the application of certain restrictive eligibility requirements to foreign nongovernmental organizations with respect to the provision of assistance under part I of the Foreign Assistance Act of 1961.

S. Res. 126. A resolution expressing the sense of the Senate regarding observance of the Olympic Truce.

S. Con. Res. 58. A concurrent resolution expressing support for the tenth annual meeting of the Asia Pacific Parliamentary Forum.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet in executive session during the session of the Senate on Wednesday, August 1, 2001, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON SMALL BUSINESS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Small Business be authorized to meet during the session of the Senate for a hearing entitled ''The Business of Environmental Technology'' on Wednesday, August 1, 2001, beginning at 9 a.m., in room 428A of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Wednesday, August 1, 2001, at 2:30 p.m., to hold a hearing on intelligence matters.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON ANTITRUST, BUSINESS RIGHTS AND COMPETITION

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on the Judiciary Subcommittee on Antitrust, Business Rights and Competition be authorized to meet to conduct a hearing on Wednesday, August 1, 2001, at 2 p.m., in Dirksen 226.

Tentative witness list on ''S. 1233, the Product Package Protection Act: Keeping Offensive Material Out of our Cereal Boxes'':

Panel I: Department of Justice, TBA, Washington, DC.

Panel II: Leslie Sarasin, President, American Frozen Food Institute, McClean, VA; Paul Petruccelli, Chief Counsel, Kraft North American, Inc.,

Northfield, IL; and David Burris, Victim of product package tampering, Baker City, OR.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON CONSTITUTION, FEDERALISM, AND PROPERTY RIGHTS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on the Judiciary Subcommittee on Constitution, Federalism and Property Rights be authorized to meet to conduct a hearing on Wednesday, August 1, 2001, at 10 a.m., in Dirksen 226.

Witness list on ''S. 989, the End Racial Profiling Act of 2001'':

Panel I: Senator Hillary Rodham Clinton, New York; Senator Jon S. Corzine, New Jersey; Representative John Conyers, Jr., Michigan; and Representative Chris Shays, Connecticut.

Panel II: Mayor Dennis W. Archer, City of Detroit, President, The National League of Cities, Detroit, MI; Captain Ronald Davis, Oakland Police Department, National Organization of Black Law Enforcement Executives, Oakland, CA; Lorie Fridell, Ph.D., Director of Research, Police Executive Research Forum, Washington, DC; Chief Reuben M. Greenberg, Charleston Police Department, Charleston, SC; Professor David Harris, University of Toledo College of Law, Toledo, OH; Mrs. Raymond Kelly, former Commissioner, U.S. Customs Service, former Commissioner, New York City Police Department, New York, NY; and Mr. Steve Young, Vice President, Fraternal Order of Police, Washington, DC.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. McCAIN. Mr. President, I ask unanimous consent that my legislative fellow, Navy Lieutenant Commander Dell Bull, be granted floor privileges during consideration of the VA–HUD Appropriations Bill for Fiscal Year 2002.

Ms. MIKULSKI. Mr. President, I ask unanimous consent that Joel Widder, a detailee to the majority staff of Appropriations, be granted the privilege of the floor during consideration of the VA–HUD bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BOND. Mr. President, I ask unanimous consent that a detailee to my staff, John Stoody, be granted the privilege of the floor during the time the VA–HUD measure is being considered.

The PRESIDING OFFICER. Without objection, it is so ordered.

FOREIGN CURRENCY REPORTS

In accordance with the appropriate provisions of law, the Secretary of the Senate herewith submits the following report(s) of standing committees of the Senate, certain joint committees of the Congress, delegations and groups, and select and special committees of the Senate, relating to expenses incurred in the performance of authorized foreign travel:

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON AGRICULTURE, NUTRITION AND FORESTRY FOR TRAVEL FROM APR. 1 TO JUNE 30, 2001

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Jay Driscol:									
Canada	Dollar		145.60		410.00		1.00		556.60
Total			145.60		410.00		1.00		556.00

TOM HARKIN,
Chairman, Committee on Agriculture, Nutrition, and Forestry, July 13, 2001.

AMENDMENT TO 1ST QUARTER 2001 CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON APPROPRIATIONS FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2001

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Wally Burnett:									
Canada	Dollar		186.00		291.85				477.85
Total			186.00		291.85				477.85

ROBERT C. BYRD,
Chairman, Committee on Appropriations, July 16, 2001.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON APPROPRIATIONS FOR TRAVEL FROM APR. 1 TO JUNE 30, 2001

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Steve Cortese:									
Japan	Yen		262.00						262.00
South Korea	Won		678.00						678.00
Jennifer Chartrand:									
Japan	Yen		393.00						393.00
South Korea	Won		678.00						678.00
Tom Hawkins:									
Japan	Yen		393.00						393.00
South Korea	Won		678.00						678.00
Paul Grove:									
Colombia	Peso		663.00						663.00
Bolivia	Dollar		540.00						540.00
El Salvador	Dollar		444.00						444.00
United States	Dollar				3,827.60				3,827.60
Susan Hogan:									
Colombia	Peso		662.85						662.85
Bolivia	Boliviano		540.00						540.00

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON APPROPRIATIONS FOR TRAVEL FROM APR. 1 TO JUNE 30, 2001—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Ecuador	Dollar		420.00						420.00
United States	Dollar				2,789.60				2,789.60
South America	Dollar				173.00				173.00
Wallace Burnett:									
Japan	Yen		968.00						968.00
Korea	Won		494.00						494.00
Azerbajian	Manat		383.00						383.00
Turkey	Lira		612.00						612.00
Portugal	Escudo		422.00						422.00
Tim Rieser:									
Yugoslavia	Dollar		160.00						160.00
Macedonia	Dollar		199.00		1,938.00				2,137.00
Senator Ted Stevens:									
France	Franc		320.00						320.00
Senator Thad Cochran:									
France	Franc		320.00						320.00
Senator Richard C. Shelby:									
France	Franc		320.00						320.00
Senator Conrad Burns:									
France	Franc		320.00						320.00
Steve Cortese:									
France	Franc		320.00						320.00
John Young:									
France	Franc		320.00						320.00
Terry Sauvain:									
France	Franc		320.00						320.00
Lisa Sutherland:									
France	Franc		320.00						320.00
Carol White:									
France	Franc		320.00						320.00
Wally Burnett:									
France	Franc		320.00		2,818.51				3,138.51
Sid Ashworth:									
France	Franc		320.00						320.00
Charlie Houy:									
France	Franc		320.00		2,806.30				3,126.30
Gary Reese:									
France	Franc		320.00						320.00
Dwight McKay:									
France	Franc		320.00						320.00
Total France			14,069.85		14,353.01		0.00		28,422.86

ROBERT C. BYRD,
Chairman, Committee on Appropriations, July 16, 2001.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS FOR TRAVEL FROM APR. 1 TO JUNE 30, 2001

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Phil Gramm:									
South Korea	Dollar		332.41						332.41
Taiwan	Dollar		330.00						330.00
Senator Robert F. Bennett:									
South Korea	Dollar		452.00						452.00
Taiwan	Dollar		578.00						578.00
Senator Jim Bunning:									
South Korea	Dollar		452.00						452.00
Taiwan	Dollar		578.00						578.00
Senator Mike Crapo:									
South Korea	Dollar		452.00						452.00
Taiwan	Dollar		578.00						578.00
Ms. Ruth Cymber:									
South Korea	Dollar		310.00						310.00
Taiwan	Dollar		303.67						303.67
Ms. Linda Lord:									
South Korea	Dollar		340.06						340.06
Taiwan	Dollar		340.00						340.00
Total			5,046.14						5,046.14

Phil Gramm, Chairman,
Committee on Banking, Housing, and Urban Affairs, June 30, 2001.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON ARMED SERVICES FOR TRAVEL FROM APR. 1 TO JUNE 30, 2001

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Jeff B. Sessions:									
Saudi Arabia	Riyal		36.49						36.49
Bahrain	Dinar		83.00						83.00
Italy	Lira		217.00						217.00
Archie Galloway:									
Saudi Arabia	Riyal		40.00						40.00
Bahrain	Dinar		228.00						228.00
Italy	Lira		310.00						310.00
Armand DeKeyser:									
Saudi Arabia	Riyal		58.00						58.00
Bahrain	Dinar		245.00						245.00
Italy	Lira		355.00						355.00

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON ARMED SERVICES FOR TRAVEL FROM APR. 1 TO JUNE 30, 2001—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Gary M. Hall:									
Saudi Arabia	Riyal		64.00						64.00
Bahrain	Dinar		83.00						83.00
Italy	Lira		212.00						212.00
United States	Dollar				8,253.99				8,253.99
Edward H. Edens:									
Colombia	Peso		422.00						422.00
Bolivia	Boliviano		512.00						512.00
Ecuador	Sucre		200.00						200.00
Colombia	Peso		211.00						211.00
Cord A. Sterling:									
Colombia	Peso		442.00						442.00
Bolivia	Boliviano		540.00						540.00
Ecuador	Sucre		210.00						210.00
Colombia	Peso		221.00						221.00
George W. Lauffer:									
United States	Dollar				4,906.00				4,906.00
Spain	Pesata		54.55						54.55
Turkey	Liara		90.75						90.75
Italy	Lira		429.25						429.25
Michael J. McCord:									
United States	Dollar				4,906.00				4,906.00
Spain	Pesata		49.00						49.00
Turkey	Liara		78.00						78.00
Italy	Lira		498.00						498.00
Thomas L. MacKenzie:									
Germany	Deutsche Mark		468.00						468.00
United Kingdom	Pound		411.00						411.00
Daniel J. Cox, Jr.:									
Germany	Deutsche Mark		468.00						468.00
United Kingdom	Pound		411.00						411.00
John R. Barnes:									
Germany	Deutsche Mark		468.00						468.00
United Kingdom	Pound		411.00						411.00
Senator James M. Inhofe:									
France	Franc		320.00						320.00
Romie L. Brownlee:									
France	Franc		77.00						77.00
Senator John McCain:									
Ireland	Pound		722.00						722.00
Northern Ireland	Pound		243.00						243.00
Marshall Salter:									
United States	Dollar				3,702.93				3,702.93
Ireland	Pound		942.00						942.00
Senator James Inhofe:									
Cote D'Ivoire	Franc		162.00						162.00
Benin	Franc		139.00						139.00
Ghana	Cedi		230.00						230.00
Morocco	Dirham		242.00						242.00
United States	Dollar				5,296.88				5,296.88
Mark Powers:									
Cote D'Ivoire	Franc		162.00						162.00
Benin	Franc		139.00						139.00
Ghana	Cedi		230.00						230.00
Morocco	Dirham		242.00						242.00
United States	Dollar				5,296.88				5,296.88
Total			12,376.06		32,362.68				44,738.72

CARL LEVIN,
Chairman, Committee on Armed Services, June 28, 2001.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION FOR TRAVEL FROM APR. 1 TO JUNE 30, 2001

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Ensign:									
Mexico	Dollar		217.00		917.60				1,134.60
Sonia Joya:									
Mexico	Dollar		210.00		917.60				1,127.60
Total			427.00		1,835.20				2,262.20

JOHN McCAIN, Chairman,
Committee on Commerce, Science, and Transportation, June 5, 2001.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON FINANCE FOR TRAVEL FROM APR. 1 TO JUNE 30, 2001

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Timothy Punke:									
Canada	Dollar	659.40	395.50		996.45				1,391.95
Greg Mastel:									
Canada	Dollar	659.40	395.50		996.45				1,391.95
Jill Kozeny:									
Canada	Dollar		93.41		1,050.00				1,143.41
Everett Eissenstat:									
Canada	Dollar	263.76	84.17						84.17
Senator Charles Grassley:									
Canada	Dollar	263.76	166.17						116.17

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON FINANCE FOR TRAVEL FROM APR. 1 TO JUNE 30, 2001—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Max Baucus:									
Canada	Dollar		131.00		959.90				1,090.90
Canada	Dollar		151.45		410.00				561.45
Theodore Posner:									
Switzerland	Franc		368.51		4,909.26				5,277.77
Total		1,785.71		9,322.06					11,057.77

MAX BAUCUS,
Chairman, Committee on Finance, June 28, 2001.

AMENDMENT TO 4TH QUARTER 2000 CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SECTION 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON FOREIGN RELATIONS FOR TRAVEL FROM OCT. 1 TO DEC. 31, 2000

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Sam Brownback:									
Brazil	Dollar		1,000.00						1,000.00
United States	Dollar				2,575.00				2,575.00
Senator Christopher Dodd:									
United States	Dollar				1,935.40				1,935.40
Senator Chuck Hagel:									
Kazakhstan	Dollar		880.00						880.00
Syria	Dollar		261.00						261.00
Israel	Dollar		523.00						523.00
Italy	Dollar		361.00						361.00
United States	Dollar				6,479.48				6,479.48
Senator John Kerry:									
Thailand	Dollar		752.00						752.00
Vietnam	Dollar		750.00						750.00
Netherlands	Dollar		600.00						600.00
United States	Dollar				9,598.50				9,598.50
Senator Paul Wellstone:									
Colombia	Dollar		499.00						499.00
United States	Dollar				1,964.80				1,964.80
Ian Brzezinski:									
Russia	Dollar		1,431.00						1,431.00
Azerbaijan	Dollar		1,045.00						1,045.00
United States	Dollar				6,019.00				6,019.00
Anne Chitwood:									
Macedonia	Dollar		708.00						708.00
United States	Dollar				5,197.74				5,197.74
Michele DeKonty:									
Netherlands	Dollar		622.18						622.18
United States	Dollar				6,177.27				6,177.27
Richard Douglas:									
Netherlands	Dollar		2,071.00						2,071.00
United States	Dollar				6,177.27				6,177.27
James Farrell:									
Colombia	Dollar		485.00						485.00
United States	Dollar				1,964.00				1,964.80
Debbie Fiddelke:									
Netherlands	Dollar		687.00						678.00
United States	Dollar				5,977.28				5,977.28
Elizabeth Kivette:									
Macedonia	Dollar		823.00						823.00
United States	Dollar				5,197.74				5,197.74
Mark Lagon:									
Brazil	Dollar		1,936.00						1,936.00
United States	Dollar				5,737.80				5,737.80
Brian Meyers:									
Switzerland	Dollar		693.00						693.00
United States	Dollar				5,646.49				5,646.49
Lisa Moore:									
Netherlands	Dollar		3,000.00						3,000.00
United States	Dollar				600.00				600.00
Roger Noriega:									
Mexico	Dollar		300.00						300.00
Janice O'Connell:									
Spain	Dollar		550.00						550.00
United States	Dollar				3,001.86				3,001.86
Charlotte Oldham-Moore:									
Colombia	Dollar		470.00						470.00
United States	Dollar				1,964.80				1,964.80
Kenneth Peel:									
Kazakhstan	Dollar		880.00						880.00
Syria	Dollar		261.00						261.00
Israel	Dollar		523.00						523.00
Italy	Dollar		361.00						361.00
United States	Dollar				6,479.48				6,479.48
Nancy Stetson:									
Thailand	Dollar		671.00						671.00
Vietnam	Dollar		538.00						538.00
United States	Dollar				7,187.80				7,187.80
Michael Westphal:									
Russia	Dollar		1,431.00						1,431.00
Azerbaijan	Dollar		1,045.00						1,045.00
United States	Dollar				6,019.00				6,019.00
Total			26,148.18		95,901.51				122,049.69

JESSE HELMS,
Chairman, Committee on Foreign Relations, Dec. 31, 2000.

AMENDMENT TO 1ST QUARTER 2001 CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SECTION 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON FOREIGN RELATIONS FOR TRAVEL FROM JAN. 1, TO MAR. 31, 2001

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Joseph Biden:									
Yugoslavia	Dollar		217.00						217.00
United States	Dollar				4,243.77				4,243.77
Senator Sam Brownback:									
Thailand	Dollar		830.00				1,316.00		2,146.00
United States	Dollar				5,339.12				5,339.12
Senator Lincoln Chafee:									
Colombia	Dollar		293.53						293.53
Ecuador	Dollar		147.11						147.11
Senator Christopher Dodd:									
Colombia	Dollar		442.00						442.00
Ecuador	Dollar		210.00						210.00
Senator Russell Feingold:									
Nigeria	Dollar		100.00						100.00
Senegal	Dollar		546.72						546.72
United States	Dollar					7,565.23			7,565.23
Senator Chuck Hagel:									
Germany	Dollar		458.41						458.41
Colombia	Dollar		442.00						442.00
Ecuador	Dollar		210.00						210.00
Senator Gordon Smith:									
Switzerland	Dollar		20.00						20.00
France	Dollar		750.00						750.00
Senator Paul Wellstone:									
Colombia	Dollar		380.00						380.00
United States	Dollar				1,964.80				1,964.80
Steve Biegun:									
Germany	Dollar		520.00						520.00
Deborah Brayton:									
Colombia	Dollar		293.53						293.53
Ecuador	Dollar		147.11						147.11
James Doran:									
Taiwan	Dollar		800.00						800.00
United States	Dollar				4,796.90				4,796.90
Robert Epplin:									
Switzerland	Dollar		492.00						492.00
France	Dollar		750.00						750.00
Michelle Gavin:									
Nigeria	Dollar		42.46						42.46
Senegal	Dollar		369.27						369.27
United States	Dollar				7,565.23				7,565.23
Michael Haltzel:									
Yugoslavia	Dollar		217.00						217.00
United States	Dollar				4,759.77				4,759.77
Alan Hoffman:									
Yugoslavia	Dollar		217.00						217.00
United States	Dollar				4,582.77				4,582.77
Mark Lagon:									
Czech Republic	Dollar		962.00						962.00
United States	Dollar				4,156.35				4,156.35
Janice O'Connell:									
Colombia	Dollar		442.00						442.00
Ecuador	Dollar		210.00						210.00
Charlotte Oldham-Moore:									
Colombia	Dollar		380.00						380.00
United States	Dollar				1,964.80				1,964.80
Sharon Payt:									
Thailand	Dollar		1,526.00					1,315.00	2,841.00
United States	Dollar				7,003.60				7,003.60
Kenneth Peel:									
Colombia	Dollar		442.00						442.00
Ecuador	Dollar		210.00						210.00
Christina Rocca:									
Pakistan	Dollar		1,185.00						1,185.00
United States	Dollar				7,097.77				7,097.77
Marc Thiessen:									
United Kingdom	Dollar		200.00						200.00
United States	Dollar				4,943.78				4,943.78
Michael Westphal:									
Czech Republic	Dollar		962.00						962.00
United States	Dollar				4,156.35				4,156.35
Total			15,414.14		70,140.24		2,631.00		88,185.38

JESSE HELMS,
Chairman, Committee on Foreign Relations, Mar. 31, 2001.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), CODEL HELMS/BIDEN (COMMITTEE ON FOREIGN RELATIONS) FOR TRAVEL FROM APR. 16 TO APR. 18, 2001

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Jesse Helms:									
Mexico	Dollar		401.00						401.00
Senator Joseph R. Biden, Jr:									
Mexico	Dollar		541.00						541.00
Senator Lincoln Chafee:									
Mexico	Dollar		484.87						484.87
Senator Chuck Hagel:									
Mexico	Dollar		627.00						627.00
Steve Biegun:									
Mexico	Dollar		627.00						627.00
Paul Foldi:									
Mexico	Dollar		627.00						627.00
Edwin Hall:									
Mexico	Dollar		627.00						627.00
Norm Kurz:									
Mexico	Dollar		627.00						627.00

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), CODEL HELMS/BIDEN (COMMITTEE ON FOREIGN RELATIONS) FOR TRAVEL FROM APR. 16 TO APR. 18, 2001—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Marcia Lee:									
Mexico	Dollar		627.00						627.00
Kirsten Madison:									
Mexico	Dollar		627.00						627.00
Sandy Mason:									
Mexico	Dollar		501.00						501.00
Roger Noriega:									
Mexico	Dollar		627.00						627.00
Janice O'Connell									
Mexico	Dollar		627.00						627.00
Ken Peel:									
Mexico	Dollar		627.00						627.00
Marc Thiessen:									
Mexico	Dollar		627.00						627.00
Delegation Expenses:									
Transportation					1,285.05				1,282.05
Vehicles					2,930.20				2,930.20
Translation/Interpreters							841.77		841.77
Control Rooms							7,365.12		7,365.12
Total			8,824.87		4,212,25		8,206.89		21,244.01

JESSE HELMS,
Chairman, Committee on Foreign Relations, Apr. 20, 2001.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SECTION 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON FOREIGN RELATIONS FOR TRAVEL FROM APR. 1 TO JUNE 30, 2001

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Sam Brownback:									
Kazakhstan	Dollar		628.00						628.00
Kyrgyzstan	Dollar		240.00						240.00
Georgia	Dollar		270.00						270.00
United States	Dollar				6,906.00				6,906.00
Senator Bill Nelson:									
Japan	Dollar		899.00						899.00
South Korea	Dollar		623.00						623.00
Azerbaijan	Dollar		328.00						328.00
Turkey	Dollar		701.00						701.00
Portugal	Dollar		418.00						418.00
Jonah Blank:									
India	Dollar		2,966.00						2,966.00
United States	Dollar				7,198.80				7,198.80
Heather Flynn:									
Dem. Rep. of Congo	Dollar		750.00						750.00
Rwanda	Dollar		625.00						625.00
Burundi	Dollar		200.00						200.00
Uganda	Dollar		800.00						800.00
United States	Dollar				7,893.05				7,893.05
Paul Foldi:									
Mexico	Dollar		276.00						276.00
United States	Dollar				493.00				493.00
Adam Frey:									
Lebanon	Dollar		200.00						200.00
Israel	Dollar		724.00						724.00
United States	Dollar				5,918.06				5,918.06
Michelle Gavin:									
Dem. Rep. of Congo	Dollar		484.00						484.00
Rwanda	Dollar		483.00						483.00
Uganda	Dollar		483.00						483.00
United States	Dollar				7,893.05				7,893.05
Michael Haltzel:									
Slovakia	Dollar		500.00						500.00
Austria	Dollar		550.00						550.00
Macedonia	Dollar		450.00						450.00
United States	Dollar				5,231.63				5,231.63
Belgium	Dollar		500.00						500.00
Yugoslavia	Dollar		200.00						200.00
Croatia	Dollar		250.00						250.00
United States	Dollar				5,406.04				5,406.04
Frank Jannuzi:									
Japan	Dollar		677.00						677.00
China	Dollar		1,126.00						1,126.00
North Korea	Dollar		1,908.00						1,908.00
South Korea	Dollar		761.00						761.00
United States	Dollar				4,558.20				4,558.20
Kirsten Madison:									
Mexico	Dollar		276.00						276.00
United States	Dollar				493.00				493.00
Colombia	Dollar		663.00						663.00
Venezuela	Dollar		998.00						998.00
United States	Dollar				2,372.00				2,372.00
Brian Meyers:									
Switzerland	Dollar		700.00						700.00
United States	Dollar				4,218.53				4,218.53
Danielle Pletka:									
Lebanon	Dollar		200.00						200.00
Israel	Dollar		724.00						724.00
United States	Dollar				5,918.06				5,918.06
Kelly Siekman:									
Netherlands	Dollar		585.00						585.00
United States	Dollar				6,093.99				6,093.99
Marc Thiessen:									
Poland	Dollar		897.00						897.00
United States	Dollar				4,628.60				4,628.60
Christopher Weld:									
Colombia	Dollar		663.00						663.00
Venezuela	Dollar		998.00						998.00

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SECTION 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON FOREIGN RELATIONS FOR TRAVEL FROM APR. 1 TO JUNE 30, 2001—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
United States	Dollar				2,372.00				2,372.00
Michael Westphal:									
Kazakhstan	Dollar		2,652.00						2,652.00
United States	Dollar				7,279.59				7,279.59
Kazakhstan	Dollar		628.00						628.00
Kyrgyzstan	Dollar		290.00						290.00
Georgia	Dollar		270.00						270.00
United States	Dollar				6,997.00				6,997.00
Total			29,564.00		91,870.60				121,434.60

JOSEPH R. BIDEN, Jr.,
Chairman, Committee on Foreign Relations, July 1, 2001.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON GOVERNMENTAL AFFAIRS FOR TRAVEL FROM APR. 1 TO JUNE 30, 2001

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Fred Thompson:									
Ireland	Pound		621.00						621.00
United Kingdom	Pound		226.00						226.00
Mark Esper:									
Ireland	Pound		824.00						824.00
United Kingdom	Pound		186.00						186.00
Elise Bean:									
Liechtenstein	Franc		550.00		4,374.99				4,924.99
Total			2,407.00		4,374.99				6,781.99

JOE LIEBERMAN,
Chairman, Committee on Governmental Affairs, July 2, 2001.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON VETERANS' AFFAIRS FOR TRAVEL FROM APR. 1 TO JUNE 30, 2001

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Arlen Specter:									
England	Dollar		1,053.00						1,053.00
Italy	Dollar		1,201.00						1,201.00
Israel	Dollar		1,116.00						1,116.00
Egypt	Dollar		446.00						446.00
Lebanon	Dollar		230.00						230.00
Syria	Dollar		329.00						329.00
United States	Dollar				5,413.48				5,413.48
William Reynolds:									
England	Dollar		1,053.00						1,053.00
Italy	Dollar		1,201.00						1,201.00
Israel	Dollar		1,116.00						1,116.00
Egypt	Dollar		446.00						446.00
Lebanon	Dollar		230.00						230.00
Syria	Dollar		329.00						329.00
United States	Dollar				5,413.48				5,413.48
Total			8,750.00		10,826.96				19,576.96

ARLEN SPECTER,
Chairman, Committee on Veterans' Affairs, July 9, 2001.

CONSOLIDATED REPORT OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON INTELLIGENCE FOR TRAVEL FROM APR. 1 TO JUNE 30, 2001

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Vicki Divoll:									
			694.00						694.00
United States	Dollar				5,894.76				5,894.76
Peter Flory:									
			1,254.00						1,254.00
United States	Dollar				5,894.76				5,894.76
Peter Dorn:									
			1,179.00						1,179.00
United States	Dollar				5,894.76				5,894.76
Senator Richard Shelby:									
			2,879.00						2,879.00
Patricia McNerney:									
			2,481.00						2,481.00
Anne Caldwell:									
			2,879.00						2,879.00
Senator Richard Lugar:									
			1,478.00						1,478.00
United States	Dollar				5,178.15				5,178.15
Kenneth Myers:									
			1,458.00						1,458.00
United States	Dollar				5,178.15				5,178.15

CONSOLIDATED REPORT OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON INTELLIGENCE FOR TRAVEL FROM APR. 1 TO JUNE 30, 2001—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Richard Shelby:									
			2,768.00						2,768.00
United States	Dollar				4,761.26				4,761.26
William Duhnke:									
			1,642.00						1,642.00
United States	Dollar				4,761.26				4,761.26
James Hensler:									
			1,757.00						1,757.00
United States	Dollar				4,761.26				4,761.26
Robert Filippone:									
			1,007.00						1,007.00
United States	Dollar				6,738.70				6,738.70
Patricia McNerney:									
			1,312.00						1,312.00
United States	Dollar				5,677.03				5,677.03
Peter Dorn:									
			1,532.00						1,532.00
United States	Dollar				5,677.03				5,677.03
Randy Bookout:									
			1,090.00						1,090.00
United States	Dollar				6,738.70				6,738.70
Lorenzo Goco:									
			414.00						414.00
United States	Dollar				3,632.10				3,632.10
Melvin Dubee:									
			409.00						409.00
United States	Dollar				3,632.10				3,632.10
James Hensler:									
			420.00						420.00
United States	Dollar				3,632.10				3,632.10
Melvin Dubee:									
			722.50						722.50
United States	Dollar				2,030.71				2,030.71
Total			27,375.50		80,082.83				107,458.33

BOB GRAHAM,
Chairman, Committee on Intelligence, July 16, 2001.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), THE COMMISSION ON SECURITY AND COOPERATION IN EUROPE FOR TRAVEL FROM APR. 1 TO JUNE 30, 2001

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Chadwick Gore:									
United States	Dollar				3,457.86				3,457.86
Denmark	Dollar		558.49						558.49
United States	Dollar				3,817.79				3,817.79
Poland	Dollar		705.22						705.22
France	Dollar		101.00						101.00
Robert Hand:									
United States	Dollar				4,152.11				4,152.11
Austria	Dollar		341.00						341.00
Albania	Dollar		1,096.00						1,096.00
Janice Helwig:									
United States	Dollar				5,372.97				5,372.97
Austria	Dollar		9,477.65						9,477.65
Representative Steny Hoyer:									
United States	Dollar				5,878.34				5,878.34
Denmark	Dollar		378.00						378.00
Marlene Kaufmann:									
United States	Dollar				5,878.34				5,878.34
Denmark	Dollar		378.00						378.00
United States	Dollar				5,112.89				5,112.89
Czech Republic	Dollar		1,100.00						1,100.00
Michael Ochs:									
United States	Dollar				3,726.22				3,726.22
Poland	Dollar		754.00						754.00
United States	Dollar				6,549.83				6,549.83
United Kingdom	Dollar		131.53						131.53
Georgia	Dollar		1,168.47						1,168.47
Erika Schlager:									
United States	Dollar				4,541.49				4,541.49
Slovakia	Dollar		277.78						277.78
Hungary	Dollar		887.49						887.49
Dorothy Taft:									
United States	Dollar				3,452.54				3,452.54
Netherlands	Dollar		983.60						983.60
Maureen Walsh:									
United States	Dollar				4,170.11				4,170.11
Austria	Dollar		267.24						267.24
Hungary	Dollar		897.39						897.39
Total			19,502.86		56,110.49				75,613.35

BEN NIGHTHORSE CAMPBELL,
Chairman, July 17, 2001.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), MAJORITY LEADER FOR TRAVEL FROM APR. 1 TO JUNE 30, 2001

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Janie Moltrup:									
Mexico	Peso		486.00						486.00
Total			486.00						486.00

TRENT LOTT,
Majority Leader, July 18, 2001.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), CODEL LOTT FOR TRAVEL FROM APR. 15 TO APR. 23, 2001

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Trent Lott:									
Portugal	Escudo		422.00						422.00
Spain	Peseta		1,020.00						1,020.00
Belgium	Franc		530.00						530.00
Senator Frank Murkowski:									
Portugal	Escudo		422.00						422.00
Spain	Peseta		1,000.00						1,000.00
Belgium	Franc		530.00						530.00
Senator Larry Craig:									
Portugal	Escudo		422.00						422.00
Spain	Peseta		1,020.00						1,020.00
Belgium	Franc		530.00						530.00
Senator Kay Bailey Hutchison:									
Portugal	Escudo		422.00						422.00
Spain	Peseta		1,000.00						1,000.00
Belgium	Franc		530.00						530.00
Gary Sisco:									
Portugal	Escudo		422.00						422.00
Spain	Peseta		1,020.00						1,020.00
Belgium	Franc		530.00						530.00
James Ziglar:									
United States	Dollar				1,880.80				1,880.80
Spain	Peseta		1,020.00						1,020.00
Belgium	Franc		530.00						530.00
William Gottshall:									
Portugal	Escudo		422.00						422.00
Spain	Peseta		1,020.00						1,020.00
Belgium	Franc		530.00						530.00
Elizabeth Ross:									
Portugal	Escudo		422.00						422.00
Spain	Peseta		1,020.00						1,020.00
Belgium	Franc		530.00						530.00
Kirsten Shaw:									
Portugal	Escudo		422.00						422.00
Spain	Peseta		1,020.00						1,020.00
Belgium	Franc		530.00						530.00
George Tolbert:									
Portugal	Escudo		422.00						422.00
Spain	Peseta		859.00						859.00
Belgium	Franc		400.00						400.00
Sally Walsh:									
Portugal	Escudo		422.00						422.00
Spain	Peseta		1,020.00						1,020.00
Belgium	Franc		530.00						530.00
Robert Wilkie:									
Portugal	Escudo		422.00						422.00
Spain	Peseta		1,020.00						1,020.00
Belgium	Franc		530.00						530.00
Eric Womble:									
Portugal	Escudo		422.00						422.00
Spain	Peseta		1,020.00						1,020.00
Belgium	Franc		530.00						530.00
Delegation expenses:[1]									
Portugal	Escudo							7,204.89	7,204.89
Spain	Peseta							22,578.58	22,578.58
Belgium	Franc							10,122.76	10,122.76
Total			24,903.00		1,880.80		39,906.23		66,690.03

[1] Delegation expenses include payments and reimbursements to the Department of State and the Department of Defense under authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Sec. 22 of P.L. 95–384, and S. Res. 179 agreed to May 25, 1977.

TRENT LOTT,
Republican Leader, July 11, 2001.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), CODEL SMITH FOR TRAVEL FROM MAY 26 TO JUNE 2, 2001

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Gordon Smith:									
Latvia	Lats		134.00						134.00
Poland	Zloty		598.00						598.00
Senator Barbara Mikulski:									
Latvia	Lats		134.00						134.00
Poland	Zloty		520.00						520.00
Senator Richard Durbin:									
Latvia	Lats		134.00						134.00
Senator George Voinovich:									
Latvia	Lats		134.00						134.00

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), CODEL SMITH FOR TRAVEL FROM MAY 26 TO JUNE 2, 2001—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Poland	Zloty		500.00						500.00
Ian Brzezinski:									
Latvia	Lats		134.00						134.00
Poland	Zloty		598.00						598.00
Sue Keenom:									
Latvia	Lats		134.00						134.00
Poland	Zloty		598.00						598.00
Sally Walsh:									
Latvia	Lats		134.00						134.00
Poland	Zloty		598.00						598.00
Delegation expenses:[1]									
Estonia	Kroon				20,700.00		1,223.27		21,923.27
Latvia	Lats						2,206.53		2,206.53
Poland	Zloty						6,063.37		6,063.37
Total			4,350.00		20,700.00		9,493.17		34,543.17

[1] Delegation expenses include direct payments and reimbursements to the Department of State and the Department of Defense under authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Sec. 22 of P.L. 95–384, and S. Res. 179 agreed to May 25, 1977.

TOM DASCHLE, Majority Leader,
TRENT LOTT, Republican Leader, July 16, 2001.

AMENDMENT TO 1ST QUARTER 2001 CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), CODEL DASCHLE FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2001

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Tom Daschle:									
Morocco	Dirham		614.00						614.00
Turkey	Lira		814.00						814.00
Greece	Drachma		400.00						400.00
Portugal	Escuda		161.00						161.00
Senator Tom Harkin:									
Morocco	Dirham		614.00						614.00
Turkey	Lira		814.00						814.00
Greece	Drachma		400.00						400.00
Portugal	Escuda		161.00						161.00
Senator Harry Reid:									
Morocco	Dirham		614.00						614.00
Turkey	Lira		814.00						814.00
Greece	Drachma		400.00						400.00
Portugal	Escuda		161.00						161.00
Senator Kent Conrad:									
Morocco	Dirham		614.00						614.00
Turkey	Lira		814.00						814.00
Greece	Drachma		400.00						400.00
Portugal	Escuda		161.00						161.00
Senator Byron Dorgan:									
Morocco	Dirham		614.00						614.00
Turkey	Lira		814.00						814.00
Greece	Drachma		400.00						400.00
Portugal	Escuda		161.00						161.00
Senator Barbara Boxer:									
Morocco	Dirham		614.00						614.00
Turkey	Lira		814.00						814.00
Greece	Drachma		400.00						400.00
Portugal	Escuda		161.00						161.00
Denis McDonough:									
Morocco	Dirham		564.00						564.00
Turkey	Lira		764.00						764.00
Greece	Drachma		400.00						400.00
Portugal	Escuda		111.00						111.00
Martin Paone:									
Morocco	Dirham		614.00						614.00
Turkey	Lira		814.00						814.00
Greece	Drachma		400.00						400.00
Portugal	Escuda		161.00						161.00
Susan McCue:									
Morocco	Dirham		614.00						614.00
Turkey	Lira		814.00						814.00
Greece	Drachma		400.00						400.00
Portugal	Escuda		161.00						161.00
Julia Hart:									
Morocco	Dirham		614.00						614.00
Turkey	Lira		814.00						814.00
Greece	Drachma		400.00						400.00
Portugal	Escuda		161.00						161.00
Delegation expenses: [1]							30,385.59		30,385.59
Total			19,740.00				30,385.59		50,125.59

[1] Delegation expenses include direct payments and reimbursements to the Department of State and the Department of Defense under authority of sec. 502(b) of the Mutual Security Act of 1954 as amended by Sec. 22 of P.L. 95–384, and S. Res. 179 agreed to May 25, 1977.

TOM DASCHLE,
Democratic Leader, June 1, 2001.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), PRESIDENT PRO TEMPORE FOR TRAVEL FROM APR. 1 TO JUNE 30, 2001

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Dr. John Eisold:									
France	Franc		2,710.00						2,710.00
Dot Svendson:									
France	Franc		2,310.00						2,310.00
Total			5,020.00						5,020.00

ROBERT C. BYRD,
President Pro Tempore, July 26, 2001.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the President of the Senate, and after consultation with the Democratic leader, pursuant to Public Law 106–286, appoints the Senator from Indiana (Mr. BAYH) to serve on the Congressional-Executive Commission on the People's Republic of China, vice the Senator from Oregon (Mr. SMITH), and appoints the Senator from Montana (Mr. BAUCUS) as Chairman of the Commission.

ZIMBABWE DEMOCRACY AND ECONOMIC RECOVERY ACT OF 2001

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 90, S. 494.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 494) to provide for a transition to democracy and to promote economic recovery in Zimbabwe.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Foreign Relations with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

[Strike out all after the enacting clause and insert the part printed in black italic.]

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Zimbabwe Democracy and Economic Recovery Act of 2001''.

SEC. 2. STATEMENT OF POLICY.

It is the policy of the United States to support the people of Zimbabwe in their struggle to effect peaceful, democratic change, achieve broad-based and equitable economic growth, and restore the rule of law.

SEC. 3. DEFINITIONS.

In this Act:

(1) INTERNATIONAL FINANCIAL INSTITUTIONS.—The term ''international financial institutions'' means the multilateral development banks and the International Monetary Fund.

(2) MULTILATERAL DEVELOPMENT BANKS.—The term ''multilateral development banks'' means the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Inter-American Development Bank, the Asian Development Bank, the Inter-American Investment Corporation, the African Development Bank, the African Development Fund, the European Bank for Reconstruction and Development, and the Multilateral Investment Guaranty Agency.

SEC. 4. SUPPORT FOR DEMOCRATIC TRANSITION AND ECONOMIC RECOVERY.

(a) FINDINGS.—Congress makes the following findings:

(1) Through economic mismanagement, undemocratic practices, and the costly deployment of troops to the Democratic Republic of the Congo, the Government of Zimbabwe has rendered itself ineligible to participate in International Bank for Reconstruction and Development and International Monetary Fund programs, which would otherwise be providing substantial resources to assist in the recovery and modernization of Zimbabwe's economy. The people of Zimbabwe have thus been denied the economic and democratic benefits envisioned by the donors to such programs, including the United States.

(2) In September 1999 the IMF suspended its support under a ''Stand By Arrangement'', approved the previous month, for economic adjustment and reform in Zimbabwe.

(3) In October 1999, the International Development Association (in this section referred to as the ''IDA'') suspended all structural adjustment loans, credits, and guarantees to the Government of Zimbabwe.

(4) In May 2000, the IDA suspended all other new lending to the Government of Zimbabwe.

(5) In September 2000, the IDA suspended disbursement of funds for ongoing projects under previously-approved loans, credits, and guarantees to the Government of Zimbabwe.

(b) SUPPORT FOR DEMOCRATIC TRANSITION AND ECONOMIC RECOVERY.—Upon receipt by the appropriate congressional committees of a certification described in subsection (d), the following shall apply:

(1) DEBT RELIEF AND OTHER FINANCIAL ASSISTANCE.—The Secretary of the Treasury shall—

(A) undertake a review of the feasibility of restructuring, rescheduling, or eliminating the sovereign debt of Zimbabwe held by any agency of the United States Government;

(B) direct the United States executive director of each multilateral development bank to propose that the bank should undertake a review of the feasibility of restructuring, rescheduling, or eliminating the sovereign debt of Zimbabwe held by that bank; and

(C) direct the United States executive director of each international financial institution to which the United States is a member to propose to undertake financial and technical support for Zimbabwe, especially support that is intended to promote Zimbabwe's economic recovery and development, the stabilization of the Zimbabwean dollar, and the viability of Zimbabwe's democratic institutions.

(2) ESTABLISHMENT OF A SOUTHERN AFRICA FINANCE CENTER.—The President should direct the establishment of a Southern Africa Finance Center located in Zimbabwe that will include regional offices of the Overseas Private Investment Corporation, the Export-Import Bank of the United States, and the Trade and Development Agency for the purpose of facilitating the development of commercial projects in Zimbabwe and the southern Africa region.

(c) MULTILATERAL FINANCING RESTRICTION.—Until the President makes the certification described in subsection (d), and except as may be required to meet basic human needs or for good governance, the Secretary of the Treasury shall instruct the United States executive director to each international financial institution to oppose and vote against—

(1) any extension by the respective institution of any loan, credit, or guarantee to the Government of Zimbabwe; or

(2) any cancellation or reduction of indebtedness owed by the Government of Zimbabwe to the United States or any international financial institution.

(d) PRESIDENTIAL CERTIFICATION THAT CERTAIN CONDITIONS ARE SATISFIED.—A certification under this subsection is a certification transmitted to the appropriate congressional committees of a determination made by the President that the following conditions are satisfied:

(1) RESTORATION OF THE RULE OF LAW.—The rule of law has been restored in Zimbabwe, including respect for ownership and title to property, freedom of speech and association, and an end to the lawlessness, violence, and intimidation sponsored, condoned, or tolerated by the Government of Zimbabwe, the ruling party, and their supporters or entities.

(2) ELECTION OR PRE-ELECTION CONDITIONS.—Either of the following two conditions is satisfied:

(A) PRESIDENTIAL ELECTION.—Zimbabwe has held a presidential election that is widely accepted as free and fair by independent international monitors, and the president-elect is free to assume the duties of the office.

(B) PRE-ELECTION CONDITIONS.—In the event the certification is made before the presidential election takes place, the Government of Zimbabwe has sufficiently improved the pre-election environment to a degree consistent with accepted international standards for security and freedom of movement and association.

(3) COMMITMENT TO EQUITABLE, LEGAL, AND TRANSPARENT LAND REFORM.—The Government of Zimbabwe has demonstrated a commitment to an equitable, legal, and transparent land reform program consistent with agreements reached at the International Donors' Conference on Land Reform and Resettlement in Zimbabwe held in Harare, Zimbabwe, in September 1998.

(4) FULFILLMENT OF AGREEMENT ENDING WAR IN DEMOCRATIC REPUBLIC OF CONGO.—The Government of Zimbabwe is making a good faith effort to fulfill the terms of the Lusaka, Zambia, agreement on ending the war in the Democratic Republic of Congo.

(5) MILITARY AND NATIONAL POLICE SUBORDINATE TO CIVILIAN GOVERNMENT.—The Zimbabwean Armed Forces, the National Police of Zimbabwe, and other state security forces are responsible to and serve the elected civilian government.

(e) WAIVER.—The President may waive the provisions of subsection (b) or subsection (c), if the President determines that it is in the national interest of the United States to do so.

SEC. 5. SUPPORT FOR DEMOCRATIC INSTITUTIONS, THE FREE PRESS AND INDEPENDENT MEDIA, AND THE RULE OF LAW.

(a) IN GENERAL.—The President is authorized to provide assistance under part I and chapter 4 of part II of the Foreign Assistance Act of 1961 to—

(1) support an independent and free press and electronic media in Zimbabwe;

(2) support equitable, legal, and transparent mechanisms of land reform in Zimbabwe, including the payment of costs related to the acquisition of land and the resettlement of individuals, consistent with the International Donors' Conference on Land Reform and Resettlement in Zimbabwe held in Harare, Zimbabwe, in September 1998, or any subsequent agreement relating thereto; and

(3) for democracy and governance programs in Zimbabwe.

(b) FUNDING.—Of the funds authorized to be appropriated to carry out part I and chapter 4 of part II of the Foreign Assistance Act of 1961 for fiscal year 2002—

(1) $20,000,000 is authorized to be available to provide the assistance described in subsection (a)(2); and

(2) $6,000,000 is authorized to be available to provide the assistance described in subsection (a)(3).

(c) SUPERSEDES OTHER LAWS.—The authority in this section supersedes any other provision of law.

SEC. 6. SENSE OF CONGRESS ON THE ACTIONS TO BE TAKEN AGAINST INDIVIDUALS RESPONSIBLE FOR VIOLENCE AND THE BREAKDOWN OF THE RULE OF LAW IN ZIMBABWE.

It is the sense of Congress that the President should begin immediate consultation with the governments of European Union member states, Canada, and other appropriate foreign countries on ways in which to—

(1) identify and share information regarding individuals responsible for the deliberate breakdown of the rule of law, politically motivated violence, and intimidation in Zimbabwe;

(2) identify assets of those individuals held outside Zimbabwe;

(3) implement travel and economic sanctions against those individuals and their associates and families; and

(4) provide for the eventual removal or amendment of those sanctions.

Mr. REID. Madam President, I ask unanimous consent that the committee substitute be agreed to, the bill, as amended, be read a third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendment in the nature of a substitute was agreed to.

The bill (S. 494), as amended, was read the third time and passed.

MEASURE READ THE FIRST TIME—H.R. 2602

Mr. REID. Madam President, I understand H.R. 2602, which was just received from the House, is at the desk, and I now ask for its first reading.

The PRESIDING OFFICER. The clerk will read the measure for the first time.

The assistant legislative clerk read as follows:

A bill (H.R. 2602) to extend the Export Administration Act until November 20, 2001.

Mr. REID. Madam President, I ask for its second reading and object to my own request on behalf of a number of my colleagues.

The PRESIDING OFFICER. Objection is heard. The bill will be due for a second reading on the next legislative day.

AMENDMENT NO. 1209, WITHDRAWN

Mr. REID. Madam President, I ask unanimous consent that the yeas and nays on the Voinovich amendment No. 1209 be vitiated and the amendment be withdrawn. Senator VOINOVICH asked us to make this consent request.

The PRESIDING OFFICER. Without objection, it is so ordered.